

VILLAGE OF PELHAM BOARD OF TRUSTEES
 ORGANIZATIONAL AND REGULAR MEETING
 TUESDAY, MAY 11, 2010, 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:

#	Agenda Items	Approximate Starting Time of Discussion
Non-Recurring Items		7:50 p.m.
7.	Authorization for Annual Contribution of \$1,000 to the American Legion, Pelham Post 50, for Memorial Day Parade	Approved
8.	Authorizing an Agreement with Westchester County for the Employee Assistance Program (EAP)	Tabled
9.	Authorizing an Agreement with the Village Of Pelham and the County of Westchester for the Purpose of Mutual Aid and Rapid Response Plan for the Police Departments of Westchester County	Approved
10.	Discussion of the Proposed Plans for the Renovation of Joe Trotta Open Space	Discussed
11.	FY 2010-2011 Strategic Plan	Tabled
Committee and Community Liaison Reports		8:45 p.m.
12.	Commercial Zoning Review	Discussed
13.	Site Plan Review	Discussed
14.	B & W Site	Discussed
15.	Employee Benefits/HR Manual	Discussed
16.	Tree Committee	Discussed
17.	Park Improvements	Discussed
18.	Other Reports	None
Recurring Items		9:30 p.m.
19.	Other Business-Hiring of Crossing Guard	Approved
20.	Authorizing Accounts Payable	Approved
21.	Authorizing Minutes of: April 13, 2010 and April 27, 2010	Approved
22.	Adjournment to Executive Session	9:45 p.m.

Next Scheduled Board Meetings are:

Tuesday, May 25, 2010

Tuesday, June 8, 2010

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 Edward Hotchkiss at 7:30 p.m.

The following members of the Board of Trustees were present:

Mayor Edward Hotchkiss, Trustees Mohan, Bullock, Lewis, Breskin, Marty

The following members of the Board of Trustees were absent:

Trustee Morris

Village staff in attendance:

Administrator/Treasurer Robert Yamuder, Administrative Intern Peter Bonington

Item #2 – Pledge of Allegiance:

The Pledge of Allegiance was led by Mayor Hotchkiss

Reports:

Mayor Hotchkiss's Report

The Mayor opened his report by saying that last Friday; the Pelham Junior League hosted the "Pelham Night Out" event on 5th Avenue. He stated it was a great success and thanked the Junior League for organizing it. He also wished to thank the Chamber of Commerce and the Village merchants who participated for their support of this event. The Mayor acknowledged several complaints that he had heard from residents concerning the Village's garbage carting company, AAA Carting and Rubbish Removal Inc. He stated the Village is in contact with the carters and that due to some personnel turnover on their end there is still some confusion as to the pickup schedule. He did remind residents that the Village is monitoring the situation closely. The Mayor concluded his report by saying that Richard Altobelli Jr., the owner of the Village Wine Store, passed away recently. He relayed that there would be a service for him at St. Catherine's on Wednesday. On behalf of the Board, the Mayor wished to send their condolences to Mr. Altobelli's family.

Trustees Reports:

Trustee Breskin- None

Trustee Bullock- None

Trustee Lewis- None

Trustee Marty- None

Trustee Mohan-

Trustee Mohan reported that recently there was a robbery at TD Banknorth on Lincoln Avenue. The Pelham Police apprehended the suspect not far from the scene in Wilson's Park. She said that it was excellent work by the Police and thanked them for their service. Mayor Hotchkiss also wished to thank the Police Department.

Trustee Morris- None

Village Administrator's Report

Administrator Yamuder reported the negotiations for with NYPA and ConEd have been completed. From now on, the Village will be charged \$3,000 less than on its electricity bill. In addition, approximately 150,000 in rebates will be due to the Village in the form of credits. The Administrator stated a document concerning West Nile Virus is now up on the website, he urged residents to review it. The Municipal Stormwater Management Association or MS4 has supplied the Village with material to demonstrate the need to keep stormwater free of pollutants as well as show a more efficient manner in which to utilize it. This is demonstrated by the rain barrel currently placed outside Village Hall. Administrator Yamuder told the Board he is soliciting insurance quotes from various companies. Mr. Yamuder stated the President of the United States has authorized Westchester for federal disaster funding. Mr. Yamuder put in an application for a reimbursement of overtime incurred by the Fire Department and Department of Public Works. Mr. Yamuder finished his report by saying the DPW Parking Lot Project is nearing the point of actual bidding. He hopes to have the bidding process begin sometime in June.

Item #6–Public Comment

John DeCicco Jr., President of the Chamber of Commerce asked the Board about the recent increase in parking meter and parking fines fees. He stated that it will negatively impact commerce and influence people not to shop in Pelham. Trustee Mohan replied that the

Board has not altered the prices for the meters in Pelham and that the \$10 increase in parking ticket fees from \$20 to \$30 is only a proposal and would require a public hearing to become a part of the Village Code.

Trustee Breskin added that the Board purposefully did not increase the meter rates because the Board felt it would be too onerous on the merchants in Pelham. He did say, however, that he was not sure that a \$10 increase would drive people away from Pelham. Bill Weinblatt of Wise Hardware suggested having the parking enforcement officers write tickets for cars that are parked over the 2 hour limit on side streets where there are no meters by marking tires. Mr. DeCicco stressed that the intent of the merchants is to turnover spots in order for a greater flow of customers.

Trustee Mohan asserted that the Village operates its fee schedule on a tiered violation rate in which early payment can decrease the amount incurred by the ticket. She also stated that the rate of payment after the 20 day period has not increase from \$40. Trustee Lewis stated that in looking at the numbers from this year of 2010 the number of tickets being issued has fallen even from the low numbers of 2009. Dave Katz from Depot Market stressed that he hears complaints from his customers consistently about receiving tickets in front of his establishment. He disagreed with the assessment that the parking enforcement officers are not distributing tickets. He said three people patrolling as small an area as downtown Pelham are being overly aggressive in their handing out of tickets and that there is no leniency extended to customers. Trustee Breskin replied that customers could avoid this if they properly feed the meters along 5th Avenue and Wolfs Lane.

Bill Weinblatt of Wise Hardware stated that part of the problem is merchants who are parking on the streets. He again suggested that if they overstay the two hour limit, then they should be ticketed under the provisions of this new rate. He also suggested a 10 minute courtesy policy on the part of the parking enforcement officers for people who wish to top up the meters. Leslie Alex from Lola's Teahouse said that among customers, residents, and merchants there is a perception that Pelham is low on available parking. She said that very often merchants feed the meter for their customers and that the impending increase will further scare away potential customers from downtown Pelham; forcing them to Pelham Manor or New Rochelle for their shopping needs.

Trustee Mohan asked what could be done to improve that perception. Trustee Marty stated that the turnover of customer parking is an important factor in this discussion. Mrs. Dembowski of 6th Avenue asked about the availability of merchant parking permits. Trustee Lewis stressed that this is an option that is not taken by many merchants in Pelham. Frank Bari of Riggatone's Restaurant described how customers can insert an extra quarter into the parking meter in order to give customers an extra 25 minute grace period. He also asked the Board why there were not more handicapped spot along Wolfs Lane. The Mayor responded that they have the required number of handicapped spaces as required by Westchester County.

Mayor Hotchkiss recommended to the Chamber of Commerce and the Village jointly promoting Pelham as a viable shopping district through a mutual website. Mr. Weinblatt

stated the Chamber has a website which would welcome any involvement by the Board of Trustees. Trustee Mohan added to that statement by saying the Village may want to consider hiring a publicist to help promote that vision of Pelham. Mr. DeCicco stated the Chamber would be more than happy to proceed with that plan on a 50/50 basis on for a trial period of six months.

Carolyn Riley from New Image Hair Salon said the increase to \$30 for parking tickets was too steep and with the small number of clients that these businesses cater to, it forces them further a field. Trustee Mohan said she was appreciative of the perspective of the Chamber members. Maggie Klein of the Pelham Weekly asked when this increase takes effect. Administrator Yamuder stated that this proposed increase would have an effective date of June 1st.

Item #7- Authorization for Annual Contribution of \$1,000 to the American Legion, Pelham Post 50, for Memorial Day Parade

Mayor Hotchkiss explained this resolution is regarding an annual donation to the American Legion for the Memorial Day parade. The Mayor asked for any comments on this matter. There were no further comments from the Board.

A motion was made by Trustee Lewis and seconded by Trustee Bullock to adopt the resolution. The vote was approved by a vote of six in favor, none opposed. Trustee Morris was absent.

RESOLUTION

AUTHORIZING A CONTRIBUTION OF \$1000
TOWARDS THE AMERICAN LEGION POST 50
ANNUAL PELHAM MEMORIAL DAY PARADE

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham authorizes funding of one thousand dollars (\$1,000) to be attributed towards the American Legion Post 50 Annual Pelham Memorial Day Parade.

Item #8- Authorizing an Agreement with Westchester County for the Employee Assistance Program (EAP)

Mayor Hotchkiss stated the Board will have to postpone this resolution until the contract from the Employee Assistance Program becomes available.

The Board decided to table the resolution until a later meeting for more forthcoming information regarding the contract.

RESOLUTION

AUTHORIZING THE AGREEMENT RENEWAL AND
CONTINUED PARTICIPATION BY THE VILLAGE OF PELHAM IN THE
WESTCHESTER COUNTY EMPLOYEE ASSISTANCE PROGRAM (EAP)

RESOLVED, that the Village of Pelham is authorized to continue to participate in the Westchester County EAP at the rate of \$35 per employee, for 75 employees, for a total of \$2,625.00, and authorizes the Mayor, the Administrator, and the Village Attorney to take the necessary and appropriate actions to sign and renew this agreement.

Item #9-Authorizing an Agreement with the Village Of Pelham and the County of Westchester for the Purpose of Mutual Aid and Rapid Response Plan for the Police Departments of Westchester County

Administrator Yamuder explained this resolution is an agreement of mutual aid between the Pelham and other Westchester County Police Departments for the course of five years. Mr. Yamuder reported that Police Chief Benefico has reviewed this agreement and has determined it beneficial to the Village.

A motion was made by Trustee Mohan and seconded by Trustee Breskin to adopt the resolution. The vote was approved by a vote of six in favor, none opposed. Trustee Morris was absent.

RESOLUTION

AUTHORIZING AN AGREEMENT WITH THE VILLAGE OF PELHAM
AND THE COUNTY OF WESTCHESTER FOR THE PURPOSE OF MUTUAL AID AND
RAPID RESPONSE PLAN FOR THE POLICE DEPARTMENTS OF WESTCHESTER
COUNTY

RESOLVED, that the agreement with the Village Of Pelham and the County of Westchester for the Purpose of Mutual Aid and Rapid Response Plan for the Police Departments of Westchester County is hereby accepted and the agreement is authorized by the Board of Trustees of the Village of Pelham; and

BE IT RESOLVED, that the term of this agreement is for five (5) years commencing on July 31, 2010 and terminating on July 30, 2015; and

THEREFORE BE IT FURTHER RESOLVED, that the Mayor, Village Administrator and Police Chief are authorized to take the necessary and appropriate actions to effect this agreement.

Item #10-Discussion of the Proposed Plans for the Renovation of Joe Trotta Open Space

Former Trustee Mia Homan gave a presentation to the Board about the proposed plans for the renovation of Brick Park recently renamed as Trotta Open Space. Mrs. Homan said that Joe Solimine has received grant money from the Community Development Block Grant (C.D.B.G.) 50/50 matching program. She also explained that the intent is to maintain the brick nature of the park but additionally added some concrete to the structure. She noted a debate about tables with chess tops which the Board commented were difficult to maintain. Mayor Hotchkiss suggested investing in concrete or metal tables with painted boards on them for easier maintenance.

Mrs. Homan had mentioned that Westchester County had been wondering about grading the hill that abuts Trotta Park but that idea has been replaced by simply adding bushes to hide the rock formations of the hill. Mrs. Homan explained the Board that what is needed from them currently is an agreement of understanding between the Town of the Pelham and the Village that while the Village owns the property, the Town has the right to maintain it. Maggie Klein of the Pelham Weekly mentioned that Joe Solimine had spoken with Chris Santamero, landlord of the adjacent property, about this matter. A proposed plan was put forward to store the excess bricks at the DPW yard.

Administrator Yamuder said he had spoken to John Isaacs with the Westchester County Planning Department. Mayor Hotchkiss suggested to Mrs. Homan she contact Trustee Mohan to work jointly on this project. John Cassone of 7th Avenue added that Marion, Joe Trotta's sister, should be contacted about these developments because she had raised over \$1300 for a bench in Mr. Trotta's honor. The Board stated it would keep Mr. Trotta's sister in mind.

Item #11- FY 2010-2011 Strategic Plan

Mayor Hotchkiss explained his concept of the Village's strategic plan for 2010-2011 is designed to organize the department's tasks for the next year as well as work with the Village Financial Advisor Shirley Brown in order to keep track of the Village finances. He stated that more information would be forthcoming.

The Board decided to table the resolution until a later meeting for more forthcoming information regarding the plan.

Committee ReportsItem #12-Commercial Zoning Review

Trustee Lewis explained his committee's original task which is to standardize zoning throughout the Village of Pelham. The concept is to make a simplified proposal to the Board

of Trustees which will eventually be written into the Village Code. He mentioned that the members of the committee included Joe Marty, Greg Breskin, Barbara Bartlett, Leonard Russo, and Gwen Topanga. The goals for the committee were to; rationalize the zoning since the merger of the two Villages in 1975, to make development in the downtown easier, move forward in the objectives in the Village's Comprehensive Plan, and to clear up enforcement issues.

Mr. Lewis' proposal is to create two commercial districts (C1 & C2). Commercial Zone 1 (C1) will be located on Wolfs Lane and 5th Avenue between Boulevard and Lincoln Avenue. This area will be reserved for retail oriented businesses while Commercial Zone 2 (C2) will be north of Lincoln Avenue on 5th Avenue will be reserved for offices and commercial establishments. Responding to concerns by the Chamber of Commerce, Trustee Lewis stated the Committee revised their original plan by writing into their proposal that all first floor offices within the C1 district currently operational would be considered "grandfathered" businesses that is permitted uses so long as the business does not close for more than a year. The purpose is not to punish those businesses already in Pelham but to restrict their proliferation and create a walk-able downtown shopping area.

The plan is to submit his committee's recommendations to the Board and discuss them at a later meeting. The next step in the process will be converting these recommendations into code language which eventually will become part of the Village Code. This will involve public hearings and comments from the community.

The recommendations also included extending the C1 Zone over the east side of 4th street from 1st Avenue to Lincoln Avenue which had previously been the M1 Zone. This extension would preclude retail establishments in this area. The M1 Zone represents the Pell-Park Property and the remnants of the assisted living building. The issue of fences on Wolfs Lane and 5th Avenue was addressed with Trustee Lewis reporting that fences will now only affect the façade of the building and is only for parking lots with entrances facing the street. This would be true of the residential parking deck in the C1 Zone, Mr. Lewis that these plans will be posted on the website and will be soliciting comments from the public at a later meeting.

Trustee Mohan asked about restrictions within the recommendations. Mr. Lewis responded that anything not specifically mentioned is considered a prohibited use. Trustee Marty responded that these recommendations are easily enforceable and that the C1 district creates opportunities for development. It also facilitates clearer guidelines for the Land Use boards. Mayor Hotchkiss said these proposed recommendations are excellent for encouraging downtown development.

Item #13- Site Plan Review

Trustee Marty reported there have been no meetings yet regarding the Site Plan Review Committee. He hopes to have actions to report in two weeks time. He stated the purpose of this committee is to codify in the Village Code the powers of the Land Use Boards and transfer that into legal code which can be more easily put into practice.

Item #14- B & W Site

Trustee Marty reported there was an introductory meeting for the Boston and Westchester Site Committee on Thursday, April 29 which was well covered in the Pelham Weekly. He said there were approximately 30 residents, mostly from in and around the site itself, which Mr. Marty stated did not represent a cross-section of the community as he had hoped for. He did, however, state the intent of the participants so far is to maintain the green-space and not develop it while preserving the bridge but not through historical restoration. Mr. Marty affirmed that there is a legitimate safety concern regarding the property and that he wants to consolidate this committee for the one task of developing options on how to best serve the interests of the community and the Village. Trustee Marty stated that the next meeting will be on Thursday, May 13. He stated the intent is to have a road map for the duration of this project with money and number to submit to the Board.

Item #15- Employee Benefits/HR Manual

Trustee Bullock reported that work is continuing on the Manual. He said that Administrator Yamuder had supplied him with some valuable in-state manuals as comparable examples for Pelham's manual. He hopes to have a first draft available in the coming weeks.

Item #16-Tree Committee

Trustee Bullock reported the Tree Committee did not meet since the beginning of the winter months. The Committee is still planning on compiling an inventory of Village trees as well as recommendations for the Board. He also called for any volunteers who might like to help in this project to contact him.

Item #17- Park Improvements

Trustee Mohan reported the original intent for the streetscape initiative is to purchase park benches, bike racks, and trash cans. She did state however that under New York State procurement laws, the Village must purchase these under State Contract or assemble the specifications to bid out the project. She said this will take some time to compile but hopes to have more to report by the next Board meeting. In addition, she also stated she is pursuing bike lane and walking path grant opportunities. Her recommendation was the need for a comprehensive plan for the Village's parks which she will look into.

Trustee Mohan as liaison to the Police Department reported she had a meeting with the Colonial School Site Committee as well as Chief Benefico and the Dr. Rothstein, Principal of the school. She reported that the meeting produced a list of 7 things the Village can do to

improve the pickup and drop-off situation at the school. It involved creating a designated drop-off area, posting "No Idling" signs by the school, and increased police enforcement of traffic laws. There was also discussion of speed bumps along Highbrook Avenue. Mrs. Mohan maintained that the Chief's position was that closing Highbrook completely would create more problems in terms of traffic.

Mrs. Mohan closed her report by saying that she has a meeting scheduled with Verizon FIOS on Wednesday, May 19 in hopes of re-opening negotiations with them. The Board wished her luck in this endeavor.

Item #18- Other Reports

None

Item #19-Other Business- Resolution to Appoint School Crossing Guard to the Pelham Police Department

Mayor Hotchkiss stated there was a letter for the Board's consideration concerning the hiring of a new school crossing guard, Debra Ripulone, to the Pelham Police Force. Mayor Hotchkiss stated that with the consent of the Board he suggested they approve the hiring of this crossing guard. Her pay will \$350 bi-weekly and then she will switch over the regular part-time salary at a later date. Trustee Mohan said that she had confidence in this new crossing guard. She will be stationed at Hutchinson Elementary.

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

Maggie Klein of the Pelham Weekly asked what the status was of the RFP for the 5th Avenue development. Mayor Hotchkiss the Board is still obtaining architectural information from Lothrop Associates. Trustee Breskin is working with them currently. Mrs. Klein then asked if there was any new development's regarding the Highbrook Bridge as it was a pressing safety concern for the Village. Trustee Breskin suggested send the DPW up to the site to periodically check the structure. Mayor Hotchkiss disagreed since the DPW is not qualified to make an engineer's assessment of the Bridge. Trustee Marty said that in the interim the Board should look into funding more engineering studies on the Highbrook Avenue Bridge.

RESOLUTION

AUTHORIZING THE APPOINTMENT BY THE MAYOR
OF DEBRA RIPULONE TO THE POSITION OF SCHOOL CROSSING GUARD
IN THE PELHAM POLICE DEPARTMENT

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham authorize the appointment by the Mayor of Debra Ripulone of Pelham, New York, to the position of School Crossing Guard, with an effective date of appointment to start on Monday, May 10, 2010, with salary and benefits as agreed upon in an offer letter dated May 7, 2010, subject to a probationary period of one (1) year and authorizes the Mayor and the Village Administrator to take the necessary and appropriate actions to effect this appointment.

Item #20-Authorizing Accounts Payable

Trustee Marty audited the Accounts Payable.

After some discussion, a motion was made by Trustee Marty and seconded by Trustee Breskin to adopt the resolution. The vote was approved by a vote of six in favor, none opposed. Trustee Morris 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	\$ 32,316.98
Water Fund	\$ 40,518.26
Capital Projects Fund	\$ 0.00
Trust and Agency Fund	\$ 0.00
H3 Fund	\$ 0.00
TE Expandable Trust Fund	\$ <u>0.00</u>
Grand Total	\$ 72,835.24

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

Item #21-Authorizing Minutes of: April 13, 2010 and April 27, 2010

The Board decided to table the minutes until a later meeting for more revision and review.

April 13, 2010-Tabled
April 27, 2010- Tabled

Item #22-Adjournment to Executive Session

A motion was made by Trustee Breskin with a second by Trustee Mohan to adjourn the public portion of the board meeting at 9:30 p.m. and go into Executive Session to discuss legal and personnel matters, after which the Board would adjourn for the evening. The motion was approved by vote of six in favor, none opposed. Trustee Morris was absent.

Respectfully submitted,
Peter Bonington, Administrative Intern