

VILLAGE OF PELHAM BOARD OF TRUSTEES REGULAR MEETING
TUESDAY, MARCH 23, 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

Approximate
Starting
Time of
Discussion

#	Agenda Items:	Approximate Starting Time of Discussion
	Non-Recurring Items	8:00 p.m.
7.	Resolution Scheduling the Budget Hearing on the Village of Pelham's FY2010-2011 Proposed Village Budget to be Held on April 13, 2010	Approved
8.	Discussion of Bicycle Committee, Pelham Green request for Bike Day June 12, 2010	Discussed
9.	Resolution Authorizing a One-Year Contract Renewal for Auditors from O'Connor, Davies, Munns & Dobbins/Bennett, Kielson, Storch, Kremer & DeSantis (ODMD/BKSKD)	Approved
10.	Authoring an Amendment to Sprint's Existing Communications Site Lease Agreement (219 5th Avenue, Pelham Fire House) to Allow for the Deployment of Advanced Wireless Services	Approved
11.	Authorizing the Renewal of the Contract Between the Village of Pelham and NRNRC	Tabled
12.	Resolution Authorizing the Acceptance of an Anonymous Donation of \$2,000.00 for the Purchase of Recycling Bins	Approved
13.	Resolution Authorizing Acceptance of Vehicle for the Pelham Fire Department from the New Rochelle Fire Department	Approved
14.	Resolution Authorizing the exchange of Village Police Vehicle for Town Van	Approved
15.	Resolution to authorize up to \$1,500.00 for retiming of the First Street Traffic Light	Approved
	Grants, Projects & Other Business	9:30 p.m.
16.	Grants- Status Report	Discussed
17.	Other Business	Tabled
	Recurring Items	10:00 p.m.
18.	Authorizing Accounts Payable	Approved
19.	Authorizing Minutes of: January 19, 2010, February 2, 2010 , February 23, 2010	Approved
20.	Adjournment to Executive Session	10:15 p.m.

Next Regular Board of Trustee Meetings are:
Organizational Meeting Tuesday, April 13, 2010
Tuesday, April 27, 2010
All meetings start at 7:30 p.m. unless otherwise noted.
*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, Homan, Potocki, Breskin

The following members of the Board of Trustees were absent:

Trustee Morris

Village staff in attendance:

Administrator/Treasurer Robert Yamuder, Administrative Intern Peter Bonington

Item #2 – Pledge of Allegiance:

The Pledge of Allegiance was led by Mayor Hotchkiss

Reports

Mayor Hotchkiss Report

Mayor Hotchkiss opened his report by thanking the six candidates for the Village Board elections for their commitment to public service and congratulated Trustee Breskin on his re-election as well as incoming Trustees Theresa Mohan and Joseph Marty. The Mayor then discussed the storm from the previous week. He related that five inches of rain fell over 48 hours. There was a blackout in Pelham Heights for a period of time. He said however, that many of the houses without electricity began getting power back Monday morning, due to having a ConEd liaison stationed in the Police Department building throughout the storm. He related that throughout Westchester there were as many as 55,000 people without power and that Pelham began getting electricity back quickly as compared to other municipalities. The Mayor wished to thank all the members of the Village departments for their service during the storm. The Fire Department was pumping out garage's and basements that were filled with water, the Department of Public Works worked throughout the weekend keeping roads clear, and the Police Department worked with ConEd to stay on top of the situation as it unfolded.

The Mayor next addressed the impending changes to the 2010 Sanitation and Recycling Schedule which will begin in April. As of April 8th the Village will start a bi-monthly pickup schedule for Bulk Trash and Recycling. Thursday, April 8 and Friday, April 9 will be recycling days while the following Thursday and Friday's will be Bulk Trash pickups. Bulk Trash will not be picked up on Wednesday's as it has in the past after Wednesday, March 31. He also

stated that Organic pickups will begin on Monday, April 5 for Area A residences and Tuesday, April 6 for Area B residences.

Due to recent questions that have arisen from residents who live by the border with New Rochelle, Mayor Hotchkiss allayed the concerns of Pelham residents whose 2010 Census forms were addressed to them as New Rochelle domiciles. The Mayor stated that the bar code on the letter contains the precise information regarding the residences location in Pelham, not New Rochelle. He asked residents to please submit the forms as they will be counted in the correct area of residence.

Mayor Hotchkiss closed his comments with a address to Michael Shriman, the General Foreman of the DPW who is currently recovering from surgery. The Mayor wished Mr. Shriman a healthy recovery. The Mayor then took the opportunity to recognize the achievements of the two departing Village Trustees; Mia Homan and Peter Potocki.

Trustees Reports:

Trustee Breskin-

Trustee Breskin commended the Fire Department for their work over the weekend. He stated that they received over 55 calls from residences and spent a lot of time keeping the Village safe. He wished to thank the department for their service. On a different note, he once again congratulated the Pelham Elementary Chess Team for the success and to thank Mia for initiating the Pelham Chess Club.

Trustee Homan-

Trustee Homan stated that there is no better place to have in a crisis than the ones in Pelham and extended her thanks to the Police, Fire Department, and DPW.

Trustee Lewis-None

Trustee Morris-Absent

Trustee Potocki-

Trustee Potocki thanked all the residents for his time on the Village Board. He said that it was a great experience and that he is very proud of what he was able to accomplish during his time here. Specifically he noted that he was proud of the Police Department, safe routes to school, and parking measures taken during his time on the Board.

Trustee Bullock-

Trustee Bullock thanked the members of the Village Departments for their work during the storm saying that all the Village employees work very hard.

Village Administrator's Report-

Administrator Yamuder thanked all the departments saying that they worked extremely well in the midst of a storm situation. He also thanked Village Trustees Homan and Potocki saying that it has been a pleasure working with both of them. He stated that based on a conversation with Fire Chief Larry Cohen after the weekend's storm that many of the house numbers in Pelham are not visible from the street. Mr. Yamuder reminded residents that it is part of the Village Code that the numbers must be displayed prominently on the houses.

Item #6– Public Comment

Joe Durnin of 2nd Avenue thanked Trustees Homan and Potocki, stating that to be a trustee takes a lot of hard work and fortitude. He added that aside from John Cassone, Trustees Homan and Potocki were two of the longest serving members of any Board in Pelham.

Mrs. Dembowski of 130 6th Avenue related an incident that occurred in her laundry when a hydrant was flushed by the Fire Department outside her home last Thursday around 10 a.m. The result was that her laundry load was covered with sediment. She spoke to the Firemen present and stated that she should have been notified of this occurrence. She then called Village Hall and stated that she had received no call back. Administrator Yamuder said that he had spoken to Chief Cohen about this incident. Chief Cohen expressed his apology to Ms. Dembowski and suggested that she file a claim for any damage incurred. Trustee Breskin took Mr. Dembowski's information so that he can speak to the Fire Chief about this matter.

Item #7-Resolution Scheduling the Budget Hearing on the Village of Pelham's FY2010-2011 Proposed Village Budget to be Held on April 13, 2010.

Mayor Hotchkiss asked Village Administrator Yamuder to explain the next few meetings that the Board will be scheduling for the budget hearings. Administrator Yamuder said that the scheduled public hearing for the preliminary budget would take place on Tuesday, April 6 as the night of the next Board of Trustees meeting. Trustee Homan urged the public to attend these budget hearings. Administrator Yamuder began by recommending the Police Department hearing for the night of Thursday, March 25 between 7:00-8:15 p.m. followed by the Department of Public Works at 8:30 p.m. Trustees Bullock stated that he would be late in attending this meeting and Trustee Breskin said that he would be recovering from surgery and would be unable to attend that evening. Administrator Yamuder then suggested the afternoon of Thursday, March 25 for the Building Department and Wednesday, March 31 for the Revenue's and Expenses.

A discussion then took place about when to open and close the public hearing. After this discussion it was decided that the Board of Trustees meetings for the month of April would take place on Tuesday, April 13 and April 27. The Board stated that it would submit the dates for the budget work sessions to Maggie Klein of the Pelham Weekly in order to disseminate the information to the public. The Board then called for the resolution to formally open the public hearing the on Tuesday night, April 13 after the budget hearings have been concluded.

After some discussion, a motion was made by Trustee Breskin and seconded by Trustee Lewis to adopt the resolution. The vote was approved by a vote of six in favor, none opposed. Trustee Morris was absent.

Mayor Hotchkiss then asked for Administrator Yamuder to go through some highlights of the preliminary budget. Mr. Yamuder explained that this is going to be a tough year and that the Board has tried to base their budget on reliable and credible information. He noted the 50% increase in the State retirement and pension contribution funds. He also stated that the recent bidding of the sanitation contract for 2010 had yielded \$344,000 in savings for the Village which amounts to 3.8% off the budget. The projected revenue is down by 11%, mostly due to the diminished amounts of mortgage, sales, and interest tax. The current estimated tax rate for the Village is 9.85%. Trustee Homan added that this is not the final draft and the Board will continue to work on it over the next few weeks. Mayor Hotchkiss stated that with the budget as lean as it is, Village services will have to be examined carefully. Trustee Breskin finished by saying that the real issue for the Village is not on its expense line but the revenues. Long term he suggested re-bidding contracts that the Village has and putting out the RFP for the Fifth Avenue project in order to create more of a revenue base.

RESOLUTION
SCHEDULING A PUBLIC HEARING
ON THE 2010-2011 TENTATIVE PROPOSED BUDGET

BE IT RESOLVED, that pursuant to Section 5-508 of the NYS Village Law, the Board of Trustees of the Village of Pelham hereby gives notice that there will be a Public Hearing held

on Tuesday, April 13, 2010, at 7:30 p.m. in Village Hall, 195 Sparks Avenue, Pelham, New York, on the Tentative Proposed Budget of the Village of Pelham for Fiscal Year 2010-2011.

A copy of the budget is available at the office of the Village Clerk in compliance with New York State Law after 4 p.m. Friday, March 24, 2010 and any interested person may inspect the proposed budget there or request a copy during normal office hours of 8 a.m. to 4:30 p.m.

As required by State Law, notice is hereby made that the compensation of the Mayor and Board of Trustees is as follows:

Title	Positions	Annual Compensation
Mayor	(1)	\$5,000
Trustees	(6)	\$2,000

* Note: The Budget hearing may be continued for more than one meeting, but must be adjourned on or before April 20, 2010. By NYS Law, the Budget must be adopted on or before May 1, 2010.

By Order Of Mayor Edward Hotchkiss
And Board Of Trustees

Tuesday, March 23, 2010
Terri Rouke
Village Clerk

Item #8-Discussion of Bicycle Committee, Pelham Green request for Bike Day June 12, 2010

Mayor Hotchkiss submitted a letter to the Board written by the Pelham Green Society about having a Bike Day in June. The route is roughly outlined to include 5th Avenue, 3rd Street and 4th Avenue. Trustee Potocki stated that this letter was vague in its outline and although the event itself might be good he said that it sounded as if streets would have to be closed in order to host this event which would generate overtime for the Police. Trustee Homan said that this organization should be notified that if they wish to hold this event that they will have to pay for the police overtime incurred. Administrator Yamuder stated that he could request a route map from the Society and will call to find out. Trustee Breskin agreed with Trustee Homan that the organization should be notified of the impending overtime cost. John Cassone asked if the Society had been told over the phone that this overtime would be at their expense. Trustee Breskin replied that the organization will be told that this is Village policy.

Item #9- Resolution Authorizing a One-Year Contract Renewal for Auditors from O'Connor, Davies, Munns & Dobbins/Bennett, Kielson, Storch, Kremer & DeSantis (ODMD/BKSKD)

Administrator Yamuder stated that this contract for the auditors is the same as the contract from last year. The numbers have changed slightly due to a risk assessment that was not in the original contract last year which was done by the auditor's without payment. This year the risk assessment has been included into the contract, raising the proposal numbers to \$3,200. Mayor Hotchkiss stated that the Village has received good service from the auditor's in the past and as long as the prices do not exceed \$3,200.

After some discussion, a motion was made by Trustee Bullock and seconded by Trustee Lewis to adopt the resolution. The vote was approved by a vote of six in favor, none opposed. Trustee Morris was absent.

RESOLUTION

AUTHORIZING A ONE 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 one year contract renewal for the auditors from O'Connor Davies Munns & Dobbins/Bennett Kielson Storch Kremer & DeSantis (ODMD/BKSKD) for the year ending May 31, 2010;

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 #10-Authoring an Amendment to Sprint's Existing Communications Site Lease Agreement (219 5th Avenue, Pelham Fire House) to Allow for the Deployment of Advanced Wireless Services

Mayor Hotchkiss explained the contract as Sprint's proposal to install an antenna on the roof of the Firehouse. The amendment before the Board offers \$1,000 more for the installment. He said that no representative is present at the meeting but Village Attorney Mercedes Maldonado has reviewed the contract and has given her approval of the terms. Trustee Bullock asked what the plan is if the Firehouse is replaced. Trustee Breskin stated that it wouldn't change the agreement.

After some discussion, a motion was made by Trustee Homan and seconded by Trustee Bullock to adopt the resolution. The vote was approved by a vote of six in favor, none opposed. Trustee Morris was absent.

RESOLUTION

Authorizing an Amendment to Sprint's Existing Communications Site Lease Agreement (219 5th Avenue, Pelham Fire House)

to Allow for the Deployment of Advanced Wireless Services

BE IT RESOLVED, that the Mayor and Board of Trustees hereby authorize an amendment of the Existing Communications Site Lease Agreement Between The Village Of Pelham And Sprint to Allow for the Deployment of Advanced Wireless Services; and

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-Authorizing the Renewal of the Contract Between the Village of Pelham and NRNRC

After some discussion, the Board decided to table the resolution until the next meeting for more research and discussion at the next Board meeting on April 13, 2010.

RESOLUTION

Authorizing the Renewal of the Contract Between the Village of Pelham and NRNRC for a One Year Extension on the Current Agreement

BE IT RESOLVED, that the Mayor and Board of Trustees hereby authorize a Renewal of the Agreement Between The Village Of Pelham And NRNRC For A XXXXX Year Contract form April 1, 2010 Ending March 31, 20XX; and

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 #12- Resolution Authorizing the Acceptance of an Anonymous Donation of \$2,000.00 for the Purchase of Recycling Bins

Mayor Hotchkiss stated that the Village had received an anonymous donation of \$2,000 for recycling bins. He suggested to the Board that the Board accept this donation. Administrator Yamuder said that he would let residents know when they are available.

After some discussion, a motion was made by Trustee Homan and seconded by Trustee Bullock to adopt the resolution. The vote was approved by a vote of six in favor, none opposed. Trustee Morris was absent.

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham authorizes the Acceptance of an Anonymous Donation of \$2,000.00 for the Purchase of Recycling Bins With thanks to the donor for their contribution to the Village of Pelham community.

Item #13-Resolution Authorizing Acceptance of a Vehicle for the Pelham Fire Department from the New Rochelle Fire Department

Administrator Yamuder related that New Rochelle has a utility vehicle that they are replacing and have offered it to Fire Chief Larry Cohen. The Pelham DPW has inspected the pickup truck and determined that it is a roadworthy vehicle. Mr. Yamuder pointed out that this cost saving exchange was due in large part to Lieutenant DiNapoli and offered his thanks to the Lieutenant.

After some discussion, a motion was made by Trustee Breskin and seconded by Trustee Potocki to adopt the resolution. The vote was approved by a vote of six in favor, none opposed. Trustee Morris was absent.

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham authorizes the Acceptance of a Vehicle for the Pelham Fire Department from the New Rochelle Fire Department with thanks to the donor for their contribution to the Village of Pelham community.

Item #14- Resolution Authorizing the exchange of Village Police Vehicle for Town of Pelham Van

Trustee Potocki stated that the Pelham Police Department will be exchanging a used police car with the Town of Pelham for a Town van. Chief Benefico who was present at the meeting stated that the arrangement was mutually beneficial and that the Police Department is much happier with the van which is in good condition.

After some discussion, a motion was made by Trustee Potocki and seconded by Trustee Breskin to adopt the resolution. The vote was approved by a vote of six in favor, none opposed. Trustee Morris was absent.

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham authorizes the exchange of a Vehicle for the Village Police Vehicle for a Town of Pelham Van.

Item #15- Resolution to authorize up to \$1,500.00 for retiming of the First Street Traffic Light.

Police Chief Benefico stated to the Board that he had been exploring the possibility of re-timing the light at the intersection of Fifth Avenue and First Street. He explained that he had been asked by the Mayor to study the traffic patterns and the current timing of the light to see if any changes could be made to more easily disperse traffic. Chief Benefico stated that 10

years ago the light was timed differently to allow a right hand turn onto 5th Avenue/Wolfs Lane. It was timed again 5 years ago which may have created an extension of the red light facing First Street which creates the backup. He said that General Foreman Shriman and representative of Verdi Electric had gone out to observe the light and asses what options there are. Chief Benefico said that the re-timing and repair of the light could be as high as \$1,500 but it could also be lower as it depends on how much work is needed on the light. He stated that he didn't see too many issues with re-timing the light and that it indeed may alleviate some of the traffic on 1st street.

Trustee Lewis asked what the extent of the re-timing work would be. Trustee Homan asked if other lights would have to be re-timed in order to effect the desired change. Chief Benefico said that there are enough red lights and STOP signs that it is unlikely that other lights would have to be changed. Trustee Potocki said he would look at the overtime involved in such a project. Trustee Breskin asked if the total for the work had to be \$1500 or could this project be done on an hourly basis. He wanted to clarify the labor cost that if the project is only a matter of an hour to re-time the light, could the price be based on the hours rather than a lump sum. The Board agreed that the resolution should be altered to read that the Board authorizes "up to" \$1,500 for the re-timing of the light at the 1st street intersection.

After some discussion, a motion was made by Trustee Potocki and seconded by Trustee Lewis to adopt the resolution. The vote was approved by a vote of six in favor, none opposed. Trustee Morris was absent.

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham authorizes up to \$1,500.00 for retiming of the First Street Traffic Light

BE IT FURTHER RESOLVED, that the Village Administrator is authorized to take the necessary and appropriate actions to effect this action.

Item #16-Grants- Status Report

Mayor Hotchkiss asked Administrator Yamuder to give an update on the status of the grants received or in process by the Village. Mr. Yamuder explained that the plans for the FTA grant for the renovation of the DPW parking lot and building are nearing completion. Several agencies involved are submitting their input into the project. He expects to have the project ready to bid in the next few weeks. Based on the engineers estimated cost expectation is that there are several contractors already interested in the job and that the proposed are anticipated to be lower than expected. Muni Meters will also be installed on the site as a trial of switching to a more efficient manner of controlling parking.

The New York Main Street Grant has received a six month extension on its deadline for expiration. Mr. Yamuder again explained that if there are interested parties to please contact Village Hall. With regard to the streetscape aspects of the project, Mr. Yamuder said that they are still awaiting the specifications laid down by the landscape architect Hank White and Trustee Morris. Trustee Breskin stated that the Board would like this project completed as

soon as possible and that if decisions need to be made regarding the purchase of specific types of benches, bike racks, or trash cans then he urged Mr. Yamuder to move the project forward. The rest of the Board concurred with that statement.

Administrator Yamuder submitted an application to the Keep America Beautiful grant foundation for 100 free recycling bins. He expects to have ordered the bins by sometime in April. He added that the Appropriations grant requests are due for Senator Jeff Klein. He asked Hank White to make some suggestions about where the best use of these proposed projects could be used.

The Police Department has received \$6,700 in training grants from the Department of Homeland Security.

The Village is due to receive a reimbursement from ConEd and NYPA for the adjusted rates used in calculating L.E.D. lighting that was installed by the Village some years ago but never properly rated by these companies. The Village is being paid back \$102,000 from ConEd and \$60,000 from NYPA in fees charged over the course of several years. Additionally, the Village will have the benefit of between \$30,000 to \$40,000 in savings in the future.

Mayor Hotchkiss stated that the priority for the Village in terms of grants is for flooding and said the Village has been very successful in obtaining grants for the remediation of flooding but has had difficulty in obtaining the money. He stated that he is planning on having a Saturday meeting at some point to discuss this matter further with Administrator Yamuder and Leonard Jackson Associates.

Item #17-Other Business

Item #18- Authorizing the Accounts Payable

Trustee Lewis is audited the Accounts Payable.

After some discussion, a motion was made by Trustee Lewis and seconded by Trustee Homan to adopt the resolution. The vote was approved by a vote of six in favor, none opposed. Trustee Morris 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	\$ 147,642.70
Water Fund	\$ 37,811.23
Capital Projects Fund	\$0.00
Trust and Agency Fund	\$ 2,081.25
H3 Fund	\$ 4,341.08
TE Expand Trust Fund	\$ 0.00
Grand Total	\$191,906.26

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

Item #19- Authorizing Minutes of: January 19, 2010, February 2, 2010, February 23, 2010, and March 2, 2010

After some discussion, a motion was made by Trustee Homan and seconded by Trustee Lewis to adopt the resolution. The vote was approved by a vote of six in favor, none opposed. Trustee Morris was absent.

January 19, 2010-Approved

February 2, 2010-Approved

February 23, 2010-Approved

March 2, 2010-Tabled

Item #20-Adjournment to Executive Session

A motion was made by Trustee Homan with a second by Trustee Lewis to adjourn the public portion of the board meeting at 9:20 p.m. and go into Executive Session to discuss legal and contractual matters, after which the Board would adjourn for the evening. The motion was approved by vote of six in favor, none opposed. Trustee Morris was absent

Respectfully submitted,
Peter Bonington, Administrative Intern

