

BOARD OF TRUSTEES
December 15, 2014

PRESENT: Mayor Sellier
Trustee Schwarzfeld
Trustee Winston
Manager Pierpont

ABSENT: Trustee Vandenberg
Trustee Annunziata
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. He asked for a moment of silence for Harold Barnett, a long time resident and father of Village employee Maryalice Barnett, who died earlier this evening.

PUBLIC HEARINGS

The Public Hearing on the Canal Road Urban Renewal Plan was postponed because of a procedural issue. It will be re-scheduled tonight during the Regular session of the Board.

The Mayor opened the Public Hearing on proposed Local Law 5 of 2014 regarding the maintenance of sidewalks, amending Section 157-5 of the Code of the Village of Pelham Manor. He commented that the Pelham Weekly reported that the fines would be two hundred fifty dollars. The Mayor said that there would be a series of warnings prior to any fine being issued and the fine, or fines, would be much lower than two hundred fifty dollars while the residents get used to this. He said that the maximum fine would be two hundred fifty dollars.

Mayor Sellier read a letter from Tom Imperato, 648 Timpson Street, who was in favor of passing proposed Local Law 5.

John Warner, 527 Fowler Avenue, spoke about people who are away when it snows and urged the Board not to pass the proposed law.

Maureen McMahon, 567 Manor Lane, expressed concern for senior citizens. She said that her eighty nine year old mother lives on Townsend Avenue. She was concerned how this change would affect her mother. She suggested that high school students might be able to clear sidewalks for community service credit. She asked the Board of Trustees to reconsider the passage of this local law.

Mayor Sellier and Trustee Schwarzfeld thought that using snow shoveling toward community service credit was worth exploring and suggested that Mrs. McMahon contact the school to see if they would be interested in her proposal.

Gianni Magnani, 435 Carol Place, asked why this proposed law was being brought up at this time. He asked what precipitated this action.

Mayor Sellier said that he has received many complaints similar to Mr. Imperato's.

Anthony Marrella, 103 Iden Avenue, said that this seemed like a done deal and he did not feel that this change should be adopted for Pelham Manor. He asked how many letters the Village has received on this issue and asked how many claims the Village has received from people slipping and falling on the snow. He said that he has lived in Pelham Manor for fifty three years and this has not been a problem for the Village.

Mayor Sellier suggested that good neighbors would shovel the sidewalks automatically. The Mayor said that the sidewalks traditionally have been the Village's responsibility. The proposed law is meant for snow removal. It is not intended to impose obligations on residents for the condition of the sidewalks.

Robert Walder, 590 Monterey Avenue, said that the law should be clarified that this only applies to snow.

Jim McMahon, 567 Manor Lane, said that he was a thirty six year resident of Manor Lane and that he was not in favor of the change in the law. He commented that over the years he has seen a number of services diminish. He said that there used to be garbage pickup three times a week and street paving was done every two or three years. Now garbage pickup is twice a week and his street hasn't been paving in many years. He said that he saw this law as a waste of taxpayers' dollars and as a means for the Village to collect fines.

Robert Walder said that there should be exceptions for holidays.

The Mayor said that this law would require the snow to be cleared twenty four hours after the snow stops.

The Mayor asked the Board to consider keeping the Public Hearing on proposed Local Law 5 open until the next Board meeting on January 12, 2015.

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

RESOLVED, That the Public Hearing on Local Law 5 be and hereby is held open until January 12, 2015.

REPORTS

Mayor Sellier discussed the monthly report with Chief Mosiello. He said that it was a very busy month. He asked the Chief about the number of packages being stolen from cars and houses.

The Chief said that the license plate number was fed into Westchester County's Intel Center. The system was able to help the Village's detective unit catch the criminal. Detective Sergeant Carpenter and Detective Sean O'Connor arrested the person who was charged with one count of burglary and four counts of larceny. He went to the Westchester County jail.

Post Road Plaza and Pelham Manor Shopping Center were a source of activity for the police department.

Mayor Sellier said that we may need to go back to the developers to remind them of their responsibilities. He said that the Village has had a number of crime and aided cases there.

The Board thanked the Police Chief for his report.

Trustee Schwarzfeld discussed the monthly Fire Report with Chief Ruggiero. It was a busy month for the department.

The Chief said that there was a mutual aid call as well as a few accidents. There was a cooking fire and the water mains were under increased pressure because of the change in the weather.

It was also noted that former Mayor Steve Rooney had a propane tank that caught fire. He was burned when he tried to put out the fire. The Chief suggested that people call the Fire Department in case of a propane/cooking fire.

The Mayor noted that two firefighters each took a sick day, but attendance was still very good.

All commented that the Annual Inspection dinner was very nice.

The Board thanked the Chief for his report.

The Treasurer's report on page twenty two showed a second payment for the sales tax. The revenue number for sales tax will be met, but the revenue projection for the mortgage tax will fall short.

Mayor Sellier asked about a typo on page twenty one of the report. He noted the budgeted amount was eleven million seven hundred ninety eight million six hundred fifty eight dollars but twenty three million dollars was reported. The Treasurer said that was a formula mistake that will be corrected.

The Village Clerk's report showed three hundred pages of records and thirty three dog licenses issued. After discussion and upon motion duly made and seconded, it was unanimously

RESOLVED, that the reports be and hereby is accepted.

MINUTES FROM THE NOVEMBER 24, 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 24, 2014 Regular Meeting be and hereby are approved.

Mayor Sellier recognized Jennifer Lapey, 95 Witherbee Avenue, who was in the audience. Ms. Lapey was a co-chair of the Mayor's Committee on Retail Zoning. She said that this was in the better late than never category when she produced the report the Committee had compiled. She said that there had been a lot of discussion and revision.

Mayor Sellier said that he was pleased that the Committee had been able to produce a summary prior to the last public hearing on the zoning issue. He said that this will be a very useful document for the future and he said that he knew that a lot of time and thought went into the report.

Ms. Lapey said that it was a wonderful group of people.

SPECIAL PERMIT TO ALLOW NEW AUTOMOBILES AND SUV'S TO PARK ON THE FORMER IMPERIA BROTHERS PROPERTY

The Board issued a special permit last year to allow new cars to be parked there. Manager Pierpont said that this permit will not interfere with the Village's plans for the area. The permit will be valid until October 2015. The renewal fee is twenty five thousand dollars.

Mayor Sellier questioned whether it would interfere with the Village's plans and was told that it would not.

The Board agreed to grant the special permit.

RESOLUTION TO APPROVE SIGN PACKAGE FOR DAVE & BUSTER'S - WALL SIGN ONLY

Based on the note from the Village's planning consultants, amendments to the Tenant Sign Design Criteria are required. The first amendment would allow the additional sign and then the Board would approve the sign if desired. The amendment would be to the TSDC to allow the appointed wall sign on the north elevation. The pylon sign is not in front of the Board for approval tonight.

Mayor Sellier suggested that, in the interest of time, the sign panel for Dave and Buster's be conditionally approved as long as they follow AKRF's requirements.

Trustee Schwarzfeld asked if the Village wanted to allow window graphics for other stores and was told yes if they are appropriate.

Trustee Schwarzfeld asked what would stop Modell's r Fairway from doing that and was told that Modell's has a second floor, but Fairways does not.

Trustee Schwarzfeld was concerned that it might be too busy.

It was noted that the Board has final approval over all the signs. After discussion and upon motion duly made and seconded, it was unanimously

RESOLVED, That the sign package for Dave & Buster's - wall sign only, be and hereby by is approved and be it further

RESOLVED, That the remainder of the sign package be and hereby is conditionally approved provided they follow the requirements of the Village's planning consultant.

MONUMENT/PYLON SIGN FOR STORAGE POST

A minor amendment for the monument/pylon signs in Pelham Manor Shopping Plaza was previously approved by the Board of Trustees. The sign can now be approved.

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

RESOLVED, That the monument/pylon sign for Storage Post be and hereby is approved.

RESOLUTION STATING THE POLLING PLACE AND THE HOURS THE POLLS WILL BE OPEN ON MARCH 18, 2015

WHEREAS, The next General Village Election will be held on Wednesday, March 18, 2015 and

WHEREAS, The Board of Trustees must designate by Resolution the polling place and the hours the polls will be open,

NOW, THEREFORE, BE IT RESOLVED THAT

The Board of Trustees designates the Fire Headquarters, 4 Penfield Place, Pelham Manor, New York as the polling place and that the polls be and hereby will be open between the hours of 6:00 a.m. and 9:00 p.m.

RESOLUTION AUTHORIZING THE MAYOR TO SIGN ABSTRACT OF VOUCHERS NUMBERS 20969-21062

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 20969-21062.

PUBLIC COMMENT

Robert Walder, 590 Monterey Avenue, spoke about the wall construction at Manor Market. He presented photographs to the Board.

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

