

BOARD OF TRUSTEES
August 17, 2015

PRESENT: Mayor Monachino Lapey
Trustee Schwarzfeld
Trustee Annunziata
Trustee McLaughlin
Attorney Cornachio
Manager Pierpont

ABSENT: Trustee Winston

PLEDGE OF ALLEGIANCE AND FIRE SAFETY ANNOUNCEMENT

Mayor Monachino Lapey led those assembled in the Pledge of Allegiance and notified those in attendance where the fire exits were located. Mayor Monachino Lapey informed those in attendance that Barbara Winston, mother of Trustee Winston, recently passed away and said that she was thankful that she was at peace. The Mayor said that we all mourn his loss.

The Mayor also noted that Alex Wolff from Pelham Plus will be leaving his position to work for a daily paper in Danbury. It was also noted that Police Sergeant Timothy DeSantola retired in July. Trustee Winston has resigned from the Board of Trustees because his current business schedule has him traveling out of town frequently. The Mayor said that she found him to be a hard worker and she and the Board wish him the best. She said that this volunteer position does not work for him right now. She said that she would miss him.

MINUTES FROM THE JULY 13, 2015 REGULAR MEETING

It was noted that a word was missing from the heading in the paragraph on the Community Color Run. The word will be inserted into the minutes.

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

RESOLVED, That the minutes from the Regular Meeting on July 13, 2015 be and hereby are approved as amended.

REPORTS

Police Commissioner Annunziata discussed the report with Chief Carpenter. The Commissioner said that it was a busy month.

The report listed one aided case a day, and two warrant arrests - for pick pocketing and burglary. Police Chief Carpenter said that burglary was from at least two years ago. He said that a misdemeanor can bring a five year sentence and a felony can be longer.

The Police Commissioner said that if shoppers paid attention to belongings such as purses and the potential for identity theft the police report would be half as busy.

The Board thanked the Chief for his report.

Fire Commissioner Schwarzfeld discussed the report with Chief Ruggiero. It was a typically busy month with no fires.

The Fire Chief reported that on July 20, 2015 the Department was dispatched to Mount Vernon for a major structure fire.

Mayor Monachino Lapey commented on the excellent attendance record.

The Chief noted that on July First an animal problem was reported. He said that the department does not respond to animal problems because they cost man hours. Residents are advised to call animal control.

The Mayor and Board thanked the Chief for his report.

The Village Treasurer said that the revenue for state mortgage tax is budgeted at one hundred seventy thousand dollars The first payment of sixty thousand dollars was received. The Treasurer said that the Village is probably not going to make that revenue projection.

The Mayor and Board thanked the Village Treasurer for his report.

The Village Clerk said the month was busy. Many contractors and residents got building permits during the month of July. He said that this revenue may come in above what was budgeted.

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

RESOLVED, that the reports be and hereby are approved.

PRESENTATION ON CANAL ROAD REDEVELOPMENT PROPOSAL

Mayor Monachino Lapey explained that this was the second of two proposals for Canal Road. This proposal was from JMF Properties and Glenco Group.

Glen Vetromile, a real estate developer and partner in Glenco Group LLC introduced several people and company names to the Board. Michael Fascitelli is the founder of MDF Capital LLC. Beinfield Architecture from Norwalk, Connecticut was also named a member of this group. The firm is known for designing restaurants and shaping destination shopping. Collin Grotheer, from Beinfield, said the firm was driven by ideas, culture and history. They specialize in a sustainable, walkable community. He showed two early development schemes, One fronts on Secor Lane and the river and the other shows a town square, a pedestrian walkway and farmers market. Water views on the canal, with two restaurants, would create a block and pedestrian traffic or there could be a more street feel with activity by the river. This would generate foot traffic and the people would enjoy riverfront views.

Jeff Nable from Ripco said that they have three offices. Ripco represents many retail brands in every segment of the market. They represent eighty retailers and serve the tri state area. They are a regional as well as boutique firm. They currently represent RPAI center (BJ's). They worked with City Center when it was first built and for Ridge Hill when it was built. They have done a lot of retail leasing.

Manager Pierpont asked Glen Vetromile about working with Adi Altmark and was told the he has known the Weisfelds, who are partners with Adi Altmark, for a while. He said that they have had a lot of discussions and would like to find a way to work together. He said that there were bulkhead and sub soil issues. He said that there are many unknowns.

Trustee Schwarzfeld cited page eighteen of the proposal and questioned whether the Village was responsible for any environmental remediation.

Glen Vetromile said that they would have to find out what environmental issues, such as the bulkheads, exist. He said if it were millions of dollars, the Village would not bear the cost.

Rob Beyer, who presented the first Canal Road proposal, said that hard costs include bulkheads, roads and remediation.

Michelle DeLillo, 933 Peace Street, spoke about walkability.

Colin Grotheer said that one of the core values of his firm is access to and from the site. He said that they would have to study the area more, but walkability could be incorporated within the site and Secor Lane and maybe by the riverfront and up to the field.

Lester Kravitz, 1038 Peace Street, said that assuming the proposal is accepted for development as one unit, but the owners cannot reach an economic agreement, what happens next. He mentioned the Blight Study as a precursor to Eminent Domain.

A condemnation procedure goes through the appraisal process to establish market values. It is a transparent process.

Mr. Kravitz asked who would pay for the process.

Trustee Schwarzfeld said that this Board will not support paying anything toward that process.

Mayor Monachino Lapey and the Board thanked Glen Vetromile and his team for their presentation.

RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO SIGN INTERMUNICIPAL AGREEMENT (IMA) BETWEEN THE COUNTY OF WESTCHESTER AND THE VILLAGE OF PELHAM MANOR TO MITIGATE EXCESSIVE INFLOW AN INFILTRATION TO THE SEWER SYSTEM

Mayor Monachino Lapey spoke about the challenges facing the Village and its infrastructure. She said the issues were not new. She said that she reached out to County Legislator Jim Maisano and Manager Pierpont worked with other municipalities such as New Rochelle, Larchmont, and Mamaroneck. She said that we want to be good stewards of Long Island Sound. She said that the Village worked with Westchester County when the Village saw the first draft of this agreement. The Village was concerned with the severe language. We worked with the County Executive's office, the County Attorney and Deputy County Attorney on the consent order to reduce the inflow and infiltration in our apparatus. The Mayor said that the Village is at a juncture, but is very concerned with the cost. The Board has two options. It can vote for or against this agreement. It can run the risk of significant daily fines if it does not accept the agreement. The Village wants to be collaborative. Some modifications to the agreement are attached. The Board has to vote. All the other municipalities that were mentioned have signed.

Trustee Schwarzfeld asked about the time frames listed in the agreement. Some have already passed.

Manager Pierpont said that the SSES (Sewer System Evaluation Study) was on time to the County on April 1, 2015. The Village will hit the second deadline in September.

Trustee Schwarzfeld said that paragraph seven requires the Village to submit a law on sanitary sewers and sump pumps and upon sale an engineer's report and lateral video.

Trustee Schwarzfeld said that paragraph eight allows the County to do whatever it wants.

Manager Pierpont said that we can agree to present something to the elected body.

Trustee Schwarzfeld asked if there would be penalties if the Village did not adopt a mandatory law.

Attorney Cornachio said that if the Village does not sign the agreement, there will be administrative proceedings and the Village will be exposed to fines.

Trustee Schwarzfeld said that the Village will probably be required to adopt something similar to paragraph seven. He asked about the cost.

Manager Pierpont said that there would be the cost for the certified engineer or plumber and the cost for the video tape of the lateral to the sewer main would cost between five and seven hundred dollars. It would also depend on what the video tape shows. If the sewer lateral is so defective, it may have

to be replaced. It can be lined so the resident won't have to dig up the yard.

Mayor Monachino Lapey said that the Village has to do a plan.

Manager Pierpont said that a local law will have to be presented to the Board. He said that the County will make the Village do that.

Trustee Schwarzfeld said that the Village does not have a choice. He wants the people to know what's coming down the road.

Mayor Monachino Lapey said that the Board was supposed to vote on this agreement in July. She said that she didn't think there was a choice and said that she didn't see it getting any better.

Trustee Schwarzfeld said that the consequences could be draconian for homeowners. He said that it was a tough agreement.

Trustee Annunziata said that a debt of gratitude was owed to Manager Pierpont.

Michelle DeLillo, 933 Peace Street, asked about a timeline for this.

Manager Pierpont said that it was an I/I issue not a capacity issue. Unlawful sump pumps in the basement, leaders and gutters hooked up to the sanitary sewer system exacerbate the problem. There are two overflow retention centers. This happens six times a year during storm events. A study was done in June 2013 and violations appeared. The SSES has to be completed and submitted to the County by June 30, 2017 and the Village has to agree to work with the County to address overflows and take remedial action.

Trustee Annunziata asked if the Village does inspections on a regular basis and was told that when a resident has an oil to gas conversion done, the building inspector looks for a sump pump to see how it's connected. For example, he checks to see if a hose goes to the laundry tub or directly to the sanitary sewer.

Michelle DeLillo, 933 Peace Street, made the point that I/I does take up capacity in the sewer. The pipe is designed to take sanitary flow. It's getting water it wasn't designed to take.

Trustee Schwarzfeld asked if there was certain number of gallons allowed and was told that one hundred fifty gallons per capita per day is the allowable limit.

Maggie Klein, PelhamPlus, asked about the amount of the fines and was told that in an administrative hearing the fine would be twenty five thousand dollars per day.

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

RESOLVED, That the Village Manager be and hereby is authorized to sign an Inter Municipal Agreement (IMA) between the County of Westchester and the Village of Pelham Manor to mitigate excessive inflow and infiltration to the sewer system.

Mayor Monachino Lapey said that the Board will try to do the best for Long Island Sound and the Village.

RESOLUTION FOR TAX CERTIORARI SETTLEMENT FOR 4344 BOSTON POST ROAD, LLC

This settlement has been ordered by the court. It reduces the assessment by eighty five thousand dollars for tax year 2013. The amount of the refund is eight hundred sixty nine dollars and nine cents.

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

RESOLVED, That Tax Certiorari refund for 4344 Boston Post Road, LLC in the amount of eight hundred sixty nine dollars and nine cents be and hereby is approved.

RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO SIGN AN EXTENSION OF 2014/2015 SNOW AND ICE AGREEMENT

Manager Pierpont said that New York State pays an annual fee to the Village for plowing the Post Road. The State pays a little extra in bad years. The Village will receive a few extra dollars.

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

RESOLVED, That the Village Manager be and hereby is authorized to sign an extension of the 2014/2015 Snow and Ice Agreement.

RESOLUTION TO AWARD BID FOR CONCRETE SIDEWALK RECONSTRUCTION

On August 13, 2015 the Village received three quotes for concrete sidewalk replacement. The bid results are listed below.

A. Palmieri Landscaping Company	\$ 7.49 per square foot
General Landscaping	\$11.00 per square foot
Detco Construction Inc.	\$13.50 per square foot

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

RESOLVED, that the bid for concrete sidewalk reconstruction be and hereby is awarded to the low bidder A. Palmieri Landscaping Company for seven dollars and forty nine cents per square foot.

RESOLUTION TO AWARD BID FOR TREE AND STUMP REMOVAL

On August 13, 2015 the Village received three quotes for tree pruning and removal. The bid results are listed below.

Manor Tree Company, Inc.	\$22,000
Almstead Tree and Shrub Care	\$34,906
Emerald Tree and Shrub Care	\$83,300

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

RESOLVED, That the bid for tree pruning and stump removal be and hereby is awarded to the low bidder Manor Tree Company, Inc. for twenty two thousand dollars.

PARK USE REQUESTS

Patricia Piraneo, 415 Manor Ridge Road, requested the use of Shore Park for her guest, Michael Vicenzi, and that he be allowed to have a birthday party for his daughter on Sunday, August 23, 2015

from two o'clock in the afternoon until seven o'clock in the evening.

Valeria Ndou, 1008 Peace Street, requested the use of Shore Park on August 30, 2015 from three o'clock in the afternoon until seven thirty in the evening for a barbeque/baby shower for her sister in law.

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

RESOLVED, that Patricia Piraneo and Valeria Ndou be and hereby are granted permission to use Shore Park.

Manager Pierpont said that he received a request that was too late to be on the agenda. Mrs. Hartmere from PACT asked to use Shore Park for a fundraising event. They wanted to have food trucks and amusements. Shore Park was not available for this type of event, but Weihman Park was offered as an alternative. The "Last Splash of Summer" would be held on Sunday, September 6, 2016 from three o'clock in the afternoon until seven thirty in the evening.

Trustee Annunziata noted that there was no estimate of the number of people who would attend the event.

Trustee McLaughlin said that this has not been done, but he thought it was a worthwhile experiment.

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

RESOLVED, That Virginia Hartmere, from PACT, be and hereby is granted permission to use Weihman Park for the "Last Splash of Summer" fundraising event on Sunday, September 6, 2015 from three o'clock in the afternoon until seven thirty in the evening.

REQUEST FOR STREET CLOSING

Elizabeth Lavin, 419 Fowler Avenue, requested that Fowler Avenue, between Witherbee and Colonial Avenues, be closed from four o'clock in the afternoon until eight o'clock in the evening on Monday, September 7, 2015 for an annual block party.

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

RESOLVED, That Elizabeth Lavin be and hereby is granted permission to close Fowler Avenue between Witherbee and Colonial Avenues from four o'clock in the afternoon until eight o'clock in the evening on Monday, September 7, 2015 for an annual block party.

RESOLUTION AUTHORIZING THE MAYOR TO SIGN ABSTRACT OF VOUCHERS NUMBERS 21727-21834

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 21727-21834.

PUBLIC COMMENT

There was no further public comment at this time.

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