

**RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF  
UPPER NYACK ADOPTING LOCAL LAW # 2 OF 2023  
REPEAL OF GENERAL ORDINANCE 5.13**

WHEREAS, the Board of Trustees of the Village of Upper Nyack (the “Board of Trustees”) is the duly elected legislative body of the Village of Upper Nyack and is authorized to adopt Local Laws; and

WHEREAS, proposed Local Law # 2 of 2023, a local law repealing General Ordinance 5.13 (the “Local Law”), was introduced to the Board of Trustees at its meeting of November 19, 2022; and

WHEREAS, the text of the Local Law was posted on the Village’s website and made available to the public in the Village Clerk’s office; and

WHEREAS, the Local Law was referred to the Rockland County Department of Planning pursuant to General Municipal Law Section 239-m on December 6, 2022 and no comments on the Local Law were provided by the Rockland County Department of Planning; and

WHEREAS, on or around December 6, 2023, copies of the Local Law were circulated to the Palisades Interstate Park Commission, the New York State Department of Transportation, the New York-New Jersey Trail Conference, the Village of Nyack Housing Authority, the Town of Clarkstown and the Village of Nyack; and

WHEREAS, by resolution adopted on January 19, 2023 the Village Board of Trustees, as the only involved agency in the SEQRA review of the Local Law and related zoning law amendment adopted as Local Law 1 of 2023, has adopted a Negative Declaration thereby concluding the SEQRA review of the Action; and

WHEREAS, on January 19, 2023 a duly noticed public hearing was held to consider the adoption of the Local Law; and

WHEREAS, the public hearing on the Local Law was held open and adjourned to the Board’s meeting of February 16, 2023; and

WHEREAS, all who wished to comment on the Local Law at the public hearing were afforded the opportunity to do so and the public hearing was closed; and

WHEREAS, the Board of Trustees finds that the adoption of the Local Law is in the best interest of the Village.

NOW THEREFORE, BASED ON ALL OF THE INFORMATION BEFORE THE BOARD, BE IT RESOLVED THAT, the Board of Trustees of the Village of Upper Nyack hereby adopts Village of Upper Nyack Local Law #2 of 2023, repealing General Ordinance 5.13.

RESOLVED FURTHER, that the Village Clerk shall enter said local law in the minutes of this meeting, shall cause the local law to be filed with the New York State Department of State

and shall take all other actions necessary to comply with all other notice and filing requirements of applicable laws.