

INCORPORATED VILLAGE OF PIERMONT
BOARD OF TRUSTEES REORGANIZATION MEETING
January 8, 2019

Present: Mayor Bruce Tucker, Deputy Mayor Mark Blomquist, Trustee Ivanya Alpert, Trustee Rob Burns, Trustee Nate Mitchell, 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.

As a result of the Village Election, Mayor Tucker administered the Oath of Office to Trustee BURNS and Trustee MITCHELL for a term to expire at the Reorganization Meeting of January 2021.

Mayor hereby appoints **MARK BLOMQUIST** Deputy Mayor for a term to expire at the Reorganization Meeting of January 2020. The motion was seconded by Trustee Burns and was so carried with a vote of 5 ayes and 0 nays. Mayor Tucker administered the Oath of Office.

Mayor hereby appoints **JENNIFER DEYORGI** Village Clerk-Treasurer for a term to expire at the Reorganization Meeting of January 2021. The motion was seconded by Deputy Mayor Blomquist and was so carried with a vote of 5 ayes and 0 nays. Mayor Tucker administered the Oath of Office.

Mayor hereby appoints **HANNAH ROSS** Deputy Village Clerk-Treasurer for a term to expire at the Reorganization Meeting of January 2020. The motion was seconded by Trustee Alpert and was so carried with a vote of 5 ayes and 0 nays. Mayor Tucker administered the Oath of Office.

Mayor hereby appoints **WALTER SEVASTIAN** as Village Attorney for a term to expire at the Reorganization Meeting of January 2020. The motion was seconded by Deputy Mayor Blomquist and was so carried with a vote of 5 ayes and 0 nays. Mayor Tucker administered the Oath of Office.

Mayor hereby appoints **LINO SCIARRETTA** as Assistant Village Attorney for a term to expire at the Reorganization Meeting of January 2020. The motion was seconded by Trustee Mitchell and so carried with a vote of 5 ayes and 0 nays. Mayor Tucker administered the Oath of Office.

Mayor hereby appoints **HEIDI SPITZER** Associate Village Justice for a term to expire at the Reorganization Meeting of January 2020. The motion was seconded by Trustee Burns and was so carried with a vote of 5 ayes and 0 nays. Mayor Tucker administered the Oath of Office.

Mayor hereby appoints **BRIAN KENNEY** to serve as Village Assessor/Consultant for a term to expire at the Reorganization Meeting of January 2020. The motion was seconded by Mitchell and was so carried with a vote of 5 ayes and 0 nays.

Mayor hereby appoints **BROOKER ENGINEERING** to serve as Village Engineer for a term to expire at the Reorganization Meeting of January 2020. The motion was seconded by Deputy Mayor Blomquist and was so carried with a vote of 5 ayes and 0 nays.

Mayor hereby appoints **JENNIFER DEYORGI** as Registrar of Vital Statistics for a term to expire at the Reorganization Meeting of January 2020. The motion was seconded by Trustee Alpert and was carried with a vote of 5 ayes and 0 nays. Mayor Tucker administered the Oath of Office.

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Mayor hereby appoints **HANNAH ROSS** as Deputy Registrar of Vital Statistics for a term to expire at the Reorganization Meeting of January 2020. The motion was seconded by Trustee Burns and so carried with a vote of 5 ayes and 0 nays. Mayor Tucker administered the Oath of Office.

Mayor hereby appoints **DANIEL SPITZER** as Member of the Planning Board for a term to expire at the Reorganization Meeting of January 2024. The motion was seconded by Trustee Burns and so carried with a vote of 5 ayes and 0 nays.

Mayor hereby appoints **ED NELSON** as an Alternate Member of the Planning Board for a term to expire at the Reorganization Meeting of January 2020. The motion was seconded by Trustee Burns and so carried with a vote of 5 ayes and 0 nays.

Mayor hereby appoints **JERRY WARSHAW** as an Alternate Member of the Planning Board for a term to expire at the Reorganization Meeting of January 2020. The motion was seconded by Deputy Mayor Blomquist and so carried with a vote of 5 ayes and 0 nays.

Mayor hereby appoints **DANIEL SPITZER** as Chairperson to the Planning Board for a term to expire at the Reorganization Meeting of January 2020. The motion was seconded by Deputy Mayor Blomquist and so carried with a vote of 5 ayes and 0 nays.

Mayor hereby appoints **USHA WRIGHT** as Chairperson to the Zoning Board of Appeals for a term to expire at the Reorganization Meeting of January 2020. The motion was seconded by Trustee Burns and so carried with a vote of 5 ayes and 0 nays.

Mayor hereby appoints **PONISSERIL SOMASUNDARAN** as Member to the Zoning Board of Appeals for a term to expire at the Reorganization Meeting of January 2024. The motion was seconded by Trustee DeFeciani and so carried with a vote of 5 ayes and 0 nays.

Mayor hereby appoints **ROD GREENWOOD** as Alternate Member to the Zoning Board of Appeals for a term to expire at the Reorganization Meeting of January 2020. The motion was seconded by Trustee Mitchell and so carried with a vote of 5 ayes and 0 nays. Mayor Tucker administered the Oath of Office.

Mayor hereby appoints **ROCHELLE SPOONER** as Alternate Member to the Zoning Board of Appeals for a term to expire at the Reorganization Meeting of January 2019. The motion was seconded by Trustee Burns and so carried with a vote of 5 ayes and 0 nays.

Mayor appoints the following as Liaisons to Village Departments:

Deputy Mayor Blomquist: Police Department
Trustee Alpert: Clerks Office, Building Department
Trustee Burns: Justice Court, Parks, Land-Use Boards
Trustee Mitchell: Fire Department, DPW

Resolution by Mayor Tucker, seconded by Trustee Burns and was so carried with a vote of 5 ayes and 0 nays.

Mayor hereby designates **THE JOURNAL NEWS** as the official newspaper for the Village of Piermont. The motion was seconded by Deputy Mayor Blomquist and so carried with a vote of 5 ayes and 0 nays.

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Mayor hereby designates M & T BANK, STERLING NATIONAL BANK and MBIA CLASS as the official depositories for the Village of Piermont. The motion was seconded by Deputy Mayor Blomquist and so carried with a vote of 5 ayes and 0 nays.

Mayor hereby designates the following as the official locations for posting of notices for the Village of Piermont:

Village of Piermont Village Hall
Canzona's Market
Railroad Station
Piermont Post Office
Dennis McHugh Library
M & T Bank
The Landing Health Club
Eleanor Stroud Skating Pond
Official Village of Piermont website
Official Village of Piermont Facebook page

The motion was seconded by Deputy Mayor Blomquist and so carried with a vote of 5 ayes and 0 nays.

Mayor Tucker made a motion to designate the BOT Meetings the first and third Tuesday of every month as the regular meeting days, except the summer months of July and August where there will only be one monthly meeting. The Board reserves the right to re-visit the schedule with advanced notice as it sees fit to reschedule meetings.

The motion was seconded by Deputy Mayor Blomquist and so carried with a vote of 5 ayes and 0 nays

Mayor hereby appoints **DAN GOSWICK** as Chairperson of the Harbor Commission for a term to expire at Reorganization of January 2020. The motion was seconded by Deputy Mayor Blomquist, and so carried with a vote of 5 ayes and 0 nays.

Mayor hereby appoints **DAN SHERMAN** as Chairperson of the Piermont Parks Commission for a term to expire at Reorganization of January 2020. The motion was seconded by Trustee Burns and was so carried with a vote of 5 ayes and 0 nays. Mayor Tucker administered the Oath of Office.

Mayor hereby appoints **LISA DeFECIANI** as member of the Waterfront Resiliency Commission for a term to expire at Reorganization of January 2020. The motion was seconded by Trustee Burns and so carried with a vote of 5 ayes and 0 nays. Mayor Tucker administered the Oath of Office.

Adoption of Procurement Policy for the Village of Piermont

Adoption of Workplace Violence Policy for the Village of Piermont

Adoption of Sexual Harassment and Diversity Training Policies

Adoption of Disaster Preparedness Emergency Policy for the Village of Piermont

Adoption of Bloodborne Pathogens Policy for the Village of Piermont

Adoption of Employee Layoff/Staff Reduction Procedure for the Village of Piermont

Adoption of HazCom Policy for the Village of Piermont

Mayor Tucker made a motion to approve the Village policies as currently existing, effective for the official year 2019-2020. The motion was seconded by Trustee Burns and so carried with a vote of 5 ayes and 0 nays.

Pier Dock Usage Policy for the Village of Piermont

Mayor Tucker made a motion to adopt the Pier Dock Usage Policy for the Village of Piermont. The motion was seconded by Trustee Burns and so carried with a vote of 5 ayes and 0 nays.

Annual Review of Village Fines and Fees

Mayor Tucker made a motion to accept the fines and fees for 2019. Trustee Burns seconded the motion and so carried with a vote of 5 ayes and 0 nays.

Mayor Tucker announced the end of the Reorganizational meeting and moved onto the regular board meeting.

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Item #28 – Approval of Meeting Minutes

Deputy Mayor Blomquist made a motion to approve the minutes for December 18, 2018. The motion was seconded by Trustee Mitchell and so carried with a vote of 5 ayes and 0 nays.

Item #29 – Approval of Warrant

Deputy Mayor Blomquist made a motion to approve Warrant #122118 in the amount of \$4,616.17 and Warrant# 010819 in the amount of \$132,012.51 for a grant total of \$136,628.68. The motion was seconded by Trustee Burns and so carried with a vote of 5 ayes and 0 nays.

Item #30 – Department Reports

Department of Public Works - Highway Superintendent Tom Temple informed the Board he will turn in his December report at the next meeting. He further advised the Board of some 2018 totals for the calendar year. Total loose-leaf collection was a little over 88 tons, about 504 yards. They collected 5.31 tons of bagged leaves for a total of 93.63 tons of leaves this year. Garbage they picked up 788.53 tons, bulk collection was 112.50 tons. They picked up 37.37 tons of brush, 12.45 tons of other yard waste besides brush. 9.43 tons of metal, which gets recycled and our Village recycling for the year was 190.05 tons, which is about average for us for recycling. The next Christmas Tree collection date is January 16th. He asked residents to put trees on the curb with all decorations removed.

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Mayor Tucker asked about the boat launch ramp? Tom Temple stated he is still waiting to hear from DEC. Mayor Tucker has a meeting with DEC on Friday and will see if he can get an answer from them. He also asked if the second speed sign was ever set up? Tom Temple stated they did not set it up yet and they are going to discuss it at the Traffic Committee meeting Thursday and when they decide where to place it, it is a quick install.

Police Department – Chief Michael O’Shea informed the Board everything is set for Saturday. They are expecting a very large crowd, but they have plans in place for traffic control. They have Orangetown and South Nyack on standby, should they need them. The Pier will be closed to vehicles, but open to Police, Fire and Public Officials. Handicap folks will be by Goswick Pavilion, so they will get the closest spot. He is going to speak to Clark Alexander to see if he will allow them to use the lower road as overflow parking. We will have to close Tweed Blvd and Castle Road. If Tweed gets one of two cars parked, it will cause a traffic jam and you cannot get any ambulances or fire trucks through. Everything will be posted. If we get so many people that there is no more parking, they will close down entrance to everyone but residents. There will be 6 officers working and a radio operator, who are all experienced. At 8:45 no more cars will be allowed on the Pier. Public safety first. If someone is really handicapped and needs a ride, they will take them out there in a police care. Marine 1 & 2 will be on the scene. Lisa DeFeciani asked what time the explosion is going to be? Chief O’Shea stated if people want to watch it, arrive by 8:30am. Several restaurants announced demo brunches and with that comes mimosas. If people start drinking at 8am and drive home at 12, that could be a problem. They will have two cars on 9W. He commended Officer Boutros for taking people off the road who could potentially kill or hurt other people. There will be zero tolerance on Saturday. There is Uber and Lyft, don’t drink and drive. In addition to the increase in DWIs, they are seeing a big increase in heroin use. Not snorting, they are catching people with needles. In the Spring they are going to have a class in Village Hall regarding overdoses. He feels we need more beds and more counseling. They are going to get the word out to bartenders to monitor people drinking more closely as they have a responsibility not to serve people who are highly intoxicated. They work well with the business district and they could even run a training with the bartenders to help them. They want to help them and also keep the people that live here safe.

Building Department - Building Inspector Charles Schaub was not present.

Parks Department – Dan Sherman had no report to give at this time.

Fire Department – Chief Don Hardy had nothing to report.

Item #31 - Old Business

Village Clerk-Treasurer stated the resolution the Board adopted last month for the Paradise Harbor Stipulation Agreement was calculated wrong by Brian Kenney. It now has the correct amount and the we need a new resolution. Trustee Burns made a motion to amend the previously approved Tax Certiorari Settlement on Paradise Harbor for an additional \$401.28. The motion was seconded by Deputy Mayor Blomquist and so carried with a vote of 5 ayes and 0 nays.

Village Attorney had no old business to discuss.

Mayor Tucker informed the Board he has a meeting with the DEC Friday. They emailed him last week and they want to meet with him as a follow-up discussion regarding their parking spots on the Pier. Whether they donate them back to the Village or they lease them back to the Village. Additionally, he received a call today from Lee Capasso regarding recycling. Per our 2006

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contract, we have been paying \$2.17/unit. They came to us and said they can no longer do it at that price. Tom Temple and himself met with them and told Capasso the most they could accept for 2019 would be a 20% increase and it would just be a one-year contract as we are in the middle of the joint negotiation with the other River Villages to put out a joint recycling RFP. Capasso came back to us with \$3.50/unit, which is an increase of 30%. Nyack is paying \$5.50 a household and she they want it starting now. We have not budgeted for an increase for the remainder of this budget year. He intends to go back to her and see if she will hold at the 20%, if she won't he assumes we will have to take the 30%. Deputy Mayor Blomquist asked how much we budgeted for? Tom Temple stated we budgeted \$37,000/year for recycling. Village Attorney stated when this gets rebid it will be closer to \$10. The recycling market is gone as it cannot go to China anymore. India is taking it, but it a fraction of the price. Mayor Tucker asked if there is a point if it doesn't even pay to recycle? Trustee Burns stated maybe just recycle paper and glass. Village Attorney stated it is tough because everything has to go to the County facility and part of the issue is what they pay. Mayor Tucker stated the good thing is we have dual stream and the facilities that have dual stream are still doing the best in terms of pricing. It also depends on the rebates that we get to. Tom Temple stated we currently get \$35/ton in rebates. Trustee Burns made a motion authorizing Mayor Tucker to accept up to \$3.50/unit for the 2019 recycling. The motion was seconded by Deputy Mayor Blomquist and so carried with a vote of 5 ayes and 0 nays. Lastly, Mayor Tucker stated he is withdrawing his attempt to remove the farmers market from the M&T Bank parking lot and put out an RFP for the Goswick Pavilion. After meeting the Chamber of Commerce, he can see that there is no community support for that, so he is withdrawing that initiative.

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 had no old business to discuss.

Item# 32 New Business

Village Clerk-Treasurer stated Deputy Clerk-Treasurer emailed the Board today a request from the show, "The Blacklist", which is requesting to film past 8:00pm on January 14, 2019. They expect to be done by 8:00pm but want to have a buffer and would ask the Board's permission to film until 9:00pm. Chief O'Shea stated he approved and he thinks this will go smoothly and they will be quiet. Trustee Burns made a motion for "The Blacklist" to film until 9:00pm on January 14, 2019. The motion was seconded by Trustee Alpert and so carried with a vote of 5 ayes and 0 nays.

Village Attorney had no new business to discuss.

Trustee Burns had no new business to discuss.

Mayor Tucker had no new business to discuss.

Village Attorney had no new business to discuss.

Trustee Alpert stated she had sent the Board an email that South Nyack had recently proposed a local law related to entity disclosure and land applications. It requires any LLC that goes before the Planning Board to provide a list of who the owners/CEOs are of that LLC. She would like to propose something similar here. Village Attorney stated many municipalities are adopting this now. This essentially requires them to disclose their principals, so if there are any conflicts, we know who we are dealing with. He can generate a draft if the Board wants him to. It is not a

zoning law and can be done on 10 days public notice. Mayor Tucker agreed. Village Attorney stated he will do a draft and we set the public hearing at the next meeting.

Deputy Mayor Blomquist had no new business to discuss.

Trustee Mitchell had no new business to discuss.

Item #33 Other Non-Agenda Items:

None.

Item #34 Resolution authorizing the Mayor to update Employee Letters of Understanding for the Calendar Year 2019

Mayor Tucker made a motion to authorize the Mayor to update Employee Letters of Understanding for the Calendar Year 2019. The motion was seconded by Trustee Mitchell and so carried with a vote of 5 ayes and 0 nays.

Trustee Burns requested that the Liaisons get copies of their department's agreements.

Item #35 Review of proposed Building Department Fees

Mayor Tucker stated he does not have any Building Department fees in front of him and the Building Inspector is not in attendance. Mayor Tucker suggested this be discussed during Budget season.

Item #36 Continuation of review of new Special Permit issuance for the Down to Earth Farmers Market for the 2019 Season

Village Attorney reminded the Board there was an application to renew the farmers market. We requested additional information, including permission from the property owner. He spoke to someone from Down to Earth this week and she indicated that they had a little bit of difficulty getting permission from M&T Bank. She forwarded him an email that M&T was not inclined to grant permission for the 2019 season. The middle of the email was a little unclear of whether whose permission came first, theirs or the Village? We need to make it clear to them that if you want to build a building or open a restaurant, you need the permission of the land owner to establish a use. They may have more information in respect to other issues that came up, but right now they are hung up on the permission. Until we get that, the Board cannot really entertain this.

Item #37 Discussion to reduce the number of 15-minute parking spaces on Piermont Avenue in the business district

Mayor Tucker read the following statement:

“It had become obvious this past Fall that many drivers were ignoring, or failing to even look, at the 15-minute parking signs on the west side of Piermont Ave. in our Commercial district – signs that have been there for almost 40 years! Some people were parked there all day – including employees of local businesses! Meanwhile, business owners consistently tell me that there is not enough parking in our downtown business district.

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I had a meeting with the Police Chief, and Tom from the D.P.W. We had two choices – more enforcement - or better signage. The Chief and I don't want Police chalking tires unless absolutely necessary. We chose better signage. Then it came a choice between installing more sidewalk signs, or stenciling the pavement in each spot. Our feeling was as follows – we did not want to clog up the sidewalk with more signs on posts. Besides clogging up the sidewalk in, what we considered, an unsightly and aesthetically undesirable fashion, it also prevents the D.P.W. from using automatic equipment to clear snow on the sidewalk. Snow around the signposts must be removed by hand, resulting in more manpower, and more costs to the Village. In addition, our thought was that the stenciling on the pavement would not only be more noticeable to drivers, (as they are looking at the pavement and curb as they pull in), but also “disappears” beneath the parked automobile – completely out of sight. Residents have told us they don't want signage, and they don't want meters. We made the best decision based on the information we had at the time. Obviously, the stenciled pavement did its job, based on the number of Residents that claimed they didn't even know it was a 15-minute zone! However, based on the reaction I received from Residents who called and emailed me about the overall aesthetic to the Village, apparently, we need to reexamine this, and we are open to solutions. I am here to tell you tonight that, when properly directed, I hear the concerns of the Residents of Piermont, and the D.P.W. stands ready to remove the stenciling from the pavement pending results from tonight's discussion, including other signage alternatives.

One positive result from this incident is that it has given us a chance to look at those spots that have been 15 minutes for 40 years. At this point in time, I do not believe that we need 8 fifteen-minute spots. While there are some businesses on the west side of Piermont Ave. that need to have those spots available for the needs of their business model, we recognize that there are some that do not. I went to the businesses that need it to ask their requirements. The wine store has requested one spot, the Community Market has requested four spots. This leaves three spots in front of Presence and the Salon that can theoretically be converted to 2-hour spots. This would require a change in our code, as well as a Public Hearing. I open this discussion first to the Board, and then the Residents.”

Trustee Burns stated he agrees that the white markings in the roadway leave a lot to be desired. He thinks it is important to hear from the stores on that side of the street as to what their needs are. He doesn't think 15 minutes is reasonable anymore? Do we make it 30 minutes or an hour? That is up to the store owners on that side of the street as to how fast they want cars moved out and how much they need for patrons to come in and patronize the stores.

Trustee Mitchell stated he believes it would be confusing if we had some there that were 15 minutes and some that are not. But he doesn't know that the need for 8 spots is the right number or that 15 minutes is the right duration.

Mayor Tucker stated theoretically, there would be 4 in front of the Market and two in front of Presence and the Salon and two on the other part of the salon and the wine store. The wine store requested a 15-minute spot. He asked if we wanted to convert those 3 spots to 2-hour spots? And how to we want to sign the street? People obviously don't want the pavement markings, but the signage that was there was not enough.

Lisa DeFeciani asked if it was a Village Board decision to put the painting down? Or just the Mayor's decision? Did the Village Board vote on it to put the painting down?

Mayor Tucker stated it was a decision made between the Police Chief and the DPW.

Lisa DeFeciani asked that the Board had no say in that decision?

Mayor Tucker stated no.

Lisa DeFeciani asked if the Board was even asked?

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Mayor Tucker stated no.

Chief O'Shea stated the 8 parking spots are too many and a lot of stores have big turn over now. 15-minutes is a short amount of time and people are not going to stay in the store as they will be worried. He thinks we can solve this with removing the pavement markings and signs and perhaps marking the curb, which is not unsightly. If we make this change it will help a lot of people. However, if we go from 8 to 5, we will have to enforce the zone. Before we issue violations, we send our community police officer door to door and tell every business to not park on the street and then do a second time, then they write tickets. For this to work, they must do strict enforcement. They will help the people who long-term and short-term parking. In the past when they do the strict enforcement the vast majority of people who get violations are the restaurant workers. The merchants should know, police have discretion with violations/traffic tickets, not with misdemeanors and felonies.

Farah Abramson, Presence of Piermont – Stated her store is in the middle of this. She has had the store for 11 years and has lived here for 20 years. It was not consistently enforced. She is not sure why all the sudden there is a problem, but clearly there is. She stated Mayor Tucker said he discussed this with the Chief and different department, but he discussed it with no one else. It directly affects her and was never brought to her attention.

Mayor Tucker asked what affected her?

Ms. Abramson stated there was big issue. He stated he discussed it with the police department and DPW, but he never brought it up at a meeting and never let the people who were affected by it know.

Mayor Tucker asked affected by what?

Ms. Abramson stated the parking.

Mayor Tucker stated the parking was always 15 minutes.

Ms. Abramson said it was always 15 minutes, but he made a change, they painted the street and alerted people. If you go there during the day, it is always empty. People do not park there. She found out about it because by the third customer that morning, who was wanting to rush, one person had to move their car, she then went outside and saw. It hurt her business at the worst time of the year, never alerted her or any other business and then he said tonight that afterwards he went into the business to see what they wanted. He never went to her or said a word to her and he knows it affected her. He never discussed it and never considered her. As far as the 8 spaces and the timing, the wine store, if he wants 15, the rest of it should be 2 hours.

Mayor Tucker suggested this go to the Traffic Committee and the they can go talk to the business owners and decide how many spots, 15 minutes or 30 minutes and the remainder.

Trustee Alpert stated there is a bigger picture question, where is our parking in the Village? In a previous meeting they discussed if they wanted to charge for parking. They are discussing how do they get people who are working in the Village to not park in those spaces. Is there some way we can have residents only stickers or something along those lines?

Ms. Abramson stated even if you work in the mall they have designated parking for workers which is much farther away, so they do not park in customer parking.

Trustee Alpert asked if we did have the spaces downtown as paid spots and the spots that are further away free, does she think that would hurt her business?

Ms. Abramson stated she believes pay meters would hurt her business. She hears how people don't like going to Nyack because of it. We have never had an issue on Main Street. She didn't

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hear any complaints and there was no problem. She is not sure what happened where this is now such a big issue.

Mayor Tucker stated they have been 15-minute spots. The other choice was to start enforcement.

Ms. Abramson asked why that change?

Mayor Tucker asked if she was asking why should the Village start enforcing a parking law?

Ms. Abramson stated there clearly wasn't a need for 15-minute parking because no one was complaining about it. There wasn't an issue with people getting tickets and not knowing about it. It was never an issue. She wonders what happened over the past few months that made it such a big issue that in a weeks' time the streets are painted.

Mayor Tucker stated he doesn't understand what the change is.

Ms. Abramson stated she doesn't understand where he doesn't see the change. She has pictures where on a given day, every spot it taken, but no one is parking in those spots because of the fear of all the painting.

Mayor Tucker asked, they were parking there knowing it was 15 minutes, but not caring?

Ms. Abramson stated yes. They were not getting tickets.

Mayor Tucker stated he has lived here 28 years and it has been 15 minutes since long before then.

Village Attorney stated he is not running the meeting and he does not live here, but if you are here to talk about a solution, that is great, but if you are here to blow off steam, that is great, but eventually a solution needs to be reached and the spaces need to be told to him and he will put it in the code. You are here to come up with a solution. Give him a solution and he is happy to put in the code whatever you want. He lives in Nyack and stated it is difficult getting store owners not to park on the street. In order to get resident only parking, you have to get an act of the State Legislature and usually have to have a reason. He has a meeting with someone who is an expert in this field next Wednesday for what they can do on a local level for resident only parking. Absent meters with quick turnaround, it is very difficult to fight human nature with parking.

Ms. Abramson stated she believes meters turn people away and she didn't see where there was a problem. She agrees with the solution of limiting the spaces and making a change and get rid of the street painting.

Trustee Mitchell asked Tom Temple if curb painting feasible?

Tom Temple stated they spent so much money installing the block he would rather not paint the curb, but if he is directed to paint the curb, they will paint the curb. To him it is a waste of money to paint the curb. If we were going to paint the curb, we should have just poured concrete sidewalk, but we spent extra money to put the block in, so you will take away from the beauty.

Christine Mooney - She recently noticed that when the leaves were being picked up on River Road, there were leaves on the street, the length of a car and half that covered the lane coming south completely to the yellow line. She asked who that gets reported to?

Mayor Tucker stated Tom Temple.

Ms. Mooney stated she is unsure why it wasn't removed immediately. There were car tracks through it and it was spreading across the main road. Further, some residents are getting letters from a real estate company in Westchester stating they are buying buildings in Piermont. It

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makes her nervous and she wants to know who she inquires to about this? The letter went to everyone in Lawrence Park.

Mayor Tucker stated he has not seen the letter and suggested she bring it to the Clerk's office.

Trustee Alpert suggested she also join the "No Knock" Registry also, even though it doesn't cover mailed items.

Stacey Schlein stated she knows from working in Piermont stores in the past. The police would come down in April or May and say they were going to start enforcing the parking and tell all the business owners as they didn't want to do it so much during the winter, more during the summer. She wondered why all the sudden and why not make the signs bigger?

Chief O'Shea stated we cannot put up what we want, we have a code book. We can paint the road, that is in the law. The reason they went for enforcement in April was based on the needs for businesses. Now we have a number of new stores and restaurants and the issue has been raised. The complaints were coming in April. Now the complaints came in earlier. They want voluntary compliance. They use discretion. They don't sit outside and wait for 16-minute violations and write a ticket.

Mayor Tucker asked what the Board thinks about referring this to the traffic committee?

Trustee Alpert agrees. But she believes we also need an immediate answer, which the traffic committee might not be able to give as they will want to look at a more long-term solution.

Village Attorney stated if the pavement marking were painted over now, the spaces would revert to 2-hour parking if the signs were removed. He stated they have to be very careful when they sit down and figure out what the long-term solution is because if you say you are giving one to one store and one to another, etc. someone down the block will say they want one too. They are public streets. There is discretion with the Board on parking, it never an easy discussion or solution.

Mayor Tucker asked if we remove the painting off the street for a short-term solution, and it remains a 15-minute zone. For a long-term solution, the Traffic Committee will look at it and assess how long we want those spots to be and what we want to do with them. Tom Temple understood.

Ms. Abramson asked if the 15 minutes will be enforced at those 8 spaces once the paint is gone?

Mayor Tucker stated Tom Temple will take the paint markings away, but those 8 spots are still 15 minutes until the Traffic Committee can find a long-term solution.

Chief O'Shea stated they are going to use their discretion. Until this is settled, if they get complaints, they are going to address the complaints and what they normally do is give a lot of leeway, which they can do with violations. They don't want someone parking there all day, and that's what was happening. Before they start strict enforcement, they will go door to door to every merchant two times, and they third time they will start issuing, but not on the minute, they will be very fair.

Item #38 Public Comment

Laura Straus - She asked the Board if it was possible to issue a letter or some kind of statement from the Board that the Village is actually in favor of the use of the parking lot at M&T Bank for Down to Earth for 2019. She believes the only way they will be able to obtain that spot will be with the blessing of the Village because she thinks they backed off of it because of the questions

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that came up around the new RFP and earlier discussions related to moving the market. She asked if that would be something the Board would entertain.

Mayor Tucker told Ms. Straus that she could submit a letter to the Board at any time.

Village Attorney stated she is asking for the Board for a letter.

Ms. Straus stated she doesn't think that M&T will offer us this space unless the Village Board tells them that is what they want. She doesn't think it can come from Down to Earth or from the Chamber, it has to come from the Board in order for us to get that space again for that purpose.

Village Attorney stated the Board could write M&T a letter saying subject to conditions being worked out, dealing with noise and whatever concerns the Board have, no objection to the space being used for a farmer's market. He doesn't think you can give preference to one user. It is the same way you wouldn't want to interrupt a user.

Ms. Straus stated they seem to be shutting down on the use for anything. They got the feeling that the Village no longer wanted them to offer that space as a venue for a market. She thinks it is pretty clear that they want to do what the Village wants.

Mayor Tucker asked if she wants the Board to make it clear to them that we still would want a farmer's market at the M&T parking lot?

Ms. Straus stated that is what she is asking.

Village Attorney stated it is a special permit application, there were concerns about noise and facilities. The Board had intended, on resubmission, to try to address some of those and Down to Earth came back with some input. The policy is issued by the Board. If the Board wants to issue a letter that says they we don't have any objection to a farmer's market there, subject to approval of a special permit, he thinks that is fine. He doesn't think there is anything wrong with that, but he doesn't think you can give preference to anybody over anyone else.

Ms. Straus stated she thinks it needs to be made clear to M&T that this Village wants a farmer's market there. At that point, we can begin the process we had hoped to get to tonight with all the questions involved and the things the Board wanted to address with Down to Earth.

Village Attorney asked the Board if they have a consensus on that?

Trustee Burns stated as long as we decided not to move it to the pavilion, he believes that is the logical place, subject to the conditions which the Board previously discussed. As long as those issues are taken care of, he doesn't see any reason why you can't have it there.

Dakota, Down to Earth, stated they can instruct their vendors to unload from off the street to be sure their vehicles are not on the street. The start time and arrival time of the vendors is something that can be discussed and monitored. The noise as well, they could not start their live music until 10am to make sure that is not a concern. They have three businesses that say their staff and vendors can use their bathrooms. They open at different times on Sundays, so they would have good coverage.

Trustee Burns asked where their customers will use a restroom? Where will they direct them?

Dakota indicated there are a lot of businesses that do not offer public restrooms and they are one of them. They do not think it is appropriate to tell customers to use another businesses restroom.

Trustee Burns stated the question that came up was that the Community Market said there was a line of people that had been told to go there.

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Dakota stated that is very mysterious and that is not their policy. It is not for them to direct people elsewhere. It is not fair to anybody to do that. They would continue to operate as a business that doesn't provide public restrooms.

John Alexander – Stated his mom used to say, “The road to hell is paved with good intentions”. Being witness to what has been going on the last several. From an insider/outsider perspective, he is married to Laura Straus and is a member of the Chamber of Commerce Board. He thinks part of the solution of change is taking consultation before change. Perhaps before making a change, it might be good to talk to a group before making a change. He also thinks the Chamber does represent the business interest overall and does have the Village's interest at heart, so communicating with the Chamber before taking actions would be a very good idea.

Lisa DeFeciani - Seconded what Laura Straus said. The farmer's market has been here 14 years without incident and she has been on the Village Board for the last 5 1/2 of those years there has never, in the years she has been on the Board, been a complaint about the farmer's market, even when the community market was open and operating as a community market, there has never been an incident. In the November and December 2016 minutes, the Village Board renewed the special permit. There was a special permit on file and the special permit was renewed. It is in the minutes that there is a special permit on file and it is an automatic renewal. There are no conditions of the special permit, such as bathrooms. She is not sure how many businesses in the Village are required to provide bathrooms. She is not sure that you can ask one business to require bathrooms when you don't require other businesses. They have been here 14 years. They are on our Village website under “Things to Do”. With the revamping of the website, she told the Mayor, he put it there. It is something people come to the Village to do. Businesses come and go in this Village. They have been a staple in this Village for 14 years and there have been no incidents until recently. Obviously, you need address the complaints and they need to make some changes, maybe with setting up, but to require them to do something that no other businesses are asked to do is not fair. If they are gone, you need to remove them from a thing to do on the website, it is a tourist attraction. It feeds the other businesses. She asked the Board to look at the BOT minutes from December 6, 2016.

Mayor Tucker stated it was never his intention to eliminate any farmer's market from this Village. His vision was to move it to a place that would allow it to grow and become a real awesome farmer's market.

Lisa DeFeciani asked Mayor Tucker if he asked the farmer's market if they wanted to move? They were fine there. Why is that his decision to make? It is the community's decision.

Village Attorney stated that is a use of land in Piermont. Unfortunately, there is no written special permit on file. He never heard of any complaints until recently and the Board had to look into them. This is a different use. He thinks it is incumbent on the Board, when someone complains, to look and see what is going on here. How are you going to address these complaints, but at the same time, this is different than pretty much every other business in the Village of Piermont and he would suspect it is the same as every other farmer's market. But it is different. It is in a parking lot. There are issues that arise. Most of all, you have to ask the owner of the property if you can stay there for another year. That all the sudden now has become an issue which has to be resolved and other things have to be resolved. He doesn't believe anyone did anything in bad faith and there is a lot of yelling about communication. But, this is what Boards do, they come up with ideas and some of them are good, some of them are not so good. But, hopefully, this is on the road to getting resolved, but you still have to satisfy the legislative body who approves these things that your idea is good enough that it has merit to go forward. Everyone on the Board lives in the Village (except him) and he doesn't believe anyone is looking to hurt anything, they all love the Village. It is not bad faith. Bad ideas, don't necessarily mean bad faith.

Dakota stated they are hoping to reassure M&T Bank that the farmer's market is a valuable part of Piermont Village and they should have a home there in the 2019 season. They are still very

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enthusiastic about the Piermont Farmer's Market. It is quite early in the vendor recruiting season. They are putting together their SNAP EBT program, so they can take food benefits at the market. They will accept WIC checks so families with young children can buy fresh fruits and vegetables from their farms. They have a lot of plans in the works.

Village Attorney reiterated that the Board had consensus for him to send a letter to M&T saying they approve of a farmer's market still being on their property. Mayor Tucker stated even if that were to happen, there are still unresolved issues. Village Attorney stated the application has to come in complete and have the permission of the owner. Mayor Tucker stated, in terms of having a farmer's market at M&T Bank, he doesn't see any problem with that.

Village Attorney stated Lisa DeFeciani raised a good point. When you look up the special permit for a restaurant in the Village, there is a document that stated the special permit for the Village Board, with conditions and when it needs to be renewed. Notwithstanding what the minutes say, there is not a piece of paper that lays this out and there should be. There wasn't special permit on file for many of the uses in the Village and one by one as they turned over they now have special permits. With special permits, you are allowed to put conditions in, that is the only way anything is enforceable. It is up to the Board if they will be satisfied with that.

Naomi Vargas - Stated she has never had a problem with the farmer's market in the Village. There are a lot of cyclists in the Village that use all the public bathrooms, and no one has a problem with them. They go everywhere. She doesn't understand how that is okay, but the farmer's market is not okay. She has been to Valentina's Hair Salon for years, she has parked right in front and never got a ticket. She has never gotten a ticket and she is a resident. She doesn't think the markings on the ground are great for filming in the Village as we make money from that.

Mayor Tucker stated he was a resident for 28 years before he got into politics. There was a sign that said "15-Minute parking" and he personally would only park there if he knew he was going to be there for 15 minutes. He asked her if she was aware they were 15-minute parking spots when she was getting her hair done at Valentina's?

Ms. Vargas stated she knew it was 15-minute parking and it was never an issue because as long as you were going to get your hair done, you were fine, she was in and out. Never an issue. She has been to Mani Pedi and never had an issue. She lives on Hudson Terrace and follows the speed/stop signs. Further, she believes the sign by the mirror on the Ash corner needs to be bigger.

Trustee Alpert asked Tom Temple if that sign could be bigger, or is it regulated? Tom Temple stated it is not regulated.

Mayor Tucker stated that can be brought up at the Traffic Committee meeting.

Lily Chapin, Co-owner of Abigail Rose – Suggested someone speak to the Library about the farmer's market using their bathrooms. She asked if the library budget is part of the Village?

Mayor Tucker stated the library is independent and asked the Library Board if they would open their bathrooms to the farmer's market and they said no.

Lisa DeFeciani stated there are so many visitors in the Village on Sundays, you can't say who is at the farmer's market and who isn't. Her kids use the bathroom at the library when they ride their bikes.

Dakota stated they work with the library closely because when they do have events on Sundays they respect their parking spaces. She encourages anyone that has a concern to contact them.

Item #39 Executive Session to discuss personnel matter

Trustee Burns made a motion to enter Executive Session at 8:45pm. The motion was seconded by Trustee Mitchell and so carried with a vote of 5 ayes and 0 nays.

Trustee Burns made a motion to exit Executive Session at 9:15 pm. The motion was seconded by Mitchell and so carried with a vote of 5 ayes and 0 nays.

No action was taken in Executive Session.

Item #40 Adjournment

Trustee Burns made a motion at 9:16pm 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