

VILLAGE OF PELHAM BOARD OF TRUSTEES MEETING
TUESDAY, MARCH 7, 2006, 7:30 P.M.
VILLAGE HALL - 195 SPARKS AVENUE, PELHAM, NY

MINUTES

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

Approximate
Starting Time
of Discussion

#	Agenda Items:	Approximate Starting Time of Discussion
	Public Hearing and Decision -- Village Property	7:40 p.m.
7	Consideration and decision on a request by Ferguson and plan to proceed with the sale of 273 s.f. of surplus and residual village property, adjacent to their property.	Approved
	Parking and Traffic	7:50 p.m.
8	Discussion of Maple Avenue parking and no parking areas; also, discussion of requests for Stop signs at Maple Ave., at the intersection with Willow, and on Birch Ave., at the intersection with Maple Ave.	Approved as amended
9	Authorization for the annual Little League Parade route, and Village assistance (Police, Fire, DPW).	Approved
	Grants	8:05 p.m.
10	Authorizing and supporting a new grant application by the Pelham Picture House Preservation to the NYS Main Street grant program, with \$100,000 to go towards Downtown improvements.	Approved
	Contracts	8:15 p.m.
11	Authorizing the award of contract 2006-02 for a new Exhaust System to be installed at the Pelham Firehouse, funded by a grant from the United States FEMA/DHS.	Tabled
	Human Resources	8:25 p.m.
12	Authorizing the completion of probation for Police Officer Brian Hendrie.	Approved
	Housekeeping	8:25 p.m.
13	Authorizing and approving the accounts payable – 1 bill deleted	Approved as amended
14	Old Business/New Business	None
15	Minutes: 12/20/2005; 1/3/2006; 1/17/2006; 2/7/2006; 2/28/06	Approved
16	Executive Session – to discuss negotiations on sale of property	Approved
16	Adjournment – at 9 p.m.	Adjourned

Next Meetings are as follows:

Regular Board Meetings Tuesday March 21, 2006 and Tuesday, April 4, 2006
Meetings start at 7:30 p.m. unless otherwise noted.

* Agenda is subject to change until the night of the meeting.

MEETING MINUTES
BOARD OF TRUSTEES OF THE VILLAGE OF PELHAM
TUESDAY, MARCH 7, 2006 – 7:30 P.M.

PRESENT: Mayor Clain, Trustees Greco, Homan, Hotchkiss, Merrick and Potocki.

VILLAGE STAFF PRESENT: Administrator Richard Slingerland

ABSENT: Trustee Rozycki.

The Mayor convened the meeting at 7:30 p.m., and everyone recited the Pledge of Allegiance.

Item #3 – Mayor's Report: Mayor Clain reported on the following items:

- The Mayor gave a report that the SBA Declaration of Economic Injury had been issued to help the local businesses through low interest loans, and he thanked all the elected officials who had helped.
- He reported on the meeting and decision to retain Bob Simpson, P.E. and Joel Sachs, Esq., to review the cliff remediation and site plans for Lordae Realty and Pelham Medical Group.
- He reported on the meeting with Pelpark on Friday morning, and that progress was continuing.

Item #4 – Trustee's Reports:

- Trustee Greco reported that the new Ladder Fire Apparatus truck that the Village had purchased was being inspected by the Fire Department in Iowa, and that it was expected in Pelham in a month or so.
- Trustee Potocki reported that he had been working on resolving parking issues near the nw Middle School, and that he had walked the area with Pelham Manor Mayor Lorri Gorman to discuss the issue and the alternatives, and that he had talked to Chief Benefico and Foreman Harry Pallett, and the Village is looking to add 2 more spots on Wolfs Lane by the school for parking.
- Trustee Merrick reported on the ideas discussed by the ad hoc Wolfs Lane Committee. Mayor Clain reminded him of the light fixtures too. Trustee Merrick discussed the ideas shared, especially by Hank White, a landscaping architect. He mentioned the suggestions of the Committee to improve the park to a level similar to that of Central Park, separating it and making it distinct and special from the streetscape, including alterations in grade, with lights and landscaping. The Mayor mentioned that the idea is to make the park an inviting destination. The Board mentioned that the Air Raid siren should be removed, and the Con Edison guy wires for the poles should be taken out of the park. Trustee Potocki mentioned that there would be updated traffic and parking counts taken on Wolfs Lane in the first week in May. Trustee Merrick finished up, reporting that there would be another meeting of the Committee next Thursday.
- Trustee Hotchkiss brought back continued concerns about trash and garbage around the Pelham Train Station. He mentioned that the MTA should monitor the

area on a weekly basis, and add 2-4 more decorative trash receptacles around the station, especially on Wolfs Lane. The Administrator mentioned that he would look into the matter with the MTA and report back to the Board. Maria White of Harmon Avenue contributed that the trash is terrible and that Metro North does not clean up well at all around the station or their property. She mentioned the Junior Leaguers' twice a year "Clean Up Pelham" efforts.

Item #5 – Administrator's Report: Administrator Slingerland had nothing additional to report.

Item #6 – Public Comment: Comment was held towards the public hearing.

Item #7 – Public Hearing and Decision on Village Property, regarding Consideration and decision on a request by Ferguson and a plan to proceed with the sale of 273 s.f. of surplus and residual village property, adjacent to their property.

Trustee Hotchkiss asked if the sale of the property was at fair market value. Administrator Slingerland explained that it was appraised at a fair market value, and that the parcel was roughly 13 feet by 20 feet in dimension, and would square off the Village's property.

Trustee Homan mentioned that this had been talked about and discussed since before Michael Clain became Mayor.

Maria White of 169 Harmon Avenue mentioned she had no objection, but asked what was going on with the Pelhamwood property (B & W), and that the neighbors want a passive park. Trustee Homan and Mayor Clain gave a status report, explaining that the Village is wrapping up the sale of two slivers of property to adjacent homeowners, then the Village would research and address any necessary earth clean-up issues, and then turn it into a passive park for Village use.

Mrs. White also mentioned that the broken wall needed to be screened off with a fence. Administrator Slingerland mentioned that the Public Works Department had tried to knock down the wall, but that it appears to be solid concrete, and the Village would install fencing to screen off the broken portions. Trustee Hotchkiss also mentioned that the Village needs to maintain the bridge over Highbrook. There was no further comment.

On the motion of Trustee Homan, seconded by Trustee Merrick, the following resolution was adopted by vote of six in favor, none opposed, one absent (Rozycki) as follows:

RESOLUTION

DELINEATING AND DECLARING SURPLUS AND OF NO USE TO THE VILLAGE OF PELHAM, A 273 SQ. FT. PIECE OF VILLAGE PROPERTY ABUTTING 208 YOUNG AVENUE AND AUTHORIZING THE SALE OF THE SAME PROPERTY TO STEPHEN FERGUSON AND BERNADETTE FERGUSON, OWNERS OF 208 YOUNG AVENUE, FOR THE AMOUNT OF EIGHT HUNDRED SEVENTEEN DOLLARS AND FIFTY CENTS (\$817.50), PLUS OTHER PREVIOUSLY DEFINED EXPENSES AND COSTS.

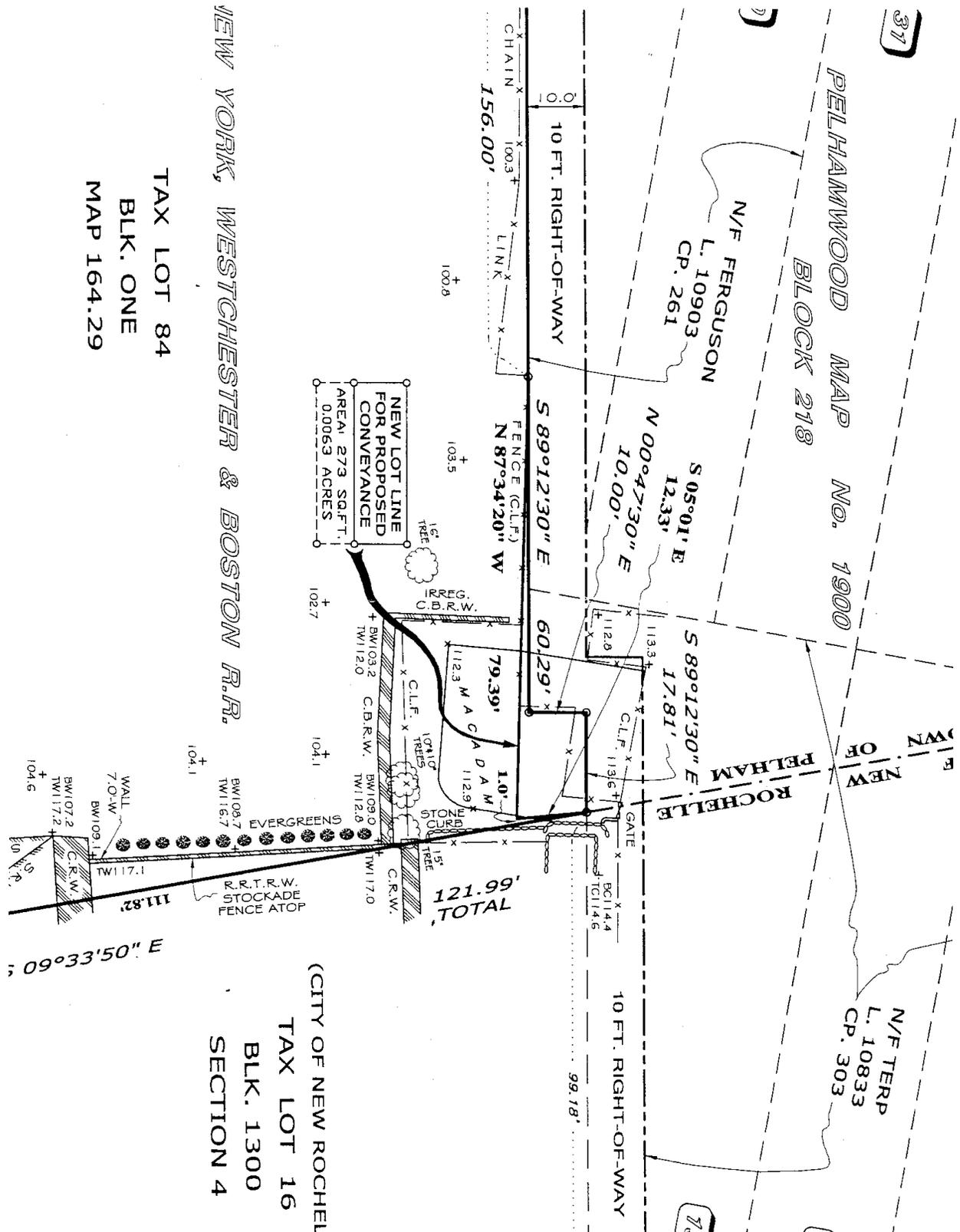
WHEREAS the Board of Trustees of the Village of Pelham has received a request from Stephen and Bernadette Ferguson, owners of 208 Young Avenue, Pelham, New York to delineate and purchase an odd shaped 273 sq. ft. piece of land abutting 208 Young avenue, hereinafter referred to as "the property"; and

WHEREAS a licensed land surveyor with Aristotle Bournazos Land Surveyors of Mt. Vernon, New York has prepared and submitted a survey of the property, a copy of which survey is attached hereto as Exhibit A, and at closing Stephen and Bernadette Ferguson will pay for their survey; and

WHEREAS a licensed land appraiser with the Landmark Appraisal Group of Mamaroneck, New York has submitted an appraisal of the property that determines the property's value is \$817.50, and Stephen and Bernadette Ferguson have agreed to pay for the appraisal; and

WHEREAS after studying the submitted survey and appraisal of the property, the Board of Trustees of the Village of Pelham finds that the property is surplus and available for sale because the Village has no useful municipal purpose for the property and the sale of the property would in no way restrict municipal or public access to and from the Village's right-of-way property, the former B & W property.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Pelham that the property, the piece of land delineated by the survey prepared by Aristotle Bournazos Land Surveyors of Mount Vernon, New York and attached hereto as Exhibit A, has no useful municipal purpose, does not restrict municipal or public access to and from other Village property and is thus found to be surplus; that the property is to be sold for the fair and adequate consideration of eight hundred seventeen dollars (\$817.50), plus other previously defined expenses and costs (including legal fees), Stephen Ferguson and Bernadette Ferguson, the owners of 208 Young Avenue; and the Mayor, the Village Administrator, Village's Legal Counsel Conforti and Tarcher, the Village Engineer, the Tax Assessor and the Receiver of Taxes are authorized to take the necessary and appropriate actions to effect the sale of the property and to add the property to the tax rolls under the ownership of Stephen and Bernadette Ferguson, the owners of 208 Young Avenue, Pelham, New York.



TAX LOT 84
 BLK. ONE
 MAP 164.29

NEW YORK, WESTCHESTER & BOSTON R.R.

(CITY OF NEW ROCHEL
 TAX LOT 16
 BLK. 1300
 SECTION 4

121.99'
 TOTAL

09°33'50" E

Item #8 – Parking and Traffic -- Discussion of Maple Avenue parking and no parking areas; also, discussion of requests for Stop signs at Maple Ave., at the intersection with Willow, and on Birch Ave., at the intersection with Maple Ave.

The Administrator explained that an e-mail was circulated to the Chester Park Association, and replies from the neighborhood, the Police Chief, Lieutenant and Trustee Potocki support this rationale.

Also, it is agreed an additional stop sign should be added on Maple Avenue, at Willow Avenue, but it is not clear we recommend any additional stop signs in the surrounding area at this time. He mentioned that Chester Park resident Bill McDevitt seems to have made the simplest recommendation for no parking areas on Maple Avenue, as follows:

No parking on the east side from Poplar to the Hutchinson River Parkway

No parking on the west side from Willow to Poplar

The Board discussed this suggestion, along with the alternatives, and decided to adopt the resolution as amended. Joseph Vorel, President of the Chester Park Association made some comments on requests for additional stop signs, and Trustee Potocki mentioned he would follow up with Chief Benefico. On the motion of Trustee Homan, seconded by Trustee Merrick, the Board agreed by vote of six in favor, none opposed, one absent (Rozycki) to authorize parking and traffic regulation changes in Chester Park, as follows:

RESOLUTION

AMENDING THE CODE OF THE VILLAGE OF PELHAM
SECTION 90-49 – NO PARKING ANYTIME
TO CHANGE THE PARKING AND NO-PARKING AREAS ON MAPLE AVENUE
AND, TO ADD A STOP SIGN IN SECTION 90-44 – STOP INTERSECTIONS
ON MAPLE AVENUE, HEADING SOUTH, AT WILLOW AVENUE

Be it resolved, by the Board of Trustees of the Village of Pelham, that all references to Maple Avenue in the Village Code Section 90-49 are hereby deleted;

Name of Street	Side	Location
Maple Ave. [Added 3-15-1983]	East	From Oak Ave. to dead end
Maple Ave. [Added 3-19-1985]	East	From Poplar Ave. to Oak Ave.
Maple Ave. [Added 3-15-1983]	East	From Walnut Ave. to Central Ave
Maple Ave. [Added 3-15-1983]	West	From Birch Ave. to Willow Ave.
Maple Ave. [Added 3-15-1983]	West	From Poplar Ave. to Oak Ave.

BE IT FURTHER RESOLVED, that new provisions for No Parking Anytime are enacted to Section 90-49 in relation to Maple Avenue, as follows:

Name of Street	Side	Location
Maple Ave. [Added 3-15-1983]	East	From Pine Ave. to Dead End
Maple Ave. [Added 3-19-1985]	West	From Willow Ave. to Pine Ave.

AND

BE IT FURTHER RESOLVED, that a new Stop Sign is enacted to Section 90-44 on Maple Avenue, as follows:

Stop Sign On	Direction of Travel	At Intersection Of
Maple Avenue	South	Willow Avenue

Item #9 -- Authorization for the annual Little League Parade route, and Village assistance (Police, Fire, DPW).

On the motion of Trustee Homan, seconded by Trustee Greco, the following resolution was approved by vote of six in favor, none opposed, one absent (Rozycki).

RESOLUTION

AUTHORIZING THE ANNUAL PELHAM LITTLE LEAGUE PARADE ROUTE AND VILLAGE ASSISTANCE (POLICE, FIRE, DPW) AS NECESSARY

BE IT RESOLVED, by the Board of Trustees of the Village of Pelham that the Annual Pelham Little League Parade on Saturday, April 22, 2006, from 8:30 a.m. until 10:30 a.m. on 5th Avenue from Lincoln Avenue through Wolfs Lane to the High School, with a staging area on 3rd Street between 5th Avenue and 6th Avenue; and

BE IT FURTHER RESOLVED, that the Village Administrator, Police Chief, Fire Chief and General Foreman are authorized to take the necessary and appropriate actions to implement the final plan and make arrangements for this parade.

Item #10 -- Authorizing and supporting a new grant application by the Pelham Picture House Preservation to the NYS Main Street grant program, with \$100,000 to go towards Downtown improvements.

Mayor Clain reviewed his changes to the resolution in support of the grant application.

The Board reviewed that the Village was seeking more funding to share with the other businesses in the Downtown, in addition to the Pelham Picture House LLC.

There was no further discussion.

On the motion of Trustee Homan, seconded by Trustee Greco, the following resolution was adopted as amended by vote of six in favor, none opposed, one absent (Rozycki):

RESOLUTION

ENDORISING A GRANT APPLICATION TO THE NY MAIN STREET PROGRAM
IN CONJUNCTION WITH THE PELHAM PICTURE HOUSE PRESERVATION INC.
AND OTHER LOCAL NOT-FOR-PROFIT ORGANIZATIONS
REQUESTING A GRANT IN THE TOTAL AMOUNT OF \$200,000 TO FUND
DOWNTOWN ECONOMIC DEVELOPMENT AND IMPROVEMENTS
SPECIFICALLY FOR A FAÇADE RENOVATION PROGRAM,
A STREETScape IMPROVEMENT PROGRAM, AND
DEVELOPMENT OF A DOWNTOWN BUSINESS DISTRICT ANCHOR

WHEREAS, the Board of Trustees of the Village of Pelham supports the cooperative efforts of businesses in the Pelham Downtown District to improve and revitalize the business district; and

WHEREAS, the Village of Pelham has taken a multi-faceted approach to Downtown Revitalization and Economic Development, including hiring a Downtown Business Consultant, the commitment of a Downtown Liaison, and administrative services and oversight through the Village Administrator's Office; and

WHEREAS, it is planned that the Pelham Picture House Preservation Inc., to follow-up on its second round successful application, shall submit a new application to the NY Main Street Program, in cooperation with the Village of Pelham, the Pelham Chamber of Commerce and the Pelham Preservation and Garden Society; and

WHEREAS, the Village of Pelham supports the application structured as follows:

\$100,000 for a Downtown Anchor Building/Business (Pelham Picture House)

and

\$100,000 for the rest of the Downtown, as follows:

\$25,000 for a Streetscape and Park Improvements (Lighting, landscaping, beautification, fences, benches, etc.)

\$75,000 for individual building façade restorations and improvements; and

WHEREAS, the Village of Pelham is committed to matching funds through in-kind services for administration by the Village Administrator's Office including the Village Administrator/Treasurer, the Village Clerk/Downtown Liaison and the Assistant to the Village Administrator.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Board of Trustees of the Village of Pelham endorses the submission of a grant application by Pelham Picture House Preservation, Inc., and commits to match by in-kind services and matching funds for the Streetscape project(s) to initiate and implement economic development and business district improvements, and

BE IT FURTHER RESOLVED, that the Village Administrator is authorized to take the necessary and appropriate actions to assist in the submission of the application, sign any necessary documents on behalf of the Village and make any appropriate and necessary assurances.

Item #11 – Contracts -- Authorizing the award of contract 2006-02 for a new Exhaust System to be installed at the Pelham Firehouse, funded by a grant from the United States FEMA/DHS.

The Administrator explained that the Village is still awaiting manufacturing and equipment specifications from the low bidder, and the Board agreed to table this matter. Trustee Homan asked what the deadline is on the FEMA grant, and the Administrator said he thought either September or December of 2006, but he would check and report back to the board.

Item #12 – Human Resources -- Authorizing the completion of probation for Police Officer Brian Hendrie.

On the motion of Trustee Potocki, seconded by Trustee Merrick, the Board agreed unanimously by vote of six in favor, none opposed, one absent (Rozycki) to authorize the completion of Officer Hendrie's probation.

RESOLUTION

Authorizing the completion of probation
for Police Officer Brian Hendrie
EFFECTIVE MARCH 1, 2006

BE IT RESOLVED, by the Board of Trustees of the Village of Pelham, that the Board authorizes the completion of his probation upon the one-year anniversary of his employment, in compliance with the requirements of Civil Service.

Item #13 -- Authorizing and approving the accounts payable.

The Board discussed items and questions that had come up during audit of the bills. One check in the amount of \$643.99 was held, to change the amount attributable to the General Fund.

On the motion of Trustee Homan, seconded by Trustee Hotchkiss, the Board authorized the payment of accounts payable by vote of six in favor, none opposed, one absent (Rozycki).

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	\$103,172.51	\$102,528.52
Water Fund	\$24,333.93	
Capital Projects Fund	\$12,090.00	
Trust and Agency Fund	\$414.20	
H3 Fund	\$0.00	
	Grand Total	\$140,010.63 \$139,366.64

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

Item #14 – Old Business/New Business: There was none at this time.

Item #15 – Minutes:

The Board authorized the minutes with changes submitted by the Mayor for the following dates, with Trustee Potocki and Greco abstaining for February 28th as they were not present. On the motion of Trustee Homan, seconded by Trustee Merrick, the Board authorized the following minutes by vote of six in favor, except for February 28th by vote of four in favor and two abstentions (Potocki and Greco), none opposed, one absent (Rozycki).

December 20, 2005

January 3, 2006

January 17, 2006

February 7, 2006

February 28, 2006

Item #16 – Executive Session: Mayor Clain asked for a motion to go into Executive Session to discuss negotiations on the sale of Village property. On the motion of Trustee Homan, seconded by Trustee Merrick, the Board agreed by vote of six in favor, none opposed, one absent (Rozycki) to go into Executive Session.

Item #17 – Adjournment: There was no further business, and on the motion of Trustee Homan, seconded by Trustee Merrick, the Board agreed unanimously to adjourn the public portion of the meeting and go into executive session, after which the Board would convene for the evening. The public portion of the meeting was adjourned at 9 p.m.

Respectfully submitted,

Richard Slingerland
Administrator/Deputy Village Clerk