

**Minutes of the Special Meeting
of the Village of Nyack Board of Trustees
Held at Village Hall at 2:00 pm on Tuesday, July 7, 2026**

Present: Joseph Rand, Mayor
Donna Lightfoot-Cooper
Joseph Carlin, Trustee

Also Present: Andrew Stewart, Village Administrator
Linda Donnelly, Village Clerk

Absent: Pascal Jean-Gilles, Trustee
Nathalie Riobe-Taylor, Trustee

Meeting called to order at 2:05 pm

Pledge of Allegiance

Mayor's Introduction

COMMENTS FROM THE VILLAGE BOARD

None Received

PUBLIC COMMENT

None Received

ACTION ITEMS

RESOLUTION NO. 2026-134 – CONSIDER ACCEPTANCE AND APPROVAL OF A PROPOSED SETTLEMENT OF THE LAWSUIT *BOARD OF MANAGERS OF 103 GEDNEY STREET V. VILLAGE OF NYACK*, WHICH IS VENUED IN NYS SUPREME COURT, ROCKLAND COUNTY (INDEX # 034712/2021)

The following resolution was offered by Trustee Carlin, seconded by Trustee Lightfoot Cooper.

RESOLVED, the Board of Trustees of the Village of Nyack approves the attached settlement of the lawsuit “Board of Managers of 103 Gedney Street v. Village of Nyack,” which is venued in Rockland County (Index # 034712/2021)

Administrator Stewart explained that a long-standing lawsuit concerns a stormwater pipe beneath 103 Gedney Street that was privately built in the 1960s without any village easement and cannot be accessed for maintenance. The plaintiff has argued the Village should be responsible, but the Village’s

review indicates the pipe is a private system. Recent engineering reports identified defects in the pipe and maintenance issues at a Village catch basin. Due to legal uncertainties, counsel recommended considering a settlement. Administrator Stewart noted the project may qualify for a State grant for stormwater and climate-related improvements, and the proposed settlement outlines shared-cost approaches depending on whether grant funding is awarded. The Village has found no evidence that it ever owned or maintained the pipe.

Trustee Carlin asked whether the settlement agreement would make the Village responsible for maintaining the stormwater system, and Administrator Stewart and Attorney Soller confirmed that the Village would take on that responsibility once the plaintiff grants a permanent easement at the front of the property. He also asked whether the stormwater pipe would remain under the building or be relocated, and Administrator Stewart explained that the new design places a new pipe in the parking lot instead of beneath the structure.

Trustee Carlin asked what precipitated the issue and whether there were leaks or drainage problems. Administrator Stewart answered that the building owners uncovered stormwater infiltration and deterioration of the stormwater pipe during a 2021 basement excavation to fix a sewer problem, likely worsened by tidal impacts and past storms.

Mayor Rand asked Attorney Soller to confirm that she approves of the settlement draft sent earlier that day and recommends the Board adopt it, and Attorney Soller said she does, noting only minor language changes may still occur.

On roll call the vote was as follows:

Trustee Jean-Gilles Absent

Trustee Lightfoot-Cooper . . Yes

Trustee Carlin. Yes

Trustee Riobe-Taylor Absent

Mayor Rand Yes



DEPARTMENT REPORTS

None

OLD BUSINESS

None

NEW BUSINESS

None

COMMUNICATIONS

None Received

EXECUTIVE SESSION

Motion by Trustee Carlin, seconded by Trustee Lightfoot Cooper to enter into executive session at 2:20pm.

Reason for session: Legal Matter

Motion by Trustee Lightfoot Cooper, seconded by Trustee Carlin to end executive session at 2:28 pm. Motion carried unanimously.

ADJOURNMENT

Motion offered by Trustee Carlin, seconded by Trustee Lightfoot Cooper to adjourn meeting at 2:28 pm. Motion carried.

VILLAGE CLERK