

INCORPORATED VILLAGE OF PIERMONT  
BOARD OF TRUSTEES MEETING  
February 20, 2018

Present: Mayor Bruce Tucker, Deputy Mayor Mark Blomquist, Trustee Ivanya Alpert, Trustee Lisa DeFeciani, Walter Sevastian, Esq. -Village Attorney and Jennifer DeYorgi-Village Clerk-Treasurer.

Not Present: Trustee Rob Burns

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

Mayor Tucker lead a moment of silence for the victims of the Parkland, Florida shooting.

**Item #1 – Approval of Meeting Minutes**

Trustee DeFeciani made a motion to approve the minutes for February 6, 2018. The motion was seconded by Trustee Alpert and so carried with a vote of 4 ayes and 0 nays.

**Item #2 – Approval of Warrant**

Deputy Mayor Blomquist made a motion to approve Warrant #022018 in the amount of \$91,408.82. The motion was seconded by Trustee DeFeciani and so carried with a vote of 4 ayes and 0 nays.

**Item #3 – Department Reports**

**Department of Public Works** - Highway Superintendent Tom Temple advised the Board that J. Fletcher Creamer was awarded the bid from Suez for the water main replacement on Hudson Terrace, so they will be doing the work. He has a pre-construction meeting at 11:00am tomorrow, at which time he will find out when they are going to mobilize. The plan was to have them start as soon as possible so they can hopefully be done before summer. He also completed the inventory list for Parking Lot D and Flywheel Park. The biggest question is, how long will it take them to do the work if they do get the property. He doesn't know until we get there. He can say it will probably add 2-3 hours to their snow plowing day, but as far as man power and equipment, they won't know until they get there.

Mayor Tucker believes we should still go ahead and pursue this. Village Attorney stated we need to double back with the property owner and confirm the understanding and whenever you transfer title to somebody, you need a legal description of what is going to be done, a survey and a meets and bounds description would be in order. He is not sure if Brooker Engineering has done work out there, but we can start with them and see if they have any pre-existing maps or calculations. Mayor Tucker and Tom Temple stated we need to know the limits of the property. Village Attorney stated we should walk it with the owners, then get a survey.

**Building Department** – Building Inspector Charles Schaub stated the old gas station on 9W has a new roof on it. They are doing extensive repairs to the building, re-siding, structural repairs, new windows, re-do parking lot and landscaping getting ready for a rental. The landlord at the Community Market did all the structural repairs that the last tenant left in disrepair. All the violations are cleared and ready for the new tenant. The new tenant is now trying to outfit the store the way he wants it. Mayor Tucker asked if the new tenant has applied for any permits? Building Inspector stated not yet. Further, there might be some subdivisions if the Village takes over the park, right now it is one big SBL. Mayor Tucker stated Sylvia Welch was waiting on some information from Building Inspector the Eclectic Car Charger. Building Inspector stated he

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will try and get ahold of the electrician tomorrow, he said he had a price on one, he just had to write it all out. Mayor Tucker asked about some possible violations next door. Building Inspector Schaub stated himself and Village Attorney are working out the details on that. Mayor Tucker stated he received confirmation that a lease has been signed at the Community Market by the owner of the Whiskey Kitchen in Valley Cottage. He knows what we need as far as a market, it is not a restaurant. Building Inspector stated he can have 9 seats by right. Mayor Tucker stated he is hoping for late April to mid-May opening. Mayor Tucker stated it was a coordinated effort.

**Police Department** – Chief O’Shea stated he was not at the last meeting as he was meeting with the DOT and Rockland Bicycle Club, continuing to look at improvements, mostly the section of 9W between Upper Grandview and the viaduct. Most of their personal injury accidents are on 9W as it is not wide enough, but we cannot widen the road, so they are trying to voluntarily get the bicyclists off the highway, by law we can’t do it, but they are strongly suggesting it by outreach. What will probably will happen are some new signs. The DOT is going to do a study, which Chief O’Shea will report to the Board when he receives, get recommendations and the State will follow through on that. The study is overdue as since the construction started, traffic is well over what their last count is of 10,000 a day. They are at 15,000, probably closer to 20,000. The other issue they have is with the commercial vehicles, the tractor trailers force the bicycles off the road. A lot of that traffic is prohibited because of the truck ban and tomorrow they will continue with commercial vehicle enforcement and they will do that again twice in March. A lot of the truck drivers are taking the 9W route as it is shorter and cheaper. The monthly reports are on file, they are starting to get busy again. The Labor Day concert will go on if the Board will grant them permission. The Filling Station has volunteered to prepare the food. He asked the Board’s permission to the use the Pavilion to hold the PAL concert on Labor Day (September 3) and to close the Pier. Bob Samuels stated the Piermont Civic Association is having a meeting at Village Hall on Wednesday at 7:30pm, a “Meet the Chief” night. Trustee DeFeciani stated this is an event they approve every year and is a great event for PAL and the Village.

Trustee DeFeciani made a motion to approve the PAL hosting a concert on Labor Day at the Pavilion. The motion was seconded by Trustee Alpert and so carried with a vote of 4 ayes and 0 nays.

Tahlaad Mahboeb stated Basketball is going really well and they are starting more kids with the boxing. Piermont Fire Department came to the Community Center and did a drill that went really well.

**Parks Department** – Dan Sherman, Chairman of the Parks Department informed the Board on February 15, 2018 he had a telephone conversation with Stacy Shafer, the marketing coordinator for Green Mountain Sun Club and she was very favorable to their application for the grant to put the solar panels on the bridge. The vote isn’t until the beginning of May. She said it was a very good application, but it was very small, only \$14,000. She told him to think bigger, more projects, \$100,000. She said to come up with some other projects, describe them and group them separately and they have to be submitted by the end of April. He spoke with Mayor Tucker, Laura Straus, Bob Samuels and Marcy Denker. They don’t have any specific proposals yet, but they are thinking of a whole bunch of options. The Dog Run is having a membership meeting on March 22 at the Happy Dog Gallery at 7:30pm.

**Fire Department** – Chief Don Hardy was not present.

**Item #4 - Old Business**

Ken DeGennaro stated for the Tappan Zee Bridge Reclamation project, the Village was looking into obtaining the pre-cast concrete panels that are being dismantled from the bridge and utilizing

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them somewhere in the Village for stabilization along the sea walls or, possibly, along the pier. He had a conference call on Wednesday with two people from Tappan Zee Constructors to see how they can check out the status of the panels and how we could potentially utilize them. It is more complicated than you would think, with how close the bridge is. The contractors are dismantling them in panels that are 50 feet long by 12 inches tall and 8 inches thick and they are attached to the steel beams. He doesn't think it would be a good match to have these 50-foot panels with 2 or 3 steel gurters still attached to them and place them in the river. The way it works is, they dismantle them from the bridge, load them onto a barge. They have 800 panels available, 135 panels are dedicated as part of the overall contract to be delivered to DOT facilities in the state. Some of the remaining panels are going to a processing center upstate, some are going to a processing facility in New Jersey. There is a possibility to obtain some of the panels, probably from the processing facility in New Jersey. At that location, they would remove the steel beams from the panels. The top flanch would be imbedded in the concrete, it cannot be removed, then you have the process of shipping the panels to Piermont, unloading them by barge and preferably, they would best be suited for armoring the North Shore Walkway. That is dry laid stonewall, about 10 feet high and we have had experiences where it is was compromised. If we lay those panels along the base of the existing seawall, that could be a potential fit. He would anticipate laying them, supported by stone on one side, on an angle, would be approximately 4 feet high, so they would be covered during high tide. You would see the bottom of the panels during low tide. It would help prevent the soil and stone migration from behind the wall that occurred during Sandy, and is still ongoing, which needs to be monitored. It really offers additional stability to the wall long term.

Even though it is free, it is not free. They are still trying to determine the costs to have steel removed, delivered to Piermont and placed in water by crane. On top of that is the environmental permits from Dept. of Environmental Conservation, Army Corp of Engineers, Office of General Services and one other agency. Army Corp of Engineers regulate this. He believes we would have an easier time with the DEC. The next step is to send the drawn-up plan to the DEC and other agencies involved and see what they require to obtain permits or if they require permits. If they can get that done in the next month, they can get that taken care of because they will not deliver unless the permits are in place. They are starting the process again in March and it is expected to take about 6 weeks. He received an email from the liaison Pete who said he would call him tomorrow. It is the getting the funds allocated through the overall contract is a possibility, it might have to be a change order from the State to Tappan Zee Constructors, but that will be talking with multiple people involved in different levels of the government.

Village Attorney asked if it would be more than \$35,000 to get someone to lay these things down in the schematic envisioned? Ken DeGennaro stated yes. He also spoke with Brian Brooker in his office who pointed out that once the steel is removed from the panels, they lose a lot of their structural integrity. When they are actually moving the panels without the steel in place to keep them together, they might break and it is going to be more difficult. The handling of the material is fairly difficult. We do not have the equipment in-house to deal with this and he doesn't think the Village really wants the material stock piled at the end of the Pier for another contractor, it's going to sit there for a year or two. If it is feasible, this is the most stream lined approach. A member of the public stated DEC seems to be really sensitive to anything that changes the flow of water. He wanted to put a few cradles outside his house to build a dock and that was no good. They would let him put as many pilings as he wanted, but not cradles. He would be surprised if the DEC allowed something like this. He further believes this sounds cost prohibitive and asked what the value is of the steel and if that can be transformed into money for the Village? Ken DeGennaro stated we would not be getting the steel, as it would be removed from the panels off-site, left at the processing plant and they will sell it and make their money. We will get the panels back of the top piece imbedded in the panel, there is no value in that. Ken DeGennaro agreed the DEC is particular about water flow, but this is a shoreline action and not impeding water the flow of water as it pertains to neighboring areas, it is more of dissipating the energy of the wave action against that seawall. In that respect, he believes it is sellable to the DEC.

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Sylvia Welch asked, if the steel doesn't deteriorate too badly overtime, what if we took the steel directly from the bridge (one trip by barge) to do the fill at Ferry Road to save us some of the Tilcon costs? Could he use it for some of the raised 3 feet and fill around it? Ken DeGennaro stated it would certainly last a long time, but they have the contract prepared for Ferry Road. Mayor Tucker stated he is not sure we can mix the two at this point. Ken DeGennaro stated the other alternative is to keep the steel in place, see if we could utilize the panels with the steel visible on one end and lay the panels with the steel bottom-facing right in place, then it would be higher. They told him the structure was 12' long by 3' tall 50' wide and 8" thick. He asked for clarification on those numbers. Sylvia Welch stated if we could get it here in one trip, it might not be cost prohibitive as the barge alone will be a lot. Ken DeGennaro stated if we could skip the processing facility and deliver it straight to the Village with and put the steel facedown along the seawall, that could serve the same purpose, but that will be an even bigger visual impact of that line of the seawall. He will ask them if that is an option. Trustee Alpert asked if had a ballpark of costs? Ken DeGennaro stated he couldn't even begin to guess with barges and everything else. He could find out for the barge and a crane. Mayor Tucker stated he believes this is worth pursuing. Ken DeGennaro agreed and stated we need to know that we exhausted all of our options before we walk away. Trustee DeFeciani asked if this is State property and there would be no conflict if it is the HOA or Piermont's land? Building Inspector stated the Village owns the land on the map. Trustee DeFeciani stated she does not know that is true. Village Attorney stated if this become something feasible, we would have to engage the HOA. Ken DeGennaro will keep the Board updated.

Member of the Public stated with they were building I-87, cross-Westchester expressway, there is a firm that purchased the highway debris and offered it to a number of locations for free-fill for various ball fields. Good Council High School, Greenburgh Central 7 and City of New Rochelle received this received material fill to expand their ballfields only to find out that the material was hazardous. All locations had to go through intensive remedial programs after the fact and the ball fields are not regulated. This concrete is not clean concrete, it needs to be regulated and analyzed for hazardous materials.

Mayor Tucker asked Ken DeGennaro for an update on the Ferry Road Fill Program and if we were ready to designate the low bidder. Ken stated we are. It is a unit price contract. He spoke to the low bidder and told them we are looking into ways to reduce some of the fill and perhaps the stone walls to get the budget closer to the \$250,000 grant amount. They said they are okay with that. He wrote a report, he received several calls after he wrote the report and everyone spoke very highly of the contractor. He has a meeting set up with the contractor for Thursday at 9:30am for a site visit to go over the scope of work and staging areas and potential for keeping the costs more in line with the budget amount. He is comfortable that the Board awards the bid for the contract and then we are going to have to go through the insurance and bond requirements.

Trustee DeFeciani made a motion to award to the bid for the Ferry Road Remediation project subject to agreement with the Village Engineer as a scope of work for a unit price contract with Nicky Diggs Excavation not to exceed \$250,000. The motion was seconded by Trustee Alpert and so carried with a vote of 4 ayes and 0 nays.

Ken DeGennaro stated we will keep track of the costs, since it is a unit price contract, if there is a special circumstance where we realize we are approaching the threshold, we would have to get re-approval from the Board. Village Attorney asked Ken if he ever met with Steve Colazoul? Ken stated he has not. He spoke with Jimmy Dean last week and in going through the letter with Charlie, he doesn't think Steve was actually looking at the plan and there are some missed communication and believes he did his report on an old report they did about 10 years, so he needs to speak with Steve Colazoul. Building Inspector stated he spoke with Jimmy Dean today and he approved 2 extra hours with Steve Colazoul, but he can't go beyond that. So, if Ken and Steve meet for 2 hours, Orangetown will pay for that. Trustee DeFeciani stated she needs to touch base with Ken about the application for the Community Rating System. Ken stated we notified FEMA of our intent to join and then they are supposed to set-up a community assistance visit and make sure we are doing all the protocols and that hasn't happened and they are

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supposed to give us a list of the repetitive abutting properties that comes from the insurance properties, that hasn't happened either. Trustee DeFeciani asked if Ken can follow up. Ken will send the information again and request a visit.

Village Attorney stated T-Mobile was supposed to be on for the continuation of the Public Hearing for the installation of 9 antennas on 110 Roundhouse Road. They are redesigning the structure to house those antennas, so they are requesting to be put over and will be back on March 6, 2018.

Mayor Tucker had no old business to discuss.

Trustee DeFeciani had no old business to discuss.

Trustee Blomquist had no old business to discuss.

Trustee Alpert had no old business to discuss.

Trustee Burns was not present.

Village Clerk Treasurer had no old business to discuss.

**Item# 5 New Business**

Village Clerk-Treasurer stated ABC Studios "Crime" wants to film in Lawrence Park. They submitted an application which the Chief reviewed. They want to film past the allowed time, possibly up to 10:00pm, it is a self-contained area and they have filmed there before, so they need permission from the Board to film up to 10:00pm. Spencer Martin, location manager for the show, grew up in Palisades. On Tuesday, they are starting at 8:00am and would like to go as late as 10:00pm. They don't anticipate going past 9:00pm, but they want to ensure that, if need be they can go past that time frame. Chief O'Shea stated they are good to work with, have filed there in the past, are quiet and there has never been a complaint.

Trustee DeFeciani made a motion to approve that they can film up to 10:00pm. The motion was seconded by Deputy Mayor Blomquist and so carried with a vote of 4 ayes and 0 nays.

Mayor Tucker stated Altice called him and apparently, our subscription ran out a year ago. Village Attorney stated yes, we need to renew our Franchise Agreement, which requires a public hearing and he will get in touch with them. Mayor Tucker stated Trustee Alpert made him aware of an organization, Mayors Against Illegal Guns, that was formed by Mayor Michael Bloomberg and former Boston Mayor Thomas Manino as a coalition of 15 mayors. Since then, they have built a bipartisan group of more than 1,000 current and former mayors from nearly every state to fight for common sense gun laws. He asked, if the Board doesn't mind, he is going to sign it as the Mayor of Piermont and participate. They look to punish criminals who use, possess and traffic illegal guns, target and hold accountable illegal gun dealers who break the law by knowingly selling guns to purchasers, they push for extended background checks on all gun sales, including private sales. They oppose all Federal efforts to restrict cities from access use Trace data, or to interfere with the ability of the Bureau of Alcohol, Tobacco, Firearms and Explosives to combat illegal gun trafficking. They work to develop and use technologies that aid in detection and tracing of illegal guns. They support all local, state and federal legislation that target illegal guns. He showed it to Chief O'Shea and he supports it as well. Trustee Alpert made a motion for Mayor Tucker to sign for the Village of Piermont to join the Mayors Against Illegal Guns Organization. The motion was seconded by Deputy Mayor Blomquist and so carried with a vote of 4 ayes and 0 nays.

Trustee Alpert had no new business to discuss.

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Trustee DeFeciani had no new business to discuss.

Deputy Mayor Blomquist had no new business to discuss.

Trustee Burns was not present.

**Item #6 Other Non-Agenda Items:**

None.

**Item #7 Review and approve resolution to DEC regarding the Piermont Marsh**

Mayor Tucker stated the DEC is accepting comments until March 1, 2018. Trustee DeFeciani asked to change page 2, paragraph 5 as we are not sure what the DEC explored and she does not believe we can say what it currently says as a board. She asked that we request evidence that they have explored, the methods they used and why they were not feasible. Trustee Alpert stated specifically questions people had were the hand pulling and they were not able to give a cost estimate. Trustee DeFeciani stated it is more wording since we do not know. She also wanted on page 3 where it discusses health concerns to add, "the village board finds that these are serious credible concerns about the health effects as reported by the International Agency on Cancer and the World Health Organization" instead of what it currently said, as the Board is not experts in that field.

A member of the public stated he believes the Board is absolutely spot on with the comments.

Klaus Jacobs congratulated the Board on the resolution. He gave a few comments. On the last page, item 2, "will be used" to "should any be used". Item 3, "advanced notice..." add something like "will be used if that should be the case", make it clear that we are not happy. And item 4 "...specific attention paid to soil in Kane Park..." he would add Rittenberg Ballfield and adjacent playground. He asked if there is a copy to the Governor's office, Thruway Authority and NYS Parks Commissioner who all have stakes in this? Mayor Tucker stated they will look into that. Village Attorney stated we can track down all relevant agencies.

A member of the public thanked the Board for their position and being so clear and for including Sparkill Creek.

A member of the public stated the evidence points to the fact that this is spraying in perpetuity and it is not a cost-effective use of tax payer resources and they are not fulfilling their mandate of mitigating... Mayor Tucker stated she should write the DEC about this.

Mayor Tucker encouraged the public to write to the DEC as well as our town supervisor, state legislator and our state assemblywoman as they need to be aware as well.

Lori Lowell, thanked the Board for the resolution as she believes it reflects all the voices of the people of the Village. Her concern is still the idea of the use of the Geotech style, she has no problem with hand pulling.

Trustee DeFeciani made a motion to adopt the resolution with the suggested changes. The motion was seconded by Deputy Mayor Blomquist and so carried with a vote of 4 ayes and 0 nays.

Mayor Tucker stated the resolution will be available on our website.

**Item #8 Status update on Piermont Fire Department Floating Dock project**

No update available – moved to March 6<sup>th</sup> Agenda

**Item #9 8:00pm Continuation of Public Hearing T-Mobile**

As Village Attorney stated during Old Business, T-Mobile was supposed to be on for the continuation of the Public Hearing for the installation of 9 antennas on 110 Roundhouse Road. They are redesigning the structure to house those antennas, so they are requesting to be put over and will be back on March 6, 2018.

**Item #10 Review bid and award Ferry Road Fill Plan Job**

Village Engineer Ken DeGennaro gave a report on this during Old Business.

**Item #11 Review request from the Dennis P. McHugh Foundation to hold their annual 5K Run on Saturday, April 28, 2018. Review request for Economic Development Funds**

Trustee Alpert asked if this has always been approved in the past? Mayor Tucker stated yes.

Chief O'Shea stated this is a high impact event. The race is an hour and the walkers finish in usually two hours and they have a fair in the park. During the two-hour race they have an officer at every corner.

Deputy Mayor Blomquist stated we have been doing this a number of years and he wanted to know how much we awarded them last year. Village Clerk-Treasurer stated we awarded them \$2,625.00.

Trustee DeFeciani asked if there is still money in Economic Development for this? Village Clerk-Treasurer stated we have not used any Economic Development this year, there is still \$15,000.

Deputy Mayor Blomquist made a motion for Dennis P. McHugh Foundation to hold their annual 5K run on Saturday, April 28, 2018. The motion was seconded by Trustee DeFeciani and so carried with a vote of 4 ayes and 0 nays.

Deputy Mayor Blomquist made a motion to approve up to \$2,625 from Economic Development Fund. The motion was seconded by Trustee DeFeciani and so carried with a vote of 4 ayes and 0 nays.

**Item #12 Request from Gran Fondo New York to hold their annual bike event on Sunday, May 20, 2018**

Mayor Tucker asked what we charged them last year? Village Clerk-Treasurer stated they are not asking for Economic Development Funds, this is just a Special Event Application. Once the event is approved, she will put together an invoice and send same to them for payment. Trustee Alpert asked if there was a charge besides Police? Village Clerk-Treasurer stated the event application fee and the charge per hour for the event, which encompasses the police charge. Chief O'Shea stated this is about the fifth year and they not only pay the police costs, they pay for their supplies for the ambulance corps. They are easy to work with. They fit the definition of

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high impact, but with the new hourly rate, there will be no loss. They come through around 7 am before it gets busy and come back through on 9W and 340, so it doesn't affect our business district. It is a well-run event.

Trustee Alpert made a motion to approve Gran Fondo New York to hold their annual bike event on Sunday, May 20, 2018. The motion was seconded by Trustee DeFeciani and so carried with a vote of 4 ayes and 0 nays.

**Item #13 Review Piermont Chamber of Commerce request to hold their annual Bastille Day, Saturday, July 14, 2018, Art in the Park Sunday, September 16, 2018 and the Holiday Festival Tree Lighting Sunday, December 2, 2018. Review request for Economic Development Funds**

Trustee Alpert stated it looked like in past years they had paid for the event and had not requested funds. Deputy Mayor Blomquist stated the first year it was held, they paid.

Deputy Mayor Blomquist asked how much Economic Development Funds were awarded for Bastille Day last year? Village Clerk-Treasurer stated \$6,000.

Trustee DeFeciani stated they are asking for the \$500 fee times 12 hours, totaling \$6,000.

Mayor Tucker stated Art in the Park and Holiday Festival Tree Lighting are no-impact.

Trustee DeFeciani stated Bastille Day is a great day in the Village, has been done a long time and it brings a lot of Economic Development into the Village.

Deputy Mayor Blomquist made a motion to approve the Piermont Chamber of Commerce to hold their annual Bastille Day, Saturday, July 14, 2018, Art in the Park Sunday, September 16, 2018 and the Holiday Festival Tree Lighting Sunday, December 2, 2018. The motion was seconded by Trustee Alpert and so carried with a vote of 4 ayes and 0 nays.

Trustee DeFeciani made a motion to award Piermont Chamber of Commerce up to, but not to exceed \$6,000 of Economic Development Funds for Bastille Day. The motion was seconded by Deputy Mayor Blomquist and so carried with a vote of 4 ayes and 0 nays.

**Item #14 Review Piermont Civic Association request to hold their Easter Egg Hunt on Saturday, March 31, 2018. Yard Sale Saturday, May 19, 2018, Music Under the Stars Thursday, June 21, 2018, July 19, 2018 and Thursday, August 16, 2018. Scarecrow Contest Sunday, October 21, 2018. Review request for Economic Development Funds.**

Mayor Tucker stated these are low impact events. Village Clerk-Treasurer stated there is an event application fee and an application fee whether it is low impact or high impact. Mayor Tucker stated these are no impact events and doesn't think the Board needs to vote on Economic Development.

Village Clerk-Treasurer stated there is a conflict with the rain date for the Yard Sale (May 20) and Grand Fondo. Chief O'Shea suggested if it falls on that day, to start at 11am instead of 10am. Kathleen Puder, on behalf of the Piermont Civic Association had no issue with same. Village Clerk-Treasurer stated the Scarecrow Contest (October 21) is the same date as the Bike MS event at 9am. Chief O'Shea stated that will be no impact, the bikers trickle through all day. Trustee DeFeciani made a motion to approve Piermont Civic Association request to hold their Easter Egg Hunt on Saturday, March 31, 2018, Yard Sale Saturday, May 19, 2018, Music Under the Stars Thursday, June 21, 2018, July 19, 2018 and Thursday, August 16, 2018 and Scarecrow Contest Sunday, October 21, 2018 and consider the events no impact. The motion was seconded by Trustee Alpert and so carried with a vote of 4 ayes and 0 nays.

Trustee DeFeciani suggested the events printed out on a calendar. Village Clerk-Treasurer stated she sent a calendar to everyone with BOT meetings, ZBA Meetings, Planning Board meetings, Pavilion rental, etc.

**Item #15 Review and approve Brooker Engineering proposal of services for NYSDEC Rockland County MS-4 Mapping Grant**

Village Attorney stated the Village is part of a consortium of Rockland County Storm Water people and that consortium applied for funding and this is a grant that gets funded in future years as well. The Village received \$16,900+ allotted from that grant. Part of that money went to an engineering firm to do some work countywide, so the grant money we received is down to \$11,000. Brooker Engineering is to do the Village's end. The object of this grant is to map all our storm water facilities throughout the Village and consolidate it throughout the Village so there is one giant storm water map on file. Brooker Engineering is willing to do it for the left-over money from this round of grant funding. This is separate from our regular MS-4 requirements, but if the Village is willing to do this, it requires a resolution to approve Brooker Engineering part in Piermont's end of the MS-4 Mapping Grant, not to exceed \$11,850.

Mayor Tucker asked if this is our cost? Village Attorney stated this what is left from the grant including our match. Sylvia Welch asked why Orangetown isn't responsible for this since they are the drainage agency? Highway Superintendent Tom Temple stated this is done through the Consortium, it is all part of MS-4, but it is all grant money, none of this is coming out of Piermont taxes.

Trustee DeFeciani made a motion to approve Brooker Engineering part in Piermont's end of the MS-4 Mapping Grant, not to exceed \$11,850. The motion was seconded by Trustee Alpert and so carried with a vote of 4 ayes and 0 nays.

**Item #16 FOIL Denial Appeal of Francis Brooke**

Village Attorney reminded the Board at the last meeting, Francis Brooke submitted a FOIL request for certain police reports. He inquired with the Police Department and those reports are part of an open investigation, specifically excluded from discovery under FOIL, therefore his request was denied. The Appeal is filed to this Board and the status has not changed. He doesn't think the Board has any choice but to denial this Appeal. We are not a police agency and do not investigate anything. When a FOIL request comes in, they inquire within the departments on what, if any, records there are and these are not subject to disclosure under file. He prepared a resolution for the Board.

***RESOLUTION OF THE VILLAGE OF PIERMONT BOARD OF TRUSTEES RELATIVE TO THE FOIL APPEAL OF FRANCIS M. BROOKE***

***WHEREAS, the Village Board has received an appeal of a FOIL request submitted by Francis M. Brooke dated February 13, 2018.***

***WHEREAS, the records sought by Mr. Brooke are which were prepared by the Village of Piermont Police Department, pertain to an ongoing police investigation.***

***THEREFORE BE IT RESOLVED that the Village Board of the Village of Piermont hereby denies the FOIL appeal of Francis Brooke as follows:***

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*The records you sought, specifically, Report numbered 73470 and 73472, are records which were compiled for law enforcement purposes and which, if disclosed, would interfere with an open law enforcement investigation. Public Officer's Law § 87(e)(i).*

*Adopted at a regular Board meeting of the Village of Piermont Board of Trustees on February 20, 2018.*

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

Village Attorney asked Village Clerk-Treasurer to mail same to Mr. Brooker First-Class Mail.

**Item #17 Public Comment**

None

**Item #18 Adjournment**

Trustee DeFeciani made a motion at 8:42pm to adjourn. The motion was seconded by Trustee Alpert and so carried with a vote of 4 ayes and 0 nays.

Respectfully submitted,

Jennifer DeYorgi  
Clerk-Treasurer