

INCORPORATED VILLAGE OF PIERMONT
BOARD OF TRUSTEES MEETING
October 20, 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, October 20, 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 October 20, 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

Trustee Mitchell made a motion to approve the minutes for October 6, 2020. The motion was seconded by Deputy Mayor Blomquist 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 #102020 in the amount of \$21,815.40. The motion was seconded by Trustee Mitchell 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 Hurley informed the Board from October 6 to October 20 they issued 56 summonses, 145 calls for service as well as 27 business COVID compliance checks. They are forming a police reform committee and he will keep the Board informed of the meetings. Lastly, all officers have completed their 2020 in-service training.

Building Department - Building Inspector Charles Schaub was not present.

Parks Department – Dan Sherman was not present.

Fire Department – Chief Goswick, Jr. thanked the Board for the opportunity to meet this past Saturday. Additionally, they have noticed the positive effects the Police mask detail has had on the Pier. There are 5 COVID cases in the Village as of today. They will be purchasing the equipment that they need that they were approved for through the Grant this week.

Item #4 - Old Business

Village Clerk-Treasurer had no old business to discuss.

Village Attorney had no old business.

Mayor Tucker reminded Village Attorney the Building Department is requesting a warning letter for those who have not responded to the Rental Registry letter. The Board previously discussed the approval of the Chamber of Commerce to operate one pedicab and the Board to match half of the cost of one pedicab out of Economic Development, \$2,250, which is in tonight's warrant. Mayor Tucker made a motion to approve reimbursement to Piermont Chamber of Commerce for ½ of one pedicab totaling \$2,250 out of Economic Development. 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 Burns had no old business to discuss.

Trustee Mitchell had no old business to discuss.

Trustee Ruby had no old business to discuss.

Item# 5 New Business

Village Clerk-Treasurer had no new business to discuss.

Village Attorney had no new business to discuss.

Mayor Tucker and the Board discussed the film festival's request to rent the pavilion June 2021 and will revisit their request towards the end of the year. Mayor Tucker and the Board discussed trick or treating in the Village and decided to not encourage, but not prohibit same.

Mayor Tucker informed the Board with no the plans from the owners to move forward developing the gravel lot across from Village Hall, himself and Associate Village Attorney Lino Sciaretta have discussed taking that lot by eminent domain. He is in the process of getting quotes from appraisers and will report back to the Board. Trustee Burns asked if the intention is to sell the property or for Village use? Mayor Tucker responded Village use, which the Board would discuss and decide should that time come.

Mayor Tucker requested that a Board of Fire Commissioners be reinstated in the Village which would consist of three people nominated by the Mayor but approved by the Village Board. Board members must be residents and typically are members of the Fire Department, ex-Chief's or have interest in the Fire Department. Trustee Mitchell made a motion for the Mayor to pursue nominating people to create a new Board of Fire Commissioners. The motion was seconded by Trustee Burns and so carried with a vote of 5 ayes and 0 nays.

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 Discussion of Fire Department Training Facility

Sam Kropp, Asst. Chief, presented the Fire Departments proposal of a Training Facility on the Village leased property near the skating pond and submitted photos/specs and pricing to the Board for review. He discussed the need for importance of training for existing and new members and the benefit of having a training facility in Piermont as they may be losing access to County facilities. The total price for the container, all included, is \$10,246.00. No smoke, no toxic runoff and discussed the advantages of this location; away from public view, already cleared surface.

Building Inspector Charles Schaub advised they have the approval from Suez and that everything is done to code and suggested they submit a site plan.

Village Attorney stated we need Suez's approval as we lease the property from them and this also needs to go through the SEQRA process through Planning Department with an application and Site Plan. Village Attorney will contact Suez regarding approval.

Mayor Tucker stated he is in favor of the facility at this location and the Fire Department has the money in their Training budget for this. He believes the Board would go forward with approving the use of their training/travel money for this training unit once they go through the Planning Board. Chief Goswick, Jr. and Village Attorney discussed what the Fire Department needed to present to the Planning Board.

Item #7 Discussion with Piermont Chamber of Commerce regarding a Holiday Bazaar proposal

Peter Helou with Piermont Chamber of Commerce reminded the Board of their request from October 6, 2020 to purchase tents and other items for the Holiday Bazaar. The tents will become assets and available for Village Departments should they need them. Trustee Mitchell asked if the tents have walls and the how the COVID group limitations apply to this Bazaar? Building Inspector Charles Schaub stated the State wants the tent to be open, no walls and limit of 50 people. Mr. Helou stated the tents will be open. Joe Serra asked if they can put up one side wall on the tent to help with wind? Building Inspector responded he will have to check. Village Attorney stated they need to be careful with tents and heaters (which cannot be inside the tents). Joe Serra stated they can put up barriers and keep track of the count. Village Attorney responded they will have to keep track of the 50 people.

Mayor Tucker reminded Peter and Joe that the payment would have to be made directly to the tent vendor from the Village and they need to supply the Village with an invoice. Mayor Tucker made a motion to approve \$3,500 out of economic development for the purchase of two tents for the Piermont Chamber of Commerce. The motion was seconded by Trustee Burns and so carried with a vote of 5 ayes and 0 nays.

Item #8 7:30pm Public Hearing: To amend Chapter 210 of the Code of the Village of Piermont, entitled "Zoning", specifically Article XIV ("Site Development Plan Approval"), Section 210-80 ("Referral"), to add a referral to the Piermont Waterfront Resiliency Commission ("PWRC") on Site Development Plan applications for properties located within certain designated FEMA flood hazard areas.

Trustee Burns made a motion to open the public hearing at 7:25pm. The motion was seconded by Deputy Mayor Blomquist and so carried with a vote of 5 ayes and 0 nays.

Public Comment: None.

Trustee Burns made a motion to open the public hearing at 7:26pm. The motion was seconded by Deputy Mayor Blomquist and so carried with a vote of 5 ayes and 0 nays.

Mayor Tucker made a motion to amend Chapter 210 of the Code of the Village of Piermont, entitled "Zoning", specifically Article XIV ("Site Development Plan Approval"), Section 210-80 ("Referral"), to add a referral to the Piermont Waterfront Resiliency Commission ("PWRC") on Site Plan Development Plan applications for properties located within certain designated FEMA flood hazard areas. The motion was seconded by Trustee Burns and so carried with a vote of 5 ayes and 0 nays.

RESOLUTION OF THE VILLAGE OF PIERMONT BOARD OF TRUSTEES

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

-----X
A local law to amend Section 210-80 of the Zoning Code of the Village of Piermont as pertains to advisory opinions submitted by Village consultant or committees relating to Site Development Plans
-----X

WHEREAS, the Village Board of the Village of Piermont has noticed a Public Hearing with regard to an amendment of the Zoning Code as pertains to the Planning Board seeking advisory opinions from various Village consultants and committees;

WHEREAS, a Public Hearing on the adoption of these proposed amendments to the Zoning Code was held on October 20, 2020;

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 Law 7-706(1);

WHEREAS, at least 10 days prior to the public hearing referrals of the proposed amendments to the Zoning Code were furnished to various parties pursuant to Village Law Section 7-706 (2)(a), (b), (c), (d);

WHEREAS, at least 60 days prior to the public hearing referrals of the proposed amendments to the Zoning Code were furnished to the Village of Piermont Planning Board for review and comment (the Planning Board's review and approval of the proposed amendments are made a part of this Resolution by reference);

WHEREAS, At least 30 days before prior to the initial Public Hearing a referral was made to the Rockland County Planning Department (including the Notice of Public Hearing, the proposed law, affected sections of the Village Code, the EAF & materials necessary to determine Environmental significance), pursuant to G.M.L. Section 239-m;

WHEREAS, the Rockland County Planning Department recommended approval of the proposed local;

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

- 1. That the proposed Zoning Code amendment was a "Type II" action merely constituting the adoption of a regulation, policy, or procedure in a local legislative decision with no effect on the environment (NYCRR 617.5(c)(33)).*

2. *That the proposed Zoning Code amendment did not involve a Federal agency (NYCRR §617.6[a][1][ii]).*
3. *That the proposed Zoning Code amendment did not involve one or more other agencies (NYCRR §617.6[a][1][iii]); since an “Involved Agency” is defined by NYCRR §617.2[s] as an agency that has jurisdiction by law to fund, approve or directly undertake an action.*
4. *That the proposed Zoning Code amendment was preliminarily classified as a Type II action which is not subject to SEQRA.*
5. *That the proposed Zoning Code amendment was not located within an agricultural district (NYCRR §617.6[a][6]).*
6. *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 makes the following findings under NYCRR §617.7[c] with respect to the impact of the of the proposed amendment to the Zoning Code and its magnitude:

- a. *That the Board has reviewed the EAF prepared in relation to the proposed amendments to the Zoning Code with a view to identifying potential environmental concerns.*
- b. *That the proposed amendment to the Zoning Code Zoning Code merely constitutes the adoption of a regulation, policy, or procedure in a local legislative decision with no effect on the environment (NYCRR 617.5(c)(33)), and therefore constitutes a Type II Action under SEQRA, and that no further action is required under SEQRA.*

BE IT FURTHER RESOLVED, the Village the Board of Trustees adopts Local Law #7 of 2020 as drafted.

This resolution was adopted by a unanimous resolution of the Board of Trustees at the regular meeting of the Board on October 20, 2020.

Item #9 Public Comment

None.

Item #10 Executive Session

Trustee Burns made a motion to enter Executive Session at 7:26pm. The motion was seconded by Trustee Mitchell and so carried with a vote of 5 ayes and 0 nays.

Trustee Burns made a motion to exit Executive Session at 7:38pm. 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 #11 Adjournment

Trustee Burns made a motion at 7:39pm 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 Maher
Clerk-Treasurer