

VILLAGE OF PELHAM BOARD OF TRUSTEES MEETING
TUESDAY, FEBRUARY 7, 2006, 7:15 P.M.
VILLAGE HALL - 195 SPARKS AVENUE, PELHAM, NY
MINUTES

1. Meeting Called To Order
2. Pledge of Allegiance
3. Adjourn to Executive Session
4. Return to public session
5. Mayor's Report
6. Trustees' Reports
7. Village Administrator's Report
8. Public Comment

Approximate
Starting Time
of Discussion

Agenda Items:

#	Agenda Items:	Approximate Starting Time of Discussion
	Human Resources	7:45 p.m.
9	Authorizing an amendment to the Budget for the Village of Pelham for FY 2005-2006 to fund and create two (2) additional Police Sergeant positions; and authorizing the promotion and appointment of Police Officers Anthony Borsella and James Mitrione as Police Sergeants.	Approved
	Urban Planning	8:00 p.m.
10	Consideration of acceptance and adoption of the final report by Buckhurst Fish and Jacquemart (BFJ) for the Village Yard Site Plan (partially funded through the FTA with Section 5309 funds). * Addl. Expense authorized for BFJ for Pelpark discussions.	Consensus to proceed; BFJ Approved
	Human Resources	9:00 p.m.
11	Adopting a decision in a matter identified in the minutes of the executive session of January 17, 2006, concerning an employee identified in minutes of the executive session held on that date	Approved
12	Authorizing a revision to the Settlement and Terms for a Contract Between the Village of Pelham and the Pelham Firemen's Taylor Act Committee to include a settlement item for uniform allowance.	Approved
	Contracts	9:15 p.m.
13	Authorizing renewal of the Agreement with the City of New Rochelle for the Village of Pelham to use the City's Yard Waste Transfer Station during 2006.	Approved
14	Authorizing renewal of the Agreement with County of Westchester and the Village of Pelham to continue to participate in the Stop DWI reimbursement program, at the maximum level of up to \$8,400.	Previously approved
15	Discussion and consideration of a proposed amendment and lease extension agreement between the Village of Pelham, and Cingular Wireless, as the successor to A T & T Wireless, for the maintenance and/or upgrade of antennae currently located on the roof of the Pelham Firehouse at 219 5 th Ave.	Discussed
16	Authorizing an amendment to the escrow agreement between the Village of Pelham and the Ginsburg Development Corporation (GDC), due to a change in the name of the law firm holding the escrow to Stecich, Murphy and Lammers, and authorizing a new firm retainer	Approved
	Housekeeping	9:45 p.m.
17	17-A: Authorizing and approving the accounts payable; 17-B: Budget amendment for \$100,000 in the Capital Budget for the Sewer Bond.	17-A: tabled 17-B: Approved
18	Old Business/New Business	
19	Minutes:	
20	Executive Session	Approved
21	Adjournment	8:55 p.m.

Next Meetings are as follows:

Regular Board Meetings Tuesday February 21, 2006 and Tuesday March 7, 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, FEBRUARY 7, 2006

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 7:15 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.

Item #2 – Pledge of Allegiance

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

Item #3 – Adjourn to Executive Session. The Board adjourned briefly into executive session on the motion of Trustee Merrick, seconded by Trustee Rozycki.

Item #4 -- The public session of the Board reconvened at 7:35 p.m.

Item #5 – Mayor’s Report

Mayor Clain reported there had been a meeting with the FTA, about the grant for the Village Yard project, and that there had been discussions with them about the Village’s concern about restrictions on the use of revenue from the new Parking Facility. The FTA advised the Village that it could use the FTA intermodal grants on non-revenue producing road and traffic improvements, and that would eliminate the FTA’s review or restrictions on the Village’s revenue.

Mayor Clain also reported briefly on the status of the 5th Avenue rock fall, that there would be a meeting with the landowners on February 9th, a meeting with them to review their proposals on February 16th, and the Village would be looking to work with them to move as expeditiously as possible to get the businesses reopened.

John Cassone of 7th Avenue asked for an update on the engineers’ reports, and Mayor Clain advised him that the landlords and their engineers have not yet submitted their reports.

Item #6 – Trustees Reports:

Trustee Potocki congratulated new sergeants Mitrione and Borsella on their promotions. He announced he planned to reply to Mayor Gorman’s letter regarding the parking

problems in the next Pelham Weekly. He reminded everyone that parking keys are available, and they could make a good gift.

Trustee Homan mentioned her meeting and discussion with the Pelham Preservation Society, and their proposal to buy pots and plants for Wolfs Lane, from 1st to Boulevard. She mentioned the Village's plan to buy red and white impatiens this year for the hanging baskets.

Trustee Hotchkiss gave an update on the website work order management system, and that the Village would be proceeding shortly. He also advised the Board of his interest to establish an e-mail blast notification system. He mentioned he had seen a report by the Eastchester Supervisor, who cited his most major accomplishment as the creation of an e-mail blast notification system.

Item #7 – Village Administrator's Report:

Administrator Slingerland reported on the brief loss of the phones in Village Hall again, the flooding issue and First Street Storm Drain project. He also reported the Village was fielding numerous Freedom Of Information Law requests for documentation of any pre-disaster blasting. He stated the Village had never authorized any blasting. Mayor Clain mentioned that the Building Inspector also found no evidence of any kind of blasting, or any work that would have caused the rock cliff to collapse.

Item #9 -- Authorizing an amendment to the Budget for the Village of Pelham for FY 2005-2006 to fund and create two (2) additional Police Sergeant positions; and authorizing the promotion and appointment of Police Officers Anthony Borsella and James Mitrione as Police Sergeants.

The Board discussed this matter, and congratulated Mr. Borsella and Mitrione on their promotions. The Board authorized the budget amendments, and then the appointments. On the motion of Trustee Potocki, seconded by Trustee Homan, the Board authorized the resolution by vote of seven in favor, none opposed.

RESOLUTION

AUTHORIZING AN INCREASE IN THE NUMBER OF
BUDGETED POLICE SERGEANT POSITIONS TO SEVEN (7) FROM FIVE (5)
AND AMENDING THE BUDGET TO COVER THE EXPENSE OF
TWO ADDITIONAL POLICE SERGEANTS
APPOINTED TO COVER LONG TERM INJURIES AND ILLNESSES

BE IT RESOLVED, that the Board of Trustees authorizes an amendment in the number of budgeted police Sergeant positions to seven (7) from five (5)

BE IT FURTHER RESOLVED, based on the changes in grade from Police Officer Grade 1 to Police Sergeant, the Board additionally authorizes amendments to the Budget to cover the additional expense as follows:

2005-2006 Budget Amendment

Transfer From:	—————	Transfer To/Increase Expense:
A.1990.990 Contingency \$4,640		A.3120.101 Police salaries (Sgts.) \$4,640

BE IT FURTHER RESOLVED, that the Board of Trustees authorizes the promotion and appointment by the Mayor of Anthony Borsella and James Mitrione to the position of Police Sergeant, effective February 6, 2006, subject to the requirements of Civil Service.

After the appointments were authorized, Sergeants Borsella and Mitrione came forward and were given their oaths of office by the Mayor.

Item #10 – Consideration of acceptance and adoption of the final report by Buckhurst Fish and Jacquemart (BFJ) for the Village Yard Site Plan (partially funded through the FTA with Section 5309 funds).

Village Yard Planning Committee Chairman Michael Zisser gave a brief presentation, thanked the other members of the Committee – John Cassone, David Daly, Diane Lynch, Nigel Scott-Williams, Gwen Tapogna, and Trustee Mike Rozycki, for their work on the committee and with Buckhurst Fish Jacquemart. He discussed the 2 options that had been reached, either for the Village to proceed with its own project, or work on a cooperative project with Pelpark. He advised the Mayor and Board to move quickly, and keep the project as close to “cost neutral” on the Village budget and tax base as possible. He mentioned that now the proposals need to move forward quickly, and should decide on a course of action roughly by mid-April.

It was the consensus of the Board to accept the BFJ report as final, and urge the resolution of an agreement with Pelpark on or about April 15, 2006.

Also, as the contract defined for the work by BFJ for the Village Yard Study has been completed, attached is a requested authorization for additional work by BFJ, as required by the Village, at “time and materials” based on hourly charges and reimbursable costs.

On the motion of Trustee Merrick, seconded by Trustee Rozycki, the Board authorized an additional agreement by vote of seven to none with BFJ for additional services in review of the ongoing plans and negotiations with Pelpark, in an amount not to exceed \$10,000.

Item #11 -- Adopting a decision in a matter identified in the minutes of the executive session of January 17, 2006, concerning an employee identified in minutes of the executive session held on that date.

The Board discussed this matter, which it had discussed briefly earlier in Executive Session and approved in form. On the motion of Trustee Merrick, seconded by Trustee Greco, the Board authorized the resolution as amended by vote of six in favor, none opposed, one abstained (Trustee Homan, who was absent from the process).

RESOLUTION

ADOPTING A DECISION IN A PERSONNEL MATTER IDENTIFIED
IN THE MINUTES OF THE EXECUTIVE SESSION OF JANUARY 17, 2006
CONCERNING AN EMPLOYEE IDENTIFIED IN THE MINUTES OF THE
EXECUTIVE SESSION HELD ON THAT DATE

RESOLVED, that the Board of Trustees of the Village of Pelham hereby adopts a decision in a personnel matter identified in the minutes of the executive session of January 17, 2006, and approved in form in the executive session of February 7, 2006, concerning an employee identified in minutes of the executive session held on those dates, and authorizes the Mayor, the Village Administrator, the Village Attorney and the Village Treasurer to take the necessary and appropriate actions to effect the terms of that decision.

Item #12 -- Authorizing a revision to the Settlement and Terms for a Contract Between the Village of Pelham and the Pelham Firemen's Taylor Act Committee to include a settlement item for uniform allowance.

This matter was briefly discussed, as it had been overlooked in the settlement memo of January 17th. On the motion of Trustee Merrick, seconded by Trustee Greco, the Board authorized the following resolution by vote of seven in favor, none opposed.

RESOLUTION

AUTHORIZING AN AMENDMENT TO THE SETTLEMENT AND
ACCEPTANCE OF TERMS FOR A CONTRACT BETWEEN THE VILLAGE OF
PELHAM
AND THE PELHAM FIREMEN'S TAYLOR ACT COMMITTEE (IAFF LOCAL 2213)
FOR THE PERIOD OF JUNE 1, 2005 THROUGH MAY 31, 2009
TO PROVIDE FOR AN INCREASE IN UNIFORM ALLOWANCE

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham hereby authorizes an amendment to the settlement of the negotiations for a Collective Bargaining Agreement (CBA) with the Pelham Firemen's Taylor Act Committee (IAFF Local 2213), to provide for an increase in uniform allowance for the 4-year life of the agreement, from \$775 to \$800.

Item #13 – Authorizing renewal of the Agreement with the City of New Rochelle for the Village of Pelham to use the City's Yard Waste Transfer Station during 2006.

The Board briefly discussed this matter. On the motion of Trustee Merrick, seconded by Trustee Greco, the Board authorized this resolution by vote of seven in favor, none opposed.

RESOLUTION

AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF NEW ROCHELLE AND THE VILLAGE OF PELHAM FOR THE DISPOSAL OF ORGANIC WASTE INCLUDING YARD WASTE AND FALL LEAVES AT THE CITY OF NEW ROCHELLE'S WASTE TRANSFER STATION

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham hereby authorizes the renewal of an agreement between the Village of Pelham and the City of New Rochelle for the Disposal of Organic Waste, including Yard Waste, Leaves and Brush at the City of New Rochelle Waste Transfer Station, per the agreement provided for by the City of New Rochelle (attached hereto and made a part hereof); and

BE IT FURTHER RESOLVED, that the Mayor and the Village Administrator are authorized to sign this agreement and to take the necessary and appropriate actions to effect this agreement.

Item #14 -- Authorizing renewal of the Agreement with County of Westchester and the Village of Pelham to continue to participate in the Stop DWI reimbursement program, at the maximum level of up to \$8,400.

The Board briefly discussed this matter, and determined it had been authorized at the January 3, 2006 Board Meeting.

Item #15 -- Discussion and consideration of a proposed amendment and lease extension agreement between the Village of Pelham, and Cingular Wireless, as the successor to A T & T Wireless, for the maintenance and/or upgrade of antennae currently located on the roof of the Pelham Firehouse at 219 5th Ave.

The Board discussed this matter, and asked the Administrator to re-email the current A T & T lease to the Board, and asked Trustee Homan to contact the telecommunications expert the Village had used in 2002 during the review and adoption of the Village's telecommunications law, to obtain his input and recommendation on the Cingular lease renewal proposal.

Item #16 – Authorizing an amendment to the escrow agreement between the Village of Pelham and the Ginsburg Development Corporation (GDC), due to a change in the name of the law firm holding the escrow to Stecich, Murphy and Lammers, and authorizing a new firm retainer.

The Board briefly discussed this matter, and the Mayor stated his feeling this approval was not necessary at the Board level, but the Board agreed to authorize it as a

formality. On the motion of Trustee Homan, seconded by Trustee Greco, the following resolution was approved by vote of seven in favor, none opposed.

RESOLUTION

AMENDING A PRIOR APPROVAL ADOPTED JUNE 7, 2005
TO REFLECT A CHANGE IN THE LAW FIRM NAME
THAT IS HOLDING THE ESCROW
UNDER AGREEMENT BETWEEN THE VILLAGE OF PELHAM AND GDC
TO ADDRESS INFRASTRUCTURE ISSUES ON FIRST STREET

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham authorizes an amendment to the escrow agreement between the Village of Pelham and GDC to receive \$250,000 from the Marbury Corners L.L.C. to fund the relocation of storm sewer lines and/or sanitary sewer lines; and

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham authorizes

1. an escrow agreement for the Village of Pelham's \$250,000 to be held in escrow on behalf of the Village by Stecich, Murphy and Lammers
2. authorizes the Mayor to sign a letter of understanding and a new retainer agreement; and
3. authorizes the appropriate Village officials to take other necessary and appropriate actions with regard to this matter.

Item #17 -- Authorizing and approving the accounts payable.

Due to scheduling conflicts, no Board members were available to review the bills, and this matter was held until the next Board meeting.

The Board authorized a budget amendment resolution requested by Shirley Brown.

On the motion of Trustee Greco, seconded by Trustee Merrick, the Board authorized the following resolution by vote of seven in favor, none opposed.

RESOLUTION

AMENDING THE CAPITAL BUDGET TO REFLECT THE ADDITIONAL \$100,000
BOND MONIES BORROWED FOR SEWER CAPITAL IMPROVEMENTS

BE IT RESOLVED that the Board of Trustees of the Village of Pelham authorizes an amendment to the Capital Budget to cover the additional borrowing for sewer repair expenses as follows:

2005-2006 Budget Amendment
Capital Fund – Increase Expense
H.8140.400 Sewer Impvmts. \$100,000

Capital Fund – Increase Revenue
H.5731 Bond/BAN for Sewers \$100,000

Item #18 – Old Business/New Business: None at this time.

Item #19 – Minutes – The Board asked the Administrator to prepare and submit minutes.

Item #20 – Executive Session: The Mayor asked for a brief executive session on contract negotiations, and a personnel matter. On the motion of Trustee Greco, seconded by Trustee Rozcyki, the Board agreed unanimously to adjourn the meeting and go into Executive Session.

Item #21 – Adjournment: On the motion of Trustee Homan, seconded by Trustee Rozycki, the Board agreed unanimously to adjourn the meeting at 8:55 p.m.

Respectfully submitted,

Richard Slingerland
Village Administrator/Deputy Clerk