

VILLAGE OF PELHAM BOARD OF TRUSTEES
REGULAR MEETING
TUESDAY, OCTOBER 16, 2012, 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:	
	Non-Recurring Items	7:40 p.m.
7.	Fire Department Task Force	Discussed
8.	Resolution Establishing a Standard Work Day for Appointed Officials	Approved
9.	Continuing a Public Hearing on Proposed Changes in the Commercial Zoning Code	Approved
	Reports and other Business	8:15 p.m.
10.	Monthly Budget Review	None
11.	Grants- Status Report	Discussed
12.	Other Business	None
	Recurring Items	8:45 p.m.
13.	Authorizing Accounts Payable	Approved
14.	Authorizing Minutes of: September 18, 2012, October 2, 2012	Tabled
15.	Adjournment to Executive Session	9:15 p.m.

Next Regularly Scheduled BOT Meeting:
Wednesday, November 7, 2012
Tuesday, November 20, 2012
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 Hotchkiss, Trustees Lewis, Kagan, Marciona, Marty, McGoldrick, and Morris

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 Hotchkiss.

Reports

Mayor Hotchkiss's Report-

Mayor Hotchkiss reported that loose leaf pickup season began on Monday, October 15, 2012. He reminded residents that leaves can be left loose at the curb for the Village DPW as part of a five day roving pickup schedule. He said all other organic material must be bagged or put into a container.

He said residents in the Pelham Heights water district may notice an increase in the water rates on their next bill. He said the Village is a pass-through agency for United Water of New Rochelle who actually set the rates.

Trustees Reports:

Trustee Lewis-

Trustee Lewis reported that representatives of the Pelham Police attended an award ceremony hosted by AAA to give the Village of Pelham two awards for traffic and pedestrian safety.

Trustee Kagan-

Trustee Kagan reported that he had attended a Chamber of Commerce meeting where he reiterated the suggestion about merchants staying open later on weekdays to promote more shopping and foot traffic in the downtown. He said this trial would begin on Thursday nights and would last for about a month beginning the week after Thanksgiving.

He commented that the Chamber of Commerce Street Fair would be on Sunday, October 21, 2012. He said an advertiser inquired about buying up a certain number of parking spots to allow free parking for one day.

Trustee Kagan finished his report by saying there is a tax incentive program in Westchester County for employing veterans. Senator Klein's office can be contacted for more details.

Trustee Marciona-

None

Trustee Marty-

Trustee Marty reported the Village DPW performed some basic maintenance on the Highbrook Avenue Bridge. He said this maintenance was performed as per the suggestion by the Modjeski and Masters engineering firm tasked with reviewing the bridge.

Trustee McGoldrick-

None

Trustee Morris-

None

Village Administrator's Report-

Administrator Yamuder stated the New York Power Authority (NYPA) trees were received all 24 allotted trees and they were installed throughout the Village by Monday, October 15. He said the Village has finished its tree planting list and so now the Village can have a fresh start for the 2013. He thanked DPW Foreman Michael Shriman for his work on this project.

Item #6–Public Comment

Trustee Marciona said she had heard that the Town of Pelham is putting out an RFP for a new landscape architect. She said the Board must have input on this process and be able to evaluate the qualifications of the potential bidders.

Item #7–Fire Department Task Force

Trustee Marty stated this task force was organized to determine if there were enough material benefits and savings for the Village to pursue working with New Rochelle about a possible consolidation of the Fire Departments. Trustee Marty stated the Task Force spoke with members of both Fire Departments and New Rochelle City Manager Chuck Strome about the various options available.

Trustee Marty said the Village would generate savings by not having a part-time Chief of a Pelham Fire Department if the two municipal fire departments consolidated. He added that the overtime would be curtailed as well. He said, however, that New Rochelle may not want to assume the upkeep of another Firehouse and has no plans to close any of the firehouses within the city limits of New Rochelle. He said that may mean closing the Firehouse in Pelham.

Trustee Marty stated that this possibility generates uncertainty and would most likely affect the level of service the Village has with its current Firehouse. As a result, the Fire Task Force doesn't recommend pursuing any further consolidation studies at this time.

Trustee Kagan thanked Trustee Marty for organizing this Committee. He suggested the Board continue to look into other ideas as possible cost savings measures.

John Cassone of 7th Avenue asked about the \$6,000 the Village was supposed to pay for the study that North Avenue Research was preparing on this investigation. Mayor Hotchkiss responded that the Village would not receive a study from North Avenue due to staffing issues on their part. The Village would not have to pay the \$6,000 as a result.

Item #8– Resolution Establishing a Standard Work Day for Appointed Officials

Administrator Yamuder stated that this resolution is a report for the all the staff who are in the retirement system. He said it is documentation that is required by law and is submitted once a year to the state retirement system.

Trustee Marciona asked to be provided with the application documents. Administrator Yamuder stated this information will be posted at the Village Clerk's desk at Village Hall as per the requirements by law. It will also be available on the Village website although it is not required.

Trustee Kagan suggested they include the elected officials as well as appointed officials in the wording of the resolution.

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

Standard Work Day and Reporting Resolution

BE IT RESOLVED, that the Village of Pelham hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

Title	Name	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days/Month (based on Record of Activities)

Village Trustee	Adam Kagan	6	April 2012- March 2014	N	3.17
Village Trustee	Laura Morris	6	April 2011- March 2013	N	
Village Administrator	Robert Yamuder	8	April 2012 to March 2013	Y	N/A
Village Clerk	Terri Rouke	8	April 2012 to March 2013	Y	N/A
Deputy Treasurer	Deborah DelGrosso	8	April 2012 to March 2013	Y	N/A
Deputy Village Clerk	Sandra Shriman	8	April 2012 to March 2013	Y	N/A
Secretary to the Village Administrator	Peter Bonington	8	April 2012 to March 2013	Y	N/A

Item #9– Continuing a Public Hearing on Proposed Changes in the Commercial Zoning Code

Trustee Marty gave a presentation of the current status of the revision of the Commercial Zoning Code. He stated this has been an initiative that was started in 2009 with Trustee Lewis chairing the committee organized to clear up inconsistencies in the existing code, promote downtown development, and fulfill the goals set forth in the 2008 Pelham Comprehensive Plan.

Trustee Marty stated the main recommendations of the Committee have been to create two districts; the C1 district from Boulevard to Lincoln Avenue and the C2 district from Lincoln Avenue to the intersection with Mayflower Avenue. He said they were also generating a list of allowable uses to avoid confusion among new incoming merchants and create variety in the downtown. Trustee Marty stated drafts of these proposals and revisions are available on the Village website under "Pelham Development."

Trustee Lewis thanked Trustee Marty for delivering this presentation. Trustee Marciona said the information available on the proposed heights of buildings in the Commercial District is confusing and said that Westchester County generated models would be helpful to concerned residents. Trustee Kagan said he would like to see further modeling on the heights of the buildings.

Daniel Murdoch of Pelham Manor said he understands the push to generate more growth and increase pedestrian traffic. He said he was not clear as to whether the zoning plan was raising or lowering permitted heights of buildings in the Commercial District. Mayor Hotchkiss responded that there is no reduction in the heights of buildings.

Mr. Murdoch, a former Board of Education member, asked if the Village is working with other boards such as the Board of Trustees of Pelham Manor or the Pelham School Board and suggested that the Village do so. Mayor Hotchkiss said he has been in touch with the Mayor of Pelham Manor and the Village has been contacted to the School Board as well. Trustee Marty added the Village will be speaking to the various concerned organizations.

Cliff Raggo of 4th Avenue said that he would be opposed to the proposed building because of the its heights and the potential for increased traffic. He said the potential development at this location would replace the small town feel of Pelham and increase the population and subsequently the crime rate. Trustee Lewis pointed out that any project would be subject to SEQRA review, which includes an assessment of impacts such as additional traffic.

Mayor Hotchkiss said these are questions that pertain to the potential development on 5th Avenue and 3rd Street. He said these questions would have be a part of any SEQRA review and would be settled before any construction takes place. He said the proposed changes to the Commercial Code only call for an increase in the building heights for an area of four blocks and contemplate an increase of one storey "as of right." He said the Village is awaiting a proposal from the developer which will provide more information.

Mr. Palma of 15 4th Avenue said under these new code revisions, someone could buy a house on 4th Avenue and convert it into an apartment building. Trustee Lewis said that they could but that that could also happen under the current Commercial Zoning code, but only on the east side of the street. Mr. Palma stated that he did not approve of this decision as none of the Board members live in the 4th Avenue area.

Trustee McGoldrick stated the Village is faced with increasing financial demands many of which are out of the Village's control which my may force them to make drastic cuts or continue to raise taxes. He said the Board must begin to look forward to ways the Village can increase its tax base and one option is to set parameters within a new Commercial Code to allow a developer to present the Village with a proposal to help increase that tax base.

Carol Spawn Desmond, President of the Pelham Preservation and Garden Society, presented her objections to the zoning code and raised questions about the development site at 5th Avenue and 3rd Street. She charged that such a development would lead to overcrowding of the schools, raise demand for services, and reduce property values. She stated the Board must provide more information to Village residents and if necessary poll the community to ascertain how many residents are supportive of this proposed development. Ms. Spawn Desmond stated the Preservation Society has voted to oppose the proposed development and the zoning code revisions. .

Trustee McGoldrick stated this resolution only pertains to updating an existing commercial code. He said he considers this the prudent measure to keep the Code in line with long term goals of the Village.

Trustee Marty stated the Village would like to make this piece of property more attractive to a developer. He said since Marbury Corners there has not been significant real estate development in the Village. He said the Board is discussing zoning while there is a potential project out there but stressed the Board is treating the two initiatives as separate projects.

Sonia Davidian of 246 Highbrook Avenue, co-owner of McClellan Real Estate, stated the Village realtors have spoken with Spinnaker, the potential developer of the 5th Avenue and 3rd Street site. She alleged the push for this development is driving these revisions to the Commercial Code. Mayor Hotchkiss replied that is not the case and the updates to the Commercial Code predates the proposed development. Deputy Mayor Lewis state that this was a “belief,” not a fact.

Art Scinta, a realtor, said the Board referred Marbury Corners several times and he wanted to give a brief history of the development there. He asserted that when he was mayor and the property was becoming available for development, the Village reached out first to nearby residents and asked them what they would like to see developed. They specifically asked for condominium apartments, he said.

Jennifer Laphey, the Vice Chairman of the Pelham Preservation Society, said the Board should reach out to the Pelham School Board and provide schematics with current and proposed illustrations to assist the public in assessing any propose project.

Mayor Hotchkiss stated the Board has not presented to the community because it has not received the proposal from the developer. Trustee Marciona believes that this type of project might be very helpful to people like her parents’ friends, who have reached a time in life when they do not wish to maintain a home, but would like to remain in the community.

Trustee Kagan responded to the questions raised by Ms. Spawn Desmond about the transparency of the Village zoning review process. He said this is the sixth meeting where the Board has discussed these changes. He said all copies and revisions of the zoning changes are available on the Village website. Trustee Lewis added that throughout the drafting period, he had reported the progress of the committee, which are in the minutes of many meetings.

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

Item #10– Monthly Budget Review

Mayor Hotchkiss stated the Board can review the budget at the next meeting.

Item #11– Grants- Status Report

Secretary Bonington gave the grants status report. He stated the Village has been awarded the \$125,000 Local Pre-Disaster Mitigation Grant (LPDM) from the FEMA 2008 application the Village submitted. He added the Village is now awaiting the next steps from FEMA.

The Secretary stated the \$647,000 Economic Development Grant (EDP) from the Dormitory Authority is being reviewed at this time. The current information is that after their initial review, the grant will go before the Senate and Assembly for approval. The Authority will then contact the Village about the next steps in the process.

Secretary Bonington finished his report by saying the FEMA reimbursement for overtime and damages accrued as a result of Hurricane have been received in full. He said this item will be moved to the grants completed roster by the next meeting.

Item #12– Other Business

None

Item #13– Authorizing the Accounts Payable

Trustee Lewis audited the Accounts Payable.

A motion was made by Trustee Lewis and seconded by Trustee McGoldrick 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	\$ 118,466.34
Water Fund	\$81,917.10
Capital Projects Fund	\$291,727.58
Trust and Agency Fund	\$350.00
H3 Fund	\$0.00
<u>TE ExpendableTrust Fund</u>	<u>\$0.00</u>
Grand Total	\$492,461.02

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

Item #14– Authorizing Minutes of: September 18, 2012, October 2, 2012

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

September 18, 2012- Tabled

October 2, 2012- Tabled

Item #15–Adjournment to Executive Session

A motion was made by Trustee Kagan with a second by Trustee Morris to adjourn the public portion of the board meeting and go into Executive Session to discuss a personnel matters at 11:00 p.m. 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