

VILLAGE OF PELHAM BOARD OF TRUSTEES REGULAR MEETING
TUESDAY, MARCH 20, 2007, 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
Agenda Items: Time
of Discussion

	Human Resources	7:45 PM
7	Considering the appointment by the Mayor of a firefighter.	Authorized
8	Considering the appointment by the Mayor of a contingent permanent firefighter.	Authorized
	Business	8:00 PM
9	Authorizing the award of an emergency sewer repair of a collapsed 18" sanitary sewer main on Wolfs Lane	Authorized
10	Authorizing the "Form of RFP" for the Master Plan update.	Authorized
11	Scheduling a Public Hearing on April 10 th for the Proposed Budget for the Village of Pelham for Fiscal Year 2007-2008.	Scheduled
	Housekeeping	8:15 PM
12	Authorizing the accounts payable	Approved
13	Old Business/New Business	
14	Minutes: February 6, 2007 and March 6, 2007	Approved
15	Adjournment.	Adjourned

Next Regular Board Meetings are Tuesdays April 10th and April 24th 2007

* There will be no Board Meetings during the week of April 2nd, due to the holidays.

Budget Work Sessions are Scheduled at 7:30 p.m. March 22nd, 27th, 29th, and April 12th

Additional Work Sessions are Scheduled at 7:30 p.m. on April 17th and 19th, if needed

The Proposed Pelham Village Budget will be released 4 p.m. Tuesday, March 20, 2007

All 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 REGULAR MEETING
MINUTES

TUESDAY, MARCH 20, 2007, 7:30 PM
VILLAGE HALL – 195 SPARKS AVENUE, PELHAM, NY

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, Greco, Homan, Hotchkiss, Merrick, and Potocki. Trustee Mohan was absent.

Village staff in attendance:
Administrator/Treasurer Richard Slingerland, Administrative Aide Devron Wilson.

Item #2 – Pledge of Allegiance:
The Pledge of Allegiance was led by Mayor Michael J. Clain.

Item #3 – Mayor's Report:
Mayor Clain mentioned that he had a wonderful time serving on the board for the past four (4) years.

Item #4 – Trustees Reports:
Trustee Greco mentioned that it was a pleasure for to work with Mayor Clain and Trustees Merrick and Homan over the past several years.

Trustee Potocki mentioned that the police have gotten criticized about writing summonses on Monday March 19, 2007. He reported that the Pelham police wrote over 100 summonses on Monday for snow removal, and reminded residents they are responsible to clean up the snow within 24 hours of the end of a storm. He mentioned that homeowners were given extra time to clean up. The police are doing their job by enforcing the code and its laws.

He mentioned that Peter Russillo has provided the village with two traffic calming configurations for Boulevard near Colonial School. After the Easter holiday the police will conduct a traffic study along Boulevard to determine where the traffic calming configurations should be placed. Trustee Potocki further mentioned that he had a wonderful time serving on the board with Trustees Homan and Merrick and Mayor Clain, and he thanked them for their leadership.

Trustee Hotchkiss let everyone know that the polls are still open and there is still time to vote. He also thanked Mayor Clain and Trustees Homan and Merrick on a job well done over the past few years.

Trustees Homan and Merrick both thanked the Village and the Board on a job well done over the past few years.

Item #5 – Village Administrator’s Report:

Village Administrator Richard Slingerland expressed his congratulations and well wishes, and thanks to Mayor Clain and Trustees Homan and Merrick. He said they were honest and always had the best interests of the Village in mind, and that he could not ask for better Board members to work with.

Oath of office:

Mayor Clain swore in John Viggiano of Pelham, NY to the Pelham Fire Department. The Mayor, Village Administrator, Board of Trustees, and Pelham residents welcomed Mr. Viggiano and gave him their best wishes in his new position.

Item #6 – Public Comment: None.

Item #7 – Considering the appointment by the Mayor of a firefighter:

A motion was made by Trustee Greco, with a second by Trustee Potocki to adopt the resolution, which was approved unanimously by vote of six in favor, none opposed, Trustee Mohan absent.

RESOLUTION

AUTHORIZING THE APPOINTMENT BY THE MAYOR OF ROBERT DESTASIO TO THE POSITION OF FIREFIGHTER IN THE PELHAM FIRE DEPT.

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham authorize the appointment by the Mayor of Robert DeStasio of Pelham, New York, to the position of firefighter, as a transfer from another jurisdiction, at an annual salary of that for Firefighter Fourth Grade and effective date of employment to be determined by the requirements of Civil Service, for a probationary period of one (1) year, conditioned upon the satisfactory completion of a pre-employment medical examination, subject to the requirements of Civil Service, and authorizes the Mayor, the Village Administrator and the Fire Chief to take the necessary and appropriate actions to effect this appointment.

Item #8 – Considering the appointment by the Mayor of a contingent permanent firefighter:

A motion was made by Trustee Greco, with a second by Trustee Merrick to adopt the resolution, which was approved unanimously by vote of six in favor, none opposed, Trustee Mohan absent.

RESOLUTION

AUTHORIZING THE APPOINTMENT BY THE MAYOR OF JOHN VIGGIANO TO THE POSITION OF FIREFIGHTER ON A CONTINGENT PERMANENT BASIS IN THE PELHAM FIRE DEPT.

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham authorize the appointment by the Mayor of John Viggiano of Pelham, New York, to the position of firefighter, at an annual salary of that for Firefighter Recruit Grade and effective date of employment of March 26, 2007, the start date of the Westchester Fire Academy, for a probationary period of one (1) year, conditioned upon the satisfactory completion of a pre-employment medical examination, subject to the requirements of Civil Service, and authorizes the Mayor, the Village Administrator and the Fire Chief to take the necessary and appropriate actions to effect this appointment.

Item #9 – Authorizing the award of an emergency sewer repair of a collapsed 18” sanitary sewer main on Wolfs Lane:

The Administrator informed the Board of the process that had been followed to evaluate the sewer break, declare an emergency, and put the matter out to bid.

He advised that General Foreman Harry Pallett and he put together a list of 16 potential contractors to whom we sent our Request for Proposals on the Wolfs Lane Emergency Sewer Repair. The project location is Wolfs Lane, south of Boulevard, between Boulevard and Marquand.

4 of the 16 had no interest in the project because the depth of the work was too deep.

5 of the 16 did not submit a bid or get back to us.

7 of the 16 expressed an interest and submitted a bid to us.

The bids came in as follows:

Prices	total
ELQ Industries	\$87,766 base, plus \$7,000 manhole
	\$94,766; revised down to \$94,466 total in response to MVM

MVM Asphalt \$94,500 base, plus \$24,350 manhole
\$100,100; revised down to \$94,500 total to beat ELQ

Felix Contracting \$98,685 base, plus \$16,500 manhole
Zonzini Contracting \$96,565 base, plus \$24,350 manhole
Joken Contracting \$109,500 base, plus \$19,000 manhole
Cassidy Contracting \$192,829.70 base, plus \$25,650 manhole

Canal Construction \$345,000
(also Columbus Construction)

The Administrator and General Foreman reviewed the bids, and had some brief negotiations on price with MVM and ELQ. Due to the emergency nature of the project, we advised the bidders of the need to move ahead. We agreed that we had worked with ELQ before – they did the sewer repairs all around the Village a couple of years ago including on Elderwood and Boulevard, they performed good work and we have not experienced difficulties with their progress in the past.

We both recommend the Village proceed with ELQ, with work to start on Monday with an emergency Code 753. Since this is an emergency, the General Foreman reviewed his budget and was able to compile funds to use from his budget by stopping other matters and utilizing funds from weather-dependent programs that we did not have to spend this year, such as Downtown Snow Removal, to pull together approximately \$75-\$80,000.

The Village Clerk prepared a notice to all Lot 10 permit holders, which we gave to the Police Department and Public Works Department to circulate. The Chamber and the Pelham Weekly were advised. The Village also called some of the stores on Wolfs Lane down by the Boulevard, and notified the Office of the Superintendent Schools. The plan is for the work to begin on Monday, March 12th, estimated to take place for 8-10 actual working days. Alternate parking locations for Lot 10 permits holders were designated on Nyac Avenue, between Boulevard and 2nd Street, on Carol Avenue, north of Boulevard, and as usual on Boulevard West.

A motion was made by Trustee Homan, with a second by Trustee Merrick to adopt the resolution, which was approved unanimously by vote of six in favor, none opposed, Trustee Mohan absent.

RESOLUTION

**AUTHORIZING THE AWARD OF AN EMERGENCY CONTRACT
FOR THE EMERGENCY SEWER REPAIR OF A
COLLAPSED 18" SANITARY SEWER MAIN ON WOLFS LANE**

WHEREAS, The Village Of Pelham upon investigation by the General Foreman, determined that a section of eighteen inch (18") diameter sanitary sewer pipe had collapsed, beneath Wolfs Lane, between Boulevard and Marquand Place, for a length of approximately seventy feet (70'), creating a public health emergency and threat to the public health, safety and welfare, the Village issued an emergency Request for Bids on the repair; and

WHEREAS, sixteen (16) companies were contacted and sent copies of the Request; and

WHEREAS, at 11 a.m. E.S.T., Friday, March 9, 2007, the Village of Pelham publicly read seven (7) proposals for the sewer repair and a new manhole, which were as follows:

	Total Bid
1. ELQ Industries of New Rochelle, NY (revised)	\$ 94,466
2. MVM Asphalt Inc. of Pelham, NY (revised)	\$ 94,500
3. Felix Contracting of Mamaroneck, NY	\$115,185
4. Zonzini Contracting of New Rochelle, NY	\$120,915
5. Joken Construction of White Plains, NY	\$128,500
6. Cassidy Excavating of Valhalla, NY	\$218,479.70
7. Canal Asphalt of Mt. Vernon, NY	\$345,000

WHEREAS, Administrator Richard Slingerland has determined that the lowest responsible bid that meets requirements is ELQ Industries of New Rochelle, NY, at the total bid price of \$94,466, including the installation of a new pre-cast manhole.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Pelham Village hereby award authorizing the award of an Emergency Contract for the Emergency Sewer Repair of a Collapsed 18" Sanitary Sewer Main on Wolfs Lane to ELQ Industries of New Rochelle, NY, at the total bid of ninety four thousand four hundred and sixty six dollars (\$94,466), including installation of a new pre-cast manhole; 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 contract for these services.

Item #10 – Authorizing the “Form of RFP” for the Master Plan update:

* Trustee Potocki mentioned that item #2 of the Master Plan RFP should focus only on updates and revisions to commercial and multi family dwellings as it relates to the Village code.

A motion was made by Trustee Potocki, with a second by Trustee Homan to authorize the issuance of the legal notice, which was approved unanimously by vote of six in favor, none opposed, Trustee Mohan absent.

Legal Ad shown below; form of RFP circulated to BOT on Friday, March 16, 2007

Village of Pelham Legal Notice
REQUEST FOR PROPOSALS FOR
CONTRACT #2007-01
**TO UPDATE THE VILLAGE'S MASTER PLAN
AND RELATED VILLAGE CODES INCLUDING:
SITE PLAN, ZONING, BUILDING CODES, PARKING AND TRAFFIC
MANAGEMENT, AFFORDABLE HOUSING, ETC., FUNDED BY A NYS D.O.S.
QUALITY COMMUNITIES GRANT**

Please take notice that the Village Administrator/Treasurer of the Village of Pelham will receive proposals at the Pelham Village Hall, 195 Sparks Ave., Pelham, NY, 10803, until 11 a.m. on Monday, April 23, 2007, for Planning Services. The proposal for Planning Services should be in accordance with the enclosed requirements, and should be by firms qualified and experienced in performing such work for local governments. This project is funded through a NYS Department of State Quality Communities Grant.

INFORMATION AND NOTICE TO PROPOSING FIRMS

Interested firms, in submitting a proposal, agree to enter into said contract with the Village of Pelham, if the firm is determined by the Village as making the successful proposal, for the services provided in accordance with its proposal.

The signed proposal must be enclosed in a sealed envelope and plainly marked, "Proposal to provide Planning Services to update the Comprehensive Plan and related Codes for the Village of Pelham."

Included in this proposal are some or all of the following goals:

1. Review and Update the Pelham Master Plan, last updated in 1989;
2. Review and make recommendations to update and revise the Village's:
 - a. Building Code,
 - b. Site Plan Code, and
 - c. Zoning Code, (with a particular focus on the Downtown Commercial District and Multi-Family Dwellings)
3. Review current and foreseeable future parking needs and traffic patterns and recommend updated parking and traffic management plans
4. Update the Village's affordable housing plan

5. Consider the need for a historic preservation strategy.
6. Consider the Village's existing open space and recommend a plan to maintain open space consistent with future development
7. Perform the appropriate SEQRA compliant environmental reviews for updating a Comprehensive Plan and updating appropriate sections of a Village Code.

We would expect the successful bidder to participate in at least three (3) public input meetings and/or charrettes hosted by the Village of Pelham, and craft a survey to solicit village-wide opinion on the issues, which the Village will mail and solicit additional public input.

The Respondent/Proposer must submit a proposal attached to the form supplied, with costs detailed, calculated to an estimated proposal grand-total, in the space or spaces provided for same, both in figures and in words. Whenever a price in figures differs from the price as stated in words, the price written in words will be considered to be the proposal price that governs. Companies making a proposal should provide references and cite similar experience in the Qualifications section of this RFP.

All proposals must be signed.

This is a qualifications based Request for Proposals (RFP), and the three most critical factors to be considered in its award are:

1. Experience with Master Plans
2. Experience in performing municipal planning services for similarly sized and developed municipalities;
3. Value and cost-effectiveness of proposal.

The Respondent/Proposer may take specifications and proposal pages apart, but must return the proposal complete with any and all attachments made to the package.

The Village of Pelham is exempt from payment of all Federal and New York State taxes.

The firm making a proposal is to familiarize itself with all provisions of this Request for Proposals, and shall not at any time after submitting their proposal, dispute any of the specifications or assert that there was a misunderstanding in regard to the furnishing and delivering the services called for in this proposal. No proposal will be accepted from, or contract awarded to, a Firm in default upon any obligations to the Village of Pelham.

The Village Board of Trustees reserves the right to select the proposal, the acceptance of which will, in their judgment, best secure the services called for in these specifications, or which will be for the best interests of the Village of

Pelham (irrespective of whether it is the low proposal, or the high proposal, or otherwise), or to reject any or all proposals. Proposals which are incomplete, conditional, or obscured, or which contain conditions not called for, erasures, alterations, or irregularities of any kind, may be rejected as informal, or may be waived at the discretion of the Village if any informality is deemed immaterial and non-prejudicial to the Village of other firms.

Upon acceptance by the Village, this proposal, with all attachments, conditions, and specifications, shall constitute a contract between the Village and the contractor.

This proposal notice, information for firms making a Proposal in response to this RFP, and specifications, all annexed hereto, are part of this contract.

The Proposal-making firm shall comply with all applicable local, state and federal laws, if any, in the performance of this contract.

By order of the Mayor and Board of Trustees
Richard Slingerland, Administrator/Treasurer
Publication Date: Monday, March 26, 2007

Item #11 – Scheduling a Public Hearing on April 10th for the Proposed Budget for the Village of Pelham for Fiscal Year 2007-2008:

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

RESOLUTION
SCHEDULING A PUBLIC HEARING
ON THE 2007-2008 PROPOSED BUDGET

BE IT RESOLVED, that pursuant to Section 5-508 of the NYS Village Law, the Board of Trustees of the Village of Pelham hereby gives notice that there will be a Public Hearing held on Tuesday, April 10, 2007, at 7:30 p.m. in Village Hall, 195 Sparks Avenue, Pelham, New York, on the Proposed Budget of the Village of Pelham for Fiscal Year 2007-2008.

A copy of the budget is available at the office of the Village Clerk in compliance with New York State Law after 4 p.m. Tuesday, March 20, 2007 and any interested person may inspect the proposed budget there or request a copy during normal office hours of 8 a.m. to 5:00 p.m.

As required by State Law, notice is hereby made that the compensation of the Mayor and Board of Trustees is as follows:

Title	Positions	Annual Compensation
Mayor	(1)	\$5,000
Trustees	(6)	\$2,000

* Note: The Budget hearing may be continued for more than one meeting, but must be adjourned on or before Friday, April 20, 2007.

By Order Of Mayor Michael J. Clain
And Board Of Trustees

Tuesday, March 20, 2007,
Richard Slingerland
Village Administrator/Treasurer

Item #12 – Authorizing the accounts payable:

Trustee Potocki had reviewed the bills, and advised that he was holding the bill for plumbing at the Firehouse for further review.

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

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	\$222,530.92
Water Fund	\$250.00
Capital Projects Fund	\$10,000.00
Trust and Agency Fund	\$8,204.75
H3 Fund	\$0.00
Grand Total	\$240,985.67

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

Item #13 – Old Business/New Business: None.

Item #14 – Minutes: February 6, 2007 and March 6, 2007:

A motion was made by Trustee Greco, with a second by Trustee Homan to adopt the minutes from February 6, 2007 and March 6, 2007. The motion passed unanimously by vote of six in favor, none opposed.

Item #15 – Adjournment:

The Mayor asked for a motion to go into Executive Session to discuss personnel matters. On the motion of Trustee Potocki, seconded by Trustee Homan, the Board voted to go into Executive Session. The motion passed unanimously by vote of six in favor, none opposed, Trustee Mohan absent.

On the motion of Trustee Homan, seconded by Trustee Merrick, the Board voted to adjourn the public portion of the board meeting and go into Executive Session at 8:15 p.m. to discuss personnel matters. The motion passed unanimously by vote of six in favor, none opposed.

Respectfully submitted,

Devron Wilson, Administrative Aide

Richard Slingerland, Administrator/Deputy Clerk