

Minutes of the regular meeting of the Village of Nyack Board of Trustees held at 7:30 pm on Thursday, December 11th, 2014 at Nyack Village Hall, 9 N. Broadway, Nyack New York

Hon. Jen Laird-White presiding:

PRESENT:	Jen Laird-White	Mayor
	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:	Steve Knowlton	Special Counsel

PLEDGE OF ALLEGIANCE

NYACK THANKS.....

Adoption of Minutes –

Regular meeting of November 13, 2014

Minutes were approved, as presented, by motion from Trustee Lorenzini, seconded by Trustee Parker. Motion passed by unanimous vote. Mayor Laird-white (abstained due to absence).

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

Action items:

Resolution No. 2014-68 Resolution authorizing the Mayor to execute Municipal Street light Portal Agreement with O & R Utilities.

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

Resolution No. 2014-70 Resolution pertaining to RFP submissions for Memorial Park Fishing Pier.

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)

Brian Melso (96 Main St) – Municipal Parking lot security

Item deferred for further review.

Rabbi Ehrenreich (Chabad Jewish Enrichment Center) – Menorah placement

Motion by Trustee Lorenzini, seconded by Trustee Parker to approve request for placement of Menorah in Veteran’s Memorial Park (12/14/14). ‘Lighting’ ceremony to take place 12/18/2014 @ 5pm. Motion passed by unanimous vote.

Public Hearing(s):

8:00pm - To amend section of the Code of the Village of Nyack, Chapter 187, entitled “Filming”, pertaining to filming in the Village of Nyack. *Held open.*

At 8:20pm Trustee Hammond moved, Trustee Parker to close the Public hearing. Passed unanimously.

Resolution No. 2014-69 *Moved by Trustee Lorenzini, seconded by Trustee Hammond to adopt resolution as presented. Motion passed by unanimous vote.*

Department Reports to the Board

- Orangetown Police Department

- Village Administrator

-SkatePark Plaza design (S. Anderson)

Moved by Trustee Parker, seconded by Trustee Foster to approve the proposed design as presented. Passed unanimously. ‘Thanks’ given to Sarah Anderson and ‘friends’ for their efforts and time devoted to this project.

-At 8:13pm Trustee Foster moved to approve request for an Executive Session to discuss a matter of personnel. Trustee Parker seconded the motion and it passed unanimously.

-Reports given on the following:

FEMA reimbursements (Marina)

Broadway/ADA project

Fishing Pier bid

Memorial Park playground

Road improvements

‘50/50’ sidewalk program

- Village Attorney

Reports given on the following:

Justice Court

Land Use (Planning Board)

13 Central Ave

WY Builders, Inc. – street light removal (deferred to Building Dept for input)

- Village Clerk

Film permit report

Old Business

-Land Use Technical Committee (LUTC)

Trustee Foster gave a brief status report with the following topics

Architectural Review Board, Variances, Roof-top dining, Brew Pubs:

-2014 Vendor applications/process

-Filming in the Village (amendment proposal)

Village Clerk directed to remove this item from agenda.

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

Mayor Laird-White announced award of grant (\$206,000 – for review/update of Comprehensive Master Plan).

Executive Session (if any)

Personnel

At 9:25pm, Trustee Parker moved to go into Executive Session to discuss matters of personnel. Trustee Lorenzini seconded the motion and it passed unanimously.

At 9:35pm, it was moved by Trustee Parker, seconded by Trustee Lorenzini to come out of Executive Session. Motion passed unanimously.

Adjournment.

There being no further business, nor anyone present wishing to be heard, Mayor Laird-White moved to close the regular meeting. Trustee Lorenzini seconded the motion and it was passed unanimously at 9:35pm.

Respectfully submitted,
Mary E. White,
Village Clerk

RESOLUTION OF THE NYACK VILLAGE BOARD

A regular meeting of Nyack Village Board convened on December 11, 2014, at 7:30 p.m.

The following resolution was duly offered and seconded, to wit:
Resolution No. 2014-68

**RESOLUTION OF THE NYACK VILLAGE BOARD
REGARDING THE ORANGE & ROCKLAND MUNICIPAL STREET
LIGHT PORTAL**

WHEREAS, Orange & Rockland Utilities has developed a portal to allow for electronic communication between the utility and the Village of Nyack regarding street lighting matters, and

WHEREAS, the Village is desirous of utilizing the service so as to protect the health safety and welfare of its residents.

THEREFORE BE IT RESOLVED that the Mayor is authorized to execute the Municipal Streetlight Portal Agreement with Orange & Rockland Utilities.

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 VILLAGE OF NYACK BOARD OF TRUSTEES

STATE OF NEW YORK
COUNTY OF ROCKLAND: VILLAGE OF NYACK

-----X

In the Matter of the amendments to Chapter 187
of the Code of the Village of Nyack as pertains to
Filming in the Village of Nyack

RESOLUTION
2014- 69

-----X

WHEREAS, the Village Board of the Village of Nyack has noticed a Public Hearing with regard to proposed amendments with respect to the Village’s Filming Law.

WHEREAS, a Public Hearing on the adoption of these proposed amendments to the Village Code was held at a regularly scheduled meeting of the Board of Trustees held on November 13, 2014, and on December 11, 2014,

WHEREAS, at least 10 days prior to the initial Public Hearing notification of same was published in the Rockland County Journal News pursuant to Village Law 7-706(1);

WHEREAS, the Village Board of Trustees had made and published initial SEQRA review of the proposed amendments and found as follows:

1. That the proposed Village Code amendments were subject to SEQRA (NYCRR §617.6[a][1][i]) as an “Action”.
2. That the proposed Village Code amendment had a preliminary classification as a “Type II” action under SEQRA since it consists of limited amendments to the Village Filming Law with no potential environmental impact.
3. That it was the intention of the Village Board of Trustees to establish itself as the Lead Agency for the purpose of review of the proposed action under the provisions of the State Environmental Quality Review Act (SEQRA);

THEREFORE BE IT RESOLVED, that the Village Board of Trustees hereby establishes itself as the Lead Agency for the purpose of review of the proposed action under the provisions of the State Environmental Quality Review Act (SEQRA), and makes the following findings under

NYCRR §617.7[c] with respect to the impact of the of the proposed amendments to the Village Code and their magnitude:

- a. That the Board has reviewed the documentation prepared in relation to the proposed amendments to the Village Code with a view to identifying potential environmental concerns, and finds that the mere amendment of the Village Code as relates to the Village's Filming regulations will have no effect on the environment.

BE IT FURTHER RESOLVED, the Village the Board of Trustees, based upon the findings made under the criteria set forth in NYCRR §617.7[c], the EAF filed relative to the action under consideration, and upon the record pertaining to the proposed amendments to the Village Code finds and determine that:

- 1) The Village Board is in possession of all information reasonably necessary to make the determination as to the Environmental significance of the proposed amendments to the Village Code.
- 2) That this action shall not have any significant impact upon the environment that can not be mitigated.
- 3) That the Nyack Village Board finds that a Village Code amendment relating to Filming in the Village is a Type II Action under SEQRA requiring no further review.

BE IT FURTHER RESOLVED, the Village the Board of Trustees approves the amendments to Filming regulations in the Village Code as proposed.

This resolution was adopted by a unanimous resolution of the Board of Trustees at the regular meeting of the Board on December 11, 2014.

RESOLUTION OF THE NYACK VILLAGE BOARD

A Special Meeting of Nyack Village Board convened on December 11, 2014, at 7:30 p.m.

The following resolution was duly offered and seconded, to wit:
Resolution No. 2014-70

**RESOLUTION OF THE NYACK VILLAGE BOARD
TO REJECT THE SOLE BID TO COMPLETE THE NYACK MEMORIAL
PARK FISHING PIER**

WHEREAS, the Village of Nyack has previously advertized for public bid a portion of the public works project known as the “Nyack Memorial Park Fishing Pier” pursuant to the requirements of General Municipal Law 103 et. seq., and

WHEREAS, the bids were opened on or about November 14, 2014;

WHEREAS, the only bidder on the project was A-Tech Concrete Company, 11 Taylor Road, Edison, NJ 08817 (with a total bid of \$183,400.00).

WHEREAS, the bid amount exceeds the Village’s grant money and budget associated with the project.

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

That the Nyack Village Board hereby rejects the sole bid for the public works project known as the “Nyack Memorial Park Fishing Pier”, and

BE IT FURTHER RESOLVED, That the Village Administrator is authorized to take action to amend the bid specifications for the public works contract and re-bidding the project to seek additional bids within the projects budget.

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

