

**REGULAR MEETING  
SOUTH NYACK BOARD OF TRUSTEES  
TUESDAY, APRIL 11, 2017**

**PRESENT:** Mayor Bonnie R. Christian  
Deputy Mayor Alain Leinbach  
Trustee Catherine McCue  
Trustee Andrew Goodwillie  
Trustee Nancy Willen

**ALSO PRESENT:** Village Clerk Jill Schwarz  
Village Attorney James Birnbaum  
Police Chief Brent Newbury  
DPW Superintendent James Johnson  
Members of the Public

At 7:32pm, following the Pledge of Allegiance, Mayor Christian called the open session to order. Laura Steinberger read aloud and discussed her email of March 22, 2017 regarding Preserve South Nyack's top ten issues for the Village Board including that the opportunity to sit on a Village committee should be open to all interested residents.

Mayor Christian commented that Special Counsel Dennis Lynch has reported to her that to date he has not received a response from the New York State Thruway Authority regarding the Eminent Domain Proceeding Law.

It was noted that the VHB report presentation to the Village Board will be held on Tuesday, May 30, 2017.

It was noted that the Parking Committee will be meeting again soon.

Mayor Christian closed the open session at 7:38pm.

**MINUTES:**

Upon a motion by Mayor Christian, seconded by Deputy Mayor Leinbach, the corrected minutes of the regular meeting of March 22, 2017 were adopted on a 4-0 vote, Trustee Willen abstained because she was not a Trustee at the March 22nd meeting.

Upon a motion by Deputy Mayor Leinbach, seconded by Trustee McCue, the minutes of the Public Hearing of March 28, 2017 were adopted on a 4-0 vote, Trustee Willen abstained because she was not a Trustee at the March 22<sup>nd</sup> meeting.

Upon a motion by Mayor Christian, seconded by Deputy Mayor Leinbach, the corrected minutes of the regular meeting of March 28, 2017 were adopted on a 4-0 vote, Trustee Willen abstained because she was not a Trustee at the March 28<sup>th</sup> meeting.

**REPORTS:**

**POLICE:** Chief Newbury presented the March report which included that \$25.00 in fees were collected and noted that Sgt. Daniel Wilson was recognized for his extraordinary Police Work.

**DPW:** DPW Superintendent Johnson presented the March report.

Mayor Christian gave a note of thanks to the Department of Public Works for their assistance with the Nyack Street Fair on April 9, 2017. The Village of Nyack will reimburse the Village of South Nyack for the DPW services used that day.

There was a discussion about moving forward with the proposed Franklin Street Park improvements.

**BLDG/CODE/FIRE INSPECTOR:** The March report was reviewed. \$1,156.00 in fees were collected.

**VILLAGE JUSTICE:** The March fines were \$21,421.00.

**OLD BUSINESS:**

**LOWER HUDSON TRANSPORTATION LINK (LHTL):** Don McMahon discussed his LHTL report which is attached to and part of these minutes which included:

- NYSDOT LHTL TAC held a conference call on April 4.
- Final design report was released on April 10 which opens up a 30 day comment period.
- The Village's local approval process was discussed.
- Permanent easements would most likely be requested by the NYSDOT.
- There was a LHTL committee meeting held on April 8 to discuss and document any concerns with the current NYSDOT drawings.
- Survey of TZ Express bus riders will be held Thursday, April 20<sup>th</sup>.

Mr. McMahon stated that the location of the two proposed bus stops will be on the Franklin Street Extension (Road F); offset, not directly opposite each other.

**2017-2018 TENTATIVE BUDGET:** Trustee Goodwillie moved as follows:

**#33 RESOLVED**, that the General Fund Budget of the Village of South Nyack for the fiscal year commencing June 1, 2017 and ending May 31, 2018, making appropriation for the conduct of the government of the Village of South Nyack and establishing the rates of compensation for the officers and employees for such period is hereby adopted as follows:

Total 2017-2018 General Fund Budget .....	\$3,551,909.00
Amount to be raised by taxes .....	\$2,557,459.00
Assessed Valuation .....	\$161,639,781.00
Tax Rate per \$1,000 of Assessed Valuation .....	15.82

The resolution was seconded by Trustee McCue and unanimously adopted.

(The 2017-2018 tax rate per thousand of assessed value is a .0097% increase over the 2016-2017 rate. The amount to be raised by taxes is an increase of 1.15% over the previous year's rate.

**2017 GARBAGE BID:** Deputy Mayor Leinbach moved as follows:

**#34 RESOLVED**, to accept the bid from Carlo Minuto Carting Co., Inc. for **garbage and trash collection and disposal** twice a week including cost of tipping and disposal fees in the amount of \$248,500.00 for one year, commencing on June 1, 2017 and expiring on May 31, 2018 as accepted by the Board pending legal review.

This resolution was seconded by Trustee Goodwillie and unanimously accepted.

Deputy Mayor Leinbach moved as follows:

**#35 RESOLVED**, to authorize Mayor Christian to execute the contract with Carlo Minuto Carting Co., Inc. for **garbage and trash collection and disposal** twice a week including cost of tipping and disposal fees in the amount of \$248,500.00 for one year, commencing on June 1, 2017 and expiring on May 31, 2018 as accepted by the Board pending legal review.

This resolution was seconded by Trustee Goodwillie and unanimously accepted.

**2017 RECYCLING BID:** Deputy Mayor Leinbach moved as follows:

**#36 RESOLVED**, to accept the bid from Charles Capasso and Sons Carting, Inc., for **recyclable collection** every week excluding cost of disposal (Recyclables to be delivered to materials recovery facility.) in the amount of \$35,046.00 for one year, commencing on June 1, 2017 and expiring on May 31, 2018 as accepted by the Board pending legal review.

This resolution was seconded by Trustee Goodwillie and unanimously accepted.

Deputy Mayor Leinbach moved as follows:

**#37 RESOLVED**, to authorize Mayor Christian to execute the contract with Charles Capasso and Sons Carting, Inc., for **recyclable collection** every week excluding cost of disposal (Recyclables to be delivered to materials recovery facility.) in the amount of \$35,046.00 for one year, commencing on June 1, 2017 and expiring on May 31, 2018 as accepted by the Board pending legal review.

This resolution was seconded by Trustee Goodwillie and unanimously accepted.

**ANCHORAGE RESOLUTION:** There was a discussion about a proposed anchorage bill proposed. Action will be taken at the next Board of Trustees meeting giving the Board time to review the proposed bill.

Trustee McCue commented that she hopes to have a draft of the new employee handbook sometime in May.

**HISTORICAL SIGN UPDATE:** Trustee Goodwillie gave an update on the sign project.

Trustee Goodwillie requested that the Board receive a copy of the VHB report prior to the presentation on May 30 so that they can have time to review it.

There was a discussion about the status of the revised Village code.

There was a discussion about the possibility of videotaping the Planning Board and Zoning Board of Appeals meetings.

**NEW BUSINESS:**

**BOND ANTICIPATION NOTE:** Mayor Christian moved as follows:

**#38 RESOLVED**, that the Board of Trustees authorized the Mayor and/or the Treasurer to investigate options for a Bond Anticipation Note in the amount of \$230,000.00, including but not limited to investigating potential lenders.

This resolution was seconded by Deputy Mayor Leinbach and unanimously adopted.

**BLOCK PARTIES:** There was a discussion about block party procedures. No action was taken at this time.

**NATIONAL ALLIANCE ON MENTAL ILLNESS (NAMI):** The Board agreed that NAMI may hang a ribbon in front of Village Hall supporting Mental Health Awareness Ribbon Campaign for the month of May.

The Village Clerk noted that the Village's Egg Hunt is being held on Saturday, April 15 at 2:00pm at Franklin Street Park. The Electronic Waste Collection will be held on Saturday, April 22 from 9:00am – 12:00pm at the DPW Garage.

Mayor Christian welcomed James Birnbaum, the Village's newly appointed Village Attorney and Nancy Willen, the Village's newly elected Trustee.

**PAYMENT OF ABSTRACTS:** Upon a motion made by Mayor Christian, seconded by Trustee McCue and carried, the following abstracts of audited vouchers were approved for payment:

No. A 17-21– General Fund - \$156,806.20

No. B 17-21 – Police - \$5,766.47

At 8:50pm, upon motion made by Mayor Christian, seconded by Trustee McCue and carried, the meeting was adjourned.

Respectfully submitted,

Jill Schwarz  
Village Clerk

**Title: Report of the LHTL Committee to South Nyack Board of Trustees**  
**Purpose: Update LHTL TAC status**

**Status: Draft**

**Submitted by: Don McMahon**

**Delivery Date: Board of Trustees Regular Meeting of 4/11/2017**

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1. The LHTL TAC Conference Call of 4/4/2017

The NYSDOT LHTL TAC held a conference call on 4/4. Attendees include Alain Leinbach, Don McMahon, Pete Smolin and Nancy Willen of South Nyack, and representatives from ARUP project engineering firm, NYSDOT, Rockland County, New Bridge Project, Clarkstown, Orangetown, Ramapo, Suffern, Spring Valley, Nanuet and Nyack. (It is difficult to list participants exhaustively as invitees are available but not attendees.) The single focus of the ARUP conference call was to announce the release of the NYSDOT LHTL Final Design Report and the beginning of the 30 days during which public comment will be accepted: expected to start 4/8/2017 and close 5/7/2017. Public comment will be reviewed for corrections and omissions in the report. The report details the final recommendations for mass transit with detailed discussion of the bus rapid transit network, the history and background of the bridge corridor project, existing conditions, the travel needs of the region, the short-, mid- and long-term recommendations for system development and the funding and financing options of the project. Appendices provide detailed description and drawings for plans, environmental documentation, traffic estimates, public involvement in the development process, lists of private developments in adjacent properties affecting the plan, an analysis of the White Plains bus/MNRR station access, service and highway performance objectives of the LHTL, agency coordination and an engineering analysis of ICM system.

Beyond the announcement of the availability of the report, little additional discussion took place: contracts let for capital works, bus shelters, the ICM with bids accepted in early September for work to start in 2018, and a RFP for the Transit operator.

The local approval process was described as starting in April 2017, with expected approvals in May 2017 and likely seeking permanent easements.

Open houses are planned to present the ICM system for mid-May 2017 at the Palisades Center Jaguar Room and an as-yet to be determined location in White Plains. Please note the open houses are scheduled after the close of the public comment period on the FDR.

The TAC requests that comments from municipalities be bundled to eliminate redundancy, confusion or self-conflict.

2. The VSN LHTL Committee members met following the conference call and decided to each review the FDR, share comments within the membership, and to meet prior to this meeting to develop a summary of relevancies and recommendation to the BOT.

3. The VSN LHTL Committee members met on April 8<sup>th</sup> and concluded the following:

- To create a list of material errors of commission or omission found in the FDR
- To conduct the survey of TZExpress ridership at the three VSN bus stops on Thursday, April 13<sup>th</sup>, from 5:15am to 9:15am.

Next Report

April 25<sup>th</sup>, 2017

Old Action Items and [Status]

1. Deliver Village of South Nyack approval requirements to LHTL TAC, expected 3/31/2017. [Done]
2. Survey TZx morning rush hour ridership: 11 eastbound and 1 westbound between 5:15am and 9:10am (Where are you coming from? How did you get here? If by car, where did you park? How many days a week do you make this ride?) [Planning stage]
3. Attend April 4, 2017 LHTL TAC conference call [Done]
4. Schedule a future meeting of the VSN LHTL committee following the LHTL TAC conference call [Done]
5. Report to VSN BOT at 4/25/2017 meeting [Postponed for this report]

New Action Items

1. Summarize TZExpress ridership survey
2. Coordinate VSN public comments on FDR
3. Reach out to County, Clarkstown, Nyack and Tarrytown to survey the extent to which our separate concerns with the FDR are shared across jurisdictions

Abbreviations Used

BOT	Board of Trustees
FDR	Final Design Report
ICM	Integrated Corridor Management
LHTL	Lower Hudson Transit Link
NYS DOT	New York State Department of Transportation
RFP	Request for proposals
TAC	Technical Advisory Committee
VSN	Village of South Nyack