

VILLAGE OF PELHAM BOARD OF TRUSTEES REGULAR MEETING  
TUESDAY, FEBRUARY 24, 2009– 7:30 PM  
VILLAGE HALL – 195 SPARKS AVENUE, PELHAM, NY

AGENDA

- |    |                                |               |
|----|--------------------------------|---------------|
| 1. | Call To Order                  |               |
| 2. | Pledge of Allegiance           |               |
| 3. | Mayor's Report                 |               |
| 4. | Trustees' Reports              |               |
| 5. | Village Administrator's Report | Approximate   |
| 6. | Public Comment                 | Starting Time |
| #  | Agenda Items:                  | of Discussion |

	<b>Business</b>	<b>8:00 p.m.</b>
7.	Considering a 2-year renewal of the contract between the Village of Pelham and NDR group for administration and operation of the Village of Pelham's Section 8 program.	<b>Approved</b>
8.	Letter agreement with the Town of Pelham for shared services in the form of police lockers purchased by the Town and installed in the basement of Town Hall for the use by the Village of Pelham PD	<b>Approved</b>
9.	Authorizing a cooperation agreement between the Village of Pelham and the County of Westchester for the Streetscape Improvement Project on Fifth Avenue, including authorization for the Village to receive the \$80,000 grant for this project.	<b>Approved</b>
10.	Authorizing the award of Contract #2009-01 – Fifth Avenue Sidewalk, Streetscape and Related Improvements Project (bid deadline and opening is 11 a.m. 2/23/09).	<b>Approved</b>
11.	Considering an engineering proposal from Leonard Jackson Associates to design the sump/siphon for 5 <sup>th</sup> Avenue and 6 <sup>th</sup> Street, removing the active 15" sanitary sewer from the storm drain line.	<b>Approved</b>
		<b>8:30 p.m.</b>
12.	Census or County Planning Representatives scheduled for a brief presentation to the Board about the 2010 U.S. Census.	<b>Discussed</b>
		<b>8:45 p.m.</b>
13.	Financial Analysis and revenue projections on the Village Public Works Yard / FTA Intermodal Parking Facility, per the \$743,000 FTA grant.	<b>Discussed</b>
14.	Review and status report on ongoing Projects and Grants.	<b>Discussed</b>
		<b>9:15 p.m.</b>
15.	Authorizing the Accounts Payable	<b>Approved</b>
16.	Other Business	<b>Discussed</b>
17.	Minutes: Dec. 2 <sup>nd</sup> , Dec. 16 <sup>th</sup> , Jan 13 <sup>th</sup> , Jan 27 <sup>th</sup> and Feb 10 <sup>th</sup>	<b>Tabled</b>
18.	Executive Session	<b>Approved</b>
		<b>9:30 p.m.</b>
19.	Adjournment	<b>Adjourned</b>

Next Scheduled Board Meetings are

Tuesdays March 10, 2009 and March 24, 2009

Note – Due to holidays and school breaks in 2009, the Board of Trustees Meetings will be the Second and Fourth Tuesdays, January through the end of April, 2009 the First and Third Tuesday schedule will resume in May, 2009

\* All meetings start at 7:30 p.m. unless otherwise noted. The Agenda is subject to change.

---

VILLAGE OF PELHAM BOARD OF TRUSTEES REGULAR MEETING MINUTES  
TUESDAY, FEBRUARY 24, 2009 – 7:30 P.M.  
VILLAGE HALL – 195 SPARKS AVENUE, PELHAM, NY

Item #1 – Meeting called to order: The meeting of the Board of Trustees was called to order by Mayor Edward Hotchkiss at 7:35 p.m.

The following members of the Board of Trustees were present:

Mayor Edward Hotchkiss, Trustees Breskin, Homan, Lewis, Morris, and Potocki. Trustee Weinstein was absent.

Village staff in attendance:

Administrator/Treasurer Richard Slingerland and Administrative Aide Devron Wilson.

Item #2 – Pledge of Allegiance:

The Pledge of Allegiance was led by Mayor Edward Hotchkiss.

Item #3 – Mayor's Report:

Mayor Hotchkiss reported that Congresswoman Nita Lowey has secured a \$350,000 grant for the Village from the Environmental Protection Agency (EPA). The grant is strictly for flood remediation, and must be used within 3 years. There is a village match of 45% for the grant. Mayor Hotchkiss also reported that this grant comes as the third grant secured by Congresswoman Nita Lowey for the village in the last few years to be used toward flood remediation. The other two grants which are in the processing phase are for \$125,000 and \$50,000.

Mayor Hotchkiss went on to report that the U.S. Army Field Band will be performing at the Pelham Middle School on March 6, 2009 at 7:30pm. He also reported that Administrative Aide Devron Wilson will be moving on from the Village of Pelham to continue his career in government as he has accepted a position with Connecticut local government. Mr. Wilson has instrumental in the development of the Safe Routes to School Program, the village website, and applying for several capital project grants for the village.

Item #4 – Trustees' Reports:

Trustee Potocki reported that the New York State Department of Transportation (NYSDOT) will be replacing the trees that were removed along Parkway Drive in the village. The NYSDOT will be doing this during the fall season. Trustee Potocki also reported that there have been a few burglaries in the village recently. He encouraged residents to be a bit more careful and vigilant in town.

Trustee Homan mentioned that she has a matter to discuss during executive session.

Trustee Lewis reported that the commercial Zoning Advisory Group (Zoning Code Committee) will be having a meeting on Monday at 8pm.

Trustee Morris discussed the long term goals of the Fire Department. She also mentioned that Fire Chief Curtis Taylor has been doing a great job. Chief Taylor has implemented 100 hours of training for career firefighters. Training takes place every month jointly with Pelham Manor. Trustee Morris also mentioned that the fire department is conducting regular inspections of the businesses in town to ensure safety and compliance with village code.

Trustee Breskin had nothing to report.

Item #5 – Village Administrator’s Report:

Administrator Slingerland reported that the village is coordinating with the state for a \$22,000 grant through the Multi-Modal Grant Program for construction of a sidewalk at Hutchinson Elementary School. Mr. Slingerland also mentioned that he has a matter to discuss during new business and executive session.

Item #6 – Public Comment:

None.

Item #12 – Census or County Planning Representatives scheduled for a brief presentation to the Board about the 2010 U.S. Census:

THIS TOPIC WAS MOVED UP FROM LATER IN THE AGENDA.

Information Services Specialist Rosemary Fogarty from the United States Census Bureau gave a brief presentation about the 2010 U.S. Census. Ms. Fogarty mentioned that questionnaires will be mailed to residents’ homes. Residents must complete the questionnaire and return it to the Census Bureau by April 1<sup>st</sup> 2010. Ms. Fogarty suggested that the village start a committee to encourage residents to participate in the census.

The Census is important for several reasons. Population is considered when funding is given to states and local communities. The census also has an affect on a states representation in Congress. Sales tax and school aide in the Village of Pelham is also determined by population.

Item #7 – Considering a 2-year renewal of the contract between the Village of Pelham and NDR group for administration and operation of the Village of Pelham’s Section 8 program:

A motion was made by Trustee Homan, with a second by Trustee Breskin to adopt the resolution. The motion was approved by vote of six in favor, none opposed. Trustee Weinstein was absent.

**RESOLUTION**

**AUTHORIZING THE RENEWAL OF THE CONTRACT  
BETWEEN THE VILLAGE OF PELHAM AND THE NDR GROUP  
FOR THE TERM OF APRIL 1, 2009 THROUGH MARCH 31, 2011**

RESOLVED, that the proposal to renew the Agreement with the Neighborhood Development Resource Group (NDR Group), formerly known as NRNRC, is hereby accepted and the agreement is authorized by the Board of Trustees of the Village of Pelham; and

BE IT FURTHER RESOLVED, that the term of this agreement is for two (2) Federal Program years, expiring March 31, 2011; and

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

Item #8 – Letter agreement with the Town of Pelham for shared services in the form of police lockers purchased by the Town and installed in the basement of Town Hall for the use by the Village of Pelham PD:

A motion was made by Trustee Lewis, with a second by Trustee Potocki to adopt the resolution. The motion was approved by vote of six in favor, none opposed. Trustee Weinstein was absent.

#### RESOLUTION

AUTHORIZING AN AGREEMENT  
BETWEEN THE VILLAGE OF PELHAM AND THE TOWN OF PELHAM  
IN THE FORM OF SHARED PURCHASE OF POLICE LOCKERS  
PURCHASED BY THE TOWN  
AND INSTALLED IN THE BASEMENT OF TOWN HALL  
FOR THE USE BY THE VILLAGE OF PELHAM PD

WHEREAS, the Village of Pelham and the Town of Pelham have been working together, with the shared goal of improving facilities for the Pelham Police Department in the form of new lockers, installed in the building owned by the Town of Pelham at 34 5<sup>th</sup> Avenue, at a total price of about \$6,165, with five thousand dollars (\$5,000) of the funding provided through the offices of Assemblywoman Amy Paulin, in the form of a Legislative Member Item Grant in the total amount of \$10,000, of which \$5,000 was committed for the lockers, and

WHEREAS, the Town of Pelham has taken the necessary steps to purchase and install these lockers for the use of the Pelham Police Department, and has paid the bill in the total price of about \$6,165.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Pelham hereby authorizes an agreement between the Village of Pelham and the Town of Pelham in the form of police lockers purchased by the Town and installed in the basement of Town Hall for the use by the Village of Pelham Police Department, at a cost of \$6,165, with \$5,000 in funding provided by Assemblywoman Amy Paulin, in the form of a Legislative Member Item Grant; and

BE IT FURTHER RESOLVED, that the Mayor, the Village Administrator, the Police Chief, and all the necessary and appropriate Village officials are authorized to sign such a letter agreement, pay the Town of Pelham \$6,165, of which \$5,000 is coming from Assemblywoman Paulin's Member Item Grant and \$1,165 is coming from the Village of Pelham's Police Department operating equipment fund as a match, and file the necessary grant paperwork to receive reimbursement from the State of New York and close out this grant contract.

Item #9 – Authorizing a cooperation agreement between the Village of Pelham and the County of Westchester for the Streetscape Improvement Project on Fifth Avenue, including authorization for the Village to receive the \$80,000 grant for this project:

A motion was made by Trustee Lewis, with a second by Trustee Morris to adopt the resolution. The motion was approved by vote of six in favor, none opposed. Trustee Weinstein was absent.

#### RESOLUTION

AUTHORIZING A COOPERATION AGREEMENT  
BETWEEN THE VILLAGE OF PELHAM  
AND THE COUNTY OF WESTCHESTER  
FOR THE STREETSCAPE IMPROVEMENT PROJECT ON FIFTH AVENUE  
INCLUDING AUTHORIZATION FOR THE VILLAGE  
TO RECEIVE THE \$80,000 GRANT FOR THIS PROJECT.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Pelham hereby authorizes a cooperation agreement between the Village of Pelham and Westchester County for Contract Number C-67-08-S22 for the Streetscape Improvement Project on Fifth Avenue, in the Village of Pelham, in the grant funding amount eighty thousand dollars (\$80,000), matched by the Village in an amount up to \$80,000 (funded by prior borrowing made earlier this Fiscal Year; and

BE IT FURTHER RESOLVED, that the Mayor and/or the Village Administrator are authorized to sign such a letter agreement, and they and all other necessary and appropriate Village officials are authorized to take the actions necessary to effect this contract, and complete this project.

Item #10 – Authorizing the award of Contract #2009-01 – Fifth Avenue Sidewalk, Streetscape and Related Improvements Project (bid deadline and opening is 11 a.m. 2/23/09):

A motion was made by Trustee Homan, with a second by Trustee Potocki to adopt the resolution. The motion was approved by vote of six in favor, none opposed. Trustee Weinstein was absent.

Note: Bids will be opened Monday, February 23<sup>rd</sup>, and the bid recommendation will be provided to the Board after the opening.

### **RESOLUTION**

AUTHORIZING THE AWARD OF CONTRACT NUMBER 2009-01  
Fifth Avenue Sidewalk and Related Improvements Project,  
and Multi-Modal/Safe Routes to School Sidewalks on Third Avenue  
by the Hutchinson Elementary School

WHEREAS, the Village Of Pelham issued a Notice to Bidders and Request For Bids for Contract #2009-01 – Fifth Avenue Sidewalk and Related Improvements Project, including Multi-Modal/Safe Routes to School Sidewalks on Third Avenue by the Hutchinson Elementary School (pending authorization of those Multi-Modal funds from the State of New York); and

WHEREAS, a public notice was published on Monday, February 9, 2009, in the Gannett Westchester Newspaper, an official newspaper of the Village of Pelham; and

WHEREAS, during the notice period over twenty (20) 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., Monday, February 23, 2009, the Village of Pelham publicly opened and read eleven (11) proposals; and

WHEREAS, on reviewing the proposals, the following is a list of the proposals, based from highest to lowest, as follows:

	<u>Company</u>	<u>Location</u>	<u>Total Base Bid</u>
1.	Paladino Concrete Creations	Mt. Vernon, NY	\$151,375
2.	Peter J. Landi, Inc.	Eastchester, NY	\$151,500
3.	Acocella Contracting, Inc.	Scarsdale, NY	\$162,730
4.	Vernon Hills Contracting Corp.	Mt. Vernon, NY	\$174,97.50
5.	DeRosa Tennis Contractors, Inc.	Mamaroneck, NY	\$180,930
6.	Jubco Site Development, LLC	Valhalla, NY	\$212,110

AND WHEREAS, Administrator Richard Slingerland and Administrative Aide Devron Wilson have reviewed the bids and determined that the lowest responsible bid that meets requirements is Paladino Concrete Creations of Mount Vernon, NY.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Pelham Village hereby award Contract 2009-01 for Contract #2009-01 – Fifth Avenue Sidewalk and Related Improvements Project, including Multi-Modal/Safe Routes to School Sidewalks on Third Avenue by the Hutchinson Elementary School to Paladino Concrete Creations of Mount Vernon, NY, at the total approximate bid price for this unit price contract in the amount of one hundred fifty one thousand three hundred and seventy five dollars (\$151,375) as stated above; and be it

FURTHER RESOLVED, that the Mayor and Village Administrator are authorized to take the

necessary and appropriate actions to sign, execute and award this unit price contract for these services.

Item #11 – Considering an engineering proposal from Leonard Jackson Associates to design the sump/siphon for 5<sup>th</sup> Avenue and 6<sup>th</sup> Street, removing the active 15” sanitary sewer from the storm drain line:

A motion was made by Trustee Homan, with a second by Trustee Morris to adopt the resolution. The motion was approved by vote of six in favor, none opposed. Trustee Weinstein was absent.

#### RESOLUTION

AUTHORIZING AN AGREEMENT  
BETWEEN THE VILLAGE OF PELHAM AND  
LEONARD JACKSON ASSOCIATES, ENGINEERS  
FOR THE PREPARATION OF BID-READY DESIGN SPECIFICATIONS AND PLANS  
FOR A SUMP/SIPHON FOR 5<sup>TH</sup> AVENUE AND 6<sup>TH</sup> STREET,  
REMOVING THE ACTIVE 15” SANITARY SEWER FROM THE STORM DRAIN LINE

RESOLVED, that the Mayor and Board of Trustees of the Village of Pelham authorize the Village to make use of the services of Leonard Jackson Associates Engineers, of Pomona, NY, in relation to the preparation of Bid-Ready design specifications and plans for a sump/siphon for 5<sup>TH</sup> Avenue and 6<sup>TH</sup> Street, to remove the active fifteen inch (15”) sanitary sewer main from where it bisects and obstructs the thirty inch (30”) stormwater sewer main; and

BE IT FURTHER RESOLVED, that the Mayor and/or the Village Administrator are authorized to sign an agreement with Leonard Jackson Associates, and the appropriate Village officials are authorized to enter into this agreement with Leonard Jackson Associates to prepare a design for the sump and prepare bid-ready plans and specifications for this work, at an amount not to exceed \$6,000, which should include printing and other related production expenses.

Item #13 – Financial Analysis and revenue projections on the Village Public Works Yard / FTA Intermodal Parking Facility, per the \$743,000 FTA grant:

John Cassone of 312 7<sup>th</sup> Avenue asked the board if money collected from the parking meters which will be located at the new Village Public Works Yard / FTA Intermodal Parking Facility had to be forwarded to the state. Mr. Slingerland responded by informing everyone that monies collected from the parking meters would not have to be sent to the state, however there are other stipulations.

Mayor Hotchkiss and the board plans to move forward with this project.

Item #14 – Review and status report on ongoing Projects and Grants:

The Village's ongoing projects and grants were reviewed by the board.

Item #15 – Authorizing the Accounts Payable:

A motion was made by Trustee Morris, with a second by Trustee Lewis to adopt the resolution. The motion was approved by vote of six in favor, none opposed. Trustee Weinstein 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	\$ 145,592.60	
Water Fund	\$ 360.00	
Capital Projects Fund	\$ 000.00	
Trust and Agency Fund	\$ 912.50	
H3 Fund	\$ 0.00	
TE Expandable Trust Fund	\$ <u>3,915.00</u>	(holiday food baskets)
Grand Total	\$ 150,780.10	

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

Item #16 – Other Business:A. Emergency Sewer lining on 5<sup>th</sup> Avenue, for 380 linear feet, between 6<sup>th</sup> Street and Lincoln Avenue

Upon review of the bids submitted, and the Village Administrator's assessment that not performing this repair could cause a sewer collapse, and impending threat to the health, safety and welfare of the residents served by this fifteen inch (15") diameter sewer line, the Mayor and Board agreed that the work should be authorized and begin immediately.

The Board reviewed the three bids, which were as follows:

low bid of \$26,820 from En Tech Corp.

second bid by and New Hope Pipe Lining at 35030; and

third bid by Allstate Power Vac at 36670

**MOTION:**

On the motion of Trustee Homan, seconded by Trustee Breskin, the Board authorized the Village Administrator to immediately proceed with this emergency sewer repair in the amount of \$26,820 by En Tech Corp., out of Closter, New Jersey, by vote of six in favor, none opposed, one absent (Trustee Weinstein).

VOTING AYE: Mayor Hotchkiss and Trustees Breskin, Homan, Lewis, Morris and Potocki.

ABSENT: Trustee Weinstein.

VOTING NO: None.

I, Richard Slingerland Administrator/Deputy Village Clerk of the Village of Pelham, located in Westchester County, New York, hereby certify that the above motion is a true and correct copy of a motion duly authorized, at a Regularly Scheduled Meeting of the Board of Trustees of the Village of Pelham, located in the County of Westchester, New York, held in Village Hall, 195 Sparks Avenue, Pelham, New York, at 7:30 p.m. on Tuesday, February 24, 2009, at which meeting a quorum was present and participating. IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Village of Pelham, this 25<sup>th</sup> day of February, 2009.

---

Richard Slingerland, Administrator/Treasurer/Deputy Village Clerk

**B. Village Newsletter**

Mayor Hotchkiss reported that the village is entertaining the idea of providing the village newsletter electronically to residents. This method will save the village money on paper and printing. Unfortunately, the downside to this method is that some residents do not have access to the internet. Trustee Homan suggested that the village send out a notice to residents informing them to contact Village Hall if they would like a hard copy mailed to them. The Village will also post the newsletter in PDF format on the village website.

John Cassone of 312 7<sup>th</sup> Avenue agreed with Trustee Homan's suggestion.

**Item #17 – Minutes: Dec. 2<sup>nd</sup>, Dec. 16<sup>th</sup>, Jan 13<sup>th</sup>, Jan 27<sup>th</sup> and Feb 10<sup>th</sup>:**

The minutes were tabled until the next scheduled Board of Trustees meeting on Tuesday, March 10, 2009.

**Item #18 – Executive Session:**

On the motion of Trustee Morris, seconded by Trustee Breskin, the Board voted to go into Executive Session immediately after the board meeting is adjourned to discuss matters of pending litigation, and matters of personnel.

The motion was approved unanimously by vote of six in favor, none opposed. Trustee Weinstein was absent.

Item #19 – Adjournment:

A motion was made by Trustee Morris, with a second by Trustee Breskin to adjourn the public portion of the board meeting at 9:25 p.m., and go into Executive Session, after which the Board would adjourn for the evening. The motion was approved by vote of six in favor, none opposed. Trustee Weinstein was absent.

Respectfully submitted,

Devron Wilson, Administrative Aide

Richard Slingerland, Administrator/Deputy Clerk