

**INCORPORATED VILLAGE OF PIERMONT**  
**BOARD OF TRUSTEES MEETING**  
**September 17, 2019**

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

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

**Item #1 – Approval of Meeting Minutes**

Trustee Mitchell made a motion to approve the minutes for September 3, 2019. The motion was seconded by Trustee Alpert 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 #091719 in the amount of \$112,334.13. The large item on this warrant is Employee Health Insurance for \$56,000. 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 turned in his August report. The Train Station is 90% complete. They will be back tomorrow morning to finish up the trim, at which point it will be complete. The DPW's portion of the stone Learning Circle is complete as well. They are waiting for VFW to get their plaque mounted on one of the stones and it will be complete. They are waiting on some pavers to do the paver walkway approaching the Lamont building. As soon as they get those, they will move forward with that. Joan Scheffold stated DPW did a fabulous job on Scheffold Memorial. They put gravel and mulch down and flowers and did an excellent job.

**Police Department** – Chief Michael O'Shea stated Fred Devan is going to be 90 and is going to have a big party at the Tap House. His niece wants to play a couple of songs and they want the Board's permission to do so. Chief O'Shea will be there and if it gets loud, they will unplug her. Mayor Tucker stated he would love to, but he believes that is private property and doesn't believe the Board has any jurisdiction over it. Village Attorney stated they have a special permit for the space. Chief O'Shea stated they have music there on Friday nights and they have one guy that calls and complains. He may call. Building Inspector stated it is not crossing a property line, so the police wouldn't get involved. They would normally get involved. Since it stays within their property line, it is a landlord tenant dispute and suggested they ask the landlord for permission. Village Attorney stated we are not getting involved in private parties' discussions amongst themselves. Either we have jurisdiction over it by means of a special permit that regulates it or by a noise ordinance, or we don't. If there is no violation of the noise ordinance, they can do whatever they want. Chief O'Shea stated if someone complains, they will address it. Trustee Burns stated they want to honor Fred for his 90<sup>th</sup> birthday.

Chief O'Shea stated we are doing good with the Traffic Safety Committee. The speed boards are an outstanding success. They had a meeting last week and they are now moving our target locations around. They made another drunk driving arrest, a truck driver, who was taking meth and drinking. This was the second meth arrest. They took 15 trucks off the road. 65 people got violations. He asked people to please all them if they see something. The accidents are down.

Trustee Mitchell stated an engineering firm is doing a site assessment at Parelli Park on September 23<sup>rd</sup> and they would like to use a drone to take areal photographs. Since we have a prohibition against drones in parks, he asked the Chief if that would be allowed. Chief O'Shea

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stated the law says we cannot have anything self-propelled, drone, airplane, in a park except if the Board waives it. If the Mayor and Board approves, it will be fine and they will post it at the Police Station.

**Building Department** - Building Inspector Charles Schaub will turn in his monthly report. Next Thursday and Friday he will be off.

**Parks Department** – Dan Sherman was not present.

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

**Item #4 - Old Business**

Village Clerk-Treasurer stated there was no second to the Motion to schedule a public hearing to authorize the sale of the right of way in front of 505 Piermont Avenue. Trustee Burns seconded the motion. Trustee Alpert asked if we could move this further out from the currently scheduled October 1<sup>st</sup> as she wants to bring up at another meeting doing a pop-up park in that area and would love to be able to do that before having a public hearing on it do get some feedback from the public. She wanted to put out some tables one day and see what it feels like as a park and get some feedback towards the end of October, so asked if we can push this public hearing to November. Mayor Tucker made a motion to schedule a public hearing for the potential sale of right of way in front of 505 Piermont Avenue for November 5, 2019. The motion was seconded by Trustee Burns and so carried with a vote of 5 ayes and 0 nays.

Village Attorney had no old business to discuss.

Mayor Tucker had no old business to discuss.

Deputy Mayor Blomquist stated he is working on the investment policy statement and will have it distributed to the Board for the next meeting.

Trustee Alpert had no old business to discuss.

Trustee Burns had no old business to discuss.

Trustee Mitchell stated Lance from City College who did the presentation at the last meeting has again requested we contribute \$750 toward the publication of that presentation and, in exchange, we would receive ten copies of it and digital copies of both the printed material that we can use in future presentations he did and the video flyovers. He asked if the Board would be inclined to provide the \$750. Mayor Tucker stated last he heard it was \$500. Trustee Burns asked if we can get him back down to \$500? He thinks it is valuable material and thinks we should have it available to the public. Trustee Mitchell stated he will try and get him back down to \$500.

Trustee Burns made a motion to authorize \$500 to be paid for the materials as noted. The motion was seconded by Trustee Alpert and so carried with a vote of 5 ayes and 0 nays.

**Item# 5 New Business**

Village Clerk-Treasurer had no old business to discuss.

Mayor Tucker had no new business to discuss.

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Village Attorney had no new business to discuss.

Trustee Burns had no new business to discuss.

Trustee Alpert stated the Traffic Committee recommended making Paradise Avenue “no trucks” as a way of having not as much traffic and parked cars. She asked if that needs to be a public hearing or can we say that and put up a sign? Village Attorney stated he will have to look into the code. Village Attorney stated we would need a public hearing to amend the code. We have a trucks excluded section of our code. Chief O’Shea stated anything over 10 tons is excluded.

Trustee Burns made a motion to schedule a public hearing for October 1, 2019 to amend the vehicle and traffic law in the Village Code on truck prohibition on the entirety of Paradise Avenue. The motion was seconded by Trustee Mitchell and so carried with a vote of 5 ayes and 0 nays.

Deputy Mayor Blomquist had no new business to discuss.

Trustee Mitchell made a motion for HDOR to use a drone in Parelli Park on September 23, 2019. The motion was seconded by Trustee Burns and so carried with a vote of 5 ayes and 0 nays.

**Item #6 7:45pm Public Hearing to require a Piermont Pier Permit in order to park in the parking spots near the entrance to Piermont Pier Park and Goswick Pavilion**

Trustee Mitchell stated that with closing the Pier to vehicular traffic on Sundays, there is much more demand on the parking lot by the Goswick Pavilion at the base of the Pier and it has become a situation where Piermont residents aren’t able to find parking there as it is already taken up by 7/8am. We used to have a permit only driving on the Pier. We are no longer able to ticket people for driving on the Pier without a permit, but we can for parking on the Pier without a permit. We want to expand that to include the parking area by Goswick Pavilion. People renting the Pavilion will be given day passes and residents should go to Village Hall and get their Pier Permits. If you are an Orangetown resident, the fee is \$125 for a yearly permit and out of Orangetown is \$175/year. Hopefully we will be able to generate a little revenue from out of towners who would like to park there.

Trustee Burns asked if their permit for fishing allow them to park there? Trustee Mitchell stated not the NYS Fishing permit, but if they purchase a parking permit from the Village, yes, it would include that lot.

Trustee Burns made a motion to open the public hearing at 7:53pm. The motion was seconded by Deputy Mayor Blomquist and so carried with a vote of 5 ayes and 0 nays.

**Public Comment**

**Joan Scheffold** stated, “go for it”.

Trustee Burns made a motion to close the public hearing at 7:54pm. The motion was seconded by Trustee Mitchell and so carried with a vote of 5 ayes and 0 nays.

Trustee Mitchell made a motion to require the Piermont Pier Permit in order to park in the parking spots near the entrance to Piermont Pier Park and Goswick Pavilion. The motion was seconded by Trustee Burns and so carried with a vote of 5 ayes and 0 nays.

Village Attorney stated the effective date is upon filing with the Secretary of State.

Tom Temple stated he needs the language for the signs to put up. Mayor Tucker stated there are two car-free Sundays left on the Pier and gives residents entitled to their free permit time to get one.

**RESOLUTION OF THE VILLAGE OF PIERMONT BOARD OF TRUSTEES**

**STATE OF NEW YORK**  
**COUNTY OF ROCKLAND: VILLAGE OF PIERMONT**  
-----X

*In the Matter of the amendment to  
Chapters 143 and 102 of the Code of the Village  
of Piermont as pertains to permit  
requirements for parking at the Goswick Pavilion Park*  
-----X

*WHEREAS, the Village Board of the Village of Piermont has noticed a Public Hearing in regard to an amendment of the Village Code, specifically Chapters 143 and 102 of the Code, entitled "Parks" and "Parking Permit Fees" respectively, as pertains to permitting requirements for parking at the Goswick Pavilion Park;*

*WHEREAS, a Public Hearing on the adoption of these proposed amendments to the Village Code was held on September 17, 2019;*

*WHEREAS, at least 10 days prior to the initial Public Hearing notification of same was published in the Rockland County Journal News pursuant to Village Code requirements;*

*WHEREAS, the Village Board of Trustees had made and published initial SEQRA review of the proposed Village Code amendments and found as follows:*

- 1. That the proposed Village Code amendment was preliminarily classified as a "Type II" action under SEQRA.*
- 2. That it was the intention of the Village Board of Trustees to establish itself as the Lead Agency for the purpose of review of the proposed action under the provisions of the State Environmental Quality Review Act (SEQRA).*

*THEREFORE BE IT RESOLVED, that the Village Board of Trustees hereby establishes itself as the Lead Agency for the purpose of review of the proposed action under the provisions of the State Environmental Quality Review Act (SEQRA), and determines that the action is a Type II action under SEQRA, in that the proposal to regulate parking in a Village Park constitutes a legislative act to amend existing municipal regulations in the Piermont Park system, which regulation has no significant impact (adverse or otherwise) on the environment based on the criteria contained in subdivision NYCRR 617.7(c), and is therefore not subject to review under SEQRA .*

*AND BE IT FURTHER RESOLVED, the Village the Board of Trustees adopts the amendments to Chapter 143 and 102-F of the Code of the Village of Piermont as drafted in Local Law #8 of 2019.*

*This local law shall be effective immediately upon filing with the Secretary of State.*

*This resolution was adopted by a unanimous resolution of the Board of Trustees at the regular meeting of the Board on September 17, 2019.*

**Item #7 Public Comment**

**Joan Scheffold** stated at the last meeting a gentleman was here discussing the traffic on Paradise Avenue. She suggested a no-turn on red from Ferdon to Paradise, especially on the weekends. There are also people crossing the street there from the park and almost get hit. The bicyclists don't stop either, so she is not sure if they will get ticketed either. She is not sure if this should be included in the public hearing about no-trucks on Paradise.

Mayor Tucker stated any traffic issue needs to come up before the traffic committee.

**Brendan Buckley, East Lawrence Park** – He is there with a group of residents that live at East Lawrence Park. He stated the Police Department has been fantastic and great in helping them as a community. There is an individual in their condos who moved in earlier this year who has multiple arrests in New Jersey and New York for lewdness and behavior that he doesn't want to describe in mixed company. It has not been pleasant living with. They are in a situation where the individual knows just how far to push things to the edge of the law. He was gone for three weeks, but he is back today. He is not sure if there is any legal action that can be taken. There are children in their building, they share a hallway and this man is often naked in the hallway doing things to himself. They are at their wits end at what to do at this point. They are not sure if they Board can do anything to help them move this along?

Mayor Tucker asked Chief O'Shea where we are at with this?

Chief O'Shea stated they have arrested this individual two times, so they Police have taken action. The first time he was arrested they wanted bail and a stayaway and refrain from order, which was denied. They have done their part and they cannot overrule a Judge. The individual took his red dress off and ran around naked and was peering into windows. It is bad. He cannot tell them everything they are doing because it will compromise their investigation. He told Mr. Buckley that he told him previously, they have not stopped. He told Mr. Buckley the Police will protect them, but they have to work within the confines of the law. The second time, the individual did something worse in the hallway of the complex. They arrested him and this time there was bail and a refrain from order. They wanted a stay away order but did not get it. They have been trying, working with the Das office. He has charges in New York and New Jersey. The individual's father promised the police he would keep him in Spring Valley where he has a second house. Chief O'Shea stated he never expected him to come back. They are taking measures to continue this investigation, close the case and make the residents safe. He encouraged the residents to call the police when they see him. Every time they see him and there is a violation, they are going to lock him up and are going to ask for a refrain from, stayaway and try to put him in jail. Chief O'Shea stated they are locking him up and his father stated he wasn't coming back. They have him under surveillance and that is all he can say. He gives his word they will see more cruisers up there. Their response time is 2-5 minutes.

Resident of East Lawrence Park thanked the Police. His wife has MS and doesn't drive, so a lot of time she is walking around and had and walked out and this individual was naked. They have been traumatized by this and last time they called an officer was up there within a minute. He thanked them because it makes them feel a lot better they don't have to wait. He lives directly across the hall from this guy. He now has to look out his peep hole to exit his apartment. His wife doesn't want to leave the apartment because this guy is around or go to the laundry room because he is naked down there. The quality of life has changed drastically since this individual has moved in. The Police response time is incredible, and he thanked them again.

Chief O'Shea stated they are going to meet tomorrow now that the individual is back and do some different things and put them in place. They are going to put 110% into getting him out of there and where he belongs is jail. He should not be out among people. He is traumatizing people. He apologized, they should not have to live like this. It is going to be hard to not give them a stay away order on strike three. They have been in touch with the DAs office, they are going to meet with the DA tomorrow and next time he is in court they are going to the DA at

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Court with them asking for a stayaway, refrain from. They have an open-door policy. If they are worried, call the police and they will come. This is this individual's seventh arrest. They are not going to have anyone scared. They are going to solve this crime.

Mayor Tucker asked if that was or Judge? Chief O'Shea stated yes, twice.

Resident of East Lawrence Park asked if they videotape him what will happen? Chief O'Shea stated if they can identify him, tape him and call 911 and they can arrest him.

**Bob Samuels** - He requested if Public Comment can be moved earlier in the meeting? Mayor Tucker stated when he first came to Piermont public comment was at the end of the meeting and is not sure when it switched to the beginning. What he saw watching meetings before he became Mayor, people who went through the process of getting on the agenda sometimes got pushed back an hour because someone wanted to come in and speak for a long time, then they would leave and wouldn't get to experience a Village Board meeting. Trustee Alpert advised Mr. Samuels if he knows there is something he wants to bring up, he can email the Board ahead of time and they can put it on the agenda.

Mayor Bruce Tucker requested an executive session to discuss a personnel issue.

**Item #8 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 8:18pm. The motion was seconded by Trustee Mitchell and so carried with a vote of 5 ayes and 0 nays.

Trustee Mitchell made a motion to exit Executive Session at 9:26pm. 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.

Trustee Mitchell made a motion to retain a law office for a labor related issue. The motion was seconded by Trustee Alpert and so carried with a vote of 5 ayes and 0 nays.

Trustee Alpert made a motion to get a glass window. The motion was seconded by Deputy Mayor Blomquist and so carried with a vote of 5 ayes and 0 nays.

**Item #17 Adjournment**

Trustee Burns made a motion at 9:27pm to adjourn. The motion was seconded by Deputy Mayor Blomquist and so carried with a vote of 5 ayes and 0 nays.

Respectfully submitted,  
Jennifer DeYorgi  
Clerk-Treasurer