

VILLAGE OF PELHAM BOARD OF TRUSTEES
 REGULAR MEETING
 TUESDAY, OCTOBER 5, 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:

Non-Recurring Items		7:45 p.m.
7.	Scheduling A Public Hearing Regarding Possible Acceptance Of Hillside And Brookside Avenues As Public Streets	Approved
8.	Authorizing the Award of a Construction Management Contract to PCI Engineering, PC for an Amount Not to Exceed \$67,500	Approved
9.	Employee Manual Draft Review	Discussed
10.	Building Code Update on Section 1203 as Required by NYS	Discussed
Committee and Community Liaison Reports		9:00 p.m.
11.	Commercial Zoning Review	None
12.	Site Plan Review	Discussed
13.	B & W Site	Discussed
14.	Employee Benefits/HR Manual	Discussed
15.	Tree Committee	Discussed
16.	Park Improvements	Discussed
17.	Development (including 3 rd Street RFP)	Discussed
18.	Parking (including FTA Parking Lot project)	Discussed
19.	Other Reports	None
Recurring Items		9:30 p.m.
20.	Other Business	Discussed
21.	Authorizing Accounts Payable	Approved
22.	Authorizing Minutes of: September 7, 2010, September 21, 2010	Approved
23.	Adjournment to Executive Session	10:00 p.m.

Next Scheduled Board Meetings are:
 Tuesday, October 19, 2010
 Wednesday, November 3, 2010
 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 Morris, Marty, Bullock, Mohan, Breskin, and Lewis

The following member of the Board of Trustees were absent:

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 stated the Pelham Chamber of Commerce Craft Fair will be taking place on Saturday, October 16 from 10 a.m. to 5 p.m. He reminded residents that the first Board of Trustees meeting in November will be held on Wednesday November 3 due to the Town elections on Tuesday, November 2. The Mayor thanked Administrator Yamuder and General Foreman Michael Shriman for getting in contact with New Rochelle and having Glenwood Lake lowered in anticipation of the storms that took place last week. He said this measure ensured that large amounts of flooding did not take place in the usual areas.

Mayor Hotchkiss stated he and Administrator Yamuder held a meeting with the Village's sanitation company; AAA Carting and Rubbish Removal. He said they addressed some recent concerns about the garbage pickups. He said the owners were helpful and would be monitoring the situation. The Mayor also asked about the possibility of switching the schedule again to give residences three recycling pickups a month. The Mayor stated the sanitation company said it would cost significantly more money to make this option feasible.

Trustees Reports:

Trustee Breskin-

Trustee Breskin announced this week is Fire Prevention Week. He said the Pelham Fire Department advised residents to: check the smoke alarms in their homes, ensure the batteries are charged, practice the stop-drop-and roll technique, and plan escape routes from your homes.

Trustee Bullock-

None

Trustee Lewis-

None

Trustee Marty-

None

Trustee Mohan-

None

Trustee Morris-

None

Village Administrator's Report-

Administrator Yamuder stated that as of October 12, loose leaf pickup season will begin. The DPW will be performing organic pickups on a five day schedule throughout the Village. Mr. Yamuder said the Village will be holding Workplace Violence Seminars shortly. He hopes to have 100% participation from the Village staff. The Administrator said he was on a conference call with FEMA and SEMO today to work on pursuing the flooding grants. He said the first grant the Village will pursue will be the LPDM for \$125,000.

Mayor Hotchkiss said part of the discussion with the grant entities, they are asking for documentation of persistent flood damage over the years. He asked for residents with pictures, videos, insurance claims, or other flooding documentation to send it into Village Hall. He said this will aid in retrieving the awarded grant money.

Item #6–Public Comment-

Carolyn O'Connor of Clovelly's gave the Board a copy of a document that she described as their revocation offer to the Village regarding the Hillside/Brookside.

Item #7– Scheduling A Public Hearing Regarding Possible Acceptance Of Hillside And Brookside Avenues As Public Streets.

Mayor Hotchkiss stated this resolution is to open a public hearing on the issue of whether Hillside and Brookside are public streets. He said Joel Sachs has been retained as the Village attorney. The scheduled date for the closing of the public hearing is set for October 19, 2010. He said if any residents have information on this matter to send them to the Administrator at Village Hall to be forwarded to Mr. Sachs. Kevin Walsh of Carol Avenue

asked when the final decision would be made. Mayor Hotchkiss said the matter would be discussed at the October 19 Board of Trustees meeting.

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

VILLAGE OF PELHAM, NY
SCHEDULING A PUBLIC HEARING

Please Take Notice that the Board of Trustees of the Village of Pelham will hold a public hearing on the 19th day of October, 2010 at 7:30 p.m. at Village Hall, 195 Sparks Avenue, Pelham, New York 10803 pursuant to the provisions of Village Law §6-612 and Village Law §7-732 in regard to the possible acceptance 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.

All persons are invited to attend the public hearing and set forth their views.

By Order of the Mayor and Board of Trustees
Terri Rouke, Village Clerk
Publication date: Friday, October 8, 2010

Item #8-. Authorizing the Award of a Construction Management Contract to PCI Engineering, PC for an Amount Not to Exceed \$67,500

Administrator Yamuder said this resolution is for confirming Jonathon Miller of PCI Engineering as construction manager for the DPW Yard project. He said is usually the case that a representative of the firm that designed the plans is appointed as the construction manager. He said the proposed price for these services is \$67,500; Mr. Yamuder felt this was a fair price given the nature of the work.

John Cassone of 7th Avenue asked if this job needed to be bid out publicly. Mr. Yamuder responded that this is a continuation of the contract and does not need to be bid out formally, however he would confirm that with NYCOM. Mayor Hotchkiss said several people have looked at the proposal including Village Attorney Maldonado and Building Inspector Russo.

Trustee Breskin reviewed the contract and had a few questions on the proposal. He asked what the notice of award was and had that already been given out to the contractors. Mr. Yamuder said the initial letter was only a notice that they were the lowest, qualified bidders. Trustee Breskin asked where the list of all the working parties on the project was. Mr. Yamuder stated that information will be compiled at a kick-off meeting with the construction

manager and the contractors. Trustee Breskin asked who the "resident representative is?" Mr. Yamuder said that title is the construction manager.

Trustee Breskin said that aside from these questions, the overall proposal appears in order and the price seems right for the services. Mr. Yamuder added the price is not to exceed \$67,500.

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

Item #9– Employee Manual Draft Review

Mayor Hotchkiss stated this segment of the meeting is the review of draft of the Employee Manual submitted by the Village's insurance provider, Traveler's Insurance. He said that this Manual is mostly for non-union employees of the Village to clearly outline their duties and benefits. Recently, however, documentation from a 1998 Board resolution has surfaced which gives some additional detail into non-union employee benefits which will be reviewed as well. He suggested the Board review the material and then give a labor attorney their recommendations to convert it into legal contract language.

Trustee Bullock said this Manual will be helpful going forward with new Village hires. He said with respect to current employees, case-by-case determinations may need to be made if there are conflicts between the provisions of the Manual (once adopted) and the employee's letter of hire. Trustee Mohan said that Village Attorney Maldonado should review the letters of hire for current employees to determine how binding the letters of hire are.

The Board reviewed the draft by looking at the sections off the draft beginning with employee policies such as: funding drives, a standard complaint system, regular drug testing, and the use of Village equipment and property. For employee hiring and ethical behavior, the Board discussed (1) whether notice of vacations should be required before an employee may take time off, and (2) whether the Board must issue a waiver prior to hiring a relative of another employee. New employees are also subject to a review 90 days after their hiring as part of a midway probation period performance review.

The Board discussed the nature of part time employees versus full time. They discussed adopting definitions so that less than 30 hours a week would make an employee part time, while 40 hours a week would make an employee full time.

There was some discussion on the nature of gifts and penalties and what is the definition of "minimal value." Communication was discussed with regard to using Village equipment for personal calls. The accurate reporting of hours worked each week was stressed. Mayor Hotchkiss said employees should be able to have a record of the past 3 months at all times.

For employee benefits, the Board did not state a percentage as they said it may change in time. They stated they wish to align the policy with New York State and asked if all Village

employees are in the retirement system? Mr. Yamuder said he would find out more for the Board. For post retirement employee benefits the Board stated they must decide how much they supply later on.

All employee education would have to be approved by the Administrator as well as leave time and holidays which is in keeping with the 1998 Board resolution.

Item #10–Building Code Update on Section 1203 as Required by NYS

Mayor Hotchkiss stated this resolution is in regards to the New York State Building Code. He said Village Attorney Martha Conforti and Building Inspector Russo will be having a meeting with Administrator Yamuder to work on the Code language. He said he hoped by next meeting to have a draft of the Code ready for Board recommendations.

Committee and Community Liaison Reports

Item #11– Commercial Zoning Review-

None

Item #12–Site Plan Review

Trustee Marty said that he and Mayor Hotchkiss met and diagramed the process by which applicants to the land use boards can proceed in an orderly fashion. He said he thinks this is a good model to work from in the coming months.

Item #13– B & W Site

Trustee Marty reported the B&W committee is working on finding out who would bid on projects like the one the committee has in mind. He hopes to have the RFP's shortly.

Item #14– Employee Benefits/HR Manual

The Employee Manual was discussed earlier in the meeting.

Item #15– Tree Committee

Trustee Bullock reported there is to be a new meeting this month for the Tree Committee. He said members of his committee have been in contact with Steven Beltecas to organize student volunteers to collect the tree inventory and plot it on Microsoft Excel.

Item #16– Park Improvements

Trustee Morris said the 24 Windermere benches are being installed in Wolfs Lane Park. The current Victor Stanley benches are being move to another location. The Village is seeking to purchase more trash receptacles as well.

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

Trustee Breskin said the RFP for 3rd Street is progressing. He said the architect is reviewing it and requested modifications to the proposed plans and specifications for the potential new firehouse and making changes. He hopes to have a draft for Board submittal in the next few weeks.

Item #18– Parking (including FTA Parking Lot project)

Administrator Yamuder mentioned the parking lot plan for 1st Street. He said the plans from BET are complete and they have submitted a bill for payment. He said the next steps are to compile the bid documents and bid out the project to contractors.

Item #19– Other Reports

None

Item #20– Other Business

Trustee Marty asked about the Colonial Site Based Counsel's request to close Highbrook. Trustee Mohan said after a meeting with Chief Benefico of the Police Department he determined the closure of Highbrook would make it more dangerous for students going to the school. She said the extra police presence on Highbrook and the ending of construction on the school has alleviated some of the tension.

Item #21– Authorizing Accounts Payable

Trustee Morris audited the Accounts Payable.

A motion was made by Trustee Morris and seconded by Trustee Lewis 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:

Fund Name:

General Fund	\$ 51,342.02
Water Fund	\$ 61,012.85
Capital Projects Fund	\$20,699.48
Trust and Agency Fund	\$ 209.27
H3 Fund	\$ 0.00
TE Expandable Trust Fund	<u>\$ 0.00</u>
Grand Total	\$ 133,263.62

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

Item #22– Authorizing Minutes of: September 7, 2010

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 Lewis abstained.

September 7, 2010- Approved

Item #23– Adjournment to Executive Session

A motion was made by Trustee Breskin with a second by Trustee Morris to adjourn the public portion of the board meeting at 9:30 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 seven in favor, none opposed.

Respectfully submitted,

Peter Bonington, Secretary to the Village Administrator