

BOARD OF TRUSTEES

October 14, 2013

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

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.

MINUTES

Page three of the September Twenty Third minutes reported that Scott Murdock was a medical doctor. He is, in fact, a lawyer, a Juris Doctor. It was noted that this set of minutes was complex and was well done.

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

RESOLVED, that the minutes from September Twenty Third, Two Thousand Thirteen be and hereby are approved as amended.

REPORTS

Fire Commissioner Schwarzfeld discussed the monthly report with Chief Ruggiero. The Commissioner commented that it seemed to be a busy but routine month. The Chief said that there were a lot of accidents. Commissioner Schwarzfeld noted the stellar attendance in the department.

The Board noted that the Pelham Civic Association will honor the Chief as one of its Persons of the Year for his many years of service with youth hockey associations.

The Board thanked the Chief for his report.

The Village Treasurer reported that two accounts appear to be over expended, but either state funds, CHIPS (Consolidated local street and Highway Improvement Plan) in the case of street paving or a federal grant in the case of SCBA (self contained breathing apparatus) for the fire department will offset the costs.

Trustee Winston discussed the monthly Department of Public Works report with the DPW Superintendent. It was noted that the amount budgeted for public works contracts was one hundred fifteen thousand dollars. Two hundred ninety thousand dollars was spent on street paving. The Village received one hundred seven thousand dollars in reimbursement from the CHIPS program and the Board reserved one hundred thousand dollars for this work. This should be under budget.

In addition, a few small sewer system issues had to be excavated and fixed. The Board has a proposal for videotaping sewer lines on tonight's agenda.

The cost for a sewer system repair depends on the size of the job. For example, a small job might be between five and seven thousand dollars. A more complex job, like the one on Highbrook Avenue two years ago, cost thirty two thousand dollars.

A trustee asked what caused the problems and was told age was the main factor. Some sewer lines go back to nineteen hundred and eight. Work to be done includes cleaning and slip lining to extend life and we also need to know exactly where the lines are located.

It was also noted that the Village is recycling more than forty percent of its waste stream. Streetlights are also being replaced on a regular basis.

The Village Clerk reported that twenty seven dog licenses were issued.

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

RESOLVED, That the reports be and hereby are approved.

PRESENTATION BY DAVE & BUSTERS

Attorney James Maisano represented the restaurant/arcade Dave & Busters. He said that the company was interested in occupying the space above Fairway Market.

Lisa Warren and John Mulledy were in attendance for Dave & Busters. Lisa Warren, a Vice President for Development Services, gave a presentation.

She said that the company started thirty years ago in Dallas, Texas. It has a strong track record in the North East. It has restaurants in Times Square as well as the Pallisades Mall. The company would like to become a partner in the community. The company brings between one hundred forty and one hundred sixty jobs per location. Dave & Busters is also a charitable partner. It has a connection with the Make a Wish Foundation on a national level and also works with local charities.

Ms. Warren said Dave & Busters provides full service with a trained wait staff and “captains” that help to maintain order. There is a midway with approximately one hundred seventy to two hundred games. There are redemption games where you win tickets and video games. There is no gambling, video poker or games of chance. The games are all games of skill.

The hours of operation are from eleven in the morning until midnight. The minors policy requires that a guardian be present on site. The guardian must be at least twenty five years old for any guest that is younger than eighteen years old.

ServSafe, a program that helps combat alcohol abuse, will be utilized. A security plan, including CCTV, will be in place.

The entry to Dave & Busters will face the back of the shopping center.

The Village Board would have to amend the law on Gaming Devices that is in the Village Code.

Trustee Winston asked about security. He asked about the use of off duty police officers and what other stores have done. He was told that the director of security and the police chief determine the level of security. Security might include off duty police or a security company. The peak time is expected to be Friday and Saturday nights.

Ms Warren was asked about some problems at the new Braintree, Massachusetts store and she wasn't aware of any problems but said that she could find out about that store. It was stressed that security is the Village's main concern.

Trustee Vandenberg asked about peak hours and was told that it is anticipated that Friday and Saturday night will be the peak time.

Ms. Warren said that last call is at eleven fifteen. This is a half hour before closing and things should mostly be cleaned up by that time.

Trustee Vandenberg asked if people would stay until the last second playing games and he was told that they might. She said that people would be encouraged to stay as long as possible.

Trustee Vandenberg asked about the maximum capacity of the store and was told that eleven hundred to twelve hundred people would be the maximum if all areas, dining, bar and gaming space, are full.

Dr. Annunziata asked if Dave & Busters was franchised and was told that it is corporate owned not franchised.

The Board thanked Ms. Warren for her presentation.

RESOLUTION TO ADOPT EXTENET RIGHT OF WAY AGREEMENT

The nodes will improve wireless telecommunication in the Village. Small units will be installed on existing utility poles. They will be three to four feet in height and will look like the top of the pole.

There were a few changes to the Right of Way Agreement that was originally proposed. The annual base rate for the first node will be seven hundred dollars, four hundred dollars for the second node and two hundred for the third node. The administrative fee will be six hundred dollars. ExteNet will also post a bond.

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

RESOLVED, that the Right of Way Agreement between the Village of Pelham Manor and ExteNet be and hereby is adopted.

RESOLUTION TO ADOPT DGEIS SCOPE

The Mayor said that there were a number of comments from the public at the last meeting. A revised draft is being developed based on those comments and concerns. He asked if there were any questions.

Trustee Vandenberg noted the addition of light pollution or distracting lights on page three Chapter Four. The section will now read “with regard to shadows, potential light pollution and land use.”

Chapter Nine, the second paragraph on page five under Air Quality and Noise, that speaks about vehicular and rail traffic, will now include any potential noise from the building and the operation of the building itself..

Trustee Vandenberg said that Chapter Eleven, Cultural and Historic Resources, should include the Boston Post Road corridor.

Trustee Winston said that Chapter Six does not specifically mention schools. He asked if the study would include the Middle School and the High School and was told that it would include the two schools and well as the number of students generated from full build out.

Robert Walder, 590 Monterey Avenue, also asked that trash from the building be considered and was told that would be included.

Mayor Sellier said that operation of the building, and services that will be required, should clarify the issue.

It was mentioned that there are two churches in or adjacent to the Retail zone being reviewed. Traffic on Sundays should also be taken into account.

Mayor Sellier said that Sunday morning would be included in the traffic study.

Robert Walder asked if thirty days for review would be enough time. He asked if it should be sixty days.

Mayor Sellier said that thirty days was the minimum amount of time for review. He said that the Environmental Impact Statement was not going to get pushed through.

Attorney Spolzino said that the Board will set the hearing date.

Mayor Sellier reiterated that the public will have enough time to review the document.

Scott Murdoch said that Chapter Seven does not address various tax implications. He suggested that tax benefits be changed to potential tax implications.

Jennifer Lapey, 95 Witherbee Avenue, said that it was significant to look at six story residential units in the building. She said that Highbrook Avenue already has runoff and was concerned that increasing impervious surfaces would further tax a built out system.

Mayor Sellier thought that Chapter Ten addressed that issue.

Trustee Vandenberg asked about the condition of the current system and wanted to know if that would be taken into account.

Lisa Bryon, 580 Monterey Avenue, spoke about parking and asked if underground parking and the associated digging would be taken into account and was told that would be part of study.

Carol Desmond, 95 Corona Avenue, a member of the Pelham Garden and Preservation Society, thanked Trustee Vandenberg for remembering the historic aspect of the Boston Post Road. She suggested that the cost of services, such as police, be looked at in addition to the tax implications. She said that negatives as well as positives should be included in the review.

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

RESOLVED, that the Scope of the Draft Generic Impact Statement be and hereby is adopted.

Mayor Sellier thanked everyone for their comments and announced the formation of a new committee that will look at the completed environmental impact statement. He asked Jennifer Lapey and Scott Murdoch to be the co-chairs of a citizens group that will take a hard look at the results of the study. He said that residents can use info@pelhammanor.org for comments that will be forwarded to the Village's planner Nanette Bourne.

RESOLUTION TO AWARD THE BID FOR SANITARY SEWER CLEANING AND TELEVISION INSPECTION

Two vendors, Fred A. Cook, Jr. Inc. and New England Pipe Cleaning Company, picked up the bid package for this work. The results are listed below.

Inspection of eight to ten inch Sanitary Sewer

Fred A. Cook, Jr. Inc.	\$1.50 per Linear Foot
New England Pipe Cleaning Co.	\$1.83 per Linear Foot

Inspection of twelve to sixteen inch Sanitary Sewer

Fred A. Cook, Jr. Inc.	\$2.25 per Linear Foot
New England Pipe Cleaning Co.	\$3.68 per Linear Foot

Inspection of eighteen inch to two feet Sanitary Sewer

Fred A. Cook, Jr. Inc.	\$ 2.50 per Linear Foot
New England Pipe Cleaning Co.	\$11.08 per Linear Foot

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

RESOLVED, that the low bidder, Fred A. Cook, Jr. Inc., be and hereby is awarded the bid for Sanitary Sewer Cleaning and Television Inspection

RESOLUTION TO AWARD BID FOR SEASONAL HELP WITH LEAF COLLECTION

The Village received three proposals for seasonal help with leaf collection. A. Palmieri, General Landscaping, and Mario Bulfamante & Sons bid on the work. The results are listed below.

Company	Laborer Per hr.	CDL Driver Per hr.	Dump Truck With Driver and Two Laborers Per Day
A. Palmieri	\$21.00	\$32.50	\$ 747.00
General Landscaping	\$22.00	N/A	\$725.00
Mario Bulfamante	\$35.00	\$45.00	\$975.00

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

RESOLVED, That A. Palmieri be and hereby is awarded the job for providing laborers on an hourly basis and General Landscaping be and hereby is awarded the job for providing a dump truck with two laborers on a daily basis.

RESOLUTION TO AWARD BID FOR TREE PRUNING AND TREE AND STUMP REMOVAL

The Village received four quotes for tree pruning and removal services. The results are listed below.

A. Palmieri Landscaping Company	\$ 21, 800
Emerald Tree Care Company	\$160, 300
General Landscaping	\$ 18, 450
Manor Tree Company	\$ 18, 385

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

RESOLVED, That the low bidder, Manor Tree Company, be and hereby is awarded the job for providing tree pruning and removal services.
