

**INCORPORATED VILLAGE OF PIERMONT
BOARD OF TRUSTEES MEETING
August 7, 2018**

Present: Mayor Bruce Tucker, Deputy Mayor Mark Blomquist, Trustee Ivanya Alpert, Trustee Rob Burns, Trustee Nate Mitchell and Jennifer DeYorgi-Village Clerk-Treasurer.

Not Present: Walter Sevastian, Esq. -Village Attorney

Mayor Tucker called the meeting to order and led everyone in the Pledge of Allegiance.

Item #1 – Approval of Meeting Minutes

Deputy Mayor Blomquist made a motion to approve the minutes for July 10, 2018. The motion was seconded by Trustee Alpert and so carried with a vote of 4 ayes and 0 nays.

Trustee Burns made a motion to approve the minutes for July 16, 2018. The motion was seconded by Deputy Mayor Blomquist and so carried with a vote of 4 ayes and 0 nays. Mayor Tucker abstained as he was not present.

Item #2 – Approval of Warrant

Deputy Mayor Blomquist made a motion to approve Warrant #052918 in the amount of \$3,101.91, Warrant #072518 in the amount of \$35,097.17 and Warrant #080718 in the amount of \$96,006.46 for a grand total of \$134,205.54. The motion was seconded by Trustee Burns and so carried with a vote of 5 ayes and 0 nays.

Item #3 – Department Reports

Department of Public Works - Highway Superintendent Tom Temple informed the Board he turned in his July report. He is still waiting for an update from Tilcon for the road resurfacing for Hudson Terrace, Rite Street, Paradise Avenue and the end of the Pier. His contact is trying to get ahold of their project manager and they are a little backlogged because of the rain, but he is hoping they can get the job started in the next week or two. They finally have the agreement in hand from Suez's lawyers for the monies they are giving us toward the road resurfacing of Hudson Terrace after their waterline project that was completed. We are looking for a sum of \$51,500 to offset the cost of resurfacing our roadway. We have the agreement in hand, the Mayor has it and he is asked the Board to authorize the Mayor to sign same, so we can move forward and get the check as soon as possible. Trustee Burns made a motion to accept the agreement from Suez Water for the \$51,500 they are giving us toward the repaving of Hudson Terrace. The motion was seconded by Trustee Alpert and so carried with a vote of 5 ayes and 0 nays.

Trustee Burns asked what the status is of the trim machine? And what is the status of the trimming on the NorthShore Walkway? Tom Temple stated the machine is in Albany being worked on now. The problem is, the dealer we originally bought the machine from is no longer a dealer and the new dealer is not up to speed on certain equipment and is a little slow at repair, but it is in progress. Being that the machine is down, he has been putting 3-4 guys on the wall 2 days a week (when he can spare them to do it) on the Northshore walkway. They start on the west end and are about 250-300 feet in. It's progress, but slow as it is thick. Hopefully the machine will be back before summer is over.

Trustee Burns asked Tom Temple if it would help, and if he had any money in his budget, to hire some college kids to help? Tom Temple stated they have one position in their budget for seasonal summer help, which they have. They hired Patrick who was hired in early July and will be able to work through August, but those are the only funds they have.

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Mayor Tucker asked for an update on the Boat Club Boat ramp. Tom Temple stated we are still waiting for the DEC permit, we had them expedite the one of the Pier, which is done. The Boardwalk on the Pier is complete, and people can go out there now. He will call Ken about the boat ramp and see if he can get ahold of the DEC. Mayor Tucker asked if there is a plan to put benches on the Boardwalk? Tom Temple stated he is buying three new benches for that area and will install them right out to the deck so in the future, they will be able to be unbolted and kept safe from any storm damage.

Mayor Tucker asked about the crosswalks at the 5 points. Tom Temple stated pavement markings are labor intensive and the paint is a water-based paint, so they cannot paint in the rain. Hopefully in the next couple weeks they can have that done.

Mayor Tucker asked about the “cars only” signs. Tom Temple stated he spoke to his sign dealer today to see what the holdup was? He put a big order in and is waiting for an answer.

Police Department – John McAvoy was before the Board regarding the PAL concert at the Pavilion on Labor Day. He is before the Board as they are requesting to have amplified music and to charge admission. This is to benefit the PAL. They would like to have the Pier closed to vehicle traffic on that day as well. There will be a number of bands performing. Chief O’Shea stated every year they are able to keep the PAL budget flat or decrease it because of this event. It pays for basketball and golf and we are able to use these funds to provide the activities because John is so generous to donate his time and he puts a lot of time into this. John stated this is also a minimal effect on the Village in terms of resources. Trustee Alpert made a motion to waive the rule regarding amplified music, charging of admission fee, and to close the Pier to vehicles on Labor Day for the Piermont PAL Labor Day Concert. The motion was seconded by Deputy Mayor Blomquist and so carried with a vote of 4 ayes and 0 nays.

Chief O’Shea stated they are looking forward to the Fire Parade and the planning is going well. He introduced Dr. Charles Dutkowsky to the Board who has given to our police department for over 30 years. If anyone gets injured, they go to the hospital and he is their certified doctor to make sure that everything is in order. He is a Piermont resident.

Building Department - Building Inspector Charles Schaub was not present.

Parks Department – Dan Sherman, Chairman of the Parks Department was not present. Joe Serra stated the committee for Art in Public Places met for the first time this past Monday.

Fire Department – Chief Don Hardy stated they are moving forward with the Parade, September 8, 2018. They are meeting with the Police Department. Tom Temple is the chairman of the parade and they have been having meetings and it is moving forward.

Item #4 - Old Business

Village Clerk-Treasurer stated she needs the fire department air conditioning costs if we are going to put that in capital. Deputy Mayor Blomquist stated he spoke to Chief Hardy and the total floor square area that is the Village’s is 40% of it. Roughly \$9,000 would be the 40%. Empire Hose is opting to pay their part out of their own funds, so the Village would be covering \$9,000 as long as the Board approves. Village Clerk-Treasurer stated Cal Mart did the work at the train station and at the time we went out to bid for the job we didn’t require a performance bond because it was easier for a local construction company to do the work, so we did a 20% retainage for 1 year after the project was done. There was also a small bill we did not pay yet,

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\$1,856 for the outside grading. They just finally finished it. Ken went out on Friday and approved it so now Cal Mart sent a bill for the 20% retainage of \$25,183.60 and the final bill of \$1,856.00, total \$27,039.60. Mayor Tucker asked if Ken has confirmed there was no issues with the work that was done? Village Clerk-Treasurer stated the work was done last year, but there was some outside grading for drainage. Ken finally went back out again because they have been going back and forth on this. Trustee Burns asked if this was extra, or included in this projected? Mayor Tucker stated it was part of the project, but it was extra money on top to have them do it? Village Clerk-Treasurer stated the project was broken up into several different phases and one of them was outside drainage and the grading. She doesn't believe they did it to Ken's satisfaction initially, so he went back to them and they went back and forth. They did go back recently and redo something. Cal Mart has been looking for this money and Ken went out and looked at the site and said it is complete. Trustee Burns asked if we have been holding back the \$1,856.00? Village Clerk-Treasurer stated we did not pay that portion because they were not done and she does not pay until Ken gives a letter saying it is okay to pay, he is going to send an approval letter over today. Mayor Tucker stated to not release the check until we receive the letter from Ken.

Trustee Burns made a motion to pay Cal Mart the retainage of \$25,183.60 and their final invoice of \$1,856.00, totaling \$27,039.60. The motion was seconded by Deputy Mayor Blomquist and so carried with a vote of 4 ayes and 0 nays.

Mayor Tucker had no old business to discuss.

Deputy Mayor Blomquist had no old business to discuss.

Trustee Alpert had no old business to discuss.

Trustee Burns stated he met with Dan Sherman on Monday about their project for the four pictures on the wall. He is moving along on that and hopefully in September or early Fall we will have them.

Village Attorney was not present.

Item# 5 New Business

Village Clerk-Treasurer stated D'Vine Pie put a special permit application into Charlie, which she forwarded to the Board. The Board needs to set a public hearing and refer them to the Planning Board for comment. This is for strung lights over the patio. Dan Spitzer stated maybe they could expedite it and discuss it on Monday. The Planning Board is issuing an advisory opinion to the Village Board and they make the final decision. Mayor Tucker stated if the Planning Board can hear this on Monday, we can schedule the public hearing for September 4, 2018.

Village Clerk-Treasurer stated every year we participate in the Community Development Block Grant Agreement with the County. Sylvia Welch recommends that we continue to participate. Trustee Burns made a motion to sign the Community Development Block Grant Agreement and that the Mayor sign a resolution. The motion was seconded by Trustee Alpert and so carried with a vote of 4 ayes and 0 nays.

Village Clerk-Treasurer stated the Esnard Bulkhead Restoration project. The Village Attorney reviewed, and she gave it to the Board to review. Village Attorney filled out the Coastal Assessment form and it is consistent with the LWRP, which is what the Army Corp of Engineers was asking the Village to confirm, and the Village Attorney has done that. Mayor Blomquist made a motion to approve turning the form into the Army Corp of Engineers. The motion was seconded by Trustee Burns and so carried with a vote of 4 ayes and 0 nays.

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Village Clerk-Treasurer stated a Trustee from Hastings on Hudson put out a draft resolution for the Army Corp of Engineers storm management proposals and he is asking other municipalities to join in and do the resolution as well, which was circulated to the Board. Deputy Mayor Blomquist asked, specifically what he was asking for was an extension of time for comments? Mayor Tucker stated that was a major part of it. They are following Riverkeeper and the concerns they have. This is in regard to the study going on in New York City by the Army Corp of Engineers to build booms to seal off New York Harbor in case of another Hurricane Sandy. There is a concern that these dikes will have a negative effect on the Hudson River. Part of it was they tried to push it through by having three days of public meetings. We are joining the Village of Hastings opposing that and asking them to extend it to 90 days of public hearings for a variety of reasons. Mayor Tucker recommends that we sign it. Trustee Burns moves that the Board authorize the Mayor to sign this resolution. The motion was seconded by Trustee Alpert and so carried with a vote of 4 ayes and 0 nays.

Village Clerk-Treasurer stated every year the Village of South Nyack hosts the Rockland Roadrunners 10-mile run. This year it will be Sunday, September 9, 2018, which is the day after the Rockland County Volunteer Firefighters Parade. Chief Hardy states he does not see a problem with that. Chief O'Shea stated they will have to close some roads, but it is early, and they will have additional staffing. There will be traffic delays. They come through Piermont Avenue and down to the Pier and down and around. They are clear by 9:30am. Trustee Alpert made a motion to approve the Rockland Roadrunners 10-mile run to go through the Village on September 9, 2018. The motion was seconded by Trustee Burns and so carried with a vote of 4 ayes and 0 nays.

Village Attorney was not present.

Trustee Burns requested an executive session regarding a personnel issue.

Mayor Tucker had no new business to discuss.

Trustee Alpert had no new business to discuss.

Deputy Mayor Blomquist stated we all know we have a phenomenal police force, but he wanted to recognize one person in particular, Detective Hurley. One of his family members was the victim of an internet scam and lost some property and was convinced we were never going to see it again. By some miracle, and some incredible police work, he was able to track it down and get it back to his son. He thanked the Police Department. Chief O'Shea stated the internet scams are getting more and more complicated and Detective Hurley did a great job of tracking the items to a warehouse that is used to hold various property from all over the country and then goes to China. He tracked down the warehouse, found them and they were going to go to China the next day. He spoke to the owners, exposed them and got this property back.

Item #6 Other Non-Agenda Items:

None.

Item #7 Accept the resignation of Trustee Lisa DeFeciani

Trustee Burns made a motion to accept the resignation of Trustee Lisa DeFeciani. The motion was seconded by Deputy Mayor Blomquist and so carried with a vote of 4 ayes and 0 nays.

Bob Samuels asked that her resignation letter be read.

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Mayor Tucker read her resignation letter as follows: “It is with regret that I am writing to inform you of my decision to resign my position on the Board of Trustees in the Village of Piermont. My other commitments have become too great for me to fulfill the requirements of my position on the Board and I feel it is best for me to make room for someone with the time and energy to devote to the job. It has been a pleasure being a member of the Village Board and I am so proud of all we have accomplished in the past 6 years. Please consider my resignation effective the last day of July 2018. I am happy to continue to participate in the committees I work with, such as the Piermont Waterfront Resiliency Commission and will also will help to catch my replacement up to speed if necessary. Best, Lisa DeFeciani.”

Item #8 Appoint new Trustee into vacant position on the Village Board

Mayor Tucker swore in Nathan Mitchell to position of Piermont Village Trustee. Mayor Tucker stated Nathan has been on the Planning Board for many years and they are excited to have him as a member of the Village Board.

Item #9 Appoint new Chair of the PWRC and appoint new member of the Planning Board

Mayor Tucker appointed Lisa DeFeciani as a voting member of the PWRC. Mayor Tucker swore in Nathan Mitchell as Chair of the PWRC.

Mayor Tucker swore in Ed Nelson as a member of the Planning Board.

Item #10 Accept Police Officer Dowd’s retirement effective August 27, 2018

Trustee Burns made a motion to accept Police Officer Dowd’s retirement effective August 27, 2018. The motion was seconded by Deputy Mayor Blomquist and so carried with a vote of 5 ayes and 0 nays.

Item #11 Appoint Peter Boutros to Full-Time Police Officer into vacant position effective August 28, 2018

Chief O’Shea stated Officer Boutros is here is his family tonight. He was recognized for being a Hudson Valley Hero today for pulling a baby off train tracks. Last year he talked to a suicidal person and saved their lives. He has been a police officer for 3 years and has saved 2 lives, that is the kind of person he is. We can teach law, but we can’t teach people to care. He has expressed an interested to work with care and has attended PAL meetings. He will be a great addition to our force and he believes the Board and the Village will be well served by outstanding police officers.

Deputy Mayor Blomquist made a motion to appoint Peter Boutros to full-time police officer effective August 28, 2018. The motion was seconded by Trustee Burns and so carried with a vote of 5 ayes and 0 nays.

Mayor Tucker swore in Peter Boutros to the position of police officer, Village of Piermont.

Item #12 7:45pm Public Hearing “Do Not Knock Registry”

Trustee Burns made a motion to open the public hearing at 8:13pm. The motion was seconded by Nathan Mitchell and so carried with a vote of 5 ayes and 0 nays.

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Mayor Tucker stated, following the Town of Orangetown “Do Not Knock” Policy, we are following our own “Do Not Knock Registry” where we are going to set up a system for Piermont residents to register so that any groups that want to come in a solicit house to house, first must check with the Village to see who has signed the Do Not Knock Registry so that nobody can come to their house to sell them something, to make an offer to buy their house, or whatever it is.

Bob Samuels asked if that included people running for office who want you to sign their petitions?

Mayor Tucker stated he does not believe that is part of this, they are not selling anything.

Deputy Mayor Blomquist stated this is only for commercial applications.

Trustee Burns made a motion to close the public hearing. The motion was seconded by Trustee Alpert and so carried with a vote of 5 ayes and 0 nays.

Trustee Burns made a motion to adopt the resolution and local law as drafted for the “Do Not Knock” Registry. The motion was seconded by Deputy Mayor Blomquist and so carried with a vote of 5 ayes and 0 nays.

Item #13 Review of proposed Reusable Bag Local Law

Mayor Tucker stated we are proposing that we are going to ban the use of one-time plastic bags and Styrofoam packaging for retain checkout of purchased goods in the Village of Piermont. There will be a public hearing regarding this on September 4, 2018.

Item #14 Request from Clearwater to dock at the end of the Pier on Friday, September 21 through Saturday, September 22, 2018 and Friday, September 28 through Sunday, September 20, 2018

Village Clerk-Treasurer stated Clearwater comes every year to dock at the end of the Pier. It is an educational program. She will let them aware of the Sunday vehicle pier closure. We wave any docking fee as it is an educational program.

Trustee Burns made a motion to permit Clearwater to dock at the end of the Pier on Friday, September 21 through Saturday, September 22, 2018 and Friday, September 28 through Sunday, September 20, 2018. The motion was seconded by Trustee Mitchell and so carried with a vote of 5 ayes and 0 nays.

Item #15 Review proposed draft of PHS lease agreement for the Piermont Train Station

Piermont Historical Society had a three-year lease for the Piermont Train Station which expires in September. They are looking for an extension. President Barbara Schulen sent a letter indicating what her request is.

Mayor Tucker recused himself as he is a board member of the Piermont Historical Society.

Deputy Mayor Blomquist stated we are looking at keeping this lease agreement at the existing annual fee of \$3,000, with the Village paying for utilities and the alarm system. They are asking to increase the length of the lease to 7 years from the existing 3 years.

Village Clerk-Treasurer stated the Village Attorney is not present and he has some input on the lease in terms of the length.

Deputy Mayor Blomquist adjourned this to the September 4, 2018 meeting.

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Barbara Scheulen stated their lease ends September 1, 2018.

Trustee Burns stated he wouldn't worry about the 3 days between then and the meeting, we are going to extend the lease, we just need to have the Village Attorney go over it with us as far as length of time.

Barbara Scheulen stated they asked for 7 years because they have made significant improvements to the station and some large investments and hope to continue to do so be landscaping the area. To have a 3-year lease after putting this kind of money into it, just doesn't seem like the right kind of thing. When they ask for grants, it will also help as it is a long-term commitment.

Item #16 Schedule Public Hearing on the Application of New Cingular Wireless to amend a Special Permit for a wireless facility on 1-10 Roundhouse Road

Daniel on behalf of the firm representing Cingular Wireless was present. They are replacing the antennas and fencing that goes around cupola.

Mayor Tucker stated the Village Attorney wanted the Board to refer this to the Planning Board for their recommendation.

Trustee Burns made a motion to refer this application to the Planning Board for the September 17 meeting for recommendation. The motion was seconded by Trustee Mitchell and so carried with a vote of 5 ayes and 0 nays.

A public hearing was scheduled for September 25, 2018.

Village Clerk-Treasurer stated she will forward this application to the Planning Board.

Item #17 Resolution for BOND and BAN items

Village Clerk-Treasurer stated this is for the 2019 Capital expenses, she just has to add the \$9,000 for the Fire Department for their heating/cooling system. Deputy Mayor Blomquist stated he inadvertently left off the battery pack for the dive comm base station for \$250, which brings the dive comm base station to \$2,500.

Deputy Clerk-Treasurer stated the Fire Department total is \$62,677.30, some of which are BAN and Bond items, which the financial advisor will differentiate for us. Total of all items is \$519,715.97.

Deputy Mayor Blomquist made a motion to accept the resolution to accept the 2019 capital project expenses for a total of \$519,715.97, some of which will be Bond and some of which will be BAN, depending on their life span. The motion was seconded by Trustee Burns and so carried with a vote of 5 ayes and 0 nays.

Item #18 Public Comment

Daniel Spitzer - Over the last couple of months he has noted a significant profusion of signs through the Village, many are commercial, window washers, movers and so on. Some are actually for Village events. Regardless, the Village code is very specific about which signage is permitted. Political signage around the time of an election, he presumes, are excluded from this, but these are not political signs. They are from people who control mosquitos to commercial ventures. Some are on private property and many are posted on public right of way.

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He would like this to be addressed because it is becoming unsightly and like the broken window policy of policing, once you get one sign everyone thinks they can put up their own sign. You can count 20-30 signs through just a portion of the Village now. He asked the Village Board to figure out how to deal with this. We need some direction from the Board as to who is responsible and how to handle this. Signs are even showing up on telephone signs.

Tom Temple stated we will normally take signs down from any Village owned property. If political signs are not on private property in November, they will also take those down.

The Board thought the enforcement would come from the Building Inspector.

Mayor Tucker stated he will run this by the Village Attorney in terms of enforcement. Dan Spitzer will also speak to Lino.

Item #19 Executive Session to discuss personnel issues

Trustee Burns made a motion to enter Executive Session at 8:35pm. The motion was seconded by Trustee Alpert and so carried with a vote of 5 ayes and 0 nays.

Trustee Burns made a motion to exit Executive Session at 9:05pm. The motion was seconded by Trustee Alpert and so carried with a vote of 5 ayes and 0 nays.

No action was taken in Executive Session.

Item #19 Adjournment

Trustee Burns made a motion at 9:05pm to adjourn. The motion was seconded by Trustee Alpert and so carried with a vote of 5 ayes and 0 nays.

Respectfully submitted,

Jennifer DeYorgi
Clerk-Treasurer