

**SPECIAL MEETING
SOUTH NYACK BOARD OF TRUSTEES
WEDNESDAY, MARCH 29, 2017**

PRESENT: Mayor Bonnie Christian
Deputy Mayor Alain Leinbach
Trustee Andrew Goodwillie
Trustee Charles Boone
Trustee Catherine McCue

ALSO PRESENT: Village Clerk Jill Schwarz
SNGV Police Chief Brent Newbury
Village Special Counsel Dennis Lynch
Task Force Member Nancy Willen
Task Force Member Jerry Ilowite
Task Force Member Richard Kohlhausen
Members of the public

Following the Pledge of Allegiance, Special Counsel Dennis Lynch stated that the Village Clerk forwarded the resolution that the Board adopted on March 22, 2017 to the New York State Thruway Authority (NYSTA) and their legal counsel. Mr. Lynch summarized the March 22nd resolution including the following:

- NYSTA must provide confirmation that they complied with the eminent domain proceeding law within 30 days of the date the resolution was adopted.
- Village maintains all of its rights to all village property.
- No one can undertake any activities on village property without a Board resolution.

Mr. Lynch stated that there is no documentary evidence supplied to date that the eminent domain procedures under sections 202 and 204 C-1 of the law have been complied with.

There was a discussion about how the meeting would run.

Mayor Christian called the open session to order at 7:40pm.

Laura Steinberger stated that she attended a New York State Thruway Authority Board meeting and read aloud what she stated to the NYSTA. Ms. Steinberger distributed a document containing two maps illustrating the extent of the New NY Bridge Shared Use Path Secondary Access as it would appear under Concept F and Concept F Refined.

James Riley, Counsel for Preserve South Nyack (PSN), commented that he appreciates the efforts of the Village of South Nyack related to issue of whether or not the NYSTA complied with the eminent domain proceeding law. Mr. Riley also commented on Concept F Refined.

Task Force Member Nancy Willen commented that the Task Force made a recommendation based on what they knew at the time and supported the concept that they felt worked best for the whole community. Ms. Willen also stated that Mayor Christian and the Board did reach out to the State with Concept F Refined. The State responded that they were not going to change the plan since the SUP environmental study had already been completed. The State would be willing to work with the community on changes to the design/plan that would not affect the current environmental study.

Task Force Member Richard Kohlhausen commented that it was a long, involved process to get to the point of choosing which concept would be best for the Village as a whole. The State ultimately presented the Village with two concepts to choose from: concept E or Concept F.

Members of the public spoke about the Shared Use Path (SUP) including:

- There were unknowns and circumstances that have changed since the time that the Board chose Concept F.
- Concern about the amount of trees that will be removed.
- What action will the Village take if the NYSTA does not comply with Eminent Domain law requirements?
- How will Franklin Street be able to accommodate a bike lane?
- Governor Cuomo has proposed a Greenway bike path that will run from Manhattan to Canada which may affect the Esposito Trail in the future.
- Concept F Refined has a secondary access path that would end in front of homes on South Broadway.
- Concept F Refined may result in the NYSTA not providing added sound pollution protection needed in the South Broadway neighborhood.
- Concept F should provide overlapping sound walls while also allowing bicycle access.

At 8:27pm, upon motion made by Mayor Christian, seconded by Deputy Mayor Leinbach and carried, the open session was closed.

OLD BUSINESS:

SHARED USE PATH:

The Board of Trustees discussed their views about the Shared Use Path Concept F as follows:

Deputy Mayor Leinbach shared his thoughts about why he supported Concept F including the following:

- Connectivity of trails will make them more useful and allows more people to use them.
- Although the Esposito Trail falls in South Nyack it is a public asset.
- Concept F helps improve the trail for the public without incurring all of the cost on the village.
- Primary terminus is within the Interchange. Visitors from out of the area will most likely park in the parking lot. The connectivity of the Shared Use Path allows residents to walk to the SUP.
- A short paved side path will help manage the cyclists and safely deliver them to Franklin Street.
- Most of South Broadway has sidewalks and homes on both sides. It would be difficult to accommodate a bike lane.

Trustee McCue shared her thoughts about why she supported Concept F including the following:

- The proposed parking lot located in Interchange 10 was a significant gain for the Village and will help decrease the parking on our Village streets.
- The NYSTA will improve and beautify the trail which will result in a safer and more appealing trail.
- There were many residents that are comfortable with Concept F.
- Broadway has a lot of traffic.
- Recognizes the concerns of the residents most affected by Concept F.

Trustee Goodwillie shared his thoughts on Concept F including the following:

- Concept F contains two secondary access points.
- His appreciation of the Task Force's hard work to move the parking lot into Interchange 10.
- The Board's understanding was that no land would be acquired by the NYSTA with Concept F.
- In the past 14 months additional factors have come up since the Board voted on the preferred Shared Use Path concept.
- Shared Use Path cyclists and pedestrians will be directed onto Franklin Street; a narrow, busy Village street.
- The Shared Use Path Trailhead will be located near school bus stops.
- His concern that bicyclists will continue on the Esposito Trail instead of taking the Franklin Street route.
- On-street parking would likely increase in the area of the secondary access.

- The Shared Use Path will remain open after dark to accommodate commuter traffic which may negatively affect the surrounding homes.
- There will be less car traffic on South Broadway when the on ramp is permanently closed.
- Concept F Refined would be less expensive for the State.
- Concept F Refined would direct cyclists onto South Broadway; one of the Village's widest roads.
- Concept F Refined would eliminate the State's obligation to maintain and secure the paved side path.
- Concept F Refined better meets the criteria that the Tappan Zee Task Force used in determining its Shared Use Path concept recommendation.
- Any proposed changes related to Concept F must be fully reviewed by the Village Land Use Boards, namely the Planning Board and the Zoning Board of Appeals.

Trustee Charles Boone shared his thoughts about why he supported Concept F including the following:

- South Nyack will be faced with a lot of change due to the new bridge, the Shared Use Path and several new developments being built in the Village of Nyack.
- South Nyack is no longer eligible for Community Block Grant Funding due to the change in its economic demographics which in the past help defray maintenance and improvements costs.
- With Concept F the NYSTA is supposed to be responsible for the maintenance and security of the Shared Use Path.
- The sidewalks and lighting along South Broadway would have to be improved to insure the safety of the cyclists and pedestrians with Concept F Refined. This would be a financial burden on the Village.
- Concept F Refined would negatively impact the residents living along South Broadway due to the increased number of cyclists and pedestrians traveling nearby their homes.
- The Esposito Trail is a better option for cyclists and pedestrians traveling to the Nyacks.
- The Esposito Trail needs improvements which with Concept F the NYSTA will incur the cost of rather than the Village.
- Only the Tappan Zee Express bus route is being re-routed. Therefore there will still be bus traffic on South Broadway.
- Parking is allowed on both sides of South Broadway therefore narrowing the road.
- Although trees along the Esposito Trail will be removed, new trees will be planted.

Mayor Christian commented on her thoughts about why she supported Concept F including the following:

- The Task Force has done an outstanding job evaluating the different Shared Use Path concepts that the NYSTA presented.
- Concept F provides a parking lot and restrooms while keeping both off of Village roads.
- The re-routing of the bridge traffic to Route 9W moves the cars onto a State road. This reduces the wear and tear on our Village roads; therefore reducing the Village's street maintenance costs.
- The paved side path will help keep cyclists off of the Esposito Trail and was not developed for the purpose of delivering cyclists to the Village of Nyack.
- Many of the trees along the Esposito Trail are dead trees and weed trees that should be removed.
- The Village is in a position to benefit from improvements made to the Esposito Trail that will be paid for by the NYSTA.
- The Task Force and the Board needs to focus on the plan details that the Village can provide input about.
- She has encountered residents that are in support of Concept F.

At 9:13pm, upon motion made by Mayor Christian, seconded by Deputy Mayor Leinbach and carried, the meeting was adjourned.

Respectfully submitted,

Jill Schwarz
Village Clerk