

VILLAGE OF PELHAM BOARD OF TRUSTEES
SPECIAL MEETING
MONDAY, APRIL 15, 2013, 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
6. Public Comment

Agenda Items:

Non-Recurring Items		
7.	Public Hearing on the Village of Pelham Proposed Budget for Fiscal Year 2013-2014	Approved
8.	Scheduling A Public Hearing For Local Law #2-2013 A Local Law To Revise The Regulation Of Sidewalk Cafes In The Business Districts.	Approved

Next Scheduled Board Meetings are:
Tuesday, April 23, 2013- Budget Adoption
Tuesday, May 7, 2013
Tuesday, May 21, 2013

All meetings start at 7:30 p.m. unless otherwise noted.
*The Agenda is subject to change

Item #1 – Meeting called to order: The meeting of the Board of Trustees was called to order by Mayor Cassidy at 7:30 p.m.

The following members of the Board of Trustees were present:

Mayor Cassidy, Trustees Kagan, McGoldrick, Senerchia, Mutti, Marty, and Volpe

The following members of the Board of Trustees were absent:

None

Village staff in attendance:

Village Administrator Robert Yamuder and Secretary to the Village Administrator Peter Bonington

Item #2 – Pledge of Allegiance:

The Pledge of Allegiance was led by Mayor Cassidy.

Reports:

Mayor Cassidy Report

Mayor Cassidy began his report saying the Village's thoughts and prayers are with the victims of the explosions at the Boston Marathon.

He said the most important item the Board will be discussing the impending adoption of the FY 2013-2014 budget.

Trustees Reports:

Trustee Kagan

None

Trustee Marty

None

Trustee McGoldrick

None

Trustee Mutti

Trustee Mutti stated she planned to attend a lecture by the Tree Committee at the Pelham Public Library on Saturday, April 20, 2013 at 11 a.m.

She stated representatives of the Village and Town of Pelham will be meeting next week to consult on the design schematic for Trotta Park. She said once the Board has accepted the schematic it will be turned into bid documents which the Town and Village will seek bids for. Trustee Mutti said she hoped to have more to report at the next meeting.

She finished her report by saying the Friends of the Highbrook Highline would like to upgrade the fencing that currently surrounds the Highbrook Avenue bridge. The current fence is green and silver and the Friends of the Highline would like to replace it with black fencing and plant some roses around the bridge. These roses are symbolic because they of the variety that originally were planted around the 1900 era structure.

Trustee Senerchia

None

Trustee Volpe

None

Village Administrator's Report

None

Item #6–Public Comment

None

Item #7– Public Hearing on the Village of Pelham Preliminary Budget for Fiscal Year 2013-2014

Trustee Marty said the Village has received good news from FEMA regarding the Hurricane Sandy reimbursement. He said the Village had requested \$360,120 in disaster relief for funds the approximately \$172,000 in expenditures the Village sustained as part of the cleanup in the aftermath of the storm.

Administrator Yamuder confirmed the Village has received \$114,000 of the requested funds to date. He said these cover direct and indirect costs associated with overall cleanup efforts by the Village. He said the application was completed using special government accounting methods that determine the amount of reimbursement distributed according the activity or expense that was performed as part of the overall cleanup.

Mayor Cassidy said the Board plans to use these reimbursement funds to lessen the tax burden of the citizens of Pelham. He said this is the same process that took place last year in the aftermath of Hurricane Irene.

Trustee Volpe said the Village is awaiting approximately \$246,120 from FEMA at this time. Administrator Yamuder agreed that was the outstanding figure from the total reimbursement amounting to \$360,120.

Trustee Mutti asked if any of these funds received could be put toward seasonal street maintenance. Administrator Yamuder said the money is in a general line within the budget so it can be moved anytime during the Fiscal Year.

Trustee Volpe questioned why the Village is paying an MTA tax that was declared unconstitutional by several municipal judges. Administrator Yamuder said Shirley Brown, the Village's financial advisor, is looking into whether the Village still must pay this tax. Trustee Volpe said this matter does not need to be decided tonight but he said the Board should research whether it is obligated to pay this tax.

Trustee Senerchia asked about the security cameras to be placed around the train station. Administrator Yamuder said he would look into that particular item and get more details for the Board.

Trustee Senerchia also mentioned the \$8,000 budgeted amount for repairs to the Firehouse. He said the amount seems small but it was recommended by the Fire Chief.

Trustee Kagan confirmed the budgeted amounts for line items in judgments and claims, contingencies, and street maintenance.

John Cassone of 7th Avenue asked if the Community Highway Improvement Program (CHIP's) funding will help keep the budget below the tax cap. Administrator Yamuder said although the CHIP's funds were increased by approximately \$20,000 this year, it has already been factored into the budget.

John Cassone suggested the Board increase the amount budgeted for repairs to the Firehouse as he felt \$8,000 would not go very far in making repairs to the structure. Mayor Cassidy responded that that Board received a recommendation from Fire Chief Stone for \$8,000 and the Board trusts his judgment. Mr. Cassone stated past Boards have not wanted to make substantive repairs to the Firehouse which is why it has become an issue of concern now.

Mayor Cassidy said the budget is fluid and that priorities can shift as necessary. He said the Board cannot anticipate every expense but it has drafted a budget that has taken the recommendations of the Village department heads into account.

Chris Reim of 14 Benedict Place suggested the Board review any options that his not already or has discounted in order to deliver the most fiscally sound budget possible. He suggested any additional cuts that can be to preserve the fund balance of the Village should be considered.

Trustee Volpe said there is not much cutting that can be done at the local level. He said the Board has acted conservatively with the budget and has tried not to simply “kick the can” forward but develop a budget

Trustee McGoldrick said the pension contributions and cost of retiree benefits is astounding and said it is an unsustainable trend. He said he hopes the Board will explore all options for the long term health of the Village including consolidation of services is deemed prudent.

Trustee Kagan said the Board will use the next fiscal year to explore solutions to those issues.

Mayor Cassidy said the next Board meeting will be on Tuesday, April 23, 2013 where the Board will hold the organizational meeting and adopt the budget.

A motion was made by Trustee Marty and seconded by Trustee Volpe to adopt the resolution. The vote was approved by a vote of seven in favor, none opposed.

Summary is based on the Tentative 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 23, 2013 at 7:30 p.m.

Home Values in Pelham decreased overall by 3.709%

Commercial Property Values in Pelham decreased overall by 1.181%

The Tax rate has increased by 5.990% for homeowners, and it has increased by 6.235% for commercial properties.

The Tax Levy was Proposed at \$10,700,269 up from \$10,038,058. Initial Proposed Tax Levy Increase was 6.5970%, but with cuts in expenses and small increases in some revenues, and appropriation of fund balance created by FEMA funds, the revised tax levy is \$10,295,903 and is currently at 2.568%.

The increase in the Tax Levy, combined with the decrease 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 changes 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 \$635,307.00 vs. \$659,664.00 for 2012, the average homeowners taxes would increase from \$4,955.00 to \$5,058.00.

Tax Rates:	Last Year 2012-2013	Proposed 2013-2014	As Revised 2013-2014
Home:	\$7.51148	\$8.2741	\$7.961427
Non-Home:	\$10.3977	\$11.4799	\$11.046026

The Board has already held 4 Budget Work Sessions, which have been open to and attended by the Public. Adoption is scheduled for April 23, 2013.

The following are changes to the Village of Pelham Budget which correct the 2013-2014 Fire Department Salary Schedule and have no effect on the total budget or tax levy.

Summary of Changes to 2013-14 Preliminary Budget

CHANGES TO	PRELIMINARY BUDGET	PRESENTED AT 4/15/2013 BUDGET PUBLIC HEARING			
11	A1930.930	Judgments & Claims	152,000	146,572	5,428
12	A1980.400	MTA Payroll Tax	20,000	17,000	3,000
15	A3410.100	Fire - Pers. Service	1,332,014	1,340,442	-8,428

To reflect correction for Fire Dept. salary schedule

Item #8– Scheduling A Public Hearing For Local Law #2-2013 A Local Law To Revise The Regulation Of Sidewalk Cafes In The Business Districts.

Trustee McGoldrick stated he had a meeting with Building Inspector Russo and Village Prosecutor Martha Conforti regarding the existing Village Code language for sidewalk cafes for restaurants in the Village of Pelham. He said the purpose of the meeting is to simplify and clarify the process by which an establishment can obtain a permit for ones of these outside eating spots.

He said under the existing rules and regulations governing the permitting of these cafes there are standards that require the use of china eating wear, wait staff to bring the food and drinks to the outside tables, and the size, structure, and material of the outside furniture. Trustee McGoldrick said he hopes to broaden the scope of businesses that can have sidewalk cafes and simplify the permitting process.

Mayor Cassidy asked if they had consulted the Architectural Review Board (ARB). Trustee McGoldrick said they would be reaching out to them for their input once Ms. Conforti had completed a draft of revisions to the existing code.

Trustee Mutti asked why the Martha Conforti is writing these code revisions. Trustee McGoldrick said there is a significant amount of rewriting to be done. Administrator Yamuder added that Village Prosecutors typically write laws as they are the party that must enforce them in the event of a conflict.

Trustee Volpe advised that the Village should not incur extra expenses for writing laws. He said the Village Attorney should be consulted as they are in an advisory capacity for the Village already.

Trustee Kagan suggested the Board reach out the ARB and Chamber of Commerce for their comments on these proposed changes to the Code.

John Cassone of 7th Avenue asked if these changes would affect the current permit holders. Trustee McGoldrick responded he would not mind grandfathering those that already have a sidewalk café permit provided any safety considerations such as anchoring an umbrella are met and complied with.

Trustee Volpe asked how many sidewalk cafes there are currently in the Village. The Administrator said he could confirm the exact number tomorrow morning.

A motion was made by Trustee Volpe and seconded by Trustee McGoldrick to adopt the resolution. The vote was approved by a vote of seven in favor, none opposed.

Village Of Pelham, NY

Scheduling a Public Hearing for Local Law #2-2013 Amending the Code of the Village of Pelham to Revise the Regulation of Sidewalk Cafes In The Business Districts

The Board of Trustees of the Village of Pelham hereby schedules a public hearing to be held at 7:30 p.m. on Tuesday, April 23, 2013, in Village Hall at 195 Sparks Avenue, Pelham, NY, on a proposed Local Law that would amend the Code of the Village of Pelham, as follows:

A local law to revise the regulation of sidewalk cafes in the business districts.

A copy of the proposed Local Law is on file in the offices of the Village Clerk and may be viewed during normal business hours of 8 a.m. to 4:30 p.m., or an electronic copy may be obtained from the opening page of the Village's website www.pelhamgov.com.

By Order of the Mayor and Board of Trustees
Terri Rouke, Village Clerk
Publication date: April 16, 2013

Item #10– Adjournment to Executive Session

A motion was made by Trustee McGoldrick with a second by Trustee Marty to adjourn the public portion of the Board meeting and would adjourn for the evening at 8:03 p.m. The motion was approved by vote of seven in favor, none opposed.

Respectfully submitted,
Peter Bonington, Secretary to the Village Administrator