

INCORPORATED VILLAGE OF PIERMONT
BOARD OF TRUSTEES MEETING
April 16, 2019

Present: Deputy Mayor Blomquist, Trustee Rob Burns, Trustee Ivanya Alpert, Trustee Nate Mitchell, Walter Sevastian, Esq. -Village Attorney and Jennifer DeYorgi-Village Clerk-Treasurer.

Mayor Tucker was not present.

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

Item #1 – Approval of Meeting Minutes

Trustee Burns made a motion to approve the minutes for April 2, 2019. The motion was seconded by Trustee Mitchell 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 #041619 in the amount of \$233,281.46. The motion was seconded by Trustee Mitchell and so carried with a vote of 4 ayes and 0 nays.

Item #3 – Department Reports

Department of Public Works - Highway Superintendent Tom Temple stated he turned in his monthly report. He also asked the Board to accept the resignation letter from Christopher Ingalls from the laborers positions as of April 16, 2016. He also needs a resolution to appoint Patrick Krummack to the laborers position created from this resignation. Trustee Mitchell made a motion to accept the resignation of Christopher Ingalls and appoint Patrick Krummack to the laborers position. The motion was seconded by Trustee Burns and so carried with a vote of 4 ayes and 0 nays.

Police Department – Chief Michael O’Shea was not present.

Building Department - Building Inspector Charles Schaub was not present.

Parks Department – Dan Sherman was not present.

Fire Department – Chief Dan Goswick, Jr. stated both Marine units are back in service. They got the zodiac back last weekend and it is down at the boathouse with no issues. The big boat is at TZ Marina. The fly car is now in service with the Village, which is the car the police department gave to the fire department and will be used for EMTs while they are on shift. Everything else is good, no issues. He asked the Board the status of the dock at the end of the pier.

Deputy Mayor Blomquist stated with the State Senate going to completely democratic, Carlucci was having delays because he is not as powerful as he used to be, we they are still working on it.

Chief Goswick stated yesterday he received multiple phone calls from several Vietnam Vets, Marine Corp Vet Meghan Levy and a passed Veteran’s wife who wanted to go to several news channels about them not doing the Watchfire. He reached out to ex-Chief Hardy and they both sat down with Dan Goswick, Sr. to try and figure out what they could do for the Watchfire at the end of the Pier. He also spoke to a gentleman from Lamont Doherty, which did not go too well.

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Deputy Mayor Blomquist stated the issue came up because of the new paving in the area and with Lamont spending a lot of money to rehabilitate their building, having the watchfire in the same place wasn't going to work anymore.

Chief Goswick stated he met with Deputy Mayor Blomquist, Trustee Mitchell, Highway Superintendent, Don Hardy at the end of the Pier and looked at different locations to have the fire and not at the size they had it last year. Last year it was 40' square. They found a new location that they thought would be safe for Lamont and the Boathouse and would not do damage to the utility wires that run out to the end of the Pier. He talked to Orange and Rockland and they said there is no issue whatsoever, they are well protected with the insulation they have on them. He gave the Board photos of the location of the Watchfire. There is no blacktop in this location. Tom Temple will put sand in the location to prevent damage. It's 34' from water's edge, 70' from south end of the Pier and 132' from boathouse. That night they will provide two engines at the end of the Pier. One will protect Lamont Doherty's building just in case embers do fly that way. One will be for the watchfire at the boat ramp for fire protection. He will reach out to Chief O'Shea about where they will be putting the barriers since it is a different location. The only loss is the 10 spots they usually have out there, people will have to park along the Pier Road. If it is too windy, they will make a call and put it out to everybody.

Deputy Mayor Blomquist stated he understands the Veterans will provide insurance. Chief Goswick stated whatever they normally do, they will do this year. He will also ask Lamont about providing same. He said the fire is 237 feet from Lamont's building, so he doesn't see anything happening.

Deputy Mayor Blomquist made a motion to allow the Fire Department and VA to have the Watch Fire in the new location. The motion was seconded by Trustee Mitchell and so carried with a vote of 4 ayes and 0 nays.

Item #4 - Old Business

Village Clerk-Treasurer had no old business to discuss.

Village Attorney had no old business to discuss.

Mayor Tucker was not present.

Deputy Mayor Blomquist had no old business to discuss.

Trustee Alpert had no old business to discuss.

Trustee Burns had no old business to discuss.

Trustee Mitchell stated he received requests from four different agencies asking us to issue a letter of support for their proposals to the DEC for the RFP that closes on Friday, so we need to get the letters out to them by Friday in order for the letters to be included in their applications. Some of the applicants included more detail than others, but the way the RFP is written, part of it is process based and stake holder engagement where they determine the best concept. First is HDR and their concept is a living shoreline on the Northside of the Pier starting at Parelli Park and working its way out. Second is Anchor QEA their proposal is a berm and walkway system on the Southside of the Pier and into Bogartown. Third, Behan Planning is proposing something in the marsh and on the Pier to be determined by a stake holder engagement process. Fourth, Alexander Felson is thinking of something that is a cross-sectional movement plan for migration which will also be determined state-holder engagement. They all share that, in our letters of support we commit to some sort of time in-kind. Suggestion for one was 10% income in-kind would amount to 65 hours from PWRC members, Neighbor-to-Neighbor members. He wants to send the letter of support to all four of them. He thinks the two that have specific proposals will

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probably succeed better in the RFP selection process, but he doesn't want to exclude the other two and he believes it makes sense to commit to time in-kind.

Trustee Alpert made a motion to issue letters of support. The motion was seconded by Trustee Burns and so carried with a vote of 4 ayes and 0 nays.

Item# 5 New Business

Village Clerk-Treasurer stated she received an application from the Piermont VFW Post to have a Memorial Day Parade, which will be scaled down from in previous years as they will not be going out on the Pier this year but having the ceremony at Kennedy Park at 10am. She emailed the application to the Board.

Trustee Mitchell made a motion to approve the application for the Memorial Day Parade. The motion was seconded by Trustee Burns and so carried with a vote of 4 ayes and 0 nays.

Village Clerk-Treasurer stated Deputy Clerk-Treasurer emailed Village Attorney about the new phone system we are looking into. There is an agreement they want us to sign. It is \$85 per phone, but they are giving us 11 phones for free and we will have to pay for 6 of them per a promotion going on. It will be an integrated phone system in which we can transfer calls to DPW and be connected. There is not a real cost other than to buy the 6 phones at \$85. The contract itself, it is part of our regular Verizon bill. It will come out of the regular Verizon phone budget. It will eliminate the antiquated phone system that goes down all the time and we have been having a lot of trouble lately. We are not connected to anywhere else and will help being able to transfer to DPW. Village Attorney stated his only concern was if it required review under our procurement policy over a certain amount of money for purchase, but if it is that small and is part of our regular contract, then we can approve it by motion, subject to the execution of the contract. Village Clerk-Treasurer stated it is \$510 for 6 phones.

Trustee Mitchell made a motion to sign the agreement and purchase the phones. The motion was seconded by Trustee Burns and so carried with a vote of 4 ayes and 0 nays.

Mayor Tucker was not present.

Deputy Mayor Blomquist had no new business to discuss.

Village Attorney had no new business to discuss.

Trustee Burns had no new business to discuss.

Trustee Alpert had no new business to discuss.

Deputy Mayor Blomquist had no new business to discuss.

Trustee Mitchell had no new business to discuss.

Item #6 Other Non-Agenda Items:

None.

Item #7 Review Piermont Civic Association Request for Economic Development Funds for their Summer Concert Series and Lobsterfest

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Deputy Mayor Blomquist stated the Piermont Civic Association put in a request to set aside five days this summer July 11th, July 25th, August 8th, August 22nd and Lobsterfest on September 22nd. The rain dates for the concerts are July 18th, August 1st, August 15th and August 29th. They are looking for \$3,300.00 in economic development.

Patty Lukes stated they are looking at more concerts if they can get M&T to sponsor, so they may be looking for additional monies down the line.

Trustee Burns asked for a breakdown of the funds requested. Deputy Mayor Blomquist stated \$300 is the Pavilion rental fee and \$3,000 is \$250/hr for 4 hours for 3 concerts.

Trustee Burns stated when we were advised of this application by email, he expressed a concern that they are asking a waiver of the full \$3,000 and we were in the process of establishing a policy from the economic development line, how much our participation was going to be with each person that requested some assistance. He believes, at the time, we were looking to have the organization participate rather than have the Village pay everything. The concerts and Loberstfest are excellent and he doesn't want to discourage it, but at the same time, he wants to see a little more participation. Deputy Mayor Blomquist asked if he had a figure in mind for the participation? Trustee Burns stated he didn't get that far.

Trustee Alpert asked the Civic Association if they had other funds they have raised? Would that make it so they would not longer be able to have these events?

Patty Lukes, of the Civic Association, stated they run penny to penny with getting the newsletter out and everything else, they do not have a lot of additional funds, but they always make sure to find a way. Bob Samuels stated they had them for years without the Village helping them, but it would be great to have as much as they could get.

Deputy Mayor Blomquist made a motion to grant the Piermont Civic Association \$3,150.00 in Economic Development Funds. The motion was seconded by Trustee Alpert and so carried with a vote of 4 ayes and 0 nays.

Item #8 Public Comment

Patty Lukes asked for the status of the Parelli Park Boat Ramp. Highway Superintendent stated we were waiting on permits and we received the DEC permits about a month ago. We were getting ready to go ahead with the project and came across the Army Corp of Engineer paperwork was not in order, so we had to have our engineer reach back out to the Army Corp of Engineers to make sure the paperwork was in order, we got it back in hand two days ago and everything is good to go. He has one small technical issue to work out with our engineer, which should be fine to move forward with the project summertime. The grant is good until the end of December, but he hopes to have it done by end of Summer.

Francis Brooke, in case you have forgotten who I am, on March 22, 2016 I was walking in the Village and Chief O'Shea decided I was a suspicious person. He then had an officer write a report on me. Officer Brown advised me that there was a report written on me as a suspicious person in the Village. I then FOIL' d that report and for one-year Chief O'Shea said the report did not exist. A year later I was told the report does exist, but now I cannot have it, it is a pending police investigation. Here we are 25 moths later, Officer Brown lost his job because Chief O'Shea did not like the fact that he told me about the report, so he went after him and fired Bernard Brown. So now here we are at 25 months later and Mr. Blomquist, what I would like to ask you as the police liaison, is there a time table, or is there an end line to this investigation? I'm sure it's not a homicide.

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Deputy Mayor Blomquist stated he spoke to the Chief today who told him that report is still open.

Village Attorney stated he doesn't want to comment on his characterization of events, because reasonable people can differ over who said what, when and how people get terminated and for whatever reason. But, when a FOIL request comes in, all we can ask a department head is if a) they maintain the record and b) it is subject to release under FOIL. If the individual maintaining the record tells us it is an open police investigation, that has to be our response. Nobody up here works for the police department and can tell you what, if any, status there is on that. It is what it is.

Francis Brooke stated I guess I am in the wrong here, aren't you guys his boss?

Village Attorney stated he is not going to engage in a back and forth with Mr. Brooke.

Mr. Brooke stated everyone has someone they have to be held accountable to. He can turn around and write a report about anyone being a suspicious person and then lie about it for a year.

Village Attorney stated that *he* has no idea what the report says because he didn't read it.

Mr. Brooke stated he knows what the report says because he had enough officers tell him what the report says.

Village Attorney stated it would be nice to know who told him about what a police report says.

Mr. Brooke said why? So you can go after them like you went after Bernard Brown?

Village Attorney stated no one is going to get in a back and forth with you. FOIL means you put in a request you want a document. You are entitled to documents unless there is something in the law that says you are not.

Mr. Brooke stated he is also entitled to the truth. He asked Village Attorney to tell him what the investigation is, let's start there.

Village Attorney stated he is not going to engage in a discussion about a police investigation. He does not work for the police department.

Mr. Brooke stated he is trying to figure out what the investigation could be that could take 25 months. He spent 30 years as a cop. We never saw 2 years to release a FOIL report, not even on homicides in Spring Valley. But here in Piermont where you have no homicides, 25 months later on a suspicious incident it is still a pending investigation.

Village Attorney stated he very clearly understands what he is saying, but all he can do is ask the department head when the FOIL comes in if the document is available and if the response is something that is covered under the law, then that is how it is going to be treated until it is not.

Mr. Brooke stated he is not happy with the answer, but he appreciates the answer.

Item #9 Executive Session to discuss personnel matter

Deputy Mayor Blomquist made a motion to enter Executive Session at 8:00pm. The motion was seconded by Trustee Mitchell and so carried with a vote of 4 ayes and 0 nays.

Trustee Burns made a motion to exit Executive Session at 8:19pm. The motion was seconded by Trustee Mitchell and so carried with a vote of 4 ayes and 0 nays.

No action was taken in Executive Session.

Item #10 Adjournment

Trustee Burns made a motion at 8:19pm to adjourn. The motion was seconded by Trustee Mitchell and so carried with a vote of 4 ayes and 0 nays.

Respectfully submitted,

Jennifer DeYorgi
Clerk-Treasurer