

**INCORPORATED VILLAGE OF PIERMONT**  
**VILLAGE BOARD MEETING**  
**June 19, 2007**

Present: Mayor Edward Traynor, Deputy Mayor Fred Devan, Trustees Joan Gussow, Chris Sanders, Audie Moran, Walter Sevastian, Esq.-Village Attorney, Denise Ehrhart- Village Clerk-Treasurer

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

Public Comment:

Rich Ellis – Piermont Historical Society – requested parking on the Pier for a fund raiser on Sunday, September 16, 2006. The ship Commander will be arriving at the Pier to cruise the riverfront from 4:00 p.m. to 7:00 p.m. There is a need to park 40-60 cars on the Pier and/or Lot D. Insurance will be provided.

The Mayor asked if a shuttle from the Pavilion or Lot D would be possible and Rich said most likely. The Mayor added that he has been impressed so far with the Historic Society's events.

When asked how many cars could park on the Pier, Chief O'Shea replied 40 maximum.

Trustee Devan said if the PAL Van is repaired soon enough, that may be a possibility for a shuttle.

Trustee Sanders recommended concentrating on Lot D and running a shuttle from there.

Trustee Devan made a motion to approve the Commander coming into the Pier on September 16, 2007. The motion was seconded by Trustee Gussow and upon vote the motion carried.

Lisa Totten – Rutgers University – would like to do research on PCBs in the river on weekdays between August 6 and 10, 2007. Rutgers would like to set up 2 portable towers that are 10' tall for air samples and they will also be taking water samples. They are requesting permission to do this 24 hours a day for at least 3 full days. The project will involve 4 people and they will need parking with access to the Pier day and night.

The Mayor said he would like the Board to digest the information given this evening and a decision can be made at the next meeting of July 17, 2007,

Linda Sawyer commented that Paradise Harbor has been engaged in a Tax Certiorari lawsuit with the Village that the residents of Paradise Harbor had hoped would be settled by now. Ms. Sawyer came to tonight's meeting to ask for clarity, for the record, since at the last Homeowner's meeting it was said Paradise Harbor had won the lawsuit and that checks were due within a few weeks of that time. Both she and Anna Hickey investigated with the Village of Piermont and were told not to expect checks anytime soon since the lawsuit had not been settled.

It has since been reported that it was that inquiry that interfered with all attorneys involved and caused the demise of the settlement that had been made. She then asked the Board if anyone, or their inquiries, had a negative impact on any decision involving this lawsuit.

Walter Sevastian, Village Attorney replied that the case was never settled. In addition, what any resident would say to the Village Board would not affect any outcome.

Denise Kronstadt asked if the agenda could be moved around because she was concerned that the residents of the Diplomat would not be allowed to speak on that issue.

Trustee Gussow made a motion to open the Public Hearing on a proposed amendment to Chapter 143 of Village code entitled "Parks". The motion was seconded by Trustee Devan. Upon vote the Public Hearing was opened.

The Village Attorney gave an overview: Permits have always been sold for Pier access but as a result of the DEC installing their parking spaces the Village needs to change code to read that "parking permits" are required from the Clerk's office with the exception of the 12 DEC parking spaces.

The Mayor asked for questions from the Board.

Trustee Devan asked for the Police Chief's opinion. Chief O'Shea responded that it will be difficult for a few months. There is a need for new signage at the gate, along the roadway and at the end of the Pier regarding DEC parking versus permit parking.

The floor was opened for public comment. There was none.

A motion to close the Public Hearing was made by Trustee Gussow and seconded by Trustee Moran. Upon vote the Public Hearing was closed.

Motion to adopt the amendment to Chapter 143 of the Code entitled "Parks" as drafted and to include fees at the present rate was made by Trustee Devan and seconded by Trustee Moran. Upon vote the amendment was adopted.

Bob Hoene – Architect for new owners of Diplomat Gardens – advised the Board that he was retained to renovate Diplomat Gardens. He will be working on the 5 buildings and the health club with no additions or reductions. There will be renovations to the existing interiors and exteriors to include decks; there will be property improvements as well with extensive landscaping. The Health Club will be renovated at a later date.

David Zweig, a principal of Red Brick Partners, was also present.

Trustee Devan asked about the size of the units and was told 800 to 1,000 sq. ft. When he asked how many parking spaces there were and how many units there were, he was told 118 parking spaces for 106 units. Trustee Devan asked Walter Sevastian about parking requirements for the site and Mr. Sevastian explained that this is an existing non-comforming use but that the Building Inspector needs to be consulted since it has a Special Permit and any changes need to come to the Village Board.

Trustee Devan asked if there are spaces set aside for the health club and was told no.

The Mayor asked David Zweig to speak to those present.

David Zweig advised that the plans are at the initial stage but thought it was important to come to Piermont to answer questions. The site is being managed as a rental property currently. He said there are a host of issues needing repairs – roof leaks, plumbing leaks, etc.

Walter Sevastian advised Mr. Zweig to file for special permits for any extensive work to be done and to also file with the Attorney General his plans to convert from apartments to condos.

Mr. Zweig replies that he plans to file with the Attorney General in the future but not at this time.

Trustee Moran commended Mr. Zweig for the thought put into the process. She referred to “Special insider pricing” and asked what that meant. Trustee Moran was told that it meant an 8% discount to current renters to encourage their purchasing.

Trustee Gussow asked if Mr. Zweig will retain the 106 units currently there and was told yes.

Trustee Sanders commented that many people living there cannot afford to buy in Rockland, especially Piermont, and may be displaced.

David Zweig replied that he doesn't fully understand the financial abilities of residents as of yet but that their objective is to include as many as possible.

Trustee Sanders asked if there will be a passive attempt or active pursuit to assist the current residents was told it would be on a case by case basis.

\$310-\$335 sq. ft. is the current construction cost per Mr. Zweig.

Denise Kronstadt advised the Board that this is probably the only fully integrated building in Rockland County. The tenants are currently paying their rent but are scared since leases have expired, and are expiring, but not renewed. There is both a lack of information and misinformation. The tenants and their home owners' council should be able to speak with someone about lease renewals. She added that a notice stating that tenants must be home for 2 days for inspections is not reasonable.

David Zweig said that he had hired ARCO Management in Suffern and has heard a lot of the above just recently. His over zealous Community Manager sent out notices in error and stated that he was not evicting anyone, but leases that have expired will probably not be renewed.

Denise Kronstadt stated that David Zweig made a representation that he would assist the residents but he is now saying he will not renew leases. Mr. Zweig responded that no one will be thrown out until after leases expire.

Bob Samuels said that the longest anyone can stay is one year and was told that was correct.

Pat Esgate encouraged Mr. Zweig to keep the dialogue going with the residents.

A current resident stated that Arco and the Community Manager are advising tenants to leave and/or live off of their security. She said the residents need valid information as soon as possible.

Rich Ellis commented that the plans were well done but that he was concerned with the displacement of the current residents. As we eliminate lower income residents the character of Piermont will change. Many residents of Diplomat work in our community and he would like to see some low income housing retained.

Walter Sevastian replied that this is privately owned property and the new owners are in it to make money at the end of the day. New development is different.

Trustee Moran asked what the current rent being paid is and asked what a monthly payment would be at 100% financing. She was told that the current average rent was \$1,200 and that at 6 ½ % mortgage and taxes would be about \$1,738 a month plus maintenance fees of approximately \$410 per month.

The Mayor thanked Mr. Zweig for coming and asked that the lines of communication stay open with the residents as well as speaking with Arco and their handling of the residents.

Peter Marino of the Vietnam Veterans Association has been Watch Fire Commander 16 years. He presented the Mayor, Deputy Mayor, Police Chief and Highway Supervisor with a certificate for service to the Vietnam Veterans Association.

Film application of Rick Pantale – Rosemary Petrozella thanked the Board for the opportunity to speak and requested a waiver of fees for earlier filming that included the \$250 application fee, a \$1,000 non-refundable deposit and \$500/day for 2 days of filming for a total of \$2,250. She added that she would need additional film dates and would like to film on July 2 and July 9 from 8 p.m. to 11 p.m. and break down by midnight.

The Mayor advised that the late evenings would be a problem with the Police Chief. The Mayor added that he was sorry there is upsetment with the Board. He was willing to originally allow 4 days of filming for a total of \$500. Mayor Traynor asked the Police Chief if nights would be a problem for the residents above the store and was told yes. The Mayor does not think the Board can change the law restricting filming to 8 p.m. and the Police Chief disagrees with Pantale's claim that there will be no noise. The Board was asked for their questions and concerns.

Trustee Devan asked the Village Attorney about the use of taxpayer money in the form of revenue waivers as a misuse and was told that anticipation of revenue is not the same but the Code is the Code and variances can be requested on a case by case basis.

Trustee Sanders asked if they had filmed last month at The Creamery as noted in the Nyack newsletter without permits as well as at the Castle. The response was that they did not film at The Creamery and that they did not realize they needed a permit for The Castle. Trustee Sanders also asked what the purpose of the film was and Mr. Pantale said he just wants to make an independent film.

Trustee Moran said that if they don't disturb the upstairs neighbors it shouldn't be a problem.

Chief O'Shea offered a compromise and asked if they could quit filming at 10 p.m. instead of 11 p.m. – Rosemary Petrozella said she would give it a shot.

Trustee Moran moved to approve 2 days of filming at The Creamery, 1 day at Flywheel Park and 2 nights from 8:00 p.m. to 10 p.m. The motion was seconded by Trustee Gussow. The roll was called for the vote:

Trustee Sanders:	No
Trustee Moran:	Yes
Trustee Devan:	Yes
Trustee Gussow:	Yes
Mayor Traynor:	Yes

Motion was carried 4-1.

A motion was made by Trustee Devan to approve a Bond in the amount of \$100,000 for the refurbishing of the Fire Department Ladder Truck. The motion was seconded by Trustee Gussow. Upon vote the motion carried.

With reference to an update on the RFP's for renovations to Village Hall Trustees Devan and Sanders will be meeting with Holt Construction tomorrow, June 20, 2007 and will give their update at the July 17, 2007 meeting.

A discussion was held on the scheduling of workshops for the purpose of discussing Employee Agreements. Trustee Devan advised that he would like a spreadsheet prepared to compare Piermont to the County of Rockland and the Town of Orangetown. The discussion continued on the fact that both of these entities were Unions and Piermont was not. The Mayor would like to move forward with the Agreements on the table and discuss how to handle new employees at a later date. The question of a new person coming into a position and assuming that the benefits of the previous employee were theirs to enjoy upon starting was of concern to some of the Board.

The Mayor urged the Board to schedule the approval of the Agreements on the table, for at least the Highway Supervisor and Village Clerk-Treasurer, for the next meeting of July 17, 2007.

Trustee Moran moved to schedule a Public Hearing on a local law with reference to Storm Water Management and Erosion & Sediment Control for July 17, 2007 at 8:30 p.m. The motion was seconded by Trustee Gussow. Upon vote the motion carried.

Trustee Devan made a motion to approve the warrant in the amount of \$275,950.91. The motion was seconded by Trustee Moran. Upon vote the warrant was approved.

Al Bartley: advised the Board that with reference to the work needed at 733 Rt. 9W, he needs the Engineer's scope of work to proceed with the bid process; also asked how to handle the Rockland Road Bridge since there has been no movement or conversation since it was made one way.

A motion by Trustee Devan to enter Executive Session to discuss Contractual Matters was seconded by Trustee Moran. Upon vote the Board entered Executive Session with Chief Michael O'Shea present.

A motion by Trustee Devan to exit Executive Session was seconded by Trustee Gussow. Upon vote the motion carried.

Trustee Devan made a motion to engage Richard Zuckerman with reference to the current Police Department Night Differential matter and to pay Mr. Zuckerman from Judgements & Claims contractual. The motion was seconded by Trustee Gussow. Upon vote the motion carried.

A motion by Trustee Moran to adjourn was seconded by Trustee Gussow. Upon vote the meeting adjourned.