

VILLAGE OF PELHAM BOARD OF TRUSTEES
 REGULAR MEETING
 THURSDAY, APRIL 10, 2014, 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

Agenda Items:

Non-Recurring Items		
7.	Continuing a Public Hearing Amending Chapter 87 Of The Code Of The Village Of Pelham Regarding Wireless Telecommunications Facilities	Approved
8.	Public Hearing Amending Chapter 87 Of The Code Of The Village Of Pelham Regarding Wireless Telecommunications Facilities	Approved
9.	Adoption of Lead Agency and SEQRA Negative Declaration For A Draft Local Law	Approved
10.	Public Hearing on the Village of Pelham Proposed Budget for Fiscal Year 2014-2015	Approved
11.	Authorizing the Award of Contract #2014-02 –Used Ford F-350 with Versalift (bid deadline and opening 4/10/14, 11 a.m.)	Approved
12.	Authorizing Annual IMA Between Village of Pelham and New Rochelle for Disposal of Organic Yard Waste	Approved
13.	Discussion On Amending Chapter 77 Of The Code of the Village of Pelham Regarding Portable Signs	Discussed
14.	Other Business	None
Recurring Items		
15.	Authorizing Minutes of: March 19, 2014	Approved
16.	Adjournment to Executive Session	Approved

Next Regularly Scheduled BOT Meetings:
 Tuesday, April 22, 2014 (Adopt Budget)
 All meetings start at 7:30 p.m. unless otherwise noted.

Item #1 – Meeting called to order: The meeting of the Board of Trustees was called to order by Mayor Cassidy at 7:30 p.m.

The following members of the Board of Trustees were present:

Mayor Cassidy, Trustees Senerchia, Mutti, Marty, Volpe, Reim, and Kagan

The following members of the Board of Trustees were absent:

Village staff in attendance:

Village Administrator Robert Yamuder, Secretary to the Village Administrator Peter Bonington

Item #2 – Pledge of Allegiance:

The Pledge of Allegiance was led by Mayor Cassidy.

Reports:

Mayor Cassidy Report

Mayor Cassidy stated that the Board and Village Departments have worked hard to come up with an aggressive but fair budget. He said all the managers including the Administrator deserve credit for delivering a budget that is within the proposed tax cap.

Trustees Reports:

Trustee Kagan

Trustee Kagan reported that the discussions with United Water are still ongoing. He said the next scheduled meeting is set for April 15th.

Trustee Marty

Trustee Marty stated he had received numerous complaints about the state of Village streets from residents.

Mayor Cassidy responded that it has been a tough winter and like many communities, Pelham's DPW is doing its best to keep the streets clean and potholes filled.

Trustee Mutti asked if these complaints were about potholes or whether they were about the state of the streets in general.

Trustee Marty responded that most were about the state of the streets generally not specific pothole locations.

Trustee Mutti

Trustee Mutti thanked Harry Pallet for his assistance with the Trotta Park dedication ceremony planned for May.

She reported that the damaged chain link fence has been taken down and replaced by several natural boulders to prevent cars from going through the B&W property. She added that a sign has been added as well. She thanked the DPW for their cleaning efforts in the area.

Trustee Mutti stated that the source of the noise on the train tracks at the MTA station are the result of joint bars. She said that these can be welded which will alleviate some of the noise. She added however that some are temporary and cannot be welded. She said she would follow up with the MTA to see that this is fixed.

She said there are several other problems with the station including dead trees and foliage as well as crumbling cement on some of the stairwells. She stated she will be in contact with the MTA about these issues as well. The MTA will be billed for any maintenance work completed by the DPW as a public safety matter.

Trustee Mutti stated that she walked the area of Wolfs Lane Park that is the proposed site for the Children's Adventure Park with DPW Foreman Shriman. This proposed project is being sponsored by the Junior League. She said after a recent rainfall she did not notice any evidence of pooling or ponding on the site. She did notice one oak tree which will have to come down as a safety measure. She added that Fred Martin, the recently approved landscape architect will be attending the next Board meeting.

Trustee Reim

None

Trustee Senerchia

Trustee Senerchia said the Pelham Arts Center will be having their Cherry Blossom festival on April 26th.

On April 12th, the Chamber of Commerce will be having its Easter Extravaganza and Egg Hunt.

He said he recently walked through the areas where flooding has occurred in the past with DPW Foreman Shriman and former DPW Foreman Harry Pallet. He stated that they were both great

sources of information about the Village' storm system. He stated the Village will be rebidding the 3rd Street Relief Drain project.

Trustee Volpe

None

Village Administrator's Report

Administrator Yamuder thanked the DPW for their work.

The Administrator stated he would be rebidding the 3rd Street Relief Drain project. He said the original RFP was put out in late summer however the bids received were much higher than expected. Administrator Yamuder stated that the new RFP would be advertised on April 17, 2014.

He said the advertisement would be posted on the electronic system Blue Book which is used by numerous engineering firms in hopes of generating more interest. He said the bids will be advertised for three weeks and the opening will take place on Tuesday, May 13, 2014 at 1 p.m. in Village Hall.

Item #6–Public Comment

Margaret Veith read a letter into the record regarding the proposed park at the corner of Wolfs Lane and 2nd Street in Wolfs Lane Park. The letter expressed concerns regarding lower house values, noise, parking, vandalism, among other concerns. She stated she is skeptical about the viability of a park in that area because it has been tried historically and not worked out. She finished by saying the Junior League should be contractually liable for the park and be obligated to remove the park if it becomes run down.

Georgia Triantafillis of 135 Nyac Avenue said she was concerned about a park being placed there because she has an 11 foot retaining wall in her backyard that is adjacent to the Wolfs Lane Park. She stated she is concerned about kids from the park space falling off the wall into her yard which would be a liability for her.

Phyllis Triantafillis of 135 Nyac Avenue stated that in addition to the retaining wall, she also had concerns regarding Nyac Avenue and Wolfs Lane. She stated these are busy roads and parking for this space cannot be accommodated currently. She was also concerned about the possibility of undesirable elements being attracted to the park.

Kristen Robertson of Nyac Avenue suggested there are other areas of the park that would be more suitable for this concept. She suggested the corner of Highbrook Avenue and First Street as well as the intersection corner with Pelhamdale and First Street.

Jessica North of Nyac Avenue stated that she liked the idea of the park but past experience with a Pelham Picture House event that she cited as an example of excessive noise, lack of enforcement, and minimal cleanup gave her pause.

Item #7– Continuing a Public Hearing Amending Chapter 87 Of The Code Of The Village Of Pelham Regarding Wireless Telecommunications Facilities

Mayor Cassidy stated the Board is continuing the public hearing from last meeting regarding the proposed wireless telecommunications law without revisions. He called for questions or comments from the public on the draft before the Board. There were no comments.

A motion was made by Trustee Volpe and seconded by Trustee Senerchia to close the hearing for the unrevised draft of the local law. The vote was approved by a vote of seven in favor, none opposed.

Item #8– Public Hearing Amending Chapter 87 Of The Code Of The Village Of Pelham Regarding Wireless Telecommunications Facilities

Trustee Kagan discussed the local law draft with incorporated changes from last meeting regarding timeframe to notice residents, the level of proof required by the contractor that there is a gap in their service, and the use of the “least intrusive” means to fill in the gap in service.

Administrator Yamuder thanked Trustee Kagan, Village Attorney Cathy Woods-King, Village Counsel Robert Spolzino, and the Building Inspector for their input in the law drafting process.

Trustee Volpe reminded the public that the Board cannot, by law, restrict installation of these devices solely to commercial districts.

Mayor Cassidy stated that the Code has been updated since its original passage in 2002. He said although this new law will give increased protection, there is no litigation proof coverage.

A motion was made by Trustee Volpe and seconded by Trustee Senerchia to close the 2nd hearing for the revised draft of the local law. The vote was approved by a vote of seven in favor, none opposed.

A motion was made by Trustee Kagan and seconded by Trustee Volpe to approve the resolution to adopt the revised draft of the local law. The vote was approved by a vote of seven in favor, none opposed.

Item #9– Adoption of Lead Agency and SEQRA Negative Declaration For A Draft Local Law

A motion was made by Trustee Kagan and seconded by Trustee Senerchia to approve the Negative Declaration for the revised draft of the local law. The vote was approved by a vote of seven in favor, none opposed.

Item #10– Public Hearing on the Village of Pelham Proposed Budget for Fiscal Year 2014-2015

Trustee Volpe commended the Mayor’s leadership during the budget works sessions despite state mandated restrictions and the tax cap.

Trustee Senerchia thanked the Mayor as well.

Trustee Volpe asked the Administrator if other municipalities were able to keep under the tax cap.

Administrator Yamuder responded that it is becoming harder and harder for municipalities to remain under the tax cap and maintain levels of services for constituents.

Mayor Cassidy stated that managing the budget within these restrictions will be an ongoing chore for the Board. He said it requires the Board to continually come up with creative ways to save money and generate revenue.

The Mayor asked for public comment. There were no comments from the public. He said the Board intends to approve the budget at the April 22, 2014 meeting.

A motion was made by Trustee Volpe and seconded by Trustee Senerchia to close the public hearing. The vote was approved by a vote of seven in favor, none opposed.

Summary is based on the Tentative Budget and amendments to date:

The Village’s Fiscal Year runs from June 1 through May 31 every year. By State Law, Village Budgets must be adopted on or before April 30 of every year. Currently, the budget adoption is scheduled for April 22, 2014 at 7:30 p.m.

Home Values in Pelham decreased overall by 1.864%

Commercial Property Values in Pelham decreased overall by .428%

The Tax rate has increased by 2.933%for homeowners, and it has increased by 3.014% for commercial properties.

The Tax Levy was Proposed at \$10,465,256 up from \$10,295,903. Initial Proposed Tax Levy Increase was 1.645%, but with cuts in expenses and small increases in some revenues, the revised tax levy is \$10,429,024 and is currently at 1.293%.

The increase in the Tax Levy, combined with the decrease in home values, is the most true indicator of the tax impact on the homeowner.

The reason is that all properties in Pelham Village and Pelham Manor Village, within the Town of Pelham, are maintained at Full Value Assessments, which reflects changes in market values. These values are updated by the Assessor every year.

Impact on the Average Homeowner:

Average House Value – Using an Average assessment in Pelham of \$636,840.00 vs. \$635,307.00 for 2013, the average homeowners taxes would increase from \$5,058.00 to \$5,219.00.

Tax Rates:	Last Year 2013-2014	Tentative 2014-2015	As Revised 2014-2015
Home:	\$7.961427	\$8.2234238	\$8.1949533
Non-Home:	\$11.046026	\$11.4184481	\$11.3789160

The Board has already held 3 Budget Work Sessions, which have been open to and attended by the Public. Adoption is scheduled for April 22, 2014.

Item #11– Authorizing the Award of Contract #2014-02 –Used Ford F-350 with Versalift (bid deadline and opening 4/10/14, 11 a.m.)

Administrator Yamuder stated that the DPW bucket truck has become out dated and unsafe for further use. With this in mind, the Village has advertised for a used truck that can fulfill the duties of the old one. He stated that six companies were contacted and two returned possible replacements. The company TRL is offering a used 2008 Ford as an equivalent replacement for \$36,995.

Trustee Kagan asked if anything can be salvaged from the old bucket truck. Administrator Yamuder responded the truck is no longer road worthy. The Village may be able to see it for scrap metal.

Trustee Senerchia asked if everything is included in the price quoted. Administrator Yamuder responded that the price includes everything to bring the truck into the Pelham fleet.

Mayor Cassidy stated there is nothing else that can be taken out of this vehicle. He said he felt this is the right way to go and he was impressed with the quick response.

Trustee Senerchia added that there is a significant wait period for a brand new truck of this type.

A motion was made by Trustee Mutti and seconded by Trustee Volpe to approve the resolution. The vote was approved by a vote of seven in favor, none opposed.

WHEREAS, the Village Of Pelham issued a Notice to Bidders and Request For Bids for Contract #2014-02 – Used Ford F-350 with Versalift or approved equal; and

WHEREAS, a public notice was published on Friday, April 4, 2014, in the Gannett Westchester Newspaper, an official newspaper of the Village of Pelham; and

WHEREAS, during the notice period five (5) companies were contacted and sent copies of the contract documents, or picked up copies of the contract documents at Village Hall; and

WHEREAS, at 11 a.m. E.S.T., Thursday, April 10, 2014, the Village of Pelham publicly opened and read five (5) proposals; and

WHEREAS, On Reviewing The Proposals, The Following Is A List Of The Proposals For Used Ford F-350 with Versalift or approved equal, As Follows:

<u>Company</u>	<u>Location</u>	<u>Total Base Bid</u>
TRL Rents	Canton, Ohio	\$36,995.00
Altec	Elizabethtown, Kentucky	\$87,750.00
Filomio Truck	Bronx, NY	Declined to Bid
Coast Cities Truck Sales	Neptune, NJ	Declined to Bid
Gabrielli Truck Sales	Bronx, NY	Declined to Bid
Superior Truck	Mount Vernon, NY	Declined to Bid

AND WHEREAS, Administrator Robert Yamuder has reviewed the bids and determined that the lowest responsible bid that meets requirements is TRL Rents of Canton, Ohio;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Pelham Village hereby award Contract #2014-02 – Used Ford F-350 with Versalift or approved equal to TRL Rents of Canton, Ohio at the total bid price for this unit price contract in the amount of thirty-six thousand, nine hundred ninety-five dollars and no cents (\$36,995.00) as stated above; and be it

FURTHER RESOLVED, that the Mayor and the Village Administrator are authorized to take the necessary and appropriate actions to sign, execute and award this unit price contract for these services.

Item #12– Authorizing Annual IMA Between Village of Pelham and New Rochelle for Disposal of Organic Yard Waste

Administrator Yamuder stated that he received the organic waste tipping fees calculation late this afternoon. The overall price increased \$5 from last year from \$21.00 to \$26.36. He said these numbers originate from the County increase in all dumping facilities nearby.

Trustee Volpe asked if the Administrator had reached out the Pelham Manor. Administrator Yamuder stated he had reached out to Pelham Manor but they do not have the capacity to accommodate an additional municipality's organic waste.

Trustee Kagan asked if these payments would be retroactive starting from January 1, 2014. Administrator Yamuder stated it would not be retroactive. New Rochelle has historically been late in getting the agreement to the Village in January and that date is usually a placeholder.

Trustee Reim suggested changing the date from January 1, 2014 to April 25, 2014.

Administrator Yamuder stated that although the price increased from last year, the Village can budget for this service and can shift funds with a budget transfer if necessary.

Mayor Cassidy stated that if the Village finds a more agreeable rate elsewhere, it can cancel this agreement with 45 days' notice to New Rochelle.

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

Item #13– Discussion On Amending Chapter 77 Of The Code of the Village of Pelham Regarding Portable Signs

Trustee Senerchia said he had worked with Village Prosecutor Martha Conforti and Building Inspector Russo to generate a final draft of the portable signs law. He said he felt it was a productive meeting and it covered all the bases regarding the permitting of these signs. He said the Board will be calling for a public hearing within the next few meetings to discuss this law.

Item #14– Other Business

None

Item #15– Authorizing Minutes of: March 19, 2014, April 2, 2014

A motion was made by Trustee Mutti and seconded by Trustee Senerchia to approve the resolution. The vote was approved by a vote of seven in favor, none opposed.

March 19, 2014- Approved

Item #16– Adjournment to Executive Session (if needed)

A motion was made by Trustee Volpe with a second by Trustee Mutti to adjourn the public portion of the Board meeting at 9:10 pm and go into Executive Session to discuss a particular personnel matter after which time the Board would adjourn for the evening. The motion was approved by vote of four in favor, none opposed. Trustees Volpe and Marty were absent.

Respectfully submitted,
Peter Bonington, Secretary to the Village Administrator