

VILLAGE OF PELHAM BOARD OF TRUSTEES SCHEDULED MEETING
TUESDAY, JUNE 6, 2006, 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

Starting Time
Agenda
Items: of
Discussion

	Public Hearings	7:45 p.m.
7	Hearing on a draft proposed Local Law to enact various amendments to the Village Code regarding enforcement of various building and property codes and other Village ordinances.	Continued.
8	Hearing on a draft proposed Local Law to enact Water System Regulations in the Pelham Village Code.	Continued.
	Planning and Development	8:00 p.m.
9	Authorization for a Memorandum Of Understanding with Pelpark	Tabled.
	Human Resources	8:45 p.m.
10	Authorizing the terms of employment for the Fire Chief.	Approved.
11	Authorizing the creation of four (4) paid Fire Lieutenant positions.	Tabled.
12	Amending the Police Department uniform policy.	Approved.
	Parking and Traffic	9:00 p.m.
13	Parking on the east side of 3 rd Avenue, from a point 20 feet north of First Street to a point about 125 feet north, limited to 2 hours	Approved.
14	New York State Home Rule request to extending the residential parking permit area in Pelham.	Approved as amended.
15	Discussion of the results and recommendations from the Westchester County Traffic Light Timing Study.	Discussed.
	Acceptance of Contributions	9:30 p.m.
16	Acceptance of 35 tons of salt from D. Ragno landscaping.	Approved.
17	Acceptance of office furniture for the Police Department.	Approved.
18	Acceptance of paint and materials from Caruso Paint and Hardware.	Approved.
	Housekeeping	9:45 p.m.
19	Authorizing the accounts payable.	Both resolutions

		approved.
20	Old Business/New Business.	
21	Minutes: May 16, 2006.	Approved.
22	Adjournment.	

Next Regular Board Meetings are Tuesday June 20 and July 18, 2006 at 7:30

p.m.

SUMMER MEETINGS ARE JULY 18TH AND AUGUST 15TH UNLESS
RESCHEDULED.

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 MEETING MINUTES
VILLAGE HALL - 195 SPARKS AVENUE, PELHAM, NY
TUESDAY, JUNE 6, 2006

Item #1 – Meeting called to order: The meeting of the Board of Trustees was called to order by Mayor Michael J. Clain at 7:35 p.m.

The following members of the Board of Trustees were present:

Mayor Michael Clain, Trustees Greco, Homan, Hotchkiss, Merrick, Mohan and Potocki.

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 – Mayor's Report

Mayor Clain reported that Lordae Realty will complete their rock scaling Phase 1 operation as of as of June 7th, but they will need a work easement from Pelham Medical. Pelham Medical will appear before the Planning Board on June 13, 2006 and subsequently will appear before the Trustees on June 20, 2006. Pelham Medical plans a different approach to stabilize the cliff than Lordae Realty.

Mayor Clain also reported on Senior Housing, including the issuance of the request for proposal, with completion of the feasibility study due by September 1, 2006.

Item #4 – Trustees Reports:

Trustee Greco reported he had a meeting on June 1, 2006 about the first street storm drain, and the project is generally on schedule. Trustee Merrick asked whether the whole trench would be open at once, and Trustee Greco explained it would be open 50 ft. at a time. Augie Carideo asked about the depth of the trench, and Trustee Greco explained it is 30 feet deep at it's deepest point. Trustee Greco also reported the Joe Leavey Foundation is having their annual softball tournament. Joe Gioia and Pete Reynolds run the tournament. Furthermore, on July 8th, 2006 John Hynes is starting a "Field of Dreams" project for Hutchinson School and P.T.A. Crosswalk support.

Trustee Potocki reported that the downtown mural looks great. He thanked Gail Orfei, and the Civics Chamber Arts students for their efforts. In addition he thanked Caruso's Paint and Hardware for their donation of paint and tools. He mentioned the Metro North had finally screened their equipment shed behind the four homes on Washington Avenue with 10 Leyland Cypress trees. Amy Pauling, Jim Maisano, Michael, Pete, and Rich all were involved. He thanked the MTA for their help with the trees as well.

Next, Trustee Potocki reported the parking committee is meeting with the school's new consultant, P.E. Steve Grogg from TRC Raymond Keyes.

Trustee Merrick reported on the points discussed at the Wolfs Lane Parking Meeting. The people at the meeting want Pine Trees; they need an irrigation system.

Trustee Homan is opposed to improving the park on a piece-meal basis, and recommended the Village establish a master plan for the park that is implemented in phases. Both Mayor Clain and Trustee Merrick agreed. The Mayor estimated the implementation of the first planting phase of the master plan would cost between \$25,000 to \$50,000. Trustee Homan reminded him that the village had been asked to contribute towards the Downtown flower planters. Mayor Clain suggested that we establish a 5-year implementation plan with costs spread over the 5-year period. Trustee Merrick suggested we remove the junk trees and add new planting now that will make it more of a separate space. Trustee Homan just wanted a vision now, and implementation after the plan is established.

Item #5 – Village Administrator's Report:

Administrator Slingerland reported that the First Street Sewer Project is making progress. He reported the Tree Removal & Hazard Mitigation contracts are out to bid. He reminded everyone that this week is Hydrant Flushing week. Finally, he mentioned the Senior Housing RFP and feasibility study.

Item #6 – Public Comment:

Raj Kairam of 7th Avenue mentioned that parking on the street is a major problem, with an increase in impacts caused by out-of-town commuters. Trustee Homan confirmed that parking is worst during the week and sometimes on Saturday as well.

Mr. Kairam requested the village put up 2-hour parking restrictions from 7 a.m. to 6 p.m. Monday through Friday to alleviate the parking problem. John Cassone reminded the Board of its review several years ago, including Trustee Iarocci's promise to revisit the situation if it became a major problem. Mr. Cassone did

not want the parking restrictions to penalize residents. The Board referred the request and petition to Trustee Potocki for review and recommendation.

Oaths of Office – Fire Chief and Deputy Fire Chiefs

The Mayor gave the oath of office to Fire Chief Richard Carfora and Deputy Chiefs Edward Rayner and Ron Giustino.

Item #7 – Hearing on a draft proposed Local Law to enact various amendments to the Village Code regarding enforcement of various building and property codes and other Village ordinances:

A motion was made by Trustee Homan, with a second by Trustee Greco to continue the public hearing.

The Mayor opened the public hearing. There was no public comment on the proposed law, and the Board voted unanimously to continue the public hearing. The text of this law is available in draft form in the Administration Office, and on the Village's website. The text of the local law will be included in the minutes of the Board when it is adopted.

Draft 5/25/06

A local law that amends Chapter 35, repeals licensing laws preempted by Westchester County law, adopts new sections to require vendor licenses, and adopts new sections and amends others to set higher minimum fines for certain violations of Village law.

Item #8 – Hearing on a draft proposed Local Law to enact Water System Regulations in the Pelham Village Code:

A motion was made by Trustee Homan, with a second by Trustee Greco to continue the public hearing.

The Mayor opened the public hearing. There was no public comment on the proposed law, and the Board voted unanimously to continue the public hearing. The text of this law is available in draft form in the Administration Office, and on the Village's website. The text of the local law will be included in the minutes of the Board when it is adopted.

Draft 5/25/2006

SEQ CHAPTER \h \r 1

CHAPTER 1A local law that

Village of Pelham,

SEQ

**establishes a water code
for the**

as a new Chapter

96.

Item #9 – Authorization for a Memorandum of Understanding with Pelpark:

Attorney Al DelBello made a presentation on behalf of Pelpark, LLC. He reported on the status of the negotiations regarding the swap and transfer of land. Mayor Clain suggested that a swap would result in a material, financial and aesthetic benefit to Pelpark and asked what the benefit would be to the people of the Village of Pelham. Mr. DelBello agreed in general with Mayor Clain's comment, and a discussion ensued about Phase 1 & Phase 2 environmental liability, if contamination exists. The Board asked the Administrator to check on the status of any cleanup or remediation of the oil or gas leak on the Village Hall and Public Works property, from the below-ground gasoline tanks. Mayor Clain mentioned if the Village proceeds with the independent option, there would be much less disturbance than the joint project with Pelpark.

Trustee Hotchkiss prompted a discussion suggesting that the village need not be so concerned with fairness of the project, but rather concerned with tolerance and value of dollars. Mr. DelBello commented the project needs to work for both sides.

* Note: This topic was tabled by the Board for discussion in Executive Session.

Item #10 – Authorizing The Terms Of Employment for The Fire Chief

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

RESOLUTION

**AUTHORIZING THE TERMS OF EMPLOYMENT
FOR THE PELHAM FIRE CHIEF**

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham hereby authorizes the terms of employment for Fire Chief Richard Carfora, on a Part Time basis, with an effective date of appointment of May 1, 2006, as enumerated in a letter signed by him and the Village Administrator dated May 25, 2006, subject to the requirements of Civil Service.

Item #11 – Authorizing the creation of four (4) paid Fire Lieutenant positions

* Note: This matter was tabled by the Board for discussion in Executive Session.

Item # 12 – Amending the Police Department uniform policy

A motion was made by Trustee Potocki, with a second by Trustee Homan to adopt the resolution. The resolution was approved unanimously by vote of seven in favor.

RESOLUTION

AUTHORIZING AN AMENDMENT TO
THE POLICE DEPARTMENT UNIFORM POLICY

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham hereby authorize an amendment to the police department uniform policy of the Village of Pelham, as approved dated June 6, 2006, which is referenced by these minutes as Section 6 of the Pelham Police Department policies and procedures.

Item # 13 – Parking on the East Side of 3rd Ave. 20 ft. North of 1st Street to a point about 125 ft. North, limited to 2 hours

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

RESOLUTION

AMENDING THE VILLAGE CODE § 90-53 ON LIMITED TIME PARKING
TO ALLOW 2-HOUR PARKING ON THE EAST SIDE OF 3RD AVENUE
FROM A POINT 20 FEET NORTH OF FIRST STREET TO THE FIRST
DRIVEWAY

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham hereby enacts the following amendment to the Pelham Village Code § 90-53 On Limited Time Parking, as follows:

Name of Street	Side	Time Limit	Hours/ Days	Location
Third Avenue	east	2 hrs.	8 a.m. – 6 p.m.	From a point 20
feet north of			Monday thru	First Street to the
first			Saturday	driveway, a distance
			of	

approximately 125'
north of
First Street

Item #14 -- New York State Home Rule request to extending the residential parking permit area in Pelham.

The Mayor and Board discussed the matter, including the letters, memos and bill text recently submitted to Senator Jeff Klein and Assemblywoman Amy Paulin. Mayor Clain explained the Village is coordinating teacher and school staff parking permits around the Colonial Elementary School, under the provisions of the Attorney General's opinion regarding regulating parking around schools as governmental buildings. The Mayor further explained the Village's plan to expand the residential parking permit area under NYS Vehicle and Traffic Law would not prevent or prohibit other members of the public from parking on the streets around the schools for the posted 1 hour limits.

A motion was made by Trustee Homan, with a second by Trustee Greco to adopt the resolution as amended. The motion passed unanimously by vote of seven in favor, none opposed.

RESOLUTION

REQUESTING HOME RULE LEGISLATION
EXTENDING THE RESIDENTIAL PARKING PERMIT AREA
IN THE VILLAGE OF PELHAM

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham hereby requests our State delegation, Assemblywoman Amy Paulin and Senator Jeffrey Klein to introduce legislation to amend Article 39, Section 1640-d of the NYS Vehicle and Traffic Law, entitled, "Residential parking system in the village of Pelham" to extend the area authorized in the law around the Colonial Elementary School and the Pelham Middle and High School, as follows:

both sides of NYAC Avenue, from Franklin Avenue to Second Street;

both sides of Corlies Avenue, from Colonial Avenue to Second Street;

both sides of Pelhamdale Avenue, from Colonial Avenue to Irving Place;

both sides of Highbrook Avenue, from Colonial Avenue to Irving Place;

both sides of Boulevard, from Wolfs Lane to Highbrook Avenue.

AND BE IT FURTHER RESOLVED, that the Village of Pelham respectfully requests the assistance and authorization from New York State to enact these new provisions so the Village may regulate the parking around these schools in a more orderly and fair manner.

Item #15 – Discussion of the results and recommendations from the Westchester County Traffic Light Timing Study

* Note: This matter was tabled by the Board for future discussion.

Item #16 – Acceptance of 35 Tons of salt from D. Rango Landscaping

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

RESOLUTION

ACCEPTING 35 TONS OF ROCK SALT
FROM D. RAGNO LANDSCAPING

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham hereby acknowledges and accepts a donation at no cost to the Village of Pelham of thirty five (35) tons of rock salt from D. Ragno Landscaping, at a value of ninety eight dollars a ton (\$98), for a total value of \$3,430, and thanks him for his donation to the people of the Village of Pelham.

Item #17 – Acceptance of office furniture for the Police Department

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

RESOLUTION

ACCEPTING VARIOUS ITEMS OF USED FURNITURE
FOR USE BY THE PELHAM POLICE DEPARTMENT
FROM CHASE

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham hereby acknowledges and accepts a donation at no cost to the Village of Pelham of various items of used furniture, including the following list:

4 desks for the Lt/Det office -	\$3,000.00
4 file cabinets for the Lt/Det office -	\$2,000.00
5 chairs for the Lt/Det office -	\$2,500.00
2 desks for the Chiefs office -	\$2,000.00
1 chair for the chiefs office-	\$500.00
2 chairs for the front desk -	\$1,600.00
10 chairs for the back room -	\$3,000.00
2 work stations for the back room -	\$3,000.00

4 File cabinets for basement storage - \$2,000.00
Total value : \$19,600.00

from Chase via Sal Ariganello, at a total estimated value of \$19,600, and thanks Chase & Mr. Ariganello for his donation to the people of the Village of Pelham.

Item #18 – Acceptance of paint and materials from Caruso Paint and Hardware

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

RESOLUTION

ACCEPTING VARIOUS ITEMS OF EQUIPMENT AND MATERIALS
FOR PAINTING THE DOWNTOWN MURAL
FROM CARUSO PAINT AND HARDWARE

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham hereby acknowledges and accepts a donation at no cost to the Village of Pelham of various items of equipment, tools and materials, including paint and other materials such as brushes, rollers, roller-pans, drop cloths, at a total value of approximately one thousand dollars (\$1,000), to paint a 1,400 s.f. mural on the construction barricade in the Pelham Downtown, and thanks Caruso Paint and Hardware for its donation to the people of the Village of Pelham.

Item # 19 – Authorizing the accounts payable

A motion was made by Trustee Greco, with a second by Trustee Hotchkiss to adopt the resolution. The motion passed unanimously by vote of seven in favor, none opposed.

AP resolution #1

RESOLUTION
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; and

WHEREAS, this resolution is attributable to the 6/1/2005 through 5/31/2006 Fiscal Year.

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/Treasurer:

<u>Fund Name:</u>	<u>Amount</u>
General Fund	\$41,273.58

Water Fund	\$2,410.00
Capital Projects Fund	\$857.50
Trust and Agency Fund	\$126.00
H3 Fund	\$0.00
Grand Total	\$44,667.08

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

Pending review of Nextel bill. Note: This matter is being followed up with the Village Administration Office and the Pelham Police Department as the authorized contacts for this Nextel account, which includes the Building Inspector.

AP resolution #2

RESOLUTION
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; and

WHEREAS, this resolution is attributable to the 6/1/2006 through 5/31/2007 Fiscal Year.

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/Treasurer:

<u>Fund Name:</u>	<u>Amount</u>
General Fund	\$0.00
Water Fund	\$0.00
Capital Projects Fund	\$106,780.00
Trust and Agency Fund	\$0.00
H3 Fund	\$0.00
Grand Total	\$106,780.00

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

Item # 20 – Old Business/New Business

There was no new or old business discussed.

Item # 21 – Minutes: May 16, 2006

On the motion of Trustee Homan, seconded by Trustee Mohan, the Board approved the minutes of May 16 2006 by vote of six in favor, none opposed, one abstention (Merrick) due to absence from the meeting.

Item # 22 - Adjournment: The Mayor asked for a motion to go into Executive Session on discussion of negotiations regarding a land sale, and discussion of personnel issues. On the motion of Trustee Homan, seconded by Trustee

Greco, the Board agreed unanimously to adjourn the public portion of the Board Meeting and go into Executive Session to discuss the stated matters.

On the motion of Trustee Homan, seconded by Trustee Greco, the Board voted unanimously to adjourn the public portion of the board meeting at 9:08 p.m.

Respectfully submitted,

Devron Wilson, Administrative Aide

Richard Slingerland, Administrator/Deputy Clerk