

VILLAGE OF PELHAM BOARD OF TRUSTEES  
 REGULAR MEETING  
 TUESDAY, DECEMBER 21, 2010, 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		Approximate Starting Time of Discussion
	<b>Non-Recurring Items</b>	<b>7:45p.m.</b>
7.	Public Hearing Regarding Recognition of Hillside and Brookside Avenues as Public Streets- Postponed	Approved
8.	Authorizing the Renewal of an Agreement Between the County of Westchester and the Village of Pelham for the Snow and Ice Reimbursement Program for Removal of Snow and Ice on Westchester County Roads Located in the Village of Pelham	Approved
9.	Authorizing the Award of a Survey Proposal for a Survey from the Dead End of Seventh Avenue to the Intersection of Seventh Street	Tabled
10.	Resolution authorizing a three year contract renewal for auditors from O'Connor Davies Munns & Dobbins/Bennett Kielson Storch Kremer & DeSantis (ODMD/BKSKD)	Approved
	<b>Grants, Monthly Budget Review &amp; Other Business</b>	<b>8:30p.m.</b>
11.	Grants- Status Report	Discussed
12.	Monthly Budget Review	Discussed
13.	Other Business	None
	<b>Recurring Items</b>	<b>9:00p.m.</b>
14.	Authorizing Accounts Payable	Approved
15.	Authorizing Minutes of: November 3, 2010, November 16, 2010	Approved
16.	Adjournment to Executive Session	<b>9:30p.m.</b>

Next Scheduled Board Meetings are:  
 Tuesday, January 4, 2011  
 Tuesday, January 18, 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 7:50 p.m.

The following members of the Board of Trustees were present:

Mayor Edward Hotchkiss, Trustees Breskin, Lewis, Morris, and Marty

Trustee Bullock arrived at 9:00 p.m.

The following member 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 Report

Mayor Hotchkiss began his report by wishing all residents of Pelham happy holidays. He said this would be the last Board of Trustees meeting before the New Year as the next one will take place on Tuesday, January 4, 2011. He stated the annual Shop Pelham Holiday video is now available on Youtube.com. The Mayor encouraged residents and visitors alike to shop in Pelham this holiday season.

The Mayor reminded residents that the leaf pickup season is now over, as of Wednesday, December 15. The organic waste pickups will resume in April 2011. He finished by saying the Village has received the \$18,000 from Verizon as part of the franchise agreement the Village has signed with the company.

Trustees Reports:

Trustee Breskin-

Trustee Breskin gave a cautionary note in his report about keeping Christmas trees well watered. The Village Fire Department had advised him that the as trees dry out they can become a fire hazard.

Trustee Bullock-

Absent (arrived at 9:00 p.m.)

Trustee Lewis-

Trustee Lewis forwarded his proposal for commercial zoning changes to the Planning Board. He said he will have copies to share with the Board at the next meeting.

Trustee Marty-

Trustee Marty reported that Metro-North built a small hut up by the tracks by the Highbrook Avenue Bridge. He asked if they had contacted the Village about this work. Trustee Breskin said Metro-North is doing some running repairs on the station building but that it is not being reclad with vinyl siding.

Trustee Mohan-

Absent

Trustee Morris-

Trustee Morris said the Village Administrator and she had met with Miriam Haas and Frankie Rowland of Community Markets regarding the time and location of the Farmer's Market on Michael Schwerner Way. They discussed the options available to possibly moving the location and the time it is held for to improve attendance. She said they looked at three possible location locations; Wolfs Lane Park by Boulevard, Municipal Lot 2, and Wolfs Lane Park across from the Picture House.

Trustee Breskin said he could understand changing the day but he wanted to know more about why they want to change the location it is held. Trustee Morris said Miriam Haas is concerned about low attendance. In the three years of the market's existence, attendance was highest the first year. Ms. Haas believes more people would be out on a Saturday or weekday rather than Sunday, when the Market has been scheduled.

Trustee Breskin said part of the problem may be the lack of variety in the vendors. What can be done about increasing the number of vendors at the Market? Trustee Morris replied it is likely a Catch 22: more visitors would attract more vendors and vice versa. Trustee Marty said bringing people to Pelham is a good thing and the Board should encourage events and activities that support that.

Village Administrator's Report-

Village Administrator Yamuder reported about the traffic delay on Wolfs Lane. He said this was due to some work being performed on the Picture House. He also reported a sewer break that was leaking into a sanitary line on Elderwood and Colonial. He said the break was small, but has to be fixed. Mr. Yamuder said the Village is soliciting three proposals for the work and that it should be completed soon.

Item #6--Public Comment-

Paul McGoldrick of 34 Young Avenue spoke to the Board about the possibility of the Pelhamwood Association placing decorations on certain landmarks and sites around the neighborhood properties. He asked if the Village would be amenable to residents placing these decorations or would the Village wish the DPW to decorate the landmarks that are on Village property.

Administrator Yamuder said since Village property is being used there are some questions of liability and storage. Trustee Breskin said the Clock Tower, the pillars at street entrances, and other sites could look nice if properly decorated. Mayor Hotchkiss suggested the Association present a written proposal to the Board to move forward on this process.

Item #7-- Continuing a Public Hearing Regarding Recognition of Hillside and Brookside Avenues as Public Streets- Postponed

Mayor Hotchkiss stated the Village is still researching this matter and will postpone the public hearing until the next Board of Trustees meeting.

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

VILLAGE OF PELHAM, NY  
Public Hearing Regarding Recognition of  
Hillside and Brookside Avenues as Public Streets

Public Hearing Pursuant To The Provisions Of Village Law §6-612 And Village Law §7-732 In Regard To The Recognition Of Brookside Avenue From Wolfs Lane To Its Terminus At The Hutchinson River And Hillside Avenue From Carol Avenue To Its Terminus At The Hutchinson River As Public Streets In The Village Of Pelham.

Item #8--Authorizing the Renewal of an Agreement Between the County of Westchester and the Village of Pelham for the Snow and Ice Reimbursement Program for Removal of Snow and Ice on Westchester County Roads Located in the Village of Pelham

Administrator Yamuder stated this is Westchester County 5 year renewal contract for the maintenance of Lincoln Avenue which is a County road. He said the information the Village Hall has received since last meeting is that the 208 Incentive mentioned in the contract concerns a functioning salt shed. Mr. Yamuder said there is a \$1,000 incentive if the Village does have one. In his conversations with the County about this issue he reported that since the Village will have a functioning shed once the construction on the DPW Yard is completed; the Village will receive the incentive for the remaining four years of the contract going forward.

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

### RESOLUTION

#### AUTHORIZING RENEWAL OF AN AGREEMENT BETWEEN THE COUNTY OF WESTCHESTER AND THE VILLAGE OF PELHAM FOR SNOW AND ICE REMOVAL BY THE VILLAGE OF PELHAM

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham hereby authorizes the renewal of an agreement between the Village of Pelham and Westchester County for the continued participation by the Village of Pelham in the Westchester County Snow and Ice Reimbursement program, for the Village to salt and plow the Westchester County roads that are in the Pelham jurisdiction, namely Lincoln Avenue; and

BE IT RESOLVED, that the term of the agreement shall be for a five (5) year period commencing on October 1, 2010 and continuing through September 30, 2015; and

BE IT FURTHER RESOLVED, that the Mayor, the Village Administrator, the Village Attorney are authorized to take all necessary and appropriate actions, including signing all documents, to effect this agreement.

Item #9– Authorizing the Award of a Survey Proposal for a Survey from the Dead End of Seventh Avenue to the Intersection of Seventh Street

Mayor Hotchkiss stated that since this resolution is contingent upon the Village pursuing the Community Development Block Grant (CDBG) the Board needs time to assess whether or not to apply for the grant. He said this issue would be brought up at a later meeting.

### Resolution

Authorizing the Award of a Survey Proposal for a Survey from the Dead End of Seventh Avenue to the Intersection of Seventh Street

BE IT RESOLVED the Board of Trustees of the Village of Pelham authorizes the award of a bid for a proposal for a survey from the dead end of Seventh Avenue to the intersection of Seventh Street as part of the Village's anticipated pursuit of the CDBG Grant for year 2011

WHEREAS, seven (7) survey companies were contacted and four (4) submitted qualified bids;

WHEREAS, at 11 a.m. E.S.T., Tuesday, December 14, 2010, the Village of Pelham publicly opened and read four (4) proposals; and

WHEREAS, on reviewing the Proposals, the following is a list of the Proposals for a survey from the dead end of Seventh Avenue to the intersection of Seventh Street, as follows:

<u>Company</u>	<u>Location</u>	<u>Total Base Bid</u>
Ward Carpenter Engineers	White Plains, NY	\$3,200
Link Land Surveyors	Mahopac, NY	\$4,900
Tectonic Engineering	Mountainville, NY	\$5,250
Thomas C. Merritts Land	Pleasantville, NY	\$9,000

AND WHEREAS, Administrator Robert Yamuder has reviewed the bids and determined that the lowest responsible bid that meets the bid requirements is Ward Carpenter Engineers of White Plains,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Pelham hereby awards the bid for a survey from the dead end of Seventh Avenue to the intersection of Seventh Street to Ward Carpenter Engineers of White Plains, NY., at the lump sum price for this unit price contract in the amount of Three thousand two hundred dollars (\$3,200) 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 bid for these services.

Item #10—Resolution authorizing a three year contract renewal for auditors from O'Connor Davies Munns & Dobbins/Bennett Kielson Storch Kremer & DeSantis (ODMD/BKSKD)

Mayor Hotchkiss said this resolution is for the renewal of a contract for the Village's auditors. They done valuable service for the Village in the past and their audit reports reflect a healthy government in Pelham. He said the contract amount is approximately \$29,000 for a three year contract. Administrator Yamuder stated he believed there was no reason not to approve this renewal.

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

#### RESOLUTION

#### AUTHORIZING A THREE YEAR CONTRACT RENEWAL FOR AUDITORS FROM O'CONNOR DAVIES MUNNS & DOBBINS/BENNETT KIELSON STORCH KREMER & DESANTIS (ODMD/BKSKD)

BE IT RESOLVED, that the Mayor and Board of Trustees hereby authorize a three year contract renewal for the auditors from O'Connor Davies Munns & Dobbins/Bennett Kielson Storch Kremer & DeSantis (ODMD/BKSKD) for the years ending May 31, 2011, May 31, 2012, May 31, 2013;

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 #11– Grants- Status Report

Secretary to the Village Administrator Peter Bonington gave the grants update report. He reported, with regard to the DPW Yard Project, that Mark Boucher of the NYSDOT had contacted the Administrator for the financial drawdown for the state portion of the project. The Administrator hopes to request the funding in one lump sum rather than a gradual drawdown.

The flooding grants are progressing as well. The application for the EPA grant for \$340,000 has been received and the Administrator is working on completing it with the help from Chris Landis of Leonard Jackson Associates. The 2008 and 2009 LPDM's are being processed by FEMA and SEMO. The Village should be hearing shortly if we are to proceed to the next leg of this process. The final flooding grant from Nita Lowey for \$652,500 requires an extension period, if the Village is going to submit for the awarded monies. Administrator Yamuder said he is speaking with the EPA authorities about this extension.

Funds from the New York Main Street Streetscape grant have been received by the Village to the sum of \$38,250. These funds are a reimbursement for the Village's park benches and bike racks. Mr. Bonington reported that the remaining funds will be spent on Victor Stanley trash receptacles and replacement liners.

The Dormitory Authority has requested additional documentation for the application for the awarded \$100,000. Mr. Bonington said he is working on completing these items for submittal.

The \$25,000 for the Police portion of the \$50,000 Member Item grant from Senator Klein's office has been received. The Fire Department is working on purchasing the equipment with its \$25,000 grant funds.

The Board has decided to use the funds for the Wolfs Lane Park Technology and Development (TAD) grant in order to finance the footpath through the park as well as develop the corner of 1<sup>st</sup> Street and Wolfs Lane. Mr. Bonington said the Village would get in touch with Senator Klein's office to discuss what the procedure is for reallocating these funds.

Trustee Breskin mentioned he had been speaking with Fire Chief Stone about the state of the Village Fire vehicles. He said that both of the vehicles currently being used by the Fire Chief were dated and in poor repair. Rather than spending money fixing old vehicles, Trustee Breskin suggested that the Fire Department had learned that certain new vehicles are being made available at very attractive prices under the State contract. He said the Administrator and the Secretary should try to search for some State grants which would permit the Village to purchase a new outmoded Police vehicle for a reasonable price. Administrator Yamuder said there are some grants out there for this type of purchase and he would keep an eye out for any opportunities.

#### Item #12–Monthly Budget Review

Mayor Hotchkiss and the Board reviewed the monthly balance sheet. Administrator Yamuder noted that another \$1,000 has been received from the New York Power Authority rebate. Mayor Hotchkiss stated the Village is under funded for the State health benefits system. He said with the amount mandated by the State that the Village must pay in; the system itself is not sustainable.

The Board reviewed the revenues and expenses pages of the budget report. The Police Department overtime budget was noted. Administrator Yamuder said some of the overtime is reimbursable because it was for Con-Ed or the Picture House. The Fire department overtime was also mentioned. Trustee Marty said the Fire overtime alone is now 1/5 of the budget for the Village. He said he expects to see a dramatic decrease in the overtime now that the Board has hired a 16<sup>th</sup> firefighter. Trustee Breskin said the overtime is the result of two of the personnel being off duty due to injuries and disciplinary matters. He said the recent addition to the Fire Department and the returning firefighters should bring down the overtime. That said, he stated this arrangement will be upset if one of the firefighters gets hurt. He finished by saying it is a common problem with small departments.

Trustee Marty asked about the garbage schedule and what are the options available to make recycling pickup three times per month and one bulk pickup. Mayor Hotchkiss said they had looked into this and found it will cost significantly more to make this arrangement happen. Trustee Breskin asked how much more it would cost. Mayor Hotchkiss said he did not have an exact number but it was not minimal. He said with union contracts coming up for

negotiation and the contributions to the pension and other state mandated systems; now is not the time to add anything extra to the budget.

Item #13– Other Business

None

Item #14– Authorizing the Accounts Payable

Trustee Mohan audited the Accounts Payable.

After some discussion, a motion was made by Trustee Lewis and seconded by Trustee Bullock to 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	\$ 100,274.87
Water Fund	\$ 61.31
Capital Projects Fund	\$ 1,050.00
Trust and Agency Fund	\$0.00
H3 Fund	\$ 0.00
TE Expand Trust Fund	\$ 0.00
Grand Total	\$101,386.18

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

Item #15– Authorizing Minutes of: November 3, 2010, November 16, 2010, December 7, 2010

After some discussion, a motion was made by Trustee Breskin and seconded by Trustee Bullock to adopt the Minutes from November 3 and 16. The vote was approved by a vote of six in favor, none opposed. Trustee Mohan was absent.

November 3, 2010- Approved

November 16, 2010- Approved

December 7, 2010- Tabled

Item #16—Adjournment to Executive Session

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

Respectfully submitted,  
Peter Bonington, Secretary to the Village Administrator