

**INCORPORATED VILLAGE OF PIERMONT
BOARD OF TRUSTEES MEETING
MARCH 1, 2016**

Present: Mayor Christopher Sanders, Deputy Mayor Mark Blomquist, Trustee Rob Burns, Trustee John Gallucci, Jr., Trustee Lisa DeFeciani, Jennifer DeYorgi- Village Clerk-Treasurer

Absent: Village Attorney Walter Sevastian

Mayor Sanders called the meeting to order with the pledge of allegiance.

Executive Session – To discuss personnel matters

Trustee Burns made a motion to enter into executive session at 6:34pm. The motion was seconded by Trustee Gallucci Jr., and so carried with a vote of 5 ayes and 0 nays.

Trustee Gallucci Jr. made a motion to exit Executive Session at 7:30pm. The motion was seconded by Trustee Burns and so carried with a vote of 5 ayes and 0 nays.

No action was taken

General Session

Item #1 – Approval of Meeting Meetings

Trustee Gallucci Jr. made a motion to approve the minutes of February 23, 2016 as presented. The motion was seconded by Trustee DeFeciani 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 #030116 in the amount of \$14,408.81. The motion was seconded by Trustee Gallucci, Jr. and was so carried with a vote of 5 ayes and 0 nays.

Item #3 Department Reports:

Department of Public Works - Highway Superintendent Thomas Temple submitted his monthly report for February. He reported that the right-hand front roll-up door had been replaced at the pavilion. Mr. Temple said that he had completed a walk thru with representatives from NYMIR. The last appraisal was performed in 2009; this updated version will add the boat house on the list of village buildings.

Police Department - Chief O'Shea reported on the Behavioral Response Team. He distributed handouts for the Board and public, and noted the introduction of the program was successful this past Tuesday. The Police are also dealing with is the annual influx of fishermen on the pier, The police have been arresting people who fishing illegally, coming to the pier with coolers and potentially selling fish to restaurants. Office Friedman had arrested a person with a 28" bass that was full of eggs. Chief O'Shea informed the board the reason the fishing laws are enforced is to protect the environment and for quality of life issues, such as alcohol and drug use.

Chief O'Shea reported that the number of children using the PAL facility is up. The boxing program and basketball programs have been popular. He thanked Tom Temple and the Building

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Inspector, Charlie Schaub, for helping with preparing for the boxing program. The golf program will be starting up in the spring.

Chief O'Shea requested that the Board approve a new 6-cylinder police car to replace the aging 8-cylinder vehicle. If ordered now, the car would be available for a June 1, 2016 delivery. The Chief stated that the in-car computer would need to be updated. The estimated cost for the car, updated computer and prisoner cage (on state bid) is \$38,846. Chief O'Shea asked that the Board approve a little more than that amount in case something else is needed. He noted that the police portion of the County Sales Tax should be used to pay for the car.

Deputy Mayor Blomquist made a motion to purchase a new Police vehicle for an amount not to exceed \$42,000, to be paid out of the 2017 budget. The motion was seconded by Trustee Gallucci, Jr. and was so carried with a vote of 5 ayes and 0 nays.

Building Department - Building Inspector, Charles Schaub discussed that he attended a training for flood plain management.

Mayor Sanders said that he had received a memo from the Planning Board regarding 780 Piermont pier and bulkhead repair. Mr. Schaub said that he had responded to that issue. Mayor Sanders inquired about the flooding on from the vacant lot at 573 Piermont Avenue.. He wanted to know if there was a way for the Village to request the property owner to build up that wall to stop flooding neighboring properties. Mr. Schaub said that the property owner would need to have DEC permits and he did not know if the Village has the ability to force a property owner to do the repair. Mr. Schaub said that the property that had the house taken down last year is in the process of getting permits from the DEC for the northerly wall.

Fire Department - Chief Danny Goswick was not present

Item #4 - Old Business

Trustee DeFeciani reported that she is still working on the village website and will be sending out an email to the Board sometime next week. Trustee DeFeciani also reported that she is still looking for a member for the LWRP.

Deputy Mayor Blomquist had no comment.

Trustee Gallucci, Jr. had no comment.

Trustee Burns reported that he did contact the health club at the Piermont Home Owners Association and the manager, Mark Carlucci will make it possible for them to be an official posting site.

Mayor Sanders discussed items from the non-agenda items list. He brought up parking along South Piermont Avenue on the creek side and perhaps creating overnight parking for that. Highway Superintendent Tom Temple said that his concern would be the cars parked there preventing the street sweeper from going through and during the winter the cars being plowed in. The Mayor asked that this be put on one of the May agendas.

Mayor Sanders discussed fire inspection fee for a legal two family. He said that this is discussed periodically.

Mayor Sanders discussed the subject of purchasing the street lights. He said that he has to get in touch with Andy Stewart again.

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Mayor Sanders discussed the emergency waterfront storm policy that Trustee DeFeciani and Waterfront commissioners are working on. Trustee DeFeciani said he had a meeting with Dan Goswick next Tuesday night.

Mayor Sanders discussed the Stewart/Lennon lighthouse proposal. He said that he did not know where that stood with regards to Verizon. Deputy Mayor Blomquist said he was trying to get in touch with the correct person at T-Mobile. Deputy Mayor Blomquist said that Alex Moss made a modest proposal for a separate Verizon structure, which he did not believe the Board would be happy with and he had discussed a couple of alternatives and he should have a report at the next meeting.

Mayor Sanders discussed the re-examination of an ordinance to pull a permit within a year. He asked Charles Schaub if he remembered this item. Mr. Schaub said that presently after a person gets a variance he has one year to get a permit or the applicant must apply to the Zoning Board again. The Mayor asked him to check on that and report back to the Board.

Mayor Sanders discussed the train station bid specs going out to re-bid. The Mayor believed that this was going to be placed on the March 15th agenda. The Village Clerk said that Brooker Engineering was supposed to be ready on the 15th.

Mayor Sanders discussed the proposed new accounting system, changing to Quick Books. The Village Clerk said that she had some pricing for a consultant to implement the new system and have it run in parallel with Munis. She said that some training would be involved for people in the office. She also reported that she had proposals from payroll companies; those figures are almost ready for the budget. The Village Clerk said that she was in contact with Munis to see how the Village's history could be kept intact. They were not sure what platform could support that. She will have more information for the Board as the budget season gets closer.

New Business

Public Comment:

Fred Devan spoke about Paradise Avenue, he was happy to hear that the Village was addressing the problem at the southern end of the street. He noted the northern end of the street that runs from Ferry Road to Gair Street is in terrible shape. He said that he did not know who was responsible. The Building Inspector said that he had spoken with Mark Carlucci about making repairs on that section the other day.. The Mayor asked that he follow up and report back to the Board at the next meeting.

Bob Samuels said the standup weeds near the north shore walkway need to be taken care and he asked who is actually responsible to maintain those weeds, the Village or the condo association. The Mayor said that the Village is responsible for the walkway not the growth on the seawall itself. Mr. Samuels asked if the Village could make the condo association to cut the weeds. The Mayor said he was not sure what the Village could do about this because the Village Attorney was not here to give the Board an opinion. Trustee Burns asked if this could be put over to the April 5th Agenda.

Margaret Grace asked if Agenda item #9 would be discussed. Mayor Sanders said that it probably would not be discussed because the Village Attorney was not in attendance. Mayor Sanders made a request to move Agenda item #9, Discussion on eliminating Special Permits for two-family dwellings, to the March 15th Agenda.

Trustee DeFeciani said that Agenda item #11, Review request from James Dean/Town of Orangetown to waive fees, should also be moved to March 15th Agenda because of the absence of the Village Attorney.

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Mayor Sanders requested that Agenda item #7, Set Public Hearing for Local Law amendment to Chapter 102 of the Code, be moved to March 15th.

Mayor Sanders requested that Agenda item #10, Discussion on outdoor seating for restaurants without proper permission, should also be moved the March 15th Agenda so the Village Attorney could be present.

Other Non-Agenda Items

Mayor Sanders said that the Village had received an estimate from Brooker Engineering to prepare the yearly MS4 report. The Village Clerk confirmed the estimate was the same price as the proposal for last year's report. She also reminded the Board that Brooker Engineering had submitted a price structure for the coming year and it reflects the same prices as submitted for last year.

Deputy Mayor Blomquist made a motion to approve the estimate submitted by Brooker Engineering to prepare the MS4 report for an amount not to exceed \$1200. Motion was seconded by Trustee Burns and so carried with a vote of 4 ayes, 0 nays and one abstention by Trustee Gallucci, Jr.

Trustee Gallucci, Jr. made a motion to approve the rate schedule as submitted reflecting no rate changes from the previous year. The motion was seconded by Trustee Burns and so carried with a vote of 5 ayes and 0 nays.

Mayor Sanders informed the Board that the Court Clerk is going on vacation for a week. She will not be able to make her hours for that pay period so it was requested that upon her return could she work another 5 hours to make up for the time she lost. Mayor Sanders asked the Village Clerk to let the Court Clerk know that it would be alright for her to work the extra hours upon her return from vacation. The Village Clerk said that she thought what was being asked for was 5 additional days, since the work week is 20 hours and the Court Clerk will be gone for 10 days. Trustee Burns said that the Court Clerk had told him she was going to ask for additional hours to straighten out the office in addition to making up the vacation hours. Trustee DeFeciani said that she had requested this information in writing. That request will be made available to the board when it is received.

Mayor Sanders discussed the tentative schedule for departmental budget meetings. The Building, Planning and Zoning scheduled for tomorrow; the Fire Department for Thursday evening; DPW for next Monday; Justice Court for Tuesday, March 8th; Police Department for Wednesday, March 9th; Clerks and Revenue for Thursday, March 10th. Discussion was held regarding the schedule. Mayor asked the Board if 6:30 p.m. was possible. The Board said that it was. The Fire Department was moved to Monday, March 7th; DPW moved to this Thursday; Building, Planning and Zoning moved to Tuesday, March 8th; Police is still scheduled for Wednesday, March 9th.; Justice Court was scheduled for Tuesday, March 8th but the Judge will not be available until March 14th therefore that budget meeting will be on Tuesday, March 15th at 6:30 p.m.; Clerks and Revenue will be scheduled for Thursday, March 17th at 6:30 p.m.

Item #6 Review and approve resolution for Half Moon Park application to the NEA

Sylvia Welch stated that the resolution is not required but she felt it would help to show support that the site will be available for this project.

Trustee DeFeciani made a motion to approve the following resolution:

WHEREAS the Village of Piermont is supportive of restoring and enhancing Half Moon Park and wishes to return it to full public use and enjoyment; and

WHEREAS the Village of Piermont recognizes the scenic and historic character of the park and its potential as a regional attraction; and

WHEREAS the Village of Piermont is supportive of the concept presented by the Piermont Straus Foundation to the Village Board on November 3, 2015 to redesign Half Moon Park as a public art park and place of celebration for the village; and

NOW, THEREFOR, BE IT RESOLVED that the Village of Piermont intends to act as co-applicant with the Piermont Straus Foundation to the National Endowment for the Arts Art Works Design FY2017 grant program to implement the design phase plans for recreating Half Moon Park as an art park, and will make the site available for this purpose.

The resolution was seconded by Trustee Burns and so carried with a vote of 5 ayes and 0 nays.

Item #7 Set Public Hearing for Local Law amendment to Chapter 102 of the Code

This item has been moved to the March 15th agenda.

Item #8 Review proposed dates of summer closures to motor vehicle traffic on the Pier

Bob Samuels proposed the following dates to close the Pier to motor vehicle traffic: Sunday, June 19th, Sunday, July 17th and Sunday, August 14th. Police Chief O'Shea said there would be no problems with those dates.

Trustee Burns made a motion to approve the requested dates. The motion was seconded by Trustee Gallucci Jr. and so carried with a vote of 5 ayes and 0 nays.

Item #9 – Discussion of eliminating Special Permits for two-family dwellings

This item has been moved to the March 15th agenda.

Item #10 – Discussion on outdoor seating for restaurants without proper permission

This item has been moved to the March 15th agenda.

Item #11 – Review request from James Dean/Town of Orangetown to waive fees

This item has been moved to the March 15th agenda

Item #12 – Resolution to approve MES invoices for Fire Department

Deputy Mayor Blomquist stated that this item is more of a housekeeping issue. He explained that the insurance settlement for the accident with the Zodiac was for \$7177.26. The Fire

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Department managed to find a used trailer to replace the one that was damaged for less than the settlement amount. Subsequently, the Fire Department then ran short of budget funds to pay for the NFPA required bail-out systems, and would like to use a portion of the insurance proceeds to offset the total cost of the bail-out system. They spent a total of \$3449.29 for the trailer and need an additional \$3727.97 for the bail-out system. The Village Board needs to make a motion to transfer the funds to the accounts to make the payment for the bail-out system.

Deputy Mayor Blomquist made a motion that the portion of the insurance proceeds in the amount of \$3727.97 be used to pay for the bail-out systems. The motion was seconded by Trustee Gallucci Jr. and so carried with a vote of 5 ayes and 0 nays.

Item #13 – Discussion regarding Judicial Reports

Trustee DeFeciani said that this has been an ongoing matter where the Police are requesting the reports that it had previously been receiving and it is still not happening and Judge Weiss had reached out to advisory committee on judicial ethics to see if she could, in fact, provide these reports to the Police Department and has sent us a letter saying that the court cannot prepare documents for the police, prosecutor or news media; however, the court can subject to all applicable statutory provisions concerning confidential information of sealed records provide a monthly status report to the Town or Village Board at a Town or Village Meeting. Trustee Gallucci, Jr. said that the letter states that the reports can be prepared and presented to the Board at a public meeting and then the Police can look at it. Trustee Gallucci, Jr. suggested that the Board put an item on the agenda to have the justice court submit their monthly report. Mayor Sanders asked about the monthly reports that the Board was already receiving. Trustee Gallucci, Jr. said that they were insufficient and did not supply the information he expected. He did not know what would be submitted. Mayor Sanders said there are two separate reports being discussed; justice court monthly reports and a report showing what cases are on the docket, which cases have been cleared and overall schedule. Mayor Sanders said that the Board should request clearer reports from the Justice Court. Trustee DeFeciani said they would have to have another meeting. Mayor Sanders said the reports that have been submitted did not show what is on the docket, what has been put off and that would need to be built on top of the present reports. Trustee DeFeciani said that at least the reports give the Board an idea of what is going on each month but it doesn't give the Board an idea of what is backlogged. Trustee Gallucci, Jr. said it does not indicate whether the Justice Court is building up and falling behind again, and that was what was important to him. The Mayor said that one could argue that this data is the function of the Police Department not the Justice Court. Chief O'Shea would have an administrator who would be logging all of this in. Trustee Gallucci, Jr. said that it was his understanding that there are tickets issued by other departments other than our Police Department, such as the environmental police and the Sherriff's Department and there is no way for the Chief to know about them. Chief O'Shea said the total tickets reflect the work including the NY State Police, the Environmental Conservation Police and the Sheriff's Patrol. What the police were getting was a report for the total number of tickets and arrest, which the court gets. He does not get that information. Chief O'Shea said that the Court Clerk has a program to generate the numbers, which he had been receiving for the past seven years. Mayor Sanders asked that this item be placed on the agenda for the first meeting in April.

Item #14 – Adjournment

Trustee Gallucci Jr. made a motion at 8:45pm to adjourn. The motion was seconded by Trustee Burns and so carried with a vote of 5 ayes and 0 nays.

Respectfully submitted,

Jennifer DeYorgi
Clerk-Treasurer