

INCORPORATED VILLAGE OF PIERMONT
BOARD OF TRUSTEES METING
October 7, 2008

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:

Richard Stark asked that his comments be included in the minutes. He said that this is a time of economic stress and the people leading our economy are uncertain what the future holds. He asked the Board to keep this in mind when making economic decisions.

A resident commented on automobile pedestrian use of the pier and the fact that from the gate to the end there are 29 signs relating to parking and 4 signs relating to walking. He is afraid a tragedy is going to happen and asked about the possibility of speed bumps.

The Mayor acknowledged that this was a grave concern of this Board and there is a consideration of closing the pier to traffic on certain days.

Chief O'Shea added that since the change in the local law regarding parking, speed bumps were being looked at by the Village Engineer.

Margaret Grace said she had spoken with the Board about the trees being cut down in Flywheel Park and her questions were still unanswered. She is concerned that something like this not happen again and asked if the property owner had been advised.

Trustee Moran replied that a violation letter was written on Thursday, October 2, 2008 giving the property owner (5) five days to replace the trees.

The agenda was moved to #4 – Railroad Security Proposal

A proposal was received from Reddi-Alarm:

\$2,250 to install a combination Fire/Burglar alarm and a service cost of \$22/month

\$1,500 to install Fire Alarm only with an additional cost of \$780 to install the Burglar Alarm

When asked by the Mayor, the Village Attorney advised that the Piermont Historical Society must maintain the property but can't be forced to install a security system. The Mayor suggested that they should pick up the \$22/mo.

Tracey Cushner questioned this expense with nothing inside the building and it was explained to her that this is a work in progress.

Trustee Moran commented that there had previously been break-ins and vandalism at the train station and she supports security being installed now.

Rich Ellis advised that \$5,800 was being paid by the Historical Society for heating.

Trustee Devan gave a short history of the building, its acquisition and the work done to date.

Trustee Gussow said it was a good point to delay the installation of a burglar alarm until there is something in the building.

Trustee Devan disagreed stating that there has been a big investment to date in the entire project.

The Mayor suggested discussing this matter with the Historical Society to ask them to pick up the cost (\$750) of installing the Burglar Alarm system.

The public hearing on the proposed Environmentally Sensitive Sites local law was reopened.

Mayor Sanders advised that there was a Planning Board meeting taking place simultaneously with this one and he would like to wait for it to adjourn in case anyone in that meeting is interested in making comments on this proposed law.

The agenda was moved to #3 - Appointment of Architectural Review Commission:

Bill Plumb was appointed member of the Architectural Review Commission for a term to expire at reorganization of 2009.

Joe Siegel was appointed member of the Architectural Review Commission for a term to expire at reorganization of 2011. Mr. Siegel was sworn in by Mayor Sanders.

Leo Greco was appointed member of the Architectural Review Commission for a term to expire at reorganization of 2010.

Nancy Swaab was appointed member of the Architectural Review Commission for a term to expire at reorganization of 2011. Ms. Swaab was sworn in by Mayor Sanders.

Meg Fowler was appointed as member of the Architectural Review Commission for a term to expire at reorganization of 2011. Ms. Fowler was sworn in by Mayor Sanders.

Meg Fowler was appointed as Chair of the Architectural Review Commission for a term to expire at reorganization of 2009. Ms. Fowler was sworn in by Mayor Sanders.

The Village Attorney, Walter Sevastian, drafted a Computer Use Policy and explained that it is a common sense policy that includes not using the computer and/or internet for inappropriate use and that there is no expectation of privacy concerning computers in the Village. He further explained that the Village had an incident with an employee and the Board felt this policy needed to be put in place. This policy can be adopted by resolution, distributed to and signed off by employees.

Trustee Devan made a motion to approve the Computer Use Policy as presented. The motion was seconded by Trustee Moran and upon vote the motion carried.

The continuation of the Public Hearing on Environmentally Sites was reopened.

Mayor Sanders advised that the last version was dated from August and that there is now an October version in response to the Ad Hoc Code Committee's review of the Tim Miller Associates report.

Tracey Cushner asked the Mayor to confirm that Tim Miller Associates are not engineers. Mayor Sanders explained that they are planners with engineers on staff.

The recommendations of Tim Miller Associates are available this evening along with a copy of the revised local law proposal.

Opened to public comment:

Debra Ayres commented that throughout the Miller report they rationalize the recommendations until the end where slopes are changed with no reasons why.

Walter Sevastian replied that item #5 on page 2 of the report discusses the disturbance on slopes referred to on page 7.

A resident of Tweed Boulevard asked for clarification that anything on flat ground around his home is not affected by this law. Mayor Sanders replied that this was correct. The resident stated that the Village was reducing his property by 50% and he wanted a better reason for this happening.

Trustee Moran stated that Chapter 174-17.2 - Steep Slope, restricted any development on 25% or more – this amendment offers more than that.

Mayor Sanders commented that the current law is constantly being waived and the Village needs to change the legislation.

Rich Ellis said that the new changes are taking more away from residents on the mountainside; taxes are not being reduced and the Village seems to be taking away more than giving residents anything. Mr. Ellis asked if there has been a drainage study done by the Village. The Village has replaced sidewalks and the residents on the mountainside don't benefit from them. He requested that the Board study drainage before adopting this legislation.

Tracey Cushner stated that if the Board has no control of the drainage, why make a code that does not solve the drainage problem or move forward without a drainage study.

Mayor Sanders replied that additional development is increasing the drainage problems.

Trustee Moran added that in Pomona and Stony Point the same issues exist and they are unavoidable.

The Mayor explained that the Planning Board has given many variances from the 25% restriction and this proposed amendment to the code is an attempt to provide the Planning Board prescriptive guidance. Development on the hillside is very sensitive and this concern has been voiced by the residents.

Al Bartley offered a point of information. He said that after 31 years he has seen a lot of development on Rt. 9W. From Ash St. south there is no problem with drainage but Ash Street north drainage is affected by development.

Walter Sevastian further explained that this new law gives more details and guidance and the intent of this legislation is looking forward.

Richie Stark stated that drainage is not only Piermont's problem and certainly should be shared with the Town, the County and the State; enacting legislation won't have any impact.

Trustee Gussow commented that in these economic times, the chances of getting the Town, the County or the State to provide the repairs or money is not good.

Pat Esgate said that the comment that this law will prohibit large houses from being built is not correct. Ms. Esgate stated that if she can't subdivide because of slope restrictions, she will build the biggest house she can to begin with. North of Ash St. is not the only problem with drainage. Ms. Esgate asked if the Village takes 50% of her land, after taxes were increased by revaluation, will the Village reduce her taxes.

Carol Weisman – Rt. 9W – commented that when asked what the objective of this legislation is, the reason seems to come back to drainage. Today's 25% rule gets waived all the time and this new legislation means a property owner can still get what they want. This legislation will not solve drainage problem but residents will still need architects and attorneys. Why do we need this right now when waivers and variances can still be applied for? We need to fix the drainage problem first.

Rich Ellis asked the Board to consider tabling this legislation due it being so controversial. He stated the Board should table Article XIX and study the drainage.

Alexis Stark said that this was a good piece of legislation. In addition, she stated that it was positive and needs to be addressed not tabled.

Bud Ayres stated that he is in favor of suing the Town, the County and the State over the drainage problems. He is not opposed to the legislation, only opposed to ignoring the drainage issues.

Trustee Joan Gussow suggested residents form a citizens committee to pursue the drainage repairs.

Margaret Grace added that the Board meets with Legislators all the time and a committee is a good idea.

Meg Fowler commented that both things need to be done. The Village has to address development as well as drainage. Development causes the drainage issues.

The owner of 680 Piermont Avenue agrees with Meg Fowler. The Board should adopt something like Article XIX or they should sue the Town. The legislative intent is quite clear; clear cutting causes drainage problems.

Alexis Stark said that the Orangetown School Board is still considering selling Cowboy Fields and this legislation will make that property less desirable to developers.

Richie Stark commented that the people on the mountain, the people on Pier and the people in the Village are disagreeing with each other. He asked that everyone be mindful of each others issues.

Glen Trubig asked if the residents can get a letter to send to the State, the County and the Town. Mayor Sanders said he would be glad to draft a letter.

Trustee Gussow made a motion to close the Public Hearing. The motion was seconded by Trustee Devan. Upon vote the Public Hearing on the proposed amendments to the Environmentally Sensitive Sites was closed.

Mayor Chris Sanders thanked everyone for their comments and said this issue would be on the agenda for October 21, 2008.

A review of a recently acquired Serial Bond in the amount of \$1,974,000 was presented by Trustee Fred Devan and Trustee Mark Blomquist.

Trustee Devan gave some historical information and advised that the Village completed an Official Statement and received a bond rating of AAA.

Trustee Blomquist explained some of the financial terminology and the fact that the new Serial Bond consisted of 29% existing debt and 71% new debt.

Trustee Devan said that average interest rate on the Serial Bond is 3.64% or \$.36/\$1,000.

Richie Stark asked what the total Village current debt is and Trustee Blomquist replied that it was \$4 million. Mr. Stark then commented that the existing Village debt is the same as what the Village collects in revenue.

Mayor Sanders said that the Board is well aware of its financial situation.

Trustee Moran made a motion to approve the minutes of September 23, 2008. The motion was seconded by Trustee Devan. Upon vote the minutes were approved.

Trustee Devan made a motion to approve the Warrant in the amount of \$643,894.41. The motion was seconded by Trustee Gussow. Upon vote the warrant was approved.

Margaret Grace complimented the Board on the improvement in finances over the past years.

Richie Stark questioned if the Board found out if there was County reimbursement available on river rescue expenses. The Mayor replied that there was money available through Homeland Security and that the Village needs to be more diligent on grants.

The Board recently decided to charge non-Village organizations to use Village Hall. There would be charges of \$150 for the rental and \$250 as a refundable deposit. The only two organizations offered these rates have rejected them and gone elsewhere.

Trustee Moran stated that organizations using Village Hall presents security issues and would like to continue with this policy. The Board agreed.

The Mayor advised that he and Trustee Gussow were working with the Village Engineer on the plans for the North Parking Lot. There will be a special meeting on Thursday, November 6, 2008 to discuss the details.

Trustee Gussow and Mayor Sanders met with Lamont Doherty about the building at the end of the Pier. The Village has been promised \$95,000 from the DEC Quadricentennial Grant to upgrade the building.

DPW Supervisor Al Bartley advised that the road resurfacing project was completed and under budget.

With regard to the Skating Pond, we are still waiting for a permit from the Army Corps of Engineers and requested that the Mayor meet with Brooker Engineering on a time schedule for this and several other projects.

Mr. Bartley requested that the Seasonal Worker's employment be extended to November 28, 2008 since one of his workers would be out for 3 months. Trustee Devan made a motion to authorize the Season Worker to remain employed until November 28, 2008 at a maximum cost of \$3,200 to be taken from the Highway budget. The motion was seconded by Trustee Moran. Upon vote the motion carried.

Chief Michael O'Shea distributed his monthly report and advised the Board that he and the Village Clerk would be finalizing a change from Nextel cell phones to Verizon Wireless this Friday, October 10, 2008.

Village Attorney Walter Sevastian advised the Village Board that the Building Inspector, John Angelis, voluntarily separated from service with the Village effective October 3, 2008.

Mr. Sevastian stated that at a meeting in Village Hall on September 30, 2008 regarding Hovey Lane it was discovered that the barrier erected by the Village is outside Village limits and needs to be moved. He will meet with Al Bartley on Hovey Lane to review. The former Planning Board chair remembers conditions on the site plan approval to close off the end of the street and the site plan needs to be found.

Trustee Gussow made a motion to adjourn. The motion was seconded by Trustee Devan. Upon vote the meeting adjourned at 10:30 p.m.