

Village of Nyack

9 North Broadway, Nyack, NY 10960

Meeting of the Village Board of Trustees

July 24, 2025 7:30 pm

YouTube meeting livestream access link (public comment is in-person only):

www.nyack.link/youtube

1. Pledge of Allegiance.

2. Mayor Rand's Remarks and Comments from the Village Board of Trustees

3. Public Comment on Any Topic (1-3 minutes depending on the quantity of speakers)

4. Public Hearings –

8:00 PM Cannabis - to consider a proposed Local Law that, if adopted, will amend the Zoning Code so as to establish the required minimum distance between the location of an adult-use retail (recreational) cannabis dispensary and the locations of (i) other non-medical cannabis dispensaries, (ii) elementary or secondary schools, and (iii) houses or places of worship.

8:05 PM Park Use - to consider a proposed Local Law that, if adopted, will amend Chapter 250 so as to more efficaciously manage group use of village parks and recreation areas, so that their appurtenant facilities, play structures and recreational apparatuses are always available and accessible to all patrons.

5. Adoption of Minutes – Minutes 6-26-25

6. Presentation: Thomas Schneck, Visit Nyack, Nyack Tourism Grant Recommendations

7. Action Items

THE DRAFT RESOLUTIONS SET FORTH BELOW ARE FOR CONSIDERATION BY THE VILLAGE BOARD OF TRUSTEES ("BOARD"), WHICH RESOLUTIONS MAY BE APPROVED, OR MAY NOT BE APPROVED, OR MAY BE APPROVED WITH MODIFICATION(S), OR MAY BE TABLED WITHOUT ANY ACTION BEING TAKEN BY THE BOARD – THEIR INCLUSION IN THIS AGENDA IS NOT, IN ANY WAY, DETERMINATIVE OF A DECISION, IF ANY, TO BE MADE BY THE BOARD.

7.1 Resolution No. 2025-117 Resolution of the Nyack Village Board accepting audited voucher summary

WHEREAS, the Audited Voucher Summary was presented to the Nyack Village Board of Trustees at its regularly scheduled meeting of July 24, 2025.

RESOLVED, that General Fund Claims set forth on pages 1 through 21 in the below-listed amounts are approved for payment:

General Fund– \$ 333,438.31

Parking Fund – \$ 74,539.16

Water Fund – \$ 28,338.89

Capital Projects Fund – Water Improvements \$38,674.09

7.2 Resolution No. 2025-118: Resolution of the Board of Trustees of the Village of Nyack to Approve a Permit Application for a Youth Gospel Concert in Memorial Park

RESOLVED, the Board of Trustees of the Village of Nyack approves an application for the use of the Memorial Park gazebo by Joanne Thompson of Berea Church, Nyack, for a Youth Gospel Concert, Saturday, July 26, 3-6 PM (raindate August 2).

7.3 Resolution No. 2025-119: Resolution of the Board of Trustees of the Village of Nyack to Approve a Permit Application for a Children’s Bike Safety Event in Memorial Park

RESOLVED, the Board of Trustees of the Village of Nyack approves an application for the use of the Memorial Park paved area and gazebo by Nyack YMCA for a children’s bicycle safety event, Saturday, July 26, 9 AM – noon (raindate July 27).

7.4 Resolution No. 2025-120: Resolution, of the Board of Trustees of the Village of Nyack, to award the 2025 Sidewalk and Curb Improvements Contract to Terra Ferma Contracting

WHEREAS, the Nyack Village Board previously obtained a CDBG grant of \$300,000 for, and authorized the bidding of, a public works project for the north side of the Village, including Jefferson St, Marion St, Third Ave, First Ave and N. Franklin St.

WHEREAS, bids were opened on July 8, 2025 (a total of seven bids were received), and the lowest responsible bid for the project was received from Terra Ferma Contracting (Base Bid amount of \$47,520; Alternate 1, \$59,460; Alternate 2, \$11,900; Alternate 3, \$54,055; Alternate 4, \$15,100) for a total bid of \$188,035.

WHEREAS, the Village Engineer has reviewed the bids, and recommended the award of the project to Terra Ferma Contracting, by letter dated July 14, 2025.

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

That the Village Administrator is authorized to contract with Terra Ferma Contracting for the 2025 Sidewalk and Curb Improvements in the amount of \$188,035, subject to the approval of the Village Attorney as to the form of the contract.

7.5 Resolution No. 2025-121 Resolution of the Nyack Village Board to approve Eliseo Rivera (Taco Boys) application for a food truck permit for 2025

RESOLVED, the Trustees of the Village of Nyack approve the food truck permit submitted by Eliseo Rivera of Taco Boys, contingent on the full satisfaction of all permit requirements as well as a Fire Safety Inspection, and direct the Village Administrator to work with the permittee to coordinate specific parking location within the Memorial Park and Marina area.

7.6 Resolution No. 2025-122 Resolution of the Nyack Village Board Approving Grants Under the Nyack Hotel Tax Tourism Grant Program

WHEREAS, The Board of Trustees, in recognition of the importance of tourism to local economic development, recently adopted a local law providing for a Hotel Bed Tax in order to fund tourism promotion projects, intends to allocate 50% of this tax revenue, minus an administrative cost of 8%, to tourism promotion projects, and

WHEREAS, The Board of Trustees delegated to the Nyack Business Council the responsibility to advise the Board of Trustees on funding decisions in response to applications for Nyack Tourism Grants, and contracted with Visit Nyack to administer the grant program on behalf of the Village, and the Business Council has received, reviewed and discussed applications, including presentations by applicants to the Business Council; therefore

RESOLVED, the Board of Trustees of the Village of Nyack allocates \$38,000 in funds for the current round of the Nyack Tourism Grant program, and

RESOLVED, based on advice and recommendation from the Nyack Business Council, the Board of Trustees approves the following grants for tourism promotion projects, and directs the Village Administrator to execute all necessary agreements, subject to the review of the Village Attorney, to fund these projects, with any unused grant funds rolled into the next round of the grant program:

APPLICANT	EVENT	RECOMMEND
ACOR	Immersive Dance	\$2,000
Artsrock	Various	\$3,500
Carolyn Doyle	Nyack Fall Gala/Dance Fest	\$1,500
Center for Safety and Change	She is event	\$2,000

Childrens Shakespeare	Family Day	\$1,500
Elmwood	Uniting Artists	\$2,000
Hope Wade	Fashion Week Pop up	\$500
Hudson Valey Mural	Mural	\$2,000
Laura Graham	Secondhand Shop Hop	\$800
Long Path	Hike Nyack	\$3,500
Michael Jameson	Flower Market	\$2,000
Music for Life	Night Out	\$1,500
Nyack Art Collective	First Friday	\$1,500
Nyack Chamber	Halloween, Farmer's Market, Exotic Car	\$2,500
Nyack International Film	Drone Festival	\$3,000
Rivertown Film	Outdoor Movie and Lego Movie	\$2,000
Rock Shop	Rockshop Revolution	\$500
	SUBTOTAL	\$32,300
JAN 2025 APPLICANTS CARRYOVER	EVENT	RECOMMEND
Ecstatic Dance	Ecstatic Dance Event Series	\$1,200
Edward Hopper House	Plein Air Festival	\$500
Modern Druid	Spirit of South Broadway	\$500
Rockland County Jazz & Blues Society	Nyack Jazz Week	\$500
Rockland Pride Center	Various events	\$1,500
Trade + Prosper	Nyack Village Craft Walk	\$1,500
	SUBTOTAL	\$5,700
	TOTAL	\$38,000

7.7 Resolution No. 2025-123: Village of Nyack Board of Trustees Resolution Approving a Memorandum of Agreement with the IBEW regarding a labor contract term of June 1, 2025 to May 31, 2028

WHEREAS, the IBEW represents unionized Village employees in all matters pertaining to compensation, the last collective bargaining agreement expired in May 2025, and the parties have agreed on terms for another three-year labor contract.

WHEREAS, the proposed agreement provides for salary,

WHEREAS, IBEW membership ratified the attached Memorandum of Agreement, appended hereto as “ATTACHMENT A,”.

RESOLVED, the Trustees of the Village of Nyack approve the attached Memorandum of Agreement, “Attachment A”.

7.8 Resolution No. 2025-124: Village of Nyack Board of Trustees Resolution Approving a cost share agreement (Attachment D) with Town of Clarkstown pertaining to repaving of Benson, Doscher, Hobe and Patterson streets in West Nyack after the completion water main replacement work.

WHEREAS, it is more efficient and cost effective for the Nyack Water Department to share the cost of Clarkstown’s project to repave Benson, Doscher, Hobe and Patterson streets in West Nyack, rather than contract for pavement repairs directly.

RESOLVED, the Nyack Water Department will pay Town of Clarkstown \$47,298 for its share of the repaving cost, and authorize the Mayor to sign the attached cost share agreement letter (Attachment D).

7.9 Resolution No. 2025-125: Village of Nyack Board of Trustees Resolution Approving a park event application from Nyack YMCA for summer basketball, Thursdays, 6-8 PM, July 17 to August 28, 2025.

RESOLVED, the Trustees of the Village of Nyack approve a park use permit application from Nyack YMCA to run a free youth basketball program in Memorial Park, Thursdays, 6-8 PM, July 17 to August 28, 2025.

7.10 Resolution No. 2025-126: Village of Nyack Board of Trustees Resolution Approving purchase of one (1) new MT100 Mini Track loader with attachments from Bobcat of North Jersey Corp., Totowa, NJ, under Sourcewell contract #020223-CEC

WHEREAS, the Village seeks to purchase one (1) new MT100 Mini Track Loader; and

WHEREAS, pursuant to NYS General Municipal Law § 103(16), a village is authorized to make purchases of apparatus, materials, equipment and supplies, as required, through the use of a contract let by the United States, or any agency thereof, or any state or any other political subdivision or district therein, if such contract was let to the lowest responsible bidder, or on the basis of best value, in a manner consistent with GML § 103 and specifically made available to other municipalities; and

WHEREAS, Sourcewell is a public entity whose creation was authorized by the State of Minnesota, pursuant to Minn. Stat. § 123A.21; and

WHEREAS, Sourcewell is permitted to engage in cooperative purchasing, pursuant to Minn. Stat. § 471.345, for supplies, materials and equipment based on sealed competitive bid, direct negotiation or best value, based on the estimated cost of the item; and

WHEREAS, the Village of Nyack is a member agency of Sourcewell; and
WHEREAS, on or about December 6, 2022, Sourcewell issued Request for Proposal #020223 for the procurement of “Medium Duty and Compact Construction Equipment with Related Attachments”; and

WHEREAS, on February 2, 2023, responses to the aforesaid RFP were publicly opened and recorded; and

WHEREAS, upon evaluation of the responses to the aforesaid RFP, Contract #020223-CEC was awarded to Clark Equipment Company, of West Fargo, North Dakota (“Clark”), which contract includes the MT100 Mini Track Loader now required by the Village; and

WHEREAS, by its express terms, Sourcewell Contract #020223-CEC is made available to member agencies, including the Village of Nyack; and

WHEREAS, BOBCAT OF NORTH JERSEY, located at 201 Maltese Drive, Totowa, NJ, 07512 (“Bobcat”), is Clark’s local distributor for equipment under the Sourcewell Contract; and

WHEREAS, Bobcat has submitted a price quote to the Village under the Clark Equipment Company Contract, dated March 7, 2025, for the required mini track loader, in the amount of FORTY-ONE THOUSAND SEVEN HUNDRED NINE DOLLARS AND 58/100 (\$41,709.58), inclusive of all materials, labor, warranty and other costs, and otherwise in conformity with every term, condition and specification of the Sourcewell Contract Bid and Award; and

WHEREAS, the Village Superintendent of Public Works has informed the Board that the Bobcat price is fair and reasonable and will allow the Village to satisfy an immediate need, within a reasonable period of time,

NOW, THEREFORE, BE IT RESOLVED, that the Village Board hereby authorizes the purchase one (1) new MT100 Mini Track Loader from Bobcat of North Jersey of Totowa, NJ, at a total cost of FORTY-ONE THOUSAND SEVEN HUNDRED NINE DOLLARS AND 58/100 (\$41,709.58), and further authorizes the Mayor, Treasurer and/or Village Administrator to take such further action, and to execute such further documents, as may be necessary to effectuate such purchase.

7.11 Resolution No. 2025-127: Village of Nyack Board of Trustees Resolution Approving purchase of an Archer 1200 Barrier System with Necessary Attachments and Equipment for street closure security from Meridian Rapid Defense Group Sales LLC, Pasadena, CA, Under GSA Contract #47QSWA19DO001F

WHEREAS, the Village seeks to purchase an Archer 1200 Barrier System with necessary attachments and equipment for street closure security; and

WHEREAS, pursuant to NYS General Municipal Law § 103(16), a village is authorized to make purchases of apparatus, materials, equipment and supplies, as required, through the use of a contract let by the United States, or any agency thereof, or any state or any other political subdivision or district therein, if such contract was let to the lowest responsible bidder, or on the basis of best value, in a manner consistent with GML § 103 and specifically made available to other municipalities; and

WHEREAS, the General Services Administration is a governmental entity;

WHEREAS, the General Services Administration, Federal Acquisition Service, maintains a Multiple Award Schedule with contracts available to governmental entities; and

WHEREAS, on July 16, 2024, the General Services Administration issued Contract #47QSWA19D0001F to Meridian Rapid Defense Group for Physical Access Control Systems, which contract includes the Archer 1200 Barrier system now required by the Village; and

WHEREAS, by its express terms, General Services Administration Contract #47QSWA19D001F is made available to state and local governments, including the Village of Nyack; and

WHEREAS, Meridian Rapid Defense Group Sales LLC has submitted a price quote to the Village under the General Services Administration Contract, dated July 17, 2025, for the required barrier system, in the amount of ONE HUNDRED FIFTY THOUSAND SEVEN HUNDRED THIRTY-SIX DOLLARS AND 98/100 (\$150,736.98), inclusive of all materials, labor, warranty and other costs, and otherwise in conformity with every term, condition and specification of the General Services Administration Contract; and

WHEREAS, the Village Administrator has informed the Board that the Meridian price is fair and reasonable and will allow the Village to satisfy an immediate need for improved street closure security, within a reasonable period of time,

NOW, THEREFORE, BE IT RESOLVED, that the Village Board hereby authorizes the purchase of an Archer 1200 Barrier System from Meridian Rapid Defense Group of Pasadena, CA, at a total cost of ONE HUNDRED FIFTY THOUSAND SEVEN HUNDRED THIRTY-SIX DOLLARS AND 98/100 (\$150,736.98), and further authorizes the Mayor, Treasurer and/or Village Administrator to take such further action, and to execute such further documents, as may be necessary to effectuate such purchase.

7.12 Resolution No. 2025-128: Village of Nyack Board of Trustees Resolution Approving a Grant Application to NYS Department of State Office of Planning, Development and Community Infrastructure Environmental Protection Fund Local Waterfront Revitalization Program for Funding for the Project Entitled “Restoring and Enhancing Resiliency of Nyack’s Waterfront Park”

WHEREAS, With funding from the New York State Department of State, the Village of Nyack updated its Local Waterfront Revitalization Program with a focus on: Conducting a reassessment of assets and resources and developing recommendations for resiliency strategies that reduce risks to infrastructure and property from sea level rise and climate change, that enable economic revitalization and that preserve and enhance coastal natural resources; and insuring that the planning and design work currently underway is consistent with the policies and programs for waterfront revitalization in the 21st Century;

WHEREAS, The creation of waterfront walkway on Village land and development of waterfront amenities to increase access to the Hudson River was designated a priority project in the Updated LWRP (approved 2021);

WHEREAS, With funding from NYS DOS, the Village of Nyack has completed the Village Marina section of the waterfront walkway, and is in the process of completing planning for the construction of the Memorial Park section;

WHEREAS, The deteriorating condition of the Inlet Banks threaten the Marina section of the Walkway undermining the Walkway and several pieces of furniture, and inhibit the Village from installing the Memorial Park section of the Walkway, as the eroding banks, the jumble of fallen riprap and deteriorated outfalls on the north side of the Inlet will undermine the soon to be constructed Memorial Park section of the Walkway;

WHEREAS, The deteriorating condition of the Inlet Banks must be addressed given the increasing number of heavy weather events the Village is experiencing;

WHEREAS, The public has provided input in workshops and public hearings held throughout the process to update the LWRP and is similarly involved currently in the planning and implementation of projects to restore and enhance Memorial Park and Marina with a focus on resiliency, and has made its support known for restoring the Inlet Banks and enhancing resiliency of the park through the installation of riparian habitat and green infrastructure where feasible

WHEREAS, The Village is committed to enhancing the resiliency of its incomparable waterfront park utilizing green infrastructure and natural elements where ever feasible;

WHEREAS, The Village is in need of financial assistance to repair and restore the Inlet Banks essential for protecting the Marina Walkway, for enhancing access to the Hudson and for ensuring the soon to be constructed Memorial Park Walkway will be protected from the impacts of climate change, and the Clean Water, Clean Air and Green Jobs Environmental Bond Act of 2022 provides such financial assistance;

WHEREAS, The Village of Nyack deems it to be in the public interest and benefit to authorize and direct Joe Rand, as Mayor of the Village of Nyack, New York, to file an application for funds to New York State Department of State for Bond Act funding for

implementing the project entitled “Restoring and Enhancing Resiliency of Nyack’s Waterfront Park”

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

1. That Joe Rand, as Mayor, is hereby authorized to file an application for funding through the Consolidated Funding Application process to the Department of State, Office of Planning, Development and Community Infrastructure;
2. That the Village of Nyack agrees that it will fund its portion of the cost of the Project and that these funds will be available to initiate the Project's work upon execution of a contract with the Department of State.

7.13 Resolution No. 2025-129: Village of Nyack Board of Trustees Resolution Approving the purchase of one (1) new 2024 Ford F350 Super Duty SRW 4x4 crew cab with plow attachment and strobe lighting from Paramus Ford, Inc. d/b/a All American Ford of Paramus under NYS OGS contract award #PC70440

WHEREAS, the Village of Nyack seeks to purchase a new 2024 Ford F350 Super Duty SRW 4x4 Crew Cab vehicle, equipped with an 8.5’ Western plow and strobe lighting (hereinafter the “Vehicle”); and

WHEREAS, pursuant to NYS General Municipal Law § 104, a village is authorized to make purchases of commodities, materials, equipment, technology, food products or services through the NYS Office of General Services, provided such purchase shall exceed \$500.00 and the village shall accept sole responsibility for any payment due to the vendor; and

WHEREAS, in or about November 14, 2019 (thereafter revised), as part of Solicitation 23166, the NYS Office of General Services awarded contract #PC70440, Group 40440 (Statewide), to Paramus Ford, Inc. of Paramus, New Jersey d/b/a All American Ford of Paramus (“All American”), for the procurement of “Vehicles, Class 1-8”, for the period November 14, 2019 through November 13, 2029, which procurement was expressly made available to political subdivisions of the state; and

WHEREAS, included among the categories and items of equipment and accessories available for purchase from All American under Award #23166 is the Vehicle required by the Village at a total cost of \$72,528.65, as set forth in a certain price quotation from All American, dated 07/21/2025; and

WHEREAS, the Village of Nyack wishes to take advantage of the State’s procurement contract with All American and purchase the said Vehicle at the aforesaid price, for which it is willing to assume sole responsibility for payment to the vendor,

NOW, THEREFORE, BE IT RESOLVED, that the Village Board hereby authorizes the purchase of one (1) new 2024 Ford F350 Super Duty SRW 4x4 Crew Cab Truck with related accessories, including a 8.5’ Western plow and strobe lighting from All American Ford of Paramus, New

Jersey, at a total cost of SEVENTY-TWO THOUSAND FIVE HUNDRED TWENTY-EIGHT DOLLARS AND SIXTY-FIVE CENTS (\$72,528.65), the cost of which shall be reimbursed from Public Works funds;

AND BE IT FURTHER RESOLVED, that the Mayor, Village Administrator and/or Treasurer is authorized to take such further action, and to execute such further documents, as may be necessary to effectuate such purchase.

7.14 Resolution No. 2025-130: Resolution, of the Board of Trustees of the Village of Nyack to amend Article III of Chapter 250 of the Village Code, so as to more efficaciously manage group use of village parks and recreation areas, so that their appurtenant facilities, play structures and recreational apparatuses are always available and accessible to all patrons.

At 8:05 M PM, during a regular meeting of the Board of Trustees of the Village of Nyack (“Village”), convened on July 24, 2025 (“Public Hearing date”), the below-described Public Hearing was (i) opened, *or* (ii) was opened at, and continued from, a prior meeting (or meetings), *or* (iii) was opened at, continued from, and closed at, a prior meeting (or meetings); and the following Resolution was duly offered and seconded, to wit:

WHEREAS, the Village Board of Trustees (“Village Board”) is the duly elected legislative body of the Village, and authorized to adopt Local Laws amending the Village Code, including amendments to the regulations embodied in Chapter 250 Parks and Recreation thereto.

WHEREAS, the Village Board has published a Notice of Public Hearing in the Journal News, digitally posted said Notice on the Village’s website, and physically posted the Notice on the Village’s official bulletin board, in accordance with NYS Municipal Home Rule Law §20, with regard to proposed text amendments to the Village Code, which amendments are summarized as follows: the proposed Local Law, if adopted by the Village Board, will amend Article III of Chapter 250 Parks and Recreation of the Village Code, so as to more efficaciously manage group use of village parks and recreation areas, so that their appurtenant facilities, play structures and recreational apparatuses are always available and accessible to all patrons, which Local Law is appended hereto, made a part hereof and marked as “ATTACHMENT C.”

WHEREAS, a copy of the proposed Local Law was provided to the Village Board, in accordance with NYS Municipal Home Rule Law §20.

WHEREAS, following compliance with all public notice requirements as mandated by the applicable NYS statute(s) and the Village Code, and distribution of the proposed Local Law to the Village Board as per NYS Municipal Home Rule Law §20(4), on the Public Hearing date the Village Board (i) opened, *or* (ii) previously opened at a prior meeting, and held open/continued, *or* (iii) previously opened and held open/continued, and closed, at a prior meeting (or meetings), a Public Hearing on the proposed Local Law.

WHEREAS, the Village Board finds, after reviewing the proposed Local Law, and after hearing from the Nyack Parks Commission, that this Local Law will clarify factors to consider in granting permits for groups to use the park.

NOW, THEREFORE, based on all of the documentation and information before the Village Board, and the findings and determinations made herein;

BE IT RESOLVED that the Village Board hereby adopts the Local Law in the form and substance as appended hereto as “ATTACHMENT C,” and as same may have been amended “by-hand” during the Public Hearing.

7.15 Resolution No. 2025-131: Resolution, of the Board of Trustees of the Village of Nyack, to amend Chapter 360 (Zoning) of the Village Code, so as to modify, and clarify, proximity regulations regarding adult-use retail (recreational) cannabis dispensaries (none for medical dispensaries).

At 8:00 PM, during a regular meeting of the Board of Trustees of the Village of Nyack (“Village”), convened on July 24, 2025 (“Public Hearing date”), the below-described Public Hearing was (i) opened, *or* (ii) was opened at, and continued from, a prior meeting (or meetings), *or* (iii) was opened at, continued from, and closed at, a prior meeting (or meetings); and the following Resolution was duly offered and seconded, to wit:

WHEREAS, the Village Board of Trustees (“Village Board”) is the duly elected legislative body of the Village, and authorized to adopt Local Laws amending the Village Code, including amendments to the zoning regulations embodied in Chapter 360 (Zoning) of the Village Code (“Zoning Code”).

WHEREAS, the Village Board has published a Notice of Public Hearing in the Journal News, digitally posted said Notice on the Village’s website, and physically posted the Notice on the Village’s official bulletin board, in accordance with NYS Municipal Home Rule Law §20, with regard to proposed text amendments to the Zoning Code, which amendments are summarized as follows: the proposed Local Law, if adopted by the Village Board, will enhance the economic and commercial viability, and preserve the livability, quality of life and aesthetic character, of the Village’s businesses, commercial uses and residences in the Downtown Mixed Use-1 (DMU-1), Downtown Mixed Use-2 (DMU-2) and Corridor Commercial (CC) Zoning Districts, and their surrounding neighborhoods, by establishing the required minimum distance between the location of an adult-use retail (recreational) cannabis dispensary and the locations of (i) other non-medical cannabis dispensaries, (ii) elementary or secondary schools, and (iii) houses or places of worship; which Local Law is appended hereto, made a part hereof and marked as “ATTACHMENT B.”

WHEREAS, copies of:

- (i). the proposed Local Law,

- (ii). the narrative Memo of Robert (“Bob”) Galvin, AICP, Village Planner (“Village Planner”), dated June 30, 2025 (“narrative Memo”),
- (v). the State Environmental Quality Review Act (“SEQRA”) Part 1 (entitled Project Information) of the Short Environmental Assessment Form (“EAF”), prepared, and signed, by the Village Planner, dated June 30, 2025,
- (vi). Part 2 of the SEQRA EAF (entitled Impact Assessment), prepared and recommended by the Village Planner, dated June 30, 2025,
- (vii). Part 3 of the SEQRA EAF (entitled Determination of Significance), prepared and recommended by the Village Planner, dated July 21, 2025;

were all provided to the Village Board, in accordance with NYS Municipal Home Rule Law §20.

WHEREAS, following compliance with all public notice requirements as mandated by the applicable NYS statute(s) and the Village Code, and distribution of the proposed Local Law to the Village Board as per NYS Municipal Home Rule Law §20(4), on the Public Hearing date the Village Board (i) opened, *or* (ii) previously opened at a prior meeting, and held open/continued, *or* (iii) previously opened and held open/continued, and closed, at a prior meeting (or meetings), a Public Hearing on the proposed Local Law.

WHEREAS, the Rockland County Planning Department, pursuant to NYS General Municipal Law (“GML”) §239-1, *et seq.*, reviewed the proposed Local Law and provided a GML review report to the Village Board, dated July 21, 2025 (“GML report”), which GML report made a finding of no significant county-wide or inter-community impact and therefore, no recommendations were made regarding the proposed legislation.

WHEREAS, prior to the Public Hearing, the Village Board sought comments on the proposed Local Law from the Village Planning Board, as per Village Code §360-5.6(B)(3)(a); and the Planning Board reviewed the Local Law at its meeting held on July 7, 2025, and provided a written advisory opinion/recommendation to the Village Board offering the following suggested changes: that adult retail (recreational) cannabis dispensaries be limited to the Corridor Commercial (CC) Zoning District, which the Planning Board acknowledges would require a different and/or additional amendment to the Zoning Code; and that a new sub-division “(iv)” be added to establish a 500’ minimum distance away from a Public Youth Facility as defined, and prescribed, in applicable NYS cannabis law/regulations. Although not part of this advisory opinion/recommendation, the Planning Board would like the Village Board of Trustees to make every possible effort to enforce the closure/shutting down of illegal cannabis dispensaries in the Village. The Planning Board recognizes that this would require the services of law enforcement agencies.

WHEREAS, there being no other SEQRA Involved Agency, as an additional part of this Resolution herein, if adopted on the Public Hearing date, the Village Board declares itself to be, and assumes the role of, SEQRA Lead Agency.

WHEREAS, the Village Board, after reviewing the Waterfront Assessment Form for Local Waterfront Revitalization Plan (LWRP) Consistency Review, prepared and recommended by the Village Planner, dated June 30, 2025, and after considering all of the discussion and analysis by the Village Board with respect to the documents referenced and considered by the Village Board at its Public Hearing held on the Public Hearing date, and at any prior Public Hearings that were held open, and continued, to the Public Hearing date, the Village Board finds and determines that the proposed Local Law is consistent with the LWRP and the Village's Comprehensive Master Plan.

WHEREAS, the Village Board, acting in its capacity as the SEQRA Lead Agency, and after reviewing the aforementioned Part 1, Part 2 and Part 3 of the SEQRA EAF, which SEQRA EAF Parts 1 through 3 were all prepared and recommended, on behalf of the Village Board, by the Village Planner; the Village Board hereby adopts the said SEQRA EAF Parts 1 through 3, and incorporates them by reference as if fully set forth herein.

THEREFORE, BE IT RESOLVED, that the Village Board, after conducting a "hard look" review of all environmental factors, including, but not limited to, all of the said SEQRA EAF Parts 1 through 3, and the Village Planner's narrative Memo, hereby determines that there will be no potential significant adverse environmental impacts resulting from the Village Board's adoption of the proposed Local Law, and makes a Determination of Non-Significance under SEQRA, thereby determining and issuing a SEQRA Negative Declaration.

BE IT FURTHER RESOLVED that the Village Board finds, after reviewing the proposed Local Law and the Village Planner's narrative Memo, that this Local Law, if adopted by the Village Board, will enhance the economic and commercial viability, and preserve the livability, quality of life and aesthetic character, of the Village's businesses, commercial uses and residences in the Downtown Mixed Use-1 (DMU-1), Downtown Mixed Use-2 (DMU-2) and Corridor Commercial (CC) Zoning Districts, and their surrounding neighborhoods, by establishing the required minimum distance between the location of an adult-use retail (recreational) cannabis dispensary and the locations of (i) other non-medical cannabis dispensaries, (ii) elementary or secondary schools, and (iii) houses or places of worship.

NOW, THEREFORE, based on all of the documentation and information before the Village Board, and the findings and determinations made herein;

BE IT RESOLVED that the Village Board hereby adopts the Local Law in the form and substance as appended hereto as "ATTACHMENT B," and as same may have been amended "by-hand" during the Public Hearing.

7.16 Resolution No. 2025-132: Village of Nyack Board of Trustees Resolution to Declare as Surplus and authorize auction of a 2012 Parking Authority Vehicle

RESOLVED, the Village Board of the Village of Nyack declares as surplus, Parking Authority vehicle, 2012 Ford Transit VIN #NM0LS7DN5CT113075, and authorizes to auction this item through Auctions International.

7.17 Resolution No. 2025-133: Village of Nyack Board of Trustees Resolution to Approve Muhamad Melhees (Uncle Mike's Ice Cream) Application for a Food Truck Permit for 2025

RESOLVED, the Board of Trustees of the Village of Nyack approves a food truck permit submitted by Muhmad Melheess, doing business as Uncle Mike's Ice Cream, contingent on the full satisfaction of all permit requirements as well as a Fire Safety Inspection, and hereby direct the Village Administrator to work with the permittee to coordinate specific parking location within the Memorial Park and Marina areas.

7.18 Resolution No. 2025-134: Village of Nyack Board of Trustees Resolution Approving Mayor's Appointment of members to the Public Arts Advisory Committee

WHEREAS, the arts are an essential part of Nyack's heritage, identity, and downtown revitalization strategy,

WHEREAS, the Village of Nyack Board of Trustees wishes to obtain the guidance of experienced stakeholders and more generally involve the community in planning and reviewing opportunities for public art, such as public murals, sculptures and lighting, specifically with regard to expected public murals proposals and other projects requiring Board of Trustees approval,

WHEREAS, having appointed Kris Burns chair and Bill Batson to lead this committee on June 26, 2025, that the Mayor's appointment of the following individuals to serve as an ad hoc Public Arts Advisory Committee, is approved:

NAMES of MEMBERS

RESOLVED, that the Public Arts Advisory Committee shall schedule an initial public meeting, inventory both existing and potential public arts projects within Nyack, and regularly report to the Board of Trustees as to its findings.

7.19 Resolution No. 2025-135: Village of Nyack Board of Trustees Resolution Approving Mayor's Appointment of NAME to the Planning Board

RESOLVED, that the Mayor's appointment NAME as a member of the Planning Board, for a term of five years, to expire December 31, 2029, is hereby approved.

8. Department Reports to the Village Board of Trustees (based on availability).

8.1 – Orangetown Police Department

8.2 - Village Attorney

8.3 – Village Administrator - NYF Planning Process

8.4 - Village Clerk

9. Old Business

10. New Business

11. Communications

11.1 Ekatarina Osipova, Best Buddies International, Inc., Best Buddies Bike Run NYC 2025, Saturday, October 4, 8:30 AM - 10:00 AM.

11.2 Kula for Karma, Healing on Hudson self-care event honoring World Mental Health, 30-40 attendees, Saturday, October 4, 2025, 4:00 – 5:30 PM, Memorial Park gazebo.

12. Public Comment

13. Executive Session

14. Adjournment