

**VILLAGE OF AIRMONT
BOARD OF TRUSTEES MEETING – via ZOOM
February 7, 2022
7pm
(VIA ZOOM)**

**PRESENT: BRIAN DOWNEY, DEPUTY MAYOR
 SHIMON MOSES, TRUSTEE
 MIGDALIA PESANTE, TRUSTEE
 ISAAC WEISS, TRUSTEE
 SCOTT UGELL – VILLAGE ATTORNEY
 SHARON HALON, VILLAGE CLERK-TREASURER**

ABSENT: MAYOR NATHAN BUBEL

Deputy Mayor Downey called the meeting to order at 7:05 pm and led everyone in the Pledge of Allegiance.

PUBLIC COMMENT

Daniele Meehan - 18 Ackerman Ave - commented regarding garbage contract, DASNY Grant, and attorneys.

Julie Audi – 4 Seth Lane – commented regarding the DASNY Grant

Heather Federico – 30 Tartan Rd – commented regarding 32 Hillside and other violations

Dan Finley – Oratam Rd – Commented regarding Hillside Ave

Michael Campbell – 89 Campbell Rd – commented regarding Sabin Dr and drainage behind Rt 59

Amy Picarelli – 3 Frontier Lane – commented regarding the path at Akerman Ave and Taxes.

Deputy Mayor Downey made the motion to exit public comment at 7:50 pm. The motion was seconded by Trustee Moses and carried by all.

MOTION TO ENTER INTO EXECUTIVE SESSION

Deputy Mayor Downey made the motion to enter executive session at 7:50 pm. The motion was seconded by Trustee Weiss and carried by all.

MOTION TO EXIT EXECUTIVE SESSION

8:23, Deputy Mayor Downey made a motion to exit executive session. The motion was seconded by Trustee Moses and carried by all. No action was taken during Executive Session.

RESOLUTION NO: 22-4750

RESOLUTION AUTHORIZING THE VILLAGE ATTORNEY, ASSISTANT VILLAGE ATTORNEY, TO DEFEND THE VILLAGE OF AIRMONT AGAINST AN ARTICLE 78 PROCEEDING BROUGHT AGAINST THE ZONING BOARD OF APPEALS AND THE PLANNING BOARD OF THE VILLAGE OF AIRMONT BY SUEZ WATER.

WHEREAS, an Article 78 Proceeding has been commenced against the Village of Airmont Zoning Board of Appeals by Suez Water; and

WHEREAS, the Village Board has an obligation to defend the Zoning Board of Appeals,

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of the Village of Airmont hereby authorizes the Village Attorney, Assistant Village Attorney and/or Special Counsel, Dennis Lynch, to defend the Zoning Board of Appeals with regard to the aforementioned Article 78 on behalf of the Village of Airmont for the sum of \$175 per hour.

The motion was moved by Trustee Moses
 The motion was seconded by Trustee Weiss

The votes of the Board of Trustees were as follows:

| NAME | YES | NO | ABSTAIN | ABSENT |
|---------|-----|----|---------|--------|
| Weiss | X | | | |
| Moses | X | | | |
| Pesante | | | X | |
| Downey | X | | | |
| Bubel | | | | X |

Deputy Mayor Downey declared the motion carried and directed the Village Clerk to file same.

RESOLUTION NO: 22-4751

RESCINDING RESOLUTION 21-4741 AUTHORIZING MINUTO CARTING TO CONTINUE GARBAGE PICKUP FOR JANUARY 2022 ACCORDING TO PREVIOUS SCOPE OF SERVICES.

The motion was moved by Trustee Weiss
 The motion was seconded by Trustee Moses

The votes of the Board of Trustees were as follows:

| NAME | YES | NO | ABSTAIN | ABSENT |
|---------|-----|----|---------|--------|
| Weiss | X | | | |
| Moses | X | | | |
| Pesante | | X | | |
| Downey | X | | | |
| Bubel | | | | X |

Deputy Mayor Downey declared the motion carried and directed the Village Clerk to file same.

RESOLUTION NO: 22-4752

RENEWING THE MAINTENANCE CONTRACT WITH BLEND AIR MECHANICAL CORP NUNC PRO TUNC. THE RENEWED CONTRACT WILL COMMENCE ON JANUARY 1, 2022 AND EXPIRE ON JANUARY 1, 2023. THE COST TO THE VILLAGE WILL BE \$1,900.00

The motion was moved by Deputy Mayor Downey

The motion was seconded by Trustee Weiss

The votes of the Board of Trustees were as follows:

| NAME | YES | NO | NOT VOTING | ABSENT |
|---------|-----|----|------------|--------|
| Weiss | X | | | |
| Moses | X | | | |
| Pesante | X | | | |
| Downey | X | | | |
| Bubel | | | | X |

Deputy Mayor Downey declared the motion carried and directed the Village Clerk to file same.

RESOLUTION NO: 22-4753

MOTION TO SCHEDULE A PUBLIC HEARING FOR MARCH 7, 2022, AT 7 PM TO ADOPT A LOCAL LAW TO AMEND VILLAGE CODE CHAPTER 80 ENTITLED BUILDING CONSTRUCTION AND FIRE PREVENTION SECTIONS 80-31 (B) OUTDOOR FIRES AND 80-36 OPEN FLAME COOKING OUTSIDE MUNICIPAL RESIDENCES

The motion was moved by Trustee Moses

The motion was seconded by Trustee Weiss

The votes of the Board of Trustees were as follows:

| NAME | YES | NO | ABSTAIN | ABSENT |
|---------|-----|----|---------|--------|
| Weiss | X | | | |
| Moses | X | | | |
| Pesante | X | | | |
| Downey | X | | | |
| Bubel | | | | X |

Deputy Mayor Downey declared the motion carried and directed the Village Clerk to file same.

RESOLUTION NO: 22-4754

A RESOLUTION AUTHORIZING THE VILLAGE ENGINEER TO CONDUCT A STUDY ON THE VIABILITY AND POTENTIAL BENEFITS OF CONSIDERING ACCEPTING THE PRIVATE ROAD, SABIN DRIVE, AND CONVERTING IT TO A PUBLIC ROAD IN THE VILLAGE OF AIRMONT .

WHEREAS, a number of Village residents have inquired as to the possibility of converting Sabin Drive, which is presently designated as a private road, and

WHEREAS, the Village Board wishes for a study to be performed as to the viability, advantages, and process of converting Sabin Drive into a public road on the official map of the Village of Airmont,

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of the Village of Airmont hereby authorizes the Village Engineer to conduct a study, and report back to the board its findings, as to the viability, potential benefits, and if recommended, the process needed to be undertaken to convert Sabin Drive from a private road in to a public road.

The motion was moved by Deputy Mayor Downey
 The motion was seconded by Trustee Weiss

The votes of the Board of Trustees were as follows:

| NAME | YES | NO | ABSTAIN | ABSENT |
|---------|-----|----|---------|--------|
| Weiss | X | | | |
| Moses | X | | | |
| Pesante | X | | | |
| Downey | X | | | |
| Bubel | | | | X |

Deputy Mayor Downey declared the motion carried and directed the Village Clerk to file same.

RESOLUTION NO: 22-4755

AUTHORIZING PURCHASE OF CARPET FROM THE RUG STORE FOR VILLAGE HALL IN THE AMOUNT OF \$ \$20,420.00 TO BE REIMBURSED TO THE VILLAGE THROUGH THE DASNY GRANT

The motion was moved by Deputy Mayor Downey
 The motion was seconded by Trustee Weiss

The votes of the Board of Trustees were as follows:

| NAME | YES | NO | ABSTAIN | ABSENT |
|---------|-----|----|---------|--------|
| Weiss | X | | | |
| Moses | X | | | |
| Pesante | X | | | |
| Downey | X | | | |
| Bubel | | | | X |

Deputy Mayor Downey declared the motion carried and directed the Village Clerk to file same.

RESOLUTION NO: 22-4756

AUTHORIZING PURCHASE OF FURNITURE FROM COMPLETE OFFICE FURNITURE FOR VILLAGE HALL IN THE AMOUNT OF \$4,951.70 TO BE REIMBURSED TO THE VILLAGE THROUGH THE DASNY GRANT

The motion was moved by Deputy Mayor Downey
The motion was seconded by Trustee Weiss

The votes of the Board of Trustees were as follows:

| NAME | YES | NO | ABSTAIN | ABSENT |
|---------|-----|----|---------|--------|
| Weiss | X | | | |
| Moses | X | | | |
| Pesante | X | | | |
| Downey | X | | | |
| Bubel | | | | X |

Deputy Mayor Downey declared the motion carried and directed the Village Clerk to file same.

RESOLUTION NO: 22-4757

ACCEPTING THE PROPOSAL FROM FRESH COAT PAINTING TO PAINT VILLAGE HALL IN THE AMOUNT OF \$24,250 TO BE REIMBURSED TO THE VILLAGE THROUGH THE DASNY GRANT

The motion was moved by Deputy Mayor Downey
The motion was seconded by Trustee Weiss

The votes of the Board of Trustees were as follows:

| NAME | YES | NO | ABSTAIN | ABSENT |
|---------|-----|----|---------|--------|
| Weiss | X | | | |
| Moses | X | | | |
| Pesante | X | | | |
| Downey | X | | | |
| Bubel | | | | X |

Deputy Mayor Downey declared the motion carried and directed the Village Clerk to file same.

RESOLUTION NO: 22-4758

ACCEPTING THE PROPOSAL FROM CARLTON ELECTRIC TO REPAIR THE LIGHT FIXTURES IN VILLAGE HALL IN THE AMOUNT OF \$ 8,295.00 TO BE REIMBURSED TO THE VILLAGE THROUGH THE DASNY GRANT

The motion was moved by Trustee Moses
The motion was seconded by Deputy Mayor Downey

The votes of the Board of Trustees were as follows:

| NAME | YES | NO | ABSTAIN | ABSENT |
|------|-----|----|---------|--------|
|------|-----|----|---------|--------|

| | | | | |
|---------|---|---|--|---|
| Weiss | X | | | |
| Moses | X | | | |
| Pesante | | X | | |
| Downey | X | | | |
| Bubel | | | | X |

Deputy Mayor Downey declared the motion carried and directed the Village Clerk to file same.

RESOLUTION NO: 22-4759 **VILLAGE OF AIRMONT**
ACCEPTING THE PROPOSAL #892 FROM SECURITY ALERT FOR 8 ZK ACCESS
CONTROL SYSTEMS FOR 8 DOORS, IN VILLAGE HALL IN THE AMOUNT OF
\$8,620.00 TO BE REIMBURSED TO THE VILLAGE THROUGH THE DASNY GRANT

The motion was moved by Trustee Weiss
The motion was seconded by Trustee Moses

The votes of the Board of Trustees were as follows:

| NAME | YES | NO | ABSTAIN | ABSENT |
|---------|-----|----|---------|--------|
| Weiss | X | | | |
| Moses | X | | | |
| Pesante | X | | | |
| Downey | X | | | |
| Bubel | | | | X |

Deputy Mayor Downey declared the motion carried and directed the Village Clerk to file same.

RESOLUTION NO: 22-4760

ACCEPTING PROPOSAL RECEIVED FROM ZEBRA CLEANING FOR VILLAGE HALL
CLEANING SERVICES IN THE AMOUNT OF \$150 PER WEEK

The motion was moved by Deputy Mayor Downey
The motion was seconded by Trustee Weiss

The votes of the Board of Trustees were as follows:

| NAME | YES | NO | ABSTAIN | ABSENT |
|---------|-----|----|---------|--------|
| Weiss | X | | | |
| Moses | X | | | |
| Pesante | X | | | |
| Downey | X | | | |
| Bubel | | | | X |

Deputy Mayor Downey declared the motion carried and directed the Village Clerk to file same.

RESOLUTION NO: 22-4761

BE IT FURTHER RESOLVED, that the Village Board may, by resolution, request legal advice and/or services from Feerick Nugent MacCartney, PLLC when deemed to be in the best interests of the Village.

BE IT RESOLVED that, until rescinded, the Village Board also hereby authorizes Trustee Shimon Moses, as he determines to advisable, to refer certain proposed Village contracts or other legal issues to the Village's special counsel, Feerick Nugent MacCartney, PLLC for receipt of timely advice and Trustee Moses shall apprise the Board of such referrals.

BE IT FURTHER RESOLVED that this Resolution shall not infringe or otherwise interfere with the Village Board or the Mayor conferring with the Village Attorney on any legal issues related to the Village.

The motion was moved by Deputy Mayor Downey
The motion was seconded by Trustee Weiss

The votes of the Board of Trustees were as follows:

| NAME | YES | NO | ABSTAIN | ABSENT |
|---------|-----|----|---------|--------|
| Weiss | X | | | |
| Moses | X | | | |
| Pesante | X | | | |
| Downey | X | | | |
| Bubel | | | | X |

Deputy Mayor Downey declared the motion carried and directed the Village Clerk to file same.

RESOLUTION NO: 22-

VILLAGE OF AIRMONT

TITLE: WHEREAS the Village of Airmont Village Hall is located at 248 Cherry Lane, Airmont New York, in a two-story retrofitted building once a former residence, and

WHEREAS, the Village has determined that a large portion of the second floor of Village Hall is surplus space and that all the current space is not usable and in great need of improvements to make the non-surplus space functional for further village purposes for additional offices and paper file storage or marketable, and

WHEREAS the Village would like to make the non-surplus space on the second floor available to a third party to improve the space, which consists of approximately a thousand square feet, and to rent said surplus space for fair and adequate consideration, providing much-needed income to the Village, and

WHEREAS the Village will seek bids from third parties who would be interested in assisting in the improvement of the second floor of Village Hall, renting the space, and

WHEREAS the power for villages to purchase, lease and sell real property comes from the Village Law § 1--102, and

Now Be it Resolved that the Village of Airmont declares the majority of the space on the second floor of Airmont Village Hall to be surplus and will notify the public of the Village seeking bids for said space,

The motion was moved by
The motion was seconded by

The votes of the Board of Trustees were as follows:

| NAME | YES | NO | ABSTAIN | ABSENT |
|---------|-----|----|---------|--------|
| Weiss | | | | |
| Moses | | | | |
| Pesante | | | | |
| Downey | | | | |
| Bubel | | | | |

This resolution was tabled to the next meeting.

RESOLUTION NO: 22-

EXTENDING RESOLUTION 21-4702 TO AUTHORIZE THE VILLAGE OF AIRMONT'S BUILDING CLERK UP TO 3 HOURS OF OVERTIME PER WEEK FOR EACH WEEK FOR A PERIOD OF 2 MONTHS ENDING APRIL 7, 2022

The motion was moved by Trustee Moses
The motion was seconded by Trustee Weiss

The votes of the Board of Trustees were as follows:

| NAME | YES | NO | ABSTAIN | ABSENT |
|---------|-----|----|---------|--------|
| Weiss | X | | | |
| Moses | X | | | |
| Pesante | | X | | |
| Downey | | | X | |
| Bubel | | | | X |

RESOLUTION NO: 22-4762

ACCEPTING THE RESIGNATION OF DEVORAH BECK FROM THE POSITION VILLAGE PROSECUTOR EFFECTIVE JANUARY 19, 2022.

The motion was moved by Deputy Mayor Downey
 The motion was seconded by Trustee Moses

The votes of the Board of Trustees were as follows:

| NAME | YES | NO | ABSTAIN | ABSENT |
|---------|-----|----|---------|--------|
| Weiss | X | | | |
| Moses | X | | | |
| Pesante | X | | | |
| Downey | X | | | |
| Bubel | | | | X |

Deputy Mayor Downey declared the motion carried and directed the Village Clerk to file same.

RESOLUTION NO: 22-4763

RESOLUTION AUTHORIZING FEERICK NUGENT MacCARTNEY TO HANDLE JUSTICE COURT PROSECUTIONS

WHEREAS, the Village of Airmont, New York (“Village”) desires for Special Counsel, Feerick Nugent MacCartney, PLLC (“Special Counsel”), to prosecute all Village Justice Court and Village Code Enforcement matters for the Village not handled by the Rockland County District Attorney; and

WHEREAS, Special Counsel will make all appearances as needed at all scheduled Village Justice Court sessions.

NOW, THEREFORE, BE IT RESOLVED that:

Section 1. The above “WHEREAS” clauses are hereby incorporated by reference as though set forth in full herein.

Section 2. The Village Board hereby authorizes Feerick Nugent MacCartney, PLLC to prosecute all Justice Court and Code Enforcement matters for the Village not handled by the Rockland County District Attorney at the hourly rate of \$200 per hour.

Section 3. This Resolution shall be effective immediately.

The motion was moved by Deputy Mayor Downey
 The motion was seconded by Trustee Moses

The votes of the Board of Trustees were as follows:

| NAME | YES | NO | ABSTAIN | ABSENT |
|-------|-----|----|---------|--------|
| Weiss | X | | | |

| | | | | |
|---------|---|---|--|---|
| Moses | X | | | |
| Pesante | | X | | |
| Downey | X | | | |
| Bubel | | | | X |

Deputy Mayor Downey declared the motion carried and directed the Village Clerk to file same.

RESOLUTION NO: 22-4764

RESOLUTION APPROVING THE TREASURY ABSTRACTS OF FEBRUARY 7 2022, IN THE AMOUNT OF \$ 347,180.84

The motion was moved by Trustee Weiss
The motion was seconded by Trustee Moses

The votes of the Board of Trustees were as follows:

| NAME | YES | NO | ABSTAIN | ABSENT |
|---------|-----|----|---------|--------|
| Weiss | X | | | |
| Moses | X | | | |
| Pesante | X | | | |
| Downey | X | | | |
| Bubel | | | | X |

Deputy Mayor Downey declared the motion carried and directed the Village Clerk to file same.

RESOLUTION NO: 22-4765

RESOLUTION APPROVING THE MINUTES FROM THE BOARD OF TRUSTEES MEETING OF JANUARY 3, 2022

The motion was moved by Trustee Weiss
The motion was seconded by Trustee Moses

The votes of the Board of Trustees were as follows:

| NAME | YES | NO | ABSTAIN | ABSENT |
|---------|-----|----|---------|--------|
| Weiss | X | | | |
| Moses | X | | | |
| Pesante | X | | | |
| Downey | X | | | |
| Bubel | | | | X |

Deputy Mayor Downey declared the motion carried and directed the Village Clerk to file same.

Discussion

RESOLUTION NO: 22-4766

APPROVING THE PURCHASE OF 2 2020 POLICE INTERCEPTOR SUVS FROM BEYER FORD IN THE AMOUNT OF \$33,852.25 PER VEHICLE USING FUNDS RECEIVED FROM THE AMERICAN RESCUE PLAN.

The motion was moved by Deputy Mayor Downey
The motion was seconded by Trustee Weiss

The votes of the Board of Trustees were as follows:

| NAME | YES | NO | ABSTAIN | ABSENT |
|---------|-----|----|---------|--------|
| Weiss | X | | | |
| Moses | | | | X |
| Pesante | X | | | |
| Downey | X | | | |
| Bubel | | | | X |

Deputy Mayor Downey declared the motion carried and directed the Village Clerk to file same.

New Business/Old Business

Trustee Pesante spoke about her position as trustees

At 9:05 pm Deputy Mayor Downey made the motion to adjourn. The motion was seconded by Trustee Weiss and carried by all.

Respectfully submitted,

Sharon Halon
Village Clerk-Treasurer