

**INCORPORATED VILLAGE OF PIERMONT**  
**BOARD OF TRUSTEES MEETING**  
**March 16, 2010**

Present: Mayor Christopher Sanders, Mark Blomquist, Trustees Joan Gussow, Audie Moran, Walter Sevastian, Esq.-Village Attorney, Denise Ehrhart-Acting Village Clerk-Treasurer

Absent: Deputy Mayor/Trustee Mark Blomquist

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

Public Comment:

Bob Samuels said that all Village emergency services did a great job in the storm and complimented the DPW for the great job in cleaning up the Pier.

Mayor Sanders added that the DPW, the Fire Department and the Police Department really took care of things. The Mayor then read a letter from O & R about how well Tom Temple and the DPW handled the storm.

Richie Stark agreed with everything said. He also recognized the good attendance.

John McAvoy advised the Board that last year in conjunction with PAL, he held a concert at the Pavilion and the ball field. He would like to start early for another concert planned for September 6, 2010 from 12 noon to 5:30 p.m. The concert raised \$3,000 last year and asked that the Board waive all fees and allow music again. There will be a \$15 contribution to attend.

Trustee Moran attended and said it was very good. More people need to be made aware of the concert.

Trustee Silverberg attended and is ready for this year.

Mayor Sanders added that the Board is in favor of continuing the tradition.

Trustee Silverberg made a motion to waive the usual fees, to allow amplified music and permission collect a fee. The motion was seconded by Trustee Gussow and upon vote the motion carried.

Pete Marino, the Watchfire Commander for the Piermont Watchfire would like a small fireworks display this year in honor of the 10<sup>th</sup> anniversary. In 2000 the site was given permanently for the Watchfire. Mr. Marino works for Colonial Fireworks Display Limited who has donated a total of 20 3" bombs to start program at 11:30 p.m. before lighting the fire.

Mayor Sanders made a motion that the May 29, 2010 Fireworks and Watchfire is a Village sponsored event and there would be no fees involved. The motion was seconded by Trustee Silverberg and upon vote the motion carried.

Trustee Silverberg asked about insurance and the Attorney asked for an insurance certificate from Colonial and NYMIR will be informed as well.

Pete Marino and the Police Chief measured 90' out which is far more than required and attendees will be backed up by Police Officer until the display is complete.

A resident said that he pays to park and there is really no place that is safe. The Village sold parking places in a flood zone and asked if there could be an alert to flooding. She lost her car in the past storm. She also stated that at certain times of the year there are festivals and the parking spaces are not available. This is hard for everyone with parking permits and especially handicapped people who can't go too far. She parked in the elevated area near the Library during a storm and cars were ticketed.

Mayor Sanders knows that lots floods often and will continue to flood. There is an email list notification in the Bogertown area. As far as where else can someone park during an event, parking permits are for overnight parking only.

Chief O'Shea explained that the Village understands the problem and they don't enforce parking in a weather emergency. His department will be implementing a new system NIXEL to email alert residents of floods as well as security issues.

Trustee Silverberg said that the Board is looking at parking in general and we just received bids on finishing the lot in question which hopefully will alleviate that problem.

A continuation of a Public Hearing on a Temporary Moratorium on the Issuance of Demolition Permits was reopened by motion of Trustee Gussow. The motion was seconded by Trustee Moran. Upon vote the motion carried.

Comments received from Rockland County Planning were to approve as a TYPE II action under SEQRA.

Public Comments:

Scott Forman of 744 Piermont Avenue commented that just north of his house is the Onderdonk House and he is fully in favor of the moratorium.

Board Questions:

Trustee Moran asked if there is a committee together to address historic preservation legislation. The Mayor has asked the Historical Society to list structures they feel are worthy of preservation as a start. There should be a list in early June.

Trustee Moran made a motion to close the Public Hearing. The motion was seconded by Trustee Gussow. Upon vote the motion carried.

RESOLUTION OF THE VILLAGE OF PIERMONT BOARD OF TRUSTEES

STATE OF NEW YORK  
COUNTY OF ROCKLAND: VILLAGE OF  
PIERMONT

-----X  
In the Matter of the Amendment to Section 112-  
2(B)  
of the Zoning Code of the Village of Piermont RESOLUTION  
-----X

WHEREAS, the Village Board of the Village of Piermont has noticed a Public Hearing with regard to an amendment of the Zoning Code with respect to the adoption of a temporary moratorium on the issuance of demolition permits in the Village of Piermont;

WHEREAS, Public Hearings on the adoption of these proposed amendments to the Zoning Code were held on February 2, 2010 and March 16, 2010'

WHEREAS, at least 10 days prior to the initial Public Hearing notification of same was published in the Rockland County Journal News pursuant to Village Law 7-706(1);

WHEREAS, at least 10 days prior to the closure of the public hearing referrals of the proposed amendments to the Zoning Code were furnished to various parties pursuant to Village Law Section 7-706 (2)(a), (b), (c), (d);

WHEREAS, at least 30 days prior to the closure of public hearing referrals of the proposed amendments to the Zoning Code were furnished to the Village of Piermont Planning Board for review and comment (in fact the proposed amendments to the Zoning Code emanated from earlier recommendations made by the Planning Board regarding historic preservation in the Village of Piermont);

WHEREAS, At least 30 days before prior to the closure of the public hearing a referral was made to the Rockland County Planning Department (including the Notice of Public Hearing, the proposed law, and the EAF, pursuant to G.M.L. Section 239-m);

WHEREAS, the Village Board of Trustees had made and published initial SEQRA review of the proposed amendments and found as follows:

1. That the proposed Zoning Code amendment was subject to SEQRA (NYCRR §617 et seq) as an "Action".
2. That the proposed Zoning Code amendment did not involve a Federal agency (NYCRR §617.6[a][I][ii]).
3. That the proposed Zoning Code amendment did not involve one or more other agencies (NYCRR §617.6[a][I][iii]); since an "Involved Agency" is defined by NYCRR §617.2[s] as an agency that has jurisdiction by law to fund, approve or directly undertake an action.
4. That the proposed Zoning Code amendment was not located within an agricultural district (NYCRR§617.6[a][6]).
5. That the proposed Zoning Code amendment was a preliminary classified as an Type II Action exempt from further SEQRA review (NYCRR§617.5[c][30]).
6. That the Village Board of Trustees published its intention to establish itself as the Lead Agency for the purpose of review of the proposed action under the provisions of the State Environmental Quality Review Act (SEQRA);

**THEREFORE BE IT RESOLVED**, that the Village Board of Trustees hereby establishes itself as the Lead Agency for the purpose of review of the proposed action under the provisions of the State Environmental Quality Review Act (SEQRA), and makes the following findings under NYCRR §617:

a. That the Board has reviewed the EAF prepared in relation to the proposed amendments to the Zoning Code with a view to identifying potential environmental concerns.

b. That the proposed adoption of a temporary moratorium on the issuance of demolition permits in the Village of Piermont is not subject to review under SEQRA, since the temporary moratorium on the issuance of demolition permits is specifically exempt from SEQRA review under NYCRR§617.5 [c] [30].

c. That the Rockland County Planning Department approved the proposed local law, finding that the proposed law would have no negative impact on nearby municipalities, County or State Roads, County Parks, or to County Drainage systems.

**BE IT FURTHER RESOLVED**, that the Village Board of Trustees hereby adopted the proposed local law to establish a Moratorium on Demolition permits issued within the Village of Piermont pending the completion of legislation to protect Historic and/or aesthetically valuable structures within the Village of Piermont.

This resolution was moved by Trustee Gussow and seconded by Trustee Moran. Upon vote the resolution was adopted unanimously.

The Attorney advised that this moratorium can be renewed within the six month period if the Board is still working on historic legislation.

The results of the North Parking Lot bid were presented to the Board:

Tilcon New York Inc.	Lump Sum Base Bid I	\$223,500
162 Old Mill Road	Lump Sum Base Bid II	259,000
West Nyack, New York	Lump Sum Alt. Bid I	60,000
Ph: 845-480-3162	Lump Sum Alt. Bid II	13,500
Fax: 845-480-3203	Unit Price Alt. Bid III	52,000
Cal Mart Enterprises, Inc.	Lump Sum Base Bid I	\$264,264
4 Burts Road	Lump Sum Base Bid I I	321,321
Congers, New York 10920	Lump Sum Alt. Bid I	21,000
Ph: 845-638-1330	Lump Sum Alt. Bid II	30,800
Fax: 845-638-1334	Unit Price Alt. Bid III	60,806
Carmelo Scaffidi & Sons	Lump Sum Base Bid I	\$229,475
Blacktopping, Inc.	Lump Sum Base Bid II	256,575
Dbas – Scaffidi Paving	Lump Sum Alt. Bid I	28,000
3 Grace Avenue	Lump Sum Alt. Bid II	35,900
West Haverstraw, N.Y. 10993	Unit Price Alt. Bid III	60,750

Sun Up Enterprises, Inc. 1607 Route 376 Wappingers Falls, N.Y.12590 Ph: 845-462-1800 Fax: 845-462-8375	Lump Sum Base Bid I Lump Sum Base Bid II Lump Sum Alt. Bid I Lump Sum Alt. Bid II Unit Price Alt. Bid III	\$299,800 348,700 30,000 35,000 84,450
Upstate Concrete & Masonry 449 West Mombasha Road Monroe, New York 10950 Ph: 845-782-0818 Fax: 845-783-4909	Lump Sum Base Bid I Lump Sum Base Bid II Lump Sum Alt. Bid I Lump Sum Alt. Bid II Unit Price Alt. Bid III	\$283,688 395,270 27,770 102,000 87,300
Whispering Pines P.O. Box 716 Vails Gate, New York 12584 Ph: 845-569-2590 Fax: 845-569-2599	Lump Sum Base Bid I Lump Sum Base Bid II Lump Sum Alt. Bid I Lump Sum Alt. Bid II Unit Price Alt. Bid III	\$249,825 309,825 169,000 36,750 51,250
Turco Golf, Inc. 212 Orange Avenue P.O. Box 627 Suffern, New York 10901 Ph: 845-357-9300 ext. 33 Fax: 845-357-0966	Lump Sum Base Bid I Lump Sum Base Bid II Lump Sum Alt. Bid I Lump Sum Alt. Bid II Unit Price Alt. Bid III	\$285,000 317,800 15,687 23,933 55,005
Paladino Concrete Creations 315 N. MacQuesten Pkwy. Mt. Vernon, New York 10550 Ph: 914-699-0907	Lump Sum Base Bid I Lump Sum Base Bid II Lump Sum Alt. Bid I Lump Sum Alt. Bid II Unit Price Alt. Bid III	\$274,375 343,475 14,000 120,975 26,600
DeRosa Tennis LLC P.O. Box 430 Mamaroneck, New York Ph: 914-698-2404 Fax: 914-698-2668	Lump Sum Base Bid I Lump Sum Base Bid II Lump Sum Alt. Bid I Lump Sum Alt. Bid II Unit Price Alt. Bid III	\$266,000 341,000 24,000 62,000 51,155
Marini Bros. Construc. Co. 9 Lafayette Street Hackensack, New Jersey 07601 Ph: 201-488-4127 Fax: 201-488-4107	Lump Sum Base Bid I Lump Sum Base Bid II Lump Sum Alt. Bid I Lump Sum Alt. Bid II Unit Price Alt. Bid III	\$198,000 260,000 37,500 16,500 51,250
Aikler Asphalt Paving Co. 1684 East 233 Street Bronx, New York 10466 Ph: 718-798-3155 Fax: 719-798-0361	Lump Sum Base Bid I Lump Sum Base Bid II Lump Sum Alt. Bid I Lump Sum Alt. Bid II Unit Price Alt. Bid III	\$244,400 324,000 18,955 38,160 84,500

Eve Mancuso of Brooker Engineering reviewed the Bid results on the North Parking Lot: 11 bidders

The lowest bidders were Tilcon, Marini and Scaffidi. Board should decide which bid to award. Tilcon could not commit to Memorial Day deadline.

Marini is comfortable with that date. Scaffidi is not comfortable making a full commitment.

Base Bid I thinner

Alt Bid II tar & chip

Base Bid II pavement and drainage improvements

Alt Bid III overlay to repair section of Piermont Ave. where drainage will be constructed

Alt Bid I additional Drainage 150 feet of overflow pipe

Base Bid II (can stand alone) could add Alt Bid I (additional drainage) Alt Bid III (additional paving)

\$235,000 grant available with a 50% match. There is also a \$360,000 BAN for this purpose which has not been encumbered.

Eve Mancuso said that Marini was the lowest bidder that could do the work the quickest - Base Bid II and Alt Bid III

The following resolution was moved by Trustee Gussow and seconded by Trustee Moran.

WHEREAS, the Village of Piermont, pursuant to the mandate of General Municipal Law Article 5A, section 103 et. seq., produced and advertised for public bid certain plans and specifications for a public works project known as the "Village North Parking Lot" ("the Project");

WHEREAS, the Village Engineer estimated that the price for the work to be performed on the Project would exceed \$20,000.00;

WHEREAS, General Municipal Law 103 requires that a bid for a public works contract involving an expenditure in excess of \$20,000.00 be awarded to the lowest responsible bidder furnishing the required security after the advertisement of the bid pursuant to the requirements set forth in the General Municipal Law;

WHEREAS, the sealed bids received relative to the project were opened on February 26, 2010;

WHEREAS, the Piermont Village Board, in reviewing the bids, determined that the best interests of the Village would be served by awarding Base Bid II described in the Specifications, since Base Bid II called for additional depth of paving which would, in the opinion of the Village Engineer, add 8-10 years of life to the improvements constructed on the Project site;

WHEREAS, the Piermont Village Board, in reviewing the bids, also determined that the best interests of the Village would be served by awarding Alternative Bid III described in the Specifications, concluding that the road resurfacing described in Alternative Bid III is necessary to protect the public health, safety and welfare due to the deteriorated area where the resurfacing is contemplated under Alternative Bid III;

WHEREAS, virtually identical bids were received for the package of Base Bid II and Alternate Bid III, from Tilcon New York, Inc. (\$311,000.00) and Marini Bros. Construction Co. (\$311,250.00);

WHEREAS, the Village Board had previously determined, and the bidders were advised, that the significant amount of tourist and visitor traffic generated annually after Memorial Day is vital to the health of the commercial district in the Village of Piermont, and that as a result, the health, safety and welfare of the residents and business owners within the Village would be promoted if the project was completed before Memorial Day so as to minimize the disruption of the commercial traffic within the Village of Piermont;

WHEREAS, the Village Board requested that the Village Engineer interview the three lowest bidders on the bid package to be awarded, to assist the Village Board as to the bidders qualifications, experience, and ability to perform the contract within the time frame required by the Village Board;

WHEREAS, the Village Engineer advised the Village Board that Tilcon New York, Inc., while otherwise qualified, was unable to commit to complete the project by Memorial Day 2010, due to commitments they had to commence work on other projects in the Spring of 2010;

WHEREAS, the Village Engineer advised the Village Board that Marini Bros. Construction Co. were also qualified to complete the work, and were able to commit to complete the project by Memorial Day 2010;

THEREFORE BE IT RESOLVED, that the Village Board of Trustees resolves that the public works contract to construct the Project known as the "Village North Parking Lot" be awarded to Marini Bros. Construction Co., being the lowest responsible bidder with the ability to perform the contract within the time frame required by the Board of Trustees.

BE IT FURTHER RESOLVED that the Village Board of Trustees determined that Tilcon New York, Inc. was not the lowest responsible bidder as the entity was not able to commit to complete the project within the time frame required by the Board of Trustees.

Upon vote the resolution carried unanimously.

Proposed Parking legislation for Business B is being discussed. Parking for businesses is a major issue and there is no legislation to issue variances. The code should provide relief in Business B.

The Board discussed legislation proposed by the Attorney who advised that definitions are needed. The Village Attorney will begin drafting legislation of a moratorium on parking requirements for next meeting.

Grievance application recommendations were reviewed by the Board. Trustee Moran moved to approve the recommendations as presented. The motion was seconded by Trustee Gussow. Upon vote the grievance recommendations were approved as presented; Trustee Silverberg abstained.

Trustee Gussow made a motion to approve the minutes of February 24, 2010 and March 2, 2010. The motion was seconded by Trustee Silverberg. Upon votes the minutes were approved.

Trustee Silverberg made a motion to approve the warrant in the amount of \$50,085.43. The motion was seconded by Trustee Moran. Upon vote the warrant was approved.

There has been no contact from the Community Playgroup regarding lease payments or a signed contract. Trustee Silverberg made a motion to authorize the Village Attorney to begin proceedings to evict and judgment for back rent. The motion was seconded by Trustee Gussow. Upon vote the motion carried.

Trustee Gussow made a motion to adjourn. The motion was seconded by Trustee Moran. Upon vote the meeting adjourned at 9:50 p.m.