

BOARD OF TRUSTEES

July 15, 2013

PRESENT: Mayor Sellier
Trustee Schwarzfeld
Trustee Vandenberg
Trustee Annunziata
Trustee Winston
Manager Pierpont

ABSENT: Attorney McLaughlin

PLEDGE OF ALLEGIANCE AND FIRE SAFETY ANNOUNCEMENT

Mayor Sellier led those assembled in the Pledge of Allegiance and notified those in attendance where the fire exits were located.

PUBLIC HEARING ON LOCAL LAW 2 of 2013 – TO ESTABLISH A MORATORIUM ON BUILDING AND CONSTRUCTION ACTIVITIES IN A PORTION OF THE BUSINESS ZONE

Trustee Vandenberg noted that this would add subsection F addressing the storage of buses and new vehicles.

Trustee Schwarzfeld said that this just makes it a permitted use.

Mayor Sellier said that this gives the Board authority. It is similar to the other moratorium. It will make the business zone compatible with the retail district.

Mayor Sellier asked for any thoughts, comments or questions.

Joshua E. Kimmerling, attorney for Cuddy & Feder, sent a letter to the Mayor and Board of Trustees on behalf of Vinrus Corp. Vinrus Corp. is the owner of 5 Canal Road. Mr. Kimmerling asked that the July 10, 2013 letter be included as part of the Board's consideration at the Public Hearing on proposed Local Law 2 which would institute a six month moratorium in certain areas of the of the Business Zone in the Village. He asked that the letter be made a part of the record.

There were no other comments or questions.

After discussion and upon motion duly made and seconded, it was unanimously

RESOLVED, That the Public Hearing on Local Law 2 of 2013 to establish a Moratorium on building and construction activities in a portion of the Business District be and hereby is closed.

ACTION ON LOCAL LAW 2 of 2013

After discussion and upon motion duly made and seconded, it was unanimously

RESOLVED, That Local Law 2 of 2013 be and hereby is approved.

RESOLUTION GRANTING TEMPORARY PERMIT TO STORE MATERIAL IN THE BUSINESS 2 ZONE

This is a specific proposal for a temporary permit for one year. The permit would allow the storage of eighty five buses for the school year. Van Trans LLC would use the property. The parking arrangements can be worked out to minimize disruptions.

Trustee Schwarzfeld thought that the proposal was fine. He noted that the storage is planned for the former Imperia property. He noted that the former owners owed the Village fifty six thousand dollars for violations of the Village Code and the Village was never paid. He suggested that the new property owners pay the outstanding fine.

Trustee Annunziata asked about the permit fee and was told that it was twenty five thousand dollars for the temporary permit.

It was noted that the buses will use Pelham Parkway and Boston Post Road Monday through Friday during off peak hours.

Trustee Schwarzfeld said that in addition to the permit fee they should pay the fine as a condition of using the property.

Mayor Sellier thought that the Board should authorize the Village Manager to reach an appropriate agreement for a one year contract subject to payment of the fine and annual fee.

After discussion and upon motion duly made and seconded, it was unanimously

RESOLVED, that the Village Manager be and hereby is authorized to reach an appropriate agreement for a temporary permit for one year to allow storage in the Business 2 Zone subject to paying the annual permit fee of twenty five thousand dollars and the outstanding fine.

MINUTES FROM THE JUNE 24, 2013 REGULAR MEETING

After discussion and upon motion duly made and seconded, it was unanimously

RESOLVED, that the minutes from June 24, 2013 be and hereby are approved.

REPORTS

Police Commissioner Vandenberg discussed the monthly report with Chief Mosiello. The Commissioner asked the Chief for a summary highlighting the most important incidents.

Chief Mosiello said that the detectives followed up on three arrests and investigations. There was a criminal mischief incident on page nine in the report as well as an arrest for harassment. The Chief said that the criminal mischief was reported in June and the arrest was made in July. The harassment arrest is listed on page ten in the report. The Chief also reported that there was an underage drinking party on Beech Tree Lane. He said that the rest of the report had routine complaints.

The Chief said that the hit and run on Pelhamdale Avenue and Witherbee is still being investigated. The boy is doing ok. He was shaken up and has some bruises. The car was a blue Acura TL. The police have a partial plate number and have to try to locate the car based on this information. He said that the manual process is time consuming.

Mayor Sellier asked about the status of the Safe Routes to School grant and was told by Manager Pierpont that a notice for bids had been published and the bid package was

available for pick up. The bid opening is scheduled for July 30th and the recommendation for award will be made at the next Board meeting on August 19th.

The Chief said that the Police were keeping up on summonses for both moving and parking violations.

The Board thanked the Chief for his report.

Fire Commissioner Schwarzfeld discussed the monthly report with Chief Ruggiero. He discussed two losses. The first was on June Seventh at Nine Hundred Twenty Nine Peace Street. The fire was attributed to food on top of the stove. The whole house was filled with smoke. The second fire was at Four Sixty One Manor Lane. The response time to the June Seventh fire was sixty one seconds.

The Chief spoke about training at Prospect and Siwanoy schools. They are checking all the standpipes to make sure that they're not painted shut. The fire department will put water through to make sure everything is in order. He said that the training was going well.

The Board thanked the Chief for his report.

The Village Clerk reported that dog licenses, building permits and notices of violations all increased.

After discussion and upon motion duly made and seconded, it was unanimously

RESOLVED, that the reports be and hereby are approved.

PROPOSED SITE PLAN MODIFICATION FOR PELHAM MANOR SHOPPING PLAZA/ ACADIA LLC

This is a minor modification for Kinetic Sports. They would like to put in a stairway and some people are concerned that it will kill the grass. Acadia LLC is fine with the change and the Village Planner thinks that it is acceptable.

After discussion and upon motion duly made and seconded, it was unanimously

RESOLVED, That the proposed site plan modification for Pelham Manor Shopping Plaza/Acadia LLC be and hereby is approved.

AUTHORIZING THE VILLAGE MANAGER TO SIGN THE REVISED MEBCO (MUNICIPAL EMPLOYEES BENEFITS CONSORTIUM) INTER-MUNICIPAL AGREEMENT

Manager Pierpont gave a brief background on Mebco. The health plan is administered by a third party administrator named Pomco. The Mebco Board would like to purchase stop-loss insurance which would cap potential losses after a certain dollar amount. It would also like to institute some changes to be more flexible with the emergence of the Affordable Care Act. For ten years Manager Pierpont was the Mebco Plan Administrator. Mebco was originally started by County Executive Andrew O'Rourke. These changes will change the dynamic a little and make the plan more representative. It will include a union representative who will be a non-voting member. The second page of the agreement shows that there would be a ten percent decrease against the base because the Village has a surplus. Manager Pierpont stressed that we need to be very careful about that because if there is a deficit, the Village would have to pay more.

After discussion and upon motion duly made and seconded, it was unanimously

RESOLVED, That the Village Manager be and hereby is authorized to sign the revised Mebco Inter-Municipal Agreement.

STREET CLOSINGS: 921 WASHINGTON AVENUE AND 81 WITHERBEE AVENUE

Board received a petition from Irina Brandler, 921 Washington Avenue, to close Washington Avenue between Peace Street and Split Rock Road on Sunday, September 15, 2013 from eleven o'clock in the morning until six o'clock in the evening for its annual block party.

The Board received a petition from Catherine W. Taubner, 81 Witherbee Avenue, to close one block of Witherbee Avenue between Pelham Manor Road and Monterey Avenue on Sunday, July 28, 2013 from three o'clock in the afternoon until six o'clock in the evening.

After discussion and upon motion duly made and seconded, it was unanimously

RESOLVED, that the street closings for 921 Washington Avenue and 81 Witherbee Avenue be and hereby are approved.

RESOLUTION AUTHORIZING THE MAYOR TO SIGN ABSTRACT OF VOUCHERS NUMBERS 19239-19316

After discussion and upon motion duly made and seconded, it was unanimously

RESOLVED, That the Mayor be and hereby is authorized to sign Abstract of Vouchers Numbers 19239-19316

PUBLIC COMMENT

There was no comment from the public.

EXECUTIVE SESSION

No action was taken in Executive Session.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned.

Clerk