

VILLAGE OF PELHAM BOARD OF TRUSTEES REGULAR MEETING
TUESDAY, JANUARY 22, 2008 – 7:30 PM
VILLAGE HALL – 195 SPARKS AVENUE, PELHAM, NY

MINUTES

- | | | |
|----|--------------------------------|---------------|
| 1. | Call To Order | |
| 2. | Pledge of Allegiance | |
| 3. | Mayor's Report | |
| 4. | Trustees' Reports | |
| 5. | Village Administrator's Report | Approximate |
| 6. | Public Comment | Starting Time |
| # | Agenda Items: | of |
| | Discussion | |

	Committee Reports	7:40 p.m.
7.	Pelham Post Office.	Discussed
8.	Website and Telecommunications initiatives.	Discussed
9.	Flooding Initiatives.	Discussed
10.	Environmental Initiatives.	Discussed
	Comprehensive Plan	8:15 p.m.
11.	Village of Pelham Comprehensive Plan. Closing the public hearing to public comment and input, in order to review all received comments and finalize the plan.	Hearing closed.
	Sign Code Change	8:45 p.m.
12.	Scheduling a Public Hearing on Draft Proposed Local Law to amend the Village Code to prohibit the placement of all temporary signs on public property.	Tabled.
	Land Use	8:55 p.m.
13.	Considering an application for a site plan authorization at 142 Monterey Avenue, by Murphy, for an addition.	Approved
	General Business and contracts	9:15 p.m.
14.	Considering a proposal by Community Markets to establish a Farmer's Market in Pelham.	Discussed; continued.
15.	Authorizing a grant application by the Village to the New York State Archives and Records Administration (SARA) program to implement a GIS system in the Village of Pelham.	Authorized
16.	Authorizing annual Memorandum of Understanding with the Westchester County Clerk's Office for remote access services for land and legal records (free to municipalities).	Authorized
	Housekeeping	9:45 p.m.
17.	Authorizing the Accounts Payable	Approved
18.	Old Business/New Business	None
19.	Minutes –December 18, 2007 and January 8, 2008	Approved Dec. 18 th
20.	Executive Session	Authorized
21.	Adjournment	Adjourned

Next Regular Board Meetings are Tuesdays February 5 and 19, 2008.

* All meetings start at 7:30 p.m. unless otherwise noted.

Agenda is subject to change.

VILLAGE OF PELHAM BOARD OF TRUSTEES REGULAR MEETING
TUESDAY, JANUARY 22, 2008 – 7:30 P.M.
VILLAGE HALL – 195 SPARKS AVENUE, PELHAM, NY

Item #1 – Meeting called to order: The meeting of the Board of Trustees was called to order by Mayor Edward Hotchkiss at 7:32 p.m.

The following members of the Board of Trustees were present:

Mayor Edward Hotchkiss, Trustees Homan, and Potocki. Trustees Greco, Lewis, and Morris arrived at 7:35pm. Trustee Weinstein was absent.

Village staff in attendance:

Administrator/Treasurer Richard Slingerland and Administrative Aide Devron Wilson,

Item #2 – Pledge of Allegiance:

The Pledge of Allegiance was led by Mayor Edward Hotchkiss.

Item #3 – Mayor's Report:

Mayor Hotchkiss reported that the Con Edison is requesting a \$1.9 billion increase in the delivery charge portion of its bills. Westchester County is receiving comments on this issue. Anyone who wants to submit comments may do so by calling the NYS PSC's opinion line at 1-800-335-2120 or by visiting www.askpsc.com.

Mayor Hotchkiss reported that representatives from Pelham Medical Group are scheduled within the next few days to present the Village with revisions to Phase 2 plans for the rock cliff remediation. Phase 2 consists of closing out Phase 1 and building a retaining wall behind the Pelham Medical Group building. He mentioned the materials are expected to be delivered to the Village on Thursday, January 24, 2008.

Mayor Hotchkiss reported he will be meeting with members of the Architectural Review and Planning Boards, and village staff, to review and streamline the site plan process.

Item #4 – Trustees' Report:

Trustee Greco reported the incident on Metro North involving a stow-away passenger who had climbed onto the roof of the train and who had been severely electrocuted (not killed) by the overhead train line power lines. He mentioned the Fire Department did a good job managing the scene until Metro North could cut off the power to the lines.

Trustee Potocki reported that Police Officer Sousa and Police Officer Polese apprehended a burglary suspect a few days ago. In the process of detaining the suspect, Officer Polese broke his finger. He is well now and back to work. Trustee Potocki reported that the Village along with Hutch School Staff and PTA have finalized the proposed parking and traffic configurations around Hutchinson Elementary School as part of the Safe Routes to School Program. The proposed parking and traffic changes will be on the Board of Trustees meeting agenda for February 5, 2008.

Trustee Homan reported that Colonial School Crossing Guard Nancy Fendrich passed away. She had retired a few years ago. Mayor Hotchkiss and Administrator Slingerland thanked her for her years of service to the village, and expressed the Village's condolences to her family.

Trustee Lewis and Trustee Morris had nothing to report that was not included in the agenda.

Item #5 – Village Administrator's Report:

Village Administrator Richard Slingerland reported that the tree in front of the Sanborn Map Building is deteriorated and split down the center, and as a safety measure it will have to be cut down by the end of this month. He mentioned that 5th Avenue between Willow Avenue and 7th Street will be closed for about a half a day while the contractors work to cut down the tree, which will take a day or two. Other trees will be planted in its place. Administrator Slingerland mentioned that the village will undergo an energy audit with the Power Authority on February 7, 2008. Mr. Slingerland also mentioned that the Westchester County Clerk's Office has offered to come to Pelham. The village will coordinate this affair. Administrator Slingerland further reported that Congresswoman Nita Lowey sent a press release to President Bush asking for funds for flood remediation in Westchester County. Mr. Slingerland also informed everyone that Former General Foreman Harry Pallet's retirement dinner is scheduled for Thursday, February 28, 2007 at The Davenport in New Rochelle, NY.

Item #6 – Public Comment:

Susan Mutti of 62 Highbrook Avenue mentioned that the pedestrian crosswalk signs that once were at Highbrook Avenue and Washington Avenue are gone. Administrator Slingerland informed everyone that the signs will be replaced.

Matthew Kaplan of 203 Cliff Avenue mentioned that the street lights near and around his home are not working correctly. The street lights turn on and off at odd times. He would like the village to review the situation. Mr. Slingerland informed everyone that he will have the Village DPW review the situation.

Item #7 – Pelham Post Office:

Mayor Hotchkiss reported that there was a phone conversation with representatives for the Post Office, himself, Rich, and Barbara Bartlett from the Architectural Review Board (ARB). Ms. Bartlett mentioned that the ARB still has some issues with the plan, in particular about the use of a stucco substitute, Exterior Insulation and Finish Systems (EIFS). The ARB feels that the EIFS material proposed by the Post Office tends to deteriorate quickly. The Post Office plans to ensure the quality and life span for the EIFS material. Mayor Hotchkiss mentioned that the Post Office has taken into account approximately 90% of the suggestions made by the ARB.

Christine Conroy of First Street asked the village if it could find out the hours of service for the post office. She also asked if there will be more parking than the few spots shown on the plan. Mayor Hotchkiss mentioned this same thing to the post office, and

also suggested using "Rock Park" for additional parking. Christine Conroy mentioned that traffic along 1st Street will increase as a result of the post office. She asked if a traffic study has been done since the last traffic study done by Ginsburg Development Corp (GDC). If not, she encourages the village to perform a traffic study now.

Susan Mutti of Highbrook Avenue suggested there will be more traffic along 1st Street as a result of the post office moving west down First Street. Post Office box holders may go elsewhere if the post office is not downtown. She also encouraged the village to revisit the notion of allowing parking in the lot behind the townhouse during off hours.

Matthew Kaplan of Cliff Avenue asked if the village had a say in the post office moving from 5th Avenue. Mayor Hotchkiss informed everyone that the village has discussed this matter with the post office for several years now. He mentioned that the Village had exhausted all of the alternative sites and the post office is set on moving to First Street.

Art Scinta of Cliff Avenue mentioned that the post office is highly important to the Pelham downtown. He informed everyone that Vermont has legislation in place that disallows post offices to easily move out of the downtown area of communities.

Trustee Lewis commented that Vermont communities are not similar to Pelham. Mayor Hotchkiss commented that the location on First Street is only 2-3 blocks off of the main street.

Phil Perrorazio of Manning Circle mentioned there other local communities such as Eastchester, Bronxville and Tuckahoe where the post office is not located in the center of the Downtown. Mr. Perrorazio suggested that the post office keep the post office boxes on 5th Avenue (in a retail store), and move their other operations to 1st Street.

Item #8 – Website and Telecommunications initiatives:

Administrative Aide Devron Wilson reported on his continuing follow up with Eddie Ganbaum of the Pelham High School Technology Department. He mentioned Mr. Ganbaum had promised to get back to the Village about the village website after January 28th. Mr. Slingerland reported that the village has a negotiating session with Verizon on January 29th to discuss Verizon's application to obtain a franchise to offer cable television services in the Village of Pelham.

Item #9 – Flooding Initiatives:

Mr. Slingerland mentioned that the Department of Environmental Conservation (DEC) is reviewing the village's suggestions for flood remediation. Mr. Slingerland further mentioned that the Westchester County Flood Summit is requesting additional flood information from the village in efforts to help the village with its flood remediation efforts.

Item #10 – Environmental Initiatives:

Administrator Slingerland reported that the village will participate in an electrical energy audit with the NY Power Authority on February 7, 2007.

Item #11 – Village of Pelham Comprehensive Plan. Closing the public hearing to public comment and input, in order to review all received comments and finalize the plan:

Mayor Hotchkiss and the Board commented that this was the last night for the hearing on the Village's Comprehensive Plan. They mentioned that the hearing had been opened for six (6) weeks, since December 4, 2007, allowing residents ample time to consider and make comment on all of the various issues and direction for the plan.

Lester Kravitz of 1038 Peace Street in Pelham Manor asked the village if the purpose of the comprehensive plan is to develop the downtown, and if it would include a strategy and vision for future development and redevelopment. Mayor Hotchkiss responded by stating that that the comprehensive plan is guide for future improvement in the village, and it also puts the village in a better position to submit for grants.

Trustee Potocki mentioned he had a few comments on language, including one to amend the plan to say that "the Village should prohibit additional drive thru businesses."

On the motion of Trustee Lewis, seconded by Trustee Homan, the Mayor and Board of Trustees voted unanimously at 9:05 p.m. to close the public hearing to further public comment and input, so that all of the comments could be reviewed, and the updated Comprehensive Plan could be finalized. The resolution was approved unanimously by vote of six in favor, none opposed. Trustee Weinstein was absent.

Item #12 – Scheduling a Public Hearing on Draft Proposed Local Law to amend the Village Code to prohibit the placement of all temporary signs on public property:

*After a brief discussion, the Board decided to table this issue.

RESOLUTION
SCHEDULING A PUBLIC HEARING
on a Proposed Local Law to amend the Sign Code
Chapter 77 of the Village Code
With regard to prohibiting temporary signs on public property

Item #13 – Considering an application for a site plan authorization at 142 Monterey Avenue, by Murphy, for an addition:

The architect for 142 Monterey Avenue gave a presentation about the proposed addition and alteration. Architectural Review Board member Barbara Bartlett and Planning Board Chairman Richard Veith spoke briefly about the proposed addition and alteration. Barbara Bartlett mentioned that the ARB had no problems with the plans. Richard Veith mentioned that the Planning Board had a problem with the chimney, but the ARB reviewed the chimney and it looks fine.

Mayor Hotchkiss asked the architect if he had any comments about the village's site plan review process. The architect said the Village should have a check-list of all the requirements for applicants to provide to help simplify the site plan process.

A motion was made by Trustee Greco, with a second by Trustee Potocki to adopt the resolution. The resolution was approved unanimously by vote of six in favor, none opposed. Trustee Weinstein was absent.

RESOLUTION
AUTHORIZING THE SITE PLAN FOR PROPOSED ADDITION
/ALTERATION(MURPHY)
AT 142 MONTEREY AVENUE

RESOLVED, that the application for a Site Plan to construct an addition/alteration is approved, based on the review and recommendations by the Planning Board and the Architectural Review Board; and

BE IT FURTHER RESOLVED, that conditions apply as follows:

1. That the addition/alteration must be built in accordance with plans received by the Village and approved by the Planning Board in their memo dated January 16, 2008;
2. That the addition/alteration must be built in accordance with plans received by the Village and approved by the Architectural Review Board in their memo dated December 12, 2007 ;
3. That Grading and Drainage on the sites as shown on the plans approved by the Planning Board and
4. All construction activity must comply with the Village Noise Ordinance and all construction activity must only take place on the days and times as per Village Noise Ordinance;
5. Any other actions deemed necessary by the Mayor, Village Administrator, Building Inspector, and other officials of the Village of Pelham.
6. That the application and permit shall remain subject to the continued jurisdiction of the Board of Trustees.
7. At no time may construction commence and not strictly adhere to the construction timeline this will be considered a violation of the Planning Board approval;

AND, BE IT FURTHER RESOLVED, that this application for a site plan by Murphy for 142 Monterey Avenue, is subject to the procedures, regulations and requirements of the Pelham Village Code and Pelham Building Department; and

BE IT FURTHER RESOLVED, that the Mayor, Village Administrator, Building Inspector and officials of the Village of Pelham are authorized to take the necessary and appropriate actions to effect this site plan approval.

The Architectural Review Board Memo follows, and is made a part of this approval resolution:

MEMO

Date: December 12, 2007

To: Village of Pelham Board of Trustees

From: Village of Pelham Architectural Review Board

Re: Application for rear addition at 142 Monterey Avenue

The Architectural Review Board (ARB) recommends that the Village of Pelham Board of Trustees (BOT) approve the application submitted by Michael Graves & Assoc, Inc for a two story addition at the rear of 142 Monterrey Avenue for Mr. & Mrs. Murphy.

Work shall be performed as shown on drawings A1, A1.01, A1.02, D1.01, D1.02, A2.01, A2.02, A3.01, A3.02, A3.03, A3.04 dated 11/30/07.

The Planning Board Memo follows, and is made a part of this approval resolution:

MEMO

Date: January 16, 2008

To: Village of Pelham Board of Trustees

From: Village of Pelham Planning Board

Re: 142 Monterey Avenue
Application for House Extension/Addition

The Village of Pelham Planning Board (PB) recommends that the Village of Pelham Board of Trustees (BOT) approve the application for Extension of/ Addition to the existing house.

Work shall be performed as shown on Project Drawings A 1.01, A 1.02, D 1.01, D 1.02, A 2.01, A 2.02 and A 3.01-04 dated January 11, 2008 by Michael Graves & Associates, Inc, Architect.

RV

Item #14 – Considering a proposal by Community Markets to establish a Farmer's Market in Pelham:

Miriam Haas, owner of Community Markets, spoke about her experience opening farmer's markets all across the Hudson Region. She mentioned that she started Community Markets in 1991. Since then her business has grown steadily over the years. She mentioned that she has plenty farmer's markets including Ossining, Tarrytown, Bronxville, and Larchmont. She mentioned she had just opened one in Brooklyn, in the "D.U.M.B.O." neighborhood.

Trustee Homan asked if she could consider having a Farmer's Market on a day other than a Sunday, and Mrs. Haas stated that since she had a limited pool of vendors to draw from, they would not agree to staff another Saturday market. Trustee Lewis asked if local vendors could participate. He mentioned his family was very interested in artisanal (hand-made) cheeses. Mrs. Haas said she was happy to work with the local community, and would let him know about the vendors. Trustee Lewis asked what Village services and costs might be required. Mrs. Haas gave a brief list of needs, as follows:

- no parking in the area, so the meters would have to be bagged Saturday evening to allow for early morning set-up on Sunday;
- barricades placed out for set-up on Sunday to close the road;
- a garbage receptacle or two, although vendors are required to take their own garbage away.

France DiVitto of 933 Washington Avenue in Pelham Manor supports the farmer's market. She usually visits the farmer's market in Larchmont.

Allison Douglas of Highbrook Avenue in Pelham Manor spoke on behalf of the Junior League. She mentioned that the Junior League supports the farmer's market and Junior League is willing to help in any way possible.

Barbara Bartlett of 314 Pelhamdale Avenue thinks that the farmer's market would be great for Pelham. She would like for it to open on a day other than Sunday.

Miriam Haas would like if the village could respond to her proposal for a Farmer's Market in Pelham by the middle February. Mrs. Haas said that would be fine.

Greg Breskin of 23 Monterey Avenue mentioned that there is an organization called Project for Public Spaces that recommends farmer's markets in communities.

* This topic was continued to the February 5, 2008 Board Meeting.

Item #15 – Authorizing a grant application by the Village to the New York State Archives and Records Administration (SARA) program to implement a GIS system in the Village of Pelham:

Trustee Greco asked if this was a 100% grant funding request. Administrator Slingerland said that while the Village had spent some monies to prepare for implementation, no matching funds are required other than staff time and a future commitment to continue the program.

A motion was made by Trustee Greco, with a second by Trustee Potocki to adopt the resolution. The resolution was approved unanimously by vote of four in favor, none opposed. Trustees Homan and Lewis weren't present at the time of voting. Trustee Weinstein was absent.

RESOLUTION

AUTHORIZING A GRANT APPLICATION TO THE NEW YORK STATE ARCHIVES AND RECORDS ADMINISTRATION, THROUGH THE LOCAL GOVERNMENT RECORDS MANAGEMENT IMPROVEMENT FUND, IN THE AMOUNT OF \$33,000 TO FUND THE IMPLEMENTATION OF A GIS DATA AND INFRASTRUCTURE MANAGEMENT SYSTEM FOR THE VILLAGE OF PELHAM

WHEREAS; The Village Board has identified that an Implementation Plan is needed to explore the benefits of Geographic Information Systems (GIS) in municipal operations and planning, and to maintain better maps and records of critical infrastructure, and of accidents, events and incidents that occur around the Village; and

WHEREAS; upon public bid and assessment of this initiative, funds are requested to complete the implementation of a Geographic Information System (GIS) for the Village of Pelham, based on the GIS feasibility study performed and funded with a SARA grant.

NOW, THEREFORE, BE IT RESOLVED; that the Mayor and Board of Trustees of the Village of Pelham authorize the submission of an application for a grant in the amount of thirty three thousand dollars (\$33,000) by the Village of Pelham to the New York State Archives and Records Administration (SARA); and be it

FURTHER RESOLVED; that the Village Administrator is authorized to submit the application, sign all the necessary documents and make all the appropriate and necessary assurances for this application.

Item #16 – Authorizing annual Memorandum of Understanding with the Westchester County Clerk’s Office for remote access services for land and legal records (free to municipalities):

A motion was made by Trustee Morris, with a second by Trustee Potocki to adopt the resolution. The resolution was approved unanimously by vote of four in favor, none opposed. Trustees Homan and Lewis weren’t present at the time of voting. Trustee Weinstein was absent.

RESOLUTION
AUTHORIZING ANNUAL MEMORANDUM OF UNDERSTANDING
WITH THE WESTCHESTER COUNTY CLERK’S OFFICE
FOR REMOTE ACCESS SERVICES
FOR LAND AND LEGAL RECORDS (FREE TO MUNICIPALITIES).

BE IT RESOLVED, that the Mayor and Board of Trustees of the Village of Pelham authorize the Village to enter into an agreement for the Village to have free remote access to land and legal records from the County Clerk’s Office, for village purposes, and authorize the Village Administrator to sign this agreement on behalf of the Village of Pelham.

Item #17 – Authorizing the Accounts Payable:

Trustee Potocki had performed the audit review of the accounts payable, and the Board asked their questions about the batch to be approved. All questions were answered.

A motion was made by Trustee Greco, with a second by Trustee Potocki to adopt the resolution. The resolution was approved unanimously by vote of six in favor, none opposed. Trustee Weinstein was absent.

RESOLUTION

WHEREAS, pursuant to Section 5-524 of the New York State Village Law, the Board of Trustees shall audit all claims against the Village.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Board of Trustees after audit of the following claims, authorizes payment for services rendered and materials received, for the following items that have been submitted to the Treasurer’s Office for payment and authorized by the Village Administrator:

<u>Fund Name:</u>	<u>Amount</u>
General Fund	\$173,186.33
Water Fund	\$ 568.00
Capital Projects Fund	\$ 4,810.10
Trust and Agency Fund	\$ 3,806.25
H3 Fund	\$0.00
TE Expendable Trust Fund	\$2,750.00
Grand Total	\$185,120.68

NOW, THEREFORE, BE IT RESOLVED, that this Board hereby approves payment of the above-mentioned claims and authorizes payment thereof.

Item #18 – Old Business/New Business: None.

Item #19 – Minutes –December 18, 2007 and January 8, 2008:

A motion was made by Trustee Morris, with a second by Trustee Greco to only adopt the minutes from December 18, 2007. The motion was passed unanimously by vote of six in favor, none opposed. Trustee Weinstein was absent.

Item #20 – Executive Session:

The Mayor asked for a motion to go into Executive Session to discuss personnel matters. On the motion of Trustee Lewis, seconded by Trustee Greco, the Board voted to go into Executive Session. The motion was passed unanimously by vote of six in favor, none opposed. Trustee Weinstein was absent.

Item #21 – Adjournment:

On the motion of Trustee Lewis, seconded by Trustee Greco, the Board voted to adjourn the public portion of the board meeting and go into Executive Session at 9:55p.m., to discuss personnel matters. The motion passed unanimously by vote of six in favor, none opposed. Trustee Weinstein was absent.

Respectfully submitted,

Devron Wilson, Administrative Aide

Richard Slingerland, Administrator/Deputy Clerk