

VILLAGE OF PELHAM BOARD OF TRUSTEES
REGULAR MEETING
TUESDAY, MARCH 6, 2012, 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
	Non-Recurring Items	7:40 p.m.
7.	Resolution Authorizing a Local Law on Property Tax Cap Override	Tabled
8.	Analysis of Parking for Lot 1 and Lot 7	Discussed
9.	Authorization to Approve Survey Services for Capital Projects: 1) #2012-1 7 th Avenue; 2) #2012-2 Wolfs Lane Park; and 3) #2012-2 3 rd Street	Approved
10.	Resolution to Approve the Terms of the Consent Award Settlement Agreement between the Village and the Pelham Professional Firefighters Association	Approved
	Committee and Community Liaison Reports	8:30 p.m.
11.	Commercial Zoning Review	Discussed
12.	Site Plan Review	Discussed
13.	B & W Site	Discussed
14.	Employee Benefits/HR Manual	Discussed
15.	Tree Committee	None
16.	Park Improvements	Discussed
17.	Development (including 3 rd Street RFP)	Discussed
18.	Parking	Discussed
19.	KVS Accounting Software Implementation	Discussed
20.	Updating Building Code	Discussed
21.	Replacing Televising Video Equipment	Discussed
22.	Other Business	Discussed
	Recurring Items	9:00 p.m.
23.	Authorizing Accounts Payable	Approved
24.	Authorizing Minutes of: January 17, 2012	Approved
25.	Adjournment to Executive Session	9:30 p.m.

Next Scheduled Board Meetings are:
Wednesday, March 21, 2012 (Call for Budget Hearing)
Tuesday April 10, 2012, (Annual Organizational Meeting)
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 Hotchkiss, Trustees Lewis, McGoldrick, and Morris

The following members of the Board of Trustees were absent:

Trustees Marciona, Marty, and 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's Report-

Mayor Hotchkiss reported that the Dormitory Authority recently returned the executed contract documents for the Community Capital Assistance Program (CCAP) grant. This grant is for a \$100,000 reimbursement for the renovations performed on the First Street Parking Lot (Lot #1). He said he hopes the funds will be submitted to the Village in the coming weeks.

Trustees Reports:

Trustee Lewis-

None

Trustee Marciona-

Absent

Trustee Marty-

Absent

Trustee McGoldrick-

None

Trustee Mohan-

Absent

Trustee Morris-

None

Village Administrator's Report-

Administrator Robert Yamuder reported that the Village has installed new audio and visual equipment using the funds from the Verizon P.E.G. grant. He said the Village is still planning on purchasing a new digital broadcast server with the remaining funds.

The Administrator stated the Village underwent an Environmental Protection Agency (EPA) audit. He said these audits are done at random by the EPA and the Village passed the audit with minimal comments.

Administrator Yamuder finished his report by saying the muni-meters that have been installed at municipal lots #1 and #7. He said the DPW and Parking Enforcement Officers (PEO's) will be getting trained on how to use them for credit and coin deposit.

Item #6– Public Comment-

None

Item #7–Resolution Authorizing a Local Law on Property Tax Cap Override

Mayor Hotchkiss stated the Board is still reviewing this decision to enact this local law which will allow the Village to override the 2% tax cap.

The Board decided to table this resolution until a later meeting.

Resolution
Village Of Pelham, NY
On A Draft Proposed
Local Law On Property Tax Cap Override

Be it enacted by the Mayor and Board of the Village of Pelham as follows:

A Local Law to override the tax levy limit established in General Municipal Law 3-c

Local Law No. 2-2012
Village Of Pelham

Section 1. Legislative Intent

It is the intent of this Local Law to override the limit on the amount of the real property taxes that may be levied by the Village of Pelham within the Village of Pelham pursuant to General Municipal Law §3-c.

It is the determination of the Village of Pelham Board that to meet the dates by which the Fiscal Year 2012-13 budget must by State law be adopted, the Village Board of the Village of Pelham requires the flexibility which this Local Law would provide. Thus, it is in the best interests of the Village of Pelham and its residents, that the within Local Law be enacted.

Section 2. Authority

This Local Law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the Village Board to override the tax cap for the Village of Pelham by the adoption of a local law approved by vote of sixty percent (60%) of the Village Board.

Section 3. Tax Levy Limit Override

The Village Board of the Village of Pelham, County of Westchester, is hereby authorized to adopt a budget for the Village of Pelham for the Fiscal Year 2012-13 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Section 4. Severability

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjudicated by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or

corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective Date

This Local Law shall take effect immediately upon filing with the Secretary of State.

Item #8– Analysis of Parking for Lot 1 and Lot 7

Administrator Yamuder stated the Village has been advertizing the spaces available at municipal lots #1 and #7 in local papers in both New Rochelle and Mount Vernon. He said there is a posting on the Village website which tells commuters how to apply for these spaces. The Administrator reported neither lot has completely filled up at this time and there are spaces still available. He said Village employees have reported that fewer commuters are parking on Harmon Avenue and First Street by the 12-hour meters in the weeks after the increase to the parking meter fees.

Trustee Lewis asked if there was a way to count the cars throughout the day. Administrator Yamuder stated that up to this time the Village has been performing daily observations as employees are out and about in the Village. He said, however, that the Village could look into a more methodized way of determining the number of cars throughout the day.

Trustee Morris asked if the signage in the Village is consistent in terms of design. Administrator Yamuder said the signs throughout the Village are uniform for all municipal lots and parking areas. Mayor Hotchkiss stated the Village should direct as much commuter traffic as possible to the 12-hour parking areas. Trustee Lewis suggested a map on the Village website showing the commuter parking lots and areas.

Item #9–Authorization to Approve Survey Services for Capital Projects: 1) #2012-1 7th Avenue; 2) #2012-2 Wolfs Lane Park; and 3) #2012-3 3rd Street

Mayor Hotchkiss stated the Village has three projects which require a survey to move forward. He asked the Administrator to explain the projects. Administrator Yamuder stated of the three projects the Village recently bid out Contract #2012-01 is for a section of 7th Avenue between 6th Street and 7th Street for the purposes of applying for the CDBG grant. Contract #2012-02 is for a section of Wolfs Lane Park in order to assist Hank White Landscape Architects with their proposed designs. Contract #2012-03 is for the EPA project on 3rd Street for installing the storm-water runoff pipe.

Administrator Yamuder said the bid documents were sent out to twelve different surveying companies and received seven responses. He stated Scott T. Chamberlain, L.S. was the lowest qualified bidder for Contract #2012-01 at \$2,400. Thomas C. Merritts Land Surveyor's was the lowest qualified for

Contract #2012-02 at \$4,800. He said Scott T. Chamberlain, L.S. was the lowest qualified for Contract #2012-03 as well at \$2,700.

The Administrator said all of these bidders are qualified and recommended to the Board that they approve these contracts with the lowest qualified bidders as the surveyors for the projects.

1) #2012-01 (7th Avenue)

A motion was made by Trustee McGoldrick and seconded by Trustee Lewis to adopt the resolution for Contract 2012-01. The vote was approved by a vote of four in favor, none opposed. Trustees Marciona, Marty, and Mohan were absent.

2) #2012-2 Wolfs Lane Park

A motion was made by Trustee Morris and seconded by Trustee McGoldrick to adopt the resolution for Contract 2012-02. The vote was approved by a vote of four in favor, none opposed. Trustees Marciona, Marty, and Mohan were absent.

3) #2012-3 3rd Street

A motion was made by Trustee Lewis and seconded by Trustee Morris to adopt the resolution for Contract 2012-03. The vote was approved by a vote of four in favor, none opposed. Trustees Marciona, Marty, and Mohan were absent.

RESOLUTION

Authorizing the Award of Contract #2012-1 7th Avenue-Survey Services for Capital Projects

WHEREAS, the Village Of Pelham issued a Notice to Bidders and Request For Bids for Contract No. 2012-1 7th Avenue-Survey Services for Capital Projects-Related to Sidewalk Repairs; and

WHEREAS, Twelve (12) 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., Thursday, March 1, 2012, the Village of Pelham publicly opened and read Seven (7) proposals; and

WHEREAS, on reviewing the proposals, the following is a list of the proposals, as follows:

<u>Company</u>	<u>Location</u>	<u>Total Base Bid</u>
Scott Chamberlain	Yorktown Heights, NY	\$2,400.00
Aristotle Bournazos, P.C.	New Rochelle, NY	\$3,900.00
Tectonic Engineering & Surveying	Elmsford, NY	\$4,100.00
Link Land Surveyors	Mahopac, NY	\$5,275.00

John Meyer Consulting	Armonk, NY	\$5,500.00
Ward Carpenter Engineers	White Plains, NY	\$6,320.00
Thomas C. Merritts Surveyors	Pleasantville, NY	\$7,500.00

AND WHEREAS, Village Administrator Robert Yamuder has reviewed the bids and determined that the lowest responsible bid that meets requirements is Scott Chamberlain, Yorktown Heights, NY; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Pelham Village hereby awards Contract No. 2010-1-Seventh Avenue Survey to Scott Chamberlain, at the total bid price for this contract in the amount of two thousand four hundred dollars, (\$2,400.00) 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 contract for these services.

RESOLUTION

Authorizing the Award of Contract #2012-2 Wolfs Lane Park - Survey Services for Capital Projects

WHEREAS, the Village Of Pelham issued a Notice to Bidders and Request For Bids for Contract No. 2012-2 Wolfs Lane Park -Survey Services for Capital Projects-Park Related Renovations; and

WHEREAS, Twelve (12) 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., Thursday, March 1, 2012, the Village of Pelham publicly opened and read Seven (7) proposals; and

WHEREAS, on reviewing the proposals, the following is a list of the proposals, as follows:

<u>Company</u>	<u>Location</u>	<u>Total Base Bid</u>
Thomas C. Merritts Surveyors	Pleasantville, NY	\$4,800.00
Tectonic Engineering & Surveying	Elmsford, NY	\$5,995.00
John Meyer Consulting	Armonk, NY	\$7,500.00
Scott Chamberlain	Yorktown Heights, NY	\$7,900.00
Ward Carpenter Engineers	White Plains, NY	\$9,040.00
Link Land Surveyors	Mahopac, NY	\$9,750.00
Aristotle Bournazos, P.C.	New Rochelle, NY	\$15,900.00

AND WHEREAS, Village Administrator Robert Yamuder has reviewed the bids and determined that the lowest responsible bid that meets requirements is Thomas C. Merritts, Land Surveyors, P.C., Yorktown Heights, NY; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Pelham Village hereby awards Contract No. 2010-2-Wolfs Lane Park Survey to Thomas C. Merritts, at the total bid price for this contract in the amount of four thousand eight hundred dollars, (\$4,800.00) 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 contract for these services.

RESOLUTION

Authorizing the Award of Contract #2012-3 Topographic/Right of Way-Survey Services for Capital Projects

WHEREAS, the Village Of Pelham issued a Notice to Bidders and Request For Bids for Contract No. 2012-3 Topographic/Right of Way-Survey Services for Capital Projects-Related to Drainage Improvements; and

WHEREAS, Twelve (12) 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., Thursday, March 1, 2012, the Village of Pelham publicly opened and read Seven (7) proposals; and

WHEREAS, on reviewing the proposals, the following is a list of the proposals, as follows:

<u>Company</u>	<u>Location</u>	<u>Total Base Bid</u>
Scott Chamberlain	Yorktown Heights, NY	\$2,700.00 (\$2400.00 Topo/\$300.00 Right of Way)
Tectonic Engineering & Surveying	Elmsford, NY	\$4,100.00 (\$4100.00 Topo/Right of Way)
Thomas C. Merritts Surveyors	Pleasantville, NY	\$6,000.00 (\$3600.00 Topo/\$2400.00 Right of Way)
John Meyer Consulting	Armonk, NY	\$6,000.00 (\$5250.00 Topo/\$750.00 Right of Way)
Ward Carpenter Engineers	White Plains, NY	\$6,720.00 (\$6720.00 Topo/Right of Way not listed))
Aristotle Bournazos, P.C.	New Rochelle, NY	\$6,900.00 (\$6500.00 Topo/\$400.00 Right of Way)
Link Land Surveyors	Mahopac, NY	\$7500.00 (\$5275.00 Topo/\$2225.00 Right of Way)

AND WHEREAS, Village Administrator Robert Yamuder has reviewed the bids and determined that the lowest responsible bid that meets requirements is Scott Chamberlain, Yorktown Heights, NY; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Pelham Village hereby awards Contract No. 2010-1-Seventh Avenue Survey to Scott Chamberlain, at the total bid price for this contract in the amount of two thousand seven hundred dollars, (\$2,700.00) 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 contract for these services.

Item #10–Resolution to Approve the Terms of the Consent Award Settlement Agreement between the Village and the Pelham Professional Firefighters Association

Administrator Yamuder stated this agreement defines and clarifies the terms of the role of the Incident Commander (IC) when the Fire Chief is absent or away from the Fire House. He said this agreement will help the Village and Fire Department interpret the command status of the Department. The agreement is in perpetuity but it can be negotiated on like any other contract item with the Fire union.

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

RESOLUTION

Be It Resolved, the Board of Trustees hereby approves the terms of the Consent Award Settlement Agreement between the Village and the Pelham Professional Firefighters Association resolving the grievance and arbitration in American Arbitration Association Case No. 13 300 0274009, and authorizes the Mayor to execute the Agreement on behalf of the Village.

Committee and Community Liaison Reports

Item #11– Commercial Zoning Review

Trustee Lewis said the Village has to submit its proposed changes to the Zoning Code to Westchester County for their review. He said the Village does not need their approval but they are required to review the material. He said the process appears to be fairly straightforward.

Item #12– Site Plan Review

Mayor Hotchkiss stated he hopes to have more to report on this project by the next meeting. He said ARB Chairman Ron Czajka has made some suggestions which the Board can review.

Item #13– B & W Site

Mayor Hotchkiss stated an inspection of the Highbrook Bridge must be done in the near future. He said the Village is reviewing the bids they have received for the project and are working with counsel to clarify who the Village must pick for the project; the lowest qualified or a company that may be able to do more for the Village.

Item #14– Employee Benefits/HR Manual

Mayor Hotchkiss said the Board is getting close to having a final draft to present. Trustee Lewis said about almost all of the comments by the Board have been incorporated to the draft already.

Item #15– Tree Committee

None

Item #16– Park Improvements

Trustee Morris stated she is working with Ora Berman on plans for Trotta Park.

Item #17–Development (including 3rd Street RFP)

Mayor Hotchkiss said the Village is in negotiation with developers over a memorandum of understanding concerning the development.

Item #18– Parking

None

Item #19–KVS Accounting Software Implementation

Administrator Yamuder stated the software has been installed on the Village Hall computers. He said the training has been scheduled for late April.

Item #20– Updating NY Building Code

Mayor Hotchkiss said the Board has been working to update the Building Code for two years to clarify the roles of the Building Inspector Russo. Administrator Yamuder stated he is working with Building Inspector Russo and Village Prosecutor Martha Conforti to make the final changes to the chapters of the Building Code.

Item #21– Replacing Televising Video Equipment

Administrator Yamuder stated the Village has purchased and installed new audio/visual equipment which should alleviate some of the sound and picture difficulties the Public Access Channel has from time to time. He thanked the Village's technical advisors; Keith Reilly and Dan Gilkes.

Secretary Bonington added that the Village has funds remaining to purchase a new digital broadcast server which will provide a significant update to the Village's public broadcast system. He added that a long-term goal would be to convert all prior VHS taped meetings to DVD by using this new system.

Item #22—Other Business

Trustee McGoldrick stated he has been in contact with members of the Pelham Chamber of Commerce about working together to revitalize the Village.

Item #23—Authorizing Accounts Payable

Trustee Marciona audited the Accounts Payable.

A motion was made by Trustee Lewis and seconded by Trustee McGoldrick to adopt the resolution. The vote was approved by a vote of four in favor, none opposed. Trustees Marciona, Marty, and Mohan were 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	\$ 49,923.79
Water Fund	\$ 46,488.43
Capital Projects Fund	\$ 639.74
Trust and Agency Fund	\$0.00
H3 Fund	\$0.00
CD NYS Main Street Fund	\$0.00
TE Expandable Trust Fund	<u>\$1,924.95</u>
Grand Total	\$ 98,976.91

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

Item #24—Authorizing Minutes of: Authorizing Minutes of: January 17, 2012, February 7, 2012, and February 21, 2012.

A motion was made by Trustee Lewis and seconded by Trustee McGoldrick to adopt the minutes from January 17, 2012. The vote was approved by a vote of four in favor, none opposed. Trustees Marciona, Marty, and Mohan were absent.

January 17, 2012- Approved

February 7, 2012- Tabled

February 21, 2012- Tabled

Item #25—Adjournment to Executive Session

A motion was made by Trustee Lewis with a second by Trustee McGoldrick to adjourn the public portion of the board meeting and go into Executive Session to discuss Police matters at 8:30 p.m. after which time the Board would adjourn for the evening. The motion was approved by vote of four in favor, none opposed. Trustees Marciona, Marty, and Mohan were absent.

Respectfully submitted,
Peter Bonington, Secretary to the Village Administrator

