

**INCORPORATED VILLAGE OF PIERMONT
BOARD OF TRUSTEES MEETING
October 1, 2019**

Present: Mayor Bruce Tucker, Deputy Mayor Blomquist, Trustee Rob Burns, Trustee Ivanya Alpert, Trustee Nate Mitchell, Village Attorney Walter Sevastian, Esq. and Hannah Ross, Deputy Village Clerk-Treasurer.

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

Mayor Bruce Tucker requested an Executive Session to discuss a personnel issue.

Item #1 – Approval of Meeting Minutes

Trustee Mitchell made a motion to approve the minutes for September 17, 2019. The motion was seconded by Deputy Mayor Blomquist 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 #091819 in the amount of \$41,250.00 and Warrant# 100119 in the amount of \$55,822.62 for a grand total of \$97,073.64. The bulk of this was \$41,250.00 was to purchase our street lights from Orange and Rockland. 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 handed in his September report to the Board. The Train Station floor is complete. The Historical Society has been informed they can move back in. The Parelli Park boat ramp project is starting tomorrow. The drainage valve we ordered for Paradise Avenue has been ordered and has a 12-week turn around.

Police Department – Chief Michael O’Shea was not present. Tahlaad gave a report for the PAL. They had a pretty good summer. They had coordinated efforts with the Orangetown PD open house. They just started getting more emails from residents who are interested in using the Community Center. Basketball will be starting in another month or two. Someone also wants to set up Pickle Ball in the Center.

Building Department - Building Inspector Charles Schaub gave his report to the Board. The charging station has been figured out and turned on. We have keys being made.

Parks Department – Dan Sherman was not present.

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

Item #4 - Old Business

Deputy Village Clerk-Treasurer had no old business to discuss.

Village Attorney stated the Service Award Program is going to be a ballot question this year. The Board adopted that resolution and the Board of Elections came up with the language for the ballot question that will be on there. He is not sure what, if any, advertising the Village wants to do. The purchase of the street lights from O&R for completed finally. The Mayor sent him the deed for the Verizon building at the end for the Pier. The Board as to decide what they want to see happen. There are provisions in the deed/easement that allows them to be there and says on six months’ notice if you give them another site, they have to move what they have there. It also says they are supposed to be paying their share of taxes on it. It also says it gets terminated automatically if they assign it or sell their business.

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There is a lot about maintenance and responsibility on them. He thinks the Board has some leverage to speak to them and spruce up their area or move it. There was a request by a citizen to change their address on Michigan Avenue on three lots he bought on Liberty Street. He is working on that with the County and the Assessors' office. He is working on getting a street address for him so they can be found. He got a notice from Verizon that the cable franchise agreement is up for renewal in two years and we are starting the renewal process with them. This is not a revenue thing. We charge a franchise fee that customers pay through Verizon. As cable and streaming changes, it always comes up if we can tweak that and perhaps generate more revenue. There is a public hearing requirement to renew that so FiOS can stay. Trustee Alpert asked when the ballot wording will be available? Mayor Tucker stated it is already out and he will email it to her. Trustee Alpert stated we should put it on Facebook and the Newsletter. Mayor Tucker stated he believes it behooves the Fire Department to do that. Trustee Alpert stated she believes people should know what they are voting for and since the Board approved it she thinks it is our responsibility to let people know what is on there so they can research it beforehand. Trustee Burns asked Bob Samuels if he had enough time to cover it in an issue? Bob Samuels stated Margaret is covering this.

Mayor Tucker had no old business to discuss.

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 the drone was unable to be deployed for the Living Shoreline Project because the UN was in session and there was a FAA restriction on flying drones that day. He is requesting permission from the Board to reschedule to Friday, October 4th to fly the drone, with Monday, October 7th as a rain date. The Board did not see a problem with that.

Item# 5 New Business

Deputy Village Clerk-Treasurer had no new business to discuss.

Mayor Tucker 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 7:45pm Public Hearing to Adopt the Local Law #9 of 2019 – A Local law to amend the Zoning Law regulate the installation of Solar Panel Devices in the Village of Piermont

Village Attorney stated this is a local law to regulate the installation of solar panel devices in the Village of Piermont. This law, in his opinion, is a little overkill, as it has three levels of potential installations. The most common will be homeowners putting solar panels on their roof. What this local law does with respect to that level of installation is say that we would use the New York State Uniform permit application for processing those to make it easier. There is also two tiers for larger installations, including solar fields.

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Part of the process of adopting the local law is to send it to Rockland County Planning Department and the Planning Board. He believes the Rockland County Planning comments raise a couple issue regarding height and maximum size and he thinks we should send those comments to our Planning Board and have them get back to us before we adopt a local law. For example, you can't exceed the height limit for principal structures and the County feels our height level for structure is higher than other ones, which might be as homes on the River needed to be raised. He thinks this needs some Planning thought.

Daniel Spitzer, Planning Board Chair, stated the Planning Board had a preliminary discussion on this a couple weeks ago at their meeting and they were informed that this law is essentially cookie cutter for the entire state and for them to modify it for the individual Village was overkill. They asked their Clerk to send a letter, which Village Attorney stated the Board did not received, voicing their approval for the law, with the understanding this is cookie cutter across the state. They can review it again if this Board would like. Village Attorney stated there are the two issues, which are the two County comments, which deal with limiting height in residential zoning and also if there is an accessory structure, there is size and height limit on those. It is a NYSERDA template law but edited somewhat for the Village.

Daniel Spitzer stated they did not have Rockland County Planning's comments when they discussed this three weeks ago, but they have a meeting this forthcoming Monday and asked if they could have the RC Planning Comments.

Village Attorney asked, if the Board is okay with it, he will send the Planning Board a memo asking them to address the two issues from Rockland County Planning and then close out the public hearing at the next meeting.

Trustee Burns made a motion to open the Public Hearing at 7:46pm. The motion was seconded by Trustee Alpert and so carried with a vote of 5 ayes and 0 nays.

Public Comment

None.

Trustee Burns made a motion at 7:47pm to continue the public hearing to October 15, 2019. The motion was seconded by Trustee Alpert and so carried with a vote of 5 ayes and 0 nays.

Item #7 8:00pm Public Hearing to Amend Village Code section 190-37, Schedule IX, entitled "Truck Exclusions", to exclude trucks, commercial vehicles, tractors and tractor-trailer combinations in excess of 10 tons or, irrespective of weight, having an overall length of 30 feet, from the entire length of Paradise Avenue

Trustee Burns made a motion to open the public hearing at 7:48pm. The motion was seconded by Deputy Mayor Blomquist and so carried with a vote of 5 ayes and 0 nays.

Public Comment

Daniel Spitzer – He asked if there was an exemption in the law for local traffic pick up/deliveries. Such as a moving van? Village Attorney stated there is not exception for a anything over 10 tons or 30-feet. He thinks that is pretty big and if someone was moving they could call the Piermont Police Department. This wouldn't cover a FedEx truck or box truck, just a tractor trailer.

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Mayor Tucker stated filming trucks go through there to go to Lot D and he has been told that it is easier to go through Paradise, then it is off of Gair. Building Inspector stated they put a gravel entrance off Paradise for that reason. Trustee Burns stated they would have to go permission.

Village Attorney stated we can add, except by otherwise approved by the Village Board of Trustees or Police Chief.

Greg McKillop, Paradise Avenue – He is disappointed that it doesn't include delivery trucks. He would like to see this happen. He thinks there are a lot of problems with noise and pollution. There are a lot of trucks on Paradise. He supports this. He thanks Billy Procida for getting this going.

Trustee Burns made a motion to close the public hearing at 7:52pm. 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 Amend the Village Code as drafted with changes as noted. The motion was seconded by Trustee Alpert and so carried with a vote of 5 ayes and 0 nays.

Item #8 8:15pm Public Hearing to consider a resolution pursuant to New York State Village Law 6-612, declaring that the public interest requires the discontinuance of a portion of the public right-of-way adjacent to the premises known as 493 and 499 Piermont Avenue, Piermont, NY

Village Attorney stated this public hearing came up as a result of an expression of interest on behalf of the Board and perhaps a private property owner. The purchase is a 10'x100' alleyway that runs in-between these two properties on Piermont Avenue. It is a very odd section of New York State Law that deals with New York State Discontinuance of Public street. On public tax meet, this alleyway is shown as part of Main Street otherwise known as Piermont Avenue. Back in August the Board adopted a resolution that could lead to discontinuing this alleyway under the theory that it could be sold to adjacent property owners. The attorney for one of the adjacent property owners sent a title report and professed that her client might have some type of easement interest in the alleyway. He doesn't agree with that, it is just a very old deed. When this property was first conveyed, Piermont Avenue wasn't a public street yet. The legal description when you buy property on a street that hasn't been dedicated yet says you own to the center line of the street. This resolution would enable the Village Board to sell that 10-foot alleyway to anybody. A lot of times in municipalities these are called paper roads.

Trustee Burns made a motion to open the public hearing at 7:56pm. The motion was seconded by Trustee Alpert and so carried with a vote of 5 ayes and 0 nays.

Public Comment

Daniel Spitzer – On behalf of the Planning Board, there have been numerous occasions over the last couple of years where various perspective owners or purchasers have come before the Board expressing an interest in this property. The property is dilapidated and the paper road running down the side of it is not a sufficient width to justify or allow a significant development on this. If this alley/paper road is consolidated with the property to the immediate South, then it will certainly allow development of this piece of property and he thinks would be of benefit and he thinks would be aesthetically to the continuum of Main Street and allow further commercial and residential development within the Village core. That is not an endorsement from the Planning Board, just an observation of what has happened.

Trustee Burns made a motion to close the public hearing at 7:58pm. The motion was seconded by Deputy Mayor Blomquist and so carried with a vote of 5 ayes and 0 nays.

Village Attorney stated at this point no further action is required as we already have the resolution and it is just a matter of assessing interest and moving forward at that time. If you find a buyer, the further action of the Board would have to be on the table.

Mayor Tucker asked if we have a public hearing scheduled for the potential sale to the potential buyer for the next meeting. He asked Village Attorney if we still needed that? We need to know who, the price and we can engage their attorney on it. We would essentially give them a quit claim deed. He thinks we have an ownership interest in it. The form of the deed would be, we think we own this, but all we can give it whatever rights we have in this and you figure it out. Village Attorney will send a notice.

Item #9 Request from Hovorka Hospitality Piermont LLC to waive the 30-day liquor license wait period

Hank Hovorka stated they had to start their process all over again and are requesting a waiver of the 30-day liquor license wait period.

Trustee Burns made a motion to approve the request to waive the 30-day liquor license wait period from Hovorka Hospitality Piermont LLC. The motion was seconded by Trustee Mitchell and so carried with a vote of 5 ayes and 0 nays.

Item #10 Request from Traffic Committee to conduct a one-week Complete Streets Demonstration Project

Trustee Ivanya Alpert, Chair of the Traffic Committee gave slide-show presentation to the Board. She proposed three pop-up areas. In front of Gerhart's, by M&T Bank and in front of 14 & Hudson. Proposed a pop-up of picnic tables, umbrellas and benches in front of Gerhart's on the strip of Village-owned land so people coming through Piermont will want to stop and stay. Also proposed a pop-up for curb extensions in front of Dvine Pie. They have a few asks of the Village. 1. Permission to sign the contract to officially work with Urban Cycling Solutions on the complete streets project. 2. Pilot the three project (above) on the week of October 17-24th 3. A special permit during that week so Dvine Pie can have a few extra tables. 4. A huge thank you to Tommy and DPW, Police Department and Building Department for helping her think this through. 5. She requested \$500 to buy chairs and umbrellas at Home Depot.

Mayor Tucker asked if they have a grant for the Urban Cycling Solutions contract? Trustee Alpert stated yes, they just need to sign the contract. She is just waiting for Sylvia Welch to look at the final proposal. The grant is in place and we will get reimbursed for that.

Trustee Burns made a motion to enter into an agreement with Urban Cycling Solutions to conduct work as outlined in the Mobility Plan Proposal (total amount of award \$5,000). The motion was seconded by Trustee Mitchell and so carried with a vote of 5 ayes and 0 nays.

Mayor Tucker asked Trustee Alpert if she got permission from the owner of 505 Piermont Avenue to do the pop-up? Trustee Alpert stated she reached out to him and has not spoken to him yet, but they are supposed to meet Thursday. But it is our land. Mayor Tucker stated he knows it is our land, but there are other issues at play here. Is she going to bust through the bollards? Trustee Alpert stated they are going to take down the chains and leave the bollards. Trustee Mitchell stated the owner of 505 Piermont Avenue did say the bollards are removable.

Mayor Tucker suggested putting a pop-up park on the green space next to 505 Piermont Avenue as opposed to in front of 505 Piermont Avenue. As it is next to the farmers market and would be nicer on grass than on pavement.

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Trustee Mitchell disagrees. This is a piece of property that we recently discussed not having any use for and this is an opportunity to demonstrate what it could be used for. Locating it somewhere else, is not necessarily better than locating it on the property we are discussing.

Mayor Tucker stated if you want to do that, let's approve in front of Ash Street and in front of Dvine Pie. But until you straighten this all out, he is not looking to go to battle with a business owner here over land we are looking to do something with. Even if it becomes a pop-up park, he thinks it should be discussed with the owner first. He proposes going forward with the test on Ash Street and in front of Dvine Pie and hold up on in front of 505 Piermont Avenue pending her discussions with the owner.

Trustee Alpert stated she agrees with Trustee Mitchell. We discussed selling this land and there was discussion of do we want it for something or not. And the Mayor had told her that if she thought she could do something with it, she us what you got.

Trustee Burns stated one other thing to consider with that abutting land owner is swapping the cement strip for more of the property next to the green space and joining those two pieces.

Building Inspector Schaub stated the owner of 505 Piermont Avenue came to him and said he is willing to maintain that greenspace however the Village wants it. He will do landscaping there, whatever we want. He wants to make that corner look better because it will make his building look better. He thinks if you all sit down and talk it could be something nice.

Bob Samuels stated if he is willing to pay for it, he could improve the curb cuts in front of the bus stop, which are nearly impossible to use now.

Patty Lukes requested to have the Gair Street sign replaced.

Paul Kadin stated the cities that have done this sort of thing, which is called placemaking, it is almost always done on hard streetscape, contiguous to the traffic downtown. He thinks there is also an advantage to having it very visible to people to people passing through town. Also, we are talking about a one-week pop-up.

Trustee Mitchell stated we have another meeting on October 15th.

Greg McKillop – asked about straightening the crosswalks by M&T Bank.

Mayor Tucker stated to put this on October 15, 2019 so Trustee Alpert has time to discuss with the owner of 505 Piermont Avenue.

Trustee Alpert requested \$500 for chairs and umbrellas for the pop-up (either on the grass or in front of 505 Piermont Avenue).

Trustee Burns asked made a motion to approve up to \$500 for purchase of chairs and umbrellas for Traffic Committee pop-up out of Economic Development. The motion was seconded by Trustee Mitchell and so carried with a vote of 5 ayes and 0 nays.

Trustee Alpert asked for extra tables for Dvine Pie for the week of the pop-up. Building Inspector stated they might need barriers on that corner that people usually drive through to make them aware. Trustee Alpert stated DPW was going to put up cones. Trustee Burns suggested they put up the reader board up. Tom Temple stated they are going to put up the board to alert residents that the traffic pattern will change.

Trustee Mitchell made a motion to extend outdoor seating for Dvine Pie, not requiring additional parking, for the time period of the pop-up. The motion was seconded by Trustee Burns and so carried with a vote of 5 ayes and 0 nays.

Trustee Alpert will get back to the Board after her meeting on Thursday and they will finish this discussion at the October 15, 2019 meeting.

Item #11 Resolution to authorize Mayor to execute a Intermunicipal Cooperative Agreement Between the County of Rockland and the Village of Piermont for Opioid Harm Reduction Services

Trustee Mitchell stated back in January the County approached the Fire Department and indicated we are only one of two ambulances in the County that still use a paper patient care record. They would like us to go paperless and use some sort of a EPCR system. As a means of helping us along that path, they have covered the cost of laptop to cover the cost of the EPCR system and a year's subscription for the EPCR software program. The funding in order to cover this, was secured through a grant which was for Opioid Harm reduction at large. This isn't something that is specifically targeted at reducing Opioid Harm Reduction Services, this is an agreement to allow us take possession of a laptop and a one year's subscription to a program to ESO to allow them to take electronic patient records and transmit patient data to the hospital while en route. We will be paying for subsequent years of the software, but the first year is covered. Trustee Mitchell stated the Fire Department contractual expenses will go up \$2,000 next fiscal year to cover the subscription. This started in August, so it is paid for until August 2020.

Trustee Mitchell made a motion to authorize Mayor to execute a Intermunicipal Cooperative Agreement Between the County of Rockland and the Village of Piermont for Opioid Harm Reduction Services. The motion was seconded by Deputy Mayor Blomquist and so carried with a vote of 5 ayes and 0 nays.

Miscellaneous – Mayor Tucker stated Village of Piermont has been certified as a Climate Smart Community, one of 34 in the entire State. He thanked the Sustainability Piermont Committee for all the hard work they did to make that happen. It was a long road, but they got it done.

Item #12 Public Comment

Kathleen Puder, 234 Ferdon Avenue – A new speed sign went up directly across the street from her house, which she could understand if she didn't have a house next to her or across next to that piece of property. She showed the Board photos of the speed sign. The sign is directly across from her bedroom and living room windows. Since the sign has been up, all day she sees the speed flash on the sign. There is more sunlight 20 feet away where the solar panel could receive light if it was moved 25 feet down the road. She sits on the couch and watches the speed flash all night long. She asked if it can be moved. It would not affect anyone else if it was moved 25 feet down the road.

Trustee Alpert asked if it would still work with the lighting?

Highway Superintendent Tom Temple stated the location was picked because of the lighting that was there and they wanted to try and capture speeders in the area they thought most of the speeding was taking place. They can put it anywhere on Ferdon Avenue, but the bulk of the speeding happens between the Village line and Kathleen's house, so that was the best spot they could find and has the best fun in the afternoon to operate it correctly.

Kathleen Puder stated, in addition to the light blinking, people are now braking. Tom Temple and Mayor Tucker stated it is doing its job. Kathleen Puder stated she is all for keeping track of speeding and people see this and slow down regardless, but it is directly across from her windows.

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Trustee Burns asked how many feet she needs it moved? Ms. Puder stated 25 feet. Trustee Burns asked if anything less than that would help? Ms. Puder stated she would have to measure it. For her sanity and peace of mind when she is watching it blink, it is anxiety ridden. There is a big branch on top of it.

Mayor Tucker stated the sunlight changes everyday through the season.

Ms. Puder stated that is a wooded area.

Mayor Tucker stated maybe a speed sign doesn't belong on Ferdon Avenue and they will have to reassess. He will speak to Tom Temple.

Trustee Mitchell stated they were meant to be temporary.

Mayor Tucker stated the purposed of the signs was to set them up on one location for a while, a month maybe two. We have three portable signs. Then you move it to another area where you leave it for a couple months. The pole would stay while the sign moves.

Ms. Puder stated she doesn't like the pole either as that means it is only a temporary permanent situation. Tom Temple stated they concreted the pole in. She asked the Board again to consider moving the pole. Mayor Tucker stated they would look into it.

Patricia Lukes, Piermont Civic Association – The Piermont Civic Association would like to do their Scarecrow contest on the grassy area between Ash and Gerhardt's (across from M&T) on October 20th, 2019 and they would take them down the weekend after Halloween to get everyone in the spirit. She also asked DPW to put the stakes in for the scarecrows. She further asked for the Mayor or a Trustee to judge the scarecrows at the contest on October 20, 2019.

Trustee Alpert stated her pop-up is that same time frame, but they will work around it.

Mayor Tucker asked when the last time they did this? Ms. Lukes stated 3 years ago. He also asked if it requires that entire area up to the memorial? Ms. Lukes stated yes as they spread them out. Mayor Tucker suggested putting them on the North Lawn of the Library. Ms. Lukes stated they like them in this location so people coming into the Village can see them. There are only 10 stakes.

Trustee Alpert stated she can work around it for her pop-up.

Trustee Burns made a motion to approve the scarecrow contest by the PCA on October 20, 2019 from 11:00am-12:00pm. The motion was seconded by Trustee Alpert and so carried with a vote of 5 ayes and 0 nays.

Mayor Tucker will judge the contest.

Greg McKillop – Suggested the Board members each have a microphone. Mayor Tucker stated they are working on it.

Item #13 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 8:37pm. The motion was seconded by Trustee Mitchell and so carried with a vote of 5 ayes and 0 nays.

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Trustee Burns made a motion to exit Executive Session at 9:06pm. 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.

Item #14 Adjournment

Trustee Burns made a motion at 9:06pm to adjourn. The motion was seconded by Trustee Alpert and so carried with a vote of 5 ayes and 0 nays.

Respectfully submitted,

Jennifer DeYorgi,
Clerk-Treasurer