

**INCORPORATED VILLAGE OF PIERMONT  
BOARD OF TRUSTEES MEETING  
September 3, 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 Alpert made a motion to approve the minutes for August 6, 2019. The motion was seconded by Trustee Burns and so carried with a vote of 5 ayes and 0 nays.

**Item #2 – Approval of Warrant**

Deputy Mayor Blomquist made a motion to approve Warrant #082319 in the amount of \$67,288.00, Check# 021962 in the amount of \$190.00 and Warrant# 090319 in the amount of \$95,282.54 for a grand total of \$162,760.54. The big items on this warrant were \$28,000 for LED streetlights, \$5,800 for flooring repair/remediation at the Train Station and Fire Department Capital items of about \$21,000 and \$55,000 for health insurance. 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 was not present.

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

**Building Department** - Building Inspector Charles Schaub was not present.

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

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

**Item #4 - Old Business**

Village Clerk-Treasurer had no old business to discuss.

Village Attorney had no old business to discuss.

Mayor Tucker asked Village Attorney the status of the Orange and Rockland street light purchase? Village Attorney stated he emailed them and has not heard back regarding the closing. Everything should be wrapped up; Verizon’s consent is done. It should be just documents and the funds transfer. Mayor Tucker stated we have a kick off meeting with the company that is going to be installing the LED lights. Mayor Tucker stated Deputy Clerk-Treasurer had emailed Village Attorney regarding insurance on this matter, was the documents sufficient? Village Attorney stated yes. Mayor Tucker stated we were presented with a potential donation of artwork to go at the corner near the dam. One of the Board’s concerns was they were going to have to pay to have it transported and installed, which was estimated to be \$2,000. After the last meeting, an anonymous donor offered to cover that fee. Trustee Burns stated there was one other issue regarding insurance. Mayor Tucker stated we found out the insurance amounts. Village Clerk-Treasurer stated it is \$1,000 deductible and a little over \$1,000/year to insure both sculptures.

**Village of Piermont Board of Trustee Minutes**  
**September 3, 2019**  
**Page 2 of 16**

Mayor Tucker made a motion to accept the donation of \$2,000.00. The motion was seconded by Trustee Alpert and so carried with a vote of 5 ayes and 0 nays.

Mayor Tucker stated at the last meeting a member of the public brought up that because the new Lamont building has rocks in front of it, it would not be ADA accessible. He got a text from Dan Sherman who said his neighbor donated 1,000 gray paving bricks for the Lamont Field Station walkway, which will be for a "T" shaped sidewalk straight to the door and left and right to the murals.

Mayor Tucker stated at the last meeting the Board passed a resolution to proceed with the sale of the alleyway adjacent next to 493 Piermont Avenue and scheduled a public hearing for September 17<sup>th</sup>. Since then, he has been approached by a couple of people who have a couple ideas of what to do with the alleyway. Mayor Tucker made a motion to reschedule the public hearing for October 15, 2019. The motion was seconded by Trustee Mitchell and so carried with a vote of 5 ayes and 0 nays.

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# 5 New Business**

Village Clerk-Treasurer had a resolution for the emergency repairs at the Train Station flooring, which needs to be approved by the Board. It is to repair the flooring in the amount up to \$14,200.00, subject to the contribution by Orangetown. Mayor Tucker stated, about a month ago there was a flood at the Train Station during an extreme rain event. The sewer backed up, it came into the Train Station and ruined the floor. They have to replace the floor. The Train Station is owned by the Village of Piermont. He negotiated with the Town of Orangetown, since it was caused by a back up of the sewer system to split the cost of the Village. The quotes for the floor are \$6,800 plus it cost \$1,000 to remediate. He doesn't think it is going to be anywhere near \$14,200, but whatever it does cost us, we will get half back from Orangetown. Trustee Burns made a motion to approve up to \$14,200.00 in emergency repairs to the flooring and remediation at the Train Station. The motion was seconded by Trustee Alpert and so carried with a vote of 5 ayes and 0 nays.

Village Clerk-Treasurer stated Daniel Goswick, Sr. is requesting to attending training at Yamaha again. She believes it is in the Fire Department's Training and Travel budget. She is completing his registration and he will attend the registration in October. Lastly, Bike MS will be having their event through the Village, which they do every year, on October 20, 2019. It is not as big as Gran Fondo. She will give the application to the police to decide what type of event it is.

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 Other Non-Agenda Items:**

None.

**Item #7 7:45pm Public Hearing Road Opening Permits**

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

Village Attorney stated this is a public hearing amending our local law at the request of the Department of Public Works to ensure that openings on the shoulder or areas on the right of way that are not currently paved would be treated the same and a fee charged for a permit and make sure there is language in there to make sure the property is restored to the same condition it was as if it was a regular road opening permit. It is a Type II Action under SEQRA that doesn't require any review from an environmental standpoint, it is a simple modification of an existing regulation.

**Public Comment**

None.

Trustee Burns made a motion to close the public hearing at 7:47pm. 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 as drafted. The motion was seconded by Trustee Alpert and so carried with a vote of 5 ayes and 0 nays.

**Item #8 8:00pm Public Hearing Maintenance of Grease Interceptors**

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.

Village Attorney stated this is a simple amendment to an existing section of the Village Code. We have provisions in our code that deal with inspections of grease, oil and sand interceptors. There was not in our code requirements to submit proof of annual cleaning, so we put that into the code with penalties. This was drafted at the request of the Building Inspector and Fire Department because there are restaurants that do not maintain them and cause access problems. This is a Type II Action under SEQRA and doesn't require environmental review. He drafted a resolution.

**Public Comment**

None.

Trustee Burns made a motion to close the public hearing at 7:49pm. 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 pass the amendment as drafted. The motion was seconded by Deputy Mayor Blomquist and so carried with a vote of 5 ayes and 0 nays.

**Item #9 8:15pm Public Hearing amend Rental Registry Law applicable to one- and two-family dwellings**

Trustee Burns made a motion to open the public hearing at 7:49pm. The motion was seconded by Trustee Mitchell and so carried with a vote of 5 ayes and 0 nays.

Village Attorney stated this is an amendment to an existing local law. Under the NYS Fire and Building Code, units of three or more dwelling units are inspected by the Fire Inspector on a regular basis. Last year, the Village adopted a Rental Registry Law, which is applicable to both one- and two-family dwellings in the Village, essentially to allow the Building Inspector to get in and inspect these premises for compliance with Fire Safety standards. One of the things that came up with enforcing this code and sending notices, is that there are several commercial buildings on the grand floor with less than three dwellings above, that really didn't fit into the one- and two-family designation in our Rental Registry Law. This is an amendment to our law to include commercial buildings that contain less than three dwelling units within the Village of Piermont. This is a Type II Action under SEQRA and he has drafted a resolution.

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

**Public Comment**

None.

Trustee Burns made a motion to approve the amendment to the local law as drafted. 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 re-open the public hearing at 8:12pm. The motion was seconded by Trustee Burns and so carried with a vote of 5 ayes and 0 nays.

**Public Comment**

**Marjorie Derven**, 312 Piermont Avenue – The application says there are registry exemptions and it says, “this article shall not be construed to require the registration of any rental premises in the Village of Piermont, so long as the owner of record maintains a bonified occupancy in dwelling of such premises.” That is clear to her. The next item is, “The occupancy of a room or rooms by an owner of record without self-contained living, cooking, sleeping and sanitary facilities shall not constitute sufficient bonified occupancy to qualify as exemption in this section.” It is very confusing. She asked what this means and asked for an example of what an exemption would be.

Village Attorney stated that provision is being amended here. But, if someone is renting their house out and doesn't want to register for the rental registry and says they rent a bedroom on the second floor. The purpose of the law is not for people to get exempt from it to say they maintained one room for themselves, but they otherwise rented out the premises. If there is a time when they think they are exempt from the rental registry law, he suggested they discuss same with the Building Inspector.

Marjorie Derven asked if there is going to be sometime when this is going to be explained or discussed? Trustee Burns stated this is already a law. Mayor Tucker stated if she has any questions, she can go see the Building Inspector.

**Richard Lee**, 124 Hudson Terrace – He asked when this law came into effect? They are all very confused and the idea that he wasn't notified about this law that he should be able to come and talk about this law. What is the purpose of this law/registration? Village Attorney stated the law came into effect in March of this year. The purpose of the law is, under State Law, if you have a multiple residence, the Fire Inspector goes in and does an inspection every year looking for fire

**Village of Piermont Board of Trustee Minutes**  
**September 3, 2019**  
**Page 5 of 16**

and life safety issues, but one- and two-family dwellings are exempt from that. The purpose of that law is to allow the Village Building Inspector to inspect one- and two-family dwellings that are rental properties for fire and life and safety issues. When any local law is adopted by the Board, there is a request made at a public meeting, there is a draft presented to the Board and they schedule a public hearing. A State Law requires a notice of public hearing for the adoption of any local law to be published in a paper of general circulation. He has been at many Board meetings where people say they didn't get enough notice, but that is what the law requires. It doesn't require everyone in town get served with a notice. That is what happened here. There was a public hearing, a notice, that was previously noticed and posted on the website and in the box outside and following the public hearing, the rental registry was in effect. In practice, as it became implemented it became clear there were properties that were not covered by the law that the Village Board thought it would be a good idea to include, mainly Village properties with two dwellings above. They were put in by this amendment.

Mr. Lee stated he is still confused about the exemption of owner occupied one and two-family dwellings. They still need to be inspected? Village Attorney stated the exemption he was referring to was under NYS Law if you have multiple residence, you get inspected one and two families. This is a local law that allows the municipality to go in and inspect. Mr. Lee asked under NYS Law it is not required, but the Village is now requiring it? Village Attorney agreed. Mr. Lee asked what the purpose of the \$250 fee is? Village Attorney stated the purpose of the fee is to cover the administrative cost of monitoring the registration and the Building Inspectors time for going out. That is in the law, that is not being amended tonight. Those fees are assigned to cover the cost associated with administration and implementation, not generating revenue. Mr. Lee asked approximately how many one- and two-family houses there are in the Village. Village Attorney stated he would have to ask the Building Inspector.

Mayor Tucker stated Building Inspector can answer a lot of these questions and the public hearing tonight is not on the law. It is on the amendment on the law. Mr. Lee stated his questions do pertain to this as it says the law may be amended "from time to time". Trustee Burns stated that is not why we are here tonight. It was adopted back in March of this year and there was a public hearing then. Mr. Lee said he did not get that notice. Trustee Burns stated it was in the newspaper and online. We cannot re-open that public hearing. The only thing today is the one amendment. The other questions he has are an existing law that is not open for a public hearing tonight. Mr. Lee asked if Charlie Schaub is going to be doing the inspections? Mayor Tucker stated yes. Mr. Lee asked if Charlie is going to need help doing these inspections? He not that busy?

**Peter Keiper** - Member of the public stated he has a three family and Charlie inspects his house every year and he is in support of the amendment. He appreciates the inspection now.

**Naomi Vargas, 146 Hudson Terrace** – She asked for clarification of what the amendment was about? Commercial properties that have or two apartments above it now have to register them? Village Attorney agreed. Ms. Vargas said wouldn't it be great if people informed the realtors about this? Village Attorney stated there are notice provisions in the law and that might make sense, but just the statutory notice was given.

Trustee Burns made a motion to close the public hearing at 8:23pm. The motion was seconded by Trustee Alpert and so carried with a vote of 5 ayes and 0 nays.

Trustee Burns made a second motion to approve the amendment to the local law as drafted. The motion was seconded by Deputy Mayor Blomquist and so carried with a vote of 5 ayes and 0 nays.

**Item #10 Request from Billy Procida to display lawn signs**

Billy Procida thanked the Board for spending time away from their families to deal with all of these matters before them. He also thanked the Police and Fire Department.

**Village of Piermont Board of Trustee Minutes**  
**September 3, 2019**  
**Page 6 of 16**

He sent an email on July 30, 2019 to alert the Board to a situation on Paradise Avenue, to a situation with is becoming more challenging every year. He called the Mayor on a Sunday, as a typical Sunday on Paradise, there are cars parked on the side for both the church, people visiting Tallman as well Paradise Canoe. It becomes a one-way street on Saturdays and Sundays with the number of cars parked on the side of the street. He was coming towards Piermont Avenue and there were 10 cars in front of him and about 10 cars behind him. There was nowhere to go. He got out of his car and played traffic cop. This happens about every weekend on Paradise. He would like to know if Paradise is just an emergency exit, as it was supposed to be when The Landing was built. Delivery trucks are coming through Paradise going to The Landing as well. He thanked the Board for putting the speed sign on Paradise as he thinks that helped with the speed quite a bit. He suggested making it a no-right turn on weekends onto Paradise, so people would have to go around to Gair. There are millions of cars on Palisades that take the “Piermont Marsh” exit straight down Paradise Avenue. He doesn’t think they got any approval to put that sign on the Palisades. The logical place for them to go is to Gair and parking lot D so then the can go to the shops.

Further, he is happy to volunteer to make and put up his signs. And thinks it can be a whole “Piermont Loves You” campaign. He thinks there should be a sign at the end of Paradise that says, “For Parking Downtown and Pier, Parking Lot D, Straight”. He would love a “Local Traffic Only” sign. They had a movie truck knock out a telephone pole. They also have buses from The View who circle around on Paradise.

Mayor Tucker stated he called the Palisades Parkway Commission and they did not do those signs. Bill Procida stated it is the Palisade Interstate Parkway Commission, not the Parkway Commission. Mayor Tucker stated they look like DEC signs.

Grant Scully stated he believes Paradise should be one way westbound all-time given the fact that the configuration in front of Bunbury is an impossible to get out of Gair Street.

Mayor Tucker stated when it comes to traffic flow and anything related to traffic, we are referring everything now to the Traffic Committee, which Trustee Alpert is the head. There is a Committee meeting next Thursday at noon. Mr. Procida stated he is happy to assist as he has done traffic studies for 30 years. Mayor Tucker stated this Board goes by that Committees recommendations.

Mayor Tucker stated regarding the signs request from Mr. Procida, he requests that goes before the Traffic Committee where they will be addressed, and the Committee will come up with a recommendation.

**Item #11 Fire Department request to renovate the Fred C. Scheffold Memorial**

Alan Bartley, Piermont Fire Department – On Memorial Day members of the Piermont Fire Department went to the Fred C. Scheffold Memorial site to pay their respects to Village resident, Battalion Chief, Fred C. Scheffold. As they paid their respects, they couldn’t help but notice the poor conditions of the memorial. They realize there has been extensive roadwork in this area and he spoke to Tom Temple about this in advance. The members of the Empire Hose Company voted unanimously at their last Monday meeting to do what was necessary to improve the condition and appearance of the memorial. Joan Scheffold and the family members stated they would support their efforts in this undertaking. A committee has been formed and currently consists of members of Empire Hose Company and the Scheffold family and is open to the Village Board members. To date, they have had no formal meeting. He is asking on behalf of their initiative for the Village Board’s support, so they can once again partner with the Village and make this memorial site something we can be proud of again. The Empire Hose company, along with the Village started this project in 2001 along with input from the Scheffold family. It is very disheartening. He is coming to the Board tonight on behalf of members of the Empire Hose company, it is disheartening to see it the way it is. They partnered with the Village and had

**Village of Piermont Board of Trustee Minutes**  
**September 3, 2019**  
**Page 7 of 16**

great communication and repour. He is asking on behalf of members of Empire Hose and the Scheffold Family for the Boards support and approval in moving forward with this project.

Trustee Burns asked if they know what is contemplated and what the cost will be? Al Bartley stated that will be discussed at future meetings, where the Village Board members are welcome to sit, and they will advise everyone that is on the committee. There is a lot of work that needs to be done. There is a lot of work that needs to be done. Number one, is raise the level of the road. He has been told they have to wait for the electric lines that have are on the opposite side of Ferry Road to be put underground. Mayor Tucker said he doesn't see why they would have to wait? Trustee Mitchell stated if they are going to cut into the road, then yes. Al Bartley stated he thinks they will definitely need a retaining wall. Mayor Tucker said he spoke to Tom Temple and he thinks he can get the fill at little or no cost.

Joan Scheffold, 303 Gair Street – She stated because of the raising of the road, the trees and plants died and there is one side that is full of weeds. She went to the Highway Department and told them about the weeds and trees and they have to take time out of their busy schedule and they cut the trees down because they were half dead. It really looks like we don't care about it and it floods. Mayor Tucker stated we know the situation. Ms. Scheffold doesn't understand why it wasn't raised when the road was raised, that was her understanding would happen. She said the Highway Department told her that. Trustee Burns stated there was never any discussion of raising that when the road was raised. There was discussion and an extra expense to raise the Northshore Walkway so that it met Ferry Road at that point, but there was never any discussion, and nobody brought it up. Ms. Scheffold said nobody had the foresight to think this would be in a hole? Trustee Burns stated they weren't going to raise the North Walkway portion of it, which wouldn't have put it in such a hole, until the last minute.

Mayor Tucker stated it is his understanding that this Board is in support of the revitalization of the memorial.

Ms. Scheffold asked if it is going to be done now or after the telephone poles? That is the issue the Highway Department told her, it will not be done until they are buried, which have not been approved yet. Mayor Tucker stated he thinks that is something that can be worked out. When it comes to the timing, he is not sure. He would like to know when their meeting is as he would like to attend.

Sylvia Welch stated as part of the Multi-Modal grant, they have a large landscaping amount, so Dan Sherman might be able to help with some of the upgrades and they might be able to coordinate that into the multi-modal program. Mayor Tucker stated we got approval for grant to re-pave the portion of the Pier where the paving stops to where it begins by the boathouse. In that grant, there is money for landscaping, trees, etc. They can get with Dan Sherman and see who is going to be working that end of the project and incorporate some of that with the memorial as well.

**Item #12 Fire Department formal request to replace existing aerial ladder truck for the next year's budget/capital items**

Al Bartley, Chairman of the Truck Committee, Piermont Fire Department – The Village and the Fire Department are at a point where we need to take a serious look at replacing the aerial ladder truck. The current aerial ladder truck is approaching 29 years old. They have a good history, the Village and Fire Department of taking good and proper care of our trucks, so that is why they last 25 years. They have a committee together that has been meeting for a year and half. They have exhausted every avenue and put a lot of work into this. Their next meeting is September 19, 2019 and he invited the Board to come and speak with the manufacturer, Pierce, at 7pm. It is something we need to move forward with. It is a necessity, not a luxury item.

Mayor Tucker asked if the existing truck went through refurbishment? Al Bartley stated yes.

**Village of Piermont Board of Trustee Minutes**  
**September 3, 2019**  
**Page 8 of 16**

Daniel Goswick, Jr. stated in 2007. Daniel Goswick, Sr. stated it wasn't a full refurbishment. It was painted, the ladder was shredded, and some cracked wells were taken care of. Not a new transmission, etc. Mayor Tucker asked how many miles are on the current truck? Daniel Goswick, Sr. stated 35,000.

Trustee Burns asked if there is grant money available for Fire Department trucks?

Sylvia Welch stated she tried three times, the problem is our size. As soon as it opens up again, she will see if she can put in for it. She will keep trying.

Trustee Mitchell stated the truck is getting old and if what we need to do to replace it, then that is what we need to look at.

Deputy Mayor Blomquist stated it is almost a 30-year-old piece of apparatus. When we need it, we need it.

Trustee Burns asked what the ballpark figure is to replace it?

Al Bartley stated between \$900,000 and \$1,000,000. Yes, it is a big number and they have exhausted every avenue at trying to keep the amount down, even looking at demonstrator vehicles. Al Bartley stated this is something that would meet the Village's needs. The Village didn't purchase the first one, the condo association did for \$450,000. Daniel Goswick, Sr. stated that was a requirement based on the Gage and Babcock study through SEQRA study that the condos had to provide a ladder truck since they were 5 stories. They were strictly an engine company at that time.

Mayor Tucker stated we would typically be discussing this in March during budget season, but he does understand there is a lead time on this and thanked them for bringing it to the Board's attention. He would like to attend the meeting.

**Item #13 Fire Department proposal to amend LOSAP to reduce the retirement age to 55 from 65 and increase the length of years to collect from 30 years up to 40 years**

Daniel Goswick, Sr., ex-Chief and current Captain of the Piermont Fire Department. Five years ago, they came to the Village Board asking for an increase to their LOSAP program, which is basically a pension program for the Fire Department. They want to go from 30 years to 40 years and drop the age from 62 to 45. They have the numbers and for an average assessed house, it would cost about \$66.35/household, which could move a little bit per the assessment, but that is the average per household per year.

Mayor Tucker asked who did that calculation?

Danny Goswick, Sr. stated Deputy Mayor Blomquist.

Deputy Mayor Blomquist stated it was prepared by the insurance broker.

Daniel Goswick, Sr. stated they came five years ago before the Board and they are coming now before the Board because the cost increase would have been more five years ago because the amount of people retiring within that timeframe, so it is going to be less if we are doing it now. It is more cost effective to do it now. They are asking to put it on the ballot for referendum in November, so the Village residents can vote on, but they need the Board's approval to put it on the ballot.

Village Attorney stated the municipality has a service award program for volunteer firefighters they establish under the general municipal law this program that was established some time ago. Daniel Goswick, Sr. stated this program was started in 1995 in the Village. Village Attorney

**Village of Piermont Board of Trustee Minutes**  
**September 3, 2019**  
**Page 9 of 16**

stated the General Municipal law states once the program has been adopted, benefits under the program can be changed by resolution or the sponsor by receiving an affirmative vote of at least 60% of the governing Board and approval of a referendum of the electors and the sponsors. It further states a general election, not less than 60 days after the passage of a resolution. The Board would have to take resolution tonight to even get it on a ballot. He is not sure of any financial impact it would have for a budgetary standpoint or how the unfunded liabilities reflected on Village books.

Village Attorney suggested that the two members of the Board who are members of the Fire Department who would benefit from this recuse themselves from this discussion and vote.

Trustee Burns asked why this wasn't brought up earlier?

Chief Goswick, Sr. stated he has been talking about it for a year.

Trustee Burns asked why didn't he come to the Board as Village Attorney is saying it has to happen tonight or it isn't getting on the ballot?

Daniel Goswick, Sr. stated he has talking to Village Clerk-Treasurer a couple time and Deputy Mayor Blomquist about it and getting it. He thought all they had to do was have Village Attorney draw up a document to get it on the referendum, not go through this whole process.

Trustee Burns stated he through it would be fair to the members of the Board to have this a week or a month before, so they know what it was about. He doesn't think it is fair to put something on a ballot that they gave us tonight. He understands that Deputy Mayor Blomquist gave him some information, but he doesn't think they have enough to vote on.

Daniel Goswick, Sr. asked what does he mean they don't have enough to vote on? The Village residents are voting on it, they are not voting on it. The Board is just giving them the permission to put it on the ballot.

Village Attorney stated the Board has to approve the request by resolution.

Trustee Burns asked if we do a resolution, is it saying it is something we support? He thinks it should've been brought up a month ago?

Steve Silverberg stated the Board seems to be concerned about doing this in the middle of the budget season, is there a way for the Board to adopt a resolution subject to referendum be affective in the next fiscal year so that taxes can be adjusted to take care of any additional cost. The Fire Department does a lot for us to volunteer and to help them out, we should look for a way to do it.

Village Attorney stated any resolution that the Board would pass would have to have an effective date in it.

Daniel Goswick, Sr. stated that is fine, it can start a year from now, they just want to get it on the ballot, we can make sure we have the funding for next years budget. They just want to get the process started.

Village Attorney stated if they are gong to make it effective next year, it has to be January 1. You can make it effective next fiscal year. What the financial analysis says is a recommended increase in contribution of \$68,300 and an increase in the unfunded liability, which is really what triggers a requirement for the referendum, that is costs more. He is not sure what financial analysis the Board needs for its budgetary purposes to be comfortable to pass a resolution.

Trustee Burns asked if we have it on the ballot in November, we can have it take effect in our next Fiscal Year? Mayor Tucker stated we can have it take effect January 1, 2021.

Daniel Goswick, Sr. stated that will give them a year to basically fund it.

Mayor Tucker stated this will be something they will have to deal with in the second half of the next budget year.

Trustee Alpert asked if there are regulations in notifying people about this being on the ballot? Because in addition to the Board having to know, there is a whole a Village of people that have to know about it.

Daniel Goswick, Sr. stated they will put everything on Facebook and the Village website.

Village Attorney stated it also has to be posted and deal with the Board of elections to get it on the ballot.

Trustee Burns made a motion to authorize to place on the ballot in November 2019 for referendum, subject to wording of the resolution, take effect January 1, 2021, in compliance with section 219-R of the General Municipal Code. The motion was seconded by Trustee Alpert and so carried with a vote of 5 ayes and 0 nays.

*September 3, 2019 Regularly scheduled meeting of the Village of Piermont Board of Trustees*

***RESOLUTION OF THE VILLAGE OF PIERMONT BOARD OF TRUSTEES  
AUTHORIZING AMENDMENTS TO THE VOLUNTEER FIRE DEPARTMENT  
SERVICE AWARD PROGRAM***

***WHEREAS, the Village of Piermont has previously adopted a supplemental service award program for the Piermont Volunteer Fire Department members;***

***WHEREAS, the Village Board is desirous of changing the benefits under the previously adopted program to provide for lowering the entitlement retirement age from 65 years old to 55 years old, and increasing the maximum number of eligible years of service from 30 to 40 years, effective January 1, 2021;***

***WHEREAS, the Piermont Village Board, at its regularly scheduled meeting held on September 3, 2019, discussed the proposed amendments and accepted public comment regarding the proposed changes to the previously adopted service awards program;***

***WHEREAS, it is in the best interests of the residents of the Village of Piermont to provide adequate benefits to the Volunteer Fire Departments members, both to encourage membership and in recognition of the invaluable service the Volunteer Fire Department provides to Village residents.***

***THEREFORE BE IT RESOLVED, the Village Board of Trustees resolves that the existing Volunteer Department service award program be changed in the following ways, effective January 1, 2021, subject to approval of the electors of the Piermont Village Board:***

- 1. To lower the entitlement age for benefits under the service awards program to 55 years old, and***
- 2. To increase the maximum number of eligible years of service from 30 to 40 years, and***

***BE IT FURTHER RESOLVED, that the changes would be effective January 1, 2021, and***

***BE IT FURTHER RESOLVED, the Village Attorney is directed to interface with the Rockland County Board of Elections to insure that a proposition authorizing the changes to the existing service award program for Volunteer Firefighters in the Village of Piermont be***

*submitted to the electors of the Piermont Village Board at the next general election of state or local government officers held in the Village.*

*Adopted at the regularly scheduled meeting of the Board of Trustees of the Village of Piermont by a vote of sixty percent of said Board of Trustees as follows:*

<i>Mayor Tucker</i>	<i>Aye</i>
<i>Deputy Mayor Blomquist</i>	<i>Recused</i>
<i>Trustee Rob Burns</i>	<i>Aye</i>
<i>Trustee Ivanya Alpert</i>	<i>Aye</i>
<i>Trustee Nate Mitchell</i>	<i>Recused.</i>

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*Certified true copy of Resolution*  
*Jennifer DeYorgi, Piermont Village Clerk*

**Item#14 Presentation by Lance Brown from CCNY on the CAD project summary**

Lance Brown from CCNY gave a presentation to the Board along with students Arshlow and Diana.

**Item# 15 Request from Piermont Pier Waterfront Beautification Group from the Village to contribute \$20,000 of Village funds for their beautification project**

**Denny Herzberg, 518 Gair Street** – They have covered a lot of territory since their first meeting and they have come a long way. George and Kristin have secured the permits. They are at the final stages. The resale values on Gair have changed quite a bit from 10 years ago. Taxes are affected when things go down. (They handed out a spreadsheet to the Board showing funds). They started a Go Fund Me. They ran out of sources. They knocked on every door on Gair Street, they had two residents move away. Rockland Electric has contributed like nobody else, they are doing a lot of work for no money. They need \$150,000, they have \$105,000 committed from the beginning and they are short \$32,953. It is in the Village's interest if you look at how many thousands of people go onto Pier Rd and go into town. They need \$20,000 from the Village.

**George Fanshaw, 521 Gair Street** – They have all the permits and they did do a lot. They are asking for a contribution.

**Kristin Fanshaw, Rockland Electric** – They made a valiant effort in fundraising and are continuing to do so. They just want to make a final request to put in an application to file for Village funding, if possible.

Mr. Herzberg stated it took many months of fundraising and small amounts adding to the large amount they have to get where they are.

Trustee Alpert stated she believes there are a lot of things they would like to give money to and she is not sure this is the top of their priority list. She personally thinks there is better uses of taxpayers' money than taking down poles. She is not inclined to give money.

**Village of Piermont Board of Trustee Minutes**  
**September 3, 2019**  
**Page 12 of 16**

Mr. Herzberg stated poles are an eyesore, not just on Gair Street. We all have a common goal for the better of Piermont.

Trustee Mitchell stated he agrees with Trustee Alpert, there are considerably higher priorities for taxpayers funding.

**Al Miglowsky, 521 Gair** – He is looking South down the River at the poles. There is other use for Village monies for taxpayer funds. The group on the Pier pays a very large portion of Village taxes. He lived on the River in South Nyack. He is here because his taxes are half of what they were up there. Since he has lived here, his expenses on the Pier are easily as high as they were up there. When he looks at all the units they have and the value of all those units, it is a tremendously sizable amount of money from that group into the Village for all these other things that you say might be a better use of those funds. They might be a better use, but this is something that would benefit them and their property values. He has looked at the South vs. North. If those house values go up, the whole development goes up and taxes ultimately go up because of assessment. All that tax money that is going to better things.

Mayor Tucker stated, to rephrase what Trustee Alpert said, it is not like we have \$20,000 and we are deciding who to give it to, is one project better than another? We don't have the \$20,000 in the budget to do any of this. They came to us and told us from the very beginning this was going to be a private project. He sat in on the first meeting with O&R to encourage them to do it. He got Senator Carlucci down for that meeting to help out in any way he can. This Board waived any permit fees, road opening fees and gave them permission to even do it, of which he has gotten some negative feedback from other residents regarding it. Not everybody hates those poles, you guys do, but not all Village residents do. He thinks this Board has been very accommodating especially the time our Village Attorney has spent back and forth on paperwork and resolutions. The bottom line is, it was our goal this year to keep Piermont Village taxes at a zero increase. If you look at your Piermont tax bill. It is probably anywhere from \$2-\$15 less than it was last year. We could have raised taxes 2% and said let's create a fund for people who want to do things around town like move a tree because it blocks their view or take down poles because they don't like them. But, we chose instead to keep the taxes at a 0% increase this year. The answer is no, there are no funds available in the current budget year to help with this project and the fact that you came to us and said it was going to be a privately funded project to begin with, you are trying our patience and running out of time. We do not have the money and there are other projects now that are taking place on the Pier that are being held up because of this project. He thinks they need to come to us in the very near future and tell us either yay or nay if they are doing this project or not.

Trustee Burns stated he is social friends with a lot of people on this matter and recused himself from any determination on this matter.

Kristin Fanshaw thanked the Board and Village Clerk-Treasurer and Village Attorney for working with them during this project and being supportive.

Mayor Tucker asked that they please let them know as soon as possible what they plan on doing.

Kristin Fanshaw stated they want to be accommodating, so they will come up with a timeline and will let them know.

**Item# 16 Resolution to authorize sale of right of way in front of 505 Piermont Avenue**

Mayor Tucker stated at the last meeting the Board voted to draft a resolution. This is a non-binding resolution of the Piermont Village Board to proceed with the possible based on the request of a resident to purchase the right-of-way in front of 505 Piermont Avenue, which has been appraised for \$32,000. Assuming that the resolution is passed, we would have to schedule the public hearing and at the public hearing the Board can vote on whether we want to proceed or

not being that the land is not a separate SBL, a land surveyor would have to be called in and an SBL created and the person who interested who is interested in purchasing this understands that he would be responsible for any costs associated with that.

Trustee Burns made a resolution to vacate discontinued portion of the Main Street/Piermont Avenue right-of-way addition to 505 Piermont Avenue, formerly known as Gerhardt's Garage. The motion was seconded by Deputy Mayor Blomquist and so carried with a vote of 3 ayes and 2 nays. Trustee Mitchell and Trustee Alpert voted nay.

Mayor Tucker made a motion to schedule a public hearing for October 1, 2019 at 8:00pm. NO ONE SECONDED THIS MOTION

**Item# 17 Resolution authorizing the Mayor to enter into an agreement with New York State Department of Transportation Multi-Modal Program for funding in the amount of \$215,000 for improvements to Ferry Road from Dogleg to the end of the Pier**

Mayor Tucker stated this is the re-paving of Ferry Road from the Dog Leg to the Boathouse and includes landscaping. This is a grant that Ellen Jaffe got for the Village.

Trustee Burns made a motion authorizing the Mayor to enter into an agreement with New York State Department of Transportation Multi-Modal Program for funding in the amount of \$215,000 for improvements to Ferry Road from Dogleg to the end for the Pier. The motion was seconded by Trustee Mitchell and so carried with a vote of 5 ayes and 0 nays.

**Item# 18 Discussion to require a Piermont Pier Permit in order to park in the parking spots near the entrance to the Piermont Pier Park & Goswick Pavilion**

Trustee Mitchell stated this the thinking behind this is related to the traffic concerns on Paradise Avenue Mr. Procida brought up earlier. There are somethings that have changed in the last couple years on the Pier, mainly closing the Pier to vehicular traffic on Sundays, that changes the way the parking situation changes on the Pier. There was a time when the only way to park on the Pier was to have a Piermont Pier parking sticker, free to residents, but a fee to out of town residents. Because of DEC changes that had been nullified and we haven't been able to sell as many Pier Permits. He is suggesting that if we take the parking lot adjacent from Pavilion, which is the best parking if you are going to be walking the Pier and designate that as permit parking only. That will give people an incentive for people to purchase our Permits and will give residents a way to secure a free permit, which will then give them access to that parking area before other people. He agrees with Mr. Procida that we don't want people just going straight to the Pier and bypassing the downtown. If that is not the easiest place to park, because they don't have a parking permit and they don't want to buy one, they will have to park in Lot D or the River Lot, which will put them right downtown. He discussed with Mayor Tucker about people renting the Pavilion needing those parking spaces and they thought about doing a temporary daily parking pass. He thinks this will lessen the impact on the Pier.

Joan Scheffold stated when they stopped with the permits several years ago, she thought it was because the Village owns part of the Pier and the Federal Government owns the other part and we weren't allowed to charge people to drive on the Pier?

Village Attorney stated there is an easement over Ferry Road in favor of the State of New York. Ms. Scheffold asked we can still charge people to walk at Goswick Pavilion? Trustee Mitchell stated there is no reason not to. The state doesn't own any of that. We still have the right to sell a parking permit for parking on the permit itself, just not in the DEC spots that are at the end of the Pier. From an enforcement perspective, we cannot stop any car without a permit from driving down the Pier as they might be going to the DEC spots. If a car is parked on the side of the Pier without a permit, we technically can ticket them.

**Village of Piermont Board of Trustee Minutes**  
**September 3, 2019**  
**Page 14 of 16**

Village Attorney stated we used to charge a fee to drive on the Pier and now we can charge a fee to park on the Pier. If the Board were going to entertain this, they would have to amend their code to add that area, because that is technically a Village park, Goswick Pavilion.

Mayor Tucker stated the rates for that lot would be what they currently are for Pier permits. \$15 for the day, \$125 for Orangetown residents, \$175 out of Orangetown residents, free for Piermont residents.

Raj asked if you would get a ticket if you were parked in that lot without a permit just as you would on the Pier? Mayor Tucker stated yes, if you were parked anywhere on the Pier outside of the 12 DEC spots without a permit, you would get a ticket. Raj asked if they would enforce the towaway zone by the Goswick Pavilion? Or would it just be a ticketable offense? Trustee Mitchel stated probably just a ticket and a reason for you to buy a permit. Mayor Tucker stated they are looking at implementing this January 1<sup>st</sup> and they are going to be looking at the fines.

Bob Samuels stated the Police do not enforce on Main Street. Mayor Tucker stated he does not agree with that statement. He said they are in the process of getting automatic ticketing machines where they walk by scan and come back two hours later scan and prints out a ticket on the machine.

Trustee Mitchell stated this type of enforcement is significantly easier to do than checking to see if a car has been parked for more than two hours. All you have to do is look and see if they have a permit, write a ticket and move on.

Village Attorney stated this requires a change I the Code, Chapter 143 Parks. We would add in "Goswick Pavilion Parking Area". Mayor Tucker made a motion to schedule a public hearing for September 17, 2019 to amend Village Code 143 Parks to include Goswick Pavilion Parking Area. The motion was seconded by Trustee Burns and so carried with a vote of 5 ayes and 0 nays.

**Item # 19 Appoint Rod Greenwood as Member of Zoning Board**

Mayor Tucker swore Rod Greenwood in as Member of the Zoning Board.

**Item # 20 Discussion on increasing the balance of the NY Class Village account**

Mayor Tucker stated the proposal is to increase the limit from \$1million to \$1.5 million, not meaning we have to put it in, but giving us the option. He sent an email to the Board today pointing out that our bank accounts are paying next to nothing, but the NYCLASS is paying 2.09% compounded daily, as of today.

Unless anyone has any other comments, he put forth a resolution to increase the limit to \$1.5 million.

Trustee Mitchell stated it might be safer to establish a percentage of the total fund balance to use as a whole, then a specific dollar. He doesn't have an objection of that level being in NYCLASS, but if the fund balance changes, the ration of the NYCLASS account to other accounts will change and it might become problematic.

Mayor Tucker asked, in what way will it become problematic?

Trustee Mitchell stated in that it will not be as diversified as a regular account.

Mayor Tucker stated if you want to take about diversification and safety, he feels much safer having our money in NYCLASS than he does in Sterling or M&T Bank without FDIC Insurance.

**Village of Piermont Board of Trustee Minutes**  
**September 3, 2019**  
**Page 15 of 16**

Trustee Mitchell stated in his email he explained the State Comptroller's office has given us recommendations on how it is that you can maintain full FDIC insurance by using multiple custodians, each of whom can have two accounts. It is a false dilemma to say, put it in NYCLASS or have no insurance. There are other options.

Village Attorney stated we do need to look at our investment policy, which we should probably update since the last one was done in 2008. There are not a whole lot of diversification options.

Trustee Burns asked if that is something we should do before we put more money into one account?

Village Attorney stated the current policy allows for investments in cooperative investment accounts, as long as they are invested as permitted under the General Municipal Law. It just doesn't say how much should go where and that should be looked at.

Trustee Burns stated he is leaning more towards what Trustee is talking about. He doesn't see the rush to put more money into this fund. If he understands correctly, we could put it in two separate accounts in three separate banks, \$250,000 each, not saying that is the way we should go, but thinks we should be open to putting the money somewhere \$250,000 or \$500,000 is guaranteed.

Village Attorney stated what Trustee Mitchell is saying is you can have different custodians, we would have to talk to the bank about this, three people in the Village authorized to be a custodian on the Village account and put however much in the account and be FDIC insured. This is a policy decision of the Board. NYCLASS collateralization protects the Village and complies with the General Municipal Law. He doesn't think the safety of the money is an issue.

Mayor Tucker stated in the meantime it is costing us money. Those banks are paying much lower rates.

Trustee Burns stated on The Landing, they are investing in CDs and getting 2%, so he is not sure where those percentages are coming from?

Village Attorney stated they are coming from the bank because public funds can only be put into certificate of deposit or savings accounts issued by a trust company licensed to do business in the State of NY.

Trustee Burns stated that is what they are doing. He is suggesting put this into a layered CD. He doesn't know why we have to do this in one location. Mayor Tucker asked if he researched these CDs? How long does he want to go out? Trustee Burns stated 9 months to a year and half. Mayor Tucker asked if he can research and report back?

Trustee Burns stated he will get with the Treasurer of his Board and get back the Mayor this week.

Mayor Tucker stated he was not aware that 9-month CDs were paying 2.5%.

Trustee Mitchell stated with our balance as it is now, he thinks we would be okay with another \$500,000 in NYCLASS, he just doesn't want to set it as we can always have \$1.5 million in there with no comparison to the what the Fund Balance. If the total Fund Balance gets cut in half, he doesn't think it's okay to have \$1.5 million in NYCLASS.

Deputy Mayor Blomquist had some questions regarding collateralization. Mayor Tucker stated he would give him the phone number and email.

**Village of Piermont Board of Trustee Minutes**  
**September 3, 2019**  
**Page 16 of 16**

Mayor Tucker stated he is looking at this of ways to raise revenue and keep the taxes down. We get an extra \$20,000 to \$30,000 in interest, that helps us when it comes to budget season to keep taxes down?

Village Clerk-Treasurer stated we just spent time consolidating bank accounts and trying to keep everything neat and clean and now we are going to be expanding, then that is more accounting and work.

Village Attorney stated it is important for her to have input as we can pass a law, but someone has to do the work.

**Item #21 Public Comment**

**Kathleen Puder, Piermont Civic Association, 234 Ferdon Avenue** – They are having their big fundraiser, Lobsterfest this Sunday. In reviewing the Pavilion Rental Agreement, it says no amplified music. They have a live band starting in the afternoon hours. She is here to request the Boards permission to have amplified music.

Trustee Burns made a motion to allow the Civic Association to have amplified music at Lobsterfest on Sunday, September 8, 2019 at Goswick Pavilion. The motion was seconded by Trustee Alpert and so carried with a vote of 5 ayes and 0 nays.

Kathleen Puder stated they are going to put up lawn signs for Lobsterfest, which they will take down by Monday. She further asked if they could receive Economic Development Funds for Lobsterfest? Mayor Tucker and Village Clerk-Treasurer stated that was approved along with the concerts earlier in the year.

**Kevin Fagan, 590 Piermont Avenue** – He noticed driving to Nyack on River Road, the phone company has removed all the lead covered telephone line that is covered in the black plastic. They have removed the lines from the Bridge to St. Johns Church. They don't maintain the cable, it's a mess. Can the Village find out when the phone company is going to continually remove those lines? It is an eyesore, it's not going to cost \$20,000 of the taxpayer's money. Verizon is the phone company and he thinks it is better for the environment to take it down.

Mr. Fagan asked if they can adjourn the meeting in memory of Thomas Melia who was a past President of the Empire Hose Company, but he was a lifetime member of the Village of Piermont Fire Department. He passed away recently and was buried this weekend.

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

Trustee Burns made a motion to enter Executive Session at 10:18pm. The motion was seconded by Deputy Mayor Blomquist and so carried with a vote of 5 ayes and 0 nays.

Trustee Burns made a motion to exit Executive Session at 10:32pm. 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 #17 Adjournment**

Trustee Burns made a motion at 10:30 pm to adjourn in memory of Thomas Melia, lifetime member Piermont Fire Department. 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