



VILLAGE OF PELHAM BOARD OF TRUSTEES  
 REGULAR MEETING  
 TUESDAY, NOVEMBER 1, 2016, 8:00 PM  
 VILLAGE HALL – 195 SPARKS AVENUE, PELHAM, NY 10803

**MINUTES**

1. Call To Order
2. Pledge of Allegiance
3. Roll Call
4. Mayor's Report
5. Trustees' Reports
6. Village Administrator's Report
7. Public Comments

# Agenda Items:

Non-Recurring Items		
8.	Discussion on Proposed "Downtown Floating Zone Legislation"	<b>Discussed</b>
9.	Resolution Designating Polling Place and Hours for General Village Election to be Held on Tuesday, March 21, 2017	<b>Approved</b>
10.	Resolution Authorizing the Execution of a Memorandum of Agreement with the Pelham Professional Firefighters Association	<b>Approved</b>
11.	Resolution Authorizing Topographic Survey of the NYW&B Railway Property	<b>Approved</b>
12.	Resolution Authorizing Change Order # 2 for Contract # 2016-02 Wolfs Lane Park Site Improvements	<b>Approved</b>
13.	Resolution Authorizing Change Order # 3 for Contract # 2016-02 Wolfs Lane Park Site Improvements	<b>Approved</b>
14.	Discussion on Replacing Sidewalks in Wolfs Lane Park	<b>Discussed</b>
15.	Other Business – Resolution for Meeting Change to 11/22/16	<b>Approved</b>
Recurring Items		
16.	Authorizing Accounts Payable	<b>Approved</b>
17.	Authorizing the Minutes of: October 6, 2016	<b>Approved</b>
18.	Adjournment to Executive Session (if needed)	<b>Approved</b>

Next Regularly Scheduled BOT Meetings:

***Tuesday, November 22, 2016***  
***Tuesday, December 6, 2016***

All meetings start at 8:00 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 Deputy Mayor Mutti at 8:00 p.m.

**Item # 2 – Pledge of Allegiance:**

The Pledge of Allegiance was led by Deputy Mayor Mutti.

**Item # 3 – Roll Call:**

Present were Trustees Deere, Ferrara, Kagan, Mutti, Reim and Reinke.

Mayor Volpe participated via Skype. Mayor Volpe excused himself from the meeting at 8:45 p.m.

Also present were Village Administrator Yamuder and Assistant to the Village Administrator Scelza.

**Mayor’s Report:**

Mayor Volpe thanked Trustee Ferrara for volunteering as the liaison to Pelham PACT.

Mayor Volpe reported that he has asked Trustees Reinke and Deere to investigate various parking issues throughout the Village and report back to the Board in the new year.

Mayor Volpe stated the Village’s finances appear to be in very good shape. He acknowledged the efforts of Trustees Kagan and Reim for reaching an agreement with the Firefighters Union.

**Trustees’ Report:**

Trustee Deere reported he has started looking into parking discrepancies in the Village Code. He has been advised that Westchester County offers an electronic sign inventory for a minimal fee to Municipalities wishing to go electronic and feels this would help with some of the parking issues.

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Trustee Ferrara reported that the The Acceleration Project, in partnership with the Pelham Chamber of Commerce, will offer a speed consulting workshop for local businesses on Wednesday, November 16, 2016 at 7:00 p.m.

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Trustee Kagan had nothing to report.

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Trustee Mutti mentioned that the ground breaking ceremony for Wolfs Lane Park was held this past Monday. She also reported that street trees are in the process of being planted for those residents who requested one in front of their property. She thanked the Junior League of Pelham for the roundtable discussion. She also highlighted shopping and dining parking spaces that are available in the Downtown.

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Trustee Reim thanked the Town of Pelham for putting together a wonderful Halloween Parade. He reported that the Fire Department has completed narcan training, which is a life-saving drug that can revive overdose victims.

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Trustee Reinke reported that EcoPel's Town-wide Clean Up has been rescheduled to Saturday, November 5, 2016, volunteers will meet at the Connecticut-bound side of the train station parking lot at 10:00 a.m.

### **Village Administrator's Report:**

Village Administrator Yamuder reported that the Police Department was honored with a pedestrian safety commendation. Pelham was one of the communities recognized by AAA with a particular status because of safety statistics that apply to our community.

### **Item # 7 – Public Comments**

**Patricia Mazza**, 410 Ninth Avenue, expressed her opposition to the recently enacted parking legislation on Ninth Avenue.

**Robert Rehm**, 403 Ninth Avenue, shared his views on parking on Ninth Avenue and his disappointment with the petition organizers from the neighborhood.

**Non-Recurring Items**

**Item # 8 – Discussion on Proposed “Downtown Floating Zone Legislation”**

Mayor Volpe stated the redrafted Downtown Floating Zone Legislation was shared with various members of the community and the Planning Board pursuant to § 98-141 of the Village Code. The Planning Board has a forty five day comment period and they held a special meeting on October 25<sup>th</sup> and will be submitting a report to the Board shortly.

Mayor Volpe stated he would like to hold a public work session on Monday, November 28, 2016 at 7:00 p.m. to discuss the proposed legislation.

**Richard Veith**, Planning Board Chair, stated the Planning Board will issue their final report on Friday, November 4<sup>th</sup>.

**Item # 9 – Designating Polling Place and Hours for General Village Election to be Held on Tuesday, March 21, 2017**

**Resolution Designating Polling Place and Hours for General Village Election to be Held on Tuesday, March 21, 2017**

**Whereas**, New York State Election Law § 15-104 (3) (b) states that the Village Board of Trustees must designate by Resolution the polling place in each election district, and the hours during which polls are open; and

**Whereas**, the next General Election for officers in the Village of Pelham will be held on Tuesday, March 21, 2017.

**Now, therefore, be it resolved**, that the Board of Trustees of the Village of Pelham hereby designates the following polling places:

1<sup>st</sup> Election District            Town House  
   20 Fifth Avenue  
   Pelham, NY 10803

2<sup>nd</sup> Election District            Town House  
   20 Fifth Avenue  
   Pelham, NY 10803

3<sup>rd</sup> Election District            Town House  
   20 Fifth Avenue  
   Pelham, NY 10803

4<sup>th</sup> Election District            Town House (Guild Room)  
   20 Fifth Avenue  
   Pelham, NY 10803

5<sup>th</sup> Election District            Town House  
   20 Fifth Avenue  
   Pelham, NY 10803

**Be it further resolved**, that polls will be open for the General Village Election to be held on Tuesday, March 21, 2017 between the hours of 6:00 a.m. and 9:00 p.m.

*Motion by: Trustee Reinke*

*Seconded by: Trustee Ferrara*

*Vote: 6-0*

*Absent: Mayor Volpe*

**Item # 10 – Authorizing the Execution of a Memorandum of Agreement with the Pelham Professional Firefighters Association**

Trustee Reim reported that discussions for a successor agreement with the Firefighters were very well managed and an agreement was reached for the period of June 1, 2015 through May 31, 2019 and placed in the form of a memorandum of agreement.

**Resolution Authorizing the Execution of a Memorandum of Agreement with the Pelham Professional Firefighters Association**

**Whereas**, the Village of Pelham (“Village”) and Pelham Professional Firefighters Association (“PPFA”) are parties to a Collective Bargaining Agreement that expired on May 31, 2015; and

**Whereas**, changes to the terms and conditions of employment were agreed upon by the parties and placed in the form of a Memorandum of Agreement dated October 25, 2016 (attached hereto and made apart hereof); and

**Whereas**, the membership of the PPFA approved the terms and conditions contained in the Memorandum of Agreement; and

**Whereas**, the Memorandum of Agreement between the Village and the PPFA regarding the terms and conditions of employment for the period of June 1, 2015 through and including May 31, 2019 is being presented for approval by the Village Board of Trustees.

**Now, therefore, be it resolved**, that the Memorandum of Agreement between the Village and the PPFA dated October 25, 2016 regarding the terms and conditions of employment for the period of June 1, 2015 through May 31, 2019 is hereby approved; and

**Be it further resolved**, that the Mayor and Village Administrator are hereby authorized to execute a Memorandum of Agreement for the period of June 1, 2015 through May 31, 2019 between the Village and the PPFA incorporating the terms and conditions of said Memorandum of Agreement.

*Motion by: Trustee Reim*

*Seconded by: Trustee Ferrara*

*Vote: 7-0*

**Item # 11 – Authorizing Topographic Survey of the NYW&B Railway Property**

Deputy Mayor Mutti stated she spent a considerable amount of time trying to find another way to get the study done without paying for it. She is seeking funding from the Village to get the topographic survey done.

Trustee Kagan stated he understands an investment is required, but after this expenditure he isn't comfortable using taxpayer money on any future expenditures for this potential project.

**Resolution Authorizing Topographic Survey of the NYW&B Railway Property**

**Be it resolved**, that the Board of Trustees of the Village of Pelham herein authorizes the Village Administrator to execute the attached Survey Proposal with T C Merritts Land Surveyors P.C. dated August 24, 2016 in the amount of \$7,240 for a Topographic Survey of the NYW&B Railway Property.

*Motion by: Trustee Reim*

*Seconded by: Trustee Deere*

*Vote: 6-0*

*Absent: Mayor Volpe*

**Item # 12 – Authorizing Change Order for Contract # 2016-02 Wolfs Lane Park Site Improvements**

Deputy Mayor Mutti stated in the course of reviewing the materials with the contractor, a more durable and ecologically friendly paving material was identified as permadrive pavement. She explained that permadrive is created from crushed blue stone in lieu of the flexi-pave material which is comprised of crushed rubber material.

**Resolution Authorizing Change Order for Contract # 2016-02 Wolfs Lane Park Site Improvements**

**Whereas**, the Village Board of Trustees at their meeting on October 18, 2016 adopted a resolution awarding Contract # 2016-02 “Wolfs Lane Park Site Improvements” to Perennial Gardens, Inc., 414 Old Post Road, Bedford, NY 10506, at a total cost of \$452,770; and

**Whereas**, a more durable and ecologically friendly paving material was identified as “Permadrive Pavement” in Native Gray Color in lieu of the “Flexi-Pave” material; and

**Whereas**, the “Permadrive Pavement” is comprised of crushed bluestone in lieu of the “Flexi-Pave” material which is comprised of crushed rubber material; and

**Whereas**, the Landscape Architect recommends the “Permadrive Pavement” material.

**Now, therefore, be it resolved**, that the Board of Trustees of the Village of Pelham herein authorizes the Village Administrator to execute the attached Change Order totaling \$10,500 for the “Permadrive Pavement” in lieu of “Flexi-Pave” bringing the total cost of Contract # 2016-02 from \$452,770 to \$463,270; and

**Be it further resolved**, that the Mayor and Village Administrator are authorized to take the necessary and appropriate actions to effect this resolution.

*Motion by: Trustee Ferrara*

*Seconded by: Trustee Deere*

*Vote: 7-0*

**Item # 13 – Authorizing Change Order # 3 for Contract # 2016-02 Wolfs Lane Park Site Improvements**

Deputy Mayor Mutti stated this change order deals with the trench for water and electric service to the proposed fountain in Area B “Village Green”.

**Resolution Authorizing Change Order # 3 for Contract # 2016-02 Wolfs Lane Park Site Improvements**

**Whereas**, the Village Board of Trustees at their meeting on October 18, 2016 adopted a resolution awarding Contract # 2016-02 “Wolfs Lane Park Site Improvements” to Perennial Gardens, Inc., 414 Old Post Road, Bedford, NY 10506, at a total cost of \$452,770; and

**Whereas**, it is necessary to trench for water and electric service to the proposed fountain in Area B “Village Green”.

**Now, therefore, be it resolved**, that the Board of Trustees of the Village of Pelham herein authorizes the Village Administrator to execute the attached Change Order # 3 totaling \$1,685 for trench work bringing the total cost of Contract # 2016-02 to \$464,955 incorporating all change orders to date; and

**Be it further resolved**, that the Mayor and Village Administrator are authorized to take the necessary and appropriate actions to effect this resolution.

*Motion by: Trustee Kagan*

*Seconded by: Trustee Reinke*

*Vote: 6-0*

*Absent: Mayor Volpe*

**Item # 14 – Discussion on Replacing Sidewalks in Wolfs Lane Park**

Deputy Mayor Mutti stated there are three areas in Wolfs Lane Park that require necessary sidewalk repair. The DASNY grant precludes items that are considered maintenance, such as the repair of sidewalks. Deputy Mayor Mutti presented the cost estimates to replace the existing sidewalks with concrete. The Board inquired about the cost of using flexi-pave in lieu of concrete to match the rest of the park.

**Item # 15 – Other Business**

**Resolution Authorizing Meeting Change to 11/22/2016**

Upon a motion by Trustee Reim and seconded by Trustee Reinke the Board approved moving the regularly scheduled Board of Trustees meeting from November 15<sup>th</sup> to November 22<sup>nd</sup>.

**Recurring Items**

**Item # 16 - Authorizing the Accounts Payable**

Trustee Deere audited the Accounts Payable.

**Resolution Authorizing the Accounts Payable**

**Whereas**, pursuant to § 5-524 of the New York State Village Law, the Board of Trustees shall audit all claims against the Village.

**Now, therefore, be it resolved**, that the Board of Trustees after audit of the following vouchers, 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	\$93,067.44
Capital Projects Fund	\$31,068.23
Trust and Agency Fund	\$700.00
TE Expandable Trust Fund	\$1,164.42
<b>Grand Total</b>	<b>\$126,000.09</b>

**Be it further resolved**, that this Board hereby approves payment of the above mentioned claims and authorizes payment thereof.

*Motion by: Trustee Reinke*

*Seconded by: Trustee Ferrara*

*Vote: 6-0*

*Absent: Mayor Volpe*

**Item # 17 – Authorizing the Minutes of: October 6, 2016**

October 6, 2016 as amended.

*Motion by: Trustee Reinke*

*Seconded by: Trustee Ferrara*

*Vote: 6-0*

*Absent: Mayor Volpe*

**Item # 18 – Adjournment to Executive Session**

The public portion of the Board meeting was adjourned at 9:15 pm to enter into Executive Session to discuss a labor relations matter after which time the Board would adjourn for the evening.

Respectfully submitted,

Christopher Scelza  
Assistant to the Village Administrator