

VILLAGE OF PELHAM BOARD OF TRUSTEES
REGULAR MEETING
TUESDAY, JANUARY 4, 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 | 7:45 p.m. |
| 7. | Continuing a Public Hearing Regarding Declaration of Hillside and Brookside Avenues as Public Streets- Postponed | Approved |
| 8. | Authorizing Payment Of Up To \$1000.00 To Environmental Liability Management To Evaluate The Detected Constituents And Sampling Frequency Of The Previous Environmental Investigation Of The B & W Greenspace With Respect To New NYSDEC DER-10 Requirements | Approved |
| | Committee and Community Liaison Reports | 8:15 p.m. |
| 9. | Commercial Zoning Review | Discussed |
| 10. | Site Plan Review | Discussed |
| 11. | B & W Site | Discussed |
| 12. | Employee Benefits/HR Manual | Discussed |
| 13. | Tree Committee | Discussed |
| 14. | Park Improvements | Discussed |
| 15. | Development (including 3 rd Street RFP) | Discussed |
| 16. | Parking (including FTA Parking Lot project) | Discussed |
| 17. | Other Reports | None |
| | Recurring Items | 9:00 p.m. |
| 18. | Other Business | None |
| 19. | Authorizing Accounts Payable | Approved |
| 20. | Authorizing Minutes of: December 7, 2010 | Approved |
| 21. | Adjournment to Executive Session | 9:30 p.m. |

Next Scheduled Board Meetings are:

Tuesday, January 18, 2011

Tuesday, February 1, 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 p.m.

The following members of the Board of Trustees were present:

Mayor Edward Hotchkiss, Trustees Bullock, Lewis, Morris, Mohan, and Marty

The following member of the Board of Trustees were absent:

Trustee Breskin

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

Mayor Hotchkiss began his report by wishing the residents of Pelham a Happy New Year. He recommended checking out the Shop Pelham Holiday video available on Youtube. The Mayor stated the snowstorm which took place on Monday, December 20 averaged about 2 feet of snow. He said, however, that thanks to the DPW the Village's streets were cleared and kept from icing over. He said some difficulty was encountered by resident's cars that were left on the street overnight which made it difficult for the DPW to clear the roads. He thanked the DPW members for their good service.

The Mayor added that the DPW will be collecting Christmas trees throughout the month of January. He advised residents to leave them out at the curb and the DPW pick them up in the Village. Mayor Hotchkiss said the new 2011 sanitation calendar has been mailed out to the residences. He said the Board is considering only doing an online version of the calendar in future years to save money on printing.

On January 1 at around 12:15 am, a gas truck became jackknifed at the corner of Lincoln and Young Avenue. He thanked the Pelham Fire and Police Department's for containing the accident and preventing it from becoming a more dangerous situation.

Lastly, Mayor Hotchkiss said that the employees will be getting a 2% additional in their paychecks because of a return in FICA.

Trustees Reports:

Trustee Breskin-

Absent

Trustee Bullock-
None

Trustee Lewis-
None

Trustee Marty-

Trustee Marty said he had observed some of the Pelham Picture House renovations and that he believed these alterations would make a better looking theater when it is all done. He also noted the increase in his water bill. Administrator Yamuder said this is a United Water increase that the Village has to do in order to make the services comparable.

Trustee Mohan-
None

Trustee Morris-

Trustee Morris reported she had spoken with Community Markets about possibly getting some new vendors for the Farmers' Market. Mayor Hotchkiss suggested the Board speak to the Chamber of Commerce about potential new vendors and the possible changing of the Farmers' Market schedule.

Village Administrator's Report-

None

Item #6–Public Comment-

None

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

Mayor Hotchkiss stated the Board is still gathering information on this matter. He suggested the Board table the public hearing until the research is complete.

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

VILLAGE OF PELHAM, NY
Public Hearing Regarding Declaration 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 Declaration 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 Payment Of Up To \$1000.00 To Environmental Liability Management To Evaluate The Detected Constituents And Sampling Frequency Of The Previous Environmental Investigation Of The B & W Greenspace With Respect To New NYSDEC DER-10 Requirements.

Trustee Marty stated this resolution is concerning the Boston and Westchester green space and the bridge. He referenced the Board discussion last meeting about performing up to date testing on the sites in question in order to have a current understanding of what the options are for the B&W site. Trustee Marty said that ELM had performed the original testing back in 1999 on the green space and had stated there were trace elements of contaminants. Their proposed solution was to place one to two feet of dirt on top of the affected soil.

Trustee Marty said that in order to make a stronger case to potential donors, the Village should invest \$1,000 to do some new examinations based on some new DEC guidelines for contaminated soil that were recently enacted. He said ELM could begin immediately and this is not retesting but looking at the site again with these new guidelines in mind. He said this is a big step in terms of convincing a donor to fund the renovation of the site.

Mayor Hotchkiss asked if the other areas on the B&W property should be tested. Trustee Marty said the Board may well need to test the bridge and western portion but that there were fewer identifiable reasons for concern in the other areas. The findings of this new ELM study would in any case imply to the rest of site are at the same level of contamination. He said this would have to be confirmed by the ELM firm.

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

Resolution

Authorizing Payment Of Up To \$1000.00 To Environmental Liability Management To Evaluate The Detected Constituents And Sampling Frequency Of The Previous

Environmental Investigation Of The B & W Greenspace With Respect To New NYSDEC
DER-10 Requirements

BE IT RESOLVED the Board of Trustees of the Village of Pelham authorizes the payment of up to \$1000.00 to Environmental Liability Management to evaluate the detected constituents and sampling frequency of the previous environmental investigation of the B & W Greenspace (SiteA) with respect to new NYSDEC DER-10 requirements.

BE IT FURTHER RESOLVED, If ELM determines previous sampling frequency and analytical results are insufficient to ensure protection of human health and the environment consistent with site redevelopment plans, ELM will recommend prudent next steps (e.g., a Phase 1 Environmental Site Assessment, additional soil testing, etc.)

Committee and Community Liaison Reports

Item #9– Commercial Zoning Review

Trustee Lewis stated the proposed changes are going to the Planning Board. He said they will be reviewed at the next meeting on Tuesday, January 11.

Item #10– Site Plan Review

Mayor Hotchkiss said he and Trustee Marty need to meet and write out the diagram they had formed for the Land Board review process.

Item #11– B & W Site

Trustee Marty discussed the Highbrook Bridge and the proposal from Bergher Lehman for testing. He said he had been discussing with Berger Lehman; the source of the year 2000 study, the potential bridge risks that may be a consideration when the Board examines the options available on the bridge. The firm had said one of the easiest ways to lessen the fallen object risks in the immediate term is to put a fence around the quadrants of the bridge to deny access by residents and visitors. Trustee Marty stated this is a supportive company that seems to want to find a solution to this problem as well.

Trustee Mohan said that safety for residents should be a foremost concern for the Village Board. The Mayor replied it would be expensive to put up a fence on the site. He suggested getting more information on this option but said in the meantime the Board should put a sign on the property. Trustee Mohan said she thought that was a good idea. Mayor Hotchkiss asked Trustee Marty to have a proposal from Berger Lehman by the next meeting. Trustee Marty said he would try to have the proposal price brought down from \$15,000 for the full testing round.

Item #12– Employee Benefits/HR Manual

Trustee Bullock referenced the earlier discussion by the Board on the draft of the Village Employee Manual. He said he had circulated the draft among the Board and has been incorporating the comments. He said although many of the union contracts will supersede the Manual, it is still an effective tool for Village employees going forward.

Item #13– Tree Committee

Trustee Bullock said the Tree Committee had a meeting two weeks ago. He said they are intending to pursue an Urban Forest Grant to help with mapping the Village's trees.

Item #14– Park Improvements

Trustee Morris stated the Administrator and she are working on getting some topographical data from Westchester County. This study is for the Technology and Development grant for Wolfs Lane Park. The question at this time is whether or not to place the four remaining benches from another related Park grant for the firefighter's memorial at the intersection of Wolfs Lane and First Street.

Administrator Yamuder stated that the DPW have their hands full at this time with the recent snow fall. He recommended waiting on placing the benches until the DPW becomes available and the landscape architect, Hank White, can weigh in on the overall plan. Trustee Lewis said the corner can be reworked by Mr. White and still have the benches but the DPW should wait until a plan is formalized in order to avoid having to move the benches.

Trustee Morris said the benches should go in as soon as possible. Trustee Marty commented that the Board should hold off on putting something in that it may have to remove later. Mr. Yamuder said he will get the topographic maps to Hank White as soon as possible.

Item #15– Development (including 3rd Street RFP)

Trustee Lewis reported that he is working with Trustee Breskin on the cover letter for the RFP. They are also burning the plans onto a CD. He said they are also working on narrowing down the places where they can advertise once the RFP is complete. Trustee Lewis said he wants to establish some target companies that would be able to bid promptly on this proposal.

Item #16–Parking (including FTA Parking Lot project)

Administrator Yamuder reported the DPW Yard project is approximately 40% complete. The in ground work, the foundation, and the floor have all been installed. He said when the Village applies for the awarded grant funds for the project he hopes to request for the entire amount rather than bill out in separate smaller increments.

With regard to the 1st Street parking lot, Mr. Yamuder stated the plans are complete and he hopes to bid the project out in the coming months.

Item #1– Other Reports

None

Item #18– Other Business

None

Item #19– Authorizing Accounts Payable

Trustee Marty audited the Accounts Payable.

After some discussion, a motion was made by Trustee Marty and seconded by Trustee Mohan to adopt the resolution. The vote was approved by a vote of six in favor, none opposed. Trustee Breskin 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> | |
| General Fund | \$ 170,125.83 |
| Water Fund | \$ 34,178.01 |
| Capital Projects Fund | \$ 0.00 |
| Trust and Agency Fund | \$ 2,257.98 |
| H3 Fund | \$ 0.00 |
| TE Expandable Trust Fund | <u>\$ 850.00</u> |
| Grand Total | \$ 207,411.82 |

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

Item #20– Authorizing Minutes of: December 7, 2010, December 21, 2010

After some discussion, a motion was made by Trustee Lewis and seconded by Trustee Bullock to adopt the Minutes from December 7. The vote was approved by a vote of five in favor, none opposed. Trustee Morris abstained. Trustee Breskin was absent.

December 7, 2010- Approved

December 21, 2010- Tabled

Item #21– Adjournment to Executive Session

A motion was made by Trustee Marty with a second by Trustee Morris to adjourn the public portion of the board meeting at 9:45 p.m. and go into Executive Session to discuss personnel matters, which the Board would adjourn for the evening. The motion was approved by vote of six in favor, none opposed. Trustees Breskin was absent.

Respectfully submitted,
Peter Bonington, Secretary to the Village Administrator