

VILLAGE OF PELHAM BOARD OF TRUSTEES
 REGULAR MEETING
 TUESDAY, MAY 10, 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:

#	Agenda Items:	Approximate Starting Time of Discussion
	Non-Recurring Items	7:40 p.m.
7.	Resolution Authorizing the Appointment of an Employee to the Position of Police Sergeant in the Pelham Police Department	Approved
8.	Resolution Authorizing the Completion of Probation for Police Sergeant Jason Pallett in the Pelham Police Department	Approved
9.	Authorizing An Inter-Municipal Agreement Between The Village Of Pelham And Westchester County For The Stop DWI program	Approved
10.	Authorizing An Inter-Municipal Agreement Between The Village Of Pelham And The City Of New Rochelle For The Village To Obtain Equipment Through An Assistance To Firefighters Grant Received By New Rochelle Through FEMA And Dept. Of Homeland Security	Approved
11.	Public Discussion and Consideration of the Village of Pelham's MS-4 Report Under the EPA Phase 2 Stormwater Management Guidelines, and Authorizing Submission to the NYSDEC for Consideration of Renewal of the Village's SPEDES Permit	Discussed
12.	Authorizing The Annual Chamber Of Commerce "Shop Down Town Night" To Take Place On Friday, May 13 2011	Approved
13.	Continuing a Public Hearing Regarding Recognition of Hillside and Brookside Avenues as Public Streets-postponed	Approved
	Committee and Community Liaison Reports	8:15 p.m.
14.	Commercial Zoning Review	Discussed
15.	Site Plan Review	Discussed
16.	B & W Site	Discussed
17.	Employee Benefits/HR Manual	Discussed
18.	Tree Committee	Discussed
19.	Park Improvements	Discussed
20.	Development (including 3 rd Street RFP)	Discussed
21.	Parking (including FTA Parking Lot project)	Discussed
22.	Other Business	None
	Recurring Items	8:45 p.m.
23.	Authorizing Accounts Payable	Approved
24.	Authorizing Minutes of: March 16, 2011, April 12, 2011	Approved
25.	Adjournment to Executive Session	9:00 p.m.

Next Scheduled Board Meetings are:

Tuesday, May 24, 2011

Tuesday, June 7, 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 7:35.m.

The following members of the Board of Trustees were present:

Mayor Edward Hotchkiss, Trustees Marciona, Marty, Lewis

The following members of the Board of Trustees were absent:

Trustees Breskin, Mohan, and Morris

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 saying that there will be hydrant flushing the Pelham Water district from May 31 to June 7 between 10 a.m. and 2 p.m. He said this year the Village will be conducting the flushing during the day as opposed to evenings and weekends to cut down of the DPW overtime.

He said the deadline for the RFP for Fifth Avenue and Third Street is going to be extended to Monday, July 11 at 4 p.m. He said the reason for this extension is that several of the interested parties wanted more time to develop their proposals.

The Mayor finished his report by saying that Trustee Breskin will be resigning as a Village Trustee. He stated that Trustee Breskin had written the Board a letter in which he said his work schedule would make it difficult for him to remain as a Trustee. Mayor Hotchkiss said of Trustee Breskin that he was very helpful on numerous projects such as the RFP for Fifth and Third and his work in the Fire Department as the Village liaison.

Trustees Reports:

Trustee Breskin-

Absent

Trustee Lewis-

None

Trustee Marciona-

None

Trustee Marty-

None

Trustee Mohan-

Absent

Trustee Morris-

Absent

Village Administrator's Report-

None

Item #6– Public Comment-

None

Item #7–Resolution Authorizing the Appointment of an Employee to the Position of Police Sergeant

Mayor Hotchkiss stated this resolution is for the appointment of Police Officer Casucci to the position of Sergeant. He said the position took effect on May 2, 2011 and that begins the six month probationary period.

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

RESOLUTION

AUTHORIZING THE APPOINTMENT BY THE MAYOR OF CHRISTOPHER CASUCCI
TO THE POSITION OF POLICE SERGEANT

IN THE PELHAM POLICE DEPARTMENT

Be It Resolved, That The Board Of Trustees Authorizes The Promotion And Appointment By The Mayor Of Christopher Casucci To The Position Of Police Sergeant, Effective Monday, May 2, 2011, Subject To The Requirements Of Civil Service, For A Probationary Period Of Six (6) Months And Authorizes The Mayor, Village Administrator And Chief Of Police To Take The Necessary And Appropriate Actions To Effect This Appointment.

Item #8—Resolution Authorizing the Completion of Probation for Police Sergeant Jason Pallett in the Pelham Police Department

Mayor Hotchkiss stated this resolution for the successful completion of probation for Sergeant Pallett of the Pelham Police. He said he comes recommended by the Chief of Police to remain in this post as a sergeant.

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

RESOLUTION

AUTHORIZING THE PERMANENT APPOINTMENT OF
JASON PALLETT AS A POLICE SERGEANT, BASED ON
THE SUCCESSFUL COMPLETION OF HIS PROBATION

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham hereby acknowledges the successful completion of probation for Police Sergeant Jason Pallett, based on his appointment date of October 18, 2010, and the end date of his six (6) month probationary period effective April 18, 2011 as a Police Officers, and authorizes the Mayor, Village Administrator and Police Chief to take the necessary and appropriate actions to effect the completion of his probationary status under Civil Service.

Item #9— Authorizing An Inter-Municipal Agreement Between The Village Of Pelham And Westchester County For The Stop DWI program

Mayor Hotchkiss stated this resolution pertains to a Westchester County initiative for setting up DWI stops in the Village of Pelham. The Village will be reimbursed \$8,400 over the course of the 5 year program. Chief Benefico said it is a good program and promotes safety within the Village of Pelham.

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

RESOLUTION

Authorizing An Inter-Municipal Agreement
Between
The Village Of Pelham And Westchester County
For The Stop DWI program

BE IT RESOLVED, that An Inter-Municipal Agreement Between The Village Of Pelham And Westchester County For The Stop DWI program is hereby accepted and the agreement is authorized by the Board of Trustees of the Village; and

BE IT RESOLVED, that the term of this agreement is for five (5) years commencing on January 1, 2011 and terminating on December 31, 2015; and

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

Item #10—Authorizing An Inter-Municipal Agreement Between The Village Of Pelham And The City Of New Rochelle For The Village To Obtain Equipment Through An Assistance To Firefighters Grant Received By New Rochelle Through FEMA And Dept. Of Homeland Security

Administrator Yamuder stated this resolution is to appoint New Rochelle as the lead agency for the Assistance to Firefighter's grant program. Pelham is one of 10 municipalities applying for this opportunity with New Rochelle to obtain \$440,000 in grant funds for primarily radio equipment. The Village of Pelham's share is approximately \$6,400.00. Pelham could receive up to \$30,000 worth of equipment from this grant.

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

RESOLUTION

Authorizing An Inter-Municipal Agreement Between
The Village Of Pelham And The City Of New Rochelle For The Village To Obtain Equipment
Through An Assistance To Firefighters Grant Received By New Rochelle Through Fema And
Dept. Of Homeland Security

BE IT RESOLVED, that the agreement with the Village Of Pelham And The City Of New Rochelle For The Village To Obtain Equipment Through An Assistance To Firefighters Grant Received By New Rochelle Through Fema And Dept. Of Homeland Security is hereby accepted and the agreement is authorized by the Board of Trustees of the Village; and

BE IT RESOLVED, that the Village of Pelham Fire Department will be responsible for the matching share that applies to items acquired for the department; and

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

Item #11–Public Discussion and Consideration of the Village of Pelham’s MS-4 Report Under the EPA Phase 2 Stormwater Management Guidelines, and Authorizing Submission to the NYSDEC for Consideration of Renewal of the Village’s SPEDES Permit

Administrator Yamuder said this resolution is for the annual MS4 Stormwater Report and its submittal to the Department of Environmental Conservation. He said Dolph Rotfeld Engineers has assisted in the completion of this report. The Village has already undergone its inspection by the DEC which it passed. He said the information is online if any concerned residents want to fill out the questionnaires. He said residents can contact the office if they have questions.

The documentation for the SPDES permit was prepared by Michael Ritchie and James Maxwell of Dolph Rotfeld Engineering. The federal law commonly known as Stormwater Phase II permits will be required for stormwater discharges from Municipal Separate Storm Sewer Systems (MS4s). To implement the law, the department has developed two general permits, one for MS4s in urbanized areas and one for construction activities. The permits are part of the State Pollutant Discharge (SPDES) and the operators of regulated MS4s and operators of construction activities must obtain permit coverage under either an individual SPDES permit or one of the general permits. The reporting period is from March 2010 to March 2011. The report must be compiled and submitted to the NYS DEC by June 1, 2011.

Item #12–Authorizing The Annual Chamber Of Commerce “Shop Down Town Night” To Take Place On Friday, May 13 2011.

Mayor Hotchkiss said this resolution is to authorize the annual “Shop Down Town Night” for Friday, May 13. He said a portion of 5th Avenue will be closed between 2nd and 3rd streets. He said the event will take place between 6:00 and 9:00 p.m. He said the Chamber of Commerce will assume all overtime for the Village staff. The Chamber has provided insurance for the event.

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

RESOLUTION

Authorizing The Annual

Chamber Of Commerce "Shop Down Town Night"
To Take Place On Friday, May 13, 2011

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham authorizes the annual Chamber Of Commerce "Shop Down Town Night" to take place on Friday, May 13, 2011 and authorizes the closure of Fifth Avenue from Second Street to Third Street from 6:00 pm to 9:00 pm ; and

BE IT FURTHER RESOLVED, that the Chamber of Commerce will be responsible for all Village Of Pelham overtime costs that occur for this event;

THEREFORE BE IT FURTHER RESOLVED, that Mayor and Board authorize the appropriate Village officials and staff to take the necessary and appropriate actions to allow the "Shop Down Town Night" to take place, with the requirement that the Village of Pelham be provided with the insurance satisfactory to the Village's insurance carrier by the Pelham Chamber of Commerce.

Item #13–Continuing a Public Hearing Regarding Recognition of Hillside and Brookside Avenues as Public Streets-postponed

The Mayor stated the Village is getting close to a decision on this matter. He suggested tabling it until a later meeting.

A motion was made by Trustee Lewis and seconded by Trustee Marciona adopt the resolution. The vote was approved by a vote of four in favor, none opposed.

VILLAGE OF PELHAM, NY
Public Hearing Regarding Recognition 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 Recognition 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.

Committee and Community Liaison Reports

Item #14– Commercial Zoning Review

Trustee Lewis stated that proposed zoning code changes were given to the Planning Board for consideration. He asked Building Inspector Russo to assist in moving the proposals through the Village Planning Board so they can be forwarded to the County Planning Board.

He stated that once the County has approved the changes then they can begin being put into the proper language from the Village Code.

Trustee Lewis said the reason for these proposed changes to the Code are to clarify some issues that arose from the merger of the Village of North Pelham and Pelham in 1975.

Item #15– Site Plan Review

Mayor Hotchkiss and Trustee Marty agreed that they need to begin working on updating the Village site plan process. The Mayor said much of the Board attention had been focused on the budget but Trustee Marty and he would begin working again shortly.

Item #16–B & W Site

Trustee Marty said budgetary matters had taken precedence over the B&W Committee for the past few weeks but he said with the coming of summer he wants to revive the progress made in this field. He said the question before the Board now is whether to have ELM do more testing after finishing their initial assessment of the new state laws regarding soil and contamination. He said he plans to confer with the Village attorney and hopes to draft a new proposal for continued testing on the site.

Trustee Marciona asked if the remediation option was still the placement of two feet of clean topsoil over the site. Trustee Marty said all the options will be discussed in the coming weeks.

Item #17– Employee Benefits/HR Manual

Mayor Hotchkiss said he has taken over the writing of the employee benefits manual. He said the Trustees have given him some revisions which he will be incorporating them into the draft document. He said once this is complete he will be submitting it to the Village labor attorney for review.

Item #18– Tree Committee

Trustee Marciona who has assumed the liaison role in the Village Tree Committee has contact Mr. Belteccas at the High School regarding the completion of the inventory. She was advised the inventory will be completed as soon as the trees have finished blooming for the spring season.

Item #19– Park Improvements

Trustee Marciona stated that Trustee Morris and she had met with Town Supervisor Joe Solimine to discuss some adjustments to the Joe Trotta Park design which will incorporate more plantings. She said these suggestions may cost less and simplify the design of the park. She said after meeting with the Mayor, it was determined that the funding for this project should come from external funding such as grants and private donations.

Mayor Hotchkiss inquired about the status of the Wolfs Lane Park Technology and Development grant. Secretary Bonington reported the Village is pursuing the grant. They need to submit a proposal to change the project goals to the Memorial Green portion of the project. The Mayor asked if it would be beneficial to begin preparing the RFP for the project. Mr. Bonington stated the Village can begin preparing the documents for eventual bidding but advised that the grant process is still ongoing and the receipt of the awarded funds may still take some time.

Item #20– Development (including 3rd Street RFP)

Mayor Hotchkiss stated that several firms interested in the RFP had requested additional time in preparing their proposals and so the Board has extended the submission deadline to Monday, July 11, 2011.

Item #21–Parking (including FTA Parking Lot project)

Administrator Yamuder commented on the progress of the DPW Yard Project. He said the project is approximately 87% complete. He said once the construction on the building is completed the demolition and paving of the old building will begin. He said they are hoping for a mid-June opening. The Mayor asked if they had made a determination regarding the use of Muni-Meters or regular parking meters for the new spaces created in the DPW Yard. Administrator Yamuder stated he would conduct some research on the pros and cons of both types of meters to determine the best use for the space.

Mayor Hotchkiss asked about the progress of the First Street parking lot project. Administrator Yamuder stated this project is one of four contracts which have to be bid out over the next few weeks.

Item #22– Other Business

None

Item #23–Authorizing Accounts Payable

Trustee Lewis audited the Accounts Payable.

A motion was made by Trustee Lewis and seconded by Trustee Marty adopt the resolution. The vote was approved by a vote of four 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	\$ 38,841.16
Water Fund	\$ 57,783.62
Capital Projects Fund	\$ 171,915.33
Trust and Agency Fund	\$0.00
H3 Fund	\$0.00
TE Expandable Trust Fund	<u>\$0.00</u>
Grand Total	\$ 268,540.11

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: March 16, 2011, April 12, 2011

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

March 16, 2011- Approved

April 12, 2011- Approved

Item #25– Adjournment to Executive Session

A motion was made by Trustee Lewis with a second by Trustee Marty to adjourn the public portion of the board meeting at 9:30 p.m. and go into Executive Session to discuss personnel and legal matters, which the Board would adjourn for the evening. The motion was approved by vote of four in favor, none opposed.

Respectfully submitted,
Peter Bonington, Secretary to the Village Administrator