

VILLAGE OF PELHAM BOARD OF TRUSTEES  
REGULAR MEETING  
TUESDAY, JULY 7, 2015, 7:30 PM  
VILLAGE HALL – 195 SPARKS AVENUE, PELHAM, NY 10803

**MINUTES**

1. Call To Order
2. Pledge of Allegiance
3. Mayor's Report
4. Trustees' Reports
5. Village Administrator's Report
6. Public Comments

# Agenda Items:

<b>Non-Recurring Items</b>		
7.	Resolution Authorizing the Pelham Picture House Fundraiser at Wolfs Lane Park on September 19, 2015	<b>Approved</b>
8.	Resolution Calling for a Public Hearing on a Local Law to Establish a Community Choice Aggregation (Energy) Program	<b>Tabled</b>
9.	Resolution Designating The Journal News as the Official Newspaper for the Village of Pelham	<b>Approved</b>
10.	Resolution Authorizing Warrant Processing on July 21, 2015	<b>Approved</b>
11.	Resolution to Accept a Donation for Village Beautification at the Clock Tower, Benedict Fountain Garden and Grand Staircase	<b>Approved</b>
12.	Resolution Authorizing the Award of Contract # 2015-01 for Tree Removal, Trimming and Stump Removal (bid deadline and opening 6/30/15, 11:00 a.m.)	<b>Approved</b>
13.	Resolution Authorizing an Intermunicipal Agreement with the County of Westchester for the 2014/15 STOP-DWI Enforcement Crackdown Program	<b>Approved</b>
14.	Site Plan Application by LaGia Development for 4 Second Avenue for a Proposed Single-Family Dwelling	<b>Approved</b>
15.	Site Plan Application by Connolly and Sons for 409 Third Avenue for a Proposed Single-Family Dwelling	<b>Approved</b>
16.	Other Business – Resolution Authorizing an Amendment to the Lease Agreement with AT&T for the 219 5 <sup>th</sup> Avenue Site, NYW&B Timeline, DPW Garage Heating System Replacement	<b>Approved Discussed</b>
<b>Recurring Items</b>		
17.	Authorizing Accounts Payable	<b>Approved</b>
18.	Authorizing the Minutes of: May 5, 2015, May 19, 2015, June 2, 2015 and June 16, 2015	<b>Approved</b>
19.	Adjournment to Executive Session	<b>Approved</b>

Next Regularly Scheduled BOT Meetings:

**Tuesday, August 18, 2015 (Summer Schedule)**  
**Tuesday, September 8, 2015**

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 Volpe at 7:30 p.m.

Present were Trustees Cassidy, Ferrara, Kagan, Marty and Mutti.

Trustee Reim participated via telephone.

Also present were Village Administrator Yamuder and Assistant to the Village Administrator Scelza.

**Item # 2 – Pledge of Allegiance:**

The Pledge of Allegiance was led by Mayor Volpe.

**Mayor's Report:**

Mayor Volpe reported for fiscal year ending 2014/15 revenues were up by \$221,000.00 and expenses were down by \$298,000.00. He thanked former Mayor Cassidy, Village Administrator Yamuder and all the department heads for their management throughout the year. The auditors presentation on the fiscal year 2014/15 audit pursuant to New York State Law will take place in September.

Fire Chief Bill Stone submitted his resignation effective June 30, 2015 from the Village. The Mayor thanked him for his years of service and wished him well on his retirement.

Paving has been completed costing roughly \$250,000.00 using a combination of CHIPS money and fund balance.

Mayor Volpe introduced Cassandra Carol a local resident and recent college graduate who is interning in Village Hall for the summer months. Mayor Volpe thanked her for all her work.

Finally discussions are continuing with the developers of the 101 Wolfs Lane property. The developers are interested in applying for some State Grants and the Mayor may write a letter of support for those efforts.

**Trustees' Report:**

Trustee Cassidy congratulated the Village Administrator and Department Heads on the Fiscal Year 2014/15 year end budget numbers. He also mentioned he was 80% complete on compiling the budget by budget database.

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Trustee Ferrara reported that the Woodland Park Playground grand opening has been delayed due to a safety issue which will be addressed in the next week or so. The new Village website is in the development phase and the draft will be distributed to the rest of the Board shortly. The Village in conjunction with the Chamber of Commerce is looking to re-launch the Business Advisory Committee. Anyone with Finance, Legal and Marketing experience looking to volunteer should contact her directly.

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Trustee Kagan thanked Trustee Mutti for a tour of the Highbrook Highline Property. AT&T cell site discussion under other business. He also reported that he will be working with the Village Attorney on striking Chapter 96 of the Village Code entitled water since the Village is no longer in the water business.

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Trustee Marty reported that there have been continuing discussions with the developers of the 101 Wolfs Lane Property prior to them going before the Planning Board. He also reminded everyone of the current leaf blower regulation.

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Trustee Mutti reported that the hanging baskets donated by the Pelham Preservation & Garden Society are doing very well and hopefully next year additional baskets will be donated to the downtown. Street paving came out very nice and the Department of Public Works will be painting the crosswalks shortly. In association with the paving project ADA compliant curb ramps and crossings were re-done and the Village is very satisfied with the end product.

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Trustee Reim had no report.

**Village Administrator's Report:**

Village Administrator Yamuder thanked the department heads for holding the line on a daily basis when it comes to the budget. The Village is going through its annual independent financial audit which will be completed by July 10<sup>th</sup> with a presentation by the auditors in September. He thanked Fire Chief Bill Stone for his many years of service to the Village.

**Item # 6 – Public Comments**

**Ann Dumas-Swanson**, 205 Highbrook Avenue North, submitted the following statement regarding the NYW&B Property:

“Following up on the presentation that Trustee Mutti gave last month regarding the NYW&B Property and conservation and stewardship of this property...

- Many of us who have advocated that the land be conserved for safe public use, are interested in further progress and action that would support the designation of the land as park land. We believe that through careful planning -- STEP BY WELL-RESEARCHED STEP -- we can take this neglected property and – first and foremost conserve the open space, as we have so little in Pelham, and secondly, seek grant funding that would allow the VOP to maintain the property without burdening the VOP budgets or taxpayers.
- The land was turned over to the VOP over 75 years ago and it would appear that the time has come to take some reasonable measures to maintain the property: protect the bridge structure from further deterioration and remove invasive species that can further degrade the property.
- Opening it to public at some point would come only after a rigorous process of discernment and planning to ensure that the space could be made safe and could be properly maintained over time.

In order to obtain funding and receive the resources and support for conservation of this open land – we must take the first step: park land designation. There are several concerned and dedicated residents of the Village who would be willing to donate even more time and effort to learning how this property can be preserved and turned into an asset.

Through our work to this point we have met with several reputable organizations who are dedicated to the issues and values that I have mentioned. One such organization is Westchester Land Trust. They have visited the site with us three times and can offer a wealth of information about the various means and methods for conserving open space and maintaining it – several of these methods do not involve the creation of land trusts. They can also point us to other communities in our region who have faced similar issues and have worked through these challenges to achieve workable and

sustainable solutions. We believe that they could educate us all about the pros and cons of various options for grant funding and land management.

On behalf of the Friends of the Highbrook Highline, we hope that the Village Mayor and Trustees will see fit to make a plan that will allow this process of discernment and action to move forward – with safety of our citizens and the proper use of Village resources at the top of the list of priorities”.

Mayor Volpe stated Trustee Mutti will be discussing a timeline with the entire Board later on this evening and he has been working with the Village Attorney on the designation process.

**Michael Carpenter**, 50 Central Avenue, on behalf of the Pelham Preservation Society and Garden Society asked the Board for a timeline for responding to the presentation made to the Board approximately eight weeks ago regarding the Downtown Pelham Historic District designation.

Mayor Volpe responded he will be drafting a letter of support and it should be ready on or before the August 18<sup>th</sup> meeting.

Trustee Kagan asked Mr. Carpenter if the purpose of the letter was to start the process in becoming a certified local government.

Mr. Carpenter responded that it was not. This letter of recommendation is needed to complete the application started back in 2009 to have the Downtown designated as an Historic District.

<b>Non-Recurring Items</b>
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**Item # 7 – Authorizing the Pelham Picture House Fundraiser at Wolfs Lane Park on September 19, 2015**

Amy Cole, Director of Communications for the Pelham Picture House stated this would be the 4<sup>th</sup> annual picnic in the park fundraiser. This is a community friendly fundraiser and has been very successful for the last three years. Tickets would go on sale in two weeks if approved.

Mary Veith, 155 Nyac Avenue stated last year's event was very good. She was concerned with the music stopping promptly at 10:30 p.m. Amy Cole responded this year, like last year, there would be a DJ instead of a band, which would be easier to stop at the appointed hour.

A motion was then made by Trustee Mutti and seconded by Trustee Ferrara to approve the resolution. The vote was approved by a vote of seven in favor, none opposed.

**Resolution Authorizing the Pelham Picture House Fundraiser at Wolfs Lane on September 19, 2015**

**Whereas**, the Pelham Picture House has requested permission to hold its fourth annual Picnic in the Park Fundraiser in Wolfs Lane Park on Saturday, September 19, 2015; and

**Whereas**, the Pelham Picture House shall reimburse the Village for all costs incurred by the Village as a result of the event, including but not limited to Police Department and Department of Public Works overtime, and provide a certificate of liability insurance naming the Village as an additional insured in a form and amount satisfactory to the Village.

**Now, therefore, be it resolved**, that the Board of Trustees of the Village of Pelham authorizes the Picture House the use of the section of Wolfs Lane Park directly across from the movie theatre with access to the park on Friday, September 18<sup>th</sup> to erect the tent, Saturday, September 19<sup>th</sup> for the fundraising event and Monday, September 21<sup>st</sup> to remove the tent; and

**Be it further resolved**, that the Mayor and Board of Trustees authorize the appropriate Village officials and staff to take the necessary and appropriate actions to effectuate this resolution.

**Item # 8 – Calling for a Public Hearing on a Local Law to Establish a Community Choice Aggregation (Energy) Program**

Village Administrator Yamuder stated Sustainable Westchester, Inc., a not-for-profit organization comprised of several municipalities in Westchester County of which Pelham is a member received approval from the New York State Public Service Commission to establish a Community Choice Aggregation PILOT Program in Westchester aimed at reducing energy costs.

This item was tabled and will be discussed at the August 18<sup>th</sup> meeting.

**Resolution Calling for a Public Hearing on a Local Law to Establish a Community Choice Aggregation (Energy) Program**

**Whereas**, the Village of Pelham would like to establish a Community Choice Aggregation (Energy) Program; and

**Whereas**, the State of New York Public Service has recently issued an Order Granting Petition (Commission Case 14-M-0564) of Sustainable Westchester for Expedited Approval of the Implementation of a Pilot Community Choice Aggregation Program with the County of Westchester; and

**Whereas**, the Village of Pelham wishes to implement a Community Choice Aggregation Program pursuant to Section 10(1)(ii)(a)(12) of the New York Municipal Home Rule Law.

**Now, therefore, be it resolved**, that the Board of Trustees of the Village of Pelham hereby calls for a Public Hearing on Tuesday, August 18, 2015 at 7:30 pm or soon thereafter at Village Hall, 195 Sparks Avenue, Pelham NY 10803 to consider Introductory Local No. 1 of 2015 to Establish a Community Choice Aggregation (Energy) Program in the Village of Pelham.

**Item # 9 – Designating The Journal News as the Official Newspaper for the Village of Pelham**

Mayor Volpe mentioned the Village was notified that the Pelham Weekly was going digital only. The Village is required by State Law to have an official newspaper of general circulation.

After a brief discussion a motion was made by Trustee Ferrara and seconded by Trustee Cassidy to approve the resolution. The vote was approved by a vote of seven in favor, none opposed.

**John Cassone**, 7<sup>th</sup> Avenue, asked the Board to look into using The Pelham Rising as an alternate newspaper as it is distributed weekly.

**Resolution Designating The Journal News as the Official Newspaper for the Village of Pelham**

**Whereas**, the Village of Pelham (“Village”) is required to provide notice of proposed local legislation and of Village hearings in a newspaper of general circulation; and

**Whereas**, pursuant to General Construction Law § 60 the term “newspaper” shall mean a paper of general circulation which is printed and distributed not less frequently than once a week, and which contains news, articles of opinion (as editorials), features, advertising, or other matter regarded as of current interest and has a paid circulation; and

**Whereas**, the Village currently utilizes “The Pelham Weekly” as its official newspaper and has been notified that its last edition published on paper and distributed by mail was on Friday, June 26, 2015 and they will be going digital-only.

**Now, therefore, be it resolved**, that the Board of Trustees of the Village of Pelham hereby designates the Journal News as the official newspaper of the Village of Pelham for the remainder of the official year.

**Item # 10 – Authorizing Warrant Processing on July 21,2015**

Village Administrator Yamuder stated this resolution is needed in order to keep the bills moving through July and August until the next meeting on August 18<sup>th</sup>. He said Trustee Kagan will review the bills but there will be no meeting.

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

**Resolution Authorizing Warrant Processing on July 21, 2015**

**Be it resolved**, that the Board of Trustees of the Village of Pelham hereby authorizes warrant processing on July 21, 2015 to accommodate the shortened summer Board of Trustee meeting schedule; and

**Be it further resolved**, that a Board Member will be scheduled to audit the invoices and copies of the voucher detail report will be distributed to all Board members.

**Now, therefore, be it resolved**, that the Board of Trustees of the Village of Pelham hereby approves payment of the above mentioned claims and authorizes payment thereof.

**Item # 11 – Accepting a Donation for Village Beautification at the Clock Tower, Benedict Fountain Garden and Grand Staircase**

Mayor Volpe stated this item was tabled from the June 16<sup>th</sup> meeting.

After a brief discussion a motion was made by Trustee Cassidy and seconded by Trustee Ferrara to approve the resolution. The vote was approved by a vote of seven in favor, none opposed.

**Resolution to Accept a Donation for Village Beautification at the Clock Tower, Benedict Fountain Garden and Grand Staircase**

**Be it resolved**, that the Board of Trustees of the Village of Pelham herein authorizes the acceptance of a donation of \$500.00 from the Pelham Preservation Garden Society, \$500.00 from the Pelhamwood Association and \$500.00 in kind donation from Joe Senerchia (Electrician) for a value total of \$1,500.00 for various plantings and associated work at the Clock Tower, Benedict Fountain Garden and Grand Staircase Garden with thanks to the donors for their contribution to the Village of Pelham community.

**Item # 12 – Authorizing the Award of Contract # 2015-01 for Tree Removal, Trimming and Stump Removal Services (bid deadline and opening 6/30/2015, 11:00 a.m.)**

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

**Resolution Authorizing the Award of Contract # 2015-01 for Tree Removal, Trimming and Stump Removal Services**

**Whereas**, the Village of Pelham requested six (6) and received three (3) proposals for contract # 2015-01 for Tree Removal, Trimming, and Stump Removal in the Village of Pelham; and

**Whereas**, at 11:00 a.m. E.S.T., Tuesday, June 30, 2015, the Village of Pelham publicly opened and read three proposals in Village Hall; and

**Whereas**, on reviewing the proposals, the bids were as follows:

	Base Bid
1. Almstead Tree & Shrub Company	\$20,973.00
2. Manor Tree Company, Inc.	\$24,790.00
3. Ramiro's Tree Service, Inc.	\$33,980.00

**Whereas**, the Village Administrator has determined that the lowest responsible bid that meets requirements is Almstead Tree & Shrub Company.

**Now, therefore, be it resolved**, that the Board of Trustees of the Village of Pelham hereby awards Contract # 2015-01 for Tree Removal, Trimming and Stump Removal in the Village of Pelham to Almstead Tree & Shrub Company, at the total bid cost of Twenty thousand nine hundred seventy three dollars (\$20,973.00), as a unit-price contract, with prices provided under the bid for add-on trees; 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 unit-price contract for these services.

**Item # 13 – Authorizing an Intermunicipal Agreement with the County of Westchester for the 2014/15 STOP-DWI Enforcement Crackdown Program**

Mayor Volpe stated this item was received from the County on June 9<sup>th</sup>. The Village has participated in this program in the past.

A motion was then made by Trustee Ferrara and seconded by Trustee Mutti to approve the resolution. The vote was approved by a vote of seven in favor, none opposed.

**Resolution Authorizing an Intermunicipal Agreement with the County of Westchester for the 2014/15 STOP-DWI Enforcement Crackdown Program**

**Whereas**, the County of Westchester and its municipalities have participated in the Westchester County STOP-DWI Enforcement Crackdown Program for many years through an intermunicipal agreement which provides overtime reimbursement for added patrol efforts to enforce New York State Vehicle & Traffic Laws against intoxicated and impaired driving; and

**Whereas**, for the period from October 1, 2014 through September 30, 2015, Westchester County established a grant, not to exceed \$12,000.00, available to the Village of Pelham to conduct STOP-DWI Patrol activities; and

**Whereas**, the Chief of Police recommends continuing the program and has indicated its success in past years as an educational and enforcement tool for promoting safe driving throughout the Village.

**Now, therefore, be it resolved**, that the Board of Trustees of the Village of Pelham herein authorizes an intermunicipal agreement with the County of Westchester for the STOP-DWI Enforcement Crackdown Program for a one (1) year period commencing on October 1, 2014 and finishing September 30, 2015; and

**Be it further resolved**, that the Mayor, Village Administrator and Chief of Police are authorized to take the necessary and appropriate actions to effectuate this resolution.

**Item # 14 – Site Plan Application by LaGia Development for 4 2<sup>nd</sup> Avenue for a Proposed Single-Family Dwelling**

The Board reviewed the plans submitted for 4 2<sup>nd</sup> Avenue presented by Aldo DiVito, architect.

Trustee Kagan inquired what was the maximum roof height and where in the plans does it show that. After a discussion it was determined the roof height is still below the allowable 35’.

Architect DiVito stated there is a 12” diameter Village Tree that will need to be taken down due to driveway construction. The applicant will be purchasing three new trees for the Department of Public Works to install. Mayor Volpe asked the applicant to notify the residents in the area of the tree removal and replacement with three trees.

A motion was then made by Trustee Cassidy and seconded by Trustee Marty to approve the resolution.

The Mayor asked if there was any discussion.

Trustee Kagan would like to add the condition of a bond as part of this application pursuant to Section 79 of the Village Code and that the Building Inspector set the monetary amount of the bond. This would protect the Village in case the applicant were to pull away, as was the case with another recent developer on third avenue, where there is now a fenced-in foundation hole.

The Board is not in favor of imposing this condition. The resolution as read includes the imposition of additional conditions and requirements as may be necessary from the appropriate Village officials if need be.

The vote was approved by a vote of seven in favor, none opposed.

## **MEMO**

Date: June 29, 2015

To: Village of Pelham Board of Trustees

*From: Village of Pelham Architectural Review Board*

Re: Application for proposed new house at 4 Second Avenue

The Architectural Review Board (ARB) recommends that the Village of Pelham Board of Trustees (BOT) approve the application submitted by La Gia Development Realty Corp. for a one family dwelling at 4 Second Avenue.

Work shall be performed as shown on drawings Z-1, SP-1, A-1, A-2, A-3,A-4, A-5, A-6, A-7, A-8, A-9, A-10, Plans prepared for ARB by Aldo DiVitto, Architect are dated 5/1/2015, with revisions on 5/20/2015, 6/22/2015 as per ARB comments.

# MEMO

Date: July 2, 2015

To: Village of Pelham Board of Trustees

*From: Village of Pelham Planning Board*

Re: 4 2<sup>nd</sup> Avenue

Application for new single family 2 ½ story residence

Applicant: Frank DelPonte

The Village of Pelham Planning Board (PB) recommends that the Village of Pelham Board of Trustees (BOT) approve the application for the construction of a new single family residence at 4 2<sup>nd</sup> Avenue.

The Planning Board on May 12, 2015 unanimously (5-0) approved the application conditioned upon Applicant providing: a) drawing showing location at rear of house and screening for HVAC mechanical unit, b) drawing showing fencing on all retaining walls where required by code wall, c) construction time line, d) information regarding exterior lighting – either down lighting or non-visible source lighting, e) drainage calculation.

The Applicant has provided the detail and information requested.

Work shall be performed as shown on Project Drawings Sheets A-1, A-2, A-3, A-4, A-003, A-004, and SP-1, dated 5/1/15 prepared by Aldo DiVito, Architect.

R Veith for the Planning Board

## **Resolution Approving Site Plan Application by LaGia Development for 4 Second Avenue for a Proposed Single-Family Dwelling**

**Resolved**, that the application for a Site Plan by La Gia Development Realty Corp. is approved, based on the review and recommendations by the Planning Board (hereinafter “Planning”) and

Architectural Review Board (hereinafter “the ARB”) which the Planning and ARB approval memos are attached to and made a part of this approval; and

**Be it further resolved,** that the conditions applied by Planning and ARB are as follows:

1. All work shall be performed in compliance with Planning approval, NY State Building Code and Village of Pelham Zoning Code, as noted on plan drawings, dated May 1, 2015 as prepared by Aldo DiVitto, Architect. P.C.
2. All plantings for the one family house be as per approved plans inclusive of the three trees discussed;
3. The house will be built in accordance with the plans which are approved by the Planning Board and/or the Architectural Review Board of the Village of Pelham ; and

**Be it further resolved,** that this application for a site plan to include a single family dwelling and landscaping at 4 Second Avenue is subject to the procedures, regulations and requirements of the Pelham Village Code and Pelham Building Department; and

**Be it further resolved,** that the Mayor, Village Administrator, Building Inspector and other appropriate Village officials are authorized to take the necessary and appropriate actions to effect this approval, including the imposition of additional conditions and requirements as may be necessary. No deviations from the site plan without prior approvals from applicable board or agency.

**Item # 15 – Site Plan Application by Connolly and Sons for 409 Third Avenue for a Proposed Single-Family Dwelling**

The Board reviewed the plans submitted for 409 3<sup>rd</sup> Avenue presented by Aldo DiVito, architect.

Trustee Kagan inquired what was the maximum roof height and where in the plans does it show that. After a discussion it was determined the roof height is still below the allowable 35'.

Current site is taken up by a large rock. The owner of the property is an excavator and will be cutting it down.

Architect DiVito explained the excavating process to the Board which will last approximately six weeks.

Trustee Kagan asked about the storm water plan for the property. Architect DiVito referenced drawings C-1 and C-2 which show the drainage pipe layout for the property. The storm water will be discharged into the Villages main storm water line in the street.

Trustee Kagan asked if the Department of Public Works was consulted on tying into the storm water drain. Planning Board Chair Veith referenced the Board to review the storm water management plan.

A motion was then made by Trustee Ferrara and seconded by Trustee Mutti to approve the resolution. The vote was approved by a vote of seven in favor, none opposed.

## **MEMO**

Date: June 29, 2015

To: Village of Pelham Board of Trustees

From: Village of Pelham Architectural Review Board

Re: Application for proposed new house at 409 Third Avenue

The Architectural Review Board (ARB) recommends that the Village of Pelham Board of Trustees (BOT) approve the application submitted by Connolly and Sons Construction Inc. for a one family dwelling at 409 Third Avenue.

Work shall be performed as shown on drawings T-1, C-1, C-2, L-001,L-002, A-1, A-2, A-3, A-4, A-5, A-6, Plans prepared for ARB by Aldo DiVitto, Architect are dated 3/13/2015, with revisions on 5/20/2015 as per ARB comments.

# MEMO

Date: July 2, 2015

To: Village of Pelham Board of Trustees

From: *Village of Pelham Planning Board*

Re: 409 3<sup>rd</sup> Avenue

Application for new single family 2 ½ story residence

Applicant: Patrick Connolly

The Village of Pelham Planning Board (PB) recommends that the Village of Pelham Board of Trustees (BOT) approve the application for the construction of a new single family residence at 409 3<sup>rd</sup> Avenue.

The Planning Board on May 12, 2015 unanimously (5-0) approved the application conditioned upon Applicant providing: a) drawing showing location near north corner of house and screening for HVAC mechanical unit, b) drawing showing fencing on all retaining walls where required by code wall, c) construction time line, d) information regarding exterior lighting – either down lighting or non-visible source lighting, e) drawing showing storm water attenuation going into storm sewer and engineer's calculation showing retention capacity greater than required by site after construction.

The Applicant has provided the detail and information requested.

Work shall be performed as shown on Project Drawings Sheets T-1, A-1, A-2, A-3, A-4, A-5, A-6 dated 5/1/15 prepared by Aldo DiVito, Architect, Landscape Sheets L-001, and L-002 dated 3/3/15 prepared by HM White Landscape Architect, and Stormwater Management Plan Sheets C-1 and C-2 dated 2/17/15 prepared by Hudson Engineering Consulting, P.C.

R Veith for the Planning Board

## **Resolution Approving Site Plan Application by Connolly and Sons for 409 Third Avenue for a Proposed Single-Family Dwelling**

**Resolved**, that the application for a Site Plan by Connolly & Sons Construction Inc. is approved, based on the review and recommendations by the Planning Board (hereinafter "Planning"), and Architectural Review Board (hereinafter "the ARB") which the Planning and ARB approval memos are attached to and made a part of this approval along with the various reports accompanying those approvals; and

**Be it further resolved,** that the conditions applied by Planning and ARB are as follows:

1. All work shall be performed in compliance with Planning approval, NY State Building Code and Village of Pelham Zoning Code, as noted on plan drawings, dated March 13, 2015 as prepared by Aldo DiVitto Architect, P.C.
2. All plantings for the one family house be as per approved plans;
3. The house will be built in accordance with the plans which are approved by the Planning Board and/or the Architectural Review Board of the Village of Pelham ; and
4. The Department of Public Works General Foreman Michael Shriman shall review the plans for the connection to the storm water system; and
5. The rock excavation shall be performed by the Applicant and no one else.

**Be it further resolved,** that this application for a site plan to include a single family dwelling and landscaping at 409 Third Avenue is subject to the procedures, regulations and requirements of the Pelham Village Code and Pelham Building Department; and

**Be it further resolved,** that the Mayor, Village Administrator, Building Inspector and other appropriate Village officials are authorized to take the necessary and appropriate actions to effect this approval, including the imposition of additional conditions and requirements as may be necessary. No deviations from the site plan without prior approvals from applicable board or agency.

**Item # 16 – Other Business**

Trustee Kagan stated he has heard back from AT&T's representative with regards to the second amendment to the lease agreement at the firehouse for the installation of additional communication devices. The Village will see a slight increase of \$2,400.00 a year in the base rent for the additional devices. The second amendment will be forthcoming and will be subject to later review by the Board.

After a brief discussion a motion was made by Trustee Kagan and seconded by Trustee Marty to approve the resolution. The vote was approved by a vote of seven in favor, none opposed.

**Resolution Authorizing an Amendment to the Lease Agreement with AT&T for the 219 5<sup>th</sup> Avenue Site**

**Be it resolved**, that the Board of Trustees of the Village of Pelham authorize the revised proposal from AT&T for the installation of additional communication devices at 219 5<sup>th</sup> Avenue consistent with the plans that are filed with the Building Inspector and;

**Be it further resolved**, that the Base Lease Rent shall be increased by Two Hundred Dollars (\$200.00) per month.

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Mayor Volpe mentioned heating concerns at the DPW building. The Village will need to spend some money to make sure the building is properly heated for the upcoming winter season.

Village Administrator stated the intent of the original heating system was designed to use filtered waste oil in an environmentally friendly way and in an effort to save on oil heating bills. Unfortunately, the reused waste heating oil has been clogging the heating system and burners. For the past 3 years, DPW had to use supplemental portable heating units.

Mayor Volpe stated resolution and backup will be presented at the August 18<sup>th</sup> meeting and he wanted to give the Board a heads up.

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**Louise Podszus**, 59 Clifford Avenue, asked about the responsibility of homeowners when it comes to the sidewalks in front of their property.

Mayor Volpe responded it is the obligation of the property owner to maintain the sidewalks in front of their property. Village staff will be looking into the matter.



**Item # 17 – Authorizing the Accounts Payable**

Trustee Cassidy audited the Accounts Payable.

A motion was made by Trustee Cassidy and seconded by Trustee Marty to approve the resolution. The vote was approved by a vote of seven in favor, none opposed.

**Resolution Authorizing the Accounts Payable**

**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	\$628,541.57
Water Fund	\$80.50
Capital Projects Fund	\$0.00
Trust and Agency Fund	\$0.00
CD NYS Main Street Fund	\$0.00
H3 Fund	\$0.00
<u>TE Expand Trust Fund</u>	<u>\$0.00</u>
Grand Total	\$628,622.07

**Now, therefore, be it resolved**, that this Board hereby approves payment of the above mentioned claims and authorizes payment thereof.

**Item # 18 – Authorizing the Minutes of: May 5, 2015, May 19, 2015, June 2, 2015 and June 16, 2015**

A motion was made by Trustee Kagan and seconded by Trustee Ferrara to approve the minutes of May 5, 2015. The vote was approved by a vote of six in favor, none opposed. Trustee Cassidy abstained.

May 5, 2015- Approved

A motion was made by Trustee Kagan and seconded by Trustee Marty to approve the minutes of May 19, 2015 as amended. The vote was approved by a vote of five in favor, none opposed. Trustees Cassidy and Mutti abstained.

May 19, 2015- Approved

A motion was made by Trustee Kagan and seconded by Trustee Mutti to approve the minutes of June 2, 2015 as amended. The vote was approved by a vote of seven in favor, none opposed.

June 2, 2015 – Approved

A motion was made by Trustee Mutti and seconded by Trustee Marty to approve the minutes of June 16, 2015 as amended. The vote was approved by a vote of seven in favor, none opposed.

June 16, 2015 - Approved

**Item # 19 – Adjournment to Executive Session**

A motion was then made by Trustee Reim with a second by Trustee Mutti to adjourn the public portion of the Board meeting at 9:25 pm and go into Executive Session to discuss three labor relations matters after which time the Board would adjourn for the evening. The motion was approved by a vote of seven in favor, none opposed.

Respectfully submitted,

Christopher Scelza  
Assistant to the Village Administrator