

Minutes of the regular meeting of the Village of Nyack Board of Trustees held at 7:30 pm on Thursday, November 13th, 2014 at Nyack Village Hall, 9 N. Broadway, Nyack New York

Hon. Doug Foster presiding:

PRESENT:	Doug Foster	Trustee
	Louise Parker	Trustee
	Don Hammond	Trustee
	Marie Lorenzini	Trustee

ALSO PRESENT:	Walter Sevastian	Village Attorney
	Jim Politi	Village Administrator
	Mary E. White	Village Clerk

ABSENT:	Jen Laird-White	Mayor
	Steve Knowlton	Special Counsel

PLEDGE OF ALLEGIANCE

NYACK THANKS.....

Adoption of Minutes –

Regular meeting of October 23, 2014

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

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

Action items:

Resolution No. 2014-62 Resolution approving ACADA Street Fair events for 2015.
Moved by Trustee Parker, seconded by Trustee Hammond to adopt resolution as presented. Motion passed by unanimous vote.

Resolution No. 2014-63 Resolution approving Chamber of Commerce Street Fair events for 2015.
Moved by Trustee Parker, seconded by Trustee Hammond to adopt resolution as presented. Motion passed by unanimous vote.

Resolution No. 2014-64 Resolution authorizing budget transfer from contingency in the amount of \$5,000 for transfer switch at DPW garage.
Moved by Trustee Parker, seconded by Trustee Lorenzini to adopt resolution as presented. Motion passed by unanimous vote.

Resolution No. 2014-65 Resolution approving Small Business Saturday event.
Moved by Trustee Hammond, seconded by Trustee Lorenzini to adopt resolution approving free Village wide parking. Motion passed by unanimous vote.

Resolution No. 2014-66 Resolution authorizing contract with the Rockland County Department of Tourism.
Moved by Trustee Lorenzini, seconded by Trustee Parker to adopt resolution as presented. Motion passed by unanimous vote.

Resolution No. 2014-67 Resolution approving Zoning Code amendment referral for Planning Board review and comment.
Moved by Trustee Parker, seconded by Trustee Hammond to adopt resolution as presented. Motion passed by unanimous vote.

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

Drew Burke (85 Depew)
-Parking abuses on Depew Ave

Public Hearing(s):

At 8:00pm, Trustee Parker moved, Trustee Hammond seconded motion to open hearing to amend section of the Code of the Village of Nyack, Chapter 187, entitled “Filming”, pertaining to filming in the Village of Nyack. Motion passed by unanimous vote.
Trustee Lorenzini moved to ‘Hold open’ for further discussion, Trustee Parker seconded the motion and it passed unanimously. Deferred to a date certain of 12/11/14.

Department Reports to the Board

- Recreation Department (M. Partrick)
Reports given on the following:
Rec program(Summer/Fall) summary; “Witchway 5K” report; Bocce Court update; EarthDay 2015; Basketball program proposal; Recreation program guide
- Orangetown Police Department
No report
- Village Administrator
Reports given on the following:
Fishing Pier; Road improvements (Broadway-milling/paving); Playground/SkatePark (risk assessment reduction); Marina (dredging); Snow equipment report; ‘50/50’ sidewalk program
- Village Attorney
*-Reports were given on the following:
LUTC (proposed Zoning amendments)
Litigation update*

-Village Clerk
CDBG 2014 committee

Old Business

*Land Use Technical Committee (LUTC)
2014 Vendor applications/process
Filming in the Village (amendment proposal)*

Communications

Gran Fondo New York 2015 – Cycling event request
Deferred to January 2015

New Business

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

Comments from the Board of Trustee

Trustee Parker – Village Administrator was asked to provide financial report of 2014 Summer Food Program

Trustee Hammond - Village Administrator will arrange an Executive Session follow-up with the Village Auditor

Executive Session (if any)

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 9:10pm.

Respectfully submitted,
Mary E. White,
Village Clerk

RESOLUTION OF THE NYACK VILLAGE BOARD

A regular meeting of Nyack Village Board convened on November 13, 2014, at 7:30 p.m.

The following resolution was duly offered and seconded, to wit:
Resolution No. 2014-62

**RESOLUTION OF THE NYACK VILLAGE BOARD
APPROVING THE ACADA STREET FAIR EVENTS FOR 2015**

WHEREAS, ACADA has presented its list of scheduled street fair events for the calendar year 2015, and

WHEREAS, ACADA has requested that the Village approve the street fair dates; and

WHEREAS, the Village Board of Trustees is desirous of supporting the ACADA's efforts;

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

That the Nyack Village Board hereby approves the ACADA's slate of street fairs for 2015, on the condition that all details regarding insurance, policing and clean up are resolved with the Village Administrator in advance of the events.

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

RESOLUTION OF THE NYACK VILLAGE BOARD

A regular meeting of Nyack Village Board convened on November 13, 2014, at 7:30 p.m.

The following resolution was duly offered and seconded, to wit:
Resolution No. 2014-63

**RESOLUTION OF THE NYACK VILLAGE BOARD
APPROVING THE CHAMBER OF COMMERCE EVENTS FOR 2015**

WHEREAS, the Nyack Chamber of Commerce has presented its list of scheduled community events for the calendar year 2015, and

WHEREAS, the Chamber has requested that the Village approve the events; and

WHEREAS, the Village Board of Trustees is desirous of supporting the Chamber’s efforts;

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

That the Nyack Village Board hereby approves the Chamber’s slate of events for 2015, on the condition that the payment for lost parking revenue will be required in an amount to be provided by the Village Administrator.

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

RESOLUTION OF THE NYACK VILLAGE BOARD

A regular meeting of Nyack Village Board convened on November 13, 2014, at 7:30 p.m.

The following resolution was duly offered and seconded, to wit:
Resolution No. 2014-64

**RESOLUTION OF THE NYACK VILLAGE BOARD
TO APPROVE A BUDGET TRANSFER FROM CONTINGENCY TO DPW
FOR A TRANSFER SWITCH AT THE DPW GARAGE**

WHEREAS, the Village Administrator has advised the Board of the necessity of the installation of a transfer switch at the DPW building, and

WHEREAS, that expense is not budgeted in the FY 2014-2015,

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

That the Nyack Village Board hereby approves the Budget Transfer set forth hereinbelow and directs the Village Treasurer to enter the same on the budget lines reflected therein.

- 1. From Contingency _____ to Public Works _____ for the installation of a transfer switch at Village Hall.

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

RESOLUTION OF THE NYACK VILLAGE BOARD

A regular meeting of Nyack Village Board convened on November 13, 2014, at 7:30 p.m.

The following resolution was duly offered and seconded, to wit:
Resolution No. 2014-65

**RESOLUTION OF THE NYACK VILLAGE BOARD
APPROVING THE SMALL BUSINESS SATURDAY EVENT FOR 2014**

WHEREAS, the American Express’s Small Business Saturday event is scheduled for November 29, 2014, and

WHEREAS, the Village Board of Trustees is desirous of supporting Nyack’s merchants’ participation in the event;

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

That the Nyack Village Board hereby approves parking accommodations for the Small Business Saturday event, on the condition that all details regarding lost parking revenue reimbursement are resolved with the Village Administrator in advance of the event.

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

RESOLUTION OF THE NYACK VILLAGE BOARD

A regular meeting of Nyack Village Board convened November 13, 2014, at 7:30 p.m.

The following resolution was duly offered and seconded, to wit:
Resolution No. 2014-66

**RESOLUTION OF THE NYACK VILLAGE BOARD
TO CONTRACT WITH THE ROCKLAND COUNTY DEPARTMENT OF
TOURISM FOR REIMBURSEMENT OF NEW YEAR’S EVE
FIREWORKS DISPLAY**

WHEREAS, the Village of Nyack was previously advised that the Rockland County Department of Tourism would sponsor the New Years Eve fireworks display in the Village of Nyack, and

WHEREAS, Rockland County has advised that a contract for payment of the reimbursement is required;

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

That the Mayor is authorized to execute the contract with Rockland County’s Department of Tourism for reimbursement of the cost of the New Year’s Eve fireworks display (\$5,000).

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

RESOLUTION OF THE NYACK VILLAGE BOARD

A regular meeting of Nyack Village Board convened on November 13, 2014, at 7:30 p.m.

The following resolution was duly offered and seconded, to wit:
Resolution No. 2014-67

RESOLUTION TO REFER PROPOSED AMENDMENTS TO THE ZONING CODE TO THE PLANNING BOARD FOR REVIEW AND COMMENT, AND FOR THE VILLAGE BOARD TO DECLARE AND CIRCULATE ITS INTENT TO DECLARE ITSELF LEAD AGENCY FOR THE PURPOSE OF A SEQRA REVIEW OF THE AMENDMENTS

WHEREAS, the Land Use technical Committee has referred certain proposed amendments to the Zoning Code to the Village Board for its review and action, and

WHEREAS, the Village Board has reviewed the Land Use technical Committee's recommendations, and hereby resolves to consider legislation drafted by the Village Attorney reflecting the following proposed amendments to the Zoning Code:

- A. To eliminate selected Noticing Requirements for ARB Sign Applications (eliminating public hearing and mailing notifications), and limiting notice requirements to posting of the subject properties.
- B. To eliminate select Noticing Requirements for Planning Board Tree Removal Applications (eliminating public hearing and mailing notifications), and limiting notice requirements to posting subject properties.
- C. To modify the definition of "structure" under the Zoning Code to clarify interpretation issues that have arisen within the Building Department, and separating the definition of "building" from the definition of "structure".
- D. To modify the subdivision regulations to include definitions of residential major subdivisions (4+ lots) and residential minor subdivisions (not more than 4 lots), and adjusting the fees associated with subdivision applications.
- E. Extending the Green Infrastructure Incentive Zoning Provisions of the Zoning Code to the WF Zoning District.

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

That the Village of Nyack Board of Trustees hereby notices its intent to declare itself lead agency for the purpose of a SEQRA review of the proposed Zoning Code Amendments, and authorizes the Village Planner to circulate notice of that intent, and

BE IT FURTHER RESOLVED that the Village of Nyack Board of Trustees hereby authorizes the referral of the proposal to the relevant reviewing agencies as required by law, including the Planning Board and the Rockland County Planning Department.

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