

VILLAGE OF PELHAM BOARD OF TRUSTEES ORGANIZATIONAL MEETING  
AND REGULAR MEETING BUSINESS  
TUESDAY, APRIL 8, 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 |

	<b>Organizational Meeting Business</b>	<b>7:40 p.m.</b>
7.	Oath of Office for Elected Trustees by Judge Anthony Pasquantonio. Annual Organizational Meeting and Mayoral appointments to Boards, Committees, creation of Committees, and assignment of Board liaisons to the departments.	<b>Complete</b>

	<b>Regular Meeting Business</b>	
	<b>Committee Reports</b>	<b>8:00 p.m.</b>
8.	Website / Telecommunications (Verizon Fios, Website upgrades, E-mail notifications).	<b>Discussed</b>
9.	Flooding (Grants, Engineer Report, etc.).	<b>Discussed</b>
10.	Environmental (Earth Day).	<b>Discussed</b>
11.	Development (Comprehensive Plan, Site Plan Review, Pelham Medical Group, Pelham Picture House & Main St. / Downtown grant).	<b>Discussed</b>
12.	Human Resources & Administration (HR Manual, Risk Assessment).	<b>Discussed</b>
	<b>Budget Hearing</b>	<b>8:15 p.m.</b>
13.	Public Hearing on the Proposed Village of Pelham Budget for Fiscal Year June 1, 2008, through May 31, 2009.	<b>Discussed</b>
	<b>Code Changes</b>	<b>8:35 p.m.</b>
14.	Public Hearing on a Code Change to amend Chapter 76-2 of the Village Code, on time allowed to effect sidewalk repairs.	<b>Adopted</b>
	<b>Human Resources</b>	<b>8:45 p.m.</b>
15.	Authorizing the completion of probation for Firefighter DeStasio.	<b>Approved</b>
	<b>Housekeeping</b>	<b>8:50 p.m.</b>
16.	Authorizing the Accounts Payable	<b>Approved</b>
17.	Old Business/New Business	<b>None</b>
18.	Minutes: January 8 & 22; February 5 & 26; March 11 and 25, 2008	<b>Approved thru 2/26/08</b>
19.	Executive Session	<b>Approved</b>
20.	Adjournment	<b>Adjourned</b>

The next Regular Board Meetings are Tuesdays April 22, May 6, and May 20, 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, APRIL 8, 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 7:35 p.m.

The following members of the Board of Trustees were present:

Mayor Edward Hotchkiss, Trustees Breskin, Lewis, Morris and Potocki. Trustees Homan and Weinstein were 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:

The Mayor reported that there is a change of membership on the board. Ciro Greco is leaving the village board and will be replaced by Greg Breskin. Mayor Hotchkiss mentioned that Ciro Greco served 2 terms for a total of 4 years as village trustee. Mayor Hotchkiss also mentioned that Mr. Greco helped immensely with several projects in the village, specifically the 1<sup>st</sup> Street sewer project and purchasing a new fire truck for the Pelham Fire Department.

Mayor Hotchkiss presented Ciro Greco with a certificate and a Village of Pelham wrist watch.

Item #7 – Oath of Office for Elected Trustees by Judge Anthony Pasquantonio. Annual Organizational Meeting and Mayoral appointments to Boards, Committees, creation of Committees, and assignment of Board liaisons to the departments:

**\*\* THIS TOPIC WAS MOVED UP FROM LATER IN THE AGENDA \*\***

Pelham Town Judge Anthony Pasquantonio swore in Pete Potocki and Greg Breskin to the position of village trustee.

A motion was made by Trustee Breskin, with a second by Trustee Potocki to adopt the annual organizational resolutions and resolutions of appointment of the following officials. The motion was approved unanimously by vote of five in favor, none opposed. Trustees Homan and Weinstein were absent.

**Item 7. Annual Organizational Resolutions and Mayor's Committee Appointments**

Note: Appointments by the Mayor of Village officials and staff, and appointments by the Mayor to Land Use Boards, require

ANNUAL ORGANIZATIONAL MEETING RESOLUTIONS 2008  
RESOLUTIONS OF APPOINTMENT OF THE FOLLOWING OFFICIALS:

RESOLVED, that Trustee Mia Homan is appointed by the Mayor as Deputy Mayor.

RESOLVED, that Richard C. Slingerland, Village Administrator, of Ossining, New York, is hereby re-appointed as Village Treasurer, Second Deputy Village Clerk, and appointed as Second Deputy Registrar of Vital Statistics.

RESOLVED, that Edward Bullock is hereby re-appointed as Village Attorney.

RESOLVED, that Martha Conforti is hereby re-appointed as Village Prosecuting Attorney for the Pelham Court.

RESOLVED, that Robert Wise is hereby re-appointed as Counsel to the Zoning Board of Appeals,

RESOLVED, that Michele Casandra, Assessor for the Town of Pelham, is hereby re-appointed as the Assessor for the Village of Pelham.

RESOLVED, that Charles Amann, Receiver of Taxes for the Town of Pelham, is hereby re-appointed as Receiver of Taxes for the Village of Pelham.

RESOLVED, that Deborah DelGrosso is hereby re-appointed as Deputy Treasurer, Deputy Registrar of Vital Statistics and Water System Clerk for the Village of Pelham.

RESOLVED, that Terri Rouke is hereby re-appointed as Village Clerk and Registrar of Vital Statistics for the Village of Pelham.

RESOLVED, that Sandra Shriman is hereby re-appointed as Deputy Village Clerk.

RESOLVED, that the First (1<sup>st</sup>) and Third (3<sup>rd</sup>) Tuesdays of every month are hereby designated as the Regularly scheduled Meeting nights of the Village of Pelham Board of Trustees (meetings will begin at 7:30 p.m.), except as the schedule may be otherwise amended from time to time.

DESIGNATION OF SIGNATORIES

RESOLVED, that the Mayor, the Deputy Mayor, the Village Administrator/Treasurer, and the Deputy Village Treasurer are hereby authorized to sign checks on behalf of the

Village of Pelham.

**DESIGNATION OF DEPOSITORIES**

RESOLVED, that J P Morgan/Chase Bank N.A., HSBC Bank, Commerce Bank, and T.D. Bank North are hereby designated as depositories for the Village of Pelham.

**DESIGNATION OF OFFICIAL NEWSPAPERS**

RESOLVED, that the Pelham Weekly is hereby designated as the official newspaper, and the Journal News is hereby designated as the back-up official newspaper of the Village of Pelham for the ensuing official year.

**LAND-USE BOARD APPOINTMENTS**

**ZONING BOARD OF APPEALS – This appointment was made March 25, 2008**

Gary Hyer appointed to a five-year term, expiring March 31, 2013.

**PLANNING BOARD**

RESOLVED, that Richard Veith of 155 Nyac Avenue, Pelham, is re-appointed by the Mayor to the Village of Pelham Planning Board, serving in the position of Chairman, to a five-year term that will expire on March 31, 2013.

**ARCHITECTURAL REVIEW BOARD**

RESOLVED, that Ron Czajka of 48 Young Avenue, Pelham, is re-appointed by the Mayor to the Village of Pelham Architectural Review Board, to a three-year term that will expire on March 31, 2011.

**TRUSTEE LIAISON APPOINTMENTS**

Note: Trustee Liaison appointments by the Mayor do not require Board action for advice and consent by the Board, but are included here to be entered into the minutes.

Trustee Laura Morris is appointed by the Mayor to serve as the Liaison to the Pelham Fire Department;

Trustee Mia Homan is appointed by the Mayor to serve as the Liaison to the Pelham Public Works Department;

Trustee Peter Potocki is appointed by the Mayor to serve as the Liaison to the Pelham Police Department;

Trustees Peter Potocki and Laura Morris are appointed by the Mayor to serve as the Liaisons to the Flooding Remediation program;

Trustees Adam Weinstein and Greg Breskin are appointed as the Liaisons to projects related to the Redevelopment and Improvement of the Pelham Downtown;

Trustee Geoff Lewis is appointed by the Mayor as Communications Liaison;

Trustee Geoff Lewis is appointed by the Mayor as Chair of the Citizen's Environmental Advisory Committee;

Trustee Laura Morris is appointed by the Mayor as Liaison to Parks and Open Space Improvement projects, including Wolfs Lane Park;

Trustee Laura Morris is appointed by the Mayor as Chair of the Village of Pelham "Keep Pelham Clean!" Program.

**COMMITTEE TO REVIEW THE COMMERCIAL AND MULTI-FAMILY ZONING CODE, FOR CHANGES AND UPDATES.**

\* Names to be provided by the Mayor, to continue progress under the intent and direction of the Comprehensive Plan.

**Item #4 – Trustees' Report:**

Trustee Morris had nothing to report.

Trustee Lewis had nothing on which to report that was not on the agenda.

Trustee Potocki had nothing on which to report that was not on the agenda.

Trustee Breskin had nothing to report.

**Item #5 – Village Administrator's Report:**

Village Administrator Richard Slingerland reported that there was a 16" water main break at 5<sup>th</sup> Avenue and 6<sup>th</sup> Street on April 3, 2008. United Water of New Rochelle dispatched crews to the site. Pelham police department and fire department responded as well. The pipe was repaired within 24 hours and the road was restored yesterday Monday, April 7, 2008. Administrator Slingerland thanked United Water, and the Pelham police and fire departments for their quick response.

**Item #6 – Public Comment:** There was no public comment at this time.

Item #8 – Website / Telecommunications (Verizon Fios, Website upgrades, E-mail notifications):

Trustee Lewis reported that the village will be meeting with representatives from Verizon to discuss providing Verizon Fios cable service to Pelham residents.

Administrative Aide Devron Wilson reported that he met with Edward Ganbaum from the Pelham High School Technology Department and the two high school students who have been working on the village website last week. He mentioned that the students have reviewed the site and have made recommendations for improving the site. Mr. Wilson also reported that the village is in the process of setting up a voicemail tree on the village telephone voicemail service. The voicemail tree will prompt callers to press a button on their telephone that will direct their call to the proper person or department. Mr. Wilson further reported that the village has contacted community organizations to have them sign up thru the village website to receive newsletter, notices and emergency warning notices via email.

Mayor Hotchkiss suggested that Administrative Aide Devron Wilson schedule a meeting with the Mayor Hotchkiss, Trustee Lewis, and the students working on the village website.

Administrative Aide Devron Wilson mentioned that the village submitted an application to the safe routes to school program and is in the process of updated the villages' address list to submit to the census bureau.

Item #9 – Flooding (Grants, Engineer Report, etc.):

Mayor Hotchkiss reported that the village is in the process of setting up a meeting with New Rochelle Mayor Bramson about lowering the level of Glenwood Lake before rainstorms.

Administrator Slingerland reported that SEMO is seeking additional information from the village regarding cost estimates for damage sustained to homeowners during the six rainstorms in 2007. The village has supplied SEMO with cost estimates and has requested FEMA to provide homeowners insurance claims to SEMO. Mayor Hotchkiss suggested that the village try to get Congresswoman Nita Lowey involved with this matter.

Mayor Hotchkiss mentioned that the village is waiting on suggestions from Dolph Rotfeld's office based on the storm drain video work done by En Tech.

Item #10 – Environmental (Earth Day):

Trustee Lewis reported that the Village of Pelham along with the Village of Pelham Manor will be hosting an Earth Day Program on April 26, 2008. Participants will meet in front Pelham Memorial High School at 10am. Bags and gloves will be provided to all participants. The village encourages residents to take part in this initiative. Trustee Lewis mentioned that Mr. Richard Ellenbogen of Garb-o-Liner in New Rochelle, NY will be donating the bags.

Item #11 – Development (Comprehensive Plan, Site Plan Review, Pelham Medical Group, Pelham Picture House & Main St. / Downtown grant):

Mayor Hotchkiss reported that the village hopes to approve the comprehensive plan really soon. John Cassone of 312 7<sup>th</sup> Avenue asked the board if the changes to the plan will be made public for review before adoption. Mayor Hotchkiss responded by letting everyone know that the comprehensive plan will be on the April 22, 2008 agenda for discussion. The board plans to adopt the plan at the May 6, 2008 meeting. The Village plans to issue a press release listing the changes to the comprehensive plan.

Administrator Slingerland reported that Building Inspector Len Russo has a rough draft of the amended site plan regulations. Trustee Lewis will review the rough draft.

Administrator Slingerland plans to discuss this matter with village prosecuting attorney Martha Conforti and have a formal draft prepared within the next 30 days.

Mayor Hotchkiss reported that the attorney for Pelham Medical Group had a death in the family which held matters up a bit. Things are expected to move along now. Mayor Hotchkiss and Trustee Greg Breskin will be meeting with Mr. Santomaro to discuss plans for the vacant property adjacent to the Pelham Medical Building.

Item #12 – Human Resources & Administration (HR Manual, Risk Assessment):

Village Administrator Slingerland is in the process of working with Trustee Homan to develop an HR manual for the village.

Item #13 – Public Hearing on the Proposed Village of Pelham Budget for Fiscal Year June 1, 2008, through May 31, 2009:

Administrator Slingerland gave a brief Powerpoint presentation explaining the proposed budget. John Cassone of 312 7<sup>th</sup> Avenue praised the board on doing a great job with this year's proposed budget. Mr. Cassone mentioned that it was a pleasure attending the board's budget work sessions. Mayor Hotchkiss thanked Administrator Slingerland and Director of Finance Shirley Brown on a job well done with respect to preparing a tight budget.

\*Summary is based on the Proposed Budget and amendments to date:

The Village's Fiscal Year runs from June 1 through May 31 every year. By State Law, Village Budgets must be adopted on or before April 30 of every year. Currently, the budget adoption is scheduled for April 22, 2008 at 7:30 p.m.

Home Values in Pelham increased overall by 3.765%.

Commercial Property Values in Pelham increased overall by 6.020%.

The Tax rate has increased slightly by 1.058% for homeowners, and it has decreased slightly by 5.296% for commercial properties.

The Tax Levy was Proposed at \$8,002,121, up from \$7,680,699. The initial Proposed Tax Levy Increase was 4.1848%, but with cuts in expenses and small increases in some revenues, it is currently at 3.675%.

The increase in the Tax Levy, combined with the increase in home values, is the most true indicator of the tax impact on the homeowner.

The reason is that all properties in Pelham Village and Pelham Manor Village, within the Town of Pelham, are maintained at Full Value Assessments, which reflects increases in market values. These values are updated by the Assessor every year.

Impact on the Average Homeowner:

Average House Value – Using an Average assessment in Pelham of about \$780,000 from last year, the average assessment this year would be about \$810,000.

Tax Rates:	Last Year 2007-2008	Proposed 2008-2009	As Revised 2008-2009
Home:	\$5.451820	\$5.509498	_____
Non-Home:	\$8.060203	\$7.633357	_____

The Board has already held 3 Budget Work Sessions, which have been open to and attended by the Public. Adoption is scheduled for April 22, 2008. \* Attachments to be provided.

Item #14 – Public Hearing on a Code Change to amend Chapter 76-2 of the Village Code, on time allowed to effect sidewalk repairs:

Draft Proposed Law, as Revised.

PUBLIC HEARING on a Proposed Local Law and Code change to amend Chapter 76-2 of the Village Code extending the amount of time allowed for property owners to make repairs to broken sidewalks and curbs, from five (5) days, to forty-five (45) days

John Cassone of 312 7<sup>th</sup> Avenue mentioned that many sidewalks in the village are in disrepair. Mr. Cassone agrees that five (5) days was too short a timeframe for homeowners to fix their sidewalks. However, Mr. Cassone believes that forty five (45) days is too long. Trustee Lewis recommended that the permit fee to repair a sidewalk be reduced. The Village will consider implementing fines to homeowners who do not fix their sidewalks within the 45 day time period.

A motion was made by Trustee Lewis, with a second by Trustee Breskin to adopt the Local Law and code change. The motion was approved unanimously by vote of five in favor, none opposed. Trustees Homan and Weinstein were absent.

**LOCAL LAW NUMBER OF 2008**

A LOCAL LAW that amends Section 76-2 of the Code of the Village of Pelham to extend the time allowed to repair and/or replace broken sidewalks and curbs to forty-five (45) days.

**BE ENACTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF PELHAM AS FOLLOWS:**

**SECTION 1**

Section 76-2 of the Code of the Village of Pelham is repealed, and the following new Section 76-2 is adopted:

**§ 76-2. Notice to remedy, time to remedy, and standards for repair and replacement.**

- A. When in the judgment of the Village Administrator, any sidewalk and/or curb in the Village requires repair or replacement, the Village shall notify the owner of the property adjoining such sidewalk and/or curb that the sidewalk and/or curb must be repaired or replaced. Such written notice shall be served on the property owner personally or by mail. Where there are two (2) or more owners service upon one (1) of them shall be sufficient.
- B. Within forty-five (45) days from the service of the notice to repair or replace a sidewalk and/or curb, the owner or owners of the property must obtain a permit to repair or replace such sidewalk and/or curb, pay the permit fee and refundable deposit set by resolution of the Board of Trustees, and complete the necessary repairs and/or replacement in accordance with the specifications on file in the office of the Building Department. After the Building Inspector has conducted an inspection and approved all the work done, the deposit will be refunded.

**SECTION 2**

This local law shall take effect upon its adoption and filing with the Secretary of State.

**Item #15 – Authorizing the completion of probation for Firefighter DeStasio:**

A motion was made by Trustee Morris, with a second by Trustee Lewis to adopt the resolution. The motion was approved unanimously by vote of five in favor, none opposed. Trustees Homan and Weinstein were absent.

**RESOLUTION**

**AUTHORIZING THE COMPLETION OF PROBATION**

FOR FIREFIGHTER ROBERT DeSTASIO  
EFFECTIVE MARCH 31, 2008

BE IT RESOLVED, by the Board of Trustees of the Village of Pelham, that the Board authorizes the completion of probation for firefighter Robert DeStasio, effective March 31, 2008, upon the one year anniversary of his employment, as agreed upon in his terms of employment, in compliance with the requirements of Civil Service.

Item #16 – Authorizing the Accounts Payable:

A motion was made by Trustee Morris, with a second by Trustee Lewis to adopt the resolution. The motion was approved unanimously by vote of five in favor, none opposed. Trustees Homan and Weinstein were 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	\$ 124,494.51
Water Fund	\$ 27,243.58
Capital Projects Fund	\$ 0.00
Trust and Agency Fund	\$ 0.00
H3 Fund	\$ 0.00
Expendable Trust Fund	\$ 0.00
Grand Total	\$ 151,738.09

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

Item #17 – Old Business/New Business:

There was no old or new business to discuss.

Item #18 – Minutes: January 8 & 22; February 5 & 26; March 11 and 25, 2008:

A motion was made by Trustee Potocki, with a second by Trustee Morris to adopt the minutes from January 8, 2008, January 22, 2008, February 5, 2008, and February 26, 2008 only. The motion was approved by vote of four in favor, none opposed. Trustee Breskin abstained. Trustees Homan and Weinstein were absent.

Item #19 – Executive Session:

The Mayor asked for a motion to go into Executive Session to discuss personnel matters. On the motion of Trustee Morris, seconded by Trustee Lewis, the Board voted to go into Executive Session. The motion was approved unanimously by vote of five in favor, none opposed. Trustees Homan and Weinstein were absent.

Item #20 – Adjournment:

On the motion of Trustee Morris, seconded by Trustee Lewis, the Board voted to adjourn the public portion of the board meeting and go into Executive Session at 9:10p.m., to discuss personnel matters. The motion was approved unanimously by vote of five in favor, none opposed. Trustees Homan and Weinstein were absent.

Respectfully submitted,  
Devron Wilson, Administrative Aide  
Richard Slingerland, Administrator/Deputy Clerk