

BOARD OF TRUSTEES
November 24, 2014

PRESENT: Mayor Sellier
Trustee Schwarzfeld
Trustee Vandenberg
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 NOVEMBER 10, 2014 REGULAR MEETING

The Mayor asked if there were any comments or questions on the minutes. There were no comments or questions.

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

RESOLVED, That the minutes from the November 10, 2014 Regular Meeting be and hereby are approved.

REPORTS

The Village Treasurer said that there was nothing especially noteworthy in the monthly report. He said that he is keeping a close eye on the revenue side and noted that everything is on track on the expenditure side of the budget.

The Board thanked the Village Treasurer for his report.

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

RESOLVED, that the report be and hereby is accepted.

RESOLUTION TO RESCHEDULE DECEMBER BOARD MEETINGS TO DECEMBER 15, 2014

Trustee Vandenberg noted that he has a conflict that evening that he cannot cancel. All other board members will be available for the meeting. Mayor Sellier said that in light of the festive season only one meeting will be held in December.

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

RESOLVED, That December Board meeting be and hereby is rescheduled to December 15, 2014.

RESOLUTION TO SCHEDULE PUBLIC HEARING ON THE CANAL ROAD URBAN RENEWAL PLAN FOR DECEMBER 15, 2014

Mayor Sellier said that this was a very important project. The Planning Board reviewed the Plan and had a few comments that focused on the Greenway and bulkhead restoration.

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

RESOLVED, That the Public Hearing on the Canal Road Urban Renewal Plan, with amendments, be and hereby is scheduled for December 15, 2014 at eight fifteen in the evening.

RESOLUTION TO SCHEDULE PUBLIC HEARING ON LOCAL LAW 5 OF 2014 REGARDING THE MAINTENANCE OF SIDEWALKS AMENDING SECTION 157-5 OF THE CODE OF THE VILLAGE OF PELHAM MANOR

Mayor Sellier said that that the Village has been plowing sidewalks when there is four inches or more of snow. If the amount of snow is less than four inches there is some uncertainty about the maintenance. Ice can build up and create a dangerous condition. The proposed local law is to amend the code to require safe passage within twenty four hours after a snowfall stops. The Mayor said that the Board will have at least two public hearings on this issue to make sure the Board is able to hear from everyone.

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

RESOLVED, That a public hearing on Local Law 5 of 2014 regarding the maintenance of sidewalks amending Section 157-5 of the Code of the Village of Pelham Manor be and hereby is scheduled for December 15, 2014 at eight fifteen in the evening.

MONUMENT/PYLON SIGN FOR STORAGE POST

Manager Pierpont said that he was waiting for additional information to come in on this application and asked that no action be taken this time.

MONUMENT/PYLON SIGN FOR DOLLAR TREE

The Tenant Sign Design Criteria was amended to allow for a minor deviation in the height of the structure. With that amendment, the sign is now ready for approval.

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

RESOLVED, That the monument/pylon sign for Dollar Tree be and hereby is approved.

RESOLUTION AUTHORIZING THE MAYOR TO SIGN ABSTRACT OF VOUCHERS NUMBERS 20913-20968

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 20913-20968.

PUBLIC COMMENT

Mayor Sellier said that he saw Robert Walder, 490 Monterey Avenue, in the audience and said that Mr. Walder and a representative from Urstadt Biddle met for an hour and Urstadt Biddle agreed to plant eight to ten foot trees and install a six foot stockade fence which may be raised to eight feet and they will put some material along the bottom to prevent litter.

They want to re-use the stockade fence and John Cannon from Urstadt Biddle will look at the rear façade to make it look a little more attractive.

Trustee Annunziata suggested landscape railroad ties be used to raise the area. He thought that this would make it more level and the trees would have a better chance of survival.

The wall was designed for certain lateral loads, but it should be investigated to make sure it could handle the additional weight.

Manager Pierpont said that the current site plan calls for grasses. The Board could approve the eight foot trees and railroad ties and ask Urstadt Biddle to come back with a plan. The trees stay columnar and eight foot trees have a good chance of thriving.

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

RESOLVED, That the site plan be and hereby is amended by substituting eight to ten foot pinus strobus fastigiata for the grasses to be planted at the top of the wall with the following conditions:

The wall will be vertically extended two feet using 8x8 landscaping ties thereby creating level planting bed for the trees and eliminating the potential for erosion of the planting area.

Urstadt Biddle will submit a fencing plan that increases the height of the fence at the top of the wall to a minimum of eight feet and eliminates any light from automobiles shining between the slats.

Urstadt Biddle will submit plans by January 31, 2015 showing architectural improvements to the rear façade of the building for Board of Trustees approval.

Bollards will be set along the curb line in a manner that will minimize the potential for automobiles to crash through the fence and over the wall.

Gianni Magnani, 435 Carol Place, spoke about the proposed local law on snow removal. He also commented that we're approaching the time when snow will be falling and the next Board meeting is scheduled for December.

The Village has received complaints from people and it is important to clarify responsibility.

Trustee Schwarzfeld said the plow broke down last year.

Manager Pierpont said the Village has one working plow and recently bought one for spare parts.

Trustee Winston asked how many villages provide sidewalk snowplowing.

Mayor Sellier said that it is an unusual service that is offered, but no one likes to take anything away.

Gianni Magnani said that his concern was with the date – the timing of this proposed law.

Maggie Klein, editor of The Pelham Weekly, noted that the proposal doesn't say anything about multi-family or commercial properties.

She was told that those properties are already covered.

Maggie Klein asked about fines and was told that the fines could be up to two hundred fifty dollar per violation per day.

Anthony Marrella, 103 Iden Avenue, asked about legal responsibility for a slip and fall.

Attorney McLaughlin said that this would not change liability in any way.

Mr. Marrella handed out an article to the Board on affordable housing.

Mayor Sellier said that the Second Circuit and Fifth Circuit have taken different views and the Supreme Court will take the case.

Robert Walder, 590 Monterey Avenue, said that he met with John Cannon from Urstadt Biddle. He said that bigger trees have been dropped off. He also said that the Village Code should be changed so that adjacent homeowners are given specific notice about a project of this magnitude. He said that he would

have come to board meetings and made his views known if he had received notice about this project. He also said that this “minor” site plan amendment has been going on for three months.

Mayor Sellier suggested that Attorney McLaughlin draft an amendment to the Code, but Attorney McLaughlin said that it was tricky because a number of accommodations have been made.

Robert Walder said that he would try drafting the change.

Manager Pierpont said that this could be done for applicants requesting site plan approval. Physically contiguous properties could be notified. A legal notice would be published in the newspaper. He said that physically contiguous property owners are notified by certified mail about Zoning Board applications and a legal notice is published in the paper. This could be handled like the Board of Appeals applications. He said that he would take care of this.

Mr. Walder asked about the adjoining property owners and the Mayor said that if it’s a big enough deal they’ll tell their neighbors.

Anthony Marrella, 103 Iden Avenue, asked who was responsible for the vegetation and was told Urstadt Biddle.

Gianni Magnani, 435 Carol Place, asked who would determine the depth of snow in the proposed local law on the maintenance of sidewalks.

EXECUTIVE SESSION

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

RESOLVED, That the Board of Trustees 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