

VILLAGE OF PELHAM BOARD OF TRUSTEES
REGULAR MEETING
TUESDAY, OCTOBER 2, 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		7:45 p.m.
7.	Resolution Authorizing the Appointment of to the Position of Fire Lieutenant in the Pelham Fire Department	
8.	Presentation of Audited Financial Statement for FY2012-2013	Discussed
9.	Continuing a Public Hearing on Proposed Changes in the Commercial Zoning Code	Approved
10.	Fire Department Task Force	Discussed
Committee and Community Liaison Reports		8:30 p.m.
10.	Site Plan Review	Discussed
11.	B & W Site	Discussed
12.	Employee Benefits/HR Manual	Discussed
13.	Tree Committee	Discussed
14.	Park Improvements	Discussed
15.	Development (including 3 rd Street RFP)	Discussed
16.	Parking	Discussed
17.	KVS Accounting Software Implementation	Discussed
18.	Updating Building Code, Chapter 79 and 98	Discussed
19.	Other Business	None
Recurring Items		9:30 p.m.
20.	Authorizing Accounts Payable	Approved
21.	Authorizing Minutes of: September 4, 2012	Approved
22.	Adjournment to Executive Session	9:45p.m.

Next Scheduled Board Meetings are:

Tuesday, October 16, 2012

Wednesday, November 7, 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 as of Monday, October 15th, loose leaf pickup season would begin. He said as part of this pickup, leaves may be left loose in a pile at the curb and will be picked up on a five day roving schedule by the Village DPW. He said all other organic matter such as grass clippings and branches must be properly bagged or bundled. He said this season would continue until December 15, 2012.

He reminded residents of the Chamber of Commerce Street Fair on Sunday, October 21. He said the ArtsFest from two weeks ago was successful with the Culture Trolley running from New Rochelle and into Pelham. He said he hoped it would continue next year.

The Mayor commented on the heavy rainstorm that Pelham experienced the week before. He said there was some localized flooding in certain areas. He said Glenwood Lake was lowered in advance and the catch basins were cleaned beforehand. He said, however, that the rain was intense enough that it still resulted in some flooding issues. The Mayor said the Village has several grants dedicated to flooding remediation and the Village will continue to pursue the funding. He thanked the Fire Department for helping residents during the heavy rain.

Trustees Reports:

Trustee Lewis- arrived at 8:00 p.m.

None

Trustee Marciona-

Trustee Marciona said that for next year's ArtsFest she hoped that the Culture Trolley could go down farther on 5th Avenue and Wolfs Lane.

Trustee Marty-

Trustee Marty stated he had heard many good things said about the Village DPW before and after the storms of last week in large part due to their excellent cleaning of the catch basins around the Village.

Trustee McGoldrick-

None

Trustee Kagan-

None

Trustee Morris-

None

Village Administrator's Report-

Administrator Yamuder stated the Village has paving operations underway. He said the paving contract price came in low enough that the Village may be able to include one or two extra streets on the paving list. He said residents who have questions can call Village Hall for more guidance.

Item #6–Public Comment

Mary Veith of 155 Nyac Avenue said the fundraiser held by the Pelham Picture House at the corner of Wolfs Lane Park by Second Street was very noisy due to the live band that they had and it lasted past 10 p.m. The noise disturbed her and her neighbors and she said she was concerned about more events taking place now that the precedent has been set.

Administrator Yamuder stated that he had spoken to the Picture House after this inquiry came to his attention. He said he the Picture House is now aware that they have to shut the music down earlier in the evening. Administrator Yamuder also recognized that future events in the area should be moved further into the park to avoid being too close to existing homes.

Richard Veith of 231 Nyac Avenue requested speed bumps be placed on Nyac Avenue now that the paving has been completed. Trustee McGoldrick stated this request would be something the Board has to consider. Trustee Kagan stated there is an involved process to implement speed bumps. He cited car counters and Police observation as examples of things that must be done in order to place speed bumps in a certain area. Administrator Yamuder stated there are other considerations as well but said he would look into the matter further.

John Cassone of 7th Avenue said he was able to watch the Board meeting clearly thanks to his new cable box at his home. He thanked Secretary Bonington and Videographer Keith Reilly for their work on updating the Village public broadcast system.

He asked if any paving could be done on 5th Avenue because he said the road was in need of repair and is a main thoroughfare through Pelham. He also asked about the status of Trotta Park. He said he attended the Town Board meeting the previous evening and said they are going to be forging ahead on the project as soon as possible.

Item #7—Resolution Authorizing the Appointment of to the Position of Fire Lieutenant in the Pelham Fire Department

Trustee Marty stated the Village intends to promote a firefighter to the rank of Lieutenant. He said Fire Chief Stone and Administrator Yamuder have decided on Vincent Donofrio who was the best qualified of several other well qualified applicants. He said the Village making this promotion to provide adequate coverage for the Firehouse and to help control the overtime costs.

Trustee Marty stated that Vincent Donofrio has been a firefighter in Pelham since 2003. He added that he is the Fire representative at the Village of Pelham Safety Committee meetings and a certified Emergency Medical Technician (EMT). He added that father Bob is a former firefighter from Mount Vernon. He said he would be pinning the Lieutenant's badge on his son.

*Firefighter Donofrio was sworn in as a Lieutenant in the Pelham Fire Department by Mayor Hotchkiss.

*No motion or vote was taken for this resolution.

RESOLUTION

AUTHORIZING THE APPOINTMENT BY THE MAYOR OF VINCENT D'ONOFRIO
TO THE POSITION OF FIRE LIEUTENANT
IN THE PELHAM FIRE DEPARTMENT

Be It Resolved, that the Board of Trustees authorizes the promotion and appointment by the Mayor of Vincent D'Onofrio to the position of Fire Lieutenant, effective 8:00 AM Monday, October 1, 2012 subject to the requirements of civil service, for a probationary period of one (1) year and authorizes the Mayor, Village Administrator and Fire Chief to take the necessary and appropriate actions to effect this appointment.

Item #8– Presentation of Audited Financial Statement for FY2012-2013

Catherine Rapfogel and Yulia Kelly gave the audit report for the Fiscal Year. Ms. Rapfogel stated that O'Connor Davies is giving the Village an unqualified opinion and is separate and independent from the Village. She stated there were no disagreements with the Village staff and there were no unresolved issues or illegal acts detected during the audit.

Yulia Kelly stated the Village has four major funds; the general, capital, water, and Section 8 program. Ms. Rapfogel said the Village has since gotten rid of the Section 8 program so that will not be reflected on next year's audit.

Ms. Kelly stated that the Village increased its overall fund balance through conservative budgeting and achieving savings on expenditures. She said the fund balance now represents approximately 9% of the Village's total liability which is a significant increase from last year's 4%. She said generally municipalities should have between 5% and 15% of their total liability covered by the fund balance. Mayor Hotchkiss said he hoped the Village could increase the current balance to 12% in the coming years.

Mayor Hotchkiss stated the Village has a debt service of approximately 3 million dollars. Trustee Marty stated the Village went into debt for several large scale projects such as the DPW Yardhouse and Parking Lot. He said the Village decided to do these projects because there was a value and benefit for the Village in the long-term.

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

Trustee Lewis stated the Village is holding its fifth session of the public hearing for the proposed Commercial Zoning changes. He said the original intent of these revisions was to clear up inconsistencies resulting from the merger of the villages of North Pelham and Pelham. He said the revisions are also to add foot traffic and promote growth in the downtown.

He said since the hearing has begun the Board has made several modifications to the proposed zoning changes. He stated the Board has revised the heights of buildings in the Commercial district as well as the use of additional private and public parking, and the ornamentation of the buildings.

Trustee Lewis stated the Village proposes to design the new Commercial Code in terms of allowable

uses to avoid confusion over what new development can be included in the downtown and distance requirements to avoid over-saturation of specific types of retail.

Trustee Morris asked about the nature of the grandfathering clause. Trustee Lewis explained that grandfathering clause means that current uses that will no longer be permitted under the new code will not be eliminated, but will be “grandfathered” with a new tenant or owner, unless the use is dropped for one year.

Trustee Marty said the Village is framing the Code in terms of allowable uses to make it simpler to avoid confusion over prohibited uses. Trustee Marciona asked about sidewalk dimensions along 5th Avenue and Wolfs Lane to encourage tree planting and development.

Carolyn Reilly and Diane Cohen, owners of hair salons in the Village spoke about the distance requirement between businesses saying that there are too many hair and nail salons in Pelham and requested they be added to the list of businesses that are held to the distance requirement. Trustee Marty stated the Board cannot give preferential treatment to the current businesses at the expense of potential incoming businesses. Trustee Marciona added that variety is important and the distance requirement will allow for that. The Trustees agreed to consider their request and subsequently added hair salons to the list of businesses requiring 250 feet between identical businesses.

Iris Kasten of 240 Carol Avenue suggested that a way to increase foot traffic in the downtown would be for the merchants to stay open later on the weekdays. She suggested Thursday nights as a possibility. Trustee Kagan said he would bring that suggestion up at the next Chamber of Commerce meeting.

John Cassone of 7th Avenue cautioned sometimes when landlords have trouble finding tenants, the properties are purchased by nonprofit organizations such as the Pelham Arts Center, causing a loss in the tax revenue for the Village.

Paul Lamanna of 220 Carol Avenue cautioned that gas stations often require an environmental cleanup and said this sometimes leads to old gas stations becoming vacant as a result.

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

Item #10– Fire Department Task Force

Trustee Marty said the Board had been exploring the possibility of getting a proposal for the consolidation of the Fire Departments of Pelham and New Rochelle. He said the Mayor had asked if he, Trustee Kagan, and Administrator Yamuder could form a task force to explore if there is enough material benefits and savings for the Village to proceed with this idea.

Trustee Marty stated they intend to speak with Lt. Chris McCann and Firefighter Destasio as well as Lt. Beckman of the New Rochelle Fire Department. He said there is a conference call scheduled with New Rochelle Manager Chuck Strome on Friday as well.

Trustee Morris stated that public safety is the first and foremost concern of the Village Board.

Committee Reports

Item #11– Site Plan Review

Mayor Hotchkiss stated that this committee is tasked with revising the site plan review process and making it simpler for residents to move through the process. He said this committee will begin work again in the coming weeks.

Item #12– NYW&B Site

Trustee Marty said the NYW&B Committee intends to have the options paper for the Board's review available soon. He said it is in the final drafting phases.

Item #13– Employee Benefits/HR Manual

Trustee Kagan said he has incorporated the responses to questions into the final draft. He said he would hopefully have it available for the Board in the next few weeks. He said Trustee Morris will edit the draft he submits.

Item #14– Tree Committee

Trustee Marciona stated the Village needs to organize its Arbor Day event. She said it was originally scheduled for October 13, 2012 but there is a conflict with another upcoming event so the date will have to be changed.

Mayor Hotchkiss said he looked forward to hearing the suggestions of this committee for trees around Pelham.

Item #15– Park Improvements

Mayor Hotchkiss said he had heard from the Junior League of Pelham about organizing their fundraiser for the Wolfs Lane Park Children's Adventure Park.

Item #16– Development (including 3rd Street RFP)

Mayor Hotchkiss reminded all that the Village signed an MOU with Spinnaker Real Estate Partners, LLC and Clarion Real Estate Group to allow them to review the site and develop options for the site. He said this will take a few months and site plan approval will take additional time after that.

Trustee Kagan stated there is a link on the Village website under Village of Pelham Development. He recommended residents who are interested in the progress of this initiative look there for more information.

Item #17– Parking

Mayor Hotchkiss stated he is speaking with Alan Silverman of the Department of Transportation about the possibility of buying some state property to accommodate additional public parking.

Item #18– KVS Accounting Software Implementation

Administrator Yamuder stated that the Village staff is using KVS software at this time. He said they are working on the Board's requests for additions to the current financial packages.

Item #19–Updating Building Code, Chapter 79 and 98

Trustee McGoldrick stated that after speaking with the Building Inspector Russo regarding contractors who are involved with sanding the paint off of houses and other construction aspects that create the potential for lead based paint dust in the air, he said he concurred that permitting should begin for these activities to ensure the adequate precautions are made to minimize the amount of dust.

Administrator Yamuder stated he is meeting with Village Prosecutor Martha Conforti and Building Inspector Russo to finalize some changes to Chapter 79 and 98. He said he hopes to have them completed shortly.

Trustee Kagan stated he was concerned about having a seemingly outdated Building Code Chapter 34 on the Village website. The Administrator said the Village must send the revisions to this chapter of the Code to the State in order for them to be updated electronically. He said however that the State has been notified of the changes and the revisions to Chapter 34 are in full force and effect. He said the Village has held off sending the revisions to be made a part of the electronic code until these changes to Chapter 79 and 98 are made.

Trustee Kagan stated that in the meantime, the Village should place a notice on the Village website and refer people to the Building Inspector.

Item #20– Other Business

None

Item #21– Authorizing Accounts Payable

Trustee Marciona audited the Accounts Payable.

A motion was made by Trustee Marciona and seconded by Trustee Lewis 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	\$ 165,165.00
Water Fund	\$ 1,832.00
Capital Projects Fund	\$ 45,172.55
Trust and Agency Fund	\$0.00
H3 Fund	\$0.00
TE Expandable Trust Fund	<u>\$0.00</u>
Grand Total	\$ 212,169.55

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: September 4, 2012, September 18, 2012

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

September 4, 2012- Approved

September 18, 2012- Tabled

Item #23– Adjournment to Executive Session

A motion was made by Trustee Marty with a second by Trustee Kagan to adjourn the public portion of the board meeting and go into Executive Session to discuss a personnel matters at 10:15 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