

INCORPORATED VILLAGE OF PIERMONT
BOARD OF TRUSTEES MEETING
February 6, 2018

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

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

Item #1 – Approval of Meeting Minutes

Trustee Alpert made a motion to approve the minutes for January 23, 2018. The motion was seconded by Trustee DeFeciani and so carried with a vote of 5 ayes and 0 nays.

Item #2 – Approval of Warrant

Deputy Mayor Blomquist made a motion to approve Warrant #020618 in the amount of \$65,610.13. 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 submitted his monthly report to the Board. Regarding the Suez watermain replacement project on Hudson Terrace, their engineer sent him their plans, which he forwarded to Ken DeGennaro for his review. Suez would like to start as soon as possible. This is going to be an 8-10-week project for the watermain replacement. If they are able to mobilize by the end of February, we are talking end of April, early May before they are finished. He believes, if we let them start now and get them in so they are not really disrupting our late spring, early summer. Mayor Tucker agreed. Tom Temple stated they normally do not let contractors dig during the winter because it is hard to get the right asphalt and everything is frozen. They are going to be on the job for 8-10 weeks, so if part of the trench does fail, they are already on scene and will be able to make adjustments. Tom Temple stated they estimate it to be about a 100-year-old watermain on Hudson Terrace, so they would like to replace it. They will put a new watermain in and tap the curb boxes for the water services for each house. It is going to be costly permit on their end, we charge \$10 a linear foot for road opening permit. Just the watermain alone is probably going to be 2,400 feet and the service line. He is estimating about \$30,000 for the road opening permit fee. He further advised Suez that we planned to pave Hudson Terrace late summer, early fall, and they were asking if, instead of paying their contractor to finish their blacktop and patch, take that money they were going to pay them, give it to the Village and we will finish it along with our project. The Board agreed to have the project start early. Mayor Tucker asked if the residents have been informed? Tom Temple stated Suez will take care of that. Once he gets permission to start they will have a pre-construction meeting, he will meet with their construction crew, which is J. Fletcher, Kramer and Sons and he will give them all the guidelines, that they have to notify all the residents, advise of no parking, advise residents of construction, etc. They will start one section and complete it, then move onto another section. He believes they were going to begin at Ritie street and work their way toward Ash.

Mayor Tucker asked Tom Temple about an email Marcy Denker sent about Smart Watt Energy and having O&R come in and do an audit on the inside lighting. Tom Temple stated we did an audit and survey in 2008 which he still has. He will give that to Marcy as the fixtures have not changed. He also forwarded all the info to Sandy Steve for the Street Lights.

Trustee DeFeciani stated on one tree, most of the lights are out. Tom Temple stated they will reset that, sometimes with the rain shorts the fuse, but the lights are all in great shape.

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Building Department – Building Inspector Charles Schaub will submit his monthly report next meeting. He stated the Building Department is busy. Mayor Tucker asked about the gas station on 9W. Building Inspector Schaub stated it sold, they pulled a building permit and started renovations and plan on renting it. Deputy Mayor Blomquist asked what they are turning it into? Building Inspector Schaub stated whatever somebody wants to rent it for. It is in a Business B Zone, so they have a lot of options and does have parking.

Police Department – Chief O’Shea was not present. Deputy Mayor Blomquist informed the Board Chief O’Shea was not able to attend this evening as he was at a DOT meeting for improvements to 9W, which hopefully the State is paying for to make things safer for automobiles and bicyclists.

Parks Department – Dan Sherman, Chairman of the Parks Department reminded the Board the Sun Club grant application had been submitted for the lighting of the drawbridge on January 15. They have received same and he has spoken to someone at Sun Club. He showed the Board two options. One on a 8foot high pole and another on a 16 foot rack on the ground, by 5feet which has to be fenced in. Sylvia Welch asked if there is a disadvantage to the one on the ground? Dan Sherman stated yes, the pole feels the sun and turns the panels towards the sun, which is much more efficient at harvesting the solar energy. The one of the ground will just sit there, still illuminating the bridge, but not as efficient and costs more. Trustee Alpert asked why the ground rack needs a fence? Dan Sherman stated because it is only 3 feet high and tilts up to 5 feet high. Because it is so accessible, they say it must be fenced. Bob Samuels asked about vandalism to the racks. Dan Sherman reiterated their reasoning why they want the fence around the ground rack. Margaret Grace asked if flooding would be an issue for the ground rack? Dan Sherman stated he had never seen the water reach that high, but the pole would be more be better. Trustee Alpert stated the pole rack seemed more efficient. Trustee Burns stated everything seems to be pointing to the pole. Dan Sherman stated Art in Public Places liked the pole as it looked artsy rather than just a utility installation. Trustee DeFeciani asked if it is going to be where indicated on the renderings? Dan Sherman stated no, it can be put further down toward the Post Office, anywhere along that road, he things it should be away from the bridge. Margaret Grace recommended to slide the pole away from the bridge. Trustee DeFeciani asked if it can be put on the Post Office roof? Dan Sherman and Mayor Tucker stated no, as we do not own the Post Office. Stacy Schafer is going to call him on Thursday and is was going to included Marcy Denker, our sustainability coordinator, in the call if she is available, as well as Mayor Tucker. They are sponsoring this to bring awareness to the Green Mountain Energy Group and the last question on the Sun Club application is “Would you let your organization allow the Sun Club to place signage about the solar sustainable installation on its property, including the Sun Club and Green Mountain names and logos?”. This is a condition of them giving us the grant and he didn’t want to take the freedom of saying yes. He believes this could be near the array. Mayor Tucker stated he sees no problem with it. Trustee DeFeciani stated we should ask that it be next to the solar panels. Building Inspector Schaub stated they are not coming with a 30 sq.ft sign.

Fire Department – Chief Don Hardy stated the Fire Department started their Explorer Program on Sunday with the kids. They also have 6 new divers. Their yearly report just went into New York State and he will have the numbers at the next meeting.

Item #4 - Old Business

Village Attorney stated he spoke to the Attorney for the HOA and he believes the hours of operation are not an issue but has to run it by his client. He is not sure when their next Board meeting is, but their attorney will let him know as soon as he can so he can convey same to Village Clerk-Treasurer. He also asked for a sit down with the any new Board members and the

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Mayor to talk about maintenance issues. The Attorney will get back to him with any availability dates. Additionally, he stated the Village received a communication from the Town that they were shocked to realize that they had been paying the electric bill for the building at the Pond and believe that is our responsibility and now they want it paid. Originally it was a lease between the Town and United Water (which is now Suez) and the lease got assigned to the Village in 2008. He does not believe there were really any electrical or water bills coming in for that before the structure was built. Tom Temple stated there was always electric and water to the shack. The Village has always paid for the street lights. Mayor Tucker stated we have requested a copy of the latest bills and we have not received them yet. Village Attorney stated Judge Gallucci, Jr. would like to add an additional court date during the month, specifically for truck tickets. These can be quite lucrative for the Village, but at the same time, take a lot of time and he doesn't feel it's possible to do them all in one night. The way the Court is currently set-up, Vehicle and Traffic Court is one night a month and he would like to add another day/night. He doesn't mind coming, but he is not doing it for free, but it will be \$300-\$400. He gets the calendar and if there are 80 cases on the calendar, he fills out the plea sheet, he looks at the ticket, prior history and makes a plea offer. He spends a couple minutes on each file, shows up to Court, cuts the deals and sends them to the Judge and send them to the clerk. Typically, he bills the Village twice a year for that. He has to get back to the Judge. Trustee Alpert asked how much extra money does the Judge think this is going to bring in? Village Attorney stated the last Court night he had 2, \$3,000 fines. They used to do them the same night. He is hopeful the Judge would agree to bring people in at 3:00pm as he has a busy night schedule. Deputy Mayor Blomquist stated given the size of the truck fines, he believes it will more than cover the cost and it is worth doing. Trustee DeFeciani aggress with Deputy Mayor Blomquist. Mayor Tucker agreed.

Village Attorney reminded the Board, at the last meeting a resident came in and raised an issue with the condition of the Knights of Columbus property. The Building Inspector went out there and it appears that there are some compliance efforts underway and he is monitoring same. If tickets are called for, they will be called for. Building Inspector Schaub stated they have a dumpster there, they had a contractor there over the weekend who re-bolted all the doors and re-sealed the building and they are cleaning up the yard. Village Attorney stated the Airbnb regulations, which he is weaving into the BNB regulations are not done, but he is working on it. He further asked for an executive session to discuss a matter of potential litigation. Trustee DeFeciani made a motion for executive session. The motion was seconded by Trustee Alpert and so carried with a vote of 5 ayes and 0 nays.

Mayor Tucker stated he received a letter from Colazoul Engineering following up on the Pond Study. He reminded the Board that they told the two engineers to get together. The letter stated for him to get together with the other attorney, he would like to charge at the rate of \$135/hr during the day and \$235/hr for evening meetings. Village Attorney asked if the escrow has all been used up. Building Inspector stated that was the payment to do the report, he gave a \$4,000 estimate to do the report, and now this is extra. The \$4,000 included meetings with Building Inspector Schaub and to present to the Board. Village Attorney suggested speaking to the applicant and telling him the escrow needs to be increased for this reason. Building Inspector will call Mr. Dean. Trustee Burns asked if a follow-up report is included in the initial \$4,000? Village Attorney suggested Building Inspector Schaub reach out to Colazoul and ask what this hourly rate includes?

Trustee DeFeciani had no old business to discuss.

Trustee Blomquist stated the audit report has come in and he has not had a chance to go through it in detail yet. The short analysis is, it looks really good. He will give a comprehensive analysis at the next Board meeting. Further, Dan Goswick, who had put in an application for the Fire Inspector position, passed the Civil Service Exam for that and is now fully qualified, so when we look at that position in June, he is now 100% qualified for that position. Trustee DeFeciani asked if we have to pick off a list for that position. Village Attorney stated part-time may not be, but they do maintain a list, so we will have to call Department of Personnel. There is a ranking on the list. We already have the position created and they will send us the list as a result of the test

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and if somebody is 10 on the list, we would have to canvas the list to get down to that person. Canvassing the list is interviewing people, offering the job, seeing if they are right for the job. Between now and when the test was, they might have the list, so we should contact Department of Personnel for the list and if we have to use the list for part-time and full-time positions?

Trustee Alpert had no old business to discuss.

Trustee Burns stated he is still getting the run around with trying to get the concrete from the bridge. He spoke to Mayor Tucker today and maybe a letter to the Editor of the Journal News will put some pressure on the Governor that they are taking all the concrete away from this area and we had all the trouble with Sandy and we need it. This is a last resort, but this is a once in a lifetime opportunity to shore up Piermont.

Village Clerk Treasurer stated the DPW trucks that were surplus brought in a total of \$58,000 for the four vehicles. All the invoices are paid and it takes about a month for us to get the checks. There is one truck left to be picked up. Trustee Burns asked if this was the amount we were hoping for? Tom Temple stated they were ballparking a lot less. They received almost double what they anticipated for the Front-end loader. The dump truck double what they anticipated as well. Village Clerk-Treasurer asked Mayor Tucker if he had heard anything from Brooker Engineering regarding their fee schedule? Mayor Tucker stated he still has not heard back. Village Clerk Treasurer stated she will leave the Brooker Engineering Fee Schedule on the non-agenda items list. She contacted the Fire Department dock bidders and they all agree they will honor their price for 90 days. At some point, we have to get an update on additional funding or what direction we are going. At this point, none of the bid information has been given to BlueShore Engineering and they are going to need review all of those and she wants to give them enough time without holding everything up. Deputy Mayor Blomquist stated he spoke to Senator Carlucci's office and he said by our next meeting he would have an answer for him. Village Clerk-Treasurer stated the T-Mobile public hearing is going to be continued at February 20, 2018 meeting. She ordered the transcript for the attorney from the stenographer who said it could take up to two weeks. She is not sure if they will have it time for the continued public hearing. Village Attorney stated he had had some limited conversations with the attorney for the applicant and they are looking at alternate designs for structures for the end of the building, maybe trying to match the existing cupolas on the building. He is anticipating them coming in with some other designs, although their attorney is out of the office this week. Our consultant will present his technical review, looking at the radio frequency report and their statement of need for the facility. If they give us an alternative design that seems acceptable to the Board, we can complete the Environmental Review and send them to Zoning. Village Clerk-Treasurer stated the matter of the Northshore walkway hours is currently not on an agenda.

Item# 5 New Business

Mayor Tucker stated when he joined the Library Board a few years back, they brought in a referral agency from Orange County to look at their electric and gas bills, and they started helping them at the library and they now do his home. He had them come review the electric and gas bills here in the Village. We are currently paying Orange and Rockland for our electric and a company called Direct Energy for our gas on a month to month basis. The consultant did a review of the electric and we've been paying, on a 12-month average, Orange and Rockland roughly somewhere between 10 and 11 cents/kwh. We can sign a deal with Constellation Energy for 2 years at 55 cents/kwh. Based on doing that, she estimates that over the year in electric alone, we can save \$20,649 a year. In addition, we are also paying a Merchant Function Charge because we are buying electricity from O&R, they add another charge that she said will get eliminated from a third-party supplier and that will save us an additional \$2,000 a year. All together we are looking at electric savings of \$22,649 a year, based on signing for 24 months. These are just third-party suppliers, Orange and Rockland still is the delivery service, but we are buying it from a third-party. Trustee Burns stated he also uses them as an outside source as well. On his contracts, he has a one or two-year period, but no cancellation fee. He doubts that we

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would ever cancel it, but he would like that put in there. Mayor Tucker stated he will find out. In addition, O&R is filing for a rate increase, which means the rates will go up even higher. He asked the Board's permission to sign a contract, assuming there is no cancellation fee, and for how many months. Trustee Burns stated if there is no cancellation fee, take the longest term. Mayor Tucker stated the consultant stated that these are the historic low rates for electric, so she is willing to go out as far as possible. Trustee DeFeciani asked if this creates any issues with our buildings if we switch? Tom Temple stated no, it is just the delivery. Deputy Mayor Blomquist asked why the 48 month is higher than the 36-month rates? Mayor Tucker stated because as you go out further, they are holding the rate for us an extra year, but it is incremental, 55 cents for two years, 58 cents for 4 years.

Trustee Burns made a motion to go with M&R Energy for Electric for 4 years as long as there is no cancellation fee. The motion was seconded by Trustee DeFeciani and so carried with a vote of 5 ayes and 0 nays.

Mayor Tucker asked if there is a cancellation fee, does he go with two years, or come back to the Board? He will speak to her first thing in the morning. In terms of the gas, she doesn't have all of the gas bills from the entire year, so she couldn't give a true comparison as she could with the electric, but we received a letter from the company we are buying gas from, Direct Energy on January 25, 2018. They are offering us 24 months fixed at 55.9 cents/therm. In the letter they admit to telling us that because we have been on month to month, in July they billed us at 90 cents and in August they billed us at 89.9 cents. He can get a rate today from this company at 39.79, almost half of what this company was charging us last summer. And 15 cents lower than Direct Energy. However, this woman recommends that we only do it for 6 months because the worst time to search for gas is in the winter, she thinks it will go down in the summer, at which point we can look to sign a longer term. She is basically saying it is the same, if not more, another \$20,000 in savings. Once we get this going over the course of next year, we should see a savings of between \$40,000 and \$45,000 a year in energy costs. He has known her a long time and thinks we should take her advice. Trustee Burns stated it takes about a month to do the transfer from O&R. Trustee Burns made a motion to go with M&R for 6 months on the fixed rate. The motion was seconded by Trustee Alpert and so carried with a vote of 5 ayes and 0 nays.

Mayor Tucker stated himself and Village Attorney have met with Phil Griffin and the owners from The View, the combination of the people who own Flywheel park and Lot D about Phil donating Flywheel Park and Lot D to the Village. They had a long talk with Phil. The owners of The View have 18% of the entity that owns all that. Village Attorney, himself and Building Inspector Schaub met with them as well and they both seem amenable to donating this to the Village. Trustee Burns asked what do they get in return? Mayor Tucker stated for Phil, it would be us taking over the maintenance of the park, plowing the roads around the park, maintenance of Lot D, possibly maintain trees and bushes around there. Village Attorney stated also the North end of the walkway that Phil owns. It would entail a deed transfer, we'd probably have to subdivide the property and deed transfer over to the Village the North end of the walkway. Mayor Tucker stated this includes the lawn next to Flywheel park, the gazebo, the fence and the sea wall to Parelli Park and where the boats are and wherever the line is where The View starts. Mayor Tucker stated he believes he is tired of maintaining it, he complained the Village gets the parking pass revenue and he has to plow it and gets no revenue. Trustee Burns stated Flywheel Park is one of the first things people see when they come into Piermont and except for the fact that late last Fall, early winter, he put down some ground covering, he really doesn't do anything to the Park and it looks shoddy. In parking Lot D, if we have a big enough parking problem, maybe we want to build a parking structure. Further, Tom Temple is going to have extra work and if he is going to need extra people, so be it, but he believes it is valuable to pick this up. Village Attorney stated the owner of The View feels like events held in Flywheel Park effect his business, mainly on the weekends. If it got deeded over to the Village, he would want an inventory of what events the Village has there now on weekends and have some type of covenant that wouldn't add to that unless we consulted with them and there was some type of agreement. He didn't want it to get signed over and the Village holds something there every weekend, which

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causes issues with parking and hurts his business. Trustee Burns stated he is an 18% stakeholder and he wouldn't want to see an 18% stakeholder drive the Village in perpetuity on what we can and cannot do. He thinks we should consider what he is doing, but wouldn't want us to be blocked in that we can't do anything in the further for his 18% vote agreeing to it. Village Attorney stated Phil has a majority, but he doesn't want to do anything unless everyone is on board. Trustee DeFeciani asked if Lot D is also The View's 18%? Village Attorney stated yes, it is all owned by Piermont Property Owners Association. Trustee DeFeciani stated events in the Village has been an ongoing issue and we certainly don't want something in Flywheel Park every weekend for the residents. Mayor Tucker stated he is only talking about weekends, which at this point is about 5 events. He suggested going into the contract stating we will have 6 or 7 events and have them come back and negotiate an amount. Trustee Burns stated he is talking about Memorial Day and Labor Day? Mayor Tucker stated no, year-round. Trustee Burns stated he would not us to go in with 6 or 7 on a yearly basis and be tied to it. If he was interested in something in the summer months, July and August one a weekend. You're going to have one retail establishment dictating what the Village of Piermont can do in perpetuity in that area, he strongly agrees that would be a big mistake. Trustee DeFeciani stated she would hate to miss out on this opportunity. Trustee Burns stated he doesn't believe we will miss out on this opportunity because he doesn't think Phil will let the deal fall for the 18% if we offer him one a week for the eight weeks of summer. Building Inspector Schaub stated The View's complaint was the parking and could we corner off part of Lot D for his valet parking so it doesn't become an issue when there are events in town? Could we chain off part of the lot and tell him on those event night we could guarantee him 30 spaces. He thinks the Village would have the opportunity to have more events and he would be guaranteed parking. He said most of his parties are bused in now where he doesn't use that many spaces. If you guarantee him the spaces, that may be a way to get around the number of events we are allowed to have. Trustee Burns stated if that is his intent, he doesn't see a problem with that whatsoever. Trustee DeFeciani stated she is not sure that we can do that as we have been throwing around ideas about Parking Lot D and making changes to it and if we do something in that lot. Village Attorney stated getting a piece of property there is a cost, but having it outweighs the cost and that is a policy decision for the Board. Further, we have gone to great pains to say that the parking spaces in Lot D, as exist now, are required for the uses in the commercial and development in Phil's landing and that cannot change. Trustee Burns stated he is not speaking about building something other than a parking structure on it. Trustee DeFeciani stated she doesn't have a problem with limiting the number of events we have in Flywheel Park, they are costly, we have to pay police overtime, we have enough events there and Bastille is not even in Flywheel, it is on Piermont Avenue. She suggests we propose the number of events we have held historically and maybe add two or three. In the long run, there are too many events as it is, we were looking to change that in the future. Trustee Burns stated in doing that we are tying up future Village Boards in perpetuity and have no idea what the needs are in the future and if the Building Inspector said what he really wants is the parking. Village Attorney stated, with all due respect to Building Inspector Schaub, he doesn't believe that true. What The View has a problem with is, he has events and weddings at his venue and when the park is packed with events, that is what the guests see and people are peering in the fence and looking in the windows and they are allowed to, the Northshore Walkway is the Northshore Walkway.

Mayor Tucker stated there was another thing he asked for. Apparently on the walkway, there is a gate that they close at what will be 5:30 and 8:30, but this gate is in the middle of his patio and people walk in during the weddings. He has also requested to move the gate to the end of his building. Mayor Tucker and Trustee Burns stated they did not see a problem with moving the gate. Building Inspector Schaub stated The View owner said he spoke with Danny and Chief O'Shea about moving the gate and neither one of them had a problem with it, but it made it easier for police to close the gate at night. Trustee Burns asked if he will bear the cost of moving the gate? Mayor Tucker stated yes. Trustee DeFeciani asked Tom Temple how much more work he anticipated this will be for him and his guys? Tom Temple stated he was unsure, they have to assess the pavement, sidewalks, curbing, somebody has to go look at it, do we have trip hazards? Who is taking care of the lighting, who is paying for the lighting? Are we going to get separate meters? Are there water sprinklers there? Who is taking care of them, paying for them and are we going to change the meter? The lighting in the parking lot, where is that electric coming

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from? Are we going to be able to change that to a time clock, are we going to have a meter installed for that somewhere? Village Attorney stated the point was they started some discussions and Phil seemed amenable to it and was it something the Board thought was worth following up on because obviously there is a lot of work to be done. Tom Temple thinks it would be great for the Village to have the Park, but it is going to be a lot of work. Trustee DeFeciani stated if it is Village owned, it might also open us up for more funding opportunities. Trustee DeFeciani believes we should continue to explore this. Mayor Tucker asked what the next step would be. Village Attorney stated Tom Temple has to make an assessment of what we are expecting cost wise for the Village and the Board needs to come up with some consensus on event regulation. He got the feeling that Phil wanted everyone on Board. Trustee DeFeciani stated that as a separate issue, we need to look at events in the Village, that is something that we have been talking about, the cost to the Village. Village Attorney stated whatever is conveyed to the Village will have to be subdivided off and work on language to put into a deed. Deputy Mayor Blomquist asked, if we did this, what would we be giving up in annual property tax revenue? Village Attorney stated not on the park end of it, but it is something to consider. He doesn't believe that much is attributable to the park. Deputy Mayor Blomquist asked about Lot D. Village Attorney was unsure, but will contact the assessor's office. Mayor Tucker asked Tom Temple to take a look and make an assessment and also asked the Board to think about this idea and they will discuss same at the next meeting. Trustee Alpert asked if he moves the gate, would that satisfy his request to not have as many people around because it is more private? Mayor Tucker stated that was half his issue and the other half was the parking issue. It is a parking issue between traffic to get into The View and the parking. The View stated Bastille Day was the worst event for their business. Village Attorney stated the use of The View might not last forever. The use doesn't run with the land, it runs with the owner. Deputy Mayor Blomquist stated we have approached Phil about this numerous times over the years, why the sudden change of heart? Village Attorney stated Phil said he was impressed with the Mayor and that he cared about the Village.

Village Clerk-Treasurer gave the Board the tentative 2019 budget schedule. Every department has their own night as of now, but we can maybe double up some nights depending on availability. They will try to schedule as many as they can on a Monday or Tuesday.

Trustee Alpert had no new business to discuss.

Trustee DeFeciani had no new business to discuss.

Deputy Mayor Blomquist had no new business to discuss.

Trustee Burns had no new business to discuss.

Item #6 Other Non-Agenda Items:

None.

Item #7 7:30pm Public Hearing 2018 Community Development Block Grant Program

Trustee Burns made a motion to open the public hearing at 8:41pm for the Community Development Block Grant Program. The motion was seconded by Trustee DeFeciani and so carried with a vote of 5 ayes and 0 nays.

Village Clerk-Treasurer stated this is something we do every year. The Community Development Block Program publishes the Public Hearing Notice in the newspaper for all of the municipalities, which we do not pay for.

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Sylvia Welch stated we stay in the consortium, we do not qualify for anything other than handicap accessibility on existing facilities, but it is good to stay in the Consortium in case they change the regulations and/or there are other handicap accessibility options that we need to explore that we haven't.

Trustee Burns made a motion to close the public hearing at 8:42pm. The motion was seconded by Deputy Mayor Blomquist and so carried with a vote of 5 ayes and 0 nays.

Item #8 8:00pm Public Hearing – Amend Chapter 129 of the Code “Littering”, to prohibit the deposit of household garbage in public trash receptacles

Trustee Burns made a motion to open the public hearing at 8:42pm. The motion was seconded by Trustee Alpert and so carried with a vote of 5 ayes and 0 nays.

Village Attorney stated this is a local law to try and stop people from putting their household trash in our cans. He has prepared a resolution for the Board with the SEQRA Declaration and if they adopt it as drafted, it could be a new local law.

Trustee DeFeciani made a motion to adopt the resolution as drafted. The motion was seconded by Trustee Burns and so carried with a vote of 5 ayes and 0 nays.

Trustee Burns made a motion to close the public hearing at 8:43. The motion was seconded by Deputy Mayor Blomquist and so carried with a vote of 5 ayes and 0 nays.

Item #9 Resolution to amend Local Law “Cost of Construction”

Village Attorney stated Building Inspector Schaub had given the Board language that he wanted in the code on what is going to be included in the cost of construction, but when he read the local law, it said we can do this by resolution. He prepared a resolution for the Board that says the Village Board is resolving to amend their fee schedule with the language on what the cost of construction is.

Trustee Burns made a motion to adopt the resolution as drafted. The motion was seconded by Deputy Mayor Blomquist and so carried with a vote of 5 ayes and 0 nays.

Item #10 Resolution adopting DEC Action on Barge Anchorage Exclusion Zones

Mayor Tucker stated this is to prevent tankers from anchoring on our shores. He received an email from a Trustee in Hastings suggesting that we adopt this resolution and then forward it to Governor Cuomo, the Commissioner for the Department of Environment Conservation as well as David Carlucci, Ellen Jaffe and anyone else the Village Clerk-Treasurer would like to send it to.

Trustee Burns made a motion accept the resolution. The motion was seconded by Trustee Alpert and so carried with a vote of 5 ayes and 0 nays.

Item #11 Review and approve specifications for new Fire Chief vehicle

Mayor Tucker stated this is for the purchase of a new Dodge Ram pickup. The MSRP is around \$59,000 and we can get it through State Bid for \$48,800 and then it will need additional equipment on top of that.

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Chief Don Hardy stated installation of radios is about \$10,000, a box in the back is about \$8,700.

Trustee DeFeciani asked if this what we already approved last year?

Village Clerk-Treasurer stated that was Sam Kropp's vehicle. This new truck is on the schedule to be replaced according to the Fire Department schedule of vehicle replacements. This is in addition to what we did last year.

Chief Don Hardy stated this is to replace the 15-year-old truck they have now.

Village Clerk-Treasurer stated the total with all of this included is \$67,274, but we recovered about \$20,000 in a total loss from the other chief's vehicle that had mold damage. They paid us for a total loss and equipment and we got just about \$20,000 from insurance on that vehicle. Mayor Tucker asked if that goes towards this vehicle or the last vehicle? Village Clerk-Treasurer stated it will go towards this vehicle as it was Danny Jr. truck that had the mold in it and this is his replacement truck, that would have been replaced at this point anyway.

Deputy Mayor Blomquist stated Dan Jr. had a vehicle ruined by mold that the insurance paid for. The Fire Department kept the old 2003 truck which they were originally going to surplus, and held onto it and are replacing it with this one, which was on the schedule to do so.

Chief Hardy stated this truck will last 12 years.

Trustee DeFeciani asked if this is something we are going to Bond or BAN for? Village Clerk-Treasurer stated yes. She asked what budget year this is coming out of? Deputy Mayor Blomquist stated this is coming out of capital, not out of the operating budget.

Trustee DeFeciani made a motion to accept the proposal not exceed \$68,000 for Fire Chief's vehicle. The motion was seconded by Trustee Burns and so carried with a vote of 5 ayes and 0 nays.

Item #12 Review SEQRA Negative Declaration for Ferry Road Fill Plan project

Village Attorney stated this is a SEQRA Environmental Review Resolution prepared by the engineer's office on this project. Whether the project goes up, down, sideways, or anywhere, the Board would have to adopt this as a precursor to taking any action with respect to the project itself.

Deputy Mayor Blomquist made a motion to accept the SEQRA Declaration for Ferry Road Fill Plan project. The motion was seconded by Trustee Burns and so carried with a vote of 5 ayes and 0 nays.

Item #13 Review bids and award project for Ferry Road Fill Plan

Village Clerk-Treasurer stated the bid opening was on February 2, 2018 with a total of 4 bids. The lowest qualified bidder was Nicky Diggs Excavation for \$357,099. She sent Ken DeGennaro the paperwork and he issued a memo today on the qualification. He checked the references and agreed that they were fit to do the job. We have a grant for \$250,000. Ken stated he may have overestimated this, but she is unsure what that equates to.

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Village Attorney stated this is a unit price contract, theoretically if they bid on this much and we only have money for this much, they can reduce the price if that works for whatever you want to accomplish out there, without going out for additional bidding.

Trustee Burns asked if Ken DeGennaro can get with Nicky Diggs and see what the correct estimate is and see if he can bring it down?

Village Attorney stated they can bring it down to the price and put it on a future agenda to approve the bid.

Mayor Tucker spoke to Ken DeGennaro today and he understands. He asked Village Clerk-Treasurer to tell Ken DeGennaro to go back to Nicky Diggs and tell them we have \$250,000. The main concern is the dog leg, which floods all the time.

Trustee DeFeciani stated the Board never discussed with Ken DeGennaro spending any more than what the grant was for.

Tom Temple stated they weren't estimating from the gate out. They were probably about half way out the first straight away to around the dog leg just past the Scheffold Memorial and he is not sure how they are not sure how they are going to scale it down. They wanted 3 feet height at the dog leg. They can scale it down, but it will be a ramp. Mayor Tucker asked what two feet would get us? Tom Temple stated anything is better than what is there now.

Trustee Burns stated he would rather see it a shorter distance at the three feet as it really gets flooded where the sewer overflow is.

Sylvia Welch stated he can also look at the riff raff that is included in this bid, maybe some of that is not as heavily needed.

Mayor Tucker stated Ken was saying he may not need as many walls. He asked if this is a solid grant?

Sylvia Welch stated yes, we are in contract. There is so much review by the State, and apparently, they have reviewed the bid documents as they stand. What they care about in the bid documents is that we noted minority participation is required and we are basically doing what we say we are going to do.

Mayor Tucker placed this on the February 20, 2018 agenda.

Item #14 Resolution to adopt an Energy Benchmarking policy

Sylvia Welch stated all of the following resolutions are for Climate Smart Clean Energy Committee and are required by the State of New York to show that, in fact, we are actually doing this. We have a Green Team underway that has met and has a series of priorities that figuring out what the State requires us to resolve these things to show that we have a legitimate working committee doing some things. Village Clerk-Treasurer had emailed her about a resolution to create a Resiliency Task Force and that does not require a resolution. The Clean Energy Community and the Climate Smart Committee are all the same people, so they are giving the rubric of the Resiliency Task Force, making it easier to consolidate minutes, we don't have to hold too many extra meetings. Part of it is the Waterfront Resiliency also. Those two committees are all the same people and they are calling themselves the Sustainability Task Force. For purposes of the State, they will give the minutes of the separate committees when they need to show they are taking an action to get our certification.

Trustee Burns asked if we get points for this Climate Smart Community?

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Sylvia Welch stated, yes, these resolutions give us points. Trustee Burns asked if this will eventually reduce our insurance rates?

Sylvia Welch stated yes, among other things. Marcy Denker is running the whole thing and lining up our actions that are best for the Village right now and are quickly done to climb our points up. Grants are opening up, the State is not clear what they are going to be, but they are opening, and we will be first in line.

Trustee Burns made a motion to approve the resolution to adopt an Energy Benchmarking Policy. The motion was seconded by Trustee Alpert and so carried with a vote of 5 ayes and 0 nays.

Item #15 Resolution to appoint a Sustainability Coordinator

Trustee Burns made a motion to appoint a Sustainability Coordinator. The motion was seconded by Trustee Alpert and so carried with a vote of 5 ayes and 0 nays.

Item #16 Resolution to appoint a Community Sustainability Task Force

Trustee Burns made a motion to approve the Community Sustainability Task Force. The motion was seconded by Trustee Alpert and so carried with a vote of 5 ayes and 0 nays.

Item #17 Resolution to appoint a Green Team for the Village of Piermont

Trustee Burns made a motion to appoint a Green Team for the Village of Piermont. The motion was seconded by Trustee Alpert and so carried with a vote of 5 ayes and 0 nays.

Item #18 Public Comment

None.

Executive Session

Deputy Mayor Blomquist made a motion at 9:01pm to enter into Executive Session. The motion was seconded by Trustee DeFeciani and so carried with a vote of 5 ayes and 0 nays.

Trustee Burns made a motion at 9:36pm to exit Executive Session. The motion was seconded by Trustee Alpert and so carried with a vote of 5 ayes and 0 nays.

No Action was taken.

Item #19 Adjournment

Trustee Burns made a motion at 9:36pm 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