

**INCORPORATED VILLAGE OF PIERMONT
BOARD OF TRUSTEES MEETING
August 6, 2019**

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

Village Attorney Walter Sevastian, Esq. was not present.

Mayor Bruce 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 July 9, 2019. The motion was seconded by Trustee Burns 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 #052919 in the amount of \$27,586.35, Warrant# 071219 in the amount of \$187,975.02, Warrant# 080119 in the amount of \$71,862.91 and Warrant# 080619 in the amount of \$132,889.67 for a grand total of \$420,313.95. The big items on this warrant were \$68,000 for Valerio (Village Hall roof), insurance renewal of \$166,000, health insurance of \$66,000, Viking outboard motors \$22,000 and EV Charging Station for \$10,000. 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 stated he turned in his July report. We paid \$58,000 for the gutter repair, which has been completed. We took the Yankee gutters and rebuilt the soffits. They redid five feet of the roofline with ice water shield and new shingles in that area as well as a 6-in seamless gutter on both sides. They also did some paint work in the front of the building. The Northshore Walkway was completed last week. The new and improved brackets were installed on the Pier gates, we will see how they were this Sunday. The gates will be open to allow about a 4-foot width with a sign that says no motor-vehicle beyond this point. They will also leave the message board there. Mayor Tucker asked how the signs were coming along for the EV Charger? Tom Temple stated he has the stencils and the signs, just waiting on the stickers.

Police Department – Chief Michael O’Shea informed the Board they had their first save with Hope Not Handcuffs last week. It started out as a fight, gentleman resisted, one officer got hurt. The gentleman then spoke to the Chief and said he wanted help. They took him to Nyack and got him a psychiatrist. He is under weekly treatment and it is going well. They are transferring that case to drug court. If he completes the program in a year, it will go the way it should. Officers have been passing out cards.

Caren Schwartz from Hope Not Handcuffs, 10 Penance Court, New City, NY – She is the coordinator of Friends of Recovery Rockland, which is a program of Rockland Council on Alcoholism and Drug Dependency in Nanuet. They are a grassroots advocacy group. They educated about substances disorder and advocate about for services, treatment and prevention and recovery for substance use disorder as well as bring awareness to the community and run a lot of events. One of the events they are planning is overdose awareness day. This wasn’t really their event, the person that was panning it came to them and said they could no longer do it, so they scrambled to put it together. International Overdose Awareness Day is August 31st, this year it is a Saturday. They looked into having it in Piermont since they are connected here with Hope Not Handcuffs. She was given Phil Griffin’s name and a member of her group contacted him and

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he gave them permission to use the gazebo. She apologized to the Board for not know she needed approval from the Board.

Mayor Tucker stated he has their application for their event on August 31st. Chief O'Shea stated it is a minor event as it will be contained and there will not be a lot of people expected. Mayor Tucker stated there are fees associated with special events and he asked Ms. Schwartz if she was notified of those fees? Ms. Schwartz stated she was not aware, but stated this is an awareness event, there is no fee charged to any of the participants. Her organization is covering the food costs, they have someone who is going to be playing to flute who is donating their talent and a possible DJ at the beginning who will also be donating his time. The event is from 6:60-9pm.

Ms. Schwartz stated it is Overdose Awareness Day and, sadly, there are families in Piermont who have suffered losses. Part of reason for having it here as well is for them and their loved ones. She has also suffered a loss, and this is one of the things she does to remember he son.

Mayor Tucker and the Board discussed awarding Economic Development funds for this event.

Danielle Satow, 15 Foxwoods Street, New City, of Rockland Council on Alcoholism and Drug Dependency stated they strongly support the Hope Not Handcuffs group and feel a very strong connection to Piermont as they were the first police department to sign on with Hope Not Handcuffs when it was brought to this area and it already moving in a really strong direction. Because of the recent losses that families have had in Piermont, this is a really strong significance for this National Overdose Awareness Day. Mayor Tucker asked if they have had this event in other parts of the County previously? Ms. Satow stated prior to this year, there was another organization that took it on. They didn't want to let this event drop, so they came to Piermont based on the connection Ms. Schwartz also mentioned.

Mayor Tucker stated, normally there would be a \$250 application fee for a special event, being that it is a minor event, \$250/hour for two hours, which equals \$750 for he Village in order to hold this. However, we do have an Economic Development line and he gets the feeling from the Board that they are willing to use some of that money to help finance this event. Looking at the percentages that they have covered so far, he asked them if they cover 90%, would they be able to cover 10%, which would be \$75? Ms. Satow stated yes, they would, and they would greatly appreciate that. The Board agreed.

Chief Michael O'Shea stated the traffic grant is in effect right now and he had officers running radar on Paradise Avenue and throughout the Village. The top three locations they base their resources on accidents and complaints are 9W, Piermont Avenue and Ferdon. If they get a complaint, someone just has to email them. He thinks the traffic study on 9W is going well.

Mayor Tucker read a letter he received from Charles Scholl of Tappan, New York.

Dear Mayor Tucker,

I am writing to advise you of an incident that occurred on July 25, 2019 at 8:57am while at my residence in Tappan I collapsed and was not breathing. My wife called 911. The call was answered by several officers by the Orangetown Police Department and the Piermont Police Department. My wife said the first unit arrived within minutes.

Upon arriving and assessing my condition, Police Officer Kugler of the Orangetown Police Department administered CPR while Police Officer Lopez, also of Orangetown, administered oxygen, and Detective Boutros prepared and administered AED. I am told my heart had stopped and it took several attempts to restart it, thereby saving my life.

As a retired member of the NYPD and a 42-year member of the Tappan Fire Department, I have responded to countless events like this. As first responders we

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tend to do our best and think of it as nothing special, all in a day's work. I assure you what those responding officers did that day was something special. Their actions were in the finest tradition of the Orangetown and Piermont Police Departments.

I am suggesting that all of the officers listed in the attached incident report received an appropriate formal recognition and I would be honored to attend any ceremony for them.

Mayor Tucker stated, obviously, Detective Boutros actively admirably above and beyond the call of duty. He asked Chief to thank Detective Boutros on behalf of the Board for his action that saved a life this day.

Chief O'Shea stated Detective Boutros met with the victim and they embraced. It was a very emotional moment for both of them. Detective Boutros does something better every day. They have built a new police department. They are going to have a ceremony at the end of the year where Boutros and Hurley will get their recognition. He thanked the Board for being supportive.

Building Department - Building Inspector Charles Schaub was not present.

Parks Department – Dan Sherman stated on June 22nd the dog park hosted its Paws on the Pier event, which was very successful. Everything went smoothly, and they plan on doing it again next year. The dog part made \$2,600, doubling that with Hi-Tor. Their operating expenses are only \$800 a year, so next year, they will probably give more to Hi-Tor as they need it more. The dog park is in good shape and the membership has grown as a result of that event. He met with Mark Olson and they installed the footing for the sculpture on the Pier. It is 8.5 feet high, 2,000lbs, bronze, \$9,000 installation. It needs about 9 days for the footing to cure. They will put the sculpture in place with a crane in 10 days. They are doing a dedication for the sculpture with Lynne Boone on September 22nd at the Goswick Pavilion Art event. He also met with Piermont VFW Post to present the idea of the stone circle, just to the left of the Lamont Doherty center. He is going to Connecticut to pick and tag the stones this Friday. The Veterans have already given him a check for \$8,090 for this project. In about two weeks, those will be delivered and will be placed in a circle and one on each side of the door to look at the mural. He gave the Board an updated plan for the circle. Maureen Raymo from Lamont Doherty stated the field stated on the Pier is active and online. They have been running summer educational programs for high school and college interns. This coming Saturday is the annual Hudson River fish count, which will be out there and open to the public. In addition to microscopes on the inside, the mural is being fabricated now and hopefully will be done in a few weeks and it does talk a bit about Piermont history. The Learning Circle is for anyone. A Piermont Resident talked to Margie at the field station and asked if the building was going to be wheelchair accessible and right now it has a ramp going up to the door, but right now it bottoms out to a gravel pit. The blacktop has about a 6-foot span of gravel that is impossible to get across on a wheelchair and also, the murals will be difficult by wheelchair unless there is a path. Bob Samuels stated doesn't Lamont received a lot of Federal money? Maureen Raymo stated it is not Lamont's land, they lease the building from the Village. She stated there is no money for this a Lamont. Mayor Tucker stated he will discuss it with Tom Temple and they will see what can be done. Bob Samuels stated they would like to be able to get from the asphalt to the screen and building.

Steve Silverberg asked if the building is open to the public at any time? Maureen stated, yes, whenever anyone is there from Lamont, it is open to the public. Steve Silberberg stated, he believes, according to ADA, if it is accessible by the public, it has to be accessible by people who are in wheelchairs. He is not sure whether the Village issued building permits for the work to be performed, but the Village should enforce that, the Board should speak to the Village Attorney, but he is giving his opinion. Mayor Tucker stated he will speak to Village Attorney and DPW.

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Mayor Tucker asked Tom Temple if there was a request at the time of the re-construction of this that there be gravel in front of this building? Tom Temple stated he believes according to the original landscaping plan, there was supposed to be a grass buffer, but he is not sure why so far off the building. Dan Sherman stated they could use pavers, he knows someone who is looking to get rid of some. He asked Mr. Samuels if he could use pavers or grass? Mr. Samuels stated yes, he has pavers in his driveway.

Fire Department – Chief Dan Goswick, Jr. was not present.

Item #4 - Old Business

Village Clerk-Treasurer had no old business to discuss.

Village Attorney was not present.

Mayor Tucker asked about the status of the Sally Savage photos for Village Hall. Betsey Franco Feeney stated there has been very preliminary thought they have had on that they want to make four, 3x4 foot collages of photos. Trustee Burns stated it is on each side of the middle window in Village Hall and he has the foam backing at his house. Betsey stated they were going to break them up into different areas of interest of Piermont History “Tale of Two Railroads”, WWII”, “The Papermill”, “Fort Comfort”, “Films in Piermont”, but most of these are not going to be Sally Savage if we are doing history. Mayor Tucker stated he thought it was four board of Sally Savage photography. Dan Sherman stated, no. They moved off from there. It didn’t really warrant a place in Village Hall and didn’t really tell enough history, so they added more pictures. Betsey stated there is a lot more history in Piermont. Trustee Burns stated when they started this, they were going to start with four, which was before Dan Spitzer gave a lot of the beautiful pictures which are hanging in Village Hall now. He offered his continued assistance. Mayor Tucker asked if this should be part of the Piermont Arts Committee? He asked the two committees to get together and designed on the number of photos and come back to the Board.

Mayor Tucker reminded the Board, at the last meeting he proposed increasing the amount of money in the NYCLASS and he sent the Board information to review as to the safety of that. He asked the Board if they had any thoughts on this and asked if they should raise the limit over \$1,000,000? Trustee Burns stated he has not had a chance to review it. He asked that we put this over to the September 3, 2019 meeting.

Deputy Mayor Blomquist had no old business to discuss.

Trustee Alpert proposed next year they have a due date for when people submit application for economic development funds, so they can divide up the money evenly, instead of doing it on the fly. She suggested having them in by June and also having a \$5,000 reserve so if something came up like it did tonight, they are not desperate, but so they can do it a little more fairly. Trustee Burns stated they can also put it on the website. Mayor Tucker stated that is great idea and they should look into it again towards the end of the year when they start setting policies for next year. He asked Trustee Alpert to remind the Board.

Trustee Burns had no old business to discuss.

Trustee Mitchell had no old business to discuss.

Item# 5 New Business

Village Clerk-Treasurer informed the Board of a request she received from Jim Elling with the Sparkill Creek Watershed Alliance. They want to remove the invasive water chestnut plants.

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Jim Elling, Norwood, New Jersey, stated it has come to his attention that some of their members and some creek side neighbors have noticed water chestnut crowing in the creek. He doesn't know too much about it but has been learning a lot about it. They are willing to do some volunteer work to pull it up. They need to the Village's permission to go out in a canoe and pull it up. One of their members sent him some information from the DEC. Mayor Tucker stated they received that as well. He asked if the Village would be willing to take any part in this as well, or this would strictly be volunteer effort? This is a very aggressive invasive. Mayor Tucker stated this is the first he has heard of this. Dan Sherman stated this is an invasive weed. He would not comment on how a Village would take care of this. He thinks this needs to start with grassroots and see what people think is manageable on their own or hire some kids. To pay DPW to do this doesn't seem practical. Trustee Mitchell stated he is not sure that the Board has a say in it either. When it comes to the Creek, he believes it needs to get sent out to several different agencies. He is not sure if we are the only agency that has authority over the Creek, so they may need permission from other entities besides the Village. Mayor Tucker stated, from the Village perspective, they have no problem with them going in and taking it out, but if they DEC or any other agency has a problem with it, let them deal with it. Mr. Elling asked if the Village could send out a notice to people who live near the pond, some has spilled over the dam and gotten into the Creek, most is in the pond, and alert people near the pond to the problem. They are looking for volunteers and they have to be diligent with the removal and will such the oxygen from the water. Bob Samuel stated he could send something out. Larry Vale (Sparkill Creek Watershed Alliance) stated they could assemble some information for the Village to get out. It is in the very early stages and once it gets established it is here forever. If they have a bunch of people removing, you can get rid of it, but you have to be diligent. He suggested the highway department or anyone that is working around that area. They will put together a packet and get in touch with the DEC. Steve Silverberg stated recently Yonkers went through this and got a machine to get rid of it, so it might be worth it to contact the City of Yonkers and see how they did it. Mr. Elling stated if they do get a pile of Chestnut, it has to be dried out, so it doesn't get back in the stream and takes a long time to dry it out. They were wondering how to dispose of it or process of using an incinerator? Tom Temple stated they take their stuff to Rockland County Solid Waste compost facility, not sure if they will take that, he can ask. Mr. Elling stated he knows Westchester parks has also had a lot of experience dealing with this and will check with them as well.

Mayor Tucker stated during a heavy rain storm a couple weeks ago the Train Station got flooded and there was also a sewage discharge from a sewage cover on the trail which may or may not have affected it. He asked the Town of Orangetown to come look at it and they are claiming that the sewage did not flow down from their manhole cover. He has a meeting tomorrow with Supervisor Chris Day as they are still trying to work this out as to who will be paying for these repairs. The floor was ruined and has to be replaced and it had to be remediated. It is a Village property that is leased to the Piermont Historical Society. In the meantime, the Train Station remains closed to the public.

Mayor Tucker stated secondly, we received a request for the person who received the gas station to purchase the right of way from the Village. They did receive an appraisal on the property. David Kaliff, 217 River Road, Grand View, NY presented the Board a plan for his building. He has lived in Grand View around 30 years. They like to restore old buildings to their original beauty. His wife is an interior designer, they both served on many boards for many organizations from Sparkill to Nyack and beyond. He is on the ZBA in Grand View and he has a great passion and respect for members of the ZBA and Planning Board. He used to romanticize about buying 505 Piermont Avenue for years and it finally became available. Most of the offers Gerhardt had was to tear down and build new. He offered to restore it and have it for his own office. He is currently into the process of renovating the inside for the office and they have started the outside restoration. He showed the Board photos of the building and what his plans are as far as the piece of property that the Village owns on the Piermont Avenue side of his building. The building was originally built in 1938. They are restoring everything on the outside to the original look and feel. He is not sure if they will do the Shell, but it will look exactly like the original when they are done. They would like to maintain the grass on the Ash Street side of the building as well as

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the flower bed where the Gerhardt sign used to be. His wife and himself would like to do certain charity events as well, if they make sense for them, as a benefit to the village. They are committed to the Village and are very excited about restoring this great old building.

Mayor Tucker reiterated that the section Mr. Kaliff is speaking about is about 18 feet wide by about 116 feet. The appraisal came in at \$32,000 came in, which Mr. Kaliff paid for and Mr. Kaliff would like to purchase this property.

Trustee Mitchell stated one thing left out of the description of the building was the fencing in of the property. Is that permanent?

Mr. Kaliff stated it is temporary while they do construction in the back of the building. The intent is to have bollard or planting like they did in the front. The fence will not be there by October, November. Trustee Mitchell asked if the fence will be removed along the park? Mr. Kaliff stated that fence is permanent. Trustee Mitchell stated that is a big change for him, as far as character in the Village since there are not a place where there is a proper fence where you can't walk through it into town? Trustee Mitchell asked if he has spoken to Phil Griffin, the owner of the adjacent property? Mr. Kaliff stated he has a great relationship with Phil and Phil has never approached him about anything and Mr. Kaliff has volunteered to fix the drainage back there to help Phil reclaim his parking spot.

Mayor Tucker stated the Trustee Mitchell indicated his concern in a previous workshop that apparently there was a false alarm tripped about 3-4 weeks ago and the placement of the bollards prevented the emergency equipment from entering into the parking lot. One thing the Board would want to see, should they decide to sell that lot, is certainly access to emergency vehicles. He asked Mr. Kaliff if that will be a problem? Mr. Kaliff stated certainly not, and he spoke to someone when he was installing the fire alarm and ensured they would always have access. For too many years, that has been more of a public parking lot. It is very disruptive for him and his people when people are diving through there at 20-25mph and on the weekends it was unbearable. It was a traffic pattern across the whole property. He didn't buy it for the enjoyment of everyone being able to walk through there. There are boundaries, just like there are around your own home. He is very reasonable and whatever the Fire Department requires, he will comply.

Trustee Mitchell stated he believe the currently placement of the bollards is too small for them to be able to turn into the lot and the temporary placement in the back doesn't give access at all. He thinks it might be in his interest to take out one of the bollards on the Northside and leave a gap in the rear for access.

Mr. Kaliff stated one of the bollards is removable. And they will make sure the back has access as well. He has no issue working with the Fire Department. Trustee Mitchell stated in response to what he said earlier about cutting through the property, he understands it is his property and there are boundaries, and this is now just a reality that we have to face that there is one less "street" to cut through. He can empathize with Mr. Kaliff on that, but this is now a change that we have to face.

Steve Silverberg stated we just had a traffic committee look at traffic issues in that area of the Village and before you sell a right of way and change that existing traffic pattern down there, you should really have someone exam what impacts it may have on traffic down there before you do it and perhaps prevent the Village from doing something that it might want to do with regard to traffic over there. Mr. Kaliff stated this right of way does not affect the pattern, this is their property and has been used by Gerhardt's since 1938. The pumps used to be there. Mr. Gerhardt chose to not control the parking there. Mr. Silverberg stated he thinks the Village needs to look at that before the Village sells the property. Mayor Tucker stated he was still confused as to what he wanted them to look at? Selling the right of way to the property? Mr. Silverberg stated yes. Mr. Silverberg stated before the Village sells it and cuts off that access, he thinks it needs to be looked into as well as the parking lot, which he thought was also Village property. Mayor Tucker

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stated that was private property. Mayor Tucker stated whether we sell that right of way or not, the piece of property is going to be cut off, it has nothing to do with selling that right of way. Mr. Silverberg asked who was going to do the appraisal? Mayor Tucker stated the appraisal was ordered by the Village and Mr. Kaliff paid for it. Mayor Tucker stated in order for the Board to consider selling this piece, they would first have to draft and pass a resolution to vacate or discontinue. If the Board passes a resolution, then it goes to a public hearing, then at that point the Board would take a vote whether or not to sell the property. He is going to instruct the Village Attorney to draft a resolution to present at the September 3, 2019 Board meeting where the Board will decide whether or not to adopt it or not. Trustee Alpert asked if we did decide to sell it, which she is not proposing we do, wouldn't we have to put it up for auction? Mayor Tucker stated no. If we have a public hearing and if someone else is interested in purchasing it, then it would have to go to the highest bidder.

Village Attorney was not present.

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 Authorize Mayor Tucker to enter into MOU between the County of Rockland and the Village of Piermont for participation in the Rockland County Intelligence Center

Village Clerk-Treasurer stated this is something we have participated in with the County for many years. At the July 9, 2019 meeting, the Board passed a resolution to have Officer Steven Leuthner participate as part of the shared services and this agreement goes hand in hand with this. The Village has been doing this for many years.

Trustee Mitchell made a motion to enter into MOU between the County of Rockland and the Village of Piermont for participation in the Rockland County Intelligence Center. The motion was seconded by Deputy Mayor Blomquist and so carried with a vote of 5 ayes and 0 nays.

Item #8 Recommendation from Piermont Public Arts Committee to place a sculpture by artist Grace Knowlton at the Rockland Road Bridge Park

Joe Serra stated as part of Piermont Public Arts Committee they review several projects. They all liked this piece by Grace and decided that it would go in Rockland Road Bridge Park. Grace and her family have decided to donate this piece to the Village. The value is estimated at \$80,000. This is a previously approved site from the Board last year. Conditions that the Knowlton family has it that the Village pay for transportation and install costs, which PPAC estimates around \$2,000. Once it becomes owned by the Village, they ask it be added to the Village insurance as well. He showed the Board a rendering Walter Cain did for the Rockland Road park and the slabs that will be used. Grace Knowlton is well known and respected in this area. On June 5, 2019 the PPAC unanimously voted in favor of this proposal and went through the 20 criteria when going through any of these proposals. In essence, everyone was very excited about this possible donation and placement. It is a sculpture that should be visible from multiple angles and will be from that site. He thinks it is a well-balanced and appropriate piece for the site. He asked

the Board to consider this gift from the artist. Trustee Burns asked where the \$2,000 for transportation and installation will be coming from? Joe Serra stated the \$2,000 is an estimate, it could be less. Trustee Burns asked what the cost would be to insure this? Village Clerk-Treasurer stated she could get a quote from CLG, but it would be part of our general liability and excess liability policy. Joe Serra stated the sculpture on the Pier was valued at more than \$100,000. Mayor Tucker stated he thinks these definitely need to be on our insurance and he can check with Village Attorney or we can call insurance. Trustee Alpert stated they are Village Property. Village Clerk-Treasurer stated if she didn't put it on insurance, who would have? Mayor Tucker stated it automatically falls under our policy, but he is not sure if we need to list them separately.

Trustee Burns asked if there was damage to them, he doesn't understand how that could be inexpensive. Trustee Mitchell stated if these are one of a kind, and you would not be getting a replacement. The placement looks great visually, but there are cars driving by with a 4-inch curb separating. Would it be prudent to put a barrier so a car wouldn't hop the curb and smash the sculpture? Joe Serra is not sure what the bridge will look like, but he can come back to the Board with an answer on that.

Dan Spitzer stated one way to protect it is to reposition the hypothetical placement of the granite blocks and benches. If they put them in a slightly different orientation, they will serve as a natural barrier to anything hopping the curb. The sculpture is also made of cortex steel, so the sculpture will probably dent a car more than a car will dent the sculpture.

Mayor Tucker stated they need to review this and figure out where the Village will get the money from for transportation and install. He will bring it up during old business at the September 3, 2019 meeting.

Item #9 Resolution to vacate/discontinue a portion of the Main Street (Piermont Avenue) right of way adjacent to 493 and 499 Piermont Avenue

Mayor Tucker stated this is an alleyway that is currently owned by the Village, which the Board is considering selling. This resolution allows the first step in a possible sale but doesn't bind us to a sale. We can pass this resolution, which will then trigger a public hearing and after the public hearing the Board will have an opportunity to vote on whether or not they want to move forward with the sale. In the meantime, the first step will be to adopt this resolution to vacate/discontinue a portion of Main Street (Piermont Avenue) right of way adjacent to 493 and 499 Piermont Avenue, which is a 10 foot by 100-foot alley.

Trustee Burns made a motion to approve the resolution as drafted. The motion was seconded by Deputy Mayor Blomquist and so carried with a vote of 4 ayes and 1 nay (Trustee Alpert).

Mayor Tucker scheduled a public hearing for the sale of alleyway for September 17, 2019.

RESOLUTION No. 0806-19

VILLAGE OF PIERMONT

RESOLUTION OF THE PIERMONT VILLAGE BOARD TO VACATE/DISCONTINUE A PORTION OF THE MAIN STREET (PIERMONT AVENUE) RIGHT OF WAY ADJACENT TO 493 and 499 PIERMONT AVENUE

WHEREAS, New York State Village Law 6-612 allows discontinuance proceedings to be initiated by the Village Board of Trustees by introduction of a Resolution declaring that since the public interest requires it, the whole or any part of any road, street, or unpaved alley in the Village may be vacated and discontinued pursuant to the procedures therein;

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***WHEREAS**, Town and Village records show a 10' by 100' wide unimproved "Alley" as part of Main Street (hereinafter "Piermont Avenue") adjacent to and between the properties identified on the Orangetown Tax Map as parcels 75.75-1-19 (493 Piermont Avenue owned by YP Property, LLC) and 75.55-1-20 (499 Piermont Avenue owned by Leslie Helmers and Jean Rossi);*

***WHEREAS**, the Village Board considers the unimproved parcel to be surplus property, unused by the public as a thoroughfare, impractical to use for any municipal purpose, and potentially useful to the adjacent owner(s) to assist in the uniform development of Piermont Avenue;*

***WHEREAS**, that the Village Board, as lead agency for the purpose of a SEQRA review of this action, an "Unlisted action" under SEQRA, determines that it would not cause (1) a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in potential for erosion, flooding, leaching or drainage problems, (2) the removal or destruction of large quantities of vegetation or fauna (the Board notes that the 10' wide Alley has no substantial growth on it), or cause substantial interference with the movement of any resident or migratory fish or wildlife species; impacts on a significant habitat area or substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species; or other significant adverse impacts to natural resources, (3) the impairment of the environmental characteristics of a Critical Environmental Area, (4) the creation of a material conflict with a Piermont's LWRP, current plans or goals as officially approved or adopted, (5) the impairment of the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood character, (6) a major change in the use of either the quantity or type of energy, (7) the creation of a hazard to human health, (8) a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses (the Board notes that while the subject premises may be developed at a future date, there is no project proposed for the premises, and that it would therefore be speculative to analyze the impact of a potential development at this time under SEQRA because no development is currently proposed, and a site specific SEQRA analysis will be required if the premises are ever developed), (9) the encouraging or attracting of a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action, (10) the creation of a material demand for other actions that would result in one of the above consequences, or (11) changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment;*

***NOW THEREFORE, BE IT RESOLVED**, based on the foregoing findings of the Board of Trustees as to the lack of any environmental impact resulting from the discontinuance of the portion of the right-of-way, that the Board adopts a Negative Declaration under SEQRA finding that the proposed action will have no adverse environmental impact; and*

***BE IT FURTHER RESOLVED** that the Village Board has determined that the public good will be served and that the public interest requires discontinuing the ten foot wide Alley portion of Main Street (Piermont Avenue) between Orangetown Tax parcels 75.75-1-19 (493 Piermont Avenue) and 75.55-1-20 (499 Piermont Avenue) (the "subject premises"), to be legally described in and shown in legal description to be provided by a purchaser of the Alley so as to facilitate a conveyance of the same; and*

***BE IT FURTHER RESOLVED** that the Village Board further resolves and orders that the portion of Main Street (Piermont Avenue) as shown on the Town of Orangetown Tax Map as a 10' by 100' wide unimproved "Alley" located between Orangetown Tax parcels 75.75-1-19 (493 Piermont Avenue) and 75.55-1-20 is hereby discontinued and shall have no future use as public right of way in the Village of Piermont; and*

***BE IT FURTHER RESOLVED**, that upon the vacation and discontinuance that Village Board shall be free to convey title to the subject premises; and*

BE IT FURTHER RESOLVED, that upon adoption of the resolution and a sale of the subject premises a certified copy of the final signed resolution shall be recorded in the office of the Rockland County Clerk; and

BE IT FURTHER RESOLVED that pursuant to Village Law 6-614 the Village clerk is directed to publish notice of a hearing to allow public comment on the Resolution scheduled for September 17, 2019 at 7:45 pm.

Upon the motion of Trustee Burns, seconded by Trustee Blomquist, and by a vote of 4 ayes to 1 nay, the foregoing Resolution was adopted by the Piermont Village Board at its regularly scheduled Board meeting of August 6, 2019.

Item #10 \$13,000.00 Bond Resolution for various items of equipment for Department of Public Works

Village Clerk-Treasurer stated this is for the Fire Suppression System and Check Valve for the DPW.

Trustee Mitchell made a motion to approve the \$13,000.00 Bond Resolution for various items of equipment for Department of Public Works. The motion was seconded by Deputy Mayor Blomquist and so carried with a vote of 5 ayes and 0 nays.

Item #11 \$97,000.00 Bond Resolution for Fire Department equipment

Village Clerk-Treasurer stated this is part of their capital list, which includes multiple items.

Trustee Mitchell made a motion approve \$97,000.00 Bond Resolution for Fire Department equipment. The motion was seconded by Deputy Mayor Blomquist and so carried with a vote of 5 ayes and 0 nays.

Item #12 \$75,000.00 Bond Resolution for acquisition of a Trailer Mounted High Pressure Sewer Cleaner

Trustee Mitchell made a motion to approve \$75,000.00 Bond Resolution for acquisition of a Trailer Mounted High Pressure Sewer Cleaner. The motion was seconded by Trustee Alpert and so carried with a vote of 5 ayes and 0 nays.

Item #13 \$10,500.00 Bond Resolution for Police Department equipment

Deputy Mayor Blomquist made a motion to approve \$10,500.00 Bond Resolution for Police Department equipment. The motion was seconded by Trustee Mitchell and so carried with a vote of 5 ayes and 0 nays.

Item#14 \$180,000 Bond Resolution for construction of various improvements to Village Hall

Mayor Tucker stated this includes the emergency repairs to the roof.

Trustee Burns made a motion to approve \$180,000.00 Bond Resolution for construction of various improvements to Village Hall. The motion was seconded by Trustee Alpert and so carried with a vote of 5 ayes and 0 nays.

Item #15 Public Comment

Steve Silverberg- He noticed on the Piermont Facebook page that there was a fundraiser going on by the PAL to repair the basketball court. His understanding was, that basketball court was owned by the Village, since it is used by the PAL and the programs for children in the Village and otherwise, why do they have to go begging for \$10,000.00 and why the Village won't pay for that?

Mayor Tucker stated they had not figured it in this year's budget and the PAL offered to do a fundraiser.

Steve Silverberg stated it seems like a relatively small amount of money, the Village has significant reserves and it doesn't seem like this is going to put the Village in default. It seems strange to him that on a Facebook page, PAL, which is essentially an agency of the Village, is asking people to donate money. They were out during Bastille Day and he made a donation because he supports PAL, but that doesn't change the fact the Village can't be supporting them as well and pay for that?

Louise Boyarsky, 36 Gair Street, Piermont - There is a Bocce Court in Piermont behind the Pavilion. It is unusable, which is unfortunate as she doesn't think it would take much to repair it. It has indentations, weeds growing in it and she thinks it would be great for the Village to be able to use. It is a great activity for people of all ages and gets people out of their homes to socialize and exercise. She has seen these courts in other places very well utilized. She went on Next Door and Patch and quite a few people said they utilize it. She thinks it would be a great addition to the Village.

Trustee Mitchell stated we recently had a tournament there.

Tom Temple stated there was a bocce tournament there three weeks ago and it was prepared for the tournament. Trustee Mitchell and Tom Temple stated they had a tournament and it was cleaned up prior to the tournament.

Someone from the audience stated it cannot be used because it is not in useable shape. It is like a baseball diamond that is in disrepair. It is an asset to the Village and is on Village property and one of the things folks of this generation can easily do. The Village has this nice facility that can be used, and it is a shame that it can't be.

Trustee Burns stated Tom Temple is the expert and they prepared it for the tournament, so it must have been in useable condition. He suggested they go take a look and if there is a problem, give Tom a call.

Item #16 Executive Session to discuss procurement process specific as to pricing for Village Wide Recycling pick-up

Trustee Burns made a motion to enter Executive Session at 9:29pm. The motion was seconded by Deputy Mayor Blomquist and so carried with a vote of 5 ayes and 0 nays.

Trustee Burns made a motion to exit Executive Session at 10:09pm. The motion was seconded by Deputy Mayor Blomquist and so carried with a vote of 5 ayes and 0 nays.

No action was taken in Executive Session.

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Item #17 Adjournment

Trustee Burns made a motion at 10:10 pm to adjourn. The motion was seconded by Trustee Mitchell and so carried with a vote of 5 ayes and 0 nays.

Respectfully submitted,
Jennifer DeYorgi
Clerk-Treasurer