

Minutes of the regular meeting of the Village of Nyack Board of Trustees held at 7:30 pm on Thursday, May 22nd, 2014 at Nyack Village Hall, 9 N. Broadway, Nyack New York

Hon. Jen Laird-White presiding:

PRESENT:	Jen Laird-White	Mayor
	Don Hammond	Trustee
	Marie Lorenzini	Trustee
ALSO PRESENT:	Walter Sevastian	Village Attorney
	Jim Politi	Village Administrator
	Mary E. White	Village Clerk
ABSENT:	Louise Parker	Trustee
	Doug Foster	Trustee
	Steve Knowlton	Special Counsel

PLEDGE OF ALLEGIANCE

NYACK THANKS.....

Adoption of Minutes -

Regular meeting of May 8, 2014

Minutes were approved, as presented, by motion from Trustee Lorenzini, seconded by Trustee Hammond. Motion passed by unanimous vote.

Public Comment: *(discussion of Agenda Items only – 3 minute time limit)*

Action Items:

Resolution No. 2014-32 Resolution to approve renewal of various operating policies. *Tabled with a motion by Trustee Lorenzini, seconded by Trustee Hammond to a later date and additional information from the Village Administrator. Motion passed by unanimous vote.*

Resolution No. 2014-35 Resolution to approve free parking request in connection with ArtWalk 2014. *Moved by Trustee Lorenzini, seconded by Trustee Hammond to adopt resolution as presented. Motion passed by unanimous vote.*

Resolution No. 2014-36 Resolution to endorse the implementation of the Mid-Hudson Region Sustainability plan (Cleaner, Greener Communities Program of NYS) *Moved by Trustee Hammond, seconded by Trustee Lorenzini to adopt resolution as presented. Motion passed by unanimous vote.*

Public Comment: *(Open Public Discussion/any topic – 3 minute time limit)*

Meg Yong/Mark Mangan – *Fundraiser proposal to benefit HiTor Animal Shelter*
Village Attorney directed to draft resolution for next meeting.

Public Hearing(s):

Department Reports to the Board

- Orangetown Police Department

Email correspondence from the OPD pertaining to May 17th Street Fair incident was taken under advisement of the Village Board. Village Attorney will respond in writing.

- Village Administrator

- Village Attorney

Reported on the following:

Justice Court

Land Use applications (Nyack Library)

Avida Wine Bar (159 Main St) – contact Building Inspector

-At 8:17pm, Trustee Foster moved to approve Village Attorney's request to hold an Executive Session to discuss matters of personnel. Trustee Parker seconded the motion and it passed by unanimous vote.

- Village Clerk

Marcy Denker reported on the following:

NYSERDA grant proposal, MidHudson Regional Sustainability plan, Hudson River Estuary grant proposal. Funding sources were discussed and matter was referred to the Village Administrator and Treasurer

Camp Nyack 2014-

Trustee Hammond moved to award contract to Nyack Center, Trustee Lorenzini seconded the motion and passed unanimously.

NYS Department of Transportation

*(Transportation Alternatives Program-TAP) **Resolution 2014-37***

Moved by Trustee Hammond, seconded by Trustee Lorenzini to adopt resolution as presented. Motion passed by unanimous vote.

Old Business

Land Use Technical Committee (LUTC)

2014 Vendor applications/process

Communications

Peter Klose (River Rowing Assoc) – Hudson River Challenge

Deferred for additional information

Alex Vursta (Russian Orthodox Church) – street closure proposal

Deferred for additional information

New Business

Drew Burke – various issues

Comments/inquiries on the following: Nyack Senior Center (landscaping/maintenance)

Public Comment: (*Open Public Discussion/any topic – 3 minute time limit*)

Comments from the Board of Trustees

Executive Session (if any)

At 8:55pm, Trustee Lorenzini moved to go into Executive Session to discuss matters of pending litigation and personnel. Trustee Hammond seconded the motion and it passed unanimously.

At 9:19pm, it was moved by Trustee Hammond, seconded by Trustee Lorenzini to come out of Executive Session. Motion passed unanimously.

Trustee Hammond made a motion to approve extended sick leave benefit to Arthur Fleetwood (DPW Laborer). Trustee Lorenzini seconded the motion and it passed unanimously.

Trustee Lorenzini moved to award bid for Memorial Park playground construction to Vernon Hills Contractors with a negotiated bid amount of \$179,500. Motion passed unanimously.

Adjournment.

There being no further business, nor anyone present wishing to be heard, Trustee Lorenzini moved to close the regular meeting. Trustee Hammond seconded the motion and it was passed unanimously at 9:26pm.

Respectfully submitted,
Mary E. White,
Village Clerk

RESOLUTION OF THE NYACK VILLAGE BOARD

A regular meeting of the Nyack Village Board convened on May 8, 2014, at 7:30 p.m.

The following resolution was duly offered and seconded, to wit:
Resolution No. 2014-32

**ANNUAL RESOLUTION OF THE NYACK VILLAGE BOARD
APPROVING VILLAGE POLICIES**

WHEREAS, the Nyack Village Board has a policy of adopting certain operating policies on an annual basis, and

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NYACK VILLAGE BOARD AS FOLLOWS:

That the Nyack Village Board hereby approves the attached policies:

- (1) Budget Planning and Development.
- (2) Purchasing.
- (3) Procurement Policy.
- (4) Conflict of Interest Policy.
- (5) Investment Policy.
- (6) Fraud, Waste and Abuse Policy.
- (7) Snow Emergency Policy.

The question of the adoption of the foregoing Resolution was duly put to a vote, which resulted as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Mayor Laird-White	[]	[]	[]	[]
Trustee Parker	[]	[]	[]	[]
Trustee Hammond	[]	[]	[]	[]
Trustee Foster	[]	[]	[]	[]
Trustee Lorenzini	[]	[]	[]	[]

Mary E. White, Village Clerk

RESOLUTION OF THE NYACK VILLAGE BOARD

A regular meeting of the Nyack Village Board convened on May 22, 2014, at 7:30 p.m.

The following resolution was duly offered and seconded, to wit:
Resolution No. 2014-35

**RESOLUTION OF THE NYACK VILLAGE BOARD
APPROVING THE ART WALK 2014 EVENT**

WHEREAS, the Friends of the Nyacks has requested Village Board approval of the 2014 Art Walk event, and

WHEREAS, the Friends of the Nyacks have requested that the Village of Nyack participate in the event by suspending parking fees for a designated portion of the Artopee Parking Lot during the event (11am – 6 pm on June 13, 2014), and

WHEREAS, the Village Board of Trustees is desirous of supporting the Art Walk event;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NYACK VILLAGE BOARD AS FOLLOWS:

That the Nyack Village Board hereby approves the event, and commends the efforts of the Friends of the Nyacks for organizing the event.

BE IT FURTHER RESOLVED that the Village Board directs the Village Clerk to interface with the Friends and the Parking Authority to arrange for the designated free parking associated with this approval.

The question of the adoption of the foregoing Resolution was duly put to a vote, which resulted as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Mayor Laird-White	[X]	[]	[]	[]
Trustee Parker	[]	[]	[]	[X]
Trustee Hammond	[X]	[]	[]	[]
Trustee Foster	[]	[]	[]	[X]
Trustee Lorenzini	[X]	[]	[]	[]

Mary E. White, Village Clerk

On motion of Trustee Hammond, seconded by Trustee Lorenzini, the following resolution was adopted by the Board of Trustees of the Village of Nyack, New York:

RESOLUTION OF THE NYACK VILLAGE BOARD

A regular meeting of the Nyack Village Board was convened on May 22, 2014, at 7:30 p.m.

The following resolution was duly offered and seconded, to wit:
Resolution No. 2014 - 36

RESOLUTION BY VILLAGE OF NYACK TO ENDORSE THE OF VISION AND IMPLEMENTATION STRATEGIES OF THE MID-HUDSON REGION SUSTAINABILITY PLAN AS PREPARED FOR CLEANER, GREENER COMMUNITIES PROGRAM OF THE NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY.

WHEREAS, Governor Cuomo announced in his 2011 State of the State address a \$100 million competitive grant program (Cleaner, Greener Communities program) to encourage communities to develop regional sustainable growth strategies; and

WHEREAS, the Regional Sustainability Planning program was the first stage of the Cleaner, Greener Communities program and was intended to provide the necessary resources for each region in New York State, as defined by the boundaries of the Regional Economic Development Councils (REDCs), to develop a comprehensive sustainability plan; and

WHEREAS, engaging counties and municipalities in the planning process allowed each region to develop its vision, goals, and objectives for a sustainable future and to identify the activities or types of projects needed to achieve that future; and

WHEREAS, in stage two of the Cleaner, Greener Communities program – the Implementation Grant stage – funding will be provided on a competitive basis for implementation of specific projects that provide the greatest opportunities for achieving carbon reductions, energy efficiency savings, and renewable energy deployment consistent with a region’s sustainability and REDC strategic plans; and

WHEREAS, the Mid-Hudson Region of New York State consists of the seven counties located immediately north of New York City (NYC): Westchester County, Rockland County, Orange County, Putnam County, Dutchess County, Ulster County, and Sullivan County and covers just over 4,500 square miles and contains 198 municipalities; and

WHEREAS, the Mid-Hudson Regional Sustainability Plan (the “Plan”) purpose is to inform county and municipal sustainability and land use policies, serve as a basis for local government infrastructure decision making, guide infrastructure investment of both public and private resources, outline specific and tangible actions to reduce greenhouse gas emissions consistent with New York State’s goal of 80% carbon reduction below 1990 levels by the year 2050, and identify strategies for adapting to the effects of climate change; and

WHEREAS, these objectives are paired with implementation strategies to provide a common framework for the Region's sustainable development and the Plan provides a common, uniting framework, each resident, municipality, and organization in the Region remains able to chart their own course toward achieving this vision, either individually or collectively; and

WHEREAS, the resulting Plan sets out a vision for sustainable development that builds on the Region's unique social, cultural, and natural history, with the goal of promoting economic development, environmental sustainability, and enhancing quality of life for the more than two million residents that call the Region home; and

WHEREAS, the Plan is non-binding and provides information and guidance, and is intended for use as a common reference tool by local government and non-governmental organizations (including for-profit businesses); and

WHEREAS, the Plan identifies five (5) deeply interconnected building blocks for sustainable development present in the Region: the diverse natural environment, a vibrant economy, strong transportation accessibility and connectivity, numerous existing centers, and an exceptional quality of life; and

WHEREAS, the Plan provides project ideas, best practices, objectives and targets, as well as baseline information that can be incorporated into comprehensive plans, management plans, zoning, and other planning and strategy documents; and

WHEREAS, the Plan provides local entities with a regional framework for planning and action that is intended to help coordinate efforts and decision-making with the goal of promoting regional-scale sustainable development.

WHEREAS, the Plan provides a platform to address inter-municipal issues, such as water management, economic development, revitalization of aging and historic infrastructure, biodiversity conservation, environmental remediation, and other issues that transcend individual municipal or county borders; and

WHEREAS, the Plan facilitates sharing of resources that help local governments achieve economies of scale, saving money and potentially allowing for coordination of educational programs and technical assistance to localities within the Region that have similar assets and issues; and

WHEREAS, the Plan positions the Region for more funding opportunities, many of which require grantees to demonstrate regional-scale impacts; and

WHEREAS, the Plan enables networking so that individuals, organizations, and municipalities can share ideas and best practices that identify opportunities for collaboration; and

WHEREAS, the Plan assists in creating consistent regional definitions and data sets that can help identify larger-scale trends and targets for investment; and

WHEREAS, in addition to individual focus-area initiatives, which constitute the backbone of the Plan's implementation strategy, a series of regional strategic priorities have been identified; and

WHEREAS, these strategic priorities include efforts which will impact multiple focus areas or have transformative potential at the regional scale; and

WHEREAS, the Plan includes recommendations to sustain and strengthen regional-scale planning, coordination, and action, which is intended to help ensure accountability and facilitate Plan implementation at the local, organizational, and individual level; and

WHEREAS, if objectives for sustainable development are to be achieved in the Mid-Hudson region; and

WHEREAS, a premise of this process, the Plan provides for a regional approach that is essential for effectively addressing the societal challenges the area faces in this century; and

WHEREAS, the Village of Nyack acknowledges active participation in the work effort of the Plan's consortium of counties, municipalities, nongovernmental organizations, private businesses, nonprofits and residents that have joined together to give input and help produce the Plan; and

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of Trustees of the Village of Croton-on-Hudson hereby endorses the Mid-Hudson Sustainability Plan as a concept document, and acknowledges the Plan's vision and objectives that are paired with implementation strategies to provide a common framework for counties, municipalities, nongovernmental organizations, private businesses, nonprofits and residents to help implement sustainable development in the Mid-Hudson region.

BE IT FURTHER RESOLVED, the Plan provides a common, uniting framework, each resident, municipality, and organization in the Region remains able to chart their own course toward achieving this vision, either individually or collectively and the Village of Croton-on-Hudson will to the best of its ability help the Mid-Hudson region reduce greenhouse gas emissions consistent with New York State's goal of 80% carbon reduction below 1990 levels by the year 2050 and create jobs that, where possible, align with the Mid-Hudson Regional Economic Development Council's goals.

I, Mary White, Clerk of the Village of Nyack, New York, do hereby certify that the above resolution was adopted at regular meeting of the Village Board held on May 22, 2014, and is on file and that said resolution has not been altered, amended or revoked and is in full force and effect.

Dated: May 22, 2014
Nyack, New York

Mary White, Village Clerk

On motion of Trustee Hammond, seconded by Trustee Lorenzini, the following resolution was adopted by the Board of Trustees of the Village of Nyack, New York:

RESOLUTION OF THE NYACK VILLAGE BOARD

A regular meeting of the Nyack Village Board convened on May 22, 2014, at 7:30 p.m.

The following resolution was duly offered and seconded, to wit:

Resolution No. 2014 – 37

Resolution authorizing the items listed below:

WHEREAS, the Village of Nyack, herein called the "Municipality", after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that certain work, as described in its application and attachments, herein called the "Project", is desirable, is in the public interest, and is required in order to implement the Project; and

WHEREAS, the 2012 federal transportation funding act, *Moving Ahead for Progress in the 21st Century (MAP-21)*, provided funding opportunities for programs and projects to expand transportation choices beyond traditional highway programs for: pedestrian and bicycle facilities; safe routes to school projects; recreational trails projects; historic preservation; environmental mitigation; and other infrastructure improvements to the transportation system.

WHEREAS, the activities of the Project herein benefit the traveling public, improve mobility and the transportation character of the village, increase access to public transportation, provide safe routes for non-drivers to access daily needs, is consistent with the provisions of federal law [23 USC 217](#), which states: transportation plans and projects shall provide due consideration for safety and contiguous routes for bicyclists and pedestrians, and furthers the Municipality's plans for the revitalization of the village; and

WHEREAS, the Municipality deems it to be in the public interest and benefit under these acts to authorize and direct Jen Laird-White, as Mayor of the Village of Nyack, New York, to file an application for funds to the New York State Department of Transportation, Transportation Alternatives Program.

NOW, THEREFORE, BE IT RESOLVED BY - the Board of Trustees of the Village of Nyack:

1. That Jen Laird-White, as Mayor, is hereby authorized to file an application for funding in support of the construction of a new bicycle path system and improved pedestrian facilities and streetscape improvements along Broadway, the village's major north-south thoroughfare in the village, to connect commuters with: access points to the New New York Bridge, to public transportation, to existing bike paths connecting Nyack with the river villages and Orangetown, including the Greenway Bike Path; and to enhance the traveling experience.

2. That the Municipality agrees that it will fund its portion of the cost of the Project and that funding will be available to initiate the Project's field work upon execution of a contract with New York State Department of Transportation.

I, Mary White, Clerk of the Village of Nyack, New York, do hereby certify that the above resolution was adopted at regular meeting of the Village Board held on May 22, 2014, and is on file and that said resolution has not been altered, amended or revoked and is in full force and effect.

Dated: May 22, 2014
Nyack, New York

Mary White, Village Clerk