

VILLAGE OF PELHAM BOARD OF TRUSTEES
REGULAR MEETING
TUESDAY, NOVEMBER 1, 2011, 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:	Approximate Starting Time of Discussion
	Non-Recurring Items	7:40 p.m.
7.	Resolution Authorizing Reassignment of Section 8 Housing to HTFC	Approved
8.	Scheduling A Public Hearing On A Draft Proposed Local Law On Property Tax Cap Override	Tabled
9.	Resolution to Adopt Changes to the Fee Schedule	Approved
10.	Resolution to Adopt Changes to Fees for 12 hour meters on Harmon Place, Nyac, and First Street (South of the Train Station), and Set Fee for Proposed Muni-Meter in Lot 1 (Upper and Lower Level)	Approved
11.	Resolution to Approve Village Credit Card Usage Policy	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.	Development (including 3 rd Street RFP)	Discussed
19.	Parking (including FTA Parking Lot project)	Discussed
20.	Other Business	Discussed
	Recurring Items	9:15 p.m.
21.	Authorizing Accounts Payable	Approved
22.	Authorizing Minutes of: October 4, 2011	Approved
23.	Adjournment to Executive Session	9:30 p.m.

Next Scheduled Board Meetings are:

Tuesday, November 15, 2011

Tuesday, December 6, 2011

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 7:36 p.m.

The following members of the Board of Trustees were present:

Mayor Hotchkiss, Trustees Marty, McGoldrick, and Mohan

The following members of the Board of Trustees were absent:

Trustees Lewis, Marciona, and Morris

Village staff in attendance:

Village Administrator Robert Yamuder, 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 discussed the snowstorm which took place on Saturday, October 29, 2011. He said the Village had some trees come down but mostly it was limbs and branches which the Village DPW is busy collecting throughout the Village. He said all the Village departments worked very hard to keep the streets clean and safe for residents. He said there would be some weekend overtime as a result of the storm.

The Mayor congratulated Pelham Fire Chief Bill Stone has been with the Village for a year now. He said the Village is lucky to have a Fire Chief of Stone's ability.

The Mayor reported there will be street paving taking place on Friday, November 11th along Colonial Avenue from Wolfs Lane to just short of Pelhamdale Avenue. He said the Village picked this day because there would be no school as the 11th is Veterans Day.

Mayor Hotchkiss stated the DPW Yard Project is coming to an end. He said the Lot #7 permit holders have been allowed back into the newly renovated parking lot and the final grant closeout reports for the awarded funds.

The Mayor concluded his report by saying that the Village is doing well in its collection of sales tax revenue. He said it is a hopeful sign that the Village is ahead in such an important area of tax collection.

Trustees Reports:

Trustee Lewis-

Absent

Trustee Marciona-

Absent

Trustee Marty-

None

Trustee McGoldrick-

None

Trustee Mohan-

None

Trustee Morris-

Absent

Village Administrator's Report-

Administrator Yamuder said the Pelham Police received an AAA Safety Traffic Award. He said Chief Benefico and Lt. DelGrosso attended the award ceremony out in Long Island.

He stated the reconstruction work on Municipal Lot #3 is proceeding. He said he hopes to have all the work completed by the week before Thanksgiving. He thanked the permit parkers in the lot for their patience.

He finished his report by stating that the DPW Yard Project has been successfully closed out with the Federal and State granting entities. He said the Village will be exploring options for commuter parking in Municipal Lot #7 and Municipal Lot #1.

Item #6– Public Comment-

John Cassone of 7th Avenue wanted to commend the Village DPW for their work at keeping the Village clean and safe during and after the snowstorm. He said he was concerned about

a tree hanging on some wires over the street on 7th Avenue and asked what the Village could do about this precarious situation.

Administrator Yamuder said DPW Foreman Michael Shriman had already made him aware of this tree limb. He said Con-Edison has been contacted. He said he has been in contact with Pelham's community liaison and participated in a joint conference call with Con-Ed on Monday morning in the aftermath of the storm.

Jamie Caboracas of Brookside Avenue asked if there were any developments concerning the status of Brookside and Hillside Avenues as public or private streets. Mayor Hotchkiss stated the Village is in discussion with Clovelly in Pelham, Inc. to provide the residences with parking spaces on the street. Mr. Caboracas asked if the Pelham Picture House expansion project is part of this agreement which the Village and Clovelly are working on. The Mayor responded that the Village is only concerned at this time with the status of the streets and their declaration as public.

Mr. Caboracas asked if the Village's intent is to clarify the status of Hillside/Brookside, why it is not addressing the other streets such as Manning Circle. He said all streets should be examined and if necessary have their status as public or private adjusted Mayor Hotchkiss stated the Village cannot do all the streets at once. They are addressing the status of Hillside/Brookside because this is an issue that came to the Board's attention through discussions with Clovelly.

Mr. Caboracas asked the Board if they could assure him that that there is no contingency within the agreement with Clovelly regarding the Picture House. Mayor Hotchkiss said he could not remember if there was anything in the draft of the agreement about the Picture House but stated again that the Village is concerned primarily with the status of Hillside and Brookside Avenue's.

Item #7—Resolution Authorizing Reassignment of Section 8 Housing to HTFC

Administrator Yamuder said the Village has a Housing Urban Development (HUD) Section 8 program that is run out of Village Hall. The organization that administers the program, NDR, is going to be closing the program all together. The Village has come across an interested nationwide organization known as the Housing Trust Fund Corporation (HTFC) which could assume the program. The Administrator said that he would recommend the merger of the program with the HTFC.

Trustee Mohan asked how much of the Federal money that goes into the HUD program stay with Pelham if this program is transferred. The Administrator stated he would find out how much of the money belongs to Pelham and attempt to save what funds are available.

Administrator Yamuder said the Pelham Section 8 program has approximately 155 vouchers from residents both inside and outside of Pelham. If the program is transferred, these vouchers will be administered through an office based out of White Plains.

John Cassone of 7th Avenue asked if the program is transferred will Pelham residents still have the preference that they have under the current program. The Administrator stated that there would most likely not be a preference for Pelham residents if the Section 8 program is being operated by a Westchester County wide organization.

Trustee Mohan asked if the Village looked at other organizations to assume the Pelham Section 8 program. Mayor Hotchkiss said the Village had reached out to other organizations but the HTFC was the best option for transferring the Pelham program. He said the Village can ask if there can be a preference for Pelham residents who want to receive Section 8 but he said it is unlikely. He added that the Village must consider the efficiency of its operations and based on the research it has conducted it would be beneficial to having the HTFC assume the Pelham Section 8 program.

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

RESOLUTION
AUTHORIZING TRANSFER
OF PELHAM HUD PROGRAM TO
NYS HOUSING TRUST FUND CORPORATION (HTFC)

BE IT RESOLVED, that the Mayor and Board of Trustees of the Village of Pelham authorize the Village to transfer the Village of Pelham HUD program to the NYS Housing Trust Fund Corporation (HTFC).

WHEREAS, the current agency plan calls for expanding housing opportunities of the low-income participants under the Section 8 Housing Choice Voucher Program (HCV) by merging the Village Section 8 HCV Program into the State Section 8 HCV program administered by the NYS HTFC, and

WHEREAS, the Village Administrator/Treasurer has prepared a cost benefit analysis which reflects program savings by combining the two programs and eliminates participants confusion related to the two separate programs with two separate Administrative Policies, applications and waiting lists, and

WHEREAS, all Village Section 8 participants will have better housing choices by expanding the jurisdiction to include Westchester County, and

WHEREAS, HUD Notice PIH 2007-6, dated March 7, 2007 outlines the procedures for such program to take place, and

WHEREAS, both our HUD and our NYS-HTFC Section 8 Program Representatives support this transfer, and

RESOLVED, that the Mayor and Board of Trustees accept and approve the Village Administrator/Treasurer's recommendation to transfer the Village of Pelham's Section 8 Voucher Program into the State Section 8 Housing Voucher Program administered by the NYS HTFC, and

BE IT FURTHER RESOLVED, to establish a target date of February 1, 2012 for this action to be effective, subject to the approval of the U.S. Department of Housing and Urban Development and the NYS HTFC

Item #8—Scheduling A Public Hearing On A Draft Proposed Local Law On Property Tax Cap Override

Mayor Hotchkiss suggested the Board table this resolution until a later meeting.

VILLAGE OF PELHAM, NY
SCHEDULING A PUBLIC HEARING
ON A DRAFT LOCAL LAW TO OVERRIDE
THE TAX LEVY LIMIT

The Board of Trustees of the Village of Pelham hereby schedules a public hearing to be held at 7:30 p.m. on Tuesday, December 6, 2011, 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 override the tax levy limit
Established in General Municipal Law 3-c**

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: Friday, Nov. 11, 2011

Item #9—Resolution to Adopt Changes to the Fee Schedule

Administrator Yamuder said the Board has proposed to make some alterations to the Fee and Fine Schedule. He said the certification letter to close out open building permits was requested by the Building Department because of the labor intensive nature of the task to be increased. He said these certification letters would be increased to \$250.

The Mayor then stated that Village intends to increase the parking permit fees for the municipal parking lots. He said both lots #1, #3, and #7 have undergone maintenance which have provided substantial improvement to the Village's parking capacity. He said Lot #1 was pre-approved as a \$2,000 permit commuter lot.

Mayor Hotchkiss stated that Lots #1 and #7 are being reorganized to benefit commuters. He said the Village is considering advertising for spaces at the New Rochelle and Mount Vernon train stations that spaces will be available to commuters in these lots. Village Clerk Terri Rouke stated there is already a running list of non-residents who would like to park in these lots.

The Mayor stated he wants to be able to maximize the Village's assets in terms of parking and revenue. Village Clerk Rouke said the permit renewals for these lots will be going out soon. She said she can look into getting an advertisement posted on the Metro-North website.

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

**RESOLUTION
ADOPTING CHANGES TO THE FEE SCHEDULE
INCLUDING ANNUAL PARKING PERMIT RATES (Resident and Non-Resident)**

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham hereby adopts the Fee Schedule for the Village of Pelham as follows:

**Village of Pelham
Fee and Fine Schedule, November 1, 2011**

Item	Chapter	Fee amount
Alarm System	§ 27	No annual fee
Alarms: False Alarm Fine	§ 27-7	No violation for 1 st thru 3 rd false. Violations issued for false alarms after 3 rd , up to \$250 per violation
Amusement Device	§ 28	\$250 per establishment and \$250 per device
Blasting Permit	§ 33, 34, 35, 68	\$2,500 per blast, plus pre-blast surveys of properties reqd. w/in 500 ft. of a property being blasted, plus \$50,000 bond or escrow for property damage; \$2 million min. hazard & liability insurance
Building Permit (Consolidates in Fences, Tanks, Fuel Tank Installation or Removal,	§ 34	\$200 per \$0-5000 value of work; \$10 per each additional \$1000 in value of work with the requirement to substantiate cost

HVAC, Demolition, etc.)		of work upon completion.
Building & Work w/o Permit	§ 34	\$1000
Certificate of Occupancy or Compliance	§ 34	\$250
Certification Letter (in Lieu of Certificate of Occ.)	§ 34	\$125
Certification Letter to close old open permits	§ 34	\$250
Christmas Tree Sales		\$100 (plus \$150 deposit)
Curb Cut Fee, New Sidewalk installation, Street Opening involving major construction	§ 33 and 76	\$250 per opening/installation up to 25 sq. ft., with \$25 per each additional 50 sq. ft. above 25 sq. ft. for new side-walks and driveways; \$25 per each addl. ft. for curbs, \$350 refundable deposit.
Driveway Apron, Sidewalk Maintenance, minor curb repair	§ 33 and 76	\$100 curb and sidewalk minor repair and maintenance permit, and \$350 refundable deposit.
Dumpster Permit		\$50 per day, plus \$5 per meter per day if it blocks a meter. (Public or Private Road.)
Electrical Permit	§ 34	\$100 plus \$10 per electrical item (switch, outlet, fixture, etc.)
Elevator Inspections		\$225 per inspection
Excavation and Digging w/o Permit	§ 33	\$1000 each separate violation, for work w/o a permit, or in violation of a permit,
Film Permit Fee	§ 44-3	\$600 per day 8 am-8 pm \$900 per day 7 am-9 pm \$1,200 per day, before 7 a.m. and/or after 9 p.m. Plus \$25 per parking space rental (overrides hourly parking limits), plus police costs (if assigned for traffic control)

Item	Chapter	Fee amount
Fire Inspection Fees (includes Haz. Chem., Flammable Stor., Dry Cleaning, Lumber Yards)	State Code and Village Code	\$100 per building or establishment, whichever is greater
Games of Chance (net proceeds fee)	§ 52-12 (B)	Not to exceed 5% of net proceeds
Hazardous Chemicals		* See Fire Inspection Fee.
Ice Cream Vendor (Truck)		\$100 per year
Motor Vehicle Service	§ 34; and Fire	\$100

Garage or Motor Vehicle Repair and Spray Booth	Inspection Fee	
Motor Vehicle – Fuel Dispenser Permit (per nozzle, annual)	§ 34; and Fire Inspection Fee	\$25 per nozzle
Newsrack/box Permit	§ 59, Newsracks	\$35 annual fee
Parking Permit Fees	Resident Annual	\$750
	Resident Semi-annual	\$385
	Resident Quarterly	\$225
	Resident Monthly	\$85
	Non-Resident Annual	\$1,500 (Lot 1 Commuter Rate \$2000 adopted April 27, 2010)
	Non-Res. Semi-annual	\$750
	Non-Resident Quarterly	\$425
	Non-Resident Monthly	\$140
	Merchant Annual	\$500
	Merchant Semi-annual	\$300
	Merchant Quarterly	\$175
	Merchant Monthly	\$75
Plumbing Permit	§ 34	\$100 plus \$10 for ea. addl. fixtr.
Sidewalk Café Permit	§ 75	\$200
Sign/Marquee Permit (Awning or Canopy – same)	§ 77-5	\$200 application fee
Site Plan Review	§ 79	\$500 per lot
Street Opening Permit	§ 33	\$350 per opening up to 25 sq. ft., \$150 per each addl. 100 s.f., \$350 refundable deposit.
Taxicab – Cab Lic Fee	§ 84	\$100 annual
Taxi – Driver Fee	§ 84	\$50 annual, plus fingerprinting costs
Taxi – Inspection Fee	§ 84	\$50 per inspection
Taxi Stand Parking Space	§ 90	\$900 per year
Taxi – parking Overnight on Harmon	§ 90	Under review.
Wireless Telecomm. Devices	§ 87	\$5,000; \$2,000 for co-location
Water Shut-Off/Turn-On		\$100 Fee
Zoning Board of Appeals Application or Appeal Fee	§98-128	Residential Application \$250 Commercial Application \$500

Item #10—Resolution to Adopt Changes to Fees for 12 hour meters on Harmon Place, Nyac, and First Street (South of the Train Station), and to set fee for proposed Muni-Meter in Lot 1 (Upper and Lower Level)

Mayor Hotchkiss stated the Board intends to increase the amount of the parking meters in Pelham from \$.75 to \$1.00 an hour. John Cassone of 7th Avenue asked how soon this change would take affect. Mayor Hotchkiss said this change requires implementation across all the meters in the Village so it will not be immediate. Trustee Mary suggested that the change can take place as soon as administratively possible. The Mayor added that the Federal Transit Authority grant the Village received for the DPW Yard Project was awarded to assist in the creation of commuter parking spaces.

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

Resolution

To Adopt Changes To Fees For 12 Hour Meters On
Harmon Place, Nyac, First Street (South Of The Train Station),
And To Set Fee For Proposed Muni-Meter In Lot 1 (Upper And Lower Level)

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham hereby adopts Changes to Fees for 12 hour meters for the Village of Pelham as follows: on Harmon Place, Nyac Avenue, First Street (south of Train Station) from \$.75 an hour to \$1.00 per hour and

BE IT FURTHER RESOLVED, that the proposed Muni meter in Lot 1 (upper and lower Level) be set at \$1.00 per hour and

AND BE IT FURTHER RESOLVED, that Mayor and Board authorize the appropriate Village officials and staff to take the necessary and appropriate actions to effect this change.

Item #11—Resolution to Approve Village Credit Card Usage Policy

Administrator Yamuder said the Village is working on instituting written policies. He said he hopes to institute a new written policy or procedure each month at the Board meetings. Trustee McGoldrick asked if the Village had a credit card. The Administrator responded that the Village has a Visa credit card through JP Morgan Chase Bank.

The Administrator said the card is in his name and the Village only uses it in cases where companies will not accept a purchase order however, he said that this policy will allow the Administrator and any of the Village Department heads he designates to use the card which will allow for more efficient on the rare occasions the card is required.

Trustee Mohan said she was concerned that this policy might conflict with the credit card agreement the Village has with Chase Bank by having other Village employees use the card. The Administrator said he would check to make sure that the Administrator can designate other department heads to use the card.

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

RESOLUTION
AUTHORIZING
VILLAGE CREDIT CARD USAGE POLICY

BE IT RESOLVED, that the Village of Pelham Board of Trustees authorizes a Village Credit Card Policy to regulate credit card usage for municipal purchases.

Committee and Community Liaison Reports

Item #12– Commercial Zoning Review

Mayor Hotchkiss stated that Trustee Marty has been working with the Planning Board on their recommendations for the proposed zoning changes. He said the Planning Board does not have to approve the changes but are being offered a change to contribute to the drafting. Trustee Marty said the next step is to write up the proposed changes into Code and then submit them to the Westchester County Zoning Board to be formally adopted.

Item #13–Site Plan Review

The Mayor said the Village is to clearly layout the site plan review process. He said the goal is to make the process more efficient for residents. He said the Village has been working on this task for almost three years. He said however, that he hopes to have it ready in two months.

Item #14– B & W Site

Trustee Marty reported that there has been great enthusiasm from the Highbrook Highline for concepts related to the remediation of the soil in the NYW&B property. He said there are two requests for qualifications (RFQ's) that has been put out for a study or the removal of the Highbrook Bridge. He said the RFQ's are available on the Village website and are due on December 1, 2011.

Item #15– Employee Benefits/HR Manual

Mayor Hotchkiss stated that the draft of the HR Manual is almost finished. He said he hopes to be able to formally adopt the manual next month.

Item #16–Tree Committee

Trustee Mohan asked if the Village had purchased ten trees from the New York Power Authority (NYPA). The Administrator responded that the Village had purchased the ten trees and received the ten free trees as part of the agreement.

Item #17– Park Improvements

Trustee Mohan asked if the survey for Wolfs Lane Park. Administrator Yamuder said he is working on getting the survey organized in addition to the survey work to be conducted for the Westchester County Community Development Block Grant (CDBG) project.

Item #18–Development (including 3rd Street RFP)

Mayor Hotchkiss stated that the Board is speaking to developers about the Village property at Fifth Avenue and Third Street. He said the Board is getting high end proposals from these developers and he is optimistic about the site.

Trustee McGoldrick asked if the Village should consider combining the Police and Fire Departments into the same building. The Mayor stated it would be hard to accommodate both departments by putting them in the same building.

Item #19– Parking (including FTA Parking Lot project)

Administrator Yamuder reported that the DPW Yard Project is finished. He said the Federal and State grants the Village received for the work have been completed received and the grants have been closed out.

The Administrator said the First Street Parking Lot Project is progressing. He said the Village is looking into installing muni-meters in the First Street and DPW Yard Lots. He said the meters are approximately \$10,000 each. He added that they will make the job of monitoring the parking in municipal easier for the parking enforcement officers.

Item #20– Other Business

Trustee McGoldrick said he was informed by an acquaintance that there is a State regulation regarding the Village's signage. He said there is some regulation that says all the signage in the Village of Pelham must match all State signs throughout the County.

Administrator Yamuder said he was not aware that there was such a regulation from New York State. He said there are regulations to for Village signage in general but he would look into Trustee McGoldrick's inquiry.

Item #21– Authorizing Accounts Payable

Trustee Marty audited the Accounts Payable.

After some discussion, a motion was made by Trustee Marty and seconded by Trustee Mohan to adopt the resolution. The vote was approved by a vote of four in favor, none opposed. Trustees Lewis, Marciona, and Morris 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	\$ 161,896.69
Water Fund	\$ 46,284.55
Capital Projects Fund	\$ 80,586.38
Trust and Agency Fund	\$0.00
H3 Fund	\$0.00
CD NYS Main Street Fund	\$0.00
TE Expandable Trust Fund	<u>\$0.00</u>
Grand Total	\$ 288,767.62

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

Item #22– Authorizing Minutes of: October 4, 2011, October 18, 2011

After some discussion, a motion was made by Trustee Mohan and seconded by Trustee McGoldrick to adopt the minutes from October 4, 2011. The vote was approved by a vote of four in favor, none opposed. Trustees Lewis, Marciona, and Morris were absent.

October 4, 2011- Approved

October 18, 2011- Tabled

Item #23–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 go into Executive Session to discuss personnel and

contractual matters at 9:23 p.m. after which time the Board would adjourn for the evening. The motion was approved by vote of four in favor, none opposed. Trustees Lewis, Marciona, and Mohan were absent.

Respectfully submitted,
Peter Bonington, Secretary to the Village Administrator