

VILLAGE OF PELHAM BOARD OF TRUSTEES  
 REGULAR MEETING  
 TUESDAY, MARCH 5, 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

Approximate  
Starting Time  
of Discussion

# Agenda Items:

	<b>Non-Recurring Items</b>	<b>7:45 p.m.</b>
7.	Site Plan Application by DelPonte ( 3089 Wissman Inc. contract vendee) for 416 Ninth Avenue for a Proposed Single-Family Dwelling	<b>Tabled</b>
	<b>Committee and Community Liaison Reports</b>	<b>8:15 p.m.</b>
8.	Employee Benefits/HR Manual	<b>Discussed</b>
9.	Park Improvements	<b>Discussed</b>
10.	United Water of New Rochelle	<b>Discussed</b>
11.	KVS Accounting Software	<b>Discussed</b>
12.	Parking	<b>Discussed</b>
13.	Tree Committee	<b>Discussed</b>
14.	Fire Task Force	<b>None</b>
15.	Site Plan Review	<b>None</b>
16.	Other Business	<b>None</b>
	<b>Recurring Items</b>	<b>9:00 p.m.</b>
17.	Authorizing Accounts Payable	<b>Approved</b>
18.	Authorizing Minutes of: February 5, 2013, February 19, 2013	<b>Tabled</b>
19.	Adjournment to Executive Session	<b>9:30p.m.</b>

Next Regularly Scheduled BOT Meetings:  
 Wednesday, March 20, 2013  
 Tuesday, April 9, 2013 (Annual Organizational Meeting)

Proposed Meetings for Budget Work Sessions:  
 Thursday, March 21, 2013- Building and Fire  
 Wednesday, March 27, 2013- Revenue/Expense  
 Thursday, March 28, 2013- Administration  
 Monday, April 1, 2013- DPW

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 Hotchkiss at 7:30 p.m.

The following members of the Board of Trustees were present:

Mayor Hotchkiss, Trustees Lewis, Kagan, McGoldrick, Marty, Morris, Marciona

The following members of the Board of Trustees were absent:

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 Hotchkiss

Reports:

Mayor Hotchkiss's Report

Mayor Hotchkiss reported that there was a fire over the weekend on 6<sup>th</sup> Avenue between 6<sup>th</sup> and 7<sup>th</sup> Street. Although one resident was badly burned, the Mayor said the Pelham Fire Department was able to respond quickly and minimize the injuries to the other occupants and damage to the home. He said the Village received mutual aid from the Pelham Manor, New Rochelle, and Mount Vernon Fire Departments.

Trustees Reports:

Trustee Lewis

None

Trustee Marciona

None

Trustee Marty

Trustee Marty added onto the earlier report regarding the fire on 6<sup>th</sup> Avenue by saying the fire took place in a multi-story building and the damage was mostly confined to one room of the house. He

said Chief Stone praised Lt. DiNapoli and Firefighter Frusicante for their actions during the rescue and containment.

Administrator Yamuder added that Building Inspector Russo visited the scene and is working with all utility companies and contractors to ensure all reconstruction permits are filed properly.

Trustee McGoldrick

None

Trustee Kagan

Trustee Kagan said he attended the Chamber of Commerce meeting last Monday and wanted to thank Ms. Kasten for her suggestion about encouraging shop owners to stay open later during the week to hopefully increase patronage. He said Wise Hardware will now be open until 8 pm on Thursday's. He encouraged residents to take advantage of these later hours by local Pelham merchants.

Trustee Morris

None

Village Administrator's Report

Administrator Yamuder said the Building Inspector will be submitting his annual report to the State regarding fire inspections of commercial buildings.

Trustee Kagan said he spoke with Inspector Russo and said he understood Fire Lt. Keiser is the only fire officer qualified to perform inspections. Administrator Yamuder said Lt. Keiser is qualified to perform fire inspections on commercial properties only. Building Inspector Russo is fully qualified to perform inspections on all others such as residential and commercial buildings.

Trustee Kagan said he would like to see more inspections done. He suggested the Board explore the possibility of putting another Fire candidate through the necessary courses to certify them to handle additional fire inspections of commercial buildings.

Administrator Yamuder said the Village has applied for assistance from FEMA for reimbursement for Hurricane Sandy damages and overtime. He said the Village has received an initial approval for over \$200,000 in funds. He said however that this application will have to pass inspection from FEMA and the State equivalent, NYSEMO. He added that this was a very quick approval as compared to last

year's Hurricane Irene reimbursement process. The Administrator said the Village will continue to follow up for any updates on the status of the application.

Item #6–Public Comment

Iris Kasten of 240 Carol Avenue said she wanted to follow up with the Board regarding her inquiry. She said she received a parking ticket after parking on the street during a snowstorm. Mayor Hotchkiss responded by saying he had not had a chance to get back to Ms. Kasten but he would get back to her later in the week after he had gotten some additional information.

Item #7– Site Plan Application by DelPonte ( 3089 Wissman Inc. contract vendee) for 416 Ninth Avenue for a Proposed Single-Family Dwelling

Mayor Hotchkiss said the Board will be reviewing a site plan for 416 9<sup>th</sup> Avenue. He said there is usually an architect, resident, or contractor available to make a presentation to the Board about the proposed site plan. He said, however, there does not appear to be a presenter at the meeting.

Trustee Kagan asked if the applicant was notified about this agenda item. Administrator Yamuder confirmed that the submission did come through the Village Clerk's office.

The Board decided to table this resolution until a later meeting.

AUTHORIZING A SITE PLAN APPLICATION BY  
FRANK DELPONTE (3089 WISSMAN INC.CONTRACT VENDEE) FOR  
416 NINTH AVENUE FOR A PROPOSED SINGLE-FAMILY DWELLING

RESOLVED, that the application for a Site Plan by Frank DelPonte (3089 Wissman Inc.Contract Vendee) is approved, based on the review and recommendations by the Planning Board (hereinafter "Planning"), Architectural Review Board (hereinafter "the ARB") which the Planning and ARB approval memos are attached to and made a part of this approval; and

BE IT FURTHER RESOLVED, that the conditions applied by Planning and ARB are as follows:

1. All work shall be performed in compliance with Planning approval, as noted on plan drawings, dated February 25, 2013, as prepared by Aldo DiVitto Architect
2. In addition, all plantings for dwelling be as per approved plans;

3. The house will be built in accordance with the approved plans which are approved by the Planning Board and/or the Architectural Review Board of the Village Of Pelham And; the Village of Pelham Zoning Board of Appeals.
4. A Foundation Location Survey showing the location of the footings and the top of foundation elevation for the two story house must be submitted to the Building Inspector before the framing of the building can commence.
5. That the applicant must obtain and submit the new deed for the apportioned property to the Village of Pelham Building Department upon making an application for the building permit;

BE IT FURTHER RESOLVED, that this application for a site plan to include a single family dwelling, with one car garage within basement and landscaping at 416 Ninth 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 other appropriate Village officials are authorized to take the necessary and appropriate actions to effect this approval and authorize this remediation plan to proceed, including the imposition of additional conditions and requirements as may be necessary.

## MEMO

Date: February 27, 2013

To: Village of Pelham Board of Trustees

From: Village of Pelham Planning Board

Re: 416 Ninth Avenue  
Application for new single family 2 and ½ story residence  
Applicant: Frank Del Ponte Inc./3089 WISSMAN INC. Contract Vendee

The Village of Pelham Planning Board (PB) recommends that the Village of Pelham Board of Trustees (BOT) approve the application for the construction of a new single family 2 and ½ story residence.

On February 12, 2013 the Planning Board unanimously (5-0) approved the application conditioned upon Applicant providing: a) revision of plans to reflect changes discussed at public meeting including revision of the side yard setbacks and placement of HVAC units to comply with zoning requirements,

b) revision of plans to reflect addition of fencing and plantings on front yard walls to ensure safety, and c) submission of construction schedule.

The Applicant has provided the detail and information requested.

Work shall be performed as shown on Project Drawings Sheets A-1, A-2, A-3, A-4 A-5 and S-1, (dated 2/25/2013), prepared by Aldo Di Vitto, Architect.

RV

# MEMO

Date: February 27, 2013

To: Village of Pelham Board of Trustees

From: Village of Pelham Architectural Review Board

Re: Application for proposed single-family dwelling at 416 Ninth Avenue

The Architectural Review Board (ARB) recommends that the Village of Pelham Board of Trustees (BOT) approve the application submitted by Frank DeIPonte (3089 Wissman Inc. Contract Vendee), for a proposed single-family dwelling.

Work shall be performed as shown on drawings A.1, A.2, A.3., A.4, A.5, and S-1 dated 2/25/2013 prepared by Aldo DiVitto, Architect.

## **Committee and Community Liaison Reports**

Item #8– Employee Benefits/HR Manual

Trustee Kagan said the employee manual draft has been updated with the Board's comments. He said most of them have been incorporated at this time. He said there are two matters that need to be discussed further but hopes to have them resolved shortly.

He spoke with Ernie Stolzer, the Village's labor attorney, and wanted to re-state why this manual is a good thing for Village employees. He said the manual clearly explains what is expected of an employee who will be working for the Village in terms of benefits and compensation as well as bringing a sense of uniformity to the workforce. He added this will be beneficial to new incoming employees who will know what to expect from their employment with the Village of Pelham.

Trustee Kagan thanked past Trustees Mohan, Bullock, and Homan for their efforts in bringing this manual to fruition.

#### Item #9– Park Improvements

Trustee Marciona said she understands the Junior League met with Hank White, the landscape architect, to discuss the Children's Adventure Park section of the overall Wolfs Lane Park project. Trustee Morris said she was told it was a productive meeting.

Mayor Hotchkiss said he had heard from Senator Klein's Office that the grant funds for the Village Green and Memorial Garden are soon to be released. This is a non-matching grant totaling \$647,000 for use on the corner of Wolfs Lane and 1<sup>st</sup> Street.

#### Item #10– United Water of New Rochelle

Mayor Hotchkiss said he met with principals of United Water of New Rochelle to discuss the feasibility of transferring control over the Village water system to them. The Mayor said United Water appeared at least open to the idea of the transfer however he said it is early in the discussion and United Water stated they would not pay the Village to assume the water system.

Trustee McGoldrick asked if the Water Fund that the Village currently administers would be transferred to United Water as well. Mayor Hotchkiss said that would be a topic of discussion with United Water.

Iris Kasten asked what United Water would be getting in exchange for transferring the water system. Mayor Hotchkiss said the transfer would result in more customers for United Water but there was not an apparent advantage to assuming control of the system. He said the Board may apply political pressure on United Water to accept the transfer of this utility because operating the system is not beneficial to the Village.

#### Item #11– KVS Accounting Software

Administrator Yamuder said the Village is using the budget module to prepare for the upcoming budget season. Mayor Hotchkiss added that this is new software and it should be helpful in giving budget management reports for the Board to review.

Item #12– Parking

Mayor Hotchkiss said the Board is in discussion with the New York State DOT and Westchester County regarding the purchase of a piece of State owned property at the corner of 1<sup>st</sup> Street and 1<sup>st</sup> Avenue for the purpose of increasing the parking capacity of the Village.

Item #13– Tree Committee

Trustee Marciona said the Tree Committee has some new members this year and they are working on compiling the information regarding trees which will be posted on the Village website. She said April 20<sup>th</sup> will be the Village's Arbor Day.

Item #14– Fire Task Force

None

Item #15– Site Plan Review

Mayor Hotchkiss said the Board is continuing to work on clarifying the site plan review process.

Item #16– Other Business

None

Item #17– Authorizing Accounts Payable

Trustee McGoldrick audited the Accounts Payable.

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

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	\$ 74,385.73
Water Fund	\$42,707.30
Capital Projects Fund	\$ 1039.00
Trust and Agency Fund	\$00.00
H3 Fund	\$0.00
TE Expandable Trust Fund	<u>\$0.00</u>
Grand Total	\$ 118,132.03

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

Item #18– Authorizing Minutes of: Authorizing Minutes of: February 5, 2013, February 19, 2013

The Board decided to table the minutes until a later meeting.

February 5, 2013- Tabled

February 19, 2013- Tabled

Item #19– Adjournment to Executive Session

A motion was made by Trustee McGoldrick with a second by Trustee Kagan to adjourn the public portion of the Board meeting and go into Executive Session at 9:30 p.m. to discuss a personnel matter after which time the Board would adjourn for the evening. The motion was approved by vote of seven in favor, none opposed.

Respectfully submitted,  
Peter Bonington, Secretary to the Village Administrator