

INCORPORATED VILLAGE OF PIERMONT
BOARD OF TRUSTEES MEETING
June 16, 2020

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

NOTE: On March 7, 2020, in Executive Order No. 202.1, Governor Cuomo suspended certain provisions of the Open Meeting Law to permit a Village Board to meet and take actions authorized by law without permitting in public in-person access and authorizing such meeting to be held remotely by conference call or similar service, provided that the public has the ability to view or listen to such proceeding and that such meetings are recorded and later transcribed. The Village will be activating a remote meeting platform for the Tuesday, June 16, 2020 Village Board meeting, which will enable residents to watch a livestream of the meeting on the “Village of Piermont” Facebook Page - in compliance with the Executive Order.

Please be advised that comments and/or questions may be submitted via email to the Village Clerk no later than 1:00 pm on June 16, 2020, at the email address clerk@piermont-ny.gov. The Village Board will also be monitoring the Facebook livestream feed, which will enable the public to submit questions during the meeting.

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

Mayor Bruce Tucker asked for a moment of silence for COVID-19 victims.

Item #1 – Approval of Meeting Minutes

Deputy Mayor Blomquist made a motion to approve the minutes for June 2, 2020. The motion was seconded by Trustee Mitchell 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 #052520 in the amount of \$21,990.48. The motion was seconded by Trustee Burns and so carried with a vote of 5 ayes and 0 nays. Deputy Mayor Blomquist made a motion to approve Warrant #061620 in the amount of \$344,968.70. The motion was seconded by Trustee Mitchell and so carried with a vote of 5 ayes and 0 nays.

Miscellaneous – Mayor Tucker thanked all the Departments involved in the street rerouting as it was a huge undertaking, and this will help keep our restaurants in business and our downtown vibrant.

Item #3 – Department Reports

Department of Public Works - Highway Superintendent Tom Temple informed the Board his crews were adjusting the rerouting all weekend, and they will continue to be available when needed. They will add a no-bicycle illustration sign to Piermont Avenue. They are preparing the Pavilion for possible rentals this summer.

Police Department – Chief Hurley informed the Board over the last two weeks they responded to 114 calls for service and 53 summonses were issued, the majority involving violations on the Pier and Piermont Avenue as well as bicyclists. There will be an extra officer on the weekends assigned just to Piermont Avenue and the Pier, and they will be increasing foot patrols. He thanked DPW for everything they are doing. They are looking to start their bicycle patrol unit again and has a potential donor of 4 bicycles for the unit. He will bring this back to the Board.

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Building Department - Building Inspector Charles Schaub informed the Board he has been speaking with the restaurants to ensure they are maintaining their social distancing and they are updating everything with the State Liquor Authority with any revised drawings/applications restaurants may be submitting.

Parks Department – Dan Sherman was not present.

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

Item #4 - Old Business

Village Clerk-Treasurer informed the Board we received the Draft 2019 Financial Statement from Berard & Associates, which she sent to the Board for review. Mayor Tucker stated he has some questions and will call Dave Wemmer tomorrow.

Village Attorney had no old business to discuss.

Mayor Tucker reminded Tom Temple and Charles Schaub that the EV Charger installer is coming Tuesday to install the updated 50kw EV Charger. Further, previously, the Board approved to join the Governors extension on interest for tax payments, that Bill closed, and we were unable to participate. There is another Bill that has been approved by State Senate and Assembly, he submitted a request for us to participate, but the Governor has yet to sign it. As of now, tax bills are due June 30, 2020 without penalty. Additionally, the Executive Order expanding liquor licenses expires July 6, 2020. He believes the Governor will extend or issue a new Executive Order, but he will update the Board if he finds out anything further.

Deputy Mayor Blomquist had no old business to discuss.

Trustee Ruby 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 stated she is getting a lot of calls from Pier Permit holders and handicap people who are concerned about not being able to drive on the Pier. Mayor Tucker stated this will be discussed tonight.

Village Attorney had no new business to discuss.

Mayor Tucker received complaint about the huge pothole on Paradise between Ferry Road and Gair Street. The North section of that road is owned by the County, Lot S, and the South section is owned by Phil, part of Lot D. From his measurements, it is part of Lot S. The Board and Village Attorney discussed further. Tom Temple will contact Skip at County Highway.

Deputy Mayor Blomquist had no new business to discuss.

Trustee Burns had no new business to discuss.

Trustee Mitchell had no new business to discuss.

Trustee Ruby had no new business to discuss.

Item #6 Ratification of Memorandum of Agreement (MOA) between the Village and the Piermont PBA

Deputy Mayor Blomquist stated the Memorandum of Agreement is the controlling document that has been executed by the PBA and the Mayor. Once it has been ratified by the Board, the officers can begin to receive their increases.

Deputy Mayor Blomquist made a motion that we ratify the Memorandum of Agreement (MOA) between the Village and the Piermont PBA. The motion was seconded by Trustee Mitchell so carried with a vote of 5 ayes and 0 nays.

Deputy Mayor Blomquist made a motion to accept Chief Hurley's contract with minor change (listing accrued time in detail). The motion was seconded by Trustee Burns so carried with a vote of 5 ayes and 0 nays.

Item #7 Request from Piermont Farmers Market to locate at Ballfield every Sunday

Mayor Tucker reminded the Board, due to social distancing the farmers market was moved to Flywheel Park at the request of Joe Serra and has been operating there for several weeks until they were notified by the owner of Flywheel Park that they have to relocate.

Joe Serra was before the Board to request moving the Farmer's Market to Parelli Park. Trustee Burns asked Mr. Serra if they were told by the owner of Flywheel Park that they were asked to leave because one of the tenants didn't want them there? Joe Serra responded correct. Trustee Burns stated the Village has nothing to do with Flywheel Park and never asked the Farmer's Market to leave, Mr. Serra agreed. He further asked why Parelli Park over the Pavilion. Joe Serra had concerns about parking and didn't want opposition from Paradise residents. Customers can park in River Lot and M&T Lot. They also have an agreement from the Library Board to also use their parking lot temporarily.

Village Attorney stated the Village passed a law last year preventing businesses in Village Parks. If the Board is going to entertain this, they would generally need to change their Law, but during this New York State of Emergency, they may be able to waive that portion of the law. But, insurance must be provided and if you do this for one, you have to do it for everyone. He further stated there should be a policy put in place stating what is allowed, the duration and parameters of health and social distancing, provide insurance and fee. Mayor Tucker stated he would entertain a policy, as long as the State of Emergency and Executive orders are still in place. Trustee Mitchell suggested we go back to the yoga request and make an accommodation for them if we do for the Farmers Market.

The Board and Joe Serra agreed on \$100/week for their fee. Tom Temple asked who would take care of the sanitation generated from the Farmer's Market? Joe Serra responded they would. Vendors take their own waste and Joe has bins he takes as well. There will not be any prepared foods, but there might be some garbage in the Village receptacle from cups, etc.

Village Attorney and the Board discussed the potential policy further. Village Attorney will do a short license agreement for people to sign.

Trustee Burns made a motion to waive the current prohibition against businesses being run in our Park on a temporary basis for a term that the State of Emergency is in effect in Parelli Park provided that there is Insurance given naming Village as additional insured that \$100 per session is paid to the Village, that there is no more than one business per day and no more than "x" hours per use and that they sign a short license agreement that will be prepared by the Village Attorney and that the vendors have a responsibility to clean up. The motion was seconded by Trustee Ruby so carried with a vote of 5 ayes and 0 nays.

Item #8 Request from Clearwater to dock at the Piermont Pier on Tuesday, June 23rd through June 24, 2020

The Board agreed they can dock, but there may not be vehicle access as the Pier is currently closed to vehicles. Village Clerk-Treasurer and Mayor Tucker stated the docking fee is waived as it is educational.

Item #9 Review Insurance proposal from Bauer-Crowley, Inc. for renewal July 2020

Mayor Tucker stated a new insurance broker give a quote for insurance. Option 1 with Travelers Insurance will save about \$50,000 this year.

Trustee Burns made a motion to go with Option 1, Travelers Insurance. The motion was seconded by Trustee Mitchell so carried with a vote of 5 ayes and 0 nays.

Item #10 Public Comment on Review and Acceptance of Village of Piermont 2020 MS-4 Annual Report

Village Clerk-Treasurer stated the Village participates in this every year as part of the Municipal Stormwater Sewer Systems. Village Attorney stated this is a mandate and Cornell does the education outreach every year.

Trustee Mitchell made a motion to accept the Village of Piermont 2020 MS-4 Annual Report. The motion was seconded by Deputy Mayor Blomquist so carried with a vote of 5 ayes and 0 nays.

Item #11 Discuss returning picnic tables to the Goswick Pavilion which were placed around Village during COVID-19

Mayor Tucker stated he has received a lot of positive feedback of having them around the Village. Trustee Mitchell has seen a lot of people enjoying them and they serve no purpose in the closed Pavilion. Trustee Ruby likes them around the Village. Tom Temple stated there 6-8 in the Pavilion still. Mayor Tucker stated to leave the picnic tables around the Village.

Item #12 Discussion on opening Village playgrounds and Phase III reopening in our region

Friday the Governor announced that playgrounds can reopen. Mayor Tucker was interested to hear if surrounding areas playgrounds have reopened. Village Attorney stated Nyack playground is not open and will not be until at least Phase IV. Village Attorney stated we need to review the requirements to keep them open and ensure we are able to comply. Trustee Mitchell advised the Board we have a sprayer for disinfectant for playgrounds and parks daily if needed. Trustee Burns suggested we keep the playgrounds closed at this time. Trustee Ruby agreed we should keep the playground closed longer.

Mayor Tucker stated that our region could potentially enter Phase III on June 23rd which will bring indoor dining with up to 50% capacity. If we go into Phase III, do we want to re-open the North Walkway and the Pier to vehicles and bicycles? Trustee Burns asked if the gate could be more secure on the North Walkway by the caterer and further asked if we have to re-open the Pier to bikes and vehicles in Phase III? Mayor Tucker stated there is no rule regarding same. Village Clerk-Treasurer stated it doesn't allow handicap people access to the Pier, which would be a violation of their rights. She is receiving phone calls from people who purchased passes and are unable to use them at this time. Mayor Tucker responded we are in a State of Emergency and in order to maintain social distancing for walkers on the Pier, we cannot allow vehicles to push

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people together. Trustee Mitchell stated there are a lot of people who enjoy not having cars/bikes on the Pier and those who enjoy driving their cars, both sides have been vocal and we owe it to them to pick an event to get the Pier back to operational with vehicular traffic, with Sundays closed to vehicular. It will be hard to make an argument that it's not okay to have cars on the Pier, but it's okay to have people not wearing masks at their tables a few feet apart from each other on Main Street. Mayor Tucker agreed and believes we should reopen the Pier to bicycles and vehicles in Phase III as well as the North Walkway, subject to our normal Pier hours. Trustee Burns suggested no bicycles on the Pier on Sundays. Trustee Mitchell reminded the Board the positive feedback from residents taking their kids out on bicycles on vehicle-free Sundays on the Pier.

Mayor Tucker made a motion to open the North Walkway as well as the Pier to bicycles and vehicles (except Sundays) upon entering Phase III. The motion was seconded by Trustee Mitchell so carried with a vote of 5 ayes and 0 nays.

Item #13 Public Comment

Christine Mooney – Thanked for the street change and suggested the arrow appear faster on the sign as well as placing a bike rack at Pier entrance. She further suggested a speed requirement for bikes on the Pier.

Betsey Franco-Feeney – Thinks \$100 is too high for a children's yoga class when that fee for a farmer's market covers about 15 vendors. She also asked if there was anyway to allow vehicles only with handicap stickers onto the Pier?

Alexis Starke (email) – Concerned about vehicles parked on green space along Gair Street over the weekend. The Main Street partial closure is slowing traffic and lost several parking spots. Mayor Tucker stated the Board and Departments went through an extensive process to develop the plan that we came up with and thought about all of those items and re-tweaked everything after the weekend as well. They are doing the best they can. Ms. Starke is also concerned of the lack of mask wearing on Erie Path and suggested signage at the Train Station asking people to wear masks. Mayor Tucker stated the Erie Trail is, in most cases, 10 feet wide which allows for 6ft social distancing. We have two signs on the Pier telling people to wear masks and some people still do not wear masks. He doesn't believe additional signage would do anything. Trustee Burns asked stated there was parking on the health club grass as well and asked Chief Hurley if officers were ticketing? Chief Hurley stated sometimes Phil Griffin gives Confetti permission to park on the grassy area for valet parking and they do not ticket on his private property. Trustee Burns stated the grassy area by the health club is also private property. Chief Hurley stated in order for them to ticket on that property, the Homeowner's Association would have to write a letter granting the Piermont PD permission to enforce then they can. Trustee Mitchell asked what happened with the request from the artist to paint the barriers? Mayor Tucker stated he was waiting to hear back from the Board. We are not sure how long these barriers are going to be there, maybe it is not worth it and we need to be cautious what is painted on the barriers. Joe Serra asked if the Piermont Public Arts Committee can weigh in on what goes on the barriers? Building Inspector stated the Community Market put plants on top of their barriers and it softened them up and looks nice. Mayor Tucker stated we would be open to a proposal from Piermont Public Arts Committee. Alexis's final point in her email was suggesting a tree planting program in the Village. Mayor Tucker stated he will speak to Dan Sherman about adding more trees. Trustee Mitchell stated there is a grant that comes up every year for seedlings.

Item #14 Executive Session (requested by Deputy Mayor Blomquist)

Trustee Burns made a motion to enter Executive Session at 7:54pm. The motion was seconded by Trustee Mitchell and so carried with a vote of 5 ayes and 0 nays.

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Deputy Mayor Blomquist made a motion to exit Executive Session at 8:30pm. The motion was seconded by Trustee Burns and so carried with a vote of 5 ayes and 0 nays.

No action was taken in Executive Session.

Item #15 Adjournment

Trustee Burns made a motion at 8:30 pm to adjourn. The motion was seconded by Trustee Mitchell and so carried with a vote of 5 ayes and 0 nays.

Respectfully submitted,

Jennifer DeYorgi Maher
Clerk-Treasurer