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All correspondence must be sent to Rockland County Office

June 27, 2018

Via E-Mail

Village of Nyack
Office of the Clerk
9 North Broadway
Nyack, New York 10960

Re: Report of Frederick P. Clark Associates dated June 19, 2018
Depew Avenue – On-Street Parking Evaluation, Nyack, New York
and
249-259 Main Street Project called “Diana Place”

Dear Sir or Madam:

Pursuant to the Freedom of Information Law (“FOIL”), please accept this request for access to all documents with regard to the above-captioned Report dated June 19, 2018 as well as the 249-259 Main Street Project called “Diana Place” (the “Project”) as well as the Developer of Diana Place (the “Developer”) as follows. The reference to “document” or “documents” herein refers to ” means any papers, writings or records including emails, text messages and other electronic forms of communication of any type, source or authorship, in your possession, custody or control, or of which you have knowledge, wherever located, however produced or reproduced and whether a draft, an original or a copy. By way of illustration and not limitation, the term “documents” shall include memoranda or telephone conversations; summaries, diaries or other records of personal conversations or interviews; and minutes, summaries or other records of any meetings, discussions or conferences; as well as all other notes, reports, records, data, memoranda, correspondence, notebooks, scrapbooks, diaries, minutes, summaries, financial

statements, ledgers, magnetic tape or other sound recordings, telegrams, letters, photographs, drawings, plans, studies, manuals, instructions, bids, specifications, curves, graphs, sketches, blueprints, charts, motion picture film, microfilm, computer records, photographs, photograph negatives, videotapes, microfiches, photocopies, photostats, descriptions, purchase orders, agreements, drafts of agreements, trade tickets or trade records, account statements, contracts, invoices, cancelled checks, bills of lading, prospectuses, inter-office and intra-office communications, offers, notations of any sort of conversations and meetings, bulletins, computer printouts and records, invoices, worksheets, accountants notes and work papers, published or unpublished speeches, manuscripts or articles, transcripts affidavits, depositions, printed matter, publications and any other retrievable intelligence, however recorded, memorialized or preserved. Any original or copy containing thereon or having attached thereto any alterations, notes, comments or other material, not included in each original or copy, shall be deemed a separate documents within the foregoing definition.

The following documents are requested to be produced:

1. All documents reflecting the hiring, compensation and payment to the Frederick Clark Planning Firm (the "Firm") for the above Study/Report and Project.
2. All documents evidencing communications from any official from the Village of Nyack to the Firm about the Study/Report and Project.
3. All documents evidencing communications from any employee from the Village of Nyack to the Firm about the Study/Report and Project.
4. All documents evidencing communications from any consultant from the Village of Nyack to the Firm about the Study/Report and Project.
5. All documents evidencing communications from the Village Attorney from the Village of Nyack to the Firm about the Study/Report and Project.
6. All documents evidencing communications from any official of the Village to the Firm about the Study/Report and Project.
7. All documents evidencing communications from any employee of the Village of Nyack from the Firm about the Study/Report and Project.
8. All documents evidencing communications from any consultant to the Village of Nyack about the Study/Report and Project.
9. All documents evidencing communications from the Village Attorney of the Village of Nyack to the Firm about the Study/Report and Project.
10. All draft copies of any and all reports from the Firm to any Village Official, Employee, Attorney or Consultant about the Study/Report and Project.
11. All documents provided to the Firm from any Village Official, Employee, Attorney or Consultant about the Study/Report and Project.

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12. All documents provided from the Firm to any Village Official, Employee, Attorney or Consultant about the Study/Report and Project
13. All documents provided to the Firm from the Developer.
14. All documents provided from the Firm to the Developer.
15. All documents regarding the employment of Marcia Denker.
16. All documents regarding grant money or other funds for the Position of Village Sustainability Coordinator.
17. All documents regarding the premises known as 218 Depew Avenue.
18. All documents regarding communications from any Village Employee or official or Officer to the Developer.
19. All documents regarding communication from the Developer to any Village Employee, Official or Officer.

If the Village of Nyack has the ability to retrieve or extract any of the above records or data that are maintained in a computer storage system with reasonable effort, please do so in accordance with the mandatory requirements of the New York State Public Officers Law § 89(3)(a). Please advise our Office as the requested records become available for inspection and the fees for reproduction of the records sought to be copied.

If the Village of Nyack is denying any portion of the above request, our office demands that the information sought be preserved and/or copied pending any challenge to the denial of this FOIL request and/or pending the outcome of any civil or criminal litigation that may arise concerning this matter.

Failure of the Village of Nyack to respond within **five (5) business days** either making such record available pursuant to this request, denying such request in writing or furnishing a written acknowledgment of the receipt of such request and a statement of the approximate date (which shall be reasonable under the circumstances of the request) when such request will be granted or denied, shall be considered a denial in accordance with the Public Officers Law § 89(3)(a), initiating the statutory period for appeal of said denial.

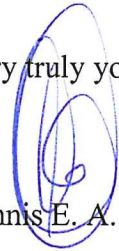
If you or any employee of the Village of Nyack that is aware of this request, believes that access to any of these records is being willfully concealed or records are being destroyed in an attempt to prevent public inspection of the record, please contact our Office at the above number at your earliest convenience and/or your local law enforcement authority.

Thank you for your attention to this matter and please contact our Office if you require clarification of any of the above described records. If any portion of the above requested records

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becomes available, please advise our Office to facilitate inspection of the records that are available.

Very truly yours,



Dennis E. A. Lynch

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