

VILLAGE OF PELHAM BOARD OF TRUSTEES
 ORGANIZATIONAL AND SCHEDULED MEETING
 MONDAY, APRIL 4, 2005, 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

StartingTime
 # Agenda
 Items: of
 Discussion

	ORGANIZATIONAL ITEMS	7:40 p.m.
7	Oaths of Office for Mayor and 3 Trustees given by Judge Stephen Huff.	Done
8	Annual Organizational Resolutions and Appointments	Approved
	Public Hearings	8:00 p.m.
9	Presentation and Public Hearing on the Village of Pelham Tentative Budget for Fiscal Year 2005-2006.	Done
	Grants and Donations	9:00 p.m.
10	Authorizing an application to the Assistance to Firefighters Grant Program.	Approved
11	Resolution supporting the restoration of the Federal Funding to CDBG.	Approved
12	Authorizing the acceptance of donations for a new K-9 Police Dog.	Approved
13	Authorizing a \$50,000 grant agreement with the NYS Dormitory Authority for the Village of Pelham Traffic Signal and Light Installations.	Approved
	Infrastructure	9:15 p.m.
14A	Authorizing an agreement with Dolph Rotfeld Engineers to prepare bid plans, specifications and drawings for the First Street sewer relocation; and	Item A. Approved
14B	Authorizing an agreement with Dolph Rotfeld Engineers to prepare bid plans, specifications and drawings for the Wolfs Lane sewer rehabilitation.	Item B. Tabled
15	Authorizing an agreement with Cherbuliez Munz Landscape Architects to prepare conceptual plans for 5 th Avenue and Wolfs	Approved

	Lane.	
	Site Plan	9:30 p.m.
16	Authorizing the partial site plan for Merrick for 117 Harmon Avenue, to allow the installation of a new driveway facing Harmon Avenue, in compliance with the Planning Board's recommendation.	Approved
	Housekeeping	9:40 p.m.
17	Old Business/New Business	None
18	Minutes – March 15, 2005	Tabled.
19	Adjournment	

MINUTES OF A REGULAR MEETING OF THE
VILLAGE OF PELHAM BOARD OF TRUSTEES
VILLAGE HALL - 195 SPARKS AVENUE, PELHAM, NY
MONDAY, APRIL 4, 2005

Mayor Michael J. Clain called the meeting to order at 7:45 pm and all stood to recite the Pledge of Allegiance.

The following members of the Board of Trustees were present:

Mayor Michael J. Clain; Trustees Ciro Greco, David Merrick, Peter Potocki, Mia Homan and Edward Hotchkiss. Trustee Michael Rozycki absent.

The Honorable Stephen F. Huff, Pelham Town Justice, attended to give the Oaths of Office to the re-elected Board Members.

Village staff in attendance:

Village Administrator Richard Slingerland, Deputy Treasurer Deborah DelGrosso, and Shirley Brown.

Item #7 – Oaths of Office for Mayor and 3 Trustees given by Judge Stephen Huff.

Judge Huff gave the Oaths of Office to the re-elected Board Members, as follows:

Michael Clain is re-elected as Mayor for a two-year term of office;

Mia Homan is re-elected as Trustee for a two-year term of office;

Edward Hotchkiss is re-elected as Trustee for a two-year term of office;

David Merrick is re-elected as Trustee for a two-year term of office.

Item #3 – Mayor’s Report

Mayor Clain announced he was looking forward to another two years, and mentioned some of his goals and objectives for the upcoming year. These included a decision on the Village yard and Village Hall, focus on the Downtown, continuing to seek solutions for the Flooding problem along 4th and 7th Avenues, and dealing with parks and greenspace. He asked Trustee Merrick to assist with the focus on the long term planning for parks and green space.

The Mayor submitted the annual request from the American Legion Post 50 for a \$1,000 contribution towards the Memorial Day Parade.

On the motion of Trustee Merrick, seconded by Trustee Homan, the Board unanimously agreed to authorize the Village to make the annual contribution to the American Legion Post 50 for the Memorial Day Parade by a vote of six in favor, none opposed, Rozycki absent.

Item #4 – Trustee’s Reports

Trustee Greco reported on his Code Revision Committee report, and asked for a discussion of the Fire Department’s overtime.

Trustee Potocki reported on a high speed chase from Harrison which ended up in Pelham, and he commended the officers involved, including Sergeant Condon, Sergeant Jackson, Officer DiBenedetto, and Officer Mitrione. He reported that the K-9 name contest for the new police dog had yielded 397 names, which would be reviewed by the PBA.

Trustee Homan reported that the Village was close to completing the CSEA contract negotiations. She also reported that the flower baskets for the Downtown would be arriving soon, and mentioned the discussions with the Town for an IMA for the 9/11 Memorial at Harmon Park.

The Mayor announced the contract had been issued for the streetlight improvements along Colonial Avenue, and mentioned some of the details of the planned improvements.

Item #5 – Administrator’s Report:

Administrator Slingerland announced that Friday, April 8, 2005 would be the last day Metro North would keep its ticket booth operating, and that in the future tickets could be purchased at the automated machines. He also announced that hydrant and water main flushing would begin Monday, April 11th.

Item #7 – Continued – Annual Organizational Appointments:

On the motion of Trustee Potocki, seconded by Trustee Greco, the Board unanimously approved the following annual organizational re-appointments, by vote of six in favor, none opposed, Rozycki absent:

ANNUAL ORGANIZATIONAL MEETING RESOLUTIONS 2005

RESOLUTIONS OF APPOINTMENT OF THE FOLLOWING OFFICIALS:

RESOLVED, that Trustee Mia Homan is re-appointed by the Mayor as Deputy Mayor.

RESOLVED, that Richard C. Slingerland, Village Administrator, is hereby re-appointed Village Treasurer and Second Deputy Village Clerk.

RESOLVED, that Robert Tracy is hereby re-appointed as Village Attorney.

RESOLVED, that Martha Conforti is hereby re-appointed as Village Prosecuting Attorney for the Pelham Court.

RESOLVED, that Robert Wise is hereby re-appointed as Counsel to the Zoning Board of Appeals

RESOLVED, that Michele Casandra, Assessor for the Town of Pelham, is hereby re-appointed as the Assessor for the Village of Pelham.

RESOLVED, that Charles Amann, Receiver of Taxes for the Town of Pelham, is hereby re-appointed as the Receiver of Taxes for the Village of Pelham.

RESOLVED, that Deborah DelGrosso is hereby re-appointed as Deputy Treasurer, Deputy Registrar of Vital Statistics and Water System Clerk for the Village of Pelham.

RESOLVED, that Terri Rouke is hereby re-appointed as Village Clerk and Registrar of Vital Statistics for the Village of Pelham.

RESOLVED, that Sandra Shriman is hereby re-appointed as Deputy Village Clerk.

On the motion of Trustee Potocki, seconded by Trustee Homan, the Board unanimously approved the following annual organizational resolutions and authorizations, by vote of six in favor, none opposed, Rozycki absent:

RESOLVED, that the First (1st) and Third (3rd) Tuesdays of every month are hereby designated as the Regularly scheduled Meeting nights of the Village of Pelham Board of Trustees (meetings will begin at 7:30 p.m. starting April 4th).

DESIGNATION OF SIGNATORIES

RESOLVED, that the Mayor, the Deputy Mayor, the Village Administrator/Treasurer, and the Deputy Village Treasurer are hereby authorized to sign checks on behalf of the Village of Pelham.

DESIGNATION OF DEPOSITORIES

RESOLVED, that J P Morgan/Chase Manhattan and HSBC Bank are hereby designated as depositories for the Village of Pelham.

DESIGNATION OF OFFICIAL NEWSPAPERS

RESOLVED, that the Pelham Weekly is hereby designated as the official newspaper, and the Journal News is hereby designated as the back-up official newspaper of the Village of Pelham for the ensuing official year.

On the motion of Trustee Homan, seconded by Trustee Greco, the Board unanimously approved the following Land Use Board re-appointments, by vote of six in favor, none opposed, Rozycki absent:

LAND-USE BOARD APPOINTMENTS

ZONING BOARD OF APPEALS

RESOLVED, that William McDevitt is re-appointed by the Mayor as a Member of the Village of Pelham Zoning Board of Appeals, to a five-year term that will expire on March 31, 2010.

PLANNING BOARD

RESOLVED, that William Lawlor is appointed by the Mayor to the Village of Pelham Planning Board, to a five-year term that will expire on March 31, 2010.

ARCHITECTURAL REVIEW BOARD

RESOLVED, that Ron Czajka is re-appointed by the Mayor to the Village of Pelham Architectural Review Board, to a three-year term that will expire on March 31, 2008.

Mayor Clain announced he would be making the following appointments of Trustees as departmental liaisons.

Trustee Ciro Greco is appointed to serve as the Liaison to the Pelham Fire Department

Trustee Mia Homan is appointed to serve as the Liaison to the Pelham Public Works Department.

Trustee Peter Potocki is appointed to serve as the Liaison to the Pelham Police Department.

Item #9 -- Presentation and Public Hearing on the Village of Pelham Tentative Budget for Fiscal Year 2005-2006.

Village Administrator Slingerland made a spreadsheet and chart presentation on the Budget, explaining the causes of the budget increase, and summed up the totals in the proposed budget in a spreadsheet illustrating the impact on the homeowner, estimated at an average increase in taxes of 6.8%; this number had already been cut to an average impact 4.5% by the Board's work during Budget Work Sessions.

(Powerpoint presentation to be attached to and made a part of the minutes.)

Item #10 -- Authorizing an application to the Assistance to Firefighters Grant Program.

Trustee Potocki noted there is a good deal of progress being shown in the grants area.

After discussion, on the motion of Trustee Greco, seconded by Trustee Merrick, the Board unanimously approved the following resolution by vote of six in favor, none opposed, Rozycki absent:

RESOLUTION

AUTHORIZING AN APPLICATION FOR \$86,265 BY THE VILLAGE OF
PELHAM
TO THE FEDERAL ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM
FOR OPERATIONS AND FIREFIGHTER SAFETY

RESOLVED, that the Board of Trustees of the Village of Pelham authorizes the Village to file an application with the U.S. Assistance to Firefighters Grant Program, with a request amount of eighty six thousand two hundred sixty five dollars (\$86,265) with a Village match of up to four thousand five hundred forty one dollars (\$4541); and

BE IT FURTHER RESOLVED, that the Mayor, the Administrator/ Treasurer and the Fire Chief are authorized to take the necessary and appropriate actions to file this application, execute any necessary grant application and to make all necessary assurances to complete this application.

Item #11 -- Resolution supporting the restoration of the Federal Funding to CDBG.

After discussion, on the motion of Trustee Homan, seconded by Trustee Merrick, the Board unanimously approved the following resolution by vote of six in favor, none opposed, Rozycki absent:

RESOLUTION

SUPPORTING THE CONTINUED FUNDING OF THE
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

WHEREAS, the Community Development Block Grant (CDBG) program was enacted and signed into law by President Gerald Ford, as the centerpiece of the Housing and Community Development Act of 1974; and

WHEREAS, the over the past 30 years, aid from the CDBG program has allowed considerable flexibility for communities to carry out activities that best fit their unique housing and neighborhood revitalization needs; and

WHEREAS, according to the Department of Housing and Urban Development (HUD), in FY 2004, the CDBG program provided funds for thousands of activities, assisting over 23 million persons and households through activities ranging from expanding homeownership to revitalizing neighborhoods; and

WHEREAS, Westchester County administers the CDBG program for the County government and municipalities that belong to the Urban County Consortium, which includes the Village of Pelham, and the program uses approximately \$16 million each year to undertake critical public improvement projects, with the amount of funding based on the population of the participating government agencies; and

WHEREAS, the Village of Pelham has participated in the County's CDBG program for many years, receiving about \$300,000 over the past few years for the rehabilitation of sidewalks, as well as the improvement of our sewer infrastructure to remedy flooding in low- to moderate-income neighborhoods;

WHEREAS, the most recent Executive Budget proposed by the President of the United States proposes to completely eliminate the CDBG program, and should such a proposal be enacted, it would have a devastating effect on Westchester County's CDBG program.

THEREFORE, BE IT RESOLVED, that the Village of Pelham calls on the Congress and the Senate to work cooperatively with the President to restore the CDBG Program within the U.S. Dept. of Housing and Urban Development and provide a FY 2005 funding of at least \$4.7 billion overall, with no less than \$4.35 billion in formula funding, which will include restored funding for the Westchester Urban County Consortium, and

BE IT FURTHER RESOLVED, that this resolution be forwarded to Congresswoman Nita M. Lowey, and Senators Charles Schumer and Hillary Clinton, Federal representatives to the Village of Pelham.

Item #12 -- Authorizing the acceptance of donations for a new K-9 Police Dog.

After discussion, on the motion of Trustee Homan, seconded by Trustee Potocki, the Board unanimously approved the following resolution by vote of six in favor, none opposed, Rozycki absent:

RESOLUTION

UNDER THE NYS GEN. MUN. LAW 119, SECTION O 2.f.
AUTHORIZING THE ACCEPTANCE OF DONATIONS
TOTALING \$6,720 TO FUND THE RESTORATION OF
THE PELHAM K-9 POLICE DOG PROGRAM

RESOLVED, that the Board of Trustees of the Village of Pelham, pursuant to the New York State General Municipal Law 119, Section O 2. f. hereby authorizes the acceptance of donations from various groups and organizations totaling \$6,720 to fund the restoration of the Pelham Police Department's K-9 police dog program, and authorizes the Mayor, the Administrator/ Treasurer and the Police Chief to take the necessary and appropriate actions to accept and administer these funds, and the Board thanked all those who had made donations toward this program.

Item #13 -- Authorizing a \$50,000 grant agreement with the NYS Dormitory Authority for the Village of Pelham Traffic Signal and Light Installations.

After discussion, on the motion of Trustee Homan, seconded by Trustee Greco, the Board unanimously approved the following resolution by vote of six in favor, none opposed, Rozycki absent:

RESOLUTION

AUTHORIZING A GRANT AGREEMENT WITH THE NYS DORMITORY
AUTHORITY
IN THE AMOUNT OF \$50,000 FOR THE 5TH AVENUE TRAFFIC LIGHT
IMPROVEMENT PROJECT.

RESOLVED, that the Board of Trustees of the Village of Pelham authorizes the Village to enter into an agreement with the NYS Dormitory Authority for funding in the amount of \$50,000 to fund the completion of the Traffic Light Improvement Program at 5th Avenue, including but not limited to the intersections of 5th Avenue and 6th Street, 7th Street, and Willow Avenue; and

BE IT FURTHER RESOLVED, that the Mayor, the Village Attorney and the Administrator/ Treasurer are authorized to take the necessary and appropriate

actions to execute this agreement, make all necessary assurances, and to accept and administer these funds.

Item #14A -- Authorizing an agreement with Dolph Rotfeld Engineers to prepare bid plans, specifications and drawings for the First Street sewer relocation.

After discussion, on the motion of Trustee Homan, seconded by Trustee Potocki, the Board unanimously approved the following resolution by vote of six in favor, none opposed, Rozycki absent:

RESOLUTION
AUTHORIZING AN AGREEMENT WITH DOLPH ROTFELD ENGINEERS
TO PREPARE BID PLANS, SPECIFICATIONS AND DRAWINGS FOR
THE FIRST STREET STORM AND SANITARY SEWER RELOCATION

RESOLVED, that the Village of Pelham Mayor and Board of Trustees hereby authorize an agreement with Dolph Rotfeld Engineers to prepare plans, specifications and drawings for the First Street Sanitary and Storm Sewer Relocation project, in compliance with the Federal Requirements applicable to the Community Development Block Grant (CDBG) Program; and

BE IT FURTHER RESOLVED, that this approval is granted in an amount not to exceed \$27,500 for design and bid phase, with an additional amount to be determined later by the Board for construction oversight and inspection services; and

BE IT FURTHER RESOLVED, that the Mayor, Village Attorney, Village Administrator and other applicable village officials are authorized to take the necessary and appropriate actions to effect this agreement.

Item #14 B -- authorizing an agreement with Dolph Rotfeld Engineers to prepare bid plans, specifications and drawings for the Wolfs Lane sewer rehabilitation.

The Board tabled this matter, and asked the Village Administrator to review the requirements of the Federal Grant from the EPA, and see if the First Street project could be used towards the match. They also asked that if repairs needed to be performed on the Wolfs Lane sewer, that the Administrator coordinate the repairs with Village Engineer Jim Morris.

Item #15 -- Authorizing an agreement with Cherbuliez Munz Landscape Architects to prepare conceptual plans for 5th Avenue and Wolfs Lane.

After discussion, on the motion of Trustee Homan, seconded by Trustee Potocki, the Board unanimously approved the following resolution by vote of six in favor, none opposed, Rozycki absent:

RESOLUTION
AUTHORIZING THE AWARD OF CONTRACT 2005-01

REGARDING THE VILLAGE'S REQUEST FOR PROPOSALS
FOR LANDSCAPING AND DESIGN SERVICES FOR
STREETSCAPE AND PARKING IMPROVEMENTS ON WOLFS LANE AND 5TH AVENUE

WHEREAS, The Village Of Pelham Issued A Request For Proposals on Contract # 2005-1 for Landscaping and Design Services For Downtown Park And Streetscape Improvements, Including Parking Layout And Design Alternatives For Wolfs Lane Between Boulevard and 2nd Street in the Village of Pelham to be partially funded through a \$7,500 grant from the Hudson River Valley Greenway; and

WHEREAS, these services will provide the Village with conceptual designs to proceed forward with, to be the basis in the next phase for architectural drawings the Village can attach to bid documents; and

WHEREAS, a public notice was duly published on Wednesday, February 16, 2005, in the Gannett Westchester Newspaper, an official newspaper of the Village of Pelham; and

WHEREAS, during the notice period six (6) companies were contacted, five (5) received the notice and a copy of the contract and were shown the areas under consideration, with the list of such contractors kept on file in the Village Administration Office; and

WHEREAS, at 11:30 a.m. E.S.T., Wednesday, March 9, 2005, the Village of Pelham publicly opened and read four (4) proposals, which were as follows:

Company	Bid Amount
1. Cherbuliez/Munz, PLLC, Landscape Arch. & Des., Mt. Kisco, NY	\$15,000
2. Imbiano & Quigley Landscape Architects, Bedford Hills, NY	\$18,500
3. Eberlin & Eberlin Consulting Engineers and Architects, Somers, NY	\$19,500
4. Ward Associates, Bohemia, NY	\$20,000

AND WHEREAS, Trustee Potocki and Administrator Slingerland met with all the interested bidders and Administrator Slingerland reviewed the proposals and determined that the lowest responsible proposal that meets the requirements is Cherbuliez/Munz, PLLC, Landscape Arch. & Des., Mt. Kisco, NY, for a total approximate price of fifteen thousand dollars (\$15,000) to be partially funded through a \$7,500 grant from the Hudson River Valley Greenway.

NOW, THEREFORE, BE IT RESOLVED, that the Village hereby awards Contract 2005-01 to Cherbuliez/Munz, PLLC, Landscape Arch. & Des., Mt. Kisco, NY, for a total approximate price of fifteen thousand dollars (\$15,000), and be it

FURTHER RESOLVED, that the Mayor and Village Administrator are authorized to take the necessary and appropriate actions to effect and execute this contract and complete this work.

Item #16 -- Authorizing the partial site plan for Merrick for 117 Harmon Avenue, to allow the installation of a new driveway facing Harmon Avenue, in compliance with the Planning Board's recommendation.

Trustee David Merrick removed himself from the Board dais, and sat in the audience on this matter, as it related to property he owns.

Emily Freidberg, co-owner of and resident at 117 Harmon Avenue, made a brief presentation to the Board, to request authorization to the driveway facing Harmon Avenue.

After discussion, on the motion of Trustee Homan, seconded by Trustee Greco, the Board unanimously approved the following resolution by vote of five in favor, none opposed, Rozycki absent, Merrick abstained:

RESOLUTION

AUTHORIZING A PARTIAL SITE PLAN TO INSTALL A NEW DRIVEWAY TO THE LOT AT 117 HARMON AVE. FACING HARMON AVENUE ALONG THE SOUTH-WEST PROPERTY LINE AND LEADING TO THE EXISTING MAIN RESIDENCE

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham hereby authorizes the installation of a driveway and associated appurtenances, in particular the installation of drywells in accordance with the approved plans, between Harmon Avenue and the existing main residence at 117 Harmon Avenue, in compliance with the recommendations of the Planning Board, and

BE IT FURTHER RESOLVED, that the Mayor, the Village Administrator, the Village Attorney and the Building Inspector are authorized to take the necessary and appropriate actions to effect this approval for the driveway to the new Lot B as shown on the site plan dated January 26, 2005, and approved by the Planning Board by memo dated February 7, 2005.

Item # 6 – Public Comment:

John Cassone of 7th Avenue arose to speak, and advised the Board of the death of Helen Leale-Harper, a long-time resident and contributor to the Pelham community. She had been recently instrumental in the maintenance and refurbishment of the Clock Tower at Harmon Avenue. He asked that the Village dedicate the Clock Tower in memory of Mrs. Harper. Mayor Clain thanked him for the suggestion and the Board agreed to consider the matter to be addressed soon.

Item # 17 -- Approval of accounts payable and authorization to make payment.

After discussion, on the motion of Trustee Homan, seconded by Trustee Merrick, the Board of Trustees adopted the following resolution unanimously, by vote of six in favor, none opposed, one absent (Rozycki) as follows:

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	\$87,551.20
Water Fund	\$12,188.77
Capital Projects Fund	\$66,878.99
Trust and Agency Fund	\$0.00
H3 Fund	\$0.00
Grand Total	\$166,618.96

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

The Board proceeded to housekeeping items.

Item #18 -- Old Business/New Business: None.

Item #19 -- Minutes – March 15, 2005: Not ready yet.

Item #20 – Adjournment: On the motion of Trustee Hotchkiss, seconded by Trustee Homan, the Board agreed unanimously to adjourn. Meeting adjourned at 9:40 p.m.

Respectfully submitted,

Richard Slingerland, Administrator/Deputy Clerk