

VILLAGE OF PELHAM BOARD OF TRUSTEES SCHEDULED MEETING  
TUESDAY, MAY 2, 2006, 7:30 PM  
VILLAGE HALL – 195 SPARKS AVENUE, PELHAM, NY  
MINUTES

Call To Order  
Pledge of Allegiance  
Mayor’s Report  
Trustees’ Reports  
Village Administrator’s Report  
Public Comment

Approximate

StartingTime  
of Discussion

#	Agenda Items:	StartingTime of Discussion
	<b>PUBLIC HEARINGS</b>	<b>7:45 p.m.</b>
7	Public Hearing to review and consider community needs and obtain community input on parking on streets around the Pelham High School, Pelham Middle School and Colonial School	<b>Discussed</b>
8	Public Hearing On A Local Law On Proposed Water Rate Increases Proposed At 10% For Consumption Rates And Enactment Of New Meter Use Charges For Larger Meters For The Village Of Pelham Public Water Supply #5911901	<b>New Rates adopted</b>
9	Considering the slate of officers, including Chief and Deputy Chiefs, for the Pelham Fire Department.	<b>Approved</b>
10	Correcting the dog license fees charged for an un-spayed or un-neutered dog to reflect the NYS limit.	<b>Approved</b>
11	New authorization for FTA grants.	<b>Approved</b>
12	Final payment and settlement of outstanding Suburban Carting charges	<b>Approved</b>
	<b>HOUSEKEEPING</b>	<b>9:00 p.m.</b>
13	Authorizing the accounts payable	<b>Approved</b>
14	Old Business/New Business: A. Traffic controls at Cliff and Irving; stop signs at Young and Harmon; maintaining the pillars along Washington. B. Approving the Police Awards for 2004 and 2005. Approved	<b>Discussed</b>
15	Minutes: March 7; March 21; April 4; and April 18 2006	<b>Approved</b>
16	Adjournment– Executive Session on a Personnel Matter; 9:25 pm	<b>Approved</b>

Next Regular Board Meetings are Tuesday May 16 and June 6, 2006 at 7:30 p.m.  
There is a closed hearing scheduled for May 15, 2006 at 7:30 p.m., subject to change or cancellation without notice.

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  
VILLAGE HALL - 195 SPARKS AVENUE, PELHAM, NY  
TUESDAY, MAY 2, 2006

Item #1 – Meeting called to order: The meeting of the Village of Pelham 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 – The Mayor reported on the status of the Village's new Bond Rating, and that the Village had achieved an Aa+ for its first-ever Bond Rating, the equivalent of Bronxville and other similar municipalities, only a step below triple-A. He thanked Chris Santomero and Janet Schneider, who explained the restoration and redevelopment plans for the properties affected by the cliff collapse, and the Pelpark property.

He reported on the progress of negotiations with Pelpark and the Kravitzes, and that he had not heard any progress in the past two weeks, but that he expected the matter to be included on the May 16, 2006 Board Meeting for a Board decision on the cooperative or independent alternatives.

Item #4 – Trustees' Reports:

Trustee Greco reported on Chief Glover's retirement, and thanked him for his years of service. Mayor Clain mentioned Chief Glover and the other Volunteer Heads would be invited to the June 2<sup>nd</sup> Meeting for a presentation to the Chief and a report on the plans for the years ahead.

Trustee Potocki reported his coordination of the plans to paint the plywood wall in front of the collapsed building on Fifth Avenue, and the scheduled Police Awards Ceremony and Dinner on Thursday, May 4<sup>th</sup> at 7:30 p.m.

Trustee Hotchkiss reported the Earth Day clean-up in the Village on April 29<sup>th</sup> was very successful, with help from Police, Fire and DPW staff, as well as Trustees.

Trustee Homan reported she had met with some candidates for the Assistant opening in the Administrator's Office, and expected to have a recommendation soon.

Trustees Merrick and Mohan had nothing to report.

Mayor Clain reported the remediation of the unstable cliff would begin Monday, May 8<sup>th</sup>. The Mayor also reported there would be a presentation on the Senior Housing Proposal by the Wartburg at the May 16, 2006 Board Meeting.

Item #5 – Administrator’s Report:

The Village Administrator reported on the following matters:

That another record Hurricane Season is being predicted, and he had just attended a meeting hosted by the County Emergency Services as a forewarning.

He reported the Traffic Counts on Wolfs and Colonial are scheduled May 4, 5 & 6.

He reported that the Pelham Medical application is on the May 9<sup>th</sup> Planning Board.

He reported the County Health Department is following-up on plans for the future shut-down of the Catskill aqueduct.

He reported on the draft, proposed Local Law on Water regulation that he had worked on with Attorney Conforti, and he hoped to have it on the May 16<sup>th</sup> Agenda to call for a hearing.

Item #6 – Public Comment: There was no public comment on non-agenda items, and the Board proceeded to the public hearings.

Item #7 – Public Hearing to review and consider community needs and obtain community input on parking on streets around the Pelham High School, Pelham Middle School and Colonial School.

A LARGE-SCALE CODED AND FOOT-NOTED MAP WILL BE MOUNTED AND PROVIDED FOR REFERENCE DURING THIS PUBLIC DISCUSSION.

Trustee Potocki reported on the progress made of the School’s Parking Committee, and the needs defined by the schools. A copy of the report and needs assessment is scanned in and made a part of these minutes.

Trustee Potocki reported the need for about 30 more parking spaces around the High School, and that Pelham Manor’s solution was to eliminate parking on their street near the school.

The following people spoke to express concerns and convey the parking needs around the schools:

1. Principal Janet Rothstein, from the Colonial Elementary School.
2. Jane Cooke, President of the Colonial Elementary School PTA.
3. Steven Roberts of the 300-block of Pelhamdale, who reported difficulties with students parking and blocking his driveway.
4. Tom Belviso of 312 Highbrook, who commented that kids drive as a status symbol.
5. Greg Ferrick of Nyac Avenue, who reported the problem with the kids is lack of respect, and they litter. He also reported difficulties with students parking and blocking his driveway.

6. Aniello Caliendo, of Boulevard, who reported there are too many cars parked around the schools.
7. Jane Cooke spoke again, and commented the Parking Enforcers should have a means to drive around, to allow more enforcement around the schools. The Board asked the Administrator to look into golf-cart type vehicles; he advised there may be "smart-cars" available that run on electricity.
8. George Bischoff of Corlies Avenue commented on the parking and litter problems, and that the solution should focus on finding parking for the teachers.

Trustee Homan commented that the Village of Pelham was taking on the burden of parking, since the Manor had discontinued parking on their streets near the school. Trustee Greco asked the public how they felt about no parking on the streets at all near the school, which was not accepted as a solution.

9. Pat Vetrano of 3<sup>rd</sup> Avenue suggested the Village count the cars from Pelham and Pelham Manor, and restrict it to the kids from Pelham, but the Mayor explained there is not a legal basis to do that.

Trustee Potocki reported that based on the results of a school survey, 123 kids drive to school at least 3 days a week.

Discussion ensued, and it was recommended by the Mayor and Board that the Village look into making a Home Rule request to New York State for authority to create permit-only parking around the schools to accommodate parking needs for the teachers.

Mayor Clain announced the Board did not plan to make any decisions this evening, and that the decisions would be scheduled for the June 2<sup>nd</sup> Meeting.

John Cassone of 7<sup>th</sup> Avenue suggested the Village ask for help from the Michaelian Institute at Pace University, rather than pursue the path of litigation.

After further discussion, Mayor Clain announced the Board to make a decision at the May 16, 2006 Board Meeting, on the parking solution for teachers and staff around the Colonial School.

After a few more comments, the hearing was closed at this time.

\* Attached are the survey from the School's parking committee, and an assessment defining the parking needs and totals.

Item #8 – Public Hearing On A Local Law On Proposed Water Rate Increases Proposed At 10% For Consumption Rates And Enactment Of New Meter Use Charges For Larger Meters For The Village Of Pelham Public Water Supply #5911901:

The Board opened the hearing, and John Cassone asked why the Village was increasing the rates, rather than matching United Water's rates? Administrator

Slingerland explained that the Board had adopted increases three years ago, but had not needed to adopt further increases until now, since United Water had just increased its rates.

The Board discussed the rate increases, and on the Mayor's question as to why the Village system did not just adopt United Water's rates, the Administrator advised they could do that and stay within the parameters of the needed increase.

A LOCAL LAW Adopting and Enacting Water Rate Increases  
for the Village of Pelham Public Water Supply #5911901  
effective June 1, 2006.

Section 1.

BE IT ENACTED BY the Board of Trustees of the Village of Pelham as follows:  
Village of Pelham Water System User Rates – Current Base Rate: \$36.01 is hereby discontinued.

Section 2.

BE IT ENACTED BY the Board of Trustees of the Village of Pelham as follows:  
Village of Pelham Water System New User Rates, at the new levels matching United Water New Rochelle's rates, as follows:

Rates	Water Used	Usage Rate
For the first	1,200 cu. ft. per quarter	\$3.081
For the next	36,000 cu. ft. per quarter	\$2.928
All over	37,200 cu. ft. per quarter	\$2.462

\* one hundred cubic feet is equal to 748 gallons

Minimum Charges based on meter size

Size of Meter	Rate Per Quarter	Usage Allowances without Additional Cost
½ " and 5/8"	\$36.96	1,200 cu. ft.
¾"	\$45.75	1,500 cu. ft.
1" and 1 ¼"	\$80.88	2,700 cu. ft.
1 ½"	\$151.17	5,100 cu. ft.
2"	\$247.80	8,400 cu. ft.
3"	\$467.40	15,900 cu. ft.
4"	\$774.84	26,400 cu. ft.
6"	\$1,452.96	51,900 cu. ft.

8"	\$2,243.28	84,000 cu. ft.
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## Private Fire Service Charges:

Connection	Rate Per Year
4"	\$436.53
6"	\$982.28
8"	\$1,746.14
10"	\$2,279.03
Hydrant Charge	\$982.28

Section 2. This local law shall take effect upon its adoption and filing with the Secretary of State.

Item #9 – Considering the slate of officers, including Chief and Deputy Chiefs, for the Pelham Fire Department.

Mayor Clain announced and read the slate of officers. He announced that the terms of employment for the new Chief would be discussed in Executive Session. On the motion of Trustee Mohan, seconded by Trustee Greco, the following resolution was adopted unanimously:

## RESOLUTION

APPOINTING THE SLATE OF OFFICERS  
PROPOSED FOR THE PELHAM FIRE DEPARTMENT

BE IT RESOLVED, that Board of Trustees of the Village of Pelham hereby accepts the retirement of Chief Robert Glover as Chief of Department after 17 years, thanks him for his years of service to the Village of Pelham, and wishes him best wishes upon his retirement; and

BE IT FURTHER RESOLVED, that the following slate of officers is hereby appointed by the Mayor and approved by the Board of Trustees for the Pelham Fire Department as follows:

The following is the roster of members elected by the Fire Council to each company:

	Engine Company	Hose Company	Ladder Company
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Captain	Jon Bidwell	Riccardo Striano	Ronald Oravec
1 <sup>st</sup> Lieutenant	Hector Perez	Timothy Frusciante	Daniel Kushnick
2 <sup>nd</sup> Lieutenant	Michael Dallow	Joseph Vorel	Frank Cerbone

Chief of Department – Richard Carfora

First Deputy Chief – Edward Rayner

Second Deputy Chief – Oronzo Giustino

The following is the list of Career Firefighters elected to the Fire Council:

Career Staff: Michael Leak, James DiNapoli

Alternates: Paul Bonfiglio, Kevin Brennan

Item #10 -- Correcting the dog license fees charged for an un-spayed or un-neutered dog to reflect the NYS limit.

The Village Clerk had submitted a memo about the maximum limit allowed for dog license fees, for correction in the fee schedule. On the motion of Trustee Greco, the following resolution was adopted by vote of six in favor, one absent.

RESOLUTION  
ADOPTING A CORRECTION TO THE FEE SCHEDULE  
FOR DOG LICENSE FEES

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham hereby adopts a revision to the Fee Schedule for the Village of Pelham as follows:

Dog License Fee	§ 41-2	\$12.50 if spayed or neutered, \$17.50 if not spayed or neutered
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Item #11 – Final payment and settlement of outstanding Suburban Carting charges.

This matter was briefly discussed, and the Administrator advised the Board that it was a valid charge, provided for in the contract with Suburban, and that they had agreed to reduce the total bill by about 20% because they had billed the items almost three years after originally charged, after those fiscal years had closed. On the motion of Trustee Merrick, seconded by Trustee Homan, the Board approved the resolution by vote of seven in favor, none opposed.

RESOLUTION  
AUTHORIZING THE FINAL PAYMENT AND SETTLEMENT  
WITH SUBURBAN CARTING CORPORATION  
OF OUTSTANDING OVERWEIGHT CHARGES

FOR THE PERIOD OF JUNE 17, 2003 THROUGH FEBRUARY 9, 2006

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham hereby authorizes payment in the total amount of twenty three thousand dollars (\$23,000), in the outstanding balance of fourteen thousand seven hundred seventy seven dollars (\$14,777), since \$8,223 has already been paid, based upon the agreement and understanding that this is full payment and settlement of all charges associated with dumping of overweight bulk containers pursuant to the contract in effect between the Village of Pelham and Suburban Carting for such charges for the time period of June 2003 through February 2006; and

BE IT FURTHER RESOLVED, that the Mayor, the Village Administrator, the Village Attorney and other village officials are authorized to take the necessary and appropriate actions to effect and settle this matter in the amount specified, for the final payment of \$14,777.

Item #12 – New authorization for FTA grants.

Mayor Clain read the resolution, and the Administrator explained the FTA had requested updated authorization. On the motion of Trustee Merrick, seconded by Trustee Potocki, the following resolution was authorized by vote of seven in favor, none opposed.

RESOLUTION  
AUTHORIZING THE FILING OF APPLICATIONS WITH THE  
FEDERAL TRANSIT ADMINISTRATION (FTA)  
AN OPERATING ADMINISTRATION OF THE UNITED STATES DEPARTMENT OF  
TRANSPORTATION, FOR FEDERAL TRANSPORTATION ASSISTANCE  
AUTHORIZED BY 49 U.S.C. CHAPTER 53, TITLE 23 UNITED STATES CODE  
AND OTHER FEDERAL STATUTES ADMINISTERED BY THE FTA

WHEREAS, the Federal Transportation Administrator has been delegated authority to award

Federal financial assistance for a transportation project; and

WHEREAS, the grant or cooperative agreement for Federal Financial assistance will impose

certain obligations upon the Applicant, and may require the applicant to provide the local share

of the project cost; and

WHEREAS, the Applicant has or will provide all annual certifications and assurances to the FTA required for the project;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE VILLAGE

## OF PELHAM AS FOLLOWS:

The Mayor or his/her designee is authorized to execute and file application for Federal Assistance on behalf of the Village of Pelham with the FTA for Federal Assistance authorized by 49 U.S.C. Chapter 53, Title 23, United States Code, or other Federal statutes authorizing a project administered by the FTA, if applicable Urbanized Area Formula Program Assistance authorized by 49 U.S.C. 5307, either alone or in addition to other Federal assistance administered by the FTA; and

The Mayor or his/her designee is authorized to execute and file with its application the annual certification and assurances and other document the FTA requires before awarding a Federal Assistance Grant or cooperative agreement; and

The Mayor or his/her designee is authorized to execute grant and cooperative agreements with the FTA on behalf of the Village of Pelham, NY.

\*The aforementioned resolution must be submitted in certified form.

Item #13 – Authorizing the accounts payable.

Trustee Homan mentioned she had reviewed the bills, and that she wanted the cell phone plan upgraded for the Building Inspector to cover the minutes he needed and to avoid the overage charges the Village had been receiving. The Administrator advised he would have the staff take care of it immediately. On the motion of Trustee Homan, seconded by Trustee Merrick, the following resolution was adopted by vote of seven in favor, none opposed.

## 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/Treasurer:

<u>Fund Name:</u>	<u>Amount</u>
General Fund	\$51,984.43
Water Fund	\$720.00
Capital Projects Fund	\$1,953.40
Trust and Agency Fund	\$0.00
H3 Fund	\$0.00
Grand Total	\$54,657.83

**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:

A. New Business – Traffic issues

The board discussed traffic controls, including crosswalks across Cliff Avenue, both sides, at the intersection with Boulevard. The Board also discussed traffic controls at Irving and Cliff, either in the form of a Yield Sign on Irving or Stop Sign. Trustee Merrick also asked the Administrator to look at the intersection in Pelhamwood at Young and Harmon, because 3 of the 4 corners stop, and one does not. Also, on Washington, there is no stop sign at Clifford; however, the Board recalled that the neighborhood had requested there be no stop sign at that location. After discussion, it was agreed these items would be included on the May 16 Board agenda. Trustee Hotchkiss also mentioned that the masonry columns along Washington need to be repaired and maintained.

B. New Business -- Police Awards for 2004 and 2005.

Upon review of the awards recommended by the Police Chief, the Board adopted them by vote of seven in favor, none opposed.

Item #15 – Minutes: March 7; March 21; April 4; and April 18 2006.

The Board considered the March 7, March 21, April 4 and April 18, 2006 mentioned the correction to the minutes of April 18, for non-moving violations listed on page 9. There were no further comments, and on the motion of Trustee Merrick, seconded by Trustee Hotchkiss, the minutes were adopted, with only those trustees present at each meeting voting in favor of each separate set of minutes.

The Mayor asked for an Executive Session on a personnel matter. On the motion of Trustee Greco, seconded by Trustee Potocki, the Board voted unanimously to go into executive session to discuss a personnel matter after the public portion of the meeting.

On the motion of Trustee Merrick, seconded by Trustee Greco, the Board voted unanimously to adjourn the public portion of the Board Meeting at 9:47 p.m.

Respectfully submitted,

Richard Slingerland  
Village Administrator/Deputy Village Clerk