

BOARD OF TRUSTEES
March 9, 2015

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

ABSENT: Trustee Vandenberg

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. The Mayor asked for a moment of silence in memory of Lora Annunziata the wife of Trustee Annunziata who died on February 19th. The Mayor said that she was a lovely person and leaves the legacy of her wonderful family.

MINUTES FROM THE FEBRUARY 9, 2015 PUBLIC HEARING AND FEBRUARY 9, 2015
REGULAR MEETING

The Mayor asked if there were any comments or questions on the minutes.

Trustee Schwarzfeld commented that on page three in the regular meeting minutes the word insanitary should be changed to unsanitary.

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

RESOLVED, that the minutes from the February 9, 2015 public hearing and the February 9, 2015 regular meeting be and hereby are approved as amended.

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Fire Commissioner Schwarzfeld discussed the monthly fire report with Captain Treacy. February was a busy month with forty five alarms. There were no fire losses.

Commissioner Schwarzfeld commented on how many types of jobs the fire department performs in addition to fighting fires. He said that they helped get someone out of a stuck elevator, worked on water conditions and downed wires, and had four mutual aid cases.

The Board thanked the Captain for his report.

The agenda listed a Village Treasurer's report, but there was no report for this meeting.

The Village Clerk said that there was nothing unusual to report. Thirty three dog licenses and sixteen building permits were issued and two hundred copies were made during the month.

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

RESOLVED, That the Fire and Village Clerk's reports be and hereby are accepted.

PLANNING BOARD APPOINTMENT - JENNIFER FROST GARROW

Mayor Sellier said that Jennifer Frost Garrow has been a life-long Pelham Manor resident. She is a

graduate of the University of Virginia and Columbia University and has a background in the investment banking industry. The Mayor said that she will make a great addition to the Planning Board which will be very busy in the upcoming months.

He said that she will be sworn in at the next Board meeting.

ADMINISTER OATH OF OFFICE TO POLICE LIEUTENANT JEFFREY B. CARPENTER

Mayor Sellier gave a brief background on Jeffrey B. Carpenter. He joined the Village Police Department in 1998 after he transferred from the White Plains Police Department. From patrol, he was promoted to the detective division and became a Sergeant in 2010 and a Detective Sergeant in 2013. He has made many significant arrests and has received numerous commendations and citations for excellent police work.

Mayor Sellier administered the Oath of Office and all those in attendance congratulated Lieutenant Carpenter.

RESOLUTION CREATING A BOARD TO ACT AS POLICE COMMISSIONERS OF THE VILLAGE OF PELHAM MANOR

Mayor Sellier said that the Village Board was forming a Board of Police Commissioners and the member of the public being appointed was Rodney Davis. The Mayor said that the background for this action was quite clear. Mayor Sellier said that in March of this year two police officers were engaged in inappropriate conduct and were offered the choice of resigning or retiring. They then campaigned to receive benefits to which they were not entitled. They then handed over materials alleging ticket fixing by the Police Chief. The charge was not substantiated. They then released a series of e-mails from 2011 from the Police Chief. The Chief received and forwarded these e-mails from his personal computer. The Chief admitted that he forwarded the e-mails and received serious discipline for his actions. The two officers still did not get what they wanted, and released the e-mails to the public. These two officers were removed from the police department because of their perjury and actions against an African American man. The Board of Trustees is creating an advisory board which will have free reign to investigate matters dealing with police and take any steps to improve policing in Pelham Manor.

Mayor Sellier then read the following Resolution.

BE IT RESOLVED by the BOARD OF TRUSTEES OF THE VILLAGE OF PELHAM MANOR that, pursuant to section 5711 -q of the Unconsolidated Laws of the State of New York and the Village Law sub section 4-412, the Board of Trustees hereby creates a Board of Police Commissioners to advise the Board of Trustees with respect to the exercise of its authority over the police department pursuant to section 5711-q of the Unconsolidated Laws of the State of New York and otherwise.

BE IT FURTHER RESOLVED by the BOARD OF TRUSTEES OF THE VILLAGE OF PELHAM MANOR that the Board of Police Commissioners shall consist of the Mayor, who shall serve during his or her tenure in such office; the Village Manager who shall serve during his tenure in such office; a Village Trustee, who is appointed by the Board of Trustees for a term concluding at the end of the official year in which he or she is appointed; and a resident of the Village of Pelham Manor who is not a current or former elected official, appointed official, or employee of the Village of Pelham Manor, who is appointed by the Board of Trustees for a term concluding at the end of the official year in which he or she is appointed.

BE IT FURTHER RESOLVED by the BOARD OF TRUSTEES OF THE VILLAGE OF PELHAM MANOR that nothing in this resolution shall be deemed to supersede any local law of the Village of Pelham Manor.

RESOLUTION TO APPOINT RODNEY DAVIS TO THE BOARD OF POLICE COMMISSIONERS

Mayor Sellier said that Rodney Davis was the resident who was going to be sworn in tonight. He said that Mr. Davis was a member of the FBI from 1967 until 2001. He has expertise in white collar crime. In 2001 he formed his own business.

Mayor Sellier then administered the Oath of Office to Rodney Davis. All those in attendance congratulated Mr. Davis on his appointment to the Board of Police Commissioners. The Mayor asked Mr. Davis if he would like to say a few words.

Rodney Davis introduced himself to the community. He said that he has been a resident for more than thirty years and worked for the F.B.I. for over thirty years. His work included criminal investigations, fraud, and civil rights. He said that was a National Football League security representative for the New York Jets and was the number four Chief in the New York Police Department. He said that he would like to assist the Village of Pelham Manor as a resident and as someone who cares about the community. He wants to see Pelham Manor go in the right direction because it is a wonderful community and we don't want anyone to say otherwise. He said that he will assist in finding the right person for Police Chief.

PRESENTATION BY ADI ALTMARK RE: CANAL ROAD DEVELOPMENT

Adi Altmark said that it has been about six or seven weeks since the Urban Renewal Plan was adopted by the Village. He said that the plan is to develop the property in two phases. Mr. Altmark said in Phase I he and Vincent Rusciano would develop the property. The property would be developed in a comprehensive manner. There would be an orderly redevelopment.

Trustee Annunziata asked about the number of owners in Phase I and Phase II and was told that currently five owners are on board. He said that Phase II is controlled by another party.

Trustee Annunziata asked if there was enough parking without the other owners. Mr. Altmark said that as of right they believe that they do have enough parking.

Mr. Altmark was asked for the square footage of Phase II. He said that he didn't take that into account because he was not doing a presentation of Phase II. He said that the other owners would have to discuss that.

Sara Whitney, Pelhamdale Avenue, asked about the type of stores that might be built and was told by Mr. Altmark that he can't tell her a specific store. He said that he has experience working with retailers.

Anthony Marrella, 103 Iden Avenue, asked where the Imperia property was located and was told that property is in Phase II.

Rob Beyer, said that he spoke at a past Board meeting. He commented that Phase II is not drawn to scale. He said that the current plan called for one hundred forty thousand square feet and the plan proposed by AKRF called for one hundred seventy five thousand square feet which he thought was a better plan.

Adi Altmark said that the esplanade would be addressed with the Village he also said that he believed AKRF's plan would limit access to some properties in Phase II.

Rob Beyer, spoke about egress, ingress and drive aisles. He also expressed reservations about trying to develop the site without the former Bass property. He said his comments did not include the Suhair property.

Brendan Cahill, 400 Wynnewood Road, expressed concern that this proposal would place an additional burden on the police and fire departments. He wanted to know who would pay for this additional Burden.

Mayor Sellier said that this project is extremely important to the Village.

Trustee Schwarzfeld thought that the Suhair property should continue discussion.

The Mayor said he wants to switch property tax burden away from residential property tax payers.

Mayor Sellier and the Board thanked Mr. Altmark for the presentation.

INTRODUCTION OF LOCAL LAW 1 OF 2015 – TEXT CHANGE IN ZONING CODE CHAPTER 210-15 (8) TO ALLOW FAST CASUAL DINING IN THE BUSINESS 2 DISTRICT

This local law would allow a text change in the Business 2 District zone to allow Panera Bread to come to the Village.

SCHEDULE PUBLIC HEARING ON LOCAL LAW 1 OF 2015

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

RESOLVED, That a Public Hearing on Local Law 1 of 2015 be and hereby is scheduled for March 23, 2015 at 8:15 p.m.

DISCUSSION ON LETTER FROM MIRAL REALTY, 919 WEST STREET, REGARDING ZONING OF PROPERTY

Val Rodrigues, 919 West Street, sent a letter to the Village Manager because a potential client is interested in leasing twenty five hundred square feet of warehouse space on the second floor of 919 West Street for use as a recording studio. This would require a special permit. If the Board is interested in having this proposal reviewed by the Village’s planning consultant, it could set a review deposit at the next meeting.

Mayor Sellier didn’t think that three people recording in a studio with bands from time to time was a major issue.

Trustee Schwarzfeld had a concern about the parking available for this proposed use.

Val Rodrigues said that the second level has twenty parking spaces.

The Board was in favor of setting the review deposit at the next meeting and having the planning consultant review the plan.

REQUEST FROM HUGUENOT MEMORIAL CHURCH TO HOLD ANNUAL 5K/3.1 MILE RUN ON APRIL 25, 2015 TO SUPPORT MISSION TRIPS FOR THE AREA’S YOUTH

Rev. G. Jacob Bolton, Associate Pastor at Huguenot Memorial Church, sent a letter requesting permission to hold a 5K/3.1 Mile Fundraiser race on Saturday, April 25th. The goal is to help raise funds for two mission trips which would provide students with the opportunity to serve communities in need.

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

RESOLVED, that the request from Rev. G. Jacob Bolton, to hold the Annual 5K/3.1 Mile Run on April 25, 2015 be and hereby is approved.

PARK USE REQUEST

Rev. G. Jacob Bolton, Huguenot Memorial Church, requested the use of Shore Park on Easter Sunday, April 5, 2015, from 6:00 a.m. until 7:00 a.m. for a Sunrise Service.

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

RESOLVED, That the Rev. G. Jacob Bolton be and hereby is granted permission to use Shore Park on Easter Sunday from 6:00 a.m. until 7:00 a.m. for a Sunrise Service.

RESOLUTION AUTHORIZING THE MAYOR TO SIGN ABSTRACT OF VOUCHERS NUMBERS
21210--21291

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
21210-21291.

PUBLIC COMMENT

Elizabeth Naclerio D'Onofrio, 946 Esplanade, read a letter about the forced retirement of Police Chief Alfred Mosiello. She spoke about the disgruntled employees that helped engineer this situation through intimidation and the use of a slanderous blog, the Facebook group that she believes now runs the Village, and the lack of support the Chief received from Village Board. She felt the Board should have defended the Chief sooner. He admitted his mistake and agreed to the punishment by the Board and then was forced to resign. She said that Chief Mosiello did a good job for the Village.

Mayor Sellier said that the situation with Chief Mosiello was tragic. He said that he agreed that he was functioning as a good chief, but he had some bad actors in the Police Department. He said that, in his opinion, when the Chief forwarded the e-mails that gave them his imprimatur. He used very bad judgment in forwarding derogatory e-mails to police officers. The Mayor said that the Board tried to steer a middle course. Once the e-mails were released it was impossible for him to continue.

Elizabeth Naclerio D'Onofrio commented that the former employees win.

Trustee Schwarzfeld said that in essence they do win.

Mayor Sellier commented that he was extremely disturbed by the vicious, contemptible lies that are being circulated about the Village Manager by despicable cowards. He said that John Pierpont is one of the finest public servants and that it is a shame that he and his family are subjected to nonsense from these cowards who write these anonymous blogs.

Elizabeth Naclerio D'Onofrio asked about the responsibilities of the Board of Police Commissioners. She wanted to know if it was going to go beyond finding a new police chief and a divided department.

Mayor Sellier said that the commission has a very broad mandate. Leadership is important. He said that Al Mosiello did try to lead.

Allee Manning, The Pelham Weekly, asked if the Board of Police Commissioners was permanent.

Trustee Annunziata said that it is an advisory board to the Board of Trustees. The elected board will make final decisions.

Bob Bennett, 468 Pelhamdale Avenue, said that he had not seen any of the blogs, but thought that the Chief did the right thing in leaving. He said that the leader is responsible. He said that someone hired the two disgruntled police officers. He suggested that there might be something wrong with the hiring process.

Elizabeth Naclerio D'Onofrio said that she thought the Police Chief was a fall guy.

Tony Marrella, 103 Iden Avenue asked about the status of the former Mobil gas station on Boston Post Road.

Mayor Sellier said that the Village has not received any new development plans for the site.

Tony Marrella asked about the status of the snow removal law for sidewalks.

Mayor Sellier said that will be for the new Board to decide. The Mayor said that it was his decision to retire from office and he wished everyone well.

Michelle DeLillo, Peace Street, asked if the Board of Police Commissioners was replacing the Police Commissioner.

Mayor Sellier said the Board of Trustees has primary oversight and everyone has one vote. That will continue. He said he assumed that the Trustee appointed to the Board of Police Commissioners would also be the Police Commissioner.

EXECUTIVE SESSION

No action was taken in Executive Session.

RESUME REGULAR MEETING

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

RESOLVED, that the Village Manager be and hereby is authorized to sign a confidential agreement regarding Alfred Mosiello.

ADJOURNMENT

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

Clerk