



VILLAGE OF PELHAM BOARD OF TRUSTEES
REGULAR MEETING
TUESDAY, MARCH 1, 2016, 8:00 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:

Non-Recurring Items		
7.	Resolution Authorizing Professional Engineering Design Services Agreement for Three Local Pre-Disaster Mitigation Storm Drainage Projects	Approved
8.	Resolution Authorizing Professional Storm Drainage Survey Services	Approved
9.	Update on Scanning and Indexing Building Department Records Proposals	Discussed
10.	Resolution Authorizing the Use of Funds for the 2016 New York Power Authority Fall Tree Planting Program from the Thomas Fenlon Memorial Street Tree Fund	Approved
11.	Resolution Authorizing the Village Administrator to Attend the Annual NYSCMA Conference	Approved
12.	Resolution Authorizing Change Order for Drainage Improvements on Nyac Avenue	Approved
13.	Resolution Appointing Acting Fire Chief	Approved
14.	Other Business – Crystal Cleaners Site Remediation by the NYSDEC	Approved
Recurring Items		
15.	Authorizing Accounts Payable	Approved
16.	Authorizing the Minutes of: January 19, 2016	Approved
17.	Adjournment to Executive Session	Approved

Next Regularly Scheduled BOT Meetings:

Wednesday, March 16, 2016 (Note: FY 2016-17 Tentative Budget will be presented)
Tuesday, April 12, 2016 (Note: Public Hearing on FY 2016-17 Tentative Budget)

Annual Organizational Meeting:

Monday, April 4, 2016

Proposed Meetings for Budget Work Sessions:

Monday, March 28, 2016 7:00 p.m. – All Department Heads
Tuesday, March 29, 2016 7:00 p.m. – Revenue and Expense

All meetings start at 8:00 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 8:00 p.m.

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

Trustee Cassidy was absent.

Also present was 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 that the Board is still analyzing and debating changes to the speed limit Village-wide or within certain areas. There was an accident on Colonial Avenue at Corlies Avenue involving a child. This has raised Traffic Safety concerns in the area around the school which will need to be investigated and then addressed.

Mayor Volpe reported that the Village received a No Designation classification from the New York State Comptroller's Office Fiscal Stress Monitoring Unit which evaluates local governments (counties, cities, towns and villages) and school districts based on both financial and environmental factors. The categories will be given different weights to reflect their relative importance in measuring financial stress. The total maximum number of points that a local government can receive is 29 points. If a local government receives an overall score greater than or equal to 65 percent of the total points, it will be considered in significant fiscal stress; if a local government receives an overall score greater than or equal to 55 percent of the total points, but less than 65 percent of the total points, it will be considered in moderate fiscal stress; if a local government receives an overall score greater than or equal to 45 percent of the total points, but less than 55 percent of the total points, it will be considered susceptible to fiscal stress; and if a local government receives an overall score less than 45 percent of the total points, it will be identified as "no designation." The Village of Pelham scored 9.6%.

Mayor Volpe also mentioned the Board should consider during the budget process the potential issuance of new debt to finance equipment purchases, projects etc. The Village is ranked very low compared to similar communities in Westchester with only having 2.5 million dollars in outstanding long term debt. The Village's Constitutional Debt Limitation is 91 million dollars under New York State Law.

Trustees' Report:

Trustee Cassidy was absent.

Trustee Ferrara highlighted the results from the Love Pelham Survey for the Board.

Trustee Kagan reported that Sustainable Westchester received five bids for the Community Choice Aggregation Energy Program. Residents in the Village should save money on either the default or renewable energy supply rate, whichever they may choose. The target start date is scheduled for May 1st. More information will be mailed to residents.

Trustee Marty reported that the proposed development at 101 Wolfs Lane from Matriach Development is continuing to move along and they're working with the Village's various consultants.

Trustee Mutti reported that the Pelham Governance Chart was updated and presented at the Meet the Trio Event sponsored by the Pelham Business Club. She thanked the Westchester County GIS Department for their assistance with creating a map that coincides with the chart. The Governance Chart and Map can be found on the Village's website.

Trustee Mutti also reported that the New York State Office of Parks Recreation and Historic Preservation is considering listing the NYW&B Highbrook Avenue Bridge located in the Village for nomination to the register for historic places, said meeting to take place on March 22, 2016. The Department of Public Works has cut a path from Young Avenue Field to the span.

Trustee Reim thanked Fire Lieutenant Chris McCann for his service as Acting Fire Chief for the past seven months. He also reported he was looking into electric vehicle charging stations and will report his findings.

Village Administrator's Report:

Village Administrator Yamuder reported that the New York State Department of Environmental Conservation will be holding a public hearing on the proposed remediation plan at the Crystal Cleaners site on Wolfs Lane on Tuesday, March 22, 2016 7:00 p.m. in Village Hall. The Village's website has a repository of all documents related to this remediation.

Item # 6 – Public Comments

Mary Doyle, a representative from the Citizens Nominating Committee spoke briefly about the upcoming School Board elections. The Committee is seeking 3 candidates and she felt this was a good forum to spread the word around about the upcoming elections.

John Vonbargen, a City of Mount Vernon resident and a longtime employee for the Town of Pelham thanked emergency personnel who responded to an aided call on his behalf at Rockwell's Restaurant.

Non-Recurring Items

Item # 7 – Authorizing Professional Engineering Design Services Agreement for Three Local Pre-Disaster Mitigation Storm Drainage Projects

After a brief discussion led by Mayor Volpe and Trustee Mutti, a motion was made by Trustee Mutti and seconded by Trustee Marty to approve the resolution. The vote was approved by a vote of six in favor, none opposed. Trustee Cassidy was absent.

Resolution Authorizing Professional Engineering Design Services for Three Local Pre-Disaster Mitigation Storm Drainage Projects

Whereas, the Village of Pelham has been awarded with three (3) Local Pre-Disaster Mitigation Grants Application #'s 2008-015, 2009-003 and 2010-002 by the Federal Emergency Management Agency (“FEMA”) and the New York State Division of Homeland Security and Emergency Services State of Office of Emergency Management (“NYSEMO”); and

Whereas, FEMA and NYSEMO approved time extensions for each of the subject grants; and

Whereas, the Village Administrator recommends the Board of Trustees approve a professional engineering design services agreement with Dolph Rotfeld Engineering, P.C. as per their proposal:

- I. Preliminary Plan Design \$36,000.00
- II. Final Design Phase Fee shall be 7.5% of the cost of the projects to be constructed less a credit for the \$36,000.00.
- III. Bid Phase \$1,000.00
- IV. Construction Phase Hourly basis per the attached 2016 rate schedule

Now, therefore, be it resolved, that the Board of Trustees of the Village of Pelham hereby authorizes the Village Administrator to execute the attached Professional Engineering Design Services agreement with Dolph Rotfeld Engineering, P.C. of Tarrytown, NY; and

Be it further resolved, that the Mayor and Village Administrator are authorized to take the necessary and appropriate actions to effect this resolution.

Item # 8 – Authorizing Professional Storm Drainage Survey Services

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

Resolution Authorizing Professional Storm Drainage Survey Services

Be it resolved, that the Board of Trustees of the Village of Pelham herein authorizes the Village Administrator to execute the attached professional services agreement with Ward Carpenter Engineers, Inc. of White Plains, NY in the amount of \$7,500.00 to locate sewer and drainage structures with inverts and pipe size for storm water remediation; and

Be it further resolved, that the Mayor, Village Administrator are authorized to take the necessary and appropriate actions to effect this resolution.

Item # 9– Update on Scanning and Indexing Building Department Records Proposals

Assistant to the Village Administrator Scelza updated the Board on the progress of the Municipality 5 Building Department software setup. He also mentioned the Village received two proposals for the scanning and indexing of the building department records ranging from \$32,000 to \$39,000. There was a discussion on the timeline of the project and exactly how it would be completed. Mayor Volpe asked for a resolution to be added to the March 16, 2016 agenda for approval.

Item # 10 – Authorizing the Use of Funds for the 2016 New York Power Authority Fall Tree Planting Program from the Thomas Fenlon Memorial Street Tree Fund

Mayor Volpe said the Village annually takes part in a program to plant trees around the Village through the New York Power Authority. He said this program is buy one-get one free.

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 six in favor, none opposed. Trustee Cassidy was absent.

Resolution Authorizing the Use of Funds for the 2016 New York Power Authority Fall Tree Planting Program from the Thomas Fenlon Memorial Street Tree Fund

Whereas, the Village of Pelham orders trees from the New York Power Authority two-for-one tree plan in which the Village can receive two trees for every one it purchases for the amount of \$1,792.00.

Now, therefore, be it resolved, that the Board of Trustees of the Village of Pelham authorizes that payment of \$1,792.00 to the New York Power Authority from a special trust account bequeathed to the Village of Pelham by Thomas B. Fenlon and known as the Thomas B. Fenlon Memorial Street Tree Fund Account # TE.0923 for the purchase of these trees; and

Be it further resolved, that the Mayor and Village Administrator are authorized to take the necessary and appropriate actions to effect this resolution.

Item # 11 – Authorizing the Village Administrator to Attend the Annual NYSCMA Conference

Village Administrator Yamuder requested the Board’s approval to attend this national conference that provides training for Village Administrator’s. He said this is in the budget for this year.

After a brief discussion led by Mayor Volpe, a motion was then made by Trustee Ferrara and seconded by Trustee Reim to approve the resolution. The vote was approved by a vote of six in favor, none opposed. Trustee Cassidy was absent.

Resolution Authorizing the Village Administrator to Attend the Annual NYSCMA Conference

Whereas, the New York State City/County Management Association will hold its annual training program and business meeting in Albany from Sunday, May 22, 2016 to Tuesday, May 24, 2016.

Now, therefore, be it resolved, that the Board of Trustees of the Village of Pelham authorizes the Village Administrator Robert A. Yamuder to attend the Annual NYSCMA Conference with funds that have been budgeted for Administrative training.

Item # 12 – Authorizing Change Order for Drainage Improvements on Nyac Avenue

Mayor Volpe stated while contractors were installing a new catch basin on Nyac Avenue they encountered rock ledge that was not anticipated in the original proposal, which required chipping and cost more money than what was originally approved. This resolution authorizes the additional funding for the project which has been completed.

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

Resolution Authorizing Change Order for Drainage Improvements on Nyac Avenue

Whereas, via resolution dated December 1, 2015 (attached), the Village Board of Trustees awarded drainage improvements on Nyac Avenue to Manor Paving, Inc. for a total cost of \$28,600.00 ; and

Whereas, during the course of excavation to install a new catch basin in front of 142 Nyac Avenue, the contractor encountered rock ledge which required chipping to accommodate the new catch basin.

Now, therefore, be it resolved, that the Board of Trustees of the Village of Pelham authorizes the additional payment of \$2,212.50 for twelve hours of additional rock removal required for the installation of the aforementioned catch basin bringing the total project cost to \$30,812.50; and

Be it further resolved, that the Mayor and Village Administrator are authorized to take the necessary and appropriate actions to effect this resolution.

Item # 13 – Appointing Acting Fire Chief

Mayor Volpe stated Fire Lieutenant Chris McCann was appointed Acting Fire Chief approximately seven months ago. At the time of the appointment he was considering retirement in March 2016. The Board is weighing different options, but in the interim due to the critical nature of the position the Mayor has asked Fire Lieutenant James DiNapoli to serve as the Acting Fire Chief.

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

Resolution Appointing Fire Lieutenant James DiNapoli as Acting Fire Chief of the Village of Pelham Fire Department

Whereas, via resolution dated November 3, 2015, the Village Board of Trustees extended the appointment of Fire Lieutenant Chris McCann as Acting Fire Chief of the Village of Pelham Fire Department to February 29, 2016; and

Whereas, due to the critical nature of the duties and responsibilities associated with the position of Fire Chief, it is necessary to appoint an Acting Fire Chief until the Village hires a new permanent Fire Chief, if it does; and

Whereas, Fire Lieutenant James DiNapoli, is duly qualified to serve as the Acting Fire Chief.

Now, therefore, be it resolved, that the Board of Trustees of the Village of Pelham hereby confirms the Mayor's appointment of Fire Lieutenant James DiNapoli as Acting Fire Chief of the Village of Pelham Fire Department in accordance with the attached stipulation of agreement effective Tuesday, March 1, 2016 for a period not to exceed four (4) months, terminating on or before June 30, 2016; and

Be it further resolved, Lieutenant James DiNapoli shall be paid a stipend of \$600.00 per week, commencing on March 1, 2016, to be paid in conjunction with his regular paycheck.

Item # 14 – Other Business

Mayor Volpe briefly discussed the proposed remediation of the Crystal Cleaners site. The excavation and removal of approximately 400 cubic yards of contaminated soil from the dry cleaner area which will be transported off site for proper treatment and disposal. He urged anyone interested to attend the NYSDEC public hearing on March 22nd.

Recurring Items

Item # 15 - Authorizing the Accounts Payable

Trustee Mutti audited the Accounts Payable.

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 six in favor, none opposed. Trustee Cassidy was absent.

Resolution Authorizing the Accounts Payable

Whereas, pursuant to § 5-524 of the New York State Village Law, the Board of Trustees shall audit all claims against the Village.

Now, therefore, be it 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	\$61,567.66
Water Fund	\$0.00
Capital Projects Fund	\$0.00
Trust and Agency Fund	\$1,050.00
<u>TE Expand Trust Fund</u>	<u>\$0.00</u>
Grand Total	\$62,617.66

Be it further resolved, that this Board hereby approves payment of the above mentioned claims and authorizes payment thereof.

Item # 16 – Authorizing the Minutes of: January 19, 2016

A motion was made by Trustee Kagan and seconded by Trustee Marty to approve the minutes of January 19, 2016 as amended. The vote was approved by a vote of six in favor, none opposed. Trustee Cassidy was absent.

Item # 17– Adjournment to Executive Session

A motion was made by Trustee Kagan and seconded by Trustee Ferrara to adjourn the public portion of the Board meeting at 9:08 p.m. and go into Executive Session to discuss four personnel matters after which time the Board would adjourn for the evening. The motion was approved by a vote of six in favor, none opposed. Trustee Cassidy was absent.

Respectfully submitted,

Christopher Scelza
Assistant to the Village Administrator