

INCORPORATED VILLAGE OF PIERMONT
VILLAGE BOARD MEETING

March 27, 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:

Ed Lasher of 89 Piermont Place came to the Clerk's office regarding a rumor of development at the Cowboy Fields. He said he was surprised that none of the Clerks knew about the sale. John Angelis called him about Cowboy Fields and said that other than a survey he knew nothing new. He encouraged the Village Board to get involved.

8:15 p.m. Public Hearing on proposed Code Amendments: Motion by Trustee Moran to open the Public Hearing was seconded by Trustee Devan.

The Village Attorney advised that the Ad Hoc Committee was modifying the Code to get it up to date and to address issues with demolition, changes to the non-conforming section of the code, addition of a definition of demolition/demolish, addition of language to site plan development and a requirement to have the site development plan have certain detail before coming to the Boards. Rockland County Planning has recommended adoption of all amendments.

Mayor Traynor said that Trustee Sanders and the Committee have done a lot of work and continue doing so.

The Mayor opened the floor to the Public for comment - no public comment.

Trustee Sanders moved to close the Public Hearing. The motion was seconded by Trustee Gussow and upon vote the Public Hearing was closed.

The attached Resolution was moved by Trustee Sanders and seconded by Trustee Gussow. Upon vote the Resolution was approved unanimously.

8:30 p.m. Public Hearing on a proposed Verizon Franchise Agreement

Mayor Traynor first laid some ground rules for the hearing – Verizon's presentation would be first, Cablevision to follow, Board questions and comments and public questions and comments.

A motion by Trustee Gussow to open the public hearing was seconded by Trustee Moran. Upon vote the public hearing was opened.

The Public Notice was read by the Village Clerk.

Verizon representative Richard Windram thanked the Board for their consideration of the application and said they would be offering an alternative if the Franchise Agreement was signed.

Matt Kirby of Verizon's Telecommunications Insight Group also thanked the Board for bringing competition into Piermont. He suggested that there would be some improvement in price stabilization. Competition will drive the market to perform better and competition is the heart of this issue.

Pamela Goldstein – outside Counsel for Verizon advised the Board that they have the historic opportunity to provide choice to their residents and that competitive neutrality would be created. This does not preclude different offers by different companies: both require 5% franchise fee, general liability insurance, restoration of property to preexisting condition and free cable service to designated Village property. The agreement meets and exceeds the state level playing field requirements and a favorable action tonight will provide same quality services to Piermont as in much of the rest of the country. Ms. Goldstein thanked the Board for their consideration.

The Mayor asked the Board for questions/comments on the Verizon presentation.

Trustee Sanders asked Pamela Goldstein how they exceed the state level playing field. The response was cable service over a fiber network, plus a grant and security.

Emily Spaulding - Cablevision - advised that Local Programming was available through News 12, there exists 8 ½ miles of cable, 942 customers with a revenue of \$40,000 to the Village. Cablevision has a 1 hour call back requirement with 3 shifts of repair services plus a senior citizen discount which is not in the Verizon franchise. They welcome the competition.

John Urban – Cablevision – has invested in high speed cable modem service and the Triple Play program. Verizon is offering no senior discount but added that the Verizon document has changed since Cablevision's 30 challenges including Nyack.

The Mayor asked the Board for questions.

Trustee Moran asked if Cablevision would change their terms if Verizon Franchise were adopted and they responded possibly by changing/eliminating the senior discount.

Trustee Devan asked if the Landing has service now. He was advised that multi-dwelling units must negotiate to allow Verizon to run service out to them.

The Mayor opened the floor to Public Comment.

Alan Friedman – 82 Orchard Terrace – would like more competition for the benefit of residents. Cablevision can't provide service to his house but Verizon has installed fiber optics for his computer and phone and he now wants television also.

Mike Miller welcomes the competition and is unaware of issues with multi-dwelling units. Mr. Miller said he cannot urge the Board enough to adopt as soon as possible.

The Village Attorney has spent time with both companies and agreements have changed over time. The concept of a level playing field, when looked at as a whole, is not a big difference. He advised the Board that they have a reasonable agreement before them tonight and they can adjourn the hearing or if comfortable, the Board can adopt by resolution tonight.

A consensus of the Board was favorable for adoption.

Pamela Goldstein presented documents entered into the record by Verizon (on file in the Clerk's Office).

Trustee Gussow moved to close the public hearing. Trustee Moran seconded the motion and upon vote the Public Hearing was closed.

The Village Attorney read the resolution to adopt (attached).

The resolution was moved by Trustee Sanders and seconded by Trustee Moran. Upon vote the resolution carried unanimously.

The Board approved the recommendations from the Village Assessor/Consultant with reference to Grievance applications. The Mayor signed as presented.

The Board reviewed the updated expense listing with reference to the Community Center and will discuss the renewal of the Community Playgroup lease at the April 24 meeting.

Trustee Sanders advised that he attended a preliminary meeting on the 2010 Census and addresses for the Village must be reviewed for accuracy.

Trustee Devan moved to approve the fee waiver for St. Agnes Alumni to use the Pavilion on August 18, 2007. The motion was seconded by Trustee Gussow and upon vote the motion carried.

A motion was made by Trustee Devan to approve a request from the Rockland Bulldogs to use the Rittenberg Ball Fields on April 22 and May 20, 2007. The motion was seconded by Trustee Gussow and upon vote the motion carried.

Trustee Devan moved to approve the warrant in the amount of \$617,494.28. The motion was seconded by Trustee Gussow and upon vote the warrant was approved.

A motion was made by Trustee Devan and seconded by Trustee Sanders to have Miller Environmental remove diesel soaked booms at a cost of \$1,160.40 to be paid after June 1, 2008. Upon vote the motion carried.

Brooker Engineering submitted a proposal on sidewalk repairs in the amount of \$20,500 which was accepted by a motion of Trustee Devan and a second by Trustee Gussow. Upon vote the proposal was approved.

Trustee Gussow moved to approve the budget transfer request from the DPW. The motion was seconded by Trustee Devan. Upon vote the motion was approved.

A motion to approve an expense of \$950 by Brooker Engineering to complete the MS4 Annual Report was made by Trustee Devan and seconded by Trustee Sanders. Upon vote the motion carried.

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