

**INCORPORATED VILLAGE OF PIERMONT
BOARD OF TRUSTEES MEETING
February 17, 2015**

Present: Mayor Christopher Sanders, Deputy Mayor Mark Blomquist, Trustee John Gallucci Jr., Trustee Steven Silverberg, Walter Sevastian, Esq.-Village Attorney, Jennifer DeYorgi- Village Clerk-Treasurer

Absent: Trustee Lisa Defeciani

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

Public Comment:

Santina Peralta – Asked the board to amend her permission to use the Pavilion on July 4th to allow her an extension to have the chairs removed from the Pavilion to the next morning (July 5th) at approximately 8:00am. The Board directed her to call the Clerk's office to see if the Pavilion is rented for the following day. The Board stated that if the chairs are left overnight it was at her own risk.

Item #2 Approval of Minutes

Trustee Silverberg moved to approve the minutes from the February 3, 2015 Village Board of Trustee Meeting. The motion was seconded by Deputy Mayor Blomquist, which was carried with a vote of 4 ayes – 0 nays and 1 absentee.

Item #3 Department Reports

Police Dept.

Chief O'Shea – The Chief has filed his report. He further reported that he is working with the Deputy Mayor on the FYE 2016 budget.

Building Dept.

Charlie Schaub, the Building Inspector said that he had material on Pier 701 to be discussed later under Item 7. Mr. Schaub discussed the violations given to the owner of Lawrence Park Apartment complex for the building violations in the basement.

DPW

Tom Temple – absent

Fire Dept.

Chief Cavanaugh – absent

Item #5 Community Development Block Grant Program

Mayor Sanders reported that this was a continuance from the last meeting on this program. There were some questions at the last meeting as to why no grant application was submitted. Sylvia Welsh has submitted a letter to the Board explaining why an application was not submitted for this year. Part of the reason no application was submitted was because a previous grant is still open and this would hamper the chance of being awarded another grant. Trustee Silverberg made a motion to close the public hearing. The motion was seconded by Trustee Gallucci, Jr. and so carried with a vote of 4 ayes and 0 nays and 1 absentee.

Item #6 Waterfront Resiliency Commission Appointments

Deputy Mayor Blomquist made a motion to appoint Sylvia Welsh as a member for a one year term to expire at the reorganizational meeting of 2016. The motion was seconded by Trustee Gallucci Jr. and so carried with a vote of 4 ayes, 0 nays and 1 absentee.

Trustee Silverberg made a motion to appoint Laura Strauss and Klaus Jacob as Members for a two year term to expire at the reorganizational meeting of 2017. The motion was seconded by Trustee Gallucci Jr. and so carried with a vote of 4 ayes, 0 nays and 1 absentee.

Trustee Silverberg made a motion to appoint Robert Burns and Usha Wright as a Member for a 3 year term to expire at the reorganizational meeting of 2018. The motioned was seconded by Deputy Mayor Blomquist and so carried with a vote of 4 ayes, 0 nays and 1 absentee.

Trustee Silverberg made a motion to appoint Trustee Lisa Defeciani as Chair for a one year term to expire at the reorganization meeting of 2016. The motion was seconded by Trustee Gallucci, Jr. and so carried with a vote of 4 ayes, 0 nays and 1 absentee.

Item #7 Review 701 Piermont Avenue Special Permit

The Building Inspector, Charles Schaub, presented the Board with opinion from previous Planning Board meetings in regard to Pier 701. Mr. Schaub pointed out that on some of the certificate of occupancies indicate that the indoor and outdoor seating shall not exceed 150 seats. Mr. Schaub said that from what he found in the files states occupancy of 150 people. Mayor Sanders noted that there was reference from the Planning Board that specifies review of application for a special use permit for an outside service bar. Further investigation is needed to find the 2007 resolution from the Village Board of Trustees granting the special permit. The Mayor tabled this item to be discussed at a future meeting.

Item #8 Review Budget Workshop Schedule

The following budget workshop dates were confirmed: The Police Department is scheduled for 6:30 p.m. on Tuesday, March 3rd; The Highway Department is scheduled for Wednesday March 4th; Planning and Zoning will be Monday, March 9th; The Clerk-Revenue/Expense/Benefits meeting will be scheduled for Wednesday March 11th; and the Fire Department will be scheduled for Thursday March 5th at the Fire House. The Mayor will confirm if the Justice budget meeting can be held on Tuesday, March 10th at 7:30 p.m.

Item #9 Review Old Commissions

Mayor Sanders explained that there were several commissions and boards on the books for the Village of Piermont and some of them are no longer used nor staffed. The following commissions were discussed: Architectural Review Commission, Conservation Advisory Commission, Harbor Advisory Commission, Parks Commission, Recreation Commission, Technical Advisory Committee and Community Forestry.

Mayor Sanders asked the Village Attorney for his opinion on revising or abolishing commissions. The Village Attorney said that the membership to some of the commissions had to be cut down so that it is a workable commission and the commissions that have not been used and should be abolished. Discussion was held regarding the TAC committee usefulness. Trustee Gallucci, Jr. said that he felt any commission that has not been used in several years should be abolished. Deputy Mayor Blomquist said that anything that had not been used should be abolished. Mayor Sanders asked the Board to give him an indication as to whether or not each of the commission should be changed.

It was the opinion of the Board that the Architectural Review Board should be abolished. It was the opinion that The Conservation Advisory Commission should be abolished. It was the opinion of the Board that the Harbor Advisory Commission should be revised and kept. It was the opinion of the Board that the Parks Commission should be revised and kept. It was the opinion of the Board that the Recreation Commission was a duplication of the PAL efforts and should be abolished. It was the opinion of the Board that the Technical Advisory Committee should be revived. It was the opinion of the Board that the Community Forestry Commission responsibilities should be integrated into the Parks Commission. The Village Attorney said that the Board must hold a public hearing to revise and / or abolish commissions. Trustee Silverberg made a motion to have a public hearing for March 17th, at 7:45 p.m. The motion was seconded by Trustee Gallucci, Jr. and was so carried with a vote of 4 ayes, 0 nays and 1 absentee.

Item #10 Approval of Warrant

Deputy Mayor Blomquist moved to approve the Warrant # 021015 in the amount of \$25,870.13 and Warrant # 021715 in the amount \$47,524.59 for a grand total of \$73,394.72. Trustee Gallucci Jr. seconded the motion, which was carried by a vote of 4 ayes, 0 nays and 1 absentee.

Item #11 – Old Business

Village Attorney Walter Sevastian said that the last meeting the Board was discussing the section of the code that said, “unless work is commenced and diligently prosecuted within in one year of granting of a variance or special permit, such variance or special permit shall become null and void”. Mr. Sevastian informed the board that the State Law provides that variances runs with the land. He referred positively to the note from the Clerk to the Boards regarding time limits stating that if the work was not commenced within a certain time limit, the variance lapses. He asked if the Board wanted to amend the law, and suggested that changes be made to the provisions of the law for variances including the Zoning Board may add conditions when granting a variance. Mr. Sevastian said that the wording the code is very short and is not sufficient. Trustee Gallucci, Jr. said that he felt if a variance is granted it should be acted upon to establish use of the variance. He felt that there should a time limitation on action on a variance. Trustee Silverberg said that the language should be incorporated into the law and not just language in the Zoning Board decision. Mr. Sevastian said that he will work on this and bring it back to the Board at the next meeting. He also suggested that language should be added that an applicant can renew a variance or special permit.

Mr. Sevastian said that the Board was also looking at Chapter 149 regarding Special Permits for two-family dwelling conversions. In the legislative intent section of that law it identifies economic reasons for one-family homeowners to convert. He said that this contemplates the legalizing of illegal two family dwellings and applicants are coming to the Board asking to convert for economic reasons. Mr. Sevastian said that he felt the standards are good but felt that some economic standards should be included in the code. Trustee Silverberg said he felt that this provision should be eliminated and grandfather the converted two-family dwellings. Mayor Sanders said that he feels the condition of a yearly fire inspection should be imposed on any dwelling other than single family. Trustee Gallucci, Jr. said he didn't know if he would move to eliminate the provision; he suggested exploring some of the restrictions such as those in Orangetown. Trustee Blomquist said he wanted to see the Orangetown and Clarkstown codes for this matter. Mr. Sevastian said that he will compile information for the Board members and will discuss this at the next meeting.

Mr. Sevastian asked if the Board wanted to discuss the declaration of emergency. Mayor Sanders asked if this could tabled for discussion at a later date.

Mr. Sevastian informed the Board of discussions regarding the residence at 278 Piermont Avenue. The resident has sent title information to the Village and requested that the Board give up the rights on the unnamed street on his parcel. Mayor Sanders said that it was his recollection that when this subject was discussed last it was the opinion of the Board that this was Village property and we would be amenable to give him permission and an easement to use this road to access his property. Trustee Gallucci, Jr. agrees that he thinks the Village should give him an easement over it and he can maintain it. Mr. Sevastian said that he will offer him a non-exclusive easement at the Board's direction.

Mayor Sanders informed the board that Costal Resource Specialist of New York State Department of State, Office of Planning and Development reached out to the Village because we are on their list to update the our LWRP. The DOS is responsible for federal filing, and the Village must supply them with documentation as to where the Village is in the process. Mayor Sanders said that he and Sylvia Welsh have a conference call to discuss the financials of the grant on Thursday. The Village will schedule a separate conference call to discuss the survey questions as part of the LWRP monitoring process and the draft work program for the local waterfront revitalations program in a post-Sandy world. Mayor Sanders asked Trustee Silverberg to be part of the conference call. Trustee Silverberg said that he would join if he is available.

Village of Piermont Board of Trustees Minutes February 17, 2015

Page 3 of 4

Mayor Sanders asked the Clerk Treasure if she had contacted Cohn Resnick about their accounting fieldwork for our quarterly reconciliation. He said that in the engagement letter of March 12 he thought there was a schedule of when they would come in and reconcile the accounts and do the bank reconciliation which will be needed for the budget process.

Executive Session

Trustee Silverberg made a motion to enter into executive session at 7:20 p.m. to discuss pending litigation. The motion was seconded by Trustee Silverberg and so carried with a vote of 4 ayes, 0 nays and 1 absentee.

Deputy Mayor Blomquist made a motion to close Executive Session. The motion was seconded by Trustee Silverberg and was so carried with a vote of 4 ayes, 0 nays and 1 absentee.

No action was taken.

Adjournment

Trustee Gallucci Jr. moved to adjourn the meeting at 9:04pm. Trustee Silverberg seconded the motion, which was carried by a vote of 4 ayes -0 nays.

Respectfully submitted,
Jennifer DeYorgi
Clerk-Treasurer