

VILLAGE OF PELHAM BOARD OF TRUSTEES REGULAR MEETING  
TUESDAY, MARCH 24, 2009– 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 |  | Approximate   |
| 6. | Public Comment                 |  | Starting Time |
| #  | Agenda Items:                  |  | of Discussion |

	<b>Flooding</b>		<b>8:00 p.m.</b>
7.	Presentation by Leonard Jackson on the hydrology analysis of the North Pelham drainage system.		<b>Discussed</b>
	<b>Downtown</b>		<b>8:20 p.m.</b>
8.	Junior League Presentation to the Board about Friday May 8 <sup>th</sup> "Pelham Night Out" event to close the Downtown Fifth Avenue from Third Street to First Street, to encourage people to shop that night and dine out.		<b>Discussed</b>
	<b>Parks</b>		<b>8:40 p.m.</b>
9.	Review and discussion to give direction to Hank White Architects on the final draft of the Comprehensive Plan, budget and project segmentation for Wolfs Lane Park.		<b>Tabled</b>
	<b>Property actions</b>		<b>8:50 p.m.</b>
10.	Resolution to engage appraiser and environmental engineer for the potential purchase of the rear lot owned by PelPark (Tax lot #163.43-1-3).		<b>Tabled</b>
11.	Resolution related to the former B & W property by Young Ave., regarding hiring an engineer to develop a remediation plan and cost estimate.		<b>Tabled</b>
	<b>Human Resources</b>		<b>9:10 p.m.</b>
12.	Authorizing the appointment by the Mayor of an employee to the position of Parking/Code Enforcement Officer.		<b>Approved</b>
13.	Authorizing the designation of the new village Administrator as a signatory, for the purposes of processing payroll and accounts payable.		<b>Approved</b>
	<b>2009-2010 Budget</b>		<b>9:20 p.m.</b>
14.	Resolution scheduling the Budget Hearing on the Village of Pelham's 2009-2010 Proposed Village Budget to be held on April 14, 2009.		<b>Approved</b>
	<b>Housekeeping</b>		<b>9:30 p.m.</b>
15.	Authorizing the Accounts Payable		<b>Approved</b>
16.	Other Business		<b>Discussed</b>
17.	Minutes: Dec. 2, Dec. 16, 2009		<b>Approved</b>
18.	Executive Session		<b>Approved</b>
			<b>9:45 p.m.</b>
19.	Adjournment		<b>Adjourned</b>

Next Scheduled Board Meetings are  
Tuesdays -- Organizational Meeting April 14, 2009 and Budget Adoption April 28, 2009.

Budget Work Sessions are tentatively scheduled as follows, in March and April:  
March 26 and 31, April 2<sup>nd</sup> and 16<sup>th</sup>, all starting at 7:30 p.m.  
Additional budget work sessions may be scheduled, if necessary.

The First and Third Tuesday schedule will resume in May, 2009

\* 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 7:40 p.m.

The following members of the Board of Trustees were present:

Mayor Edward Hotchkiss, Trustees Breskin, Lewis, Morris, Homan, and Potocki. Trustee Weinstein was absent.

Village staff in attendance:

Administrator/Treasurer Robert Yamuder.

Item #2 – Pledge of Allegiance:

The Pledge of Allegiance was led by Mayor Edward Hotchkiss.

Item #3 – Mayor's Report: The Mayor introduced Robert Yamuder New Village Administrator to the Village of Pelham and wished Outgoing Administrator Richard Slingerland good luck in his new position. He gave congratulations to the trustees on the election, Ed Bullock on his new position as Trustee moving from his position as Village Attorney, and incumbents Laura Morris and Geoff Lewis. He introduced a letter from Cablevision regarding a change in the scheduling of Cablevision music channel 48 to 46.

Item #4 – Trustees Reports:

Trustee Breskin- discussed the declaration of intent to develop by Lester Kravitz for the Pelpark development. Len Russo, Building Inspector is in the process of looking over the presubmission over a period of the next thirty days. Item 10 on the agenda, the analysis for appraisal and environmental study of the rear lot owned by Pelpark to be tabled.

Trustee Homan- is meeting next week with Miriam Haas to discuss the upcoming Farmers Market. Miriam is in the process of trying to find more vendors for the Market this year.

Trustee Lewis- nothing to report

Trustee Morris- the fire Department is making efforts to meet the standards of training. Incident reports for the previous year were filed and for the first time have been completed and computerized on time, well ahead of the June deadline. Career firefighters are going to Valhalla for emergency rope training

Trustee Potocki-no items to discuss that are not on the agenda.

Trustee Weinstein-Absent

Item #5 Village Administrator's Report: Nothing to report

Item #6 – Public Comment:

Lester Kravitz spoke on behalf of Pelpark LLC, 101 Wolfs Lane, The old building has to be demolished and he has filed the preliminary paperwork with Len Russo, Building Inspector. He has to cap off the sewer in accordance to Len and a demolition permit should be issued shortly. This week or next the lot will be fenced off and the building will then be taken down. He stated that as Trustee Breskin indicated the preliminary info was filed with Len for Pelpark development a mixed use residential/retail property. His hope is to work with the Village arriving at a win, win situation for the property.

Item # 7- Presentation by Leonard Jackson on the hydrology analysis of the North Pelham drainage system.

Leonard Jackson, P.E. gave a report on the analysis and improvements for the North Pelham Drainage System. He listed seven locations with their existing capacities and recommended improvements as well as the proposed cost to put each of these measures into place. His recommendation is to start constructing at the lower locations that discharge into the Hutchinson River to avoid exacerbating downstream flooding problems in the Village.

He summarized the locations, lengths of improvements and cost per location. Location # 1 is in Third Street from Hutchinson River to 4<sup>th</sup> Avenue the length of the improvement area is 780' with a culvert diameter of 72" at an approximate cost of \$540,000. Location #2 is in 4<sup>th</sup> Avenue from 3<sup>rd</sup> Street to Lincoln Avenue, the length of the improvement is 480' with a 4' by 10' box and a cost of \$580,000. Location #3 is in 4<sup>th</sup> Avenue from Lincoln Avenue to 5<sup>th</sup> Street with an improvement length of 550' with a 4' X 10' box at a cost of \$650,000. Location #4 is in 4<sup>th</sup> Avenue from 5<sup>th</sup> Street to 6<sup>th</sup> Street the length of the construction is 820' by 60" diameter culvert, the proposed cost \$600,000. Location #5 is in 6<sup>th</sup> Street from 4<sup>th</sup> Avenue to 6<sup>th</sup> the length of the improvement is 560' by 60" diameter culvert with a cost of \$380,000. Location #6 is in 6<sup>th</sup> Street from 6<sup>th</sup> Avenue to 7<sup>th</sup> Avenue, the length 240" and 48" culvert at a cost of \$150,000. And location #7 in 7<sup>th</sup> Street from 6<sup>th</sup> Street upstream for 200' is 220' with a 48" culvert at a proposed cost of \$140,000. The total proposed cost for the entire job would be \$3,040,000 million. He noted that the need for the two improvements in the Glenwood Lake area could be prevented by improvements made by Glenwood Lake which would include a

permanent outlet structure that would not need to be operated by anyone and to elevate the embankment along the westerly portion of the lake.

Item #8 – Junior League Representatives scheduled for a brief presentation to the Board about the “Pelham night Out” event:

Junior League Representative Carol McLaughlin, Pat O’Byrne, and Theresa Breskin gave a brief presentation about the “Pelham Night Out “ an event scheduled for Friday May 8<sup>th</sup> from 7-9 pm to get people out into the Village downtown to socialize and support the merchants. The meters will be bagged and the street will be closed on Fifth Avenue from First Street to Third Street. Carol mentioned that the Junior League has been working with the Village of Pelham Administrative Office, Police, Street and Fire Department. They are also coordinating with the Merchants in the Chamber of Commerce. It is to be a Pelham/Pelham Manor only merchant event and the Junior League asks that the street café rules be flexible for the evening.. There will be two police officers to direct traffic, with the Junior League absorbing the cost of the officers for the evening. EMS will be available in case of any emergencies. There is to be no cooking with open flame or propane the food must be prepared or packaged only. Any tents must have a certificate of Liability. The Junior League spoke to the merchants and relayed that it is critical that anyone who is considering sharing alcohol must speak to the Chief of Police, Joe Benefico. All merchant are responsible for their own cleanup but there will be one Village employee that will be available to cleanup the night of the event. The event will take place rain or shine. There have been promotional articles in the newspapers, on websites and on the public access channel 75. There are two events scheduled for the same weekend. The second event is the cleanup that is to take place the next day. It is scheduled to take place in the morning for a couple of hours and will focus on the areas of Fifth Avenue and the parks. Where the event of the previous night is not kid friendly the cleanup event is and anyone handing in a full garbage bag will receive a movie ticket for special showing of a movie at the Pelham Picture House. The Junior League is asking that whatever the Village will approve for this event they are asking for.

Item #9- Review and discussion to give direction to Hank White Architects on the final draft of the Comprehensive Plan, budget and project segmentation for Wolfs Lane Park.

\*This matter was tabled by the Mayor and the Administrator for further analysis and discussion. They said it would be revisited at a future Board Meeting.

Item #10- Resolution to engage appraiser and environmental engineer for the potential purchase of the rear lot owned by PelPark (Tax lot #163.43-1-3).

\* This matter was tabled by the Mayor and the Administrator for further analysis and discussion. They said it would be revisited at a future board meeting.

RESOLUTION

TO ENGAGE APPRAISER AND ENVIRONMENTAL ENGINEER

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FOR THE POTENTIAL PURCHASE OF THE REAR LOT  
OWNED BY PELPARK (TAX LOT #163.43-1-3)

BE IT RESOLVED, that the Mayor and Board of Trustees of the Village of Pelham hereby authorize the retention of the environmental engineering firm Environmental Liability Management, to perform a Phase 1 Environmental Audit on the property at the total approximate cost not to exceed five thousand five hundred dollars (\$5,500), without further Board approval; and

BE IT RESOLVED, that the Mayor and Board of Trustees of the Village of Pelham hereby authorize the retention of an appraisal firm \_\_\_\_\_, to perform an appraisal of the rear property at 101 Wolfs Lane at the total approximate cost not to exceed \_\_\_\_\_ dollars (\$ \_\_\_\_\_), without further Board approval; and

BE IT RESOLVED, that the Mayor and Board of Trustees of the Village of Pelham hereby authorize the Mayor, the Village Attorney and the Village Administrator to sign the necessary contracts and agreements to obtain these services.

Item #11- Resolution related to the former B & W property by Young Ave., regarding hiring an engineer to develop a remediation plan and cost estimate.

Trustee Breskin gave a brief presentation of the recent discussions of the committee that was formed to look into what could possibly be done with the B & W property. He gave the people in the workshop credit for being able to put aside their own agendas and work together to make an effort to decide what would be the most effective way to use the property in the best interest of the Village and not just for the adjacent homeowners. He explained that there were two possible ideas for the green space, one to make it a park space and the other to sell and develop the property with possibly 2 to 4 houses on the space. ELM, the company that did the original environmental report, submitted a proposal to revisit that report and define what kind of remediation would be needed for either of the proposals and develop a plan for that remediation and the cost. He stated that it is possible that the remediation for a park would be different for a park than it would be for a residential building that would be digging to put in a basement. Trustee Homan feels that the committee should come up with an idea of what would be the best use of the land and then figure out the course and cost of remediation.

\*This matter was tabled by the Mayor and the Administrator for further analysis and discussion. They said it would be revisited at a future Board meeting

RESOLUTION

TO ENGAGE AN ENVIRONMENTAL ENGINEER  
TO UPDATE THE PRIOR ENVIRONMENTAL REPORT  
AND TO DEVELOP A REMEDIATION PLAN  
WITH COST ESTIMATE FOR SUCH REMEDIATION  
FOR THE VILLAGE-OWNED SURPLUS LAND ALSO KNOWN AS

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THE B & W RIGHT-OF-WAY PROPERTY

BE IT RESOLVED, that the Mayor and Board of Trustees of the Village of Pelham hereby authorize the retention of the environmental engineering firm Environmental Liability Management, to perform an update to the prior environmental report for this property and to develop a remediation plan with cost estimate for such remediation for the village-owned surplus land also known as the B & W RIGHT-OF-WAY PROPERTY at the total approximate cost not to exceed seven thousand five hundred dollars (\$7,500), without further Board approval; and

BE IT RESOLVED, that the Mayor and Board of Trustees of the Village of Pelham hereby authorize the Mayor, the Village Attorney and the Village Administrator to sign the necessary contract and agreement to obtain these services.

Item #12- Authorizing the appointment by the Mayor of an employee to the position of Parking/Code Enforcement Officer.

A motion was made by Trustee Homan, with a second by Trustee Lewis to adopt the resolution. The motion was approved by vote of six in favor, none opposed. Trustee Weinstein was absent

RESOLUTION  
AUTHORIZING THE APPOINTMENT BY THE MAYOR  
OF LISA TAITT TO THE POSITION OF PARKING/CODE ENFORCEMENT OFFICER  
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 Lisa Taitt of the Bronx, New York, to the position of Parking/Code Enforcement Officer, pending successful completion of a pre-employment physical, subject to the requirements of Civil Service and future successful completion of the civil service exam for this position, with salary and effective date of employment determined by the Police Chief, expected to be on or after Monday, March 30, 2009 (there is no probationary period at this time since this candidate is not being hired and appointed from a Civil Service list) and authorizes the Mayor, the Village Administrator and the Police Chief to take the necessary and appropriate actions to effect this offer and for Ms. Taitt to begin work on Monday, March 30, 2009.

Item # 13- Authorizing the designation of the new village Administrator as a signatory, for the purposes of processing payroll and accounts payable.

A motion was made by Trustee Homan, with a second by Trustee Breskin to adopt the resolution. The motion was approved by vote of six in favor, none opposed. Trustee Weinstein was absent

RESOLUTION

AUTHORIZING THE DESIGNATION OF THE  
ROBERT YAMUDER, VILLAGE ADMINISTRATOR  
AS A SIGNATORY, FOR THE PURPOSES OF PROCESSING  
PAYROLL AND ACCOUNTS PAYABLE  
AND SIGNING FOR CHECKING, SAVINGS AND DEPOSIT  
ACCOUNTS ON BEHALF OF THE VILLAGE OF PELHAM

DESIGNATION OF SIGNATORIES

RESOLVED, that Village Administrator Robert Yamuder, and the Deputy Village Treasurer are hereby authorized to sign checks and to act as a signatory on behalf of the Village of Pelham.

Item # 14- Resolution scheduling the Budget Hearing on the Village of Pelham's 2009-2010 Proposed Village Budget to be held on April 14, 2009.

A motion was made by Trustee Homan, with a second by Trustee Potocki to adopt the resolution scheduling the Budget Hearing. The motion was approved by vote of six in favor, none opposed. Trustee Weinstein was absent

Some points about the proposed budget:  
Proposed property tax increase of 3.995%  
Proposed spending increase of 1.533%  
Total General Fund budget of 11,850,533

Budget Work Session and Adoption Schedule are as follows:

March 26th -- Budget Work Session 8:00 p.m. – Police first, Fire second

April 2nd -- Budget Work Session 8:00 p.m. – Building first, DPW, Admin./Treasurer's Office, and Expense/Revenue review (Rob as Administrator and Debbie as Deputy Treasurer)

April 7th -- Revenue and Review of the Budget at 8:00 p.m.

April 16th -- Final Overview and Review of the Budget at 7:30 p.m.

April 14th -- Regular Board Meeting, including Budget Hearing, and Organizational Meeting

April 28th -- Meeting and budget adoption.

RESOLUTION  
SCHEDULING A PUBLIC HEARING  
ON THE 2009-2010 TENTATIVE PROPOSED BUDGET

BE IT RESOLVED, that pursuant to Section 5-508 of the NYS Village Law, the Board of Trustees of the Village of Pelham hereby gives notice that there will be a Public Hearing held on Tuesday, April 14, 2009, at 7:30 p.m. in Village Hall, 195 Sparks Avenue, Pelham, New York, on the Tentative Proposed Budget of the Village of Pelham for Fiscal Year 2009-2010.

A copy of the budget is available at the office of the Village Clerk in compliance with New York State Law after 4 p.m. Friday, March 20, 2009 and any interested person may inspect the proposed budget there or request a copy during normal office hours of 8 a.m. to 5:00 p.m.

As required by State Law, notice is hereby made that the compensation of the Mayor and Board of Trustees is as follows:

Title	Positions	Annual Compensation
Mayor	(1)	\$5,000
Trustees	(6)	\$2,000

\* Note: The Budget hearing may be continued for more than one meeting, but must be adjourned on or before April 21, 2009. By NYS Law, the Budget must be adopted on or before May 1, 2009.

By Order Of Mayor Edward Hotchkiss  
And Board Of Trustees

Tuesday, March 24, 2009  
Richard Slingerland  
Village Administrator/Treasurer

Item #15 – Authorizing the Accounts Payable

A motion was made by Trustee Homan, with a second by Trustee Breskin to adopt the resolution with the exception of two bills one for the repair of transmission for the Ford Explorer and the second for PACE University for law review. The motion was approved unanimously by vote of six in favor, none opposed. Trustee Weinstein was absent.

Trustee Lewis is auditing the Accounts Payable.

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	\$ 200,303.23
Water Fund	\$ 83,483.89
Capital Projects Fund	\$ 8,863.93
Trust and Agency Fund	\$ 56.25
H3 Fund	\$ 0.00
TE Expandable Trust Fund	\$ 0.00
Grand Total	\$ 292,717.30

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

Item #16 – Other Business:

Trustee Potocki wanted to mention some parking changes that are to take place. In open Lot 2, 13 of the 24 meters will be changed from 4 hours to 12. The 9 or 10, 4 hour meters that face Fifth Avenue will remain at four hours. On Harmon Place on the North side the meters are 12 hours, and on the South Side they are all 2 hours. After observing and following the patterns, the recommendation is to take half of the meters on the South side, nearest Fifth and make them 4 hours each. The rates for the two hour meters will stay the same, 75 cents for one hour and the 12 hour meter will be changed from 50 cents for one hour to 75 cents for one hour, making all the meters consistent. The increase for the revenue will be significant from approximately \$50,000, to \$75,000. Two things need to happen before this change can take place. It will take place after the Post Office moves and the DPW needs to get a box from the meter company to reprogram the meters. The expense for the box is not significant.

Item #17 – Minutes: Dec. 2<sup>nd</sup>, Dec. 16<sup>th</sup>, Jan 13<sup>th</sup>, Jan 27<sup>th</sup> and Feb 10<sup>th</sup>:

The minutes of January 13, 27<sup>th</sup> and Feb. 10<sup>th</sup> 2009 tabled until the next scheduled Board of Trustees meeting on Tuesday, April 14, 2009.

A motion was made by Trustee Homan, with a second by Trustee Potocki to adopt the minutes of Dec. 2<sup>nd</sup> and Dec.16<sup>th</sup>, 2008. The motion was approved by vote of six in favor, none opposed. Trustee Weinstein was absent

Item #18 – Executive Session:

On the motion of Trustee Breskin, seconded by Trustee Morris, the Board voted to go into Executive Session immediately after the board meeting is adjourned to discuss matters of personnel and contract.

The motion was approved unanimously by vote of six in favor, none opposed. Trustee Weinstein was absent.

Item #19 – Adjournment:

A motion was made by Trustee Breskin, with a second by Trustee Morris to adjourn the public portion of the board meeting at 10:15 p.m., and go into Executive Session, after which the Board would adjourn for the evening. The motion was approved by vote of six in favor, none opposed. Trustee Weinstein was absent

Respectfully submitted,

Terri Rouke, Village Clerk