

VILLAGE OF PELHAM BOARD OF TRUSTEES
 REGULAR MEETING
 TUESDAY, MAY 6, 2014, 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 To Amend Chapter 77 Of The Code Of The Village Of Pelham Regarding Portable Signs	Approved
8.	Scheduling A Public Hearing To Amend Section 1-9 Of The Code Of The Village Of Pelham Regarding Definitions Of Terms To Include A Definition Of "Owner"	Tabled
9.	Scheduling A Public Hearing To Amend Chapter 68 Of The Code Of The Village Of Pelham To Expand The Parties Liable For Violating Article V To Include Landscapers, Contractors And Others Who Use Leaf Blowers Illegally	Tabled
10.	Other Business	None
Recurring Items		
11.	Authorizing Accounts Payable	Approved
12.	Authorizing Minutes of: April 2, 2014	Approved
13.	Adjournment to Executive Session (if needed)	Approved

Next Regularly Scheduled BOT Meetings:
 Tuesday, May 20, 2014
 Tuesday, June 3, 2014
 All meetings start at 7:30 p.m. unless otherwise noted.

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 Senerchia, Mutti, Marty, Volpe, Reim, and Kagan

The following members of the Board of Trustees were absent:

Village staff in attendance:

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 complimented the Chief of Police Benefico and the Police Department on their handling of the recent shooting incident in Pelham. He said the Chief gave a very concise press conference and stated that he had handled the matter well.

He said he attended an EcoPel event in which residents volunteered their time in a similar event to improve the B&W area.

The Mayor finished his report by saying he had received letters regarding the proposed park installation in Wolfs Lane Park. He said the Village will probably have to seek outside counsel to investigate some inquiries raised in these letters. He added that the Village would not be discussing that project this evening.

Trustees Reports:

Trustee Kagan

Trustee Kagan stated that the Mayor and he along with members of the DPW have held more discussions with United Water. He said he hoped to have more to report at the next meeting.

Trustee Marty

Trustee Marty stated that residents have reported to him that R&S Waste appear to be doing a good job around town. He reminded residents that although the carter has changed, the pickup times and days have remained the same.

Trustee Mutti

Trustee Mutti stated she took part in an Earth Day mulching project on Young Avenue. She said some of the rocks used as part of the construction were donated by Jimmy Secorenza of S&S Contracting.

She said the new Pelham governance chart will be a part of the booth setup for Village government at the Pelham Street Fair.

She reminded residents that the Trotta Park dedication ceremony is scheduled for Saturday, May 18th at 12:30 p.m.

Trustee Reim

Trustee Reim stated that as he has recently been appointed the liaison for shared services he will be looking into opportunities for the Village to coordinate with other municipalities.

Trustee Senerchia

Trustee Senerchia stated that there would be a Flea Market on Saturday, May 18th between 11 a.m. and 5 p.m.

He added that the Pelham Street Fair would be Saturday, June 7th.

He finished his report by saying there was a shooting incident in Pelham recently. He said although this is a rare occurrence, he wanted to commend the Police for their handling of the incident.

Trustee Volpe

None

Village Administrator's Report- Delivered by Secretary Bonington

Secretary Bonington stated that the Memorial Day Parade will take place on Monday, May 26th at 11 a.m.

He added that as a safety precaution, the Village recently purchased and installed Automated Electronic Defibrillators (AED) in Village Hall and in the DPW Yardhouse. He said this is a best practice for all public buildings.

Item #6–Public Comment

Aisling Bier of the Junior League stated that the League has developed a website, www.wolfslanepark.org to house information regarding the proposed park project and address community concerns regarding the park. She added there is a petition for supporting the proposed park development that has already had 225 signers.

Carlolyn O'Connor of Carol Avenue asked if there is a running list or order regarding street paving and maintenance. Mayor Cassidy responded that due to a harsh winter, many streets are in need of maintenance. He said the DPW makes recommendations regarding the streets most in need of work with the limited resources available. He said however that he understands Carol Avenue is towards to the top of the list as it currently stands.

Trustee Volpe added that state funding through the capital highway improvement program (CHIPS) funding has been systematically diminishing over recent years. He said the Village was able to achieve a 20% discount on paving asphalt by partnering with New Rochelle on paving operations. He said the Village also received a small increase in funds from the Governor's office.

Matt Klossner of Nyac Avenue requested the Board look into putting a speed bump on the 100 block of Nyac Avenue to curb speeding along that road. He added that he believed a Stop sign would also be helpful.

Mayor Cassidy said the discouraging aspect of this issue, which is Village-wide, is that it is Pelham residents doing the speeding. He said speed bumps and stop signs are not necessarily the answer to curb speeding. He said he would speak with the Police Chief about increased enforcement.

Trustee Kagan added there is a process to putting in a speed bump or stop sign. He added that it is not advisable to put a Stop signs in the middle of a block for traffic safety reasons.

Item #7– Public Hearing To Amend Chapter 77 Of The Code Of The Village Of Pelham Regarding Portable Signs

Trustee Senerchia said comments from the Board, Building Inspector, ARB, and others were incorporated into this final draft of the local law.

Trustee Marty stated this is a positive step toward helping the merchants. He said that the permitting process appears to be set up so the Village has all the proper insurance and hold harmless agreements.

Trustee Kagan stated he would like to see some language regarding the price of the permit included in the law. Trustee Senerchia responded that the Village did not include a price of a permit in the

sidewalk café law. He said the Board would determine that at a later time and it would go on the permit form.

Trustee Mutti stated this law is a response to the needs of the merchants.

Trustee Kagan stated although he felt that additional signage on public sidewalks was “visual pollution” he wanted to help local merchants. He said however that he did not see any regulation in the law to have the sign placed as close the building as possible.

Trustee Senerchia stated there is a distance requirement that the Village can enforce.

Trustee Kagan asked about buildings with multiple tenants and whether more than one sign would be allowed in those cases.

Trustee Senerchia confirmed that only the base tenant is entitled to a portable sign. He said tenants on upper floors can only advertise on the façade of the building.

With regard to enforcement, Trustee Kagan suggested that the language in the law be written to specify that “duly authorized officials” should specifically state the Police are duly authorized.

Trustee Senerchia stated the Police are already recognized as the enforcement arm of the law. They have been enforcing the sign code under other Village Code provisions at this time.

A motion was made by Trustee Mutti and seconded by Trustee Senerchia to close the public hearing for the revised draft of the local law. The vote was approved by a vote of seven in favor, none opposed.

A motion was made by Trustee Mutti and seconded by Trustee Volpe to approve the resolution for the revised draft of the local law. The vote was approved by a vote of seven in favor, none opposed.

Item #8– Scheduling A Public Hearing To Amend Section 1-9 Of The Code Of The Village Of Pelham Regarding Definitions Of Terms To Include A Definition Of “Owner”

Trustee Senerchia stated he understood this issue to be one of enforcement regarding the leaf blower laws. He said currently the Police Department can only deliver a citation for a violation to the homeowner, not the landscaper themselves. He said the changing the law would allow police officers to write summonses to the landscapers actually committing violations of the leaf blower ordinances.

Trustee Volpe said a memo from the Police Chief or Administrator would be helpful in making a determination whether to proceed.

Mayor Cassidy stated that he felt clarity is important with laws and he needed more time to determine if including the property owner would provide more or less clarity.

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

Village Of Pelham, NY

Scheduling a Public Hearing for Local Law #4-2014 Amending Section 1-9 of the Code of the Village of Pelham regarding definitions of terms to include definition of "owner"

The Board of Trustees of the Village of Pelham hereby schedules a public hearing to be held at 7:30 p.m. on Tuesday, May 20, 2014, in Village Hall at 195 Sparks Avenue, Pelham, NY, on a draft proposed Local Law that would amend the Code of the Village of Pelham, as follows:

**A local law that amends
Section 1-9 Definitions of
Terms to include a
definition of "owner."**

A copy of the draft 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: May 9, 2014

Item #9—Scheduling A Public Hearing To Amend Chapter 68 Of The Code Of The Village Of Pelham To Expand The Parties Liable For Violating Article V To Include Landscapers, Contractors And Others Who Use Leaf Blowers Illegally.

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

Village Of Pelham, NY

Scheduling a Public Hearing for Local Law #5-2014 expanding the parties liable for violating Article V of Chapter 68 of the Code of the Village of Pelham to include landscapers, contractors and others who use leaf blowers illegally.

The Board of Trustees of the Village of Pelham hereby schedules a public hearing to be held at 7:30 p.m. on Tuesday, May 20, 2014, in Village Hall at 195 Sparks Avenue, Pelham, NY, on a draft proposed Local Law that would amend the Code of the Village of Pelham, as follows:

A local law to expand the parties liable for violating Article V of Chapter 68 to include landscapers, contractors and others who use leaf blowers illegally.

A copy of the draft 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: May 9, 2014

Item #10– Other Business

None

Item #11– Authorizing the Accounts Payable

Trustee Mutti audited the Accounts Payable.

A motion was made by Trustee Volpe and seconded by Trustee Marty to approve the resolution for the revised draft of the local law. 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	\$76,727.80

Water Fund	\$193.00
Capital Projects Fund	\$0.00
Trust and Agency Fund	\$350.00
CD NYS Main Street Fund	\$0.00
H3 Fund	\$0.00
TE Expand Trust Fund	\$0.00
<hr/> Grand Total	<hr/> \$77,270.80

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

Item #12– Authorizing Minutes of: April 2, 2014, April 10, 2014, and April 22, 2014

A motion was made by Trustee Reim and seconded by Trustee Kagan to approve the resolution for the April 2, 2014 minutes. The vote was approved by a vote of five in favor, none opposed. Trustees Volpe and Senerchia abstained.

April 2, 2014- Approved

April 10, 2014- Tabled

April 22, 2014- Tabled

Item #13– Adjournment to Executive Session

A motion was made by Trustee Kagan with a second by Trustee Volpe to adjourn the public portion of the Board meeting at 8:18 pm and go into Executive Session to discuss a particular 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