

# 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](http://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**

- 9.1 250<sup>th</sup> 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**

**LOCAL LAW NO. \_\_\_\_ OF 2025, 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  
(08/15/2025 DRAFT)**

Be it enacted by the Board of Trustees of the Village of Nyack as follows:

**Section 1 - Legislative Authority, Purpose and Intent:**

This Local Law is adopted pursuant to New York State (“NYS”) Municipal Home Rule Law (“MHRL”) §10; and in accordance with the procedures prescribed in MHRL §20, and NYS Village Law §7-706 and §21-2100. The purpose and intent of this Local Law is to foster the renovation and reuse of buildings originally constructed for religious or educational uses, and which have historic, architectural, economic, cultural or other value to the Village of Nyack (“Village”), and are at risk of becoming under-utilized, blighted, vacant or demolished, by encouraging the adaptive and flexible reuse of such buildings to allow greater economic and efficient use and occupancy of the property, and to increase the supply of housing in the Village, and with no net loss of usable open space or outdoor recreational areas on the property, by virtue of allowing redevelopment for multifamily housing in the Single-Family Residential-1 (SFR-1), Single-Family Residential-2 (SFR-2), Two-Family Residential (TFR) and Office Mixed Use (OMU) Zoning Districts. Specific regulations are appropriate for this type of reuse, because of the likely difficulties that may be presented in adapting these building to allow economic and efficient use of the property.

**Section 2 – Paragraph “A” (Residential), of §360-3.2 (Use-specific standards) of Article III (Use Regulations), of Chapter 360 (Zoning), of the Code of the Village of Nyack, is amended to the extent only of adding a new Sub-Paragraph “1B,” which new Sub-Paragraph “1B” shall read as follows:**

(1B) Adaptive Reuse of Religious and/or Educational Buildings.

- (a) Special Use Permit Authority. The Planning Board may grant a special use permit, subject to, and in accordance with, the provisions set forth in this sub-paragraph 1B, to allow a multi-family housing use of an eligible building, irrespective of whether such multi-family housing use is allowed or not in the applicable Zoning District; and such adaptive reuse of an existing building may occur within its existing footprint irrespective of whether the existing footprint is dimensionally non-conforming. As part of the special use permit, the Planning Board may modify the Dimensional Standards (Table 4-1) of the Village’s Zoning Code, so long as the Planning Board determines that each modification is necessary to preserve the building and to allow its adaptive reuse; which grant of a special use permit shall also require site development plan approval by the Planning Board. This special use permit authority, granted to the Planning Board, shall be in lieu of, rather than in addition to, the Zoning Board of Appeals’s special use permit authority relating to schools, educational facilities, houses of worship and places of religious instruction in residential and Office Mixed Use (OMU) Zoning Districts.

- (b) **Eligible Building.** An eligible building shall mean any building sited on a lot of less than four acres in size, except as prescribed in §360-3.2(A)(1B)(e)[2] below, and which building is used and occupied, or if vacant or abandoned has most recently been used and occupied, as a school, educational facility, house of worship or place of religious instruction, and which building was originally constructed for said type(s) of religious and/or educational use and occupancy (“eligible use”); and which building (i) has a subsisting Certificate of Occupancy (“CO”) that permits the use and occupancy of the building as an eligible use, or (ii) although lacking a CO for an eligible use, is a legal nonconforming use for an eligible use, or (iii) is vacant or abandoned, but its last most recent CO was for an eligible use, or, if it lacked such a CO, then its last most recent legal nonconforming use was for an eligible use.
- (c) **Exterior Alterations.** As a condition of the special use permit, the applicant shall demonstrate, to the satisfaction of the Planning Board, that all proposed exterior alterations are generally consistent with the existing building’s architecture and with the neighborhood in which it is located.
- (d) **Parking.** As part of the special use permit authority of the Planning Board, the Planning Board may modify the Zoning Code’s accessory off-street parking requirements based on the applicant’s information regarding the parking impact of the proposed adaptive reuse; and parking may be provided on another privately owned lot (or lots) within 500 feet of the entrance to the building subject of the application, subject to the Planning Board’s approval of any legal instruments, including the recording of same in the Rockland County Clerk’s Office, that the Planning Board may require to memorialize said off-site private parking.
- (e) **Restrictions on Uses, and Floor Area Ratio, in Particular Zoning Districts.** For an eligible building sited on a lot located in the Single-Family Residential-1 (SFR-1), Single-Family Residential-2 (SFR-2), Two-Family Residential (TFR) or Office Mixed Use (OMU) Zoning Districts, the only uses that are permitted in such Zoning Districts shall be those that are allowed as per the applicable Permitted Uses (Table 3-1) of this Chapter (Zoning); except that, for an eligible building as prescribed in this sub-paragraph 1B, the Planning Board may approve, by special use permit, multi-family housing, so long as the following additional conditions and requirements are complied with.

[1] A minimum of 15 percent (15%) of the eligible building’s total dwelling units shall be affordable and workforce for-sale housing units, or affordable and workforce rental units, in accordance with Chapter 120 (Affordable Housing) of the Village Code.

[2] The eligible building shall be subject to the maximum floor area ratio (FAR) restrictions proscribed for the Multifamily Residential-2 (MFR-2) Zoning District; however, if an eligible building is sited on a lot in excess of four acres, and within 750 feet of a commercial Zoning District, then the Planning Board may approve of any use that is allowed in the Downtown Mixed Use-2 (DMU-2) Zoning District, subject to the maximum FAR restrictions proscribed for the DMU-2 Zoning District and so long as there is no net loss of usable open space or outdoor recreational areas on the property.

- (f) Additional Conditions. The Planning Board may impose additional conditions, as part of its approval of the special use permit contemplated in this sub-paragraph 1B, as the Planning Board may deem to be necessary so as to protect, preserve and/or enhance the neighborhood surrounding the eligible building, and to encourage the most appropriate adaptive reuse of the eligible building and its appurtenant property, which additional conditions may include those that are intended to ensure that there will be no net loss of usable open space or outdoor recreational areas on the property.

**Section 3 – Within the Use column, of the Residential section, of 360 Attachment 1, Table 3-1, entitled “Permitted Uses,” of Chapter 360 (Zoning), of the Code of the Village of Nyack, is amended so as to insert, directly beneath the existing language “Adaptive Reuse,” the following new language as a new type of Use.**

Adaptive reuse of eligible religious and/or educational buildings and uses by special use permit of the Planning Board as per §360-3.2(1B).

**Section 4 – Column SFR, within the column for Residential Districts, within the Residential use section, of 360 Attachment 1, Table 3-1, entitled “Permitted Uses,” of Chapter 360 (Zoning), of the Code of the Village of Nyack, is amended so as to insert, within the blank/empty space in the new row to be entitled “Adaptive reuse of eligible religious and/or educational buildings and uses by special use permit of the Planning Board as per §360-3.2(1B),” the following language.**

S

**Section 5 – Column TFR, within the column for Residential Districts, within the Residential use section, of 360 Attachment 1, Table 3-1, entitled “Permitted Uses,” of Chapter 360 (Zoning), of the Code of the Village of Nyack, is amended so as to insert, within the blank/empty space in the new row to be entitled “Adaptive reuse of eligible religious and/or educational buildings and uses by special use permit of the Planning Board as per §360-3.2(1B),” the following language.**

S

**Section 6 – Column OMU, within the column for Other Districts, within the Residential use section, of 360 Attachment 1, Table 3-1, entitled “Permitted Uses,” of Chapter 360 (Zoning), of the Code of the Village of Nyack, is amended so as to insert, within the blank/empty space in the new row to be entitled “Adaptive reuse of eligible religious and/or educational buildings and uses by special use permit of the Planning Board as per §360-3.2(1B),” the following language.**

S

**Section 7 – Severability.**

If any part or provision of this Local Law, or the application thereof to any person or circumstance, is adjudged invalid or unconstitutional by a court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law, or the application thereof to other persons or circumstances. The Village Board of Trustees hereby declares that it would have enacted the remainder of this Local Law even without any such invalid or unconstitutional part, provision or application.

**Section 8 – Effective Date.**

This Local Law shall take effect immediately upon the filing of a copy with the NYS Secretary of State in the manner prescribed by NYS Municipal Home Rule Law §27.



Mayor Joseph Rand

Trustees Pascale Jean-Gilles | Donna Lightfoot-Cooper | Joseph Carlin | Nathalie Riobe Taylor

## Village of Nyack Sidewalk Incentive Program 2024

The Village of Nyack Village Board of Trustees is excited to announce that we have established a fund for a Sidewalk Incentive Program, which aims to enhance pedestrian safety, accessibility and the overall aesthetic of our beloved Village. The Village Board believes that all citizens benefit when sidewalks are in good condition and the goal of the Program is to assist residential property owners in making needed repairs and/or replacements to public sidewalks.

### Well-maintained sidewalks:

- Help alleviate motor vehicle congestion by making pedestrian travel more attractive.
- Facilitate travel by those who are unable to, or choose not, to drive a car.
- Contribute to the general upkeep of the Village of Nyack's neighborhoods.
- Improve the quality of life for Village residents and visitors to the Village.
- Allow unimpeded travel for disabled residents and visitors, and comply with the regulations of the Americans with Disabilities Act (ADA).

### Key Details of the Program:

1. **Eligibility:** Sidewalks on owner-occupied single-family or two-family residential properties are eligible for the Program. Already completed projects are not eligible for the Program.
2. **Funding:** The Village will reimburse a property owner up to a maximum of 50% of the property owner's total project cost, capped at a maximum reimbursement amount of \$1,500.00. For property owners who earned less than the County median household income in 2023 (\$100,000) the funding maximum increases to \$2,000.00. Projects exceeding 100' in length may receive up to \$5000 in funding. Funding priority factors are as follows:
  1. Condition and location of sidewalk. Poorer condition = higher priority.
  2. Planned Village infrastructure work that will tear up and replace sidewalks (e.g., water mains, gas lines, etc.) within the next 3 years = lower priority.



## Village of Nyack Sidewalk Incentive Program 2024

### APPLICATION/AGREEMENT/PERMIT

Thank you for your interest in repairing and/or replacing your sidewalk, and for applying for the Village of Nyack ("Village") Sidewalk Incentive Program ("Program"). As per Village Code §299-11, "maintenance, repair and reconstruction of sidewalks and curbs, including all necessary supports and retaining walls, shall be the responsibility and obligation of the abutting landowners and shall be performed at their sole expense to specifications approved by the Building Inspector"; and you could be liable if someone were injured on your unsafe or defective sidewalk or curb. To participate in the Program, the property owner is responsible for submission of this Application, and ensuring that all sidewalk/curb repair and/or replacement work ("Program work") is performed and completed to the Village's standards and specifications. A Village Building Inspector will inspect the property prior to commencement of the Program work, and return once the work is complete to perform a final inspection, which Program work must be satisfactorily completed (as per the Building Inspector) prior to reimbursement by the Village to the property owner. All program work must be completed within 60 days of this Application's approval by the Village.

Contact the Village Administrator, Andy Stewart, at phone #845-358-3581 or email [administrator@nyack.gov](mailto:administrator@nyack.gov), if you should have any questions.

### Your Contact Information

Property Owner Name: \_\_\_\_\_ Cell # \_\_\_\_\_

E-Mail: \_\_\_\_\_

Property Address: \_\_\_\_\_

Project area description: \_\_\_\_\_

### **Scope of construction work covered by the Program:**

### **Scope of sidewalk repair and/or replacement work covered by Program ("Program work"):**

1. Includes removal and replacement of sidewalk/curb and driveway apron, but Village funding will only be for the portion of sidewalk/curb in need of replacement.
2. Excludes work on walkways or driveways, except only where they connect or "tie-in" to the sidewalk; with a maximum of one standard width sidewalk panel into the primary walkway to the home.
3. Excludes custom sidewalks, pavers, seeding of grass, repair to damaged irrigation systems, replacement of sod or landscaping, re-location of shrubbery, fences or stone walls, etc. Property owners are responsible to remove any sprinklers, or other amenities, from Program work area.
4. Corners with crosswalks must be designed for ADA compliance.

5. Property owners must perform the Program work herself/himself or hire a contractor. If a property owner chooses to perform their own Program work, Village reimbursement will be based only on the cost of the materials.

**Process:**

1. Property owner applies to Village to participate in the Program, establishing eligibility (proof of owner occupancy and income if applicable). Proof of owner occupancy must include a NYS Driver's License or US Passport. Tax records do not establish residency.
2. Village Administrator reviews application, if approved, application is forwarded to Building Department for review. Permit fees are waived for the Sidewalk Incentive Program. *An application is not guaranteed to be approved.* Residents will be notified if their application is denied and a reason will be provided.
3. Property owner receives Building Department approval, secures a contractor and schedules construction. Please notify the office of the construction schedule. If parking restrictions are necessary, please contact the office to coordinate with our Parking Authority. The Village Administrators office will relay requests to the Parking Authority. 845-358-0548 ext. 283
4. Program work must be satisfactorily completed within 60 days of the Application's approval, or the approval may be withdrawn.
5. Property owner must submit receipts, bills and invoices, etc., related to the Program work, and proof of payment of same, to the Village for consideration of reimbursement by the Village to the property owner.
6. Program funding is on a first come, first served basis until all funds budgeted for the program are exhausted.

I have read all of the above information, understand all of the information and requirements set forth in this Application/Agreement, and have provided proof of owner occupancy and household income, as applicable.

Property owner signature: \_\_\_\_\_ Date: \_\_\_\_\_

Return signed Application/Agreement to:

Village of Nyack, 9 North Broadway, Nyack, NY 10960  
Attention: Village Administrator – Sidewalk Incentive Program

This project is accepted into the Nyack Sidewalk Incentive Program:

\_\_\_\_\_

Village Representative

\_\_\_\_\_

Date

Construction scheduled for: \_\_\_\_\_

Building Department Inspection Completed: \_\_\_\_\_

This project was completed, and reimbursement of \$\_\_\_\_\_ issued to the homeowner.

\_\_\_\_\_

Village Representative

\_\_\_\_\_

Date

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## INTEROFFICE MEMORANDUM

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**TO:** MAYOR RAND AND TRUSTEES

**FROM:** ANDY STEWART , VILLAGE ADMINISTRATOR

**SUBJECT:** RAT POPULATION REDUCTION

**DATE:** SEPTEMBER 10, 2025

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The BOT has heard reports of rats in various locations in the village and directed village staff to take appropriate action. Village regularly hosts strategy meetings between Code Enforcement, Village Administrator and Minuto Carting.

Current actions include:

1. Pest control contracts
  - a. While village code requires building owners to control pests, the Village annual Fire Code Enforcement program for commercial buildings now includes a requirement for evidence of a current pest control contract on the standard annual commercial building checklist.
    - i. X properties out of a total of XXXX reviewed have been identified as lacking pest control contracts and required to update their pest control contracts.
    - ii. Expected completion date of all downtown commercial building Code Inspections = DATE...
  - b. Village-owned properties.
    - i. Village has pest control contract covering all our buildings plus the waterfront park.
  - c. Rat birth control vs poison – the Village will support whatever method works the best, but does not have this expertise and cannot mandate method of control on private properties other than the use of licensed contractors. We will continue to consult with experts and learn more.
2. Trash put-out controls – carting contracts.
  - a. While village code requires building owners to dispose of garbage properly, the Village annual Code Enforcement program for commercial buildings now includes a requirement for evidence of a private carting contract for all tenants.
    - i. X properties out of a total of XXXX reviewed have been identified as lacking a private carting contract for all tenants and required to update their service.

- b. Typically, there is a contract for the ground floor retailer and one for the tenants above. Problem put-outs typically arise with change of tenant or building ownership, resulting in a lapse in contract or poor understanding of the rules and schedule.
  - c. Carlo Minuto carting is the dominant local carting company serving commercial buildings and a close partner with Village government. We routinely collaborate around the identification of building ownership for the purposes of carting contracting, and the identification of sources of improper trash put-outs.
  - d. Minuto has begun to place decals on building windows to indicate a current carting contract. Making it easier for code enforcement and Minuto's own drivers to locate contractual trash put-outs.
3. Trash put-out controls – containers.
- a. While village code requires building owners to use well-maintained containers with lids, the Village annual Code Enforcement program for commercial buildings now includes a requirement for evidence of such containers.
    - i. X properties out of a total of XXXX reviewed have been identified as lacking adequate containers and required to update their container practices. Due to item (ii) below, at times a negotiated solution is needed. In certain cases totes are placed on a side street or a neighboring property. A case-by-case approach is needed.
    - ii. Carlo Minuto, the dominant local carting company, rents large totes to their customers as needed. Customers may provide their own containers as desired. Due to a general lack of rear access/alleyways in Nyack, many buildings do not have a suitable location for a dumpster or trash totes outdoors. Limited indoor space and narrow hallways present a container storage challenge as well. As we force properties into using containers, rather than placing bags on the sidewalk, there will be more cases of containers parked on the sidewalk 7 days/week.
4. Trash put-out controls – improper put-outs.
- a. From time to time we identify an improper trash put-out on a commercial sidewalk, or an overflowing dumpster in an alley. This results in a courtesy phone call to the property owner/warning, and a violation for repeated incidents. Sometimes, the property owner adjacent to the trash pile claims to have no knowledge of the origins of the trash. It is still their responsibility, unfortunately. On occasion, I will open bags to look at addresses, and call owners with this information.
  - b. Minuto routinely picks up improper trash put-outs in the interest of sanitation, even in the absence of a carting contract, and in obvious cases of nearby tenants piling garbage onto neighboring property contractual pickup locations or around village trash cans. Minuto is in Nyack every day except Sundays. Each property carting contract may differ in schedule and size, depending on need. Typically, there is a contract for the ground floor retailer and one for the tenants above. Problem put-outs typically

arise with change of tenant or building ownership, resulting in a lapse in contract or poor understanding of the rules and schedule.

5. Trash put-out controls – improper use of street trash cans for private trash
  - a. Residential and commercial tenants periodically fill street trash cans with household or business trash, resulting in overflows and increased litter. The Village is increasingly adopting cans with excluder tops to prevent large items being thrown in them. Most cans on Broadway have excluder tops, many on Main St do not.
6. Clean streets
  - a. DPW provides street trashcan maintenance 7 days/week, and recycling can maintenance as needed. Street sweeping occurs regularly.
7. Vacant buildings – usually lack both pest control and carting contracts.
  - a. Plaza Building 3 – Code Enforcement is meeting regularly with ownership. Pest contractor has included both interior and exterior areas in the contract, both Building 3 and all other buildings, and treated rat nesting areas. Owner has removed large roll-off containers and contracted for a concrete pad under dumpster on Hudson Ave. Dumpster was relocated to paved area.
  - b. 65 Main Street – owner has been advised of need for pest control contract and has cleaned up accumulated debris and trash in parking lot.
  - c. 160 Burd St – Village is attempting to identify responsible party. Complaints of rats.
  - d. 106 High Ave – no complaints. Well secured. In county in-rem process for eventual auction.
  - e. 78 Burd St – empty retail slots on ground floor, upper floor is occupied. Village is attempting to identify responsible party. Complaints of rats.





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## OAK HILL CEMETERY

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140 North Highland Avenue, Nyack, New York 10960 845 • 358 • 0012  
August 28, 2025

Nyack Village Board  
9 North Broadway  
Nyack, NY 10960

RE: Village of Nyack Noise Control Law

Dear Mayor Rand, Village Administrator Stewart and Village Trustees:

Thank you for hearing us on August 21, 2025 at the Village Board Meeting. As discussed, Oak Hill Cemetery's request for relief is outlined below.

Oak Hill Cemetery is asking the Village Board of Trustees to revert back to the phase-in of Local Noise Law chapter 238-4 which would exempt Oak Hill Cemetery (or) all cemeteries (or) commercial properties over 10 acres for three years. This would include the following language:

Noise Law - Chapter 238 - Subsection 238-4 S (Prohibited Noises)

Gasoline powered leaf blowers may be used only between March 15 through May 15, and September 15 through December 15. During the portions of the year when the use of gasoline powered leaf blowers is permitted, they may only be used from 8:00 am until 7:00 pm on Monday through Friday; 9:00 am until 5:00 pm on Saturdays; and 12:00 noon until 5:00 pm on Sundays and legal holidays.

To assist in your deliberations we are including the following:

- (1) Testimony of Lew Kriegel including challenges of the onerous expense incurred in compliance with the current ordinance; concern for maintaining.
- (2) Testimony of Bill Batson including history of Oak Hill Cemetery.

Kind regards,

*Mary DeLuise*

Mary DeLuise, Trustee  
on behalf of Oak Hill Cemetery Board of Trustees



# **Oak Hill Testimony**

## **August 21, 2025**

My name is Bill Batson. I'm here tonight with Oak Hill Cemetery Trustee Mary DeLuise, our recently appointed Superintendent Jay Phillips, and Owner of our Landscaping contractor Lewis Kriegel of Grounds Care.

I just completed my second term as an Oak Hill Trustee. I am also President of the Friends of Mount Moor Cemetery and I am proud that Oak Hill has for many years been a supporter of our historic black burial ground.

Oak Hill is a non-sectarian, not-for-profit cemetery that was dedicated on June 1848. As of August 7, there are 24,131 eternal residents at Oak Hill.

Anytime from 8a - 8pm from May 1 - Aug. 31 and 8am - 5pm from Sept. 1 - April 30 people from all corners arrive to visit all their ancestors and dearly departed at Oak Hill.

In 2024, construction of our 4,600 square foot state of the art mausoleum holding 476 crypts and 1076 niches was completed.

Oak Hill is the final resting place of the founders of Nyack and other area families, including veterans, artists, writers and scientists, among many others. The oldest headstone is for Harmanus Tallman (1716-1790),

Other notables are creatives, Joseph Cornell, Helen Hayes, Carson McCullers, Edward Hopper

Waverly Brown Jr. – the officer slain during the 1981 Brinks Robbery, General Daniel Ullman, who convinced Lincoln to arm freed slaves,

Historical Society has been holding tours of Oak Hill for decades. Mike Hays and I will be leading the next tour on October 26 at 11:00am so please join us.

We are here because of our name. We really are a hill of Oaks and there have been enormous challenges to our compliance with this ordinance.

That onerous effort will now be described by our contractor for Lewis Kriegel of ground care. He will describe keeping 50 acres of publicly accessible sloped, wooded and heavily trafficked terrain safe,

focus on the expense incurred in compliance with current ordinances, the concern for maintaining safe conditions and the fact that alternative equipment often fails to perform within the regulation.

### **Our request**

We are asking the Trustees to amend the law and return to the version that held during the phase in implementation to that permits gas powered blowers on large publicly accessible properties between March 15 through May 15, and September 15 through December 15 for three years when technological advances might make the task less financially onerous and truly quieter



**Grounds Care Ltd.**

PO Box 1106

New City, NY 10956

Groundscare01@aol.com

845-629-1114 cell

845-639-4400 office

The challenges of upkeeping a cemetery with over 50 acres of pristine grounds are daunting in general, but with the extreme constraints of a ban on equipment implemented by the village it almost makes it impossible to carry on the high level of care and safety that has been the standard for which Oak Hill Cemetery is known for.

The full time leaf blower ban will impact the ability to "keep up" with the enormous volume of leaves and debris that accumulates daily (if not hourly) on the grounds of OHC.

The only allowed blowers would be battery powered units which are only 35% of the power of the current blowers utilized. And the run time of the battery powered units are a maximum of 2 hrs. Which then the units need to be recharged and extra batteries need to be purchased just to carry on work while other batteries are recharging. It is our estimation that the decrease in performance of the battery units will increase the necessary time and workforce by 65%. Thus making it almost impossible to complete a cleaning cycle within a weeks time in order to render the cemetery grounds safe for visitors, families and burial services. The leaves will build up and cause unsure footing because they will hide obstacles that would otherwise be apparent if the grounds were cleaned in a more timely manner using our current methods.

In regards to the noise level associated with battery powered blowers, we have compared the Husqvarna 550iBTX battery blowers noise rating to the Husqvarna 590BTS gas powered blower and found that the noise rating of the battery unit is 94dba!

Remarkably the battery powered blowers are over the dba limit of the blower ban.

We will need 65% more equipment and 65% more time in order to complete the tasks at hand.

That's 7 units extra for every 10 we use now.

And 2-3 extra days per week! Making it a full weeks work to accomplish the cleaning cycle. And all the while the leaves and debris still keep coming and accumulating. We will never be able to complete the cycle to provide a safe and accessible environment for all who visit OHC.

August 8, 2025

To whom it may concern,

We would like to host another block party in our neighborhood on Saturday September 20 from 3pm to 10pm.

We would like to close one block of South Mill Street between Depew and Hudson Ave for this occasion and seek the village's assistance to do so.

Please find attached the permission of the residents on this block.





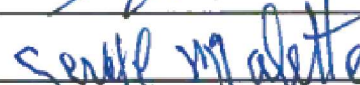

Sincerely,

Alexandra Lescaze, 18 S Mill #917-696-2494

Robin Courtwright, 28 S. Mill #347-407-3368

robin courtwright@gmail.  
com

On Saturday September 20, from 12pm to 12am, we would like to close South Mill Street to traffic for one block between Depew and Hudson Ave. for a block party. By signing this sheet, you agree with the street being closed for the above day/time period/purpose.

NAME	ADDRESS	SIGNATURE
Robin Courtwright	28 S. Mill	
Mike Kahlstedt	19 S. Mill	
Allison Kirchhofer	19 S. Mill	
Douglas Cassidy	9 S. Mill	
Michael B. Smith	18 S. Mill St	
George Myalatte	106 Hudson Ave	

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**INTEROFFICE MEMORANDUM**

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**TO:** MAYOR RAND AND TRUSTEES

**FROM:** ANDY STEWART , VILLAGE ADMINISTRATOR

**SUBJECT:** HANDICAP PARKING SPOT REQUEST – GAIL DRIVE

**DATE:** AUGUST 25, 2025

---

The Trustees may authorize addition of handicap-only parking spots via resolution.

There is a request from a resident with a valid hang tag for such a spot on Gail Drive.

Currently there are 4 spots (see map below). Tear drop icons indicate existing spots, “P” icon indicates location of proposed spot, “house” icon indicates location of tenant’s existing reserved spot in rear of building. Note, the building has no direct access to the rear parking lot, so to get to her private parking spot she must exit her front door, walk down to Gail Drive, then walk up the sidewalk stairs to her private spot via a sidewalk between the buildings or her driveway access.

As directed, I consulted with the building manager. She is neither opposed nor strongly in favor of the additional spot, but did provide clarifying information as to the walking pathways. She also testified to the fact that all four existing spots are actively used by residents.

**RECOMMENDED ACTION:** Authorize the additional spot.





Map of handicapped parking spots relative to resident making the request.

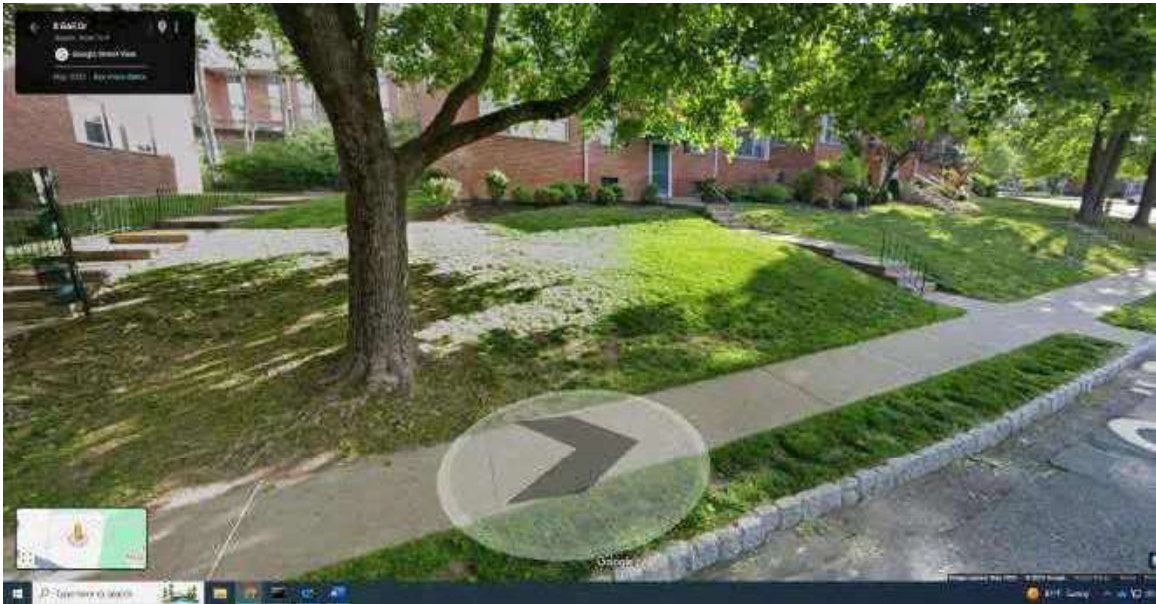


Photo shows pathway to rear parking lot and private parking spot – right side = steps to sidewalk, left side = steps back up between the buildings to the private parking lot.

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**INTEROFFICE MEMORANDUM**

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**TO:** MAYOR RAND AND TRUSTEES

**FROM:** ANDY STEWART , VILLAGE ADMINISTRATOR

**SUBJECT:** FLAG FOOTBALL PARK PERMIT APP

**DATE:** SEPTEMBER 10, 2025

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The Trustees are in receipt of a Memorial park permit app from John Lynch for his start up girls flag football team practices. Games are elsewhere.

Mr. Vitale, who is a volunteer, is asking for practices for 10 girls and his 2 coaches, Wednesdays and Fridays, 4 PM – 5:15 PM. Fees of \$175/player are paid to Flying High Flag Football league, and help pay for the program costs, including two coaches and equipment. Mr. Vitale is seeking 501©3 status but does not have it yet.

His team is registered into the Flying High Flag Football league, operating in Clarkstown, <https://leagues.bluesombrero.com/Default.aspx?tabid=2020011> FYI, according to AI:

*The specific organization known as **Flying High Flag Football** (located in Clarkstown, New York) does not appear to be a nonprofit. It is an NFL FLAG youth football league that operates using the Sports Connect platform. The organization is described as a business in its Facebook page link, not a nonprofit.*

Mr. Vitale says Nyack Middle School is starting a girl's flag football program, he has coordinated his efforts with the school to establish a "feeder" program for kids at Valley Cottage, Liberty and Upper Nyack elementary schools. The school district's fee of \$125/hour for McCalman field was out of reach for him at this time.

He has insurance.

**RECOMMENDED ACTION:** Authorize the permit to begin on Friday, 9/12/25

## VILLAGE OF NYACK MEMORIAL PARK USAGE PERMIT REQUEST

**Application Checklist:** Please complete this agreement in full and return to the Village Clerk

☐ Application form complete  
☐ Liability release and rules agreements signed

☐ Certificate of Insurance  
☐ Driver's License copy

**APPLICANT/LICENSEE**

NAME John A Vitale

ADDRESS 2 Path of Heroes way unit 2

CITY LondonSTATE NYZIP CODE 10023

DAYTIME PHONE # 845-300 6254

EMAIL: Vitalis33@gmail.com

DATE(S) REQUESTED: Sept 12<sup>th</sup> / Oct 26<sup>th</sup>

TIME: From 4:00 AM/PM to 5:15 AM/PM

(Rain date: 1 / 1 / )

AREA(S) REQUESTED: ☒ Upper Lawn ☐ Basketball Court ☐ Waterfront ☐ Splash Pad  
☐ Lower Lawn

Description of the nature of the activity/purpose: Youth flag football girls team  
7-8 yr olds from York Schools.

Number of Attendees/Participants: 20

The Licensee acknowledges that the premises are delivered to them in good condition and that all equipment is in good working condition.

The Licensee agrees to exit Memorial Park, leaving it in the same condition as when it was received, no later than dusk on the evening of the event.

The Licensee is responsible for: The safety and conduct of all guests on the premises and any personal injuries or property damages occurring during the time that the Licensee is using the premises, including set-up before the event and during the clean-up period.

**\*THIS LICENSE IS NOT TRANSFERABLE TO ANY OTHER PERSON OR ORGANIZATION\***

**\*THE LICENSEE MAY NOT CHARGE ANY ADMISSION FEE\***

Agreement made this \_\_\_\_\_ day of \_\_\_\_\_, 2025 between the Village of Nyack, a Municipal Corporation with an office at 9 N. Broadway, Nyack, NY 10960 (hereinafter referred to as the "Village") and the following organization (hereinafter referred to as the "Licensee")

**[Official Use Only: Do Not Write Below This Line]**

**Village Board Approved: Yes\_\_\_\_\_ No\_\_\_\_\_**

Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

Signature: \_\_\_\_\_

## MEMORIAL PARK RULES AND REGULATIONS



1. Use of Memorial Park shall be deemed a privilege for residents and those with approved use permits issued by the Village of Nyack via vote of the Board of Trustees. All users shall identify themselves upon the request of authorized officials. Authorization for the use of Memorial Park may be revoked at any time for violation of any part of the Memorial Park Usage Agreement. All group activities of 10 or more participants require a permit from the Village Clerk; groups of 40 or more require a permit from the Village Board of Trustees.
2. Prohibitions: No destruction or defacement of any park plant, animal, or structure; No fires or grills; No guns or other weapons; No smoking or vaping; No alcoholic beverages; No swimming; No amplified music or sound or inflatable equipment without a permit; No tents. No vending or peddling. No driving vehicles on upper or lower lawn, due to sprinkler system.
3. All gatherings will end no later than dusk, unless otherwise permitted. Garbage must be removed from the park or bagged and placed adjacent to the refuse receptacles before leaving the property.
4. Licensee must comply with all applicable laws of the Village of Nyack, County of Rockland, State of New York and the Federal Government.
5. At no point shall permitted users of the park block access by the general public to park facilities, including the gazebo, fishing pier, splash pad, playground, basketball court, picnic tables, open fields, unless specifically permitted to do so.
6. The Village, at its discretion, may impose additional requirements prior to issuance of this permit as required by the nature of the event proposed. These may include a security deposit, DPW and/or Police labor costs, etc.
7. In the event of an emergency or accident, if necessary, contact Orangetown Police at 845-359-3700 or call 911, and notify Village Hall at 845-358-0548.

**\*\*FALSE STATEMENTS MADE HEREIN ARE PUNISHABLE AS A CLASS "A" MISDEMEANOR  
PURSUANT TO SECTION 210.45 OF THE NEW YORK STATE PENAL LAW\*\***

**VIOLATIONS MAY SUBJECT A PERSON TO A FINE NOT EXCEEDING \$500.00 OR  
IMPRISONMENT NOT EXCEEDING 15 DAYS OR BOTH.**

The undersigned hereby certifies that they have received, read, fully understand and agree to be bound by all applicable rules, regulations and policies. I and/or the organization I represent understand that any violation of any of these will result in denied use of the Village Facilities in the future. I and/or the organization I represent agree to pay all reasonable costs for damage and/or vandalism to the park or facilities used in relation to the event.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_



### **Insurance Requirements for Use of Village Owned Property**

Prior to the use of Village Property, the Licensee shall, at its sole expense, maintain the following insurance on its own behalf, and furnish to the Village of Nyack certificates of insurance evidencing same and reflecting the effective date of such coverage as follows (special event insurance available online from various businesses):

- 1) Commercial General Liability Policy, with limits of no less than \$1,000,000 Each Occurrence, \$2,000,000 Aggregate and shall cover liability arising from Bodily Injury, Property Damage, Premises, Operations, Independent Contractors, Products/Completed Operations, and Personal and Advertising Injury, Blanket Contractual including injury to subcontractors' employees and shall include coverage for:
  - A. Village of Nyack and their assigns, officers, employees, representatives and agents should be named as an "Additional Insured" placing the "Village of Nyack, 9 N. Broadway, Nyack NY 10960" on the ACORD certificate as a "Certificate Holder" and shall apply on a primary and non-contributory basis. The Certificate of Insurance to show this applies to the General Liability coverage on the certificate, and Additional Insured Endorsement shall be attached.
  - B. To the extent permitted by New York law, the Licensee waives all rights of subrogation or similar rights against Village of Nyack, assigns, officers, employees, representatives and agents.
  - C. Per Location Aggregate to be included, if applicable.

Certificates shall provide that thirty (30) days written notice prior to cancellation or expiration be given to the Village of Nyack. Policies that lapse and/or expire during the term of use shall be recertified and received by the Village of Nyack no less than thirty (30) days prior to expiration or cancellation.

Licensee acknowledges that failure to obtain such insurance on behalf of the Village of Nyack constitutes a material breach of contract and subjects it to liability for damages, indemnification and all other legal remedies available to the Village of Nyack. The failure of the Village of Nyack to object to the contents of the certificate or absence of same shall not be deemed a waiver of any and all rights held by the Village of Nyack.

The cost of furnishing the above insurance shall be borne by the Licensee.

All carriers listed in the certificates of insurance shall be A.M. Best Rated A VII or better and be licensed in the State of New York.

***Village of Nyack***  
*9 North Broadway*  
*Nyack NY 10960*

### Indemnification and Hold Harmless Agreement

To the fullest extent permitted by law, Licensee shall indemnify, hold harmless and defend Village of Nyack, and agents and employees of any of them from and against all claims, damages, losses or expenses including but not limited to attorney's fees arising out of or resulting from the performance of the agreement, provided any such claim, damage, loss or expense (a) is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of tangible property, including loss of use resulting there from, and (b) is caused in whole or in part by any act or omission or violation of statutory duty or regulation of the Licensee or anyone directly or indirectly employed by it or anyone for whose acts it may be liable pursuant to the performance of the agreement. Notwithstanding the foregoing, Licensee's obligation to indemnify Village of Nyack, and agents and employees of any of them for any judgment, mediation or arbitration award shall exist to the extent caused in whole or in part by (a) negligent acts or omissions, or (b) violations of regulatory or statutory provisions of the New York State Labor Law, OSHA, or other governing rule or applicable law; by the Licensee or anyone directly or indirectly employed by it or anyone for whose acts it may be liable in connection to such claim, damage, loss and expense. The obligation of the Licensee to indemnify any party under this paragraph shall not be limited in any manner by any limitation of the amount of insurance coverage or benefits including worker's compensation or other employee benefit acts provided by the Licensee.

Print Name: John A Vitale Signature: [Signature]

Company Name (if applicable): Nyack Red Hawks Flag Football

Date: Sept/2/2025.

Please sign, date and return to:

Village of Nyack  
Village Clerk's Office  
9 North Broadway  
Nyack, NY 10960

**From:** [ngomor@yahoo.com](mailto:ngomor@yahoo.com) <[ngomor@yahoo.com](mailto:ngomor@yahoo.com)>

**Sent:** Monday, August 18, 2025 2:47 PM

**To:** Linda Donnelly <[ldonnelly@nyack.gov](mailto:ldonnelly@nyack.gov)>

**Subject:** Fw: REQUEST FOR INCLUSION OF TOPIC AT AUGUST 2025 NYACK VILLAGE BOARD MEETING

**This email originated from outside of the organization.**

----- Forwarded Message -----

**From:** "[ngomor@yahoo.com](mailto:ngomor@yahoo.com)" <[ngomor@yahoo.com](mailto:ngomor@yahoo.com)>

**To:** "[ldonnelly@nyack.org](mailto:ldonnelly@nyack.org)" <[ldonnelly@nyack.org](mailto:ldonnelly@nyack.org)>

**Sent:** Friday, August 15, 2025 at 06:21:13 PM EDT

**Subject:** REQUEST FOR INCLUSION OF TOPIC AT AUGUST 2025 NYACK VILLAGE BOARD MEETING

Good day Linda,

This is a follow up to my recent telephone conversation with you requesting street lights on Sixth Avenue between Francis Avenue and Central Avenue. As you instructed, I am forwarding this to you by email, with the request to include it for discussion on the agenda of this month's meeting ,

I am making this request on behalf of myself, Ramona Ngolla, (19 Francis Avenue, Nyack), and that of my two neighbors, Sagiv (Sergio) Cohen and Wife Katie Lindenbaum, (143 Sixth Avenue), and, Barbara Ottenio, (146 Sixth Avenue).

The absence of street lighting on Sixth Avenue between Francis Avenue and Central has made it unsafe for us to drive and walk this very dark stretch of road at night. Sergio has a very young family, including a toddler. Ramona and Barbara are seniors with limited vision and mobility. As evidence of such hazards, my son's brand new vehicle, parked on the corner of Francis and Sixth, was recently damaged at night. As a result of such poor lighting, an elderly resident, not seeing the vehicle parked on that dark corner, drove against the left side of the vehicle, causing significant damage, which has not been reimbursed.

In sharp contrast, all the other adjoining streets in that neighborhood are very amply and brightly lit at night. Sixth Avenue, between North Midland Avenue and West End Avenue, has two street lights, in addition to the spotlights on the Firemen's Housing Quarters, and is very well-illuminated at night.. West End Avenue, has three street lights, and is brightly lit at night. Francis Avenue, between Fifth Avenue at BOCES and 17 Francis Avenue, has two street lights, and is well lit at night. Central Avenue, between Fifth Avenue at BOCES and Sixth Avenue, has two street lights, and has ample lighting at night. Sixth Avenue between Francis Avenue and Central Avenue is the only street that has absolutely no street lights at night.

To rectify this obvious unequal distribution of lighting, and the resulting safety issues, we are requesting to have two street lights on Sixth Avenue: -

- One, on either Pole #3 located at the corner of Sixth and Francis, on the left corner of Barbara's property, or, on Pole #5 located on the corner of Francis and Sixth, on the left hand corner of Ramona's property, -
- A second, on Pole #2 located in the middle of the block, to the right of Barbara's property and across from Sergio's property.

We are all proud and contributing members of this Village of Nyack, the Soul on the Hudson, and as such, respectfully request to benefit from the infrastructure and all related services offered to all members of this fine Community. We look forward to a prompt and favorable resolution to this issue.

Respectfully Submitted

Ramona Ngolla Sagiv Cohen and Katie LindenbaumBarbara Ottenio





## VILLAGE OF NYACK MEMORIAL PARK USAGE PERMIT REQUEST

Application Checklist: Please complete this agreement in full and return to the Village Clerk

☐ Application form complete  
☐ Liability release and rules agreements signed

☐ Certificate of Insurance  
☐ Driver's License copy

### APPLICANT/LICENSEE

NAME Congregation Sons of Israel - Rabbi Ariel Russo

ADDRESS 300 North Broadway

CITY Nyack

STATE NY

ZIP CODE 10960

DAYTIME PHONE # 845-358-3767

EMAIL: office@csinyack.org

DATE(S) REQUESTED: September 23

TIME: From 5:00 AM/PM to 6:00 AM/PM

(Rain date:    /    /   )

AREA(S) REQUESTED: ☐ Upper Lawn ☐ Basketball Court ☒ Waterfront ☐ Splash Pad

Description of the nature of the activity/purpose: Ceremony before the Jewish High Holy Days to usher in a new year, Rosh Hashana, and release sins from the past year into the water.

Number of Attendees/Participants: 30-50

The Licensee acknowledges that the premises are delivered to them in good condition and that all equipment is in good working condition.

The Licensee agrees to exit Memorial Park, leaving it in the same condition as when it was received, no later than dusk on the evening of the event.

The Licensee is responsible for: The safety and conduct of all guests on the premises and any personal injuries or property damages occurring during the time that the Licensee is using the premises, including set-up before the event and during the clean-up period.

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**\*THE LICENSEE MAY NOT CHARGE ANY ADMISSION FEE\***

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[Official Use Only: Do Not Write Below This Line]

Village Board Approved: Yes ☐ No ☐ Date:    /    /   

Signature:   

### MEMORIAL PARK RULES AND REGULATIONS

1. Use of Memorial Park shall be deemed a privilege for residents and those with approved use permits issued by the Village of Nyack via vote of the Board of Trustees. All users shall identify themselves

### **Insurance Requirements for Use of Village Owned Property**

Prior to the use of Village Property, the Licensee shall, at its sole expense, maintain the following insurance on its own behalf, and furnish to the Village of Nyack certificates of insurance evidencing same and reflecting the effective date of such coverage as follows (special event insurance available online from various businesses):

- 1) Commercial General Liability Policy, with limits of no less than \$1,000,000 Each Occurrence, \$2,000,000 Aggregate and shall cover liability arising from Bodily Injury, Property Damage, Premises, Operations, Independent Contractors, Products/Completed Operations, and Personal and Advertising Injury, Blanket Contractual including injury to subcontractors' employees and shall include coverage for:
  - A. Village of Nyack and their assigns, officers, employees, representatives and agents should be named as an "Additional Insured" placing the "Village of Nyack, 9 N. Broadway, Nyack NY 10960" on the ACORD certificate as a "Certificate Holder" and shall apply on a primary and non-contributory basis. The Certificate of Insurance to show this applies to the General Liability coverage on the certificate, and Additional Insured Endorsement shall be attached.
  - B. To the extent permitted by New York law, the Licensee waives all rights of subrogation or similar rights against Village of Nyack, assigns, officers, employees, representatives and agents.
  - C. Per Location Aggregate to be included, if applicable.

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Licensee acknowledges that failure to obtain such insurance on behalf of the Village of Nyack constitutes a material breach of contract and subjects it to liability for damages, indemnification and all other legal remedies available to the Village of Nyack. The failure of the Village of Nyack to object to the contents of the certificate or absence of same shall not be deemed a waiver of any and all rights held by the Village of Nyack.

The cost of furnishing the above insurance shall be borne by the Licensee.

All carriers listed in the certificates of insurance shall be A.M. Best Rated A VII or better and be licensed in the State of New York.

***Village of Nyack***  
***9 North Broadway***  
***Nyack NY 10960***



### Indemnification and Hold Harmless Agreement

To the fullest extent permitted by law, Licensee shall indemnify, hold harmless and defend Village of Nyack, and agents and employees of any of them from and against all claims, damages, losses or expenses including but not limited to attorney's fees arising out of or resulting from the performance of the agreement, provided any such claim, damage, loss or expense (a) is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of tangible property, including loss of use resulting there from, and (b) is caused in whole or in part by any act or omission or violation of statutory duty or regulation of the Licensee or anyone directly or indirectly employed by it or anyone for whose acts it may be liable pursuant to the performance of the agreement. Notwithstanding the foregoing, Licensee's obligation to indemnify Village of Nyack, and agents and employees of any of them for any judgment, mediation or arbitration award shall exist to the extent caused in whole or in part by (a) negligent acts or omissions, or (b) violations of regulatory or statutory provisions of the New York State Labor Law, OSHA, or other governing rule or applicable law; by the Licensee or anyone directly or indirectly employed by it or anyone for whose acts it may be liable in connection to such claim, damage, loss and expense. The obligation of the Licensee to indemnify any party under this paragraph shall not be limited in any manner by any limitation of the amount of insurance coverage or benefits including worker's compensation or other employee benefit acts provided by the Licensee.

Print Name: Ariel Russo Signature: Ariel S Russo

Company Name (if applicable): Congregation Sons of Israel

Date: 9/7/25

Please sign, date and return to:

Village of Nyack  
Village Clerk's Office  
9 North Broadway  
Nyack, NY 10960

# **Village of Nyack**

## **Guide and Application for Village Approval of Street Closures and Special Events**

### Overview:

This application is for special events or construction projects involving street closures or use of Village facilities other than Memorial Park. Special events for the public must be approved by the Village Board. Road closures for construction approved by Village Administrator. SPECIAL EVENT APPLICATIONS DUE AT LEAST 30 DAYS PRIOR TO DESIRED EVENT DATE, to Village Administrator, 845-358-3581 [administrator@nyack-ny.gov](mailto:administrator@nyack-ny.gov)

### For Internal Use Only -- Application checklist

- ( ) Completed application received, DATE \_\_\_\_.
- ( ) DPW reviewed      ( ) Orangetown Police reviewed
- ( ) Village Board approved (events), Date: \_\_\_\_\_
- ( ) Insurance certificate reviewed/approved/attached
- ( ) Hold harmless agreement signed by applicant, attached.
- ( ) Fee required for Village staff time (if not a Village-sponsored event)(DPW time for set-up/removal of security barriers and staffing of event, Other staff as appropriate; fee for metered parking spaces = \$10/day, Monday-Saturday) BILLED UPON COMPLETION OF EVENT.

TOTAL DUE: \$ \_\_\_\_\_ Date Paid: \_\_\_\_\_

### **Applicant Information:**

Date of Application: 13 August 2025. Name of Applicant: Marcella Mazzeo / Ike Kitman / Ryan Goldberg (J&E Auto)

Address: 79 South Broadway, Nyack New York 10960

Business Owner/Proprietor Name: Marcella Mazzeo (Salonniere); Ike Kitman; Ryan Goldberg (J&E Auto)

Email Address:marcella@salonnierecoffeebar.com Phone: 845-304-2631



Name of On-Site Event/Project Manager: Marcella Mazzeo / Ike Kitman Phone: 845-304-2631

Existing Approval to serve Alcoholic Beverages: Yes \_\_\_\_\_ No N/A

**Event Information:**

Date of Proposed Event: Sunday, October 5<sup>th</sup> 2025 Name of Event: Nyack Cars & Coffee

Village facility to be occupied (parking lot, sidewalk space, street names) and what equipment proposed (food truck, tent, stage, seating, etc.) (attach diagram/map):

Classic and Vintage European Cars will Back in Angle Park on South Broadway between Cedar Hill and Hudson Street. In an effort to create a pedestrian “square” for spectators to meet the classic car owners and safely view the vintage cars; we are asking the village to close the street off to pass-through car traffic between 7 AM and 11 AM on Sunday, October 5<sup>th</sup>, 2025 and from 79 South Broadway to Hudson Street.

J&E Autobody is the event sponsor and will be providing the certificate of insurance.

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**Operational Requirements:**

- > The event sponsor shall maintain all necessary licenses required by the State of New York, and comply with all applicable laws
- > Orangetown Police must review/approve street fair and parade plans.
- > All usual parking regulations apply outside street closure/parade/event area unless specifically agreed otherwise

**Physical Requirements:**

- > No permanent structures may be affixed to the sidewalk, roadways or buildings.
- > Exterior seating may be accompanied by awnings, tents, umbrellas, and other temporary furnishings. Umbrellas or tents must be anchored and located to the satisfaction of the Building Department to prevent movement during wind bursts or interference with traffic, either vehicular or pedestrian.
- > Use of tents/temporary structures must meet safety guidelines outlined in the 2020 Fire Code of New York State.
- > Tents or temporary structures shall not be fully enclosed and must be open air.

- > Safe pedestrian pathways must be provided.
- > Safe emergency vehicle access must be provided.
- > Appropriate lighting must be provided if operating outside of daytime hours.
- > A minimum 5 foot wide pedestrian pathway and 84" height clearance must be maintained on the adjacent sidewalk for ADA accessibility.

Maintenance Requirements:

- > Maintenance and cleaning of event area shall be the responsibility of the applicant.
- > The village is not responsible for any damages or loss of equipment.

Fire Safety Requirements:

- > No food heating, cooking or open flames are permitted in outdoor dining areas.
- > Fire hydrants / fire lanes cannot be blocked.
- > Heaters must meet safety guidelines.
- > All safety guidelines set forth in the 2020 Fire Code of New York State must be followed.
- > Combustible materials, such as hay, straw, shavings or other materials may not be located within any outdoor structure (umbrellas, tents, awnings, etc.).
- > Food trucks require Fire Inspection

ATTACHED:

INSURANCE REQUIREMENTS

HOLD HARMLESS AGREEMENT

### **Insurance Requirements For Use of Village Owned Property**

Prior to the use of Village Property, the Permittee shall, at its sole expense, maintain the following insurance on its own behalf, and furnish to the Village of Nyack certificates of insurance evidencing same and reflecting the effective date of such coverage as follows:

- 1) Commercial General Liability Policy, with limits of no less than \$1,000,000 Each Occurrence, \$2,000,000 Aggregate and shall cover liability arising from Bodily Injury, Property Damage, Premises, Operations, Independent Contractors, Products/Completed Operations, and Personal and Advertising Injury, Blanket Contractual including injury to subcontractors employees and shall include coverage for:
  - A. Village of Nyack and their assigns, officers, employees, representatives and agents should be named as an “Additional Insured” and shall apply on a primary and non-contributory basis. The Certificate of Insurance to show this applies to the General Liability coverage on the certificate, and Additional Insured Endorsement shall be attached.
  - B. To the extent permitted by New York law, the Permittee waives all rights of subrogation or similar rights against Village of Nyack, assigns, officers, employees, representatives and agents.
  - C. Per Location Aggregate to be included, if applicable.
- 2) Liquor Liability: If applicant is applying for an Alcohol permit from the Village of Nyack, and a fee is not being charged for the alcohol, a COI must be provided to the Village of Nyack with evidence of “Host Liquor Liability”. If a fee is being charged or a caterer will be providing the liquor, then a COI must be obtained from the sponsor &/or vendor evidencing “Liquor Liability” at the same limits as indicated in 1) above.
- 3) Certificates shall provide that thirty (30) days written notice prior to cancellation or expiration be given to the Village of Nyack. Policies that lapse and/or expire during the term of use shall be recertified and received by the Village of Nyack no less than thirty (30) days prior to expiration or cancellation.

Permittee acknowledges that failure to obtain such insurance on behalf of the Village of Nyack constitutes a material breach of contract and subjects it to liability for damages, indemnification and all other legal remedies available to the Village of Nyack. The failure of the Village of Nyack to object to the contents of the certificate or absence of same shall not be deemed a waiver of any and all rights held by the Village of Nyack.

The cost of furnishing the above insurance shall be borne by the Permittee.

All carriers listed in the certificates of insurance shall be A.M. Best Rated A VII or better and be licensed in the State of New York.

*Village of Nyack*  
*9 North Broadway*  
*Nyack NY 10960*

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Company Name: \_\_\_\_\_

Name: \_\_\_\_\_ Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Please sign, date and return to:

**Village of Nyack, Village Clerk's Office**  
**9 North Broadway**  
**Nyack, NY 10960**