

**INCORPORATED VILLAGE OF PIERMONT
BOARD OF TRUSTEES MEETING
April 16, 2024**

Present: Mayor Bruce Tucker, Deputy Mayor Mark Blomquist, Trustee Rob Burns, Trustee Nathan 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 12, 2024, and March 26, 2024. The motion was seconded by Trustee Blomquist and so carried with a vote of 5 ayes, 0 nays.

Item #2 Approval of Warrant

Trustee Blomquist made a motion to approve Warrant #041624 in the amount of \$230,832.91. 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 was not present.

Police Department – Sergeant Gaynor stated for the month of February there were 468 calls for service, 45 Vehicle and Traffic, 56 Parking summonses and two arrests were made. Piermont Police Department is participating in New York State Traffic Programs.

Building Department - Building Inspector Charles Schaub was not present.

Parks Department – Dan Sherman was not present.

Fire Department – Fire Chief Larry Cabrera was not present.

Item #4 - Old Business

Village Clerk-Treasurer stated she received an email from RMS Cruises requesting to dock at the Pier on July 10, 224. Village Clerk-Treasurer will let them know all docking has been suspended at the Pier until the Engineers inspection.

Mayor Tucker had no old business to discuss.

Trustee Blomquist had no old business to discuss.

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 she received a 30-day waiver for the SLA from Rockland Restaurant Group LLC (DBA Vino Amore) located at 474 Piermont Avenue which will need Board approval. Village Clerk-Treasurer stated she received a request for Board approval from resident Maury Buchalter to use the ball field for a softball game on Sunday, April 21, 2024, from 9am-11:30. Village Clerk-Treasurer stated the WWII Veterans requested Board approval

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to have a service on the Pier Thursday, September 26, 2024, between 4:30pm-5:00pm. Village Clerk-Treasurer stated Mr. Stoumpos is requesting Board approval to have the Annual Striped Bass Contest on Saturday, April 20, 2024, between 7am and 3pm at the pier. He submitted the application with the \$250.00 fee and necessary insurance certificates. Mr. Stoumpos is requesting for the hourly event fee be waived. Mr. Stoumpos will be donating the proceeds to the Police Athletic League as he has done in the past. Village Clerk-Treasurer stated she received letters in opposition from June Starke, Pamela Savage Molly MacQueen, and Shari Meyer concerning the project at 447-477 Piermont Avenue. Village Clerk-Treasurer stated she received a letter of concern from Michael Monroe regarding the Hazy Joint smoke shop on 9W. Village Clerk-Treasurer stated she received a letter in response to Molly MacQueen's letter from Village Attorney Sciarretta. Village Clerk-Treasurer stated she received a request for Board approval from Michael Wright asking to use ARPA funds in the amount of \$800.00 for two broken air-conditioners at the Community Center.

Trustee Burns made a motion to approve the 30-day Waiver for the SLA for Rockland Restaurant Group LLC (DBA Vino Amore) located at 474 Piermont Avenue. The motion was seconded by Trustee Blomquist and so carried with a vote of 5 ayes and 0 nays.

Mayor Tucker made a motion to approve Maury Buchalter to use the ball field for a softball game on Sunday, April 21, 2024, from 9am-11:30. The motion was seconded by Trustee Wright and so carried with a vote of 5 ayes and 0 nays.

Mayor Tucker made a motion to approve the WWII Veterans to have a service on the Pier Thursday, September 26, 2024, between 4:30pm-5:00pm. 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 waive the hourly event fee for the Annual Striped Bass Contest on Saturday, April 20, 2024, from 7am-3pm. The motion was seconded by Trustee Wright and so carried with a vote of 5 ayes and 0 nays.

Mayor Tucker made a motion to use ARPA funds in the amount of \$800.00 for two air-conditioners at the Community Center. The motion was seconded by Trustee Burns and so carried with a vote of 5 ayes and 0 nays.

Mayor Tucker stated Jenna Nazario Director of Community Relations/ARPA Office of the County Executive will be addressing the Board by giving a presentation on the Rockland Riverway Trail Feasibility Study. Also in attendance is Kiersten Jackson from the Policy and Compliance Coordinator for the ARPA Department of Rockland County. Jenna gave an overview of the Study and stated the NIMTech Study is not the same Study as the Rockland Riverway Trail Feasibility Study. She stated she sent Mayor Tucker the Executive Summary of the Feasibility Study, if anyone would like to see it, they can ask upon request. She explained the difference between a shared use path and the Riverway Trail. Jenna Nazario stated The Rockland Riverway Trail is intended to paint the path to promote Rockland as a whole and why it's so important to all who live here. Jenna reviewed some next steps which include environmental's and community engagement (residents who live near the section of the Path). Jenna Nazario stated this is phase one of many phases and that the project will not be built for at least another 5 years if approved.

Jenna Nazario stated the ARPA (American Rescue Plan Act) is federal money received in the amount sixty-three million dollars for the County from the federal government to revive and rebuild the County, when the path is built it will be a local, state, and federal venture. A member of the audience asked what amount of participation the state will have; he has concerns with the partnership. His concerns are regarding water problems and excess debris. Jenna Nazario stated his concerns will be addressed when the project is approved. There were questions about paving the path Jenna confirmed there is no intention of doing that. Jenna stated if Piermont decides they don't want to be part of the project they will not do anything to that part of the trail. The environmental study will determine the type of trail. The Study will go under the ARPA website for anyone who would like to review it.

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Trustee Blomquist had no new business to discuss.

Trustee Burns had no new business to discuss.

Trustee Mitchell had no new business to discuss.

Trustee Wright had no new business to discuss.

Item #6 Continuation of Public Hearing - Request for Special Permit and waiver for Piermont Developers LLC (447-477 Piermont Avenue) *POSTPONED*

Moved to May 14, 2024, Village Board Meeting

Item #7 7:00pm Public Hearing to adopt a Local Law to exceed the Tax Cap

Trustee Burns made a motion to open Public Hearing to adopt a Local Law to exceed the Tax Cap at 7:39pm. The motion was seconded by Trustee Blomquist and so carried with a vote of 5 ayes and 0 nays.

Public Comment: None

Trustee Burns made a motion to close Public Hearing to adopt a Local Law to exceed the Tax Cap at 7:40pm. The motion was seconded by Trustee Wright and so carried with a vote of 5 ayes and 0 nays.

Mayor Tucker made a motion to adopt Local Law to exceed the Tax Cap. The motion was seconded by Trustee Blomquist and so carried with a vote of 5 ayes and 0 nays.

Local Law No. 3 of 2024

VILLAGE OF PIERMONT LOCAL LAW NO. 3 OF 2024

A LOCAL LAW AUTHORIZING A PROPERTY TAX LEVY IN EXCESS OF THE LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW § 3-C

BE IT ENACTED by the Village Board of the Village of Piermont, Rockland County, New York (“Village Board”) as follows:

Section 1. Legislative Intent. It is the intent of this Local Law to override the limit on the amount of real property taxes that may be levied by the Village of Piermont (“Village”) and to allow the Village to adopt a budget for the fiscal year commencing June 1, 2024 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law § 3-c.

Section 2. Authority. This Local Law is adopted pursuant to subdivision 5 of General Municipal Law § 3-c, which expressly authorizes the Village to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of the Village Board.

Section 3. Tax Levy Limit Override. The Village Board is hereby authorized to adopt a budget for the fiscal year commencing June 1, 2024 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law § 3-c.

Section 4. Severability. If a court of competent jurisdiction determines that any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair, or invalidate the remainder of this Local Law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date. This Local Law shall take effect immediately

Item #8 7:15pm Public Hearing on the 2025 Tentative Budget for the Village Budget

Trustee Burns made a motion to open Public Hearing on the 2025 Tentative Budget for the Village Budget 7:43pm. The motion was seconded by Trustee Blomquist and so carried with a vote of 5 ayes and 0 nays.

Mayor Tucker stated for the last six years the Village has not increased the Tax Rate. Mayor Tucker stated the 2025 Budget will be increased for numerous reasons, inflation being one of them. In addition, New York State has increased mandates with large requirements. Mayor Tucker gave examples of increases from Village Insurance, NYS Employee Health Insurance, Village Employee Retirement obligations totaling \$285,607.00 a 4.2% increase. He stated there is a decrease in revenues, Mayor Tucker gave examples of the decreases in Mortgage Tax, Utility Tax, overall decrease in revenues is in the amount of \$119,233 a 6.22% decrease. The Village will be at a deficit of \$404,840 which was applied to real property tax. This will raise the real property tax from \$4,967,320 to \$5,372,160.00, the result is an increase the tax rate of 6.9% for Homestead 1.5% for Non-Homestead. Mayor Tucker stated the Village of Piermont has an unassigned Fund Balance which has almost tripled in the last the last six years to \$3,210,196.00, all while Tax Rates were not increased. He stated for the last four budget years the Village has been able to use a portion of the balance to offset the increases. With the increases combined with decreases in revenues the Village of Piermont is unable to avoid an increase this year.

Public Comment: Dennis Hardy asked if the Village was going to use a portion of the fund balance and what amount. Mayor Tucker stated the Village will be using \$216,000.00. Bond counsel recommends not to take from the fund balance because it will affect the Village's credit rating. The credit rating decides the rate of interest the Village will pay on Bond (Capital) items. Currently the Villages S&P rating is AA+.

Mayor Tucker answered questions residents had in the audience regarding Tax, Homestead and Non-Homestead, questions on filming and nightly news casters that use the pier to film.

Trustee Burns made a motion to close the Public Hearing on the 2025 Tentative Budget for the Village Budget 7:56pm. 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 adopt the 2025 the Tentative Budget for the 2025 Village Budget. The motion was seconded by Trustee Mitchell and so carried with a vote of 5 ayes and 0 nays.

Item #9 Request from Empire Hose Company No.1 to hold a 175th Anniversary Celebration in the Village of Piermont on July 4, 2026

Jerry Ables stated the 175th Anniversary Celebration will be a Street Festival which will start at 3pm and end at 9:15pm with fireworks show on the river.

Mayor Tucker made a motion to approve Empire Hose Company No.1 to hold a 175th Anniversary Celebration in the Village of Piermont on July 4, 2026. The motion was seconded by Trustee Mitchell and so carried with a vote of 5 ayes and 0 nays.

Item #10 Review Planning Board opinion regarding application for Lauren DeGregory to operate an Airbnb at 659 Piermont Avenue

Daniel Spitzer, Chair of the Planning Board stated in the stature if you open an Airbnb you need to be a full-time resident in the Village. He stated this applicant is not, therefore it's the Planning Boards opinion per their legal counsel for the application to be denied.

Mayor Tucker made a motion to deny the application for Lauren DeGregory to operate an Airbnb at 659 Piermont Avenue. The motion was seconded by Trustee Burns and so carried with a vote of 5 ayes and 0 nays.

Item #11 Review Economic Development applications for the 2025 Village Budget

Mayor Tucker stated the Piermont Village Board Voted to Grant the following Economic Requests:

- **Chamber of Commerce** \$9,800.00 for Piermont Police and DPW for Bastille Day, Art Festival \$2,000.00
- **Piermont Civic Association** \$2,000.00

Item #12 Resolution to preserve the Erie Trail as a Piermont Park

Mayor Tucker Read the Preservation of the Erie Path Park and Opposition to Proposed Mixed-Use Path Development.

Resolution

Preservation of the Erie Path Park and Opposition to Proposed Mixed-Use Path Development

WHEREAS, the Erie Path Park is a Village Park that holds significant value as a cherished green space and recreational area within the community of Piermont, offering residents and visitors opportunities for outdoor activities, enjoyment of nature, and fostering a sense of community; and

WHEREAS, the Erie Path Park is an unpaved trailway through a naturally forested setting though residential neighborhoods, prized for its natural quiet setting as a place to enjoy the sights and sounds of nature, and is highly valued by our communities as a passive, low impact natural pedestrian walking trail: and

WHEREAS, the New York Metropolitan Transportation Council (NYMTC) is currently studying a proposal for a mixed-use path spanning from the George Washington Bridge to the Mario M. Cuomo Bridge, which includes a portion that could potentially impact the Erie Path Park, raising concerns among residents about the potential negative effects on the park's natural beauty, recreational opportunities, and community character; and

WHEREAS, the setting, character and alignment of the Erie Path Park make it inappropriate for use as a paved pathway and designated regional bicycle route;

NOW, THEREFORE, BE IT RESOLVED that the Piermont Village Board hereby expresses its firm opposition to any plans that would change the use or ownership of the Erie Path Park; and it is further

RESOLVED that the Piermont Village Board hereby expresses its firm opposition to any development plans that would compromise the integrity, accessibility, or environmental quality of the Erie Path Park; and it is further

RESOLVED that the Piermont Village Board calls upon the New York Metropolitan Transportation Council (NYMTC) to consider alternative routes and strategies for the proposed mixed-use path project that do not involve encroachment upon the Erie Path Park, prioritizing the preservation of this invaluable community asset; and it is further

RESOLVED that the Piermont Village Board urges the NYMTC to engage in meaningful consultation with local stakeholders, including residents, community organizations, and municipal authorities, to ensure that any proposed developments align with the interests and priorities of the Piermont community; and it is further

RESOLVED, that the Piermont Village Board shall actively engage in advocacy efforts to raise awareness about the importance of preserving the Erie Path Park and mobilize support for its protection against encroachment from external development projects; and it is further

RESOLVED, that the Piermont Village Board shall transmit copies of this resolution to the appropriate representatives within the New York Metropolitan Transportation Council (NYMTC), as well as relevant state and local government officials, to convey the village's position on this matter and advocate for the preservation of the Erie Path Park; and it is further

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RESOLVED, that any proposed developments, alterations, or changes to the Erie Path Park must undergo thorough review and approval processes by the Village Board, with careful consideration given to the park's ecological, recreational, and community value; and it is further

RESOLVED, that the Erie Path Park shall be designated as a protected area, ensuring its preservation for current and future generations to enjoy.

Adopted this day, April 16, 2024 by the Village Board of Trustees of the Village of Piermont, NY.

This resolution shall take effect immediately upon its adoption.

Bruce Tucker
Mayor, Village of Piermont

Mayor Tucker made a motion to approve the Resolution to preserve the Erie Trail as a Piermont Park. The motion was seconded by Trustee Burns and so carried with a vote of 5 ayes and 0 nays.

Item #13 Authorize the Mayor to enter into an Intermunicipal Agreement with Rockland County on behalf of the Rockland County Sheriff's Department for Counterterrorism Training

Trustee Mitchell made a motion to Authorize the Mayor to enter into an Intermunicipal Agreement with Rockland County on behalf of the Rockland County Sheriff's Department for Counterterrorism Training. The motion was seconded by Trustee Blomquist and so carried with a vote of 5 ayes and 0 nays.

#14 Public Comment

Gary Hediger – 729 Route 9W Piermont had questions about traffic on 9W and concerns with the trucks that drive on it. Mayor Tucker stated Orangetown and Piermont have been in contact with the department of Transportation to work out a way to have 9w be a no truck route.

Karen Hediger – 729 Route 9W asked if more police could ticket the trucks on 9W. Mayor Tucker stated the Piermont Police do Post and ticket the Trucks on 9W.
Dennis Hardy – 21 Gair Street stated the rezoning of Business B and a portion of the Riverfront District West to the new CDM Zone is much less restricted than the previous Zoning. He requests the Village of Piermont place a Moratorium on granting any Special Permits in the CDM Zone and perform a full study to develop a zoning district in keeping with the character of the Village. Village Attorney Sciarretta stated The Village of Piermont hired Planner Nelson Pope Voorhis before the CDM zoning was put in place. Mayor Tucker stated the Nelson Pope Voorhis is the same planner that is working with the Village on the Village Comprehensive Plan.

Margaret Grace – 22 Stevenson Street asked for an update on the buildings going up Ash Street in Piermont. Mayor Tucker stated the developers started the renovations of the homes; once they got to the fifty percent rule, architectural plans are required. The Village is still waiting for the architectural plans from the owners.

Young Kwon – 481 Piermont Ave did not speak.

Sara Tucker – 44 Piermont Place stated on behalf of keep Rockland Beautiful, the residents of Piermont and the volunteers that came out for the community clean would like to thank the Piermont Police Department, Pal, EMT, Fire Department and the DPW for all their support the entire day and thanked the Village Clerk-Treasurer for posting the clean up on the Village calendar.

#14 Public Comment (Continued)

Terri Drexler – 29 Upper Ritie Street did not speak.

Robert Zitt – 10 Ladik Street stated he submitted a FOIL request to Rockland County Department of Planning concerning the development of 447-477. He received notification back from Rockland County Department of Planning in answer to his FOIL, Robert Zitt read their findings. Robert Zitt stated he does not think the Village should expose themselves to potential litigation by approving a project that will change the character of the Village and violate the law in the process. He stated that his wife submitted a FOIL to the Clerk's office, the Village Clerk-Treasurer signed an affidavit stating the GML letters went out, he stated there was no proof of mailing and service. He stated that he has concerns with the affidavit. Village Attorney Sciarretta stated the new Zoning and GML Local Law was adopted by the Village Board of Trustees at the dually noticed public meeting in accordance with the law; a GML is only required to be mailed. Village Attorney Sciarretta stated the other agencies received the GML adding the Town of Orangetown acknowledged receiving the GLM and has it included in their Meeting Minutes.

Janice Young – 20 Ladik Street stated the CBM Zone should be reconsidered and revoked. She feels a lot of residents were unaware of the project and the method of communication should be revisited. She stated she is someone who follows and is heavily involved in the Facebook Preserve Piermont and there are questions pertaining to the development company and who are involved.

Hank Skalka – 36 Orchard Terrance stated what he wanted to say was already discussed, he did not speak.

Barbara Scheulen – 229 Hudson Terrace stated she has seen the Preserve Piermont Facebook postings as well as other sites happenings. She is very concerned about the language and tone of some of the people who post on the site; she finds them accusatory and disrespectful. She stated this is a community that worked together; that if people have information they would like to share it should be done in a respectful manner.

Jay Savage – 130 Crecent Road stated he is in favor of Mixed-used Buildings; he thinks the project 447-477 as it exists should be reconsidered to fit better architecturally for the business district.

Alexis Starke – 153 Hudson Terrace stated she wanted to express her disappointment with the project at 447-477. She stated the development of this project, and future projects will set precedence and will ruin Main Street, Piermont Community and Environment. She asked for the denial of the Special Permit and the Zone Change repealed.

Ann O'Brien – 49 Ash Street stated she is concerned about the Villages communication process and would like to improve how the Village can receive feedback from the residents.

Kevin Fagan – 590 Piermont Avenue stated he joined the Fire Department almost 52 years ago. He stated 60% of Fire and EMS workers don't live in Piermont, he would like to see affordable housing for the Fire Department volunteers. He stated the building in his opinion is too big for the property, he does not believe the building fits in the Village.

Mayor Tucker stated everything that was spoken about will be taken into consideration. Trustee Burns stated there will be more hearings and the opportunity to be heard and encourages all who would like to attend to come.

Mayor Tucker stated Trustee Mitchell requested an Executives Session on a potential legal matter.

Item #15 Executive Session – to discuss a legal matter

Trustee Burns made a motion to open Executive Session at 8:49pm. 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 close Executive Session at 9:55pm. The motion was seconded by Trustee Wright and so carried with a vote of 5 ayes and 0 nays.

No action taken

Item #16 Adjournment

Trustee Burns made a motion at 9:55pm 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