

**INCORPORATED VILLAGE OF PIERMONT**  
**VILLAGE BOARD MEETING**

May 1, 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:

Karen Brown – advised the Board that the Community Garden would be holding their Summer Solstice on Saturday, June 23, 2007 from 6:00 p.m. until 10:00 p.m. and asked for the Board's permission. A motion by Trustee Gussow to authorize the Summer Solstice to be held on June 23, 2007 was seconded by Trustee Devan. Upon vote the motion carried.

Trustee Devan stated that several meetings ago Mike Miller asked about the Veteran's exemption. He added that the Board had addressed a Senior exemption but not Veteran's. He suggested that the Board should schedule a discussion on this issue for a future meeting. Brian Kenney is preparing various options for review and when the options are ready the meeting can be scheduled.

Pat Esgate - 733 Rt. 9W – has filed a notice of claim for a sinkhole in her yard as a result of the recent storm and stemming from a drainage easement from 1951. Al Bartley & John Angelis have looked at it and will speak with the Village Attorney in the near future.

Diplomat Gardens – Denise Krondstat – said it will take time for the Village Attorney to get a handle on all of the issues regarding the changes at the Diplomat Gardens. The deed shows a March 30, 2007 transfer to Red Brick Partners in Delaware for over \$13 million. A copy of the Emergency Tenant Protection Act has been given to Walter Sevastian to review for the possibility of the Village declaring a housing emergency. When the building was occupied is still a question and the occupancy date is critical which is why she needs the C/O. Legal Aid is willing to represent those who qualify. The current tenants are not her clients so she does not want to give legal advice. They do have rights and no one can just come into their apartments which she thinks could happen.

Walter Sevastian advised the Board that in a public emergency for housing in a Municipality, the Municipal body can declare such an emergency by resolution. Another agency would then oversee rent control. He said that this is not his area of expertise and that if Denise Krondstadt can get a pro bono firm to come in it would be very helpful.

The Mayor asked if a general public emergency would be effective even if the purchase has already been made and the Attorney replied that it would.

Walter Sevastian said that the next step is further research and maybe Denise Krondstadt could hook him up with a law firm with expertise in this area.

Discussion will continue at the May 15, 2007 Board meeting.

Trustee Sanders said that information should continue to be given to the residents in the meantime.

Margaret Grace commented that Piermont does have this housing emergency and by formally declaring it we are simply naming it. She would like to see the Village move forward as quickly as possible.

Walter Sevastian advised that the definition of rent emergency is in the law and we have to be careful. We need to see how other Villages accomplished it and we don't know that yet.

It was clarified that residents did not receive 30 day notices to vacate but that many flyers were received with misinformation. An example is that the emergency phone number that was given was the number for the Ramapo Police department.

RFP update: There were three (3) responses for construction management services: Abbott Price gave a proposal of \$233,000; Holt gave a flat fee of \$105,000 plus a termination fee; Mast Construction proposed \$7,500/month and no termination fee. All three companies have a lot of experience.

The Mayor recommended that if the Board was interested in Holt Construction, they should be contacted to give another presentation. Trustee Devan suggested the Board meet first to clarify their RFP and he was willing to meet with them with Trustee Sanders.

Trustee Devan will report back to the Board and asked the Clerk to give Trustee Sanders a copy of all RFPs received.

Bob Samuels asked if the firm selected will give an estimate on the cost to do a construction plan and the Mayor advised him that is the process.

Richard Stark said that the original Holt proposal was \$105,000 plus additional services and asked if this second proposal the same. The Village Attorney said that they were basically the same.

Renewal of Community Playgroup Lease: The Mayor explained that the cost to keep the Community Center open was \$24,869.48 a year. That translates to \$2,072.46 a month. The Playgroup is currently paying \$934.11 a month.

Trustee Devan said that if the Board removes Verizon and Cablevision which is used by PAL only, the number is reduced to \$23,645.65 or \$1,970.47 a month.

The Village Attorney stated that fair market value rent is to be paid on Village property when leased by non-municipal agencies. Government should not operate at a loss.

John McAvoy advised that he did some research which would help reduce the numbers and gave copies to the Board.

The Village Attorney further advised that the Board could cancel with one year's notice and that the Board needed to determine what the fair market value of the rent on this property should be.

The Mayor added that if the Village is losing money keeping the Community Center open it can be sold.

John McAvoy suggested a rent of \$1,036.19 and asked if it was legal for the Village to make a profit. The Attorney replied that it was legal.

A minimal increase of \$100 a month was recommended by the Mayor.

Trustee Devan asked that the Board wait until the May 15, 2007 meeting to make a decision since he would like to look further into the operating expenses.

Trustee Moran said that the hours used should have no bearing on what portion of the rent the Playgroup pays and she agrees with the increase of \$100 per month.

Trustee Sanders disagrees with Trustee Devan's suggestion to wait on making a decision and agrees with the \$100 per month or 10% increase.

Trustee Gussow would like to respect Trustee Devan's request to research the costs further.

The Board agreed to discuss this again on May 15, 2007 with a minimal increase of \$100 per month.

John McAvoy said he will meet with Trustee Devan to review his numbers. He added that there are currently 9 Piermont students in attendance and that 51% of the students receive a special rate on tuition.

A motion was made by Trustee Moran and seconded by Trustee Gussow to approve the minutes of March 6, March 27, April 10, April 17 and April 24, 2007. Upon vote the minutes were approved with Trustee Gussow abstaining with regard to the minutes of April 17, 2007.

Trustee Devan moved to approve the warrant in the amount of \$10,213.20. The motion was seconded by Trustee Gussow. Upon vote the warrant was approved.

Mayor Traynor advised the Board that Rick Pantale had filed a Filming Permit and he would like to authorize the fee of \$500 per day changed to \$500 for all six (6) days. After some discussion, the Board agreed.

The Village Attorney advised that the Library has neglected to post the \$40,000 Performance Bond requested by the Village and 53 days have gone by. He asked the Board what action they wanted to take. The Board agreed that the Library would be given notice that they have one more week and then violations would be issued.

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