

Village of Nyack

9 North Broadway, Nyack, NY 10960

Meeting of the Village Board of Trustees

October 9, 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. Presentation:** Matt Schiering, Dominican University, Business Survey re: Street Fairs
- 5. Public Hearings**

8:00 PM 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

8:05 PM 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

8:10 PM Consider Amending VON Code 238 Noise, to specify conditions under which gas powered leaf blowers may be used, according to size of property, month, day and time of day.

- 6. Adoption of Minutes – Minutes 9/10/25**

- 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. 2025-168 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 October 9, 2025.

RESOLVED, that General Fund Claims set forth on pages 1 through 18 in the below-listed amounts are approved for payment:

General Fund– \$358,266.81
Parking Fund – \$7,114.66
Water Fund – \$15,958.16
Capital Projects Fund – \$157,302.45

7.2 Resolution No. 2025-169 Resolution of the Nyack Village Board to Rescind Resolution 2025-142 that Approved a Contract with Clayton Construction replacement of windows on second floor of Village Hall

WHEREAS, the contract was found to be in violation of section 7(a) the Village's Procurement Policy, prohibiting contracts in which Village employees have an interest,

RESOLVED, Resolution 2025-142 is hereby rescinded.

7.3 Resolution No. 2025-170 Resolution of the Nyack Village Board to install a handicap parking space on Gail Drive

RESOLVED, the Board of Trustees of the Village of Nyack approves installation of an additional handicap parking space on Gail Drive.

7.4 Resolution No. 2025-171 Resolution of the Nyack Village Board to approve installation of two additional streetlights on Sixth Ave

RESOLVED, pending approval from O&R, the Village will install two additional streetlights on Sixth Ave between Francis and Central Streets.

7.5 Resolution No. 2025-172 Resolution of the Nyack Village Board to approve a permit application from DJ Morgana Zilarra for a music event in Memorial Park, Sunday, October 12, 3-6 PM

RESOLVED, the Board of Trustees of the Village of Nyack approves a permit application from DJ Morgana Zilarra for a three hour dance music event at the Gazebo in Memorial Park, on

October 12, 3-6 PM, to coincide with the upcoming ACADA street fair, pending applicant providing sufficient certificate of liability insurance.

7.6 Resolution No. 2025-173 Resolution of the Nyack Village Board to determine the construction of the Memorial Park Shoreline Pathway is a Type II project pursuant to the State Environmental Quality Review Act and therefore exempt from environmental review under SEQRA

WHEREAS, the Village has NYS grant funds to design and build a shoreline path from the Park's gazebo north to the Inlet Bridge, connecting Memorial Park to the Village Walkway in the Marina, and this 570 linear foot pathway will be enhanced with new landscaping, seating and overlook areas, improved lighting, and designated spaces for public art, memorials, and other site amenities, a project that is in alignment with the Village's Nyack Comprehensive Plan, the Memorial Park Master Plan and is a high priority on the list of the Village's Local Waterfront Revitalization projects, and

WHEREAS, the Shoreline currently has a loose gravel surface, which is not adequate for ADA access. The project will resurface the shoreline area and install permeable pavers, ADA-complaint benches, picnic tables, park amenities and a Public Art Pad for installations. The Project is being designed by Weston & Sampson landscape architects in coordination with a project advisory committee composed of village staff and park stakeholders, and

WHEREAS, the Village secured funding from the New York State Department of State in the amount of \$412,276 to develop the Memorial Park Shoreline Pathway. The Village Board of Trustees recognized the importance of including saline-resistant landscaping to increase the stability of the shoreline and make it more resilient to frequently occurring heavy rain events, sea level rise and storm surge. An additional \$139,092.00 will be provided as a village match with construction expected to begin in late 2025 or early 2026, and

WHEREAS, the Village of Nyack Board of Trustees is convinced that the enhancement and protection of the waterfront is essential to the revitalization of the Village of Nyack. The project will provide the final segment of uninterrupted pathway connecting the Village's waterfront and the historic adjacent business district. The Memorial Park section of the shoreline pathway will better stabilize the shoreline and connect the park to the recently constructed Marina pathway, provide enhanced and uninterrupted access to the river, and contribute to Nyack's revitalization and position as a regional tourist destination, and

WHEREAS, in accordance with Part 617 of the SEQRA Regulations, there being no other SEQRA Involved Agency besides the Nyack Village Board, the Village Board hereby Declares itself to be the Lead Agency in the environmental quality review of the proposed land use action, as per SEQRA Regulation 6 NYCRR §617.6(b)(5)(v), and

Whereas, the Village Planner prepared a recommended SEQRA Narrative dated 9/22/25 to be considered by the Village Board. The SEQRA determination indicated that the Memorial Park Shoreline Pathway was a Type II action based on 617.5(c)(9) “construction or expansion of a primary or accessory/appurtenant, non-residential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls.” The total footprint of the pathway is less than 3,000 sf., and, therefore, no further SEQRA review is required, and

Whereas, the Village Board, after reviewing the Local Waterfront Revitalization Program (“LWRP”) *Waterfront Assessment Form*, prepared and recommended by the Village Planner, dated 9/22/25 determined that the proposed action is consistent with Chapter 342 and the policies of the LWRP. Specifically, the proposed action furthered Policies: 1, 2A, 19, 21, 24, and 25A.: See policies below:

1. RESTORE, REVITALIZE, AND REDEVELOP DETERIORATED AND UNDERUTILIZED WATERFRONT AREAS FOR COMMERCIAL, INDUSTRIAL, CULTURAL, RECREATIONAL, AND OTHER COMPATIBLE USES.; 2A. PRESERVE AND RETAIN EXISTING WATER DEPENDENT USES IN THE COASTAL AREA.

19. . PROTECT, MAINTAIN, AND INCREASE THE LEVEL AND TYPES OF ACCESS TO PUBLIC WATER RELATED RECREATION RESOURCES AND FACILITIES.

21. WATER-DEPENDENT AND WATER-ENHANCED RECREATION WILL BE ENCOURAGED AND FACILITATED AND WILL BE GIVEN PRIORITY OVER NON-WATER-RELATED USES ALONG THE COAST.,

24. PREVENT IMPAIRMENT OF SCENIC RESOURCES OF STATEWIDE SIGNIFICANCE AS IDENTIFIED ON THE COASTAL AREA MAP.

25A PROTECT AND ENHANCE VIEWS FROM ROUTE 9W, TALLMAN PLACE, FOURTH AVENUE, SECOND AVENUE, FIRST AVENUE, AND MEMORIAL PARK.

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

BE IT RESOLVED, that the construction of the Memorial Park Shoreline Pathway is considered a Type II action pursuant to the State Environmental Quality Review Act based on 617.5(c)(9) “construction or expansion of a primary or accessory/appurtenant, nonresidential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls.” The total footprint of the pathway is less than 3,000 sf. “Type II” Action means that it’s exempt from environmental review under SEQRA.

BE IT FURTHER RESOLVED, that Joe Rand, as Mayor of the Village of Nyack, is authorized and directed to complete any required documents and implement the tasks under Contract C1002625 with the Department of State, Office of Planning and Development. The Village agrees that it will fund its portion of the cost of the Project.

7.7 Resolution No. 2025-172 Resolution of the Nyack Village Board to approve appointments to the Nyack Quarter Millennial 250th Anniversary Committee

RESOLVED, the Board of Trustees of the Village of Nyack approves the Mayor's nomination of the following individuals to volunteer on the Nyack Quarter Millennial 250th Anniversary Committee:

Joe Carlin, Trustee, Committee Chair, Liaison to Board of Trustees
Minerva Parker - Parks Commission / Nyack Library Liaison
Paul Adler - Fundraising for Special Events
Tristan Dunnigan - Chamber of Commerce Liaison
Brianne Higgins - Music Liaison
Timothy Morales - Marketing Specialist
Ann Marie Tlsty - VON Liaison
Mark Mangan - Event Coordinator
Thomas Schneck - Visit Nyack

7.8 Resolution No. 2025-173 Resolution of the Nyack Village Board to approve a permit application from John Vitale to use Memorial Park lower lawn for girls flag football practice

RESOLVED, the Board of Trustees of the Village of Nyack approves a permit application from John Vitale, Flag Football practice for 10 girls, 7-8 years old, Wednesdays and Fridays, 4 PM-5:15 PM, through October 26, 2025, pending applicant providing sufficient certificate of liability insurance.

7.9 Resolution No. 2025-174 Resolution of the Nyack Village Board to approve a Publication of a Competitive Bid for the Construction of Drainage Improvements on High Avenue

RESOLVED, in consideration of the fact that the Village has obtained grant funding from FEMA for to replace drainage on High Avenue, including a 10% match from the General Fund and Weston and Sampson/Brooker Engineering has developed design and bid specifications, the Board of Trustees of the Village of Nyack approves the publication of the completed bid package as soon as possible, subject to review by the Village Attorney, and with a deadline for responses as per recommendation of Village Engineer.

7.10 Resolution No. 2025-175 Resolution of the Nyack Village Board to amend §28-2, of Chapter 28 (Elections), of the Code of the Village of Nyack, so as to change the date of the Trustees's Annual Meeting to the first Monday in December of each year.

At 8:05 PM, during a regular meeting of the Board of Trustees of the Village of Nyack ("Village"), convened on October 9, 2025 ("Public Hearing date"), the below-described Public

Hearing was (i) opened, *or* (ii) was opened at, and continued from, a prior meeting (or meetings), *or* (iii) was opened at, continued from, and closed at, a prior meeting (or meetings); and the following Resolution was duly offered and seconded, to wit:

WHEREAS, the Village Board of Trustees (“Village Board”) is the duly elected legislative body of the Village, and authorized to adopt Local Laws amending the Village Code, including amendments to the provisions embodied in Chapter 28 (Elections) thereto.

WHEREAS, the Village Board has published a Notice of Public Hearing in the Journal News, digitally posted said Notice on the Village’s website, and physically posted the Notice on the Village’s official bulletin board, in accordance with NYS Municipal Home Rule Law §20, with regard to proposed text amendments to the Village Code, which amendments are summarized as follows: the proposed Local Law, if adopted by the Village Board, will amend Village Code §28-2, so as to change the date of the Village Board’s Annual Meeting (a/k/a re-organizational, or organizational, meeting) to the first Monday in December of each year, instead of the first Monday of January of each year (or the first Tuesday, if the first Monday is January 1), the purpose and intent of which change is to comport with NYS Village Law §3-302(1), and with the recommendations of the New York State Conference of Mayors and Municipal Officials (NYCOM) as instructed in the *NYCOM Handbook for Village Officials* (Revised March 2023); which Local Law is appended hereto, made a part hereof and marked as “ATTACHMENT B.”

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

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

WHEREAS, the Village Board finds, after reviewing the proposed Local Law, and after hearing from the Village Attorney, the Village Clerk and the Village Administrator, that this Local Law will modify Village Code §28-2 so as to comport with NYS Village Law §3-302(1), and with the recommendations of the *NYCOM Handbook for Village Officials* (2023), and will be a more pragmatic, sensible and logical date for the Annual Meeting, such as, for example, allowing recently elected Mayors and Trustees, rather than outgoing Mayors and Trustees, to appoint Village officials, officers and board members who will function during the upcoming year(s).

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

BE IT RESOLVED that the Village Board finds that this Local Law will fulfill, or be a significant step toward achieving, its legislative intents and purposes, and that the Village Board hereby adopts the Local Law in the form and substance as appended hereto as “ATTACHMENT B,” and as same may have been amended “by-hand” during the Public Hearing.

7.11 Resolution No. 2025-176 Resolution of the Nyack Village Board of Trustees to amend §238-4 (Prohibited noises) and §238-5 (Exceptions), of Chapter 238 (Noise), of the Code of the Village of Nyack, so as to add an exception (exemption), from the prohibition of gasoline-powered leaf blowers, for very large lot size properties only during certain times of the year, days of the week and hours of the day.

At 8:10 PM, during a regular meeting of the Board of Trustees of the Village of Nyack (“Village”), convened on October 9, 2025 (“Public Hearing date”), the below-described Public Hearing was (i) opened, *or* (ii) was opened at, and continued from, a prior meeting (or meetings), *or* (iii) was opened at, continued from, and closed at, a prior meeting (or meetings); and the following Resolution was duly offered and seconded, to wit:

WHEREAS, the Village Board of Trustees (“Village Board”) is the duly elected legislative body of the Village, and authorized to adopt Local Laws amending the Village Code, including amendments to the provisions embodied in Chapter 238 (Noise) thereto.

WHEREAS, the Village Board has published a Notice of Public Hearing in the Journal News, digitally posted said Notice on the Village’s website, and physically posted the Notice on the Village’s official bulletin board, in accordance with NYS Municipal Home Rule Law §20, with regard to proposed text amendments to the Village Code, which amendments are summarized as follows: the proposed Local Law, if adopted by the Village Board, will amend Village Code §238-4 and §238-5 so as to add an exception (i.e., exemption), from the prohibition against gasoline-powered leaf blowers, for very large lot size properties, and only during certain times of the year, days of the week and hours of the day; which Local Law is appended hereto, made a part hereof and marked as “ATTACHMENT C.”

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

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

WHEREAS, the Village Board finds, after reviewing the proposed Local Law, and after hearing from affected property owners/managers, Village residents, and business operators in the

Village, that these amendments are pragmatically necessary, until such future time that battery-powered leaf blowers are substantially improved and available, so as to enable very large properties to clear their land of fallen leaves and vegetation, which has been very difficult to accomplish with the currently available battery-powered leaf blowers, which amendments are a practical balancing of ameliorating the unavoidable hardships of these property owners, and preserving and protecting the quality of life of Village residents and businesses, and their guests, invitees and customers, and the tourists of the Village (“legislative intents and purposes”).

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

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

7.12 Resolution No. 2025-177 Resolution of the Nyack Village Board to approve a permit application from Morgana Brennan for a street closure on South Broadway for the Spirit of South Broadway event on October 17, 2025.

RESOLVED, the Board of Trustees of the Village of Nyack approves an application from Morgana Brennan of Modern Druid to close South Broadway from Hudson Ave to Murray’s Deli driveway, for a Halloween “Spirit of Nyack South Broadway” event, Friday, October 17, 2025, from 5 PM to 9:30 PM, and contributes \$500 to the cost of DPW labor, contingent on event sponsor providing a valid certificate of liability insurance naming the Village of Nyack.

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

10. New Business

- 10.1 Nyack Outdoor Fitness Park
- 10.2 Use of Cannabis Sales Tax Funds for a PT social work contract
- 10.3 Use of NYS Office of Children and Family Services (OCFS) \$30K grant to fund Nyack youth access to sports and recreation via free tuition at the YMCA

11. Communications

- 11.1 Grand Fondo NY “Thank you” letter and plaque

12. Public Comment

13. Executive Session

14. Adjournment

ATTACHMENT A

**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.

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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.

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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.

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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.

ATTACHMENT B

LOCAL LAW NO. _____, 2025 OF THE VILLAGE OF NYACK

A LOCAL LAW AMENDING §28-2, OF CHAPTER 28 (ELECTIONS), OF THE CODE OF THE VILLAGE OF NYACK, SO AS TO CHANGE THE DATE OF THE VILLAGE BOARD OF TRUSTEES'S ANNUAL MEETING TO THE FIRST MONDAY IN DECEMBER OF EACH YEAR (09/04/2025 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, and in accordance with the procedures prescribed, in: (a) New York State ("NYS") Village Law §21-2100; (b) §10(1)(ii)(a)(3), and §20, of NYS Municipal Home Rule Law, which §10(1)(ii)(a)(3) grants to local governments the authority to enact local laws regarding the transaction of its business which are not inconsistent with general NYS statutes; and (c) NYS Village Law §3-302(1), which prescribes that an "official year begins at noon on the first Monday in the month following the date of the general village election or the date such an election would have been held had elections been held annually." The purpose and intent of this Local Law is to modify certain provisions of §28-2 of the Code of the Village of Nyack that do not comport with NYS Village Law §3-302(1), nor with the recommendations of the New York State Conference of Mayors and Municipal Officials (NYCOM) as instructed in the *NYCOM Handbook for Village Officials* (Revised March 2023).

Section 2 – Paragraph A, of Section 28-2 (Official year; terms of office; annual meeting), of Chapter 28 (Elections), of the Code of the Village of Nyack, is amended to read as follows:

The official year of the Village of Nyack ("Village") shall begin at noon on the first Monday in the month following the date of the general Village election or the date such an election would have been held had elections been held annually.

Section 3 – Sub-Paragraph 10, of Paragraph B (Terms of office), of Section 28-2 (Official year; terms of office; annual meeting), of Chapter 28 (Elections), of the Code of the Village of Nyack, is amended to read as follows:

The term of office of the Mayor, and each Trustee, hereafter elected, shall be for two official years commencing at noon on the first Monday in the month following the date of their respective elections.

Section 4 – Paragraph C, of Section 28-2 (Official year; terms of office; annual meeting), of Chapter 28 (Elections), of the Code of the Village of Nyack, is amended to read as follows:

The annual meeting of the Village Board of Trustees, which meeting is sometimes referred to as the re-organizational or organizational meeting, shall be held at 7:30 p.m. on the first Monday in the month following the date of the general Village election or the date such an election would have been held had elections been held annually, and each year thereafter, and such meeting shall be known as the “Annual Meeting” of the Village Board of Trustees.

Section 5 – 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 6 – Effective Date

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

**LOCAL LAW NO. _____, 2025
OF THE VILLAGE OF NYACK**

**A LOCAL LAW AMENDING §238-4 (PROHIBITED
NOISES) AND §238-5 (EXCEPTIONS), OF CHAPTER 238
(NOISE), OF THE CODE OF THE VILLAGE OF NYACK,
SO AS TO ADD AN EXCEPTION (EXEMPTION), FROM
THE PROHIBITION OF GASOLINE-POWERED LEAF
BLOWERS, FOR VERY LARGE LOT SIZE PROPERTIES
ONLY DURING CERTAIN TIMES OF THE YEAR, DAYS
OF THE WEEK AND HOURS OF THE DAY
(09/14/2025 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 §21-2100. The purpose and intent of this Local Law is to adopt amendments to §238-4 (Prohibited noises) and §238-5 (Exceptions), of Chapter 238 (Noise), of the Code of the Village of Nyack (“Village”), so as to add an exception (i.e., exemption), from the prohibition against gasoline-powered leaf blowers, for very large lot size properties, and only during certain times of the year, days of the week and hours of the day; which amendment the Village Board of Trustees finds, and deems, to be pragmatically necessary, until such future time that battery-powered leaf blowers are substantially improved and available, so as to enable very large properties to clear their land of fallen leaves and vegetation, which has been very difficult to accomplish with the currently available battery-powered leaf blowers, which amendments are a practical balancing of ameliorating the unavoidable hardships of these property owners, and preserving and protecting the quality of life of Village residents and businesses, and their guests, invitees and customers, and the tourists of the Village.

Section 2 – Paragraph S (Leaf blowers), of §238-4 (Prohibited noises), of Chapter 238 (Noise), of the Code of the Village of Nyack, is amended to read as follows:

The operation, at any time, of a gasoline-powered leaf blower. The operation of an electric-powered or battery-powered leaf blower; except on the following days and during the following times when an electric-powered or battery-powered leaf blower may be operated: 8:00 a.m. until 7:00 p.m. on weekdays, 9:00 a.m. until 5:00 p.m. on Saturdays, and 12:00 noon until 5:00 p.m. on Sundays and on Federal and New York State governmentally observed holidays and on days on which school is closed by the Nyack Union Free School District for a holiday, religious holy day or day of observance.

Section 3 – Section 238-5 (Exceptions), of Chapter 238 (Noise), of the Code of the Village of Nyack, is amended to the extent only of adding a new Paragraph “G,” which new Paragraph “G” shall read as follows:

Sounds created by gasoline-powered leaf blowers that are being operated (i) on a property lot that is at minimum of ten acres in size, (ii) during the seasonal time periods of March 15 through May 15, or September 21 through November 21, (iii) on, and during, the following days of week and times of day only: 9:00 a.m. through 4:00 p.m. on weekdays; except on Federal and New York State governmentally observed holidays and on days on which school is closed by the Nyack Union Free School District for a holiday, religious holy day or day of observance (“holidays”), on which holidays the sounds created by the operation of gasoline-powered leaf blowers shall not be permitted.

Section 4 – 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 5 – Effective Date

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

VILLAGE OF NYACK PARK USAGE PERMIT REQUEST

2024 – DUE TO CONSTRUCTION, NO EVENTS WILL BE PERMITTED ON THE GREAT LAWN. FACILITIES OPEN: UPPER LAWN, BASKETBALL, WATERFRONT AREA AND SPLASHPAD.

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

- ☒ Application form complete
- ☐ Liability release and rules agreements signed
- ☐ Driver's License copy
- ☐ Certificate of Insurance

[Office use: Village Board approved: Y/N Date: ____]

APPLICATION

Agreement made this 22 day of 9, 2024, 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")

NAME Morgana Zilarra TELEPHONE # 646/207-5264

ADDRESS 117 Depew Ave Nyack NY 10960

CITY, STATE, ZIP CODE - EMAIL: morgana@djmorgana.com

The licensee requests usage of Memorial Park on DATE 10/12/2024 for HOURS 4 AM to 8 PM AM/PM, with a raindate of (Raindate of 1/1/2024) for the purpose of (describe activity) Providing LIVE DJ Set after Street Fair

Facilities requested: ☐ Hezekiah Easter Square/Main St Gazebo; ☐ Upper Lawn; ☐ Lower Lawn; ☐ Gazebo; ☐ Playground/Splashpad; ☐ Basketball Court; ☐ Viewing Pier; ☐ Skatepark; ☐ Waterfront Picnic Area ☐ Other: _____

Equipment Plans: ☐ Tent; ☐ Food Truck; ☒ Amplified Sound/Electrical Power

Estimated attendance of 40+ people.

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

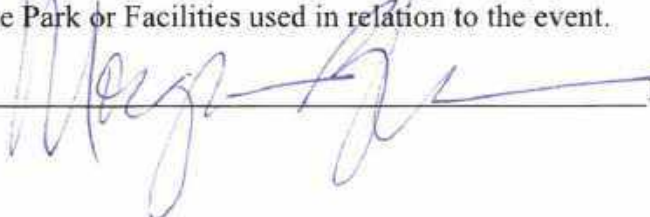
****FALSE STATEMENTS MADE HEREIN ARE PUNISHABLE AS A CLASS "A" MISDEMEANOR
PURSUANT TO SECTION 210.45 OF THE NEW YORK STATE PENAL LAW****

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 of vehicles on the Great Lawn.
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.

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

I have read and received a copy of THE PARK RULES, and I and/or the organization I represent agree to be bound by all applicable 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: 9/28/25

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.

Company Name:

Name:

Signature:

Date;

Please sign, date and return to:

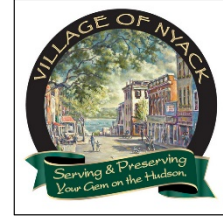
Village of Nyack, Village Clerk's Office
9 North Broadway
Nyack, NY 10960

MEMORANDUM

*Village of Nyack
Village Planner*

To: Mr. Andy Stewart, Village Administrator

CC: Mayor and Board of Trustees
Mr. Dennis Michaels, Esq., Village Attorney
Ms. Linda Donnelly, Village Clerk
Ms. Ann Marie Tlsty, Assistant to the Village Administrator



From: Mr. Robert Galvin, AICP, Village Planner

Re: Memorial Park Shoreline Pathway
State Environmental Quality Review (SEQR) Review

Date: September 22, 2025

The purpose of this memorandum is to summarize the proposed action (i.e. Project) and provide a SEQR determination pursuant to 6 NYCRR Part 617: State Environmental Quality Review.

PROJECT DESCRIPTION

The purpose of the **Memorial Park Shoreline Pathway** is to rehabilitate and redesign the existing waterfront pathway from the fishing pier to the pedestrian bridge. The project will enhance the area with new landscaping, seating and overlook areas, improved lighting, and designated spaces for public art, memorials, and other site amenities. This is a component of the Nyack Comprehensive Plan and the Memorial Park Master Plan. The Memorial Park Shoreline Pathway is a high priority on the list of the Village's Local Waterfront Revitalization projects.

The pathway will include saline-resistant landscaping to increase the stability of the shoreline and make it more resilient to frequently occurring heavy rain events, sea level rise and storm surge. The path will run 570 linear feet from the south end of the park just west of the gazebo to the Inlet Bridge to the north, connecting the park to the Marina Walkway. The park's shoreline currently has a loose gravel surface, which is not adequate for wheelchair use or for those with difficulty walking. The project will resurface the shoreline area and install permeable pavers, ADA-complaint benches, picnic tables, park amenities and a Public Art Pad for installations.

Essential to Village revitalization is the enhancement and protection of the waterfront. The project will provide the final segment of uninterrupted pathway connecting the Village's waterfront and the historic adjacent business district. The Memorial Park section of the shoreline pathway will better stabilize the shoreline and connect the park to the recently constructed Marina pathway, provide enhanced and uninterrupted access to the river, and contribute to Nyack's revitalization and position as a regional tourist destination.

This project is being designed by Weston & Sampson landscape architects in coordination with a project advisory committee composed of village staff and park stakeholders. The Funding for the project includes \$412,276.00 from the Department of State. An additional \$139,092.00 will be provided as a village match. Construction is expected to begin in late 2025 or early 2026.

STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) DETERMINATION

It has been determined that the construction of the Memorial Park Shoreline Pathway is considered a Type II action pursuant to the State Environmental Quality Review Act based on 617.5(c)(9) “construction or expansion of a primary or accessory/appurtenant, non-residential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls.” The total footprint of the pathway is less than 3,000 sf.

The proposed action is a recommendation of the Village’s *Comprehensive Plan*, the *Memorial Park Master Plan* and the Village’s LWRP. A Waterfront Assessment Form has been filled out indicating that Application is consistent with Chapter 342 and the policies of the LWRP. Specifically, the proposed action furthered Policies: 1, 2A, 19, 21, 24, and 25A.

LWRP Policies

1. RESTORE, REVITALIZE, AND REDEVELOP DETERIORATED AND UNDERUTILIZED WATERFRONT AREAS FOR COMMERCIAL, INDUSTRIAL, CULTURAL, RECREATIONAL, AND OTHER COMPATIBLE USES.

2A. PRESERVE AND RETAIN EXISTING WATER DEPENDENT USES IN THE COASTAL AREA.

19. . PROTECT, MAINTAIN, AND INCREASE THE LEVEL AND TYPES OF ACCESS TO PUBLIC WATER RELATED RECREATION RESOURCES AND FACILITIES.

21. WATER-DEPENDENT AND WATER-ENHANCED RECREATION WILL BE ENCOURAGED AND FACILITATED AND WILL BE GIVEN PRIORITY OVER NON-WATER-RELATED USES ALONG THE COAST.,

24. PREVENT IMPAIRMENT OF SCENIC RESOURCES OF STATEWIDE SIGNIFICANCE AS IDENTIFIED ON THE COASTAL AREA MAP.

25A PROTECT AND ENHANCE VIEWS FROM ROUTE 9W, TALLMAN PLACE, FOURTH AVENUE, SECOND AVENUE, FIRST AVENUE, AND MEMORIAL PARK.

Comprehensive Plan

The Comprehensive Plan proposed a waterfront walkway that would energize the waterfront beyond its existing marine uses. This walkway would allow residents and visitors to enjoy the many attractions that the waterfront offers. It will help to revitalize the area and create a walking path along the Hudson River in Nyack. waterfront visitors would benefit from the public walkway. This walkway would encourage the exploration and enjoyment of Nyack’s waterfront by residents and tourists alike and would encourage all to visit Nyack’s cultural attractions and

downtown establishments. The project will provide the final segment of uninterrupted pathway connecting the Village's waterfront and the historic adjacent business district.

Memorial Park will enhance the view from the Memorial Park without negative effects to its view. There will be no impacts to views from Route 9W, Tallman Place, Fourth Avenue, Second Avenue, nor First Avenue.

A Short Form Environmental Assessment Form (Part 1) and Waterfront Assessment Form have been developed and provided to the Village Board as lead agency for this action.

Village of Nyack

Waterfront Assessment Form

A. INSTRUCTIONS

1. Applicants, or, in the case of direct actions, Village agencies, shall complete this Waterfront Assessment Form (WAF) for proposed actions which are subject to the approved Village of Nyack Local Waterfront Revitalization Program (LWRP) Consistency Review Law. This assessment is intended to supplement other information used by a Village agency in making a determination of consistency with the policy standards set forth in the LWRP Consistency Review Law.
2. Before answering the questions in Section C, the preparer of this form should review the policies and policy explanations contained in the Village of Nyack Local Waterfront Revitalization Program (LWRP), a copy of which is on file in the office of the Village Clerk. A proposed action should be evaluated as to its significant beneficial and adverse effects upon the waterfront revitalization area (WRA) and its consistency with the policy standards.
3. If any question in Section C on this form is answered "yes", the proposed action may affect the achievement of the LWRP policy standards contained in the LWRP Consistency Review Law. Thus, the action should be analyzed in more detail and, if necessary, modified prior to making a determination that is consistent with the LWRP policy standards. If an action cannot be certified as consistent with the LWRP policy standards and conditions, it shall not be undertaken.

B. DESCRIPTION OF SITE AND PROPOSED ACTION

1. Describe nature and extent of action:

___ **Memorial Park Shoreline Pathway** is to rehabilitate and redesign the existing waterfront pathway from the fishing pier to the pedestrian bridge. The project will enhance the area with new landscaping, seating and overlook areas, improved lighting, and designated spaces for public art, memorials, and other site amenities. This is a component of the Nyack Comprehensive Plan and the Memorial Park Master Plan. The Memorial Park Shoreline Pathway is a high priority on the list of the Village's Local Waterfront Revitalization projects.

The pathway will include saline-resistant landscaping to increase the stability of the shoreline and make it more resilient to frequently occurring heavy rain events, sea level rise and storm surge. The path will run 570 linear feet from the south end of the park just west of the gazebo to the Inlet Bridge to the north, connecting the park to the Marina Walkway. The park's shoreline currently has a loose gravel surface, which is not adequate for wheelchair use or for those with difficulty walking. The project will resurface the shoreline area and install permeable pavers, ADA-complaint benches, picnic tables, park amenities and a Public Art Pad for installations.

Essential to Village revitalization is the enhancement and protection of the waterfront. The project will provide the final segment of uninterrupted pathway connecting the Village's waterfront and the historic adjacent business district. The Memorial Park section of the

shoreline pathway will better stabilize the shoreline and connect the park to the recently constructed Marina pathway, provide enhanced and uninterrupted access to the river, and contribute to Nyack's revitalization and position as a regional tourist destination.

2. Type of Village agency action (check appropriate response):

a. Directly undertaken (e.g. construction, planning activity, agency regulation, land transaction)

Construction of Memorial Shoreline Pathway w/ADA accessibility_____

b. Financial assistance (e.g. grant, loan, subsidy)

_____ **DOS grant approved** _____

c. Permit, approval, license, certification

d. Agency undertaking action:

_____ Village Board of Trustees _____

3. If an application for the proposed action has been filed with a Village, the following information shall be provided: N/A

a. Name of applicant

_____ b.

Mailing address:

c. Telephone number:

(_____) _____

d. Property tax number: _____

e. Application number, if any:

4. Will the action be directly undertaken, require funding, or approval by a State or federal agency?

Yes ____ No X ____

If yes, which State or federal agency? _____

5. Location of action (Street or Site Description and nearest intersection):

_____ Memorial Park Shoreline Pathway from the south end of the park just west of the gazebo to the Inlet Bridge to the north, connecting the park to the Marina Walkway

6. Size of site (acres): _____ 570 linear feet Pathway along shoreline

7. Amount (acres) of site to be disturbed: _____

8. Present land use: _____

9. Present zoning classification: _____

10. Describe any unique or unusual landforms on the project site (i.e. bluffs, wetlands, other geological formations): _____

11. Percentage of site that contains slopes of 15% or greater: _____ N/A _____

12. Streams, lakes, ponds or wetlands existing within or continuous to the project area?

(a) Name _____ N/A _____

(b) Size (in acres) _____

13. Is the property serviced by public water? Yes X No _____

14. Is the property serviced by public sewer? Yes X No _____

C. WATERFRONT ASSESSMENT (Check either "Yes" or "No" for each of the following questions). If the answer to any question above is yes, please explain in Section D any measures which will be undertaken to mitigate any adverse effects.

YES

NO

1. Will the proposed action be located in, or contiguous to, or have a potentially adverse effect upon any of the resource areas found within the WRA (as identified in the LWRP)?

X _____

(a) Significant fish or wildlife habitats?	___	_X_
(b) Scenic resources of local or State-wide significance?	___	_X_
(c) Important agricultural lands?	___	_X_
(d) Natural protective features in a waterfront erosion hazard area	___	_X_
(e) Designated State or federal freshwater wetlands?	___	X__
(f) Commercial or recreational use of fish and wildlife resources?	___	X__
(g) Existing or potential public recreation opportunities?	___	X__
(h) Structures, sites or districts of historic, archaeological or cultural significance to the Village State or nation?	___	_X_
(i) Land or water uses within a small harbor area?	___	_X_
(j) Stability of the shoreline?	___	_X_
(k) Surface or groundwater quality?	___	_X_
	<u>YES</u>	<u>NO</u>
2. Will the proposed action involve or result in any of the following:		
(a) Physical alteration of land along the shoreline, underwater land or surface waters?	___	X__
(b) Physical alteration of two (2) acres or more of land located elsewhere in the waterfront area?	___	_X_
(c) Expansion of existing public services or infrastructure in undeveloped or low-density areas of the waterfront area?	___	_X_
(d) Siting or construction of an energy generation facility not subject to Article VII or VIII of the Public Service Law?	___	- _X_
(e) Mining, excavation, filling or dredging in surface waters?	___	_X_
(f) Reduction of existing or potential public access to, or along, the shoreline?	___	_X_
(g) Sale or change in use of publicly owned lands located on the shoreline or underwater?	___	X__

- | | | |
|--|-----|------|
| (h) Development within a designated flood or erosion hazard area? | ___ | X___ |
| (i) Development on a beach, dune, bluff or other natural feature that provides protection against flooding or erosion? | ___ | X___ |
| (j) Construction or reconstruction of erosion protective structures? | ___ | X___ |
| (k) Diminished or degraded surface or groundwater quantity and/or quality? | ___ | X___ |
| (l) Removal of ground cover from the site? | ___ | X___ |

YES

NO

3. PROJECT

- | | | |
|---|------------|------------|
| (a) If the project is to be located adjacent to shore: | | |
| (1) Does the project require a waterfront location? | <u>_X_</u> | ___ |
| (2) Will water-related recreation be provided? | <u>_X_</u> | ___ |
| (3) Will public access to the foreshore be provided? | <u>_X_</u> | ___ |
| (4) Will it eliminate or replace a water-dependent use? | ___ | <u>_X_</u> |
| (5) Will it eliminate or replace a recreational or maritime use or resource? | ___ | <u>_X_</u> |
| (b) Is the project site presently used by the community or neighborhood as an open space or recreation area? | ___ | <u>_X_</u> |
| (c) Will the project protect, maintain and/or increase the level and types or public access to water- related recreation resources or facilities? | <u>_X_</u> | ___ |
| (d) Does the project presently offer or include scenic views or vistas that are known to be important to the community? | ___ | <u>_x</u> |
| (e) Is the project site presently used for commercial or recreational fishing or fish processing? | ___ | <u>_X_</u> |
| (f) Will the surface area of any local creek corridors or wetland areas be increased or decreased by the proposal? | ___ | <u>_X_</u> |
| (g) Is the project located in a flood prone area? | ___ | x_ |
| (h) Is the project located in an area of high erosion? | ___ | <u>_X_</u> |
| (i) Will any mature forest (over 100 years old) or other | | |

- locally important vegetation be removed by the project? ☐ ☒
- (j) Do essential public services or facilities presently exist at or near the site? ☐ ☒
- (k) Will the project involve surface or subsurface liquid waste disposal? ☐ ☒
- (l) Will the project involve transport, storage, treatment or disposal of solid waste or hazardous materials? ☐ ☒
- (m) Will the project involve shipment or storage of petroleum products? ☐ ☒
- (n) Will the project involve the discharge of toxics, hazardous substances or other wastes or pollutants into WRA waters? ☐ ☒
- (o) Will the project involve or change existing ice management practices? ☐ ☒
- (p) Will the project alter drainage flow, patterns or surface water runoff on or from the site? ☐ ☒
- (q) Will best management practices be utilized to control storm water runoff into WRA waters? ☐ ☒
- (r) Will the project cause emissions that would exceed federal or State air quality standards or generate significant amounts of nitrates or sulfates? ☐ ☒
- (s) Will the project involve any waste discharges into WRA waters? ☐ ☒

D. REMARKS OR ADDITIONAL INFORMATION TO SUPPORT OR DESCRIBE ANY ITEM(S) CHECKED "YES"

(Add any additional sheets necessary)

☐ None _____

If you require assistance or further information in order to complete this form, please contact the Village Code Enforcement Office.

Please submit completed form, along with one copy of a site/sketch plan to:

Nyack Village Hall, 9 North Broadway, Nyack, NY 10960

Preparer's Name (Please print): Robert James Galvin, AICP

Affiliation: ____ Village Planner_____

Telephone Number: (_845) __358-0548_____

Date: ____9/22/25_____

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information				
Name of Action or Project:				
Project Location (describe, and attach a location map):				
Brief Description of Proposed Action:				
Name of Applicant or Sponsor:			Telephone:	
			E-Mail:	
Address:				
City/PO:		State:		Zip Code:
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO	YES
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			☐	☐
2. Does the proposed action require a permit, approval or funding from any other government Agency?			NO	YES
If Yes, list agency(s) name and permit or approval:			☐	☐
3. a. Total acreage of the site of the proposed action? _____ acres				
b. Total acreage to be physically disturbed? _____ acres				
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres				
4. Check all land uses that occur on, are adjoining or near the proposed action:				
☐ Urban	☐ Rural (non-agriculture)	☐ Industrial	☐ Commercial	☐ Residential (suburban)
☐ Forest	☐ Agriculture	☐ Aquatic	Other(Specify):	
Parkland				

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO ☐ ☐	YES ☐ ☐	N/A ☐ ☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO ☐	YES ☐	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO ☐	YES ☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO ☐ ☐ ☐	YES ☐ ☐ ☐	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO ☐	YES ☐	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO ☐	YES ☐	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO ☐	YES ☐	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO ☐ ☐	YES ☐ ☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO ☐ ☐	YES ☐ ☐	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest Agricultural/grasslands Early mid-successional Wetland ☐ Urban Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	☐	☐
16. Is the project site located in the 100-year flood plan?	NO	YES
	☐	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ _____	NO	YES
	☐	☐
	☐	☐
	☐	☐
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ _____	NO	YES
	☐	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	☐	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	☐	☐
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: _____ Date: _____ Signature: <u>Robert Galvin</u> Title: _____		

INTEROFFICE MEMORANDUM

TO: MAYOR RAND AND TRUSTEES

FROM: ANDY STEWART , VILLAGE ADMINISTRATOR

SUBJECT: BAN ON GAS POWERED LEAF BLOWERS

DATE: OCTOBER 9, 2025

The BOT has heard reports from Oak Hill Cemetery and the owners of other large parcels, and landscaping businesses, that the current state of battery powered leaf blower technology is not equal to the task of cleaning debris from large expanses of lawn at a reasonable cost in terms of time, labor and equipment.

The Village current code reads as follows, in short, that gas powered leaf blowers are illegal anywhere, anytime, in the village. The ban was phased in, with a period of time in 2022 and 2023 when gas powered leaf blowers were allowed at certain times of year:

Chapter 238 NOISE, Section 239-4 Prohibited Noises, Part S. Leaf blowers.

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 a.m. until 7:00 p.m. on Monday through Friday; 9:00 a.m. until 5:00 p.m. on Saturdays; and 12 noon until 5:00 p.m. on Sundays and legal holidays. The use of gasoline-powered leaf blowers shall be prohibited at all other times. Electric- and battery-powered leaf blowers are exempt from the date restrictions of this subsection, but shall be subject to the hours of operation set forth in this subsection. The use of gasoline-powered leaf blowers shall be prohibited at all times after January 1, 2024.

[Added 7-14-2022 by L.L. No. 4-2022]

REVISION OPTION:

This revision has cemetery support. It reduces duration of seasonal gas powered leaf blower usage, compared to the old law, both with regards to months of use and hours of day of use.

Section 3 – Section 238-5 (Exceptions), of Chapter 238 (Noise), of the Code of the Village of Nyack, is amended to the extent only of adding a new Paragraph “G,” which new Paragraph “G” shall read as follows:

Sounds created by gasoline-powered leaf blowers that are being operated (i) on a property lot that is at minimum of ten acres in size, (ii) during the seasonal time periods of March 15 through May 15, or September 21 through November 21, (iii) on, and during, the following days of week and times of day only: 9:00 a.m. through 4:00 p.m. on weekdays; except on Federal and New York State governmentally observed holidays and on days on which school is closed by the Nyack Union Free School District for a holiday, religious holy day or day of observance (“holidays”), on which holidays the sounds created by the operation of gasoline-powered leaf blowers shall not be permitted.

Here is a list of large parcels in Nyack:

1. Oak Hill Cem - 65 acres
2. Warren Hills - 14.7 acres
3. BOCES - total parcel is 8.8 acres (west side with parking lot, and fields is 3.3 acres remainder containing the building is 5.5 acres.
4. Rockland Gardens - 2.6 acres
5. Rose Gardens (Francis St - 1.3 acres)
6. Nyack Plaza - 2.4 acres
7. Waldron Housing - 8.1 acres
8. Hospital - 8.6 acres

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

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: _10/01/2025_ Name of Applicant: Morgana Brennan

Address: ___60 S Broadway, Nyack, NY 10960_____

Business Owner/Proprietor Name: ___Morgana Brennan___

Email Address: _morgana@moderndruid.com_ Phone: ___845-826-3330___

Name of On-Site Event/Project Manager: _Morgana___ Phone: ___845-826-3330___

Existing Approval to serve Alcoholic Beverages: Yes _____ No x

Event Information:

Date of Proposed Event: 10/17/2025 Name of Event: Spirit of SoBro 2025 -

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

 Closure on South Broadway from Hudson Ave to Gas Station/ Cedar Hill from 5-9.30pm

 Vendors will have tents and tables on street, same as for street fairs

 Set up for live band, DJ, and drum circle at the corner of Hudson and S Broadway

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

Indemnification and Hold Harmless Agreement

To the fullest extent permitted by law, Permittee 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 Permittee 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. Permittee'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 Permittee 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 Permittee 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 Permittee.

Company Name: Modern Druid

Name: _Morgana Brennan_ Signature: __Morgana Brennan__

Date: 10/01/2025

Please sign, date and return to:

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

INTEROFFICE MEMORANDUM

TO: MAYOR RAND AND TRUSTEES

FROM: ANDY STEWART , VILLAGE ADMINISTRATOR

SUBJECT: RAT POPULATION REDUCTION

DATE: SEPTEMBER 10, 2025 UPDATED 10-9-25

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.

UPDATE 10-9-25

Code Enforcement Program

The building dept had created an inventory of every commercial property on Main and Broadway and every day three staff are contacting owners/operators to verify status of three items (side streets, such as Bridge, Hudson, etc. will be added when Main and Broadway are done).

1. Carting contracts for both first floor business and upper floor residential
2. Pest control contracts
3. Trash containers with proper lids and a plan for storage of containers.

On Main St, from River to 9W there are 117 parcels

On B'way, Main to Cedar Hill to First Ave there are about 72 parcels

Municipal Pest Control

The Village met with our pest control contractor, Termicide, to review status of our own properties and program, and options for enhancement. The village has poison at all its buildings, plus the waterfront. The contractor is not experienced with the contraceptive approach but noted it is not regulated as toxic so the village can freely distribute the substance. Our next step is to scrub clean the tops of, and clean debris from under, all our street trash cans and begin to experiment with using their bases as rat bait stations.

We are also adding rat poison stations to several more locations in the downtown, such as landscaped area behind Hezekiah Easter square.

Education – Text for Sharing

The Village is pursuing an aggressive program to reduce the rat population and encourages all property owners and managers to participate. The key elements of this program are:

1. Code Enforcement Program Changes – The Village has added to its commercial and multifamily building safety inspection checklist verification of the following items: carting contracts for both first and upper floors; pest control contract; adequate trash containers. Code Enforcement staff are canvassing all buildings in the downtown daily, until complete.
2. Municipal Property Housekeeping and Pest Control– The Village maintains pest control contract for all its properties and is expanding this program to include additional outdoor locations in the downtown. This includes exploration of the rat contraceptive approach, as well as traditional poison method.
3. Partnership Promotion – the Village meets regularly with private carters, pest control contractor, health officials and owners of troubled/vacant properties to coordinate pest control approaches.

Rats are common in all urban areas. The Village is seeking solutions and insights. Apparently, climate change and milder winters increase rat survival, but the key is to reduce their food and nesting opportunities. Hence the focus on better trash handling and better property maintenance.

SEPTEMBER 10, 2025 MEMO

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 toters 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 toters 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 toters 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.

INTEROFFICE MEMORANDUM

TO: MAYOR RAND AND TRUSTEES

FROM: ANDY STEWART , VILLAGE ADMINISTRATOR

SUBJECT: YMCA YOUTH SPORTS PROGRAM FUNDED BY NYACK VILLAGE

DATE: 10/9/25

The VON is in possession of two grants from NYS Office of Children and Family Services (OCFS), via the office of NYS Assemblyman Patrick Carrol, one for \$25K and a new commitment of \$30K.

GRANT 1: The VON awarded the first \$25K to the YMCA to provide youth sports activities in 2025, resulting in two programs, totaling about \$11K. In both cases, families received free YMCA programming. Candidates who might not otherwise afford tuition were identified through the Family Resource Center and the YMCA social network. In both cases, the YMCA used grant funds for instruction, food and equipment. The YMCA has provided detailed expense and roster data and all relevant insurance, as needed.

1. Outdoor basketball in Memorial Park (\$3,500) – this program ran for nine weeks, July and August, 2025, Thursday nights, with a typical turnout of about 25 youth participants working with several coaches. According to the YMCA:

Through the generous support of the Village of Nyack, the Rockland YMCA was able to host weekly Open Run basketball sessions every Thursday at Memorial Park. These gatherings welcomed youth, teens, and community members from across Nyack, creating a safe, inclusive space to stay active, connect with peers, and grow through the game of basketball.

Each session focused on far more than athletic play. Participants learned and practiced key life skills such as communication, accountability, and sportsmanship—foundations of strong teamwork and personal growth. Attendance averaged about 25 participants per week, showing strong and consistent community interest.

Programs like these are only possible because of the Village's continued investment in youth and community enrichment. By supporting the YMCA, the Village provides young people with safe, positive outlets that promote health, build relationships, and strengthen our local community. These Open Runs not only kept kids active but also gave them a sense of belonging and pride in their town.

2. Indoor basketball skills summer camp (\$7,400) – this program ran three weeks, five days a week, in July 2025. According to the YMCA:

This summer, the YMCA hosted a Basketball camp designed to help young athletes build essential skills both on and off the court. Our program focused on basketball fundamentals, physical conditioning, work ethic, and teamwork, providing a structured, supportive environment where each participant could grow in ability and confidence.

We proudly served 14 children, within the Village of Nyack. Many of these participants face financial and personal challenges that limit their access to safe, high-quality sports and enrichment opportunities. Thanks to the Village of Nyack's commitment to supporting youth programs through the YMCA, these children were able to attend the camp at no cost to their families.

Beyond developing their athletic skills, the camp fostered friendship, discipline, and community connection. Children learned the value of perseverance and cooperation, experienced the joy of belonging to a team, and built positive relationships with peers and mentors. This investment directly impacts young lives, offering them growth, opportunity, and hope for the future.

3. The remaining grant money (about \$14,000) will be rolled forward into an expanded free basketball program offering in the coming year for VON youth. It is my understanding that planned programs include (details TBD):
 - a. AAU Basketball program – October 2025 – March 2026 - AAU Basketball involves competitive basketball for youth, typically running from September to October or early November, with players practicing multiple times a week and competing in weekend tournaments. Players need an [AAU membership](#), which allows them to participate in tryouts and tournaments at various levels. A strong commitment is required, with families needing to be prepared for travel.
 - b. Basketball skills program on Monday nights – taught by YMCA staff, all skill levels and age groups welcome.

GRANT 2 (\$30K): The VON is in receipt of a proposal from the YMCA for the continuation and expansion of free recreation programs for VON youth. The YMCA proposes several opportunities for free recreation for VON youth in need, described in the attached proposal.

Rockland County YMCA

Proposal for Village of Nyack Youth Sports & Aquatics Programming

Date: October 2nd, 2025

To:

Village of Nyack Board of Trustees
Village Administrator [Insert Name]
Village of Nyack
Nyack, NY

From:

Phil Donnelly
Chief Executive Officer
Rockland County YMCA
(845) 643-3062
PDonnelly@rocklandymca.org

Executive Summary

The Rockland County YMCA respectfully submits this combined proposal requesting the Village of Nyack's partnership in supporting **\$30,000 in essential youth development programming for Fall 2025 through Summer 2026.**

This proposal represents two vital initiatives:

1. **Youth Sports Scholarships & Open-Run Basketball Program** – providing equitable access to structured, enriching sports opportunities.
2. **Aquatics Programming for Village Residents** – delivering lifeguard job-training and critical water-safety lessons at no cost to local families.

Together, these programs ensure that **all children and youth in the Village of Nyack—regardless of financial background—have access to safe, supervised, skill-building activities that enhance health, confidence, and opportunity.**

Community Need

Families in the Village of Nyack face barriers to accessing structured extracurricular activities due to financial constraints. Without these opportunities, youth are more vulnerable to negative influences and miss critical chances to learn life-saving skills and develop confidence and leadership.

- **Youth Sports Gap:** There is strong local interest in affordable sports programming during the school year and summer, yet limited options that are accessible to all families.
- **Aquatics and Water-Safety Gap:** Many children in the community lack basic swimming and water-safety skills, and there is a shortage of qualified local lifeguards to support community pools, camps, and recreation programs.

By investing in these two complementary initiatives, the Village of Nyack will address urgent community needs while enhancing long-term public safety, youth development, and equitable access to opportunities.

Program 1: Youth Sports Scholarships & Open-Run Basketball

A. Youth Sports Scholarships

- **Location:** YMCA, 35 South Broadway, Nyack, NY
- **Schedule:**
 - Fall: Sept 15 – Nov 21, 2025
 - Winter: Dec 1, 2025 – Jan 26, 2026
 - Spring I: Feb 3 – Apr 10, 2026
 - Spring II: Apr 13 – Jun 27, 2026
- **Age Groups:** 5–11, 12–17 years
- **Activities:** Skills training, team play, mentorship, nutrition education for Soccer, Tennis, Pickleball, and Volleyball youth sports
- **Staff:** Local coaches, former professional athletes, and college-level players
- **Expected Enrollment:** 70 seats total 10–15 youth per session
- **Cost:** \$135 per participant
- **Budget:** \$9450.00

B. Open-Run Summer Basketball at Nyack Memorial Park

- **Ages:** 8–17 years
- **Schedule:** 9 Thursday evenings (July 2 – Aug 27, 2026) from 6:00–8:00 PM
- **Rain Site:** YMCA Gymnasium
- **Program Includes:** Supervised play, mentorship, nutrition support, and community-building activities
- **Budget:** \$5,550
(Includes staff, uniforms, refreshments, and program operations.)

Open-Run Basketball (9 weeks on Thursdays from 7/2/2025- 8/27/2025)

Item	Cost	Amount Needed	Total Amount
Gatorade	\$40.00	1 case per week	\$180.00
Pizza	\$125.00	5 pies per week	\$1,125.00
Miscellaneous supplies	\$220.00	(ie. Whistles, basketballs)	\$220.00
Staff	\$100.00	2 staff for 2 hours per week	\$900.00
Uniform (One Time)	\$25	125 jerseys	\$3125.00
Total			\$5550.00

Program 2: Aquatics Programming for Village Residents

The YMCA will contribute **\$15,000 of aquatics programming at no cost to Village of Nyack residents**, running through the end of the **2025–2026 school year**.

Components & Valuation

Program Type	Seats Provided	Value per Seat	Total Value
---------------------	-----------------------	-----------------------	--------------------

American Red Cross Lifeguarding Certification	20 seats	\$350 each	\$7,000
8-Week Swim Lesson Sessions	50 seats	\$160 each	\$8,000
Total Contribution	—	—	\$15,000

Implementation

- **Partnerships:** The YMCA will collaborate with the **Village of Nyack** and the **Nyack Center** to identify eligible residents.
 - **Youth Outreach:** We will leverage the **Rockland County YMCA Teen Program** and work with the **Nyack Library’s Teen Program** to help locate eligible youth for lifeguard training opportunities.
 - **Timeline:** Rolling enrollment for swim lessons and lifeguard training through Spring 2026.
-

Expected Outcomes and Impact

This combined investment will:

- Remove financial barriers for families to access safe, high-quality sports and aquatics programming.
- Deliver life-saving water safety and lifeguard job training to local youth.
- Increase youth engagement in healthy, supervised activities that foster teamwork, leadership, and resilience.
- Provide working families with affordable, structured after-school and summer programming.
- Strengthen community ties through enhanced collaboration among the Village of Nyack, the YMCA, the Nyack Center, and the Nyack Library.

We will track participation, collect family feedback, and evaluate program outcomes to measure success and report results to the Village.

Conclusion

An investment in **youth sports and aquatics programming** is an investment in the well-being and future of the Village of Nyack’s children and families.

With the Village's partnership, we can ensure that **no child is left behind due to financial limitations** and that all youth gain access to vital opportunities for growth, safety, and success.

Contact Information

Phil Donnelly
Chief Executive Officer
Rockland County YMCA
(845) 643-3062
PDonnelly@rocklandymca.org



[Rockland County YMCA partnership with the Village of Nyack.docx](#)

INTEROFFICE MEMORANDUM

TO: MAYOR RAND AND TRUSTEES

FROM: ANDY STEWART , VILLAGE ADMINISTRATOR

SUBJECT: FITNESS PARK AT MEMORIAL PARK?

DATE: 10/9/25

A Village resident and fitness expert recently spoke with me about the need for outdoor fitness equipment in the Village. Trustee Carlin, liaison to Parks Commission, brought the question to the Commission, whose Chair Jim Willcox, indicates committee interest in this improvement. Questions abound as to size, location, cost, ADA accessibility, choice of equipment, maintenance, risk, etc. It seems to me a modest fitness park might complement the other recreational facilities and not detract from other uses. After speaking with two vendors, it appears that a package of 3-6 pieces of equipment could be had for about \$40K, including surfacing, and occupy the space between the new ADA path and the back of the basketball court and baseball backstop.



Funding: Possible funding sources include private donations, via the Parks Conservancy, and the General Fund. No current grants would cover this work.

Position: The screenshot to the left is entirely conceptual, but shows an 800 SF area that might accommodate a half dozen pieces of equipment.

Equipment: Can be roughly divided between “calisthenic”, that is, push-ups, sit-ups, pull-ups, etc., of more interest to younger people, and “functional fitness”, that is, stretching, range of motion, leg presses, etc., of more interest to seniors. Social interaction occurs due to proximity of equipment and some equipment can be used by several people at the same time. One good source of equipment is: <https://library.playlsi.com/share/8C596280-51F2-40D2-9C06109522B32039/>

RECOMMENDATION: Obtain conceptual design for board and community review. Consider removal of baseball backstop to allow for better access.



Assisted Row/Push-Up

A great upper-body workout that exercises multiple muscles with several activities in one station. Bars of multiple heights accommodate users of all fitness levels.



Stretch

Allow for stretching of upper body muscles as well as the often difficult-to-target core muscles. Maintains flexibility and range of motion.



Pull-Up/Dip

Multiple highly effective strength-building exercises for the upper body.



Ab Crunch/Leg Lift

Works both the upper and lower abdominals, and provides two different activities in one fitness station. Builds core strength.



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VILLAGE OF NYACK
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VILLAGE CLERK'S OFFICE

October 6, 2025

Mayor Joseph Rand
Clerk Jennifer Hetling
Village of Nyack
9 North Broadway
Nyack, NY 10960

Police Chief Donald Butterworth
Sergeant Rich Holihan
Orangetown Police Department
26 West Orangeburg Road
Orangeburg, NY 10962

Dear Mayor Rand, Jennifer, Chief Butterworth, Sgt Holihan,

GFNY and its riders thank you for Nyack's support of the race over the past fifteen years. Without the close collaboration with Nyack and Orangetown Police and all the local agencies, the event would not be possible. Year after year, GFNY is praised as the best cycling event in the world, and a key element of this world-class athlete safety and experience is the dedication and professionalism of every person who works and contributes to the event.

GFNY 2025 marked the 15th Anniversary of GFNY. Since 2011, GFNY has seen 48,000 participants who hailed from 110 countries take part in this iconic race. The race is a lifetime-highlight kind of event for athletes due to its iconic start on the George Washington Bridge, the exceptional course experience through Bergen and Rockland and a memorable finish line celebrations in Fort Lee. GFNY 2025 was awarded a marketing grant from each Rockland Tourism and NJ Department of Tourism in recognition of GFNY's international appeal to support GFNY's marketing efforts to bring more tourism to both Rockland and New Jersey.

GFNY 2025 continued the ground-breaking format of offering a professional and open race held on the same course at the same time. GFNY plans to hold the third edition on May 17, 2026. GFNY continues to look for sponsors to add a women's professional race, but we have not yet secured any sponsors to make the women's race possible.

Since 2014, the event continues to be the World Championship race for the international series that bears the name GFNY. With over 30 races in 15 countries like Italy, France, Germany, Canada, Mexico, Colombia, Argentina, Chile, Brazil, Uruguay, Costa Rica, Dominican Republic, the Bahamas, Ecuador and Indonesia, GFNY will serve 50,000 athletes from 120 nations in 2026. GFNY NYC is one of the most famous cycling events in the world renowned for its high quality organization, safety and athlete experience.

Same as the past editions, GFNY will pay the related police overtime fees to cover the expenses of the event. We also make donations to all the local Volunteer Ambulance Corps who assist with the event.

As part of the organizational and permit process, we are working with all agencies and jurisdictions along the GFNY course, which include: PANYNJ, NJ DOT, NYS DOT, Palisades Interstate Park Commission, Rockland County, Fort Lee, Englewood Cliffs, Edgewater, Alpine, every town in Rockland County: Orangetown, Clarkstown, Haverstraw, Ramapo and Stony Point and many Rockland County Villages.

We will provide the Village of Nyack with a Certificate of Insurance in March 2026.

Orangetown Police at GFNY

GFNY requests assistance from Orangetown Police to control traffic to enable the cyclists to ride on a traffic-moderated course for May 17, 2026. We plan a similar route to GFNY 2024. We will be coordinating the route and logistics details with Sgt Holihan.

Route Marking

GFNY crew will begin marking the race route starting Monday, May 4, 2026. Signs will include temporary road marking for turns, signs at eye level that mark turns or caution, mile markers (every 20 miles), aid station signs, water-based paint road markings and some sponsored fence signs where permitted. As in the past years, all signs will be posted in areas that do not affect visibility of the roads/intersections/traffic. All signs will be removed by Monday, May 18, 2026.

Background About the Event

- **MEDIA:** Cyclists from all over the world attend the event and it receives global media coverage from 33 cycling magazines in 17 languages. National tv, newspaper and magazine media have covered the event.
- **COURSE:** The event starts on the George Washington Bridge, travels north through Rockland County and finishes in Fort Lee, NJ. The event showcases the George Washington Bridge, charming towns in Rockland and Bergen Counties and beautiful nature.
- **HEALTH BENEFITS:** GFNY promotes and reinforces healthy lifestyles for the participants, spectators, fans and locals. Holding participatory events such as this encourages people to set goals and develop healthy habits, get in shape and become healthier, and experience the great outdoors.
- **CHARITY:** GFNY makes donations to non-profits based in NY/NJ who provide volunteers at GFNY aid stations, pre-race registration or the finish village. Some GFNY riders choose to raise funds for their chosen causes as part of their participation in GFNY.
- **ECONOMIC IMPACT:** GFNY holds free weekly group rides for registered participants to prepare for the event utilizing the GFNY route and supporting local bakeries, coffee shops, bike shops and other local businesses. For race day, we source local products and services from area businesses.
- **TOURISM:** Dozens of tour operators bring hundreds of riders and families to the NY/NJ region. Thousands of other GFNY riders and families book their travel individually and boost sales at local businesses like hotels, restaurants, car rental, transport companies and stores.

Conclusion

Please let me know if we can answer additional questions pertaining to the event. I can be reached at 917-656-2005 or at lidia@gfny.com. The event's website is nyc.gfny.com.

We look forward to working with you in organizing a safe and successful event.

Warm regards,



Lidia Fluhme
Founder and Race Organizer
Gran Fondo New York

