

INCORPORATED VILLAGE OF PIERMONT
BOARD OF TRUSTEES MEETING
April 19, 2023

Present: Mayor Bruce Tucker, Deputy Mayor Mark Blomquist, Trustee Rob Burns, Trustee Nate Mitchell, Trustee Michael Wright, Lino Sciarretta, Esq. -Village Attorney and Jennifer DeYorgi Maher Village Clerk-Treasurer.

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

Item #1 Approval of Meeting Minutes

Trustee Mitchell made a motion to approve the minutes for March 22, 2023. The motion was seconded by Trustee Wright and so carried with a vote of 5 ayes, 0 nays.

Item #2 Approval of Warrant

Trustee Blomquist made a motion to approve Warrant #032323 in the amount of \$144.00, Warrant #033123 in the amount of \$10,000.00, Warrant # 041023 in the amount of \$104,782.10 and Warrant 041923 in the amount of \$228,369.34 for a grand total of \$343,295.44. 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 reviewed the DPW's March report. He stated the retaining wall project started at 169 Piermont Avenue. Trustee Mitchell asked Tom Temple if the DPW could raise the battery cabinet at Bridge Street. Tom Temple stated that he went with the arborist to look at the trees on Ferry Road. The arborist would like to see what trees are sprouting, they don't want to cut down healthy trees. They plan to return the week of April 24, 2023. Tom Temple stated there are three trees behind the monument at Kennedy Park that have an infestation of beetles. In addition, there is a tree in the middle of Kennedy Park that is leaning that needs to be removed. Sarvis Tree Company gave the Village a quote of \$3,200.00 including the grinding of the stumps. Tom Temple asked the Village Board if the cost can be taken out of the storm and snow budget line. Tom Temple informed the Board the Community Center roof has been completed. He would like to begin work on the retaining wall on the north side of the Community Center and begin working on the front door. He met with the Village of Piermont's Engineer to start the survey and review the scope of work. The Trees were delivered for the Pier Planting Project. VFW approached Tom Temple asking if the DPW could assist in moving the diamond shaped monument on their property to Kennedy Park as they be selling the property. Superintendent Tom Temple would prefer a monument company to move the monument, VFW would have to incur the cost. Tom Temple stated the DPW can dig the hole to set the poles if the Village Board approves.

Mayor Tucker made a motion to approve the \$3,200.00 for the tree removal in Kennedy Park. The motion was seconded by Trustee Burns and so carried with a vote of 5 ayes, 0 nays.

Trustee Mitchell made a motion to approve the \$3,200.00 for the tree removal in Kennedy Park to be moved to the Storm and Snow line into the Parks Line. The motion was seconded by Trustee Burns and so carried with a vote of 5 ayes, 0 nays.

Mayor Tucker made a motion to approve the monument from the VFW be moved to Kennedy Park. The motion was seconded by Trustee Burns and so carried with a vote of 5 ayes, 0 nays.

Police Department – Chief Hurley informed the Board for the month of March there were 192 summonses issued, 354 calls for service, 47 were in Grand View and the remaining 307 were in Piermont. Chief Hurley stated the department participated in the distracted driver detail which resulted in twenty citations. Detective Boutros had an arrest during the detail with a driver

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using a mobile device, he had 10 outstanding warrants in New Jersey and was taken into custody and remanded to Rockland County Jail.

Building Department - Building Inspector Charles Schaub was not present.

Parks Department – Dan Sherman was not present.

Fire Department – Chief Larry Cabrera stated as of April 3, 2023, he has been appointed Chief of the Piermont Fire Department, Reece McNicol is Assistant Chief and Danny Goswick Sr is Second Assistant Chief. For the month of March there were 30 ambulance and 15 fire calls. Over the past two weeks the Fire Department has gone to two structure fires, one in Orangeburg at the Rockland Psychiatric Center and one in Old Tappan New Jersey. The department went to two brush fires, One on the mountain in Nyack the other in Haverstraw. The Department continues to train at the burn container.

Item #4 - Old Business

Village Clerk-Treasurer has no old business to discuss.

Mayor Tucker stated the Building Inspector is requesting the Village Board review the Airbnb local law that was passed December 2022. The law was to define a short-term rental as a period of less than 29 nights, the law the Village of Piermont passed was for less than five consecutive nights. Mayor Tucker would like it to be moved back to 29 consecutive nights. Village Attorney stated if this is the only change to the law a Public Hearing can be scheduled.

Mayor Tucker made a motion to schedule a Public Hearing on May 10, 2023, to revise the Airbnb law. The motion was seconded by Trustee Mitchell and so carried with a vote of 5 ayes, 0 nays.

Trustee Burns had no old business to discuss.

Trustee Mitchell had no old business to discuss.

Trustee Wright had no old business to discuss.

Item# 5 New Business

Village Clerk-Treasurer stated the Village Board needs to make a Resolution to approve the emergency infrastructure work at 169 Piermont Avenue in the amount of \$28,900.00, as well as a resolution to pay Grant Writer Sylvia Welch in the amount of \$3,080.00 which will come out of the Judgement and Claims Contractual line. Village Clerk-Treasurer stated she received a 30-day Advance Notice for TWK Community Market's liquor license renewal. Schooner Apollonia is requesting permission for docking in Piermont on Thursday, May 18, 2023, Monday, June 19, 2023, September 13th, and 14th 2023 and October 11th and 12th, 2023. Chief Hurley would like Board approval to enter into an agreement with Language Line Services starting the new budget year 2023-2024. Village Attorney Sciarretta stated there are a few changes to be made to the Language Line Service agreement as it's for California and needs to be modified to New York and he would like to see their schedule of fees for service as well.

Trustee Burns made a motion to approve the Resolution in the amount of \$28,900.00 to have the emergency infrastructure work completed at 169 Piermont Avenue. The motion was seconded by Trustee Mitchell and so carried with a vote of 5 ayes and 0 nays.

Mayor Tucker made a motion to approve the Resolution in the amount of \$3,080.00 to pay Grant Writer Sylvia Welch out of the Judgement and Claims Contractual line. The motion was seconded by Trustee Mitchell and so carried with a vote of 5 ayes and 0 nays.

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Trustee Burns made a motion to approve the 30-day Advance Notice for TWK Community Market's liquor license renewal. The motion was seconded by Trustee Mitchell and so carried with a vote of 5 ayes and 0 nays.

Trustee Mitchell made the motion to approve Schooner Apollonia to dock in Piermont on Thursday, May 18, 2023, Monday, June 19, 2023, September 13th, and 14th 2023 and October 11th and 12th, 2023. The motion was seconded by Trustee Burns and so carried with a vote of 5 ayes and 0 nays.

Trustee Blomquist made a motion approving the Piermont Police Department to enter into an agreement with Language Line Services subject to changes by the Village Attorney. The motion was seconded by Trustee Mitchell and so carried with a vote of 5 ayes and 0 nays.

Mayor Tucker had no new business to discuss.

Trustee Burns had no new business to discuss.

Trustee Mitchell requested Chris Sanders be appointed as Member at Large of the Waterfront Resiliency Commission.

Trustee Mitchell made a motion to approve the appointment of Chris Sanders as Member at Large of the Waterfront Resiliency Commission. The motion was seconded by Trustee Burns and so carried with a vote of 5 ayes and 0 nays.

Trustee Wright had no new business to discuss.

Item #6 7:00pm Public Hearing on the 2024 Tentative Budget

Mayor Tucker reviewed highlights from the budget upcoming fiscal year June 1, 2023 – May 31, 2024. The total budget expenses are six million eight hundred eighty-three thousand and nine hundred and forty-three dollars, an increase of 9.4% over last year. The expected revenues are one million nine hundred sixteen thousand six hundred twenty-three dollars. To be raised by taxes four million nine hundred sixty-seven thousand three hundred and twenty dollars, a 5% increase. Overall, the Tax Rate will remain the same. Homestead will remain the same with no increase, Non-Homestead will increase 4.798%.

Trustee Burns made a motion to open Public Hearing on the 2024 Tentative Budget at 7:56pm. The motion was seconded by Trustee Mitchell and so carried with a vote of 5 ayes and 0 nays.

Peter Metzler asked the difference between Non-Homestead and Homestead. Mayor Tucker stated Non-Homestead refers to commercial properties.

Trustee Burns made a motion to close the Public Hearing on the 2024 Tentative Budget at 7:56pm. 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 approve 2024 Tentative Budget. The motion was seconded by Trustee Mitchell and so carried with a vote of 5 ayes and 0 nays.

Item #7 Request from Val Tarasenko to include her vacant property at 17 Tate Avenue in the new rezoning

Val Tarasenko is requesting her property at 17 Tate Avenue be included in the new Zoning District. Village Attorney Sciarretta stated Val Tarasenko would need submit a Zone Petition to the Board because the new Zone district has already been adopted. The Petition would have to be presented to the Planning Board for recommendation then back to the Mayor and Village

Board who could grant or deny the petition. Mayor Tucker asked if a lawyer would have to present the petition on Val Tarasenko's behalf. Village Attorney Sciarretta stated most petitions are prepared by counsel. Village Attorney Sciarretta offered to give Val Tarasenko the section needed because Planner Max Stack had stated the property should be included in the new Zone District although he cannot tell her what to put into the petition, or Val Tarasenko could consult council. Petitions should be sent in PDF to the Village Clerk-Treasurer, every Board Member will need a copy. Village Attorney Sciarretta stated Petitions are discretionary and it will be up to the Mayor and Board to put it on the agenda. Next Village Board Meeting in on May 10, 2024.

Item #8 Review insurance requirements for events in the Village

Village Clerk-Treasurer stated since the limit of liability insurance for events has been raised from one million to five million it has become unattainable for smaller organizations such as the Hudson River Fisherman's Club as well as other organizations such as the Chamber of Commerce. Village Clerk-Treasurer asked if the Village could distinguish between larger organizations such as filming companies and smaller organizations such as the Hudson River Fisherman's Club for liability insurance coverage requirements. Village Attorney Sciarretta stated the dollar amount needs to be consistent for all who require liability insurance. Trustee Burns asked how other Villages handle liability insurance policies and if they require a five-million-dollar policy, Village Attorney Sciarretta stated not all require a five-million-dollar policy. Village Attorney Sciarretta does not recommend having different requirements for liability insurance. He stated it should be the same for all, you cannot waive requirements. Mayor Tucker will discuss with John Bernard what the appropriate coverage should be for the Village of Piermont.

This Agenda item will be revisited at the May 10, 2023, Village Board Meeting.

Item #9 Resolution to approve the Memorial Day Watch Fire – Monday, May 29, 2023 on the Piermont Pier

Trustee Burns made a motion to approve the Memorial Day Watch Fire – Monday, May 29, 2023, on the Piermont Pier 2022. The motion was seconded by Trustee Mitchell and so carried with a vote of 5 ayes and 0 nays.

Item #10 Request from RMS Cruises to dock at the Piermont Pier on Saturday, June 10th boarding 6pm returning at 10pm and July 1st boarding at 11am returning at 3pm, second cruise boarding at 6pm returning at 10pm

RMS Cruises had no representation at the Village Board Meeting. The Village Clerk-Treasurer stated the cost to dock at the Piermont Pier is \$1,000.00 a day. Trustee Mitchell stated the Pier/Ferry Road closes at 9pm, in the past there was an organization that wanted to return after 9 and needed a police escort. Mayor Tucker will discuss with Police Chief Hurley what the police fees would be to keep the Pier open later in addition to their docking fee and required five-million-dollar insurance waiver.

Mayor Tucker made a motion to approve the request from RMS Cruises to dock at the Piermont Pier on Saturday, June 10th boarding 6pm returning at 10pm and July 1st boarding at 11am returning at 3pm, second cruise boarding at 6pm returning at 10pm pending approval to keep Ferry Road open and extra hour, the docking fee, and the five-million-dollar insurance waiver. The motion was seconded by Trustee Wright and so carried with a vote of 5 ayes and 0 nays.

Item #11 Review Planning Board comments on proposed Telecom Law and schedule a Public Hearing

Village Attorney Sciarretta provided Mayor and Board with a proposed draft of the new Telecom Law. He stated the Planning Board suggested the Village of Piermont have a local law to address cellular tower/panels, the zoning code currently does not have that. This will allow the Planning Board to have jurisdiction on approval of any companies coming to Village wanting to add towers / panels. The Planning Board recommends Piermont adopting a telephone / wireless law which was modeled after Irvington Village. The Village of Piermont Planning Board made

changes which are in the current draft provided to the Mayor and Board. The Planning Board recommended the Village have Public Hearing and adopt the local law. Village Attorney Sciarretta stated this new proposed law will need to have a GML (Government Municipal Law) review. Trustee Wright stated even if the Village Adopts the new local Law they could potentially be preempted by the federal statute of limitations. Village Attorney Sciarretta stated that is true, but having this local law it will give the Village of Piermont the authority to have a say in what the tower/panel could look like. The Village could also prioritize sites, and coverage maps. With this new law the Village could hire their own expert to challenge what the cell company is saying if we don't agree with them. The Cell Company would have to pay for it through escrow. Trustee Mitchell stated there were situations where the Village wanted to refer issues such as this to the Planning Board but without this law they could not, Village Attorney Sciarretta stated that is correct.

Mayor Tucker made a motion to send the proposed GML (Government Municipal Law), Telecom Law to the County of Rockland. The motion was seconded by Trustee Burns and so carried with a vote of 5 ayes and 0 nays.

Item #12 Public Comment

Betsy Franco Feeney, 500 Piermont Avenue inquired about the progress on replacing the Electric Charging Station. Mayor Tucker Stated the Village reached out to NYSERDA around three weeks ago. Mayor Tucker said the Village is requesting a regular charger, not a fast charger. The request is being evaluated and may take longer because the Village received the original charger through NYSERDA grant monies. Ms. Feeney asked if we were paying O&R and how much? Mayor Tucker stated the Village was paying around \$500 a month, but service has been shut off. Mayor Tucker confirmed it's the Villages intention to have the charger converted to a level two charger.

Peter Metzler asked what is GML review? Village Attorney Sciarretta stated a GML stands for General Municipal Law and needs to be referred to Rockland County Planning. Mr. Metzler asked what municipality the draft Telecom Law was modeled after. Village Attorney Sciarretta stated the Village of Irvington which is the most recent law in 2018. Mr. Metzler asked when the public can review the potential new law. Village Attorney Sciarretta stated at the Public Hearing. Village Attorney Sciarretta added you could FOIL the drafted new law at the Clerk's Office. Mr. Metzler stated the Federal Telecommunications law is very restrictive, Village Attorney Sciarretta stated this new law will give some authority to the Village to regulate.

Item #13 Adjournment

Trustee Burns made a motion at 8:24pm to adjourn. The motion was seconded by Trustee Blomquist and so carried with a vote of 5 ayes and 0 nays.

Respectfully submitted,

Jennifer DeYorgi Maher
Clerk-Treasurer