

Village of Nyack

9 North Broadway, Nyack, NY 10960

Meeting of the Village Board of Trustees

September 10, 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 – NONE**
5. **Adoption of Minutes – Minutes 8-25-25, 8-29-25**
6. **Presentation:**
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. 2025-158 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 September 10, 2025.

RESOLVED, that General Fund Claims set forth on pages 1 through 12 in the below-listed amounts are approved for payment:

General Fund– \$192,741.87

Parking Fund – \$27,421.05

Water Fund – \$146,212.31

Capital Projects Fund – \$99,741.57

7.2 Resolution No. 2025-159 Resolution of the Nyack Village Board of Trustees to Set a Public Hearing on October 9, 2025, at 8:00 PM to Consider Amending Chapter 360 (Zoning) of the Code of the Village of Nyack so as to Add, to the Use-Specific Standards, Certain Provisions Regarding Adaptive Reuse of Eligible Religious and/or Educational Buildings and Uses

RESOLVED, Nyack Village Board of Trustees approves the scheduling of a Public Hearing on October 9, 2025, 8:00 PM, to consider Amending Chapter 360 (Zoning) of the Code of the Village of Nyack so as to Add, to the Use-Specific Standards, Certain Provisions Regarding Adaptive Reuse of Eligible Religious and/or Educational Buildings and Uses.

7.3 Resolution No. 2025-160 Resolution of the Nyack Village Board of Trustees to Amend the Sidewalk Incentive Program Policy to Cap Village Contribution at \$5000 for sidewalk projects over 100 feet in length.

RESOLVED, the program by which the Village will reimburse owner-occupiers for a maximum of 50% or total of \$1500 per sidewalk repair project is hereby amended to provide up to a maximum of \$5000 in funding for projects over 100 feet in length.

7.4 Resolution No. 2025-161 Resolution of the Nyack Village Board of Trustees to Include an Errata Sheet in the 2016 Village Comprehensive Plan.

WHEREAS, page 131 of the 2016 Village Comprehensive Plan contains a statement that reads:

“The Rockland BOCES Athletic Fields, though not under Village control, is an important community resource and are protected via a permanent recreational easement.”

And,

WHEREAS, a Covenant and Research investigation by the Jade Abstract Company, Inc. found that no such permanent recreational easement exists on the athletic fields.

RESOLVED, the attached errata sheet shall be appended to the 2016 Nyack Village Comprehensive Plan, which corrects the above error.

7.5 Resolution No. 2025-162 Resolution of the Nyack Village Board authorizing solicitation of bids for the Safe Routes to the Nyack Middle School Project PIN 8762.47

WHEREAS, the Village of Nyack has completed design and will be receiving NYSDOT approval to advertise the Safe Routes to The Nyack Middle School Project for competitive bid, which will construct sidewalks and related infrastructure on Upper Depew, Depew Ave, Main Street, South Midland Ave and Summit Street; and,

WHEREAS, the Village Clerk, with the assistance of GPI, the Consulting Engineers for the project will advertise and receive bids for the project in the Town's official newspaper and on the New York State Contract Reporter; and

WHEREAS, the Village Board of Trustees has authorized funds to be utilized from the General Fund and/or proceeds of bond issue;

NOW, THEREFORE, BE IT RESOLVED, that the Village Clerk, with the assistance of the consulting engineering firm GPI, is hereby authorized to solicit bids; and

BE IT FURTHER RESOLVED, the Village Clerk shall comply with the requirements of the General Municipal Law and/or the Village's procurement policies to the extent they apply to this bid work.

7.6 Resolution No. 2025-163 Resolution Of The Nyack Village Board Authorizing the Issuance of Bonds in a Principal Amount Not To Exceed \$3,871,669 to Finance Improvements To Sidewalks And Crosswalks In Connection With The Safe Routes To the Middle School School Project, Pin 8762.47, Stating The Estimated Maximum Cost Thereof Is \$4,432,804 And Appropriating Said Amount For Such Purpose

THE BOARD OF TRUSTEES OF THE VILLAGE OF NYACK, IN THE COUNTY OF ROCKLAND, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Nyack, in the County of Rockland, New York (herein called the "Village"), is hereby authorized to issue bonds in a principal amount not to exceed \$4,432,804 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance improvements to sidewalks and crosswalks in connection with the Safe Routes to School Program, including related infrastructure, on Upper Depew Avenue, Depew Avenue, Main Street, South Midland Avenue and Summit Street.

Section 2. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$4,432,804 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in a principal amount not to exceed \$4,432,804 to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the

Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable. It is expected that grant funds shall be received and any such grant funds to be received by the Village and any other funds available for such purpose are authorized to be applied toward the cost of said project or redemption of the Village's bonds or notes issued therefor, or to be budgeted as an offset to the taxes to be collected for the payment of the principal of and interest on said bonds or notes, and the principal amount of bonds or notes issued shall be reduced by the amount of grant funds received.

Section 3. The following additional matters are hereby determined and declared:

- (a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 24 of the Law, is ten (10) years.
- (b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.
- (c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and Section 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any

bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of credit enhancement agreements, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Village Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to publish or cause to be published, in full, in the official newspaper of the Village, having a general circulation within said Village, and posted in at least six (6) public places and in each polling place in the Village, a Notice in substantially the form appearing in Exhibit A hereto.

Section 8. The Village Clerk is hereby authorized and directed, after said bond resolution shall take effect, to cause said bond resolution to be published, in summary, in the official newspaper of the Village, having a general circulation within said Village, together with a Notice in substantially the form as provided by Section 81.00 of the Law.

7.7 Resolution No. 2025-164 Resolution Of The Nyack Village Board Authorizing the implementation, and funding in the first instance 100% of the federal-aid and State "Marchiselli" Program-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefore.

WHEREAS, a Project for the Safe Routes to the Nyack Middle School in the Village of Nyack, Rockland County, PIN 8762.47 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, it has been found necessary to increase the federal and non-federal share of costs for the construction and construction inspection work for the project; and

NOW, THEREFORE, the Nyack Village Board, duly convened does hereby

RESOLVE, that the Nyack Village Board hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Nyack Village Board hereby authorizes the Village of Nyack to pay in the first instance 100% of the federal and non-federal share of the cost of the construction and construction inspection work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$4,432,804 (\$5,377,804 minus previous \$945,000) is hereby appropriated from the General Fund and made available to cover the cost of participation in the above phases of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Nyack Village Board shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Village Administrator thereof, and it is further

RESOLVED, that the Nyack Village Administrator be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or applicable Marchiselli Aid on behalf of the Village of Nyack with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that in addition to the Village Administrator, the following municipal titles: Mayor, Village Engineer and Village Treasurer are also hereby authorized to execute any necessary Agreements or certifications on behalf of the Municipality/Sponsor, with NYSDOT in connection with the advancement or approval of the project identified in the State/Local Agreement;

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED, this Resolution shall take effect immediately.

7.8 Resolution 2025-165 - Resolution of the Nyack Village Board of Trustees to Approve a Street Closure for the Salsa Sunset on Sobro, Saturday, September 20, 2025, 6-10PM.

RESOLVED that the Nyack Village Board of Trustees approves a street closure for a special event on S Broadway, the Salsa Sunset on Sobro, Saturday, September 20, 2025, 6-10PM., and the Village will contribute up to \$500 to DPW costs for securing the street closure.

7.9 Resolution No. 2025-166 Resolution of the Nyack Village Board of Trustees to Set a Public Hearing on October 9, 2025, at 8:05 PM to Consider Amending VON Code §28-2 so as to change date of BOT's Annual Meeting (i.e., organizational meeting) to the first Monday in December

RESOLVED, Nyack Village Board of Trustees approves the scheduling of a Public Hearing on October 9, 2025, 8:05 PM, to consider Amending VON Code §28-2 so as to change date of BOT's Annual Meeting (i.e., organizational meeting) to the first Monday in December

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

8.4 - Village Clerk

9. Old Business

9.1 250th Anniversary of July 4, 1776, organizing committee

9.2 Nyack Rat Control Project

9.3 Oak Hill Cemetery leaf blower policy amendment proposal

10. New Business

11. Communications

11.1 S Mill St block part request for street closure – Sat., Sept 20, 3:30 – 10 PM.

11.4 Barbara Taylor, request of handicap parking spot on Gail Drive.

11.4 John Vitale, Memorial Park permit application for Flag Football practice for 10 girls, Weds and Fridays, 4 PM- 5:15 PM, beginning September 12.

11.5 Pastor Josef – Hezekiah Easter Square, 4-7 PM, 8/30 and 9/27

11.6 Ramona Ngolla, additional streetlight request for Sixth Ave

11.7 Congregation Sons of Israel, Memorial Park permit application, Tuesday, 9/23/25, 5-6 PM. Rosh Hashana prayer, 30-50 people.

11.8 Marcella Mazzeo/J&E Auto, Street closure request for “Cars and Coffee” Sunday, October 5, 2025, 7 AM – 11 AM.

12. Public Comment

13. Executive Session

14. Adjournment