

INCORPORATED VILLAGE OF PIERMONT
BOARD OF TRUSTEES MEETING
May 12, 2009

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

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

Public Comment:

Doug Putter of 674 Piermont Avenue is planning a party with a band and thought he may need a permit. The party is planned for June 6, 2009 which is also River Day and there will be events that same evening at Cornetta's and the Lighthouse. The request is for music from 7:00 p.m. to 11:00 p.m.

Walter Sevastian, Village Attorney, advised that noise heard beyond a property line is prohibited without a special permit of the Board of Trustees and could be conditioned with reference to time.

Trustee Devan stated that if the Police Department is called the party could be shut down.

Trustee Gussow said that if the music is so loud that the police are called, it would be too loud.

Trustee Moran commented that she had no problem with the request and that Mr. Putter would lower volume if necessary.

Trustee Blomquist said that with all the festivities throughout the Village that day, he would have no problem approving the music.

Trustee Moran made a motion to approve amplified music at the Putter residence on June 6, 2009 from 7:00 p.m. to 11:00 p.m. The motion was seconded by Trustee Blomquist and upon vote the motion was approved.

Ray Icobelli, representing the Lions Club of Blauvelt told the Board that they were planning to hold the 6th Annual Apple Fest in Flywheel Park on September 20, 2009. He further said that he notice that the proposed fee would be \$3,500. Mr. Icobelli named several donations made to Piermont organizations over the years and asked that the Board exempt the Lions Club from the fees.

Trustee Gussow asked if 100% of the profits come back to the Village and Mr. Icobelli said not all but it is always spread throughout the County.

Trustee Moran stated that as of the request there is no fee law in place and would like to approve the request.

Trustee Blomquist and Trustee Devan asked to table the request until the discussion of fees later on the agenda.

Mayor Sanders moved the agenda to #10 and #11.

Barbara Fratianni, Asst. Director of the Quadricentennial Commission made a presentation about the Quadricentennial celebration which is planned for June 6, 2009 and there is a request to have the Half Moon to dock at the Pier to include a cannon salute and a fireworks display.

River Day is planned to be the largest water event this year taking place from June 5th through the 13th. An audible cannon sound would be used in place of a real cannon and will fire 3 shots to welcome the Half Moon. The fireworks will be at 9:00 p.m. from the Piermont Pier and at the General Motors building in Tarrytown simultaneously.

American Fireworks will be making all necessary applications.

Rich Esnard of the Historical Society advised everyone that they will be hosting a gala dinner at Cornetta's that same evening/

Captain Reynolds of the Half Moon will need to provide an insurance certificate in the amount of \$1,000,000.

The Mayor stated that traffic could be a challenge and that the Chief will coordinate with the County Sheriff's Department to help with traffic control.

Trustee Gussow made a motion to authorize the Half Moon to dock at the Piermont Pier on June 6, 2009. The motion was seconded by Trustee Moran. Upon vote the motion carried.

Trustee Gussow made a motion to approve the cannon salute and fireworks display subject to submission and approval of an application by American Fireworks. The motion was seconded by Trustee Devan. Upon vote the motion carried.

A Public Hearing on proposed amendments to the Code entitles "Fees" and "Parades, Processions and Special Events" was continued.

The Attorney explained that in an attempt to offset costs of special events in the Village, the Board has developed proposed laws with reference to parades processions, special events and fees.

Mayor Sanders said that the Board needs to review the fees carefully and clarified the fact that the Village is not attempting to recover 100% of the costs. Events in Flywheel Park do not create as much of an issue as a public road closure.

Walter Sevastian advised that the Village could sponsor an event rather than waiving fees if they benefit from it.

Trustee Gussow said the Village would have a new rule to waive. She further suggested that a sponsored event be conditioned with a certain percentage coming back into the Village.

Trustee Devan asked with reference to the new fees proposed, what the Apple Fest would be charged. He was told the fee would be \$2,000.

Mayor Sanders said he wants to get away from waiving fees.

Public comments:

Bob Samuels said that if the Village asks for a percentage of the funds it is the same as charging Special Event fees.

Ray Icobelli commented that the Lions Club asks for permission from the Village and then gets permission from Phil Griffin. He asked why they need to come to the Village if Flywheel Park is private property.

The Attorney suggested that the Board pass the law with fees, do not grant waivers and sponsor events that are important to the Village.

Richie Stark stated that there were 3 entrances to Flywheel Park not 1. He said he also recalls that this came about from the application of the Emerald Society and seems to be getting more complicated.

Rich Esnard said he questions the entire fee idea. On the negative side, special events won't come and people coming into the Village would decline.

The Attorney commented that in Nyack there are street fairs everyone thought would be beneficial to the commercial district and now the businesses complain that there is no parking for their patrons and residents can't get around. Nyack began limiting the number of events it permits.

Al Bartley commended the Board for their efforts but expressed concern that the Village may chase everyone away and that some stores are barely hanging on and one has closed.

Trustee Devan is not ready to vote.

Trustee Gussow feels the same.

Trustee Blomquist said there is a lot to consider. In the past all fees used to be waived so the Board decided to look at fees based on an event's impact on the Village and maybe there should be a limit on the number of events with one fee.

The Mayor felt that charitable events don't raise the same funds every year.

Trustee Moran never heard merchants complain about events. She feels that the events on private property like Flywheel Park have little impact and maybe should not be included this year.

The Mayor said that this started out clear and simple and is now quite complicated. He wants the Board to try to find a way to protect the taxpayers.

A motion was made by Trustee Gussow to continue the public hearing to June 16, 2009 at 7:15 p.m. The motion was seconded by Trustee Moran and upon vote the motion carried.

Trustee Devan made a motion to accept the Justice Court Audit for year end May 31, 2008. The motion was seconded by Trustee Gussow and upon vote the motion carried.

A motion was made by Trustee Devan to authorize the Mayor to sign an Employee Agreement with Charles Schaub, Building Inspector-LFT. The motion was seconded by Trustee Gussow. Upon vote the motion carried.

A motion by Trustee Devan to authorize the Mayor to sign a contract with Perception Electronics for the period of June 1, 2009 to May 31, 2011 was seconded by Trustee Gussow. Upon vote the motion carried.

Brooker Engineering sent a proposal for the MS4 2009 Annual Report in the amount of \$950.00.

Al Bartley feels the fee is excessive. Mayor Sanders offered to discuss with Ken DeGennaro. The proposal was tabled to the June 2, 2009 meeting.

There was a request to name a street after PFC Jesse Goswick by the County Legislature and Orangetown Councilman Denis Troy. The Board questioned that once they start naming roads after people what criteria will be used in the future.

Walter Sevastian suggested a smaller different colored sign under the street signs for a decided number of months only.

Al Bartley advised that a temporary sign would cost between \$20 and \$30 and take about 4 to 5 days to make.

Trustee Devan made a motion to put up a temporary street sign at Kennedy Park from Memorial Day to July 4th in honor of PFC Jesse Goswick. The motion was seconded by Trustee Moran and upon vote the motion carried.

The Community Playgroup is currently 2 months behind in their lease payments. This is not the first time. The Board needs to give a full year notice to the Community Playgroup if it decides not to renew their lease.

The Board consensus was to give them notice that their lease will not be renewed.

The question came up as to what happens in the event that, for the next and last year of the lease, the Community Playgroup doesn't pay the rent. The Attorney stated that the Board could issue a Non-payment Eviction Notice.

A motion was made by Trustee Devan directing the Village Attorney to write a letter giving one years notice to the Community Playgroup that the Village will not renew the lease. The motion was seconded by Trustee Gussow and upon vote the motion carried.

Designated parking at 16 Tate Avenue for the volunteer firemen housing is needed.

Section 190-15.3 of the Code "no parking" would need to be amended to "no parking except volunteer firemen". Trustee Gussow made a motion to set a public hearing for June 16, 2009 at 7:30 p.m. The motion was seconded by Trustee Blomquist. Upon vote the motion carried.

Columbia University has requested that the Seawolf be permitted to dock at Pier July 8 – 11, 2009 and July 22 -24, 2009. A motion was made by Trustee Moran to allow the Seawolf to dock at the Pier on those dates. The motion was seconded by Trustee Gussow. Upon vote the motion carried.

Trustee Moran made a motion to approve the minutes of April 28, 2009. The motion was seconded by Trustee Blomquist. Upon vote the minutes were approved.

Trustee Devan made a motion to approve the warrant in the amount of \$50,834.80. The motion was seconded by Trustee Gussow and upon vote the warrant was approved.

The Rowing Club received a grant from the Quadricentennial Commission for June 6, 2009. They would like to set up a display behind the corral on that day. Trustee Devan made a motion to allow the display behind the corral and that it not interferes with the parking lot. The motion was seconded by Trustee Moran. Upon vote the motion carried.

There is a parking restriction on Hester Street and the resident has requested that it be moved back to the driveway. Chief O'Shea and Al Bartley will review and make a recommendation.

The Building Department computer was impounded and returned recently. During that time C/O's were being paid for since they could not be located in the files. The Mayor had authorized that any fees paid where a C/O had been in the computer, would be refunded with the necessary proof.

Chief O'Shea gave the Board his March and April reports.

Al Bartley reminded everyone that the DPW was holding its Open House at the garage on May 16, 2009.

He also advised that he submitted to CHIPS for \$26,442.22 which leaves an available balance of \$18,942.16 for 2009-2010.

Trustee Gussow made a motion to allow the Solstice celebration in Parelli Park on Saturday, June 20, 2009 at 6:00 p.m. The motion was seconded by Trustee Devan. Upon vote the motion carried.

Trustee Devan made a motion to adjourn the meeting. The motion was seconded by Trustee Gussow. Upon vote the meeting adjourned at 9:25 p.m.