

Minutes of the regular meeting of the Village of Nyack Board of Trustees held at 7:30pm on Thursday, July 25th, 2013 at Nyack Village Hall, 9 N. Broadway, Nyack New York

Hon. Jen Laird-White:

PRESENT:	Jen Laird-White	Mayor
	Marie Lorenzini	Trustee
	Louise Parker	Trustee
	Doug Foster	Trustee

ALSO PRESENT:	Walter Sevastian	Village Attorney
	Steve Knowlton	Special Counsel
	Jim Politi	Village Administrator
	Mary E. White	Village Clerk

ABSENT:	Don Hammond	Trustee
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PLEDGE OF ALLEGIANCE

NYACK THANKS.....

‘Jo and Peter Baer’

Mayor Laird-White publically thanked the Baers’ for their “ incredible generosity in funding the Children’s Playground at Memorial Park”. There will be a certificate and letter of recognition presented in honor of this gift.

ADOPTION OF MINUTES

Regular meeting –June 13th, 2013

Minutes were approved as presented with a motion from Trustee Parker, seconded by Trustee Foster. Motion passed by unanimous vote.

Regular meeting –June 27th, 2013

Trustee Parker made a motion to approve minutes as presented. Motion seconded by Trustee Lorenzini and passed unanimously.

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

Action Items:

Resolution No. 2013-42 Resolution approving “Not Your Momma’s Church Music Festival” event on September 14th, 2013 (8am-6pm).
Motion made by Trustee Lorenzini, seconded by Trustee Foster to adopt as presented. Motion passed by unanimous vote.

Resolution No. 2013-43 Resolution approving agreement with Quennell Rothschild & Partners, LLP for Memorial Park design work proposal.
Motion made by Trustee Parker, seconded by Trustee Foster to adopt as presented. Motion passed by unanimous vote.

Resolution No. 2013-44 Resolution authorizing application for funds from NYSDOT, under the Transportation Enhancement Program (TEP). *Motion made by Trustee Parker, seconded by Trustee Foster to adopt as presented. Motion passed by unanimous vote.*

Resolution No. 2013-45 Resolution authorizing application for funds from the NYS Office of Park, Recreation, and Historic Preservation for the development of Memorial Park Skate Park. *Motion made by Trustee Parker, seconded by Trustee Foster to adopt as presented. Motion passed by unanimous vote.*

Resolution No. 2013-46 Resolution authorizing application for funds from the NYS Office of Park, Recreation, and Historic Preservation for the development of Memorial Park Seasonal Ice Skating Rink. *Motion made by Trustee Parker, seconded by Trustee Foster to adopt as presented. Motion passed by unanimous vote.*

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

John Carleo – *Spoke on the following: lack of property maintenance in the Village, specifically the ‘gateway’ properties on Rt. 59 and municipal lots. The board was complimented on the variety of positive projects in the Village (NYLO Hotel, Benjamin Moore ‘Downtown’).*

Patricia Hylton – *proposed “March for Jesus”. Mrs. Hylton was directed to contact the Village Clerk for procedural information. Matter was deferred for additional information/specifcs.*

Drew Burke – *spoke on Village property maintenance (Senior Center, Mayor’s office)*

Public Hearing(s):

At 8pm, Trustee Parker moved to open public hearing to discuss a local law to amend Section 140-15(A) of the Code of the Village of Nyack, entitled “Building Permit, building construction and other associated fees”, as pertains to the fee schedule associated with the issuance of a building permit. Trustee Foster seconded the motion and it passed unanimously.

The following persons spoke on this matter: J. Carleo, W. Sevastian, L. Parker, D. Foster, M. Lorenzini.

After discussion, it was decided to hold the public hearing open for additional discussion and review.

Old Business

Department Reports to the Board

- Orangetown Police Department

Additional police coverage (Street fairs, special events)
Correspondence from the Orangetown PD was discussed. Mayor Laird-White will schedule a workshop meeting with members of the board, police dept., ACADA, Chamber, security firm.

- Village Administrator

- Village Attorney

-Trustee Foster moved, Trustee Lorenzini seconded motion to consent to the Nyack UFSD Board of Education acting as Lead Agency for proposed alterations at various Nyack Schools.

-Request from Alpine Capital Bank for waiver of late fees on property taxes was denied.

-Treasurer presented a proposal for the Village to offer employees Roth 457B investment option as part of the NYS Deferred Compensation Plan.

-Village Clerk

○ *Tax collection report*

○ *Filming (Post status report)*

○ *At 8:17pm, Trustee Lorenzini moved to approve request from the Clerk to have an Executive session to discuss a police matter. Trustee Foster seconded the motion and it passed unanimously.*

Communications

Nyack Church of God (Rev Jacqueline Joseph) – *Fundraiser for Haiti relief ('Garage' sale)*

Request denied as presented, Village Clerk was directed to offer the use of the Artopee Way lot.

Leukemia & Lymphoma Society – *Hudson River Swim for Life*

Trustee Parker moved, Trustee Lorenzini seconded motion to approve request from the Leukemia & Lymphoma Society to use Nyack Marina for their annual event on Sunday, September 15, 2013. Motion was passed by unanimous vote.

'First Friday' committee – proposal of live music in the gazebo at Veteran's Memorial Park on a More frequent basis was considered with no objection (subject to adherence to the Village Noise ordinance).

Nyack Public Schools – *Homecoming*

Trustee Parker made a motion to approve use of Village roadway for 'kick-off parade' on October 18, 2013 @ 6:30pm. (5th Ave. to, S. Midland, onto McCalman field). Trustee Lorenzini seconded the motion and it passed unanimously.

Nyack Hospital Foundation – *'Blow Away Cancer Run & Walk'*

Trustee Lorenzini made a motion to approve request to use Village roadway for this annual event on Sunday, October 13, 2013. Trustee Parker seconded the motion and it passed unanimously.

New Business

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

Comments from the Board of Trustees

Mayor Laird-White – Art exhibit (Village Hall)

Executive Session (if any)

At 8:13pm, Trustee Parker moved to go into Executive Session to discuss a policing matter. Trustee Foster seconded the motion and it passed unanimously.

At 8:47pm, it was moved by Trustee Lorenzini, seconded by Trustee Parker to come out of Executive Session. Motion passed unanimously.

Adjournment.

There being no further business, nor anyone present wishing to be heard, Trustee Parker moved to close the regular meeting. Trustee Hammond seconded the motion and it was passed unanimously at 8:49pm.

Respectfully submitted.
Mary E. White,
Village Clerk

RESOLUTION OF THE NYACK VILLAGE BOARD

A regular meeting of the Nyack Village Board was convened on July 25, 2013, at 7:30 p.m.

The following resolution was duly offered and seconded, to wit:
Resolution No. 2013-42

**RESOLUTION OF THE NYACK VILLAGE BOARD
APPROVING THE EVENT SPONSORED BY THE SILVER SPRINGS
VINEYARD CHURCH**

WHEREAS, the Silver Springs Vineyard Church has requested permission to utilize Memorial Park on September 14, 2013 for an community event entitled “Not Your Momma’s Church Music Festival”; and

WHEREAS, the Village Board of Trustees is desirous of supporting this community event;

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

That the Nyack Village Board hereby approves the use of Memorial Park on September 14, 2013 by the Silver Springs Vineyard Church for an event entitled “Not Your Momma’s Church Music Festival”.

BE IT FURTHER RESOLVED that the Village Board directs the Village Clerk to interface with Silver Springs Vineyard Church representatives to secure all necessary permits and insurance certificates associated with this approval.

BE IT FURTHER RESOLVED that the Applicant is directed to comply with all Village ordinances, including but not limited to the Village Noise Ordinance.

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 Lorenzini	[x]	[]	[]	[]
Trustee Parker	[x]	[]	[]	[]
Trustee Hammond	[]	[]	[]	[x]
Trustee Foster	[x]	[]	[]	[]

Mary E. White, Village Clerk

RESOLUTION OF THE NYACK VILLAGE BOARD

A regular meeting of the Nyack Village Board was convened on July 25, 2013, at 7:30 p.m.

The following resolution was duly offered and seconded, to wit:
Resolution No. 2013-43

**RESOLUTION OF THE NYACK VILLAGE BOARD
APPROVING AN AGREEMENT WITH QUENNEL ROTHSCHILD &
PARTNERS, LLP FOR MEMORIAL PARK DESIGN WORK**

WHEREAS, the Village of Nyack has previously contracted with Quennell Rothschild & Partners, LLP (the "Vendor") to perform services relative to the design of Memorial Park; and

WHEREAS, the Vendor has proposed to continue the contract for certain services to be performed during the fiscal year 2013 – 2104;

WHEREAS, the Village Board has reviewed the terms of the Proposal and has approved the initial expenditure of \$2,250.00 for the service described as "Existing Base Sheet update for as-builts, additional scope items" referred to on page #1 of the Proposal.

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

That the Nyack Village Board hereby approves the contract with Quennell Rothschild & Partners, LLP to perform services relative to the design of Memorial Park to the extent of the initial expenditure of \$2,250.00 for the service described as "Existing Base Sheet update for as-builts, additional scope items" listed on page #1 of the Proposal.

BE IT FURTHER RESOLVED that the Village Board will consider approval and payment of the next task(s) described in the Proposal on an ongoing and as needed basis.

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 Lorenzini	[x]	[]	[]	[]
Trustee Parker	[x]	[]	[]	[]
Trustee Hammond	[]	[]	[]	[x]
Trustee Foster	[x]	[]	[]	[]

Mary E. White, Village Clerk

RESOLUTION OF THE NYACK VILLAGE BOARD

A regular meeting of the Nyack Village Board was convened on July 25, 2013, at 7:30 p.m.

The following resolution was duly offered and seconded, to wit:
Resolution No. 2013-44

**RESOLUTION OF THE NYACK VILLAGE BOARD
AUTHORIZING THE FILING OF AN APPLICATION FOR FUNDS TO THE NYS
DEPARTMENT OF TRANSPORTATION, UNDER THE
'TRANSPORTATION ENHANCEMENT PROGRAM' (TEP)**

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 Transportation Equity Act for the 21st Century and the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users provided funding opportunities for activities intended to benefit the traveling public, to increase transportation choices and access, to enhance the built and natural environment and to provide a sense of place; and

WHEREAS, the activities of the Project herein benefit the traveling public, increase access to public transportation, enhance the built environment and further 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 Enhancement 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 new sidewalks, the installation of new street lighting and related streetscape improvements along North Broadway and South Broadway, from southern boundary of the Village at 93 South Broadway, and the northern boundary at 265 North Broadway.
2. That the Municipality agrees that it will fund its portion of the cost of the Project and that funds will be available to initiate the Project's field work upon execution of a contract with New York State Department of Transportation.

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 Lorenzini	[x]	[]	[]	[]
Trustee Parker	[x]	[]	[]	[]
Trustee Hammond	[]	[]	[]	[x]
Trustee Foster	[x]	[]	[]	[]

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 July 25, 2013, and is on file and that said resolution has not been altered, amended or revoked and is in full force and effect.

Dated: July 25, 2013
Nyack, New York

Mary White, Village Clerk

RESOLUTION OF THE NYACK VILLAGE BOARD

A regular meeting of the Nyack Village Board was convened on July 25, 2013, at 7:30 p.m.

The following resolution was duly offered and seconded, to wit:
Resolution No. 2013-45

RESOLUTION OF THE NYACK VILLAGE BOARD AUTHORIZING THE FILING OF AN APPLICATION FOR FUNDS FROM THE NYS OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION FOR THE DEVELOPMENT OF THE MEMORIAL PARK SKATE PARK.

Whereas, the Village of Nyack is supportive of enhancing recreational opportunities in the village;

Whereas: the Village of Nyack has recognized that the public have been advocating for a skate park since the 1970's, and have signed petitions in recent months urging the Village to install a skate park in Memorial Park;

Whereas, the Village of Nyack recognizes that no skate parks currently operate in Rockland County, creating a regional disadvantage with regard to recreational Opportunities;

Whereas, in response to the recent development of the grass roots movement, *Nyack Needs a Skate park*, the Village Board of Trustees passed a resolution in March 2013 in support of construction of a skate park, and has allocated 5,000 square feet in Memorial Park for this purpose;

Whereas, the Village of Nyack recognizes the commitment of the Nyack Parks Conservancy to take on as a project the development of a skate park in Memorial Park, and is working to raise funds for its construction;

Whereas, the Village of Nyack recognizes that the Nyack Parks Conservancy has advanced plans and programs for the skate park, and has developed preliminary plans and cost estimates for the skate park;

Whereas, the public has supported the construction of a skate park in Memorial Park and made its support known;

Whereas, there exists a need to secure financial assistance to construct a skate park in Memorial Park that it may be available for public use and enjoyment.

Now, therefore be it resolved, that Jen Laird-White, as Mayor of the Village of Nyack, is hereby authorized and directed to file an application for funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993, in an amount no to exceed \$100,000, and upon approval of said request, to enter into and execute a project agreement with the state for such financial assistance to this Village for the Development of the Memorial Park Skate Park.

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 Lorenzini	[x]	[]	[]	[]
Trustee Parker	[x]	[]	[]	[]
Trustee Hammond	[]	[]	[]	[x]
Trustee Foster	[x]	[]	[]	[]

I, Mary E. White, the duly qualified Clerk of the Village of Nyack, New York, do hereby certify that the following resolution was adopted at a regular meeting of the Village Board held on July 25, 2013, and is incorporated in the original minutes of said meeting, and that said resolution has not been altered, amended or revoked and is in full force and effect.

Date: July 25, 2013

Mary E. White, Village Clerk

Seal of Municipality

RESOLUTION OF THE NYACK VILLAGE BOARD

A regular meeting of the Nyack Village Board was convened on July 25, 2013, at 7:30 p.m.

The following resolution was duly offered and seconded, to wit:
Resolution No. 2013-46

**RESOLUTION OF THE NYACK VILLAGE BOARD
AUTHORIZING THE FILING OF AN APPLICATION FOR FUNDS FROM THE NYS
OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION
FOR THE DEVELOPMENT OF THE MEMORIAL PARK SEASON
ICE SKATING RINK.**

Whereas, the Village of Nyack is supportive of enhancing recreational opportunities in the village;

Whereas, the Village of Nyack recognizes that few opportunities exist in Rockland County for youth and families to enjoy ice skating because of the scarcity of rinks and relatively high fees for their use, creating a regional disadvantage with regard to recreational opportunities;

Whereas, the Village of Nyack recognizes the commitment of the Nyack Parks Conservancy to raise funds for the development of a portable ice skating rink for seasonal use;

Whereas, the public has supported the construction of a seasonal ice skating rink in Memorial Park and made its support known;

Whereas, there exists a need to secure financial assistance to construct a portable ice skating rink for seasonal use in Memorial Park that it may be available for public use and enjoyment.

Now, therefore be it resolved, that Jen Laird-White, as Mayor of the Village of Nyack, is hereby authorized and directed to file an application for funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993, in an amount not to exceed \$300,000, and upon approval of said request, to enter into and execute a project agreement with the state for such financial assistance to this Village for the Development of the Memorial Park Seasonal Ice Skating Rink

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 Lorenzini	[x]	[]	[]	[]
Trustee Parker	[x]	[]	[]	[]
Trustee Hammond	[]	[]	[]	[x]
Trustee Foster	[x]	[]	[]	[]

I, Mary E. White, the duly qualified Clerk of the Village of Nyack, New York, do hereby certify that the following resolution was adopted at a regular meeting of the Village Board held on July 25, 2013, and is incorporated in the original minutes of said meeting, and that said resolution has not been altered, amended or revoked and is in full force and effect.

Date: July 25, 2013

Mary E. White, Village Clerk

Seal of Municipality