

VILLAGE OF PELHAM BOARD OF TRUSTEES
 REGULAR MEETING
 TUESDAY, AUGUST 9, 2011, 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
Starting Time
of Discussion

Agenda Items:

Non-Recurring Items		7:40 p.m.
7	Resolution Authorizing the Appointment of Robert Benkwitt to the Position of Fire Lieutenant in the Pelham Fire Department	Approved
8	Resolution Authorizing the Appointment of a Firefighter in the Pelham Fire Department	Approved
9	Resolution Amending the Village's Purchasing Policy	Approved
10	Greenspace – Area A – Remediation Alternatives	Tabled
11	Extension of Time Period for Allowing Groups to Seek Potential Funding for NYW&B Site Options	Approved
12.	Authorizing A Chamber Of Commerce Street Fair To Take Place On Saturday, October 15, 2011	Approved
13	Joe Trotta Park - Plan Rendering	Approved
14	Authorizing a Contract Agreement with CES Northeast, LLC for Maintenance and Service to Fuel Tank Equipment	Approved
Grants, Projects & Other Business		8:45 p.m.
15	Monthly Budget Review	Discussed
16.	Grants- Status Report	Discussed
17	Committee Reports	Discussed
18	Awards to Employees for 25 Years or More of Public Service in Pelham	Discussed
19	Other Business	None
Recurring Items		9:00 p.m.
20.	Authorizing Accounts Payable	Approved
21.	Authorizing Minutes of: June 21, 2011	Approved
22	Adjournment to Executive Session	9:30 p.m.

Next Scheduled Board Meetings are:

Tuesday, September 6, 2011

Tuesday, September 20, 2011

All meetings start at 7:30 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 Edward Hotchkiss at 7:30.m.

The following members of the Board of Trustees were present:

Mayor Edward Hotchkiss, Trustees Marciona, Morris, Lewis, and McGoldrick, and Marty

The following members of the Board of Trustees were absent:

Trustee Mohan

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 Hotchkiss.

Reports

Mayor Hotchkiss's Report-

None

Trustees Reports:

Trustee Lewis- (Arrived at 7:55 p.m.)

Trustee Marciona-

None

Trustee Marty-

None

Trustee McGoldrick-

None

Trustee Mohan-

Absent

Trustee Morris-

None

Village Administrator's Report-

Administrator Yamuder stated that there are two recent postings on the Village website. One concerns a new nutrient runoff law and the new recycling guidelines for plastics bearing the 1-7 designation. He encouraged

Item #6– Public Comment-

John Walsh of Nyac Avenue asked the Board for an update on the status of the DPW Yard Project. He said he had been given deadlines for the completion of the work but the work has continued past those dates. Administrator Yamuder said that he had spoken to and met with Mr. Walsh. He said that the dates that were given for the completion of the project were the best estimate based on information provided by the contractors. Unfortunately, there were some unforeseen delays regarding work to be performed by Con-Edison. Mr. Yamuder apologized for any inconvenience to residents but stated these types of delays are common on most large construction projects.

Susan Mutti of Highbrook Avenue mentioned to the Board about Corlies Avenue which also has cars parked that have been from the displaced from Municipal Lot #7.

Mike Grubiak of Senator Klein's office said the new series of summertime concerts would be beginning soon. He said the Pelville Association will be presenting its awards for flowers as well.

Item #7– Resolution Authorizing the Appointment of Robert Benkwitt to the Position of Fire Lieutenant in the Pelham Fire Department

Trustee Marty reported that in the interest of proper manning requirements and hopefully decreasing some of the overtime within the Fire Department, the Village intended to promote a fifth lieutenant for the recently created position. This will ensure that there is always a lieutenant available for leadership at the firehouse. He said Robert Benkwitt has been recommended by Chief Stone for the position.

A motion was made by Trustee Marty and seconded by Trustee Marciona adopt the resolution. The vote was approved by a vote of five in favor, none opposed. Trustees Mohan and Lewis were absent.

RESOLUTION

AUTHORIZING THE APPOINTMENT BY THE MAYOR OF ROBERT BENKWITT
TO THE POSITION OF FIRE LIEUTENANT
IN THE PELHAM FIRE DEPARTMENT

Be It Resolved, That The Board Of Trustees Authorizes The Promotion And Appointment By The Mayor Of Robert Benkwitt To The Position Of Fire Lieutenant, Effective 8:00 AM Saturday, July 16, 2011 Subject To The Requirements Of Civil Service, For A Probationary Period Of one (1) Year And Authorizes The Mayor And The Village Administrator And The Fire Chief To Take The Necessary And Appropriate Actions To Effect This Appointment.

Item #8– Resolution Authorizing the Appointment of a Firefighter in the Pelham Fire Department

Trustee Marty stated that the promotion of Robert Benkwitt to Fire Lieutenant creates an opening for a sixteenth firefighter. He said the Board would like to appoint Francesco Bellantoni. Administrator Yamuder said the new firefighter would have a place in the Fire Academy when the class opens.

A motion was made by Trustee Marty and seconded by Trustee Morris adopt the resolution. The vote was approved by a vote of five in favor, none opposed. Trustees Mohan and Lewis were absent.

RESOLUTION
AUTHORIZING THE APPOINTMENT BY THE MAYOR
OF FRANCESCO BELLANTONI TO THE POSITION OF FIRE FIGHTER
IN THE PELHAM FIRE DEPARTMENT

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham authorize the appointment by the Mayor of Francesco Bellantoni of Pelham, New York, to the position of Firefighter, to attend the Fall Fire Academy, with salary and effective date of employment determined by collective bargaining agreement with the Pelham Fire Department and subject to the requirements of Civil Service, for a probationary period of one year, conditioned upon the satisfactory completion of a pre-employment medical examination, and authorizes the Mayor, the Village Administrator and the Fire Chief to take the necessary and appropriate actions to effect this offer.

Item #9–Resolution Amending the Village's Procurement and Purchasing Policy

Mayor Hotchkiss said this resolution is to bring the Village's purchasing policy more in line with the New York State's purchasing guidelines. He said the old policy guidelines regarding the cost threshold for purchasing were too limited and this new increase in the threshold will allow the Village to function more efficiently. The threshold is being increased from \$20,000 to \$35,000.

Trustee Morris said the Board should explain this resolution in order for the public to understand what is being increased. Administrator Yamuder explained that this policy is in keeping with general municipal law. The Village annually renews this policy and is designed to give the Village the most competitive price for its expenses.

A motion was made by Trustee Lewis and seconded by Trustee Marty adopt the resolution. The vote was approved by a vote of five in favor, none opposed. Trustees Mohan was absent.

RESOLUTION

AMENDING AND UPDATING THE VILLAGE OF PELHAM PROCUREMENT AND PURCHASING POLICY

BE IT RESOLVED, Section 104-b of the NYS General Municipal Law requires every municipality to adopt internal policies and procedures governing all procurement of goods and services not subject to the bidding requirements of GML, Section 103 or any other law, and;

BE IT FURTHER RESOLVED, the Village Administrator has recommended updating and amending the policy to reflect recent changes to the General Municipal Law in an effort to practically and reasonably apply the policy for everyday use and to maximize time and resources of the Village Of Pelham Administration without sacrificing the competitive nature of the purchasing and procurement process,

AND THEREFORE BE IT FURTHER RESOLVED, by the Board of Trustees of the Village Of Pelham that the Village Of Pelham's Purchasing and Procurement Policy is hereby amended and updated as follows;

Item #10– Greenspace – Area A – Remediation Alternatives

Trustee Marty stated there was no information available for this resolution and suggested the Board table it until a later meeting.

The Board decided to table this resolution until a later meeting.

Susan Mutti of Highbrook Avenue spoke to the Board about a grant application for historical designation of the NYW&B site. Trustee Marty told Ms. Mutti that the Board had already made a decision to not support any step toward historical designation at the previous meeting in July. The Board does not want to pursue historical designation until it has determined within the Committee's option paper what course of action the Village will pursue.

Item #11–Extension of Time Period for Allowing Groups to Seek Potential Funding for NYW&B Site Options

Trustee Marty stated this resolution is to extend the deadline for the exploration of funding options by the Committee. He said initially the date was for a period of six months but now the time constraints have necessitated an extension of the original deadline in order to research more options.

A motion was made by Trustee Marty and seconded by Trustee Marciona adopt the resolution. The vote was approved by a vote of five in favor, none opposed. Trustees Mohan and Lewis were absent.

Item #12—Authorizing A Chamber Of Commerce Street Fair To Take Place On Saturday, October 15, 2011

Mayor Hotchkiss said this resolution is for the second fall Street Fair by the Pelham Chamber of Commerce. Trustee Morris stated that she hoped there would not be a conflict with the Farmer's Market which now also takes place on Saturday's. Trustee Lewis responded the Farmer's Market which takes place at Harmon Place should be out of the way of the Chamber's Street Fair which will be confined to 5th Avenue between First Street and Lincoln Avenue.

Trustee Morris also stated that garbage cleanup. Administrator Yamuder stated the DPW does empty the garbage bins along 5th Avenue after the Fair has finished but stressed that the Chamber must also participate in keeping the area clean.

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

RESOLUTION

AUTHORIZING A STREET FAIR OPERATED BY THE CHAMBER OF COMMERCE TO BE HELD ON SATURDAY OCTOBER 15, 2011

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham authorizes A Chamber of Commerce Pelham Street Fair to take place on Saturday, October 15, 2011, and authorizes the closure of the following streets from 7:00 am to 6pm:

- 5th Avenue from First Street to 330 5th Ave. North of Lincoln,
- the one-way part of 2nd Street, from 5th Avenue to 4th Avenue,

BE IT FURTHER RESOLVED, that the Chamber of Commerce will be responsible for all Village Of Pelham overtime costs that occur for this event;

AND BE IT FURTHER RESOLVED, that Mayor and Board authorize the appropriate Village officials and staff to take the necessary and appropriate actions to allow the Fair to take

place, with the requirement that the Village of Pelham be provided with the insurance satisfactory to the Village's insurance carrier by the Pelham Chamber of Commerce.

Item #13– Joe Trotta Park - Plan Rendering

Trustee Marciona, Trustee Morris, and Ora Berman stated they had met with Town Supervisor Solimine to discuss the design scheme for Trotta Park. The goal was to bring the schematics up to a level that can be worked from. The concept is to use some existing aspects of the park with new substances such as trees and shrubs.

Trustee Marciona and Ms. Berman gave a presentation on the schematics for the park. Ms. Berman discussed some of the issues involved with the current state of Trotta Park specifically dead trees, the stability of the slope, drainage, and pavement heaving. She then stated how they plan to remediate these issues by strategic placement of lighting, plantings, and water collection spots to reduce runoff. Lighting is an additional scope item that addresses concern for safety as well as nighttime aesthetics.

Several of the Trustees had questions about the design of the park as presented. Ms. Berman stated that there is flexibility in the design to allow for changes as the planning phase of the project continues.

Trustee Marciona stated there are two resolutions for this agenda item. The first resolution is for the approval of the inter-municipal agreement between the Town of Pelham and the Village of Pelham. After some discussion on rewording the resolution, the Board revised the resolution to the wording that appears below.

A motion was made by Trustee Marciona and seconded by Trustee Morris adopt the resolution. The vote was approved by a vote of six in favor, none opposed. Trustee Mohan was absent.

RESOLUTION

Authorizing the establishment of an Inter-municipal Agreement
Between the Village of Pelham and the Town of Pelham
for the redesign and renovation of the park known as Trotta Park
on Fifth Avenue at Second Street
owned by the Village of Pelham

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham hereby authorizes the establishment of an Intermunicipal Agreement (IMA) between the Village and the Town of Pelham in order to redesign, and implement the design of, Trotta Park (formerly known as Brick Park), on Fifth Avenue at Second Street, and authorizes the Mayor and the Village Administrator to take the necessary and appropriate actions to effect and sign the agreement, effective upon the acceptance and satisfaction of the Village of Pelham and shall be in effect from that time for a period of two (2) years.

Whereas the Village renamed the parcel on Fifth Avenue "Trotta Park" to honor community leader Joseph Trotta, a former mayor of the Village of Pelham and supervisor of the Town of Pelham, as its Board of Trustees' meeting of February 23, 2010.

The authorization of an agreement under which the Town of Pelham will fund the redesign and construction of this plan, contingent upon the approvals of the Village of Pelham (including its Board of Trustees and Village Administrator and meeting the standards of the Village's Building Inspector), is hereby approved.

The second resolution was for approving the conceptual design of Trotta Park. There was some discussion about repaving and brick work on 5th Avenue. The Administrator said the Village could consider that possibility when it reviews the list of streets to be paved this coming year. Trustee McGoldrick asked what the park will be primarily used for. Trustee Marciona stated the park would be a social environment for residents and visitors to meet.

A motion was made by Trustee Marciona and seconded by Trustee Marty adopt the resolution. The vote was approved by a vote of six in favor, none opposed. Trustee Mohan was absent.

RESOLUTION

Authorizing the Conceptual Design of Trotta Park

Whereas the Town of Pelham has agreed to fund the design and its implementation through grant money and private funding to improve this public space for the community's enjoyment and in conformance with an Inter-municipal Agreement (IMA).

Whereas the firm Site Insights Landscape Architecture, P.C. has presented a preliminary design, which provides a space for rehabilitation and socializing in a verdant urban environment.

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham hereby approves the plan for the conceptual design of Trotta Park presented at its meeting of August 9, 2011, subject to minor revisions, furniture selection, and final choices of materials.

Item #14—Authorizing a Contract Agreement with CES Northeast, LLC for Maintenance and Service to Fuel Tank Equipment

Administrator Yamuder said this resolution pertains to the removal of the fuel tank as part of the work at the DPW Yard Project. He said the Village is contracting out for this work in order to prevent violations but still maintain its functioning equipment. He said the Village is required to have this work done. The \$26,000 requested for the work can be taken from grants funds that the Village is applying for through the Department of Transportation Multi-Modal grant program. The Administrator stated that only one bidder was available to move

the equipment rather than replace it completely. The resolution states that CES Northeast was the only bidder who was willing to perform this work.

A motion was made by Trustee Morris and seconded by Trustee Lewis adopt the resolution. The vote was approved by a vote of six in favor, none opposed. Trustee Mohan was absent.

RESOLUTION

AUTHORIZING A CONTRACT AGREEMENT BETWEEN THE VILLAGE OF PELHAM AND CES NORTHEAST, LLC

BE IT RESOLVED, That The Proposal To Authorize A Contract Agreement Between The Village Of Pelham And CES Northeast, LLC On The Basis Of Standardizing The Gas Tank Equipment And Maintenance Thereof In The DPW Yard, And As CES, Northeast Seems To Be The Sole Provider Of This Equipment And Services, The Agreement In The Amount Of \$26,914.00 Is Hereby Accepted And Authorized By The Board Of Trustees Of The Village Of Pelham; And

BE IT FURTHER RESOLVED, That The Village Administrator And The DPW Foreman Take The Necessary And Appropriate Actions To Effect This Agreement.

Item #15–Monthly Budget Review

Mayor Hotchkiss said the Board has begun to “seasonalize” its budget. The Board is attempting to project the end of the year fund balance. Trustee McGoldrick stated this is a good way to keep track of what was budgeted and where the Village stands. Administrator Yamuder gave the Board members several samples of charts which show how the budget stands year to date. The Administrator added that in the first few months of the budget there is usually nothing substantial to report.

Administrator Yamuder reported on the budget status of the Department of Public Works. He stated that in terms of expenses not much has been spent other than salaries. The sewer break which took place early in the year was an unforeseen expense which the Village had to take care of as well.

Item #16– Grants- Status Report

Secretary Bonington gave the Village grants report. The Secretary stated the Village is pursuing the Multi-Modal grant program to help with the additional costs to the Village Public Works Yard Project. The FTA grant which was originally awarded for the project has been completed and the funds received by the Village.

The Village has submitted all of its flooding remediation grants to their respective reviewing agencies. The Administrator and Secretary said they would be following up on all these grants in the coming weeks.

The New York Main Street grant application phase has closed after seven years. The Village has assisted in funding for a dozen businesses in the Village of Pelham. The Pelham Picture House was able to receive its funding for the renovations to the building. The Village was able to populate Wolfs Lane Park with new benches, bike racks, and trash receptacles.

Secretary Bonington reported the funds from the Dormitory Authority grant should be available soon. Senator Klein's office contacted the Administrator's office to state that the funds should soon be released to the grant administration division of the Dormitory Authority.

The Secretary finished his report by saying the Village would be submitting their proposal for the Wolfs Lane Park grant shortly.

Item #17- Committee Reports

Trustee Marty reported that the NYW&B Committee is reviewing the options provided by ELM regarding the contaminated soil in the greenspace. Trustee Marciona asked about whether the Village would have a perpetual responsibility for the dirt that is removed from the site. Trustee Marty said that the Committee is evaluating what can be done with the removed soil.

Trustee Lewis asked if taking the fence down was a part of this evaluation. Trustee Marty reported that the fence can be taken down only with the advice of a consultant or engineer. Trustee Marciona agreed that an engineer must certify whatever remediation plan the Village intends to take.

Item #18- Awards to Employees for 25 Years or More of Public Service in Pelham

Administrator Yamuder stated that NYCOM had issued awards to several members of the Pelham municipal community for service of more than 25 years. Mayor Hotchkiss read off the names of the awardees: Police Detective Richard Deere, Police Lieutenant Rocco Delgrosso, Fire Lieutenant Julian Keiser, DPW Foreman Michael Shriman, Police Sergeant David Condon, and Police Chief Joe Benefico.

The Mayor and Board thanked all the awardees for their service to the Village of Pelham.

Item #19- Other Business

None

Item #20-Authorizing the Accounts Payable

Trustee Marty audited the Accounts Payable.

After some discussion, a motion was made by Trustee Marty and seconded by Trustee Lewis adopt the resolution. The vote was approved by a vote of six in favor, none opposed. Trustee Mohan was 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	\$ 211,437.98
Water Fund	\$76,633.36
Capital Projects Fund	\$120,773.84
Trust and Agency Fund	\$0.00
CD NYS Main Street Fund	\$ 36,648.60
H3 Fund	\$0.00
<u>TE Expand Trust Fund</u>	<u>\$ 0.00</u>
Grand Total	\$445,493.78

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

Item #21- Authorizing Minutes of: June 21, 2011

After some discussion, a motion was made by Trustee Marty and seconded by Trustee Lewis adopt the minutes from June 21, 2011. The vote was approved by a vote of six in favor, none opposed. Trustee Mohan was absent.

June 21, 2011- Approved

July 12, 2011- Tabled

Item #22- Adjournment to Executive Session

A motion was made by Trustee Marty with a second by Trustee McGoldrick to adjourn the public portion of the board meeting at 9:35 p.m. and go into Executive Session to discuss personnel and contractual matters, which the Board would adjourn for the evening. The motion was approved by vote of five in favor, none opposed. Trustees Mohan was absent.

Respectfully submitted,

Peter Bonington, Secretary to the Village Administrator