

VILLAGE OF PELHAM BOARD OF TRUSTEES
REGULAR MEETING
TUESDAY, JUNE 4, 2013, 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 *Antonucci & Associates Floor Study Approval*
5. Village Administrator's Report
6. Public Comment

Agenda Items:

Non-Recurring Items		
7.	Resolution to Accept a Donation from the Pelhamwood Association for the Landscaping Maintenance of The Pelhamwood Clock Tower	Approved
8.	Resolution Authorizing Use of Funds for NYPA Trees from The Thomas Fenlon Memorial Street Tree Fund	Approved
9.	Authorizing IMA Between Village of Pelham ,Four Other Westchester Communities And The City of New Rochelle in Order to Bid and Award a Contract for Street Resurfacing Utilizing CHIPS Funds	Approved
10.	Authorizing IMA Between Village of Pelham and The Pelham Union Free School District in Order to Bid and Award a Contract to Coordinate for Repair or Replacement of Sidewalks That Are in Front of The Premises Owned by The School District	Approved
11.	Other Business	Discussed
Recurring Items		
12.	Authorizing Accounts Payable	Approved
13.	Authorizing Minutes of: May 21, 2013	Approved
14.	Adjournment to Executive Session	Approved

Next Regularly Scheduled BOT Meeting:
Tuesday June 18, 2013
Tuesday July 9, 2013

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 Kagan, McGoldrick, Senerchia, Mutti, Marty, and Volpe

The following members of the Board of Trustees were absent:

None

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 reported that the Memorial Day Parade took place on Monday, May 27. He said it was a great day out and thanked Joe Durnin and the American Legion Post 37 for their efforts.

Trustees Reports:

Trustee Kagan

None

Trustee Marty

None

Trustee McGoldrick

None

Trustee Mutti

Trustee Mutti stated the additional seating at some of the sidewalk cafes are a nice addition to the downtown.

She said residents are in the process of planning a planting day around the Hutch School.

Trustee Senerchia

Trustee Senerchia reminded the public that the June Street Fair will take place on Sunday, June 23, 2013.

He commented on the outdoor seating at Bangkok City and Pure Bliss establishments were nice additions to the downtown.

Trustee Senerchia said he is requested status on the Village's flooding grants in order to deliver a detailed report at the next meeting to keep the public informed on the Village's progress on that front.

Trustee Volpe

Trustee Volpe said the additional seating at the sidewalk cafes has caused an uptick in business for many of the merchants.

He reported that yesterday a pedestrian became trapped under a car on 5th Avenue. He said the Police and Fire Departments as well as local EMS responded and fortunately were able to rescue the person. He thanked the Police and Fire Departments and EMS for their professionalism in saving this individual.

Trustee Volpe stated he met with members of the Fire Department to discuss performing an engineering study of the floor where the fire rigs are kept. He said the floor does appear to be in bad shape and the Village has a proposal for \$5,500 from the Antonucci and Associates firm to investigate the floor.

Administrator Yamuder said with authorization, the engineer can begin work within five days. He said this proposal includes a design portion as well as an engineer's opinion with regard for how to maintain the floor.

Trustee McGoldrick asked if there were any grant opportunities for some study like this. Administrator Yamuder responded that this is a maintenance matter and for the most part grants do not cover maintenance costs. He said he could look into it further however.

Mayor Cassidy said there are probably not grants for this type of work but the Village should move forward as it is a safety matter. Trustee Volpe said he was prepared to proceed but wanted to ensure the Village is only agreeing to the proposed sum and that they are not charged for the full amount if it comes to less than the proposed \$5,500. Trustee Kagan suggested the resolution read that they are billed hourly and the amount will not exceed \$5,500.

John Cassone said the Village may have grant opportunities available to it if it designates the Firehouse as historic as was proposed several years ago.

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

Village Administrator's Report

Administrator Yamuder stated the Village will be flushing fire hydrants in the Pelham Heights water district. A mailing had been sent out with the Annual Water Quality Report for 2012. He said the flushing would most likely take the week and residents may experience some discoloration. He suggested running the water until the discoloration disappears. The Administrator said if residents have any questions to call Village Hall for further guidance.

Item #6–Public Comment

None

Item #7–Resolution to Accept a Donation from the Pelhamwood Association for the Landscaping Maintenance of The Pelhamwood Clock Tower

Trustee Mutti stated that the Pelhamwood Clock Tower is in need of maintenance after being historically maintained by Helen Liel Harper. She said the Pelhamwood Association held fundraising events to donate the proceeds amounting to \$350 to the Village for the purpose of performing pruning around the clock tower.

Trustee Kagan thanked the Pelhamwood Association for their contribution.

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

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham authorizes the acceptance of a donation of \$350.00 from the Pelhamwood Association for the landscaping maintenance of the Pelhamwood Clock Tower by D. Ragno Landscaping with thanks to the donors for their contribution to the Village of Pelham community.

The funds will be a budget amendment for budget line A2705 Gifts and Donations to budget line A8560.400 Community Environment Contractual Services.

Item #8– Resolution Authorizing Use of Funds for NYPA Trees from the Thomas Fenlon Memorial Street Tree Fund

Administrator Yamuder said the New York Power Authority Tree Program (NYPA) is beginning again. He stated that the Village has taken part in this program in past years where the Village receives a free tree for each one it purchases. He is requested the Board to pay \$1,020 for this two-for-one deal

out of the Fenlon Memorial Trust which was set up to pay for tree plantings around the Village. The Village has maintained a tree list of locations where these street trees can be planted.

Trustee Mutti said in coming years she would like to see the Tree Committee used in an advisory capacity when the Village becomes aware that this program is available.

Trustee Marty asked about whether these trees can be planted under power lines. Administrator Yamuder said the trees being provided are all pre-approved street trees which normally do not interfere with power lines. He added that Con Ed is involved as well and have approved these trees.

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

WHEREAS, the Village of Pelham orders trees from the New York Power Authority (NYPA) two-for-one tree plan in which the Village can receive two trees for every one it purchases for the amount of \$1,020.00; and

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham authorizes that payment of \$1,020.00 to the New York Power Authority (NYPA) from a special trust account bequeathed to the Village of Pelham by Thomas B. Fenlon and known as the Thomas B. Fenlon Memorial Street Tree Fund; and

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

Item #9—Authorizing IMA Between Village of Pelham ,Four Other Westchester Communities and The City of New Rochelle in Order to Bid and Award a Contract for Street Resurfacing Utilizing CHIPS Funds

Administrator Yamuder stated the resolution is to enter into an inter-municipal agreement with several other municipalities including New Rochelle to resurface the roads. He said the use of shared services will save the Village money on going in on this agreement. He stated although the Village has a list of twenty streets that could use repaving, the available budgeted funds and CHIPS state aid only allow for four streets to be repaved this year.

The Administrator said the Village attorney had reviewed the agreement and had some comments which were sent over to New Rochelle for their consultation. He said New Rochelle was receptive to the comments given.

Village Attorney Cathy King said it is a good agreement overall but there are some details that need to be clarified by New Rochelle. Trustee Volpe said one of the paragraphs in the agreement makes it sound like Pelham will reimburse New Rochelle for any streets paved under the terms of the agreement.

Administrator Yamuder said he is familiar with the Manager of the City of New Rochelle and generally there is a good network between the municipalities. He said in conversations with New Rochelle he was assured that each municipality would be billed separately for the amount of streets paved.

Trustee Kagan asked if the consortium has approval rights over which contractor is awarded the bid. Ms. King responded the Village does have approval rights written into the agreement.

John Cassone stated he would like to see 5th Avenue paved as it is the Village's main thoroughfare. He said the paving would greatly support Village merchants. Trustee Senerchia responded that although 5th Avenue is a priority, with the funds available to the Village, it can pave four streets as opposed to only two blocks of 5th Avenue. Trustee McGoldrick stated that residents are a consideration for the Board as well as are the merchants.

Mayor Cassidy said these streets are the recommendation of DPW Foreman Michael Shriman. He said Mr. Shriman is aware of the condition of the streets throughout Pelham. Mayor Cassidy said although he sees Mr. Cassone's point, the Village may not be able to pave sections of 5th Avenue this year due to limited resources.

Trustee Kagan asked if a new copy of the agreement would be circulated to the Board for their review. Administrator Yamuder said he would share a new draft with any incorporated changes made to the Board.

A motion was made by Trustee Kagan and seconded by Trustee McGoldrick to adopt the resolution. The vote was approved by a vote of seven in favor, none opposed.

WHEREAS , the Village of Pelham, Village of Pelham Manor, Village of Mamaroneck, Town of Mamaroneck , Village of Larchmont and the City of New Rochelle wish to enter into an agreement in order to publicly bid and award a contract for implementing a street pavement resurfacing contract, utilizing CHIPS funding , for various public roadways in each of the communities; and

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham hereby authorize the agreement provided by the City of New Rochelle (attached hereto and made a part hereof); and

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

Item #10–Authorizing IMA Between Village of Pelham and The Pelham Union Free School District in Order to Bid and Award a Contract to Coordinate for Repair or Replacement of Sidewalks That Are in Front of The Premises Owned by The School District

Administrator Yamuder said this resolution pertains to an agreement with the Pelham School District for the purpose of fixing sidewalks. He said there are some sidewalk flagstones that are the Village's responsibility to fix and some that are the responsibility of the School District. Rather than proceed with the work separately, the Village and School District and retain one contractor to complete the work for both, ideally achieving some cost savings.

He said the costs would be between the Village and School District. Mayor Cassidy stated that as he understood it, if a sidewalk flagstone is being uprooted by a Village tree then the Village has a responsibility to fix it. The resident or school district has a responsibility for all other matters affected the sidewalks in the Village right-of-way however.

Trustee Kagan said he had a few questions regarding the agreement regarding whether there is a warranty on the work performed by the contractor. Administrator Yamuder stated the work would have to be completed to the Village's satisfaction. He added that Building Inspector Russo would perform a final inspection for the work prior to payment by the Village and School.

Mayor Cassidy stated he would like encourage further shared services initiatives. He said it usually results in better quality and better numbers for the Village and in this case is more efficient for the DPW.

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

WHEREAS, under the Village Code, the School District is responsible for maintaining and repairing the sidewalks in front of any premises it owned in the Village; and

WHEREAS, the Village repairs and/ or replaces the sidewalks in the Village that are damaged by tree roots; and

WHEREAS, the Village and the School District believe that both are required to make repairs to a portion of the sidewalks in front of the premises owned by the School District; and

WHEREAS , the Village of Pelham and The Pelham Union Free School District wish to enter into an agreement in order to in Order to Bid and Award a Contract to Coordinate for Repair or Replacement of Sidewalks; and

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham hereby authorize the agreement provided by the Pelham Union Free School District (attached hereto and made a part hereof); and

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

Item #11– Other Business

Iris Kasten of 240 Carol Avenue asked if the Village is insured as of June 1, 2013. Administrator Yamuder said the Village does have an insurance provider. It was approved at the last Board of Trustees meeting prior to the June 1 deadline. He added that the Village’s insurance broker is researching more bids in hopes of generating some savings within the sixty day, no penalty period.

Ms. Kasten asked if the property across from her address at 240 Carol Avenue could be cleaned up. Administrator Yamuder stated that lot is property of the New York State Department of Transportation. He said he can put in a call to them but it is their responsibility to maintain.

Item #12– Authorizing the Accounts Payable

Trustee McGoldrick audited the Accounts Payable.

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

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	\$ 195,184.71
Water Fund	\$304.00
Capital Projects Fund	\$0.00
Trust and Agency Fund	\$0.00
CD NYS Main Street Fund	\$0.00

H3 Fund	\$0.00
TE Expand Trust Fund	\$0.00
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Grand Total	\$195,488.71

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

Item #13– Authorizing Minutes of: May 21, 2013

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

Item #14– Adjournment to Executive Session

A motion was made by Trustee McGoldrick with a second by Trustee Marty to adjourn the public portion of the Board meeting at 8:35 pm and got into Executive Session to discuss a personnel matter after which time the Board would adjourn for the evening. The motion was approved by vote of seven in favor, none opposed.

Respectfully submitted,
Peter Bonington, Secretary to the Village Administrator