

VILLAGE OF PELHAM BOARD OF TRUSTEES MEETING
TUESDAY, DECEMBER 20, 2005, 7:30 P.M.
VILLAGE HALL - 195 SPARKS AVENUE, PELHAM, NY

MEETING MINUTES

1. Meeting Called 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
	Human Resources	7:45 p.m.
7	Authorizing the appointment of 3 police officer candidates.	Approved.
8	Accepting the retirement of Police Officer Joseph DeMasi, following the granting of accidental and performance of duty disability retirements granted by the NYS Retirement System.	Approved.
9	Discussion of creating an additional sergeant's position.	Discussed.
10	Authorizing post-employment health benefits to General Foreman Harry Pallett.	Approved.
	Site Plan Amendment	
10	Authorizing an amendment to the Site Plan for 117 Harmon Avenue (Merrick), to allow the relocation of the driveway facing Harmon Avenue by five (5) feet away from the property line coterminous with 83 Harmon Avenue.	Approved.
	Parking	8:15 p.m.
11	Authorizing Long Term parking on First Street, east of Wolfs Lane, at the Long Term Meters, with meters enforced from 5 a.m. to 6 p.m.	Approved.
	Contracts	8:20 p.m.
12	Authorizing a contract with Westchester County for police radios and other communication equipment.	Approved.
13	Authorizing a contract in the amount of \$250,000 for CDBG funds to be paid to the Village of Pelham for the First Street sewer project.	* Hold – County not ready.
	Housekeeping	8:30 p.m.
14	Authorizing and approving the accounts payable.	Approved, as amended.
15	Old Business/New Business: Accepting Warn hearing officer recommendation; Authorizing En-Tech change order.	Approved
16	Minutes: November 15, 2005 and December 6, 2005	Tabled.
17	Executive Session	Held.
18	Adjournment – approximately 8:33 p.m.	Adjourned.

Next Meetings are as follows:

Regular Board Meetings Tuesday January 3, 2006 and Tuesday January 17 2006

Meetings start at 7:30 p.m. unless otherwise noted.

* Agenda is subject to change until the night of the meeting.

VILLAGE OF PELHAM BOARD OF TRUSTEES
VILLAGE HALL - 195 SPARKS AVENUE, PELHAM, NY
TUESDAY, DECEMBER 20, 2005

Item #1 – Meeting called to order: The meeting of the Village of Pelham Board of Trustees was called to order by Mayor Michael J. Clain at approximately 7:40 p.m.

The following members of the Board of Trustees were present:

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

Village staff in attendance:

Village Administrator Richard Slingerland, Firefighter Arthur Viggiano and Village Attorney Robert Tracy.

Item #2 – Pledge of Allegiance

The Pledge of Allegiance was led by Mayor Michael J. Clain.

Item #3 – Mayor's Report

Mayor Clain reported that at approximately 12:30 AM this morning there was a major collapse of the rock wall along Fifth Avenue. Properties owned by Santomero (Lordae Property Management) have been destroyed. Property owned by Dr. Sindwani (Pelham Medical Group) has been damaged, but a large section of the cliff was leaning against his building. All businesses on that side of the street from Rigatoni Restaurant to Depot Market Deli have been closed for safety, due to concerns with potential further collapse of the cliff. Depot Market Deli and Caruso Paint and Hardware were reopened today. The Police and Fire Departments responded, along with Len Russo from the Building Department and Administrator Slingerland and Harry Pallett of DPW. The Building Department has ordered the destroyed buildings to be removed in their entirety. After the removal, more analysis will be done on the Pelham Medical Group building. Engineers will be needed to declare the area safe before businesses can re-open. Six homes along Sixth Avenue were evacuated as a precaution. All but one has been allowed to return home.

The Village of Pelham Manor has requested that the four governments involved in the Sanford Boulevard settlement each get their share of funds out of escrow to pay legal bills. The Mayor would like to see the Village continue to work with the Counsel of Governing Boards to spend escrow funds jointly.

Item #4 – Trustees Reports:

Trustee Greco introduced the most recent hire in the Fire Department, Firefighter Arthur Viggiano who recently graduated from the Career Firefighters Academy.

Trustee Potocki reported that the Village was obtaining bids to clean up telephone wiring in the basement area of Town Hall utilized by the Village Police Department. The project will be closely coordinated with the Town, with costs shared. This is being done in an effort to better utilize this space for the Police Department.

Trustees Rozycki, Homan, Merrick and Hotchkiss had no news to report.

Item #5 – Village Administrator’s Report:

Administrator Slingerland reported that the annual parking permits had been processed by the Administrative Offices. He also reported that the Garbage and Recycling calendar for 2006 had been printed and mailed out, and it would be posted on the Village’s website.

Item #6 – Public Comment:

John Cassone, a resident of Seventh Avenue stated that there was a gap in between the organic waste pickup schedule and the leaf pickup schedule. Leaf season runs from December 15th to April 15th, approximately.

7	Authorizing the appointment of 3 police officer candidates.
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A motion was made by Trustee Potocki, with a second by Trustee Homan to adopt the three Resolutions. The motion passed with seven in favor, and none opposed.

RESOLUTION
AUTHORIZING THE APPOINTMENT BY THE MAYOR
OF PAUL SOUSA AS A POLICE OFFICER
WITH THE VILLAGE OF PELHAM POLICE DEPARTMENT

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham hereby authorizes the Mayor to appoint Paul Sousa of Pelham, NY, to the position of Police Officer – Grade 4, at a salary of \$50,094, with an official start date of Monday, January 2, 2006, subject to the requirements of Civil Service, for a twelve (12) month probationary period, and authorizes the Mayor, the Village Administrator and the Police Chief to take the necessary and appropriate actions to effect this appointment.

RESOLUTION
AUTHORIZING THE APPOINTMENT BY THE MAYOR
OF DANIEL GREEN AS A POLICE OFFICER
WITH THE VILLAGE OF PELHAM POLICE DEPARTMENT

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham hereby authorizes the Mayor to appoint Daniel Green of Pelham, NY, to the position of Police Officer – Recruit Grade, at a salary of \$36,409, with an official start date of Monday,

January 9, 2006, subject to the requirements of Civil Service, for an eighteen (18) month probationary period, and authorizes the Mayor, the Village Administrator and the Police Chief to take the necessary and appropriate actions to effect this appointment.

RESOLUTION

AUTHORIZING THE APPOINTMENT BY THE MAYOR
OF AHMED ARTOLA AS A POLICE OFFICER
WITH THE VILLAGE OF PELHAM POLICE DEPARTMENT

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham hereby authorizes the Mayor to appoint Ahmed Artola of Pelham, NY, to the position of Police Officer – Recruit Grade, at a salary of \$36,409, with an official start date of Monday, January 9, 2006, subject to the requirements of Civil Service, for an eighteen (18) month probationary period, and authorizes the Mayor, the Village Administrator and the Police Chief to take the necessary and appropriate actions to effect this appointment.

8	Accepting the retirement of Police Officer Joseph DeMasi, following the granting of accidental and performance of duty disability retirements granted by the NYS Retirement System.
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A motion was made by Trustee Merrick, with a second by Trustee Hotchkiss to adopt the Resolution. The motion passed with seven in favor, and none opposed.

RESOLUTION

BE IT RESOLVED, in accordance with the Notice from the New York State Police and Fire Retirement System dated December 5, 2005, the employment of police officer Joseph DeMasi is hereby terminated effective 11:59 P.M. on Friday, December 9, 2005.

9	Discussion of creating an additional sergeant's position.
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This item was tabled for discussion in Executive Session.

10	Authorizing post-employment health benefits to General Foreman Harry Pallett.
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A motion was made by Trustee Greco, with a second by Trustee Rozycki to adopt the Resolution. The motion passed with seven in favor, and none opposed.

RESOLUTION

AUTHORIZING POST-EMPLOYMENT MEDICAL BENEFITS
FOR HARRY PALLETT, AFTER HIS RETIREMENT

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham hereby authorize Harry Pallett, General Foreman, to receive medical benefits after his retirement for him and his family, with full premium paid by the Village at no cost to Mr. Pallett, as long as he shall live, such approval to be listed in a memorandum and placed on file in his personnel file.

11	Authorizing an amendment to the Site Plan for 117 Harmon Avenue (Merrick), to allow the relocation of the driveway facing Harmon Avenue by five (5) feet away from the property line coterminous with 83 Harmon Avenue.
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A motion was made by Trustee Homan, with a second by Trustee Greco. The motion passed with six in favor, none opposed, and one abstention (Merrick).

RESOLUTION

AUTHORIZING AN AMENDED SITE PLAN (MERRICK) FOR ONE FAMILY RESIDENCE AT 117 HARMON AVENUE TO MOVE THE NEW DRIVEWAY ON HARMON AVENUE FIVE (5) FEET NORTH-EAST ALONG HARMON AVENUE

RESOLVED, that the application to amend the Site Plan for Merrick, originally approved by the Board of Trustees on Tuesday, September 20, 2005, is hereby approved as amended, the only change being to move the new driveway facing Harmon Avenue in a northeasterly direction, away from the property line with 83 Harmon Avenue (Barnes), in order to preserve and maintain a line of trees on the property line; and

BE IT FURTHER RESOLVED; that all other previously approved conditions and requirements adopted in the September 20th approval shall continue to apply and remain in effect.

12	Authorizing Long Term parking on First Street, east of Wolfs Lane, at the Long Term Meters, with meters enforced from 5 a.m. to 6 p.m.
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A motion was made by Trustee Greco, with a second by Trustee Potocki to adopt the Resolution. The motion passed with seven in favor, and none opposed.

RESOLUTION

AMENDING THE LONG-TERM PARKING ON FIRST STREET, NEAR THE TRAIN STATION, FOR 12-HOUR METERED PARKING BETWEEN 5 A.M. AND 6 P.M.

RESOLVED, that the Board of Trustees makes the changes and amendments to the Village Code, Section 90-53 – Vehicles and Traffic, regarding parking, as follows:

Name of Street	Side	Time Limit	Hours/Days	Location
First Street	North	12-hour metered parking	Meters enforced 5 a.m. to 6 p.m., Monday thru Saturday (no parking 2 a.m. to 5 a.m.)	(east of Wolfs Lane)

13	Authorizing a contract with Westchester County for police radios and other communication equipment.
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A motion was made by Trustee Greco, seconded by Trustee Merrick to adopt the Resolution. The resolution passed with seven in favor, and none opposed.

RESOLUTION
AUTHORIZING A CONTRACT WITH THE
WESTCHESTER COUNTY DEPARTMENT OF EMERGENCY SERVICES
FOR "FREE" MOBILE RADIOS AND CONTROL STATIONS
FOR THE PELHAM POLICE DEPARTMENT

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham hereby authorizes an agreement and participation by the Village of Pelham Police Department, for the Department to receive mobile radios, control stations, and other related and accessory equipment, for a term of five (5) years period commencing December 1, 2005, and ending on or about November 30, 2010, unless terminated earlier; and

BE IT FURTHER RESOLVED, that the Mayor, the Village Administrator, the Police Chief and the Village Attorney are authorized to take all necessary and appropriate actions, including signing all documents, to effect this agreement

14	Authorizing a contract in the amount of \$250,000 for CDBG funds to be paid to the Village of Pelham for the First Street sewer project.
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This item was tabled for a future meeting, pending additional information from Westchester County.

15	Authorizing and approving the accounts payable
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The Board reviewed the bills submitted for payment, with a recommendation by Trustee Rozycki that one matter of payment for Bencivengo Service Station be deleted, as the bill had previously been paid. A motion was made by Trustee Merrick, with a second by Trustee Hotchkiss to adopt the Resolution as amended. The motion passed with seven in favor, and 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	\$59,098.65
Water Fund	\$0.00
Capital Projects Fund	\$15,155.97
Trust and Agency Fund	\$2,200.00
H3 Fund	\$0.00
Grand Total	\$76,454.62

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

16	Old Business/New Business
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16.A. – Resolution to adopt the findings and recommendation on the hearing officer for the 207-a case regarding Firefighter Christopher Warn.

A motion was made by Trustee Homan, with a second by Trustee Merrick to adopt a Resolution. The resolution was approved by vote of seven in favor, none opposed.

RESOLUTION

BE IT RESOLVED, the Report and Findings dated December 9, 2005 of the Hearing Officer appointed to hold a hearing pursuant to Section 207-a of the General Municipal Law regarding the physical ability of Firefighter Christopher Warn to perform a light duty assignment on a five (5) day per week, eight (8) hours per day basis is hereby adopted in full; and

Commencing on a date after December 26, 2005, Firefighter Christopher Warn is directed to report to work on the schedule of 8:00 A.M. to 4:00 P.M., Monday through Friday.

16.B. – Resolution authorizing a change order to reflect the actual unit prices for the sewer pipe relining work performed by En Tech under Contract 2004-04 to reline the sanitary sewer on Chestnut Avenue.

A motion was made by Trustee Homan, with a second by Trustee Merrick, to adopt the resolution. The resolution passed with seven in favor, none opposed.

RESOLUTION

AUTHORIZING A CHANGE ORDER
TO CONTRACT 2004-04 FOR EN-TECH
RELATED TO A CHANGE IN QUANTITY IN THE AMOUNT OF FOUR FEET
AND A CHANGE IN PRICE BASED ON UNIT PRICE
IN THE TOTAL AMOUNT OF \$300

BE IT RESOLVED, by the Board of Trustees of the Village of Pelham that a change order is authorized for the contract between the Village and En-Tech Corporation of Closter, New Jersey, for furnishing and installing eight-inch (8") cured in place pipe lining, and the purpose of the change order is to accept an increase in the quantity of pipe relined in the amount of four feet, at a per-foot cost of \$75 per foot, for a total change order amount of three hundred dollars (\$300).

17	Minutes: November 15, 2005 and December 6, 2005
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This item was tabled until the next Regular Meeting of the Mayor and Board of Trustees.

18	Executive Session
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A motion was made by Trustee Homan, with a second by Trustee Potocki to adjourn into Executive Session to discuss ongoing contract and collective bargaining negotiations, and a disciplinary matter. The Board also agreed that upon completion of its executive session items, that it would adjourn the meeting. The motion passed with seven in favor, and none opposed.

9	Executive Session item: Discussion of creating an additional sergeant's position.
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After discussing the matter of creating an additional police sergeant's position, the Board reconvened briefly in public session and authorized the Village to proceed with sergeant interviews.

The Board reconvened into executive session to continue on the other topics of discussion, including contract and collective bargaining negotiations, and a disciplinary matter.

19	Adjournment
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A motion was made by Trustee Homan, with a second by Trustee Potocki to adjourn Executive Session and the Regular Meeting of the Mayor and Board of Trustees. The motion passed with seven in favor, and none opposed.

Respectfully submitted,

Dennis DelBorgo, Administrative Aide

Richard Slingerland, Village Administrator/Deputy Village Clerk