

BOARD OF TRUSTEES

July 21, 2014

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 FROM THE JUNE 23, 2014 REGULAR MEETING

There were no comments or questions on the minutes.

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

RESOLVED, That the minutes from the June 23, 2014 Regular Meeting be and hereby are approved.

REPORTS

Police Commissioner Vandenberg discussed the Police report with Chief Mosiello. The Commissioner mentioned the rash of burglaries, but said that they were scattered. They were not in one area. The Chief said that there were three burglaries. Two were very similar and the third, on Esplanade, was different. He said that there is a suspect for that burglary. There are no suspects yet for the other burglaries on Shore Road and Grant Avenue. Chief Mosiello said that there were two more burglaries in July. One was on Manger Circle and the other was on Iden Avenue.

Trustee Schwarzfeld asked if this was an unusual number of burglaries.

Chief Mosiello said that until recently there have been no burglaries, but in the past this was not an unusual number to have. The Chief said that more patrols have been put in place. The burglaries seem to take place on Friday nights and the Village tried additional policing last Friday.

Police Commissioner Vandenberg said that people should keep their doors locked and use a security system if they have one. The Commissioner also spoke about the aided cases at BJ's and Fairway Market. He said that some are residents and all are shoppers. He also spoke about counterfeit money.

The Board thanked the Chief for his report.

The Village clerk said that forty six building permits and thirty dog licenses were issued for the month. There was nothing much out of the ordinary for the month.

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

RESOLVED, That the reports be and hereby are accepted.

MINOR SITE PLAN AMENDMENT FOR DAVE & BUSTERS

Dave & Busters restaurant will be located over Fairway Market. This proposed amendment to the site plan has to do with the loading dock. They would like to put a trash compactor where the loading dock is on the plan and put the loading area elsewhere. Manager Pierpont said that he wanted the record to be clear. There is a sign in the package being presented, but sign approval is not being requested at this time.

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

RESOLVED, That the minor site plan amendment for Dave & Busters be and hereby is approved.

MINOR SITE PLAN IMPROVEMENTS FOR 4785 BOSTON POST ROAD (GRISTEDES/ MANOR MARKET)

A small extension in the back for storage and a corral for carts where the planters are in the front of the store are being proposed. A cement retaining wall will be taken out and replaced with a smaller sloped wall. A landscaping plan will be reviewed by the Village planner.

Trustee Schwarzfeld asked about the charging station for electric vehicles that is supposed to be placed in the front of the parking lot and was told that they haven't done any work since they got their building permit several months ago.

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

RESOLVED, That minor site plan improvements for 4785 Boston Post Road be and hereby are approved.

RESOLUTION REGARDING CANAL ROAD URBAN RENEWAL PROJECT

Attorney Robert Spolzino was in attendance to speak about this process.

This is something the Village needs to do. Some important questions are what kind of development will go in the area and who will be the project sponsor - who will develop the property? Canal Road would have to be de mapped in some way. The SEQRA process would be an opportunity. There would be a Determination of Significance. Impacts would be determined to be significant or not. The Board of Trustees would be the Lead Agency. A negative impact or an environmental impact statement would be required. A public hearing would be held, comments taken, a Final Environmental Impact Statement presented and then action would be taken by the Board of Trustees.

Tonight the Village Board will take two actions. The first will be to authorize the Urban Renewal Plan to be considered and the second will be to authorize a Request for Proposal for Project Sponsors.

Trustee Winston asked about the risks of litigation.

Attorney Spolzino spoke about cases involving blight and public use. He said that there have been some cases involving the determination of public use, the value of property and the taking of property. He said that he believed the Village was on safe ground going forward. He spoke about fair market value and said that can be tried by a court.

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

RESOLVED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF PELHAM MANOR that the Village Manager be, and the same hereby is,

authorized to cause an Urban Renewal Plan and a Request for Proposals for Project Sponsors to be prepared with respect to the area defined in the Blight Study dated February 7, 2014 for consideration of the Board of Trustees at its first available opportunity.

RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO AN AGREEMENT WITH WESTCHESTER COUNTY TO PURSUE DEVELOPMENT OF AN EVALUATION PROGRAM RELATIVE TO REMOVAL OF INFILTRATION AND INFLOW IN THE NEW ROCHELLE SEWER DISTRICT

The Village needs to develop a program to deal with the removal of infiltration and inflow from the New Rochelle Sewer District. The following resolution will help to deal with the problem of reducing infiltration and inflow and will authorize the Village Manager to develop a program consistent with requirements of the Long Island Sound Flow Monitoring Report. It also authorizes the Village Manager to enter into an agreement with Westchester County to pursue development of this program. By this time next year, a plan has to be in place for evaluating the system and by 2017 the evaluation has to be done. This is an opportunity for inter-municipal agreements.

Mayor Sellier said that Port Chester will be spending fifteen million dollars to address its antiquated systems.

Trustee Vandenberg asked what happens after the Village Manager has the authorization to develop the program. He asked if it came back to the Board of Trustees and was told yes.

Manager Pierpont spoke about sump pumps going into the sanitary sewer system. He gave an example of making sure a sump pump is lawfully connected when a house is sold.

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

RESOLVED, that

WHEREAS, a portion of the Village of Pelham Manor lies within the Westchester County New Rochelle Sanitary Sewer District and,

WHEREAS, the County of Westchester is under a consent order from the New York State Department of Environmental Conservation (DEC) to remove excessive inflow and infiltration from the County sewer facilities; and,

WHEREAS, the County has conducted a flow monitoring program designed to segregate sub-systems within the sanitary sewer collection system contributing to the New Rochelle District Treatment Plant and evaluate the flows within the various sub-systems during rain events in order to isolate potential areas of excessive inflow; and,

WHEREAS, the County Sewer Act imposes obligations on every municipality within the County regarding the maintenance of its sanitary sewer collection system in order to prevent excessive inflow and infiltration; and,

WHEREAS, Pelham Manor, along with the other municipalities contributing to the New Rochelle District (City of New Rochelle, Village of Larchmont and Town of Mamaroneck), have met on several occasions to develop a program to address these issues; now, therefore,

BE IT FURTHER RESOLVED that the Village Manager is hereby authorized to develop a program consistent with the timeline and requirements of the Long Island Sound Flow Monitoring Report for the reduction of inflow and infiltration into the sewer system and is hereby authorized to enter into an agreement with Westchester County to pursue development of that program.

STREET CLOSING REQUESTS

There were three street closing requests.

The first request from the neighbors of Roosevelt Avenue was to close the corner of Roosevelt Place and 1407 Roosevelt Avenue to 1437 Roosevelt Avenue on Saturday, July 26, 2014 from three o'clock in the afternoon until eight o'clock in the evening with a rain date of Sunday, July 27, 2014 for a Block Party.

The second request from Catherine W. Taubner, 81 Witherbee Avenue and the resident of Pelham Manor Road, Witherbee Avenue, and Cliff Place to close one block of Pelham Manor Road between Colonial Avenue and Witherbee Avenue for a Block Party on Saturday, July 26, 2014 from four o'clock in the afternoon until seven o'clock in the evening.

The third request from Carl A. Pannuti, Jr., 623 James Street, and residents of James Street to close James Street for a Block Party on Saturday, October 4, 2014 from three o'clock in the afternoon until eight o'clock in the evening with a rain date of Saturday, October 11, 2014.

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

RESOLVED, that the three street closing requests be and hereby are approved.

PARK REQUEST

Patricia Tobin, 914 Wynnewood Road, requested the use of Shore Park for approximately fifty people on Saturday, July 26, 2014 from ten o'clock in the morning until dusk.

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

RESOLVED, That Patricia Tobin be and hereby is granted permission to use Shore Park on Saturday, July 26, 2014 from ten o'clock in the morning until dusk.

RESOLUTION AUTHORIZING THE MAYOR TO SIGN ABSTRACT OF VOUCHERS NUMBERS 20459- 20575

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 20459-20575.

PUBLIC COMMENT

Willing Biddle, Urstadt Biddle, said that he represented the Gristedes shopping center and asked about signage for Manor Market. He would like some direction because the tenant would like to get moving.

Mayor Sellier said that Manager Pierpont will consult with the Village Planner and then present it to the Board for approval.

EXECUTIVE SESSION

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

RESOLVED, That the Board be and hereby is authorized to conduct an Executive Session to discuss the following;

Personnel Matter

No action was taken in Executive Session.

ADJOURNMENT

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

Clerk