

VILLAGE OF PELHAM BOARD OF TRUSTEES REGULAR MEETING  
TUESDAY, MARCH 10, 2009– 7:30 PM  
VILLAGE HALL – 195 SPARKS AVENUE, PELHAM, NY  
MEETING MINUTES

- |    |                                |               |
|----|--------------------------------|---------------|
| 1. | Call To Order                  |               |
| 2. | Pledge of Allegiance           |               |
| 3. | Mayor's Report                 |               |
| 4. | Trustees' Reports              |               |
| 5. | Village Administrator's Report | Approximate   |
| 6. | Public Comment                 | Starting Time |
| #  | Agenda Items:                  | of Discussion |

	<b>GASB 45 – Report on Post Retirement Benefits</b>	<b>8:00 p.m.</b>
7.	Presentation by a representative of Danziger & Markhoff, LLP, the Village's actuarial consultants, on the GASB 45 OPEB.	<b>Discussed</b>
	<b>Human Resources</b>	<b>8:20 p.m.</b>
8.	Authorizing the appointment by the Mayor of a candidate to the position of Village Administrator.	<b>Approved</b>
9.	Resolution authorizing the completion of probation for Matthew Westall as Laborer in the Department of Public Works.	<b>Approved</b>
	<b>Business</b>	<b>8:30 p.m.</b>
10.	End of 3 <sup>rd</sup> -quarter Budget amendments & transfers for FY 2008-09.	<b>Approved</b>
11.	Home Rule Resolution in support of State Legislation enacting amendments to NYS Law authorizing residents in the Village of Pelham to park overnight and overhang the sidewalks, in the late-night to the early morning hours (e.g. 11 p.m. to 7 a.m.)	<b>Approved</b>
12.	Designation of short-term parking spaces on First Street, by the new Post Office at 26 First Street.	<b>Approved</b>
	<b>Site Plan</b>	
13.	Authorizing a re-approval of the site plan approval for James Vasilotti for a single family home at 446 First Avenue.	<b>Approved</b>
	<b>Grants and Projects</b>	<b>8:50 p.m.</b>
14.	Review and status report on ongoing Projects and Grants.	<b>Discussed</b>
	<b>Housekeeping</b>	<b>9:00 p.m.</b>
15.	Authorizing the Accounts Payable	<b>Approved</b>
16.	Other Business: <ul style="list-style-type: none"> <li>a. Authorization for annual contribution of \$1000 to the American Legion, Pelham Post 50</li> <li>b. Authorization for Howard Lampert, P.E., not to exceed \$4,000, to complete the application for the Federal Stimulus</li> <li>c. Authorization for youth to sell cookies April 11<sup>th</sup> or 18<sup>th</sup> to benefit "Cookies for Kids Cancer" along Wolfs Lane Park</li> </ul>	<b>Approved</b> <b>Approved</b> <b>Approved</b>
17.	Minutes: Dec. 2 <sup>nd</sup> , Dec. 16 <sup>th</sup> , Jan 13 <sup>th</sup> , Jan 27 <sup>th</sup> , Feb 10 <sup>th</sup> & Feb 24 <sup>th</sup> .	<b>Tabled</b>
18.	Executive Session – for matters of personnel, collective bargaining, and contract negotiations, and then to adjourn the meeting	<b>Approved</b>
		<b>9:30 p.m.</b>
19.	Adjournment of the public portion of the meeting at 9:32 p.m.	<b>Approved</b>

Next Scheduled Board Meetings are Tuesdays March 24, 2009 and Organizational Mtg April 14, 2009  
Budget Work Sessions will be scheduled in March and April after the budget release.

Budget Adoption is tentatively scheduled for Tuesday, April 28<sup>th</sup>.

Note – Due to holidays and school breaks in 2009, the Board of Trustees Meetings will be the Second and Fourth Tuesdays, January through the end of April, 2009

The First and Third Tuesday schedule will resume in May, 2009

\* All meetings start at 7:30 p.m. unless otherwise noted. The Agenda is subject to change.

VILLAGE OF PELHAM BOARD OF TRUSTEES REGULAR MEETING MINUTES  
TUESDAY, MARCH 10, 2009 – 7:30 P.M.  
VILLAGE HALL – 195 SPARKS AVENUE, PELHAM, NY

Item #1 – Meeting called to order: The meeting of the Board of Trustees was called to order by Mayor Edward Hotchkiss at 7:38 p.m.

The following members of the Board of Trustees were present:

Mayor Edward Hotchkiss, Trustees Breskin, Lewis, Morris, Potocki and Weinstein. Trustee Homan was absent.

Village staff in attendance:

Administrator/Treasurer Richard Slingerland and Administrative Aide Devron Wilson.

Item #2 – Pledge of Allegiance:

The Pledge of Allegiance was led by Mayor Edward Hotchkiss.

Item #3 – Mayor's Report:

Trustees Reports:

Trustee Breskin

Trustee Homan

Trustee Lewis

Trustee Morris

Trustee Potocki

Trustee Weinstein

## Village Administrator's Report

	<b>GASB 45 – Report on Post Retirement Benefits</b>	<b>8:00 p.m.</b>
7.	Presentation by a representative of Danziger & Markhoff, LLP, the Village's actuarial consultants, on the GASB 45 OPEB.	

Mr. Ed Echeverria, Actuary from Danziger & Markhoff, LLP attended the meeting to present and explain the GASB 45 report, and Finance Director Shirley Brown will attend to provide further explanation with regard to how it relates to the Village and local municipal financing rules and regulations.

	<b>Human Resources</b>	<b>8:20 p.m.</b>
8.	Authorizing the appointment by the Mayor of a candidate to the position of Village Administrator.	

RESOLUTION

AUTHORIZING THE APPOINTMENT BY THE MAYOR  
OF ROBERT YAMUDER TO THE POSITION OF VILLAGE ADMINISTRATOR  
FOR THE VILLAGE OF PELHAM, NY

RESOLVED, that Robert Yamuder, of Hawthorne, New York, is hereby appointed to the position of Village Administrator of the Village of Pelham, starting on Monday, March 23, 2009, at an annual salary of one hundred and twenty five thousand dollars (\$125,000), and an annual vehicle stipend of two thousand five hundred dollars (\$2,500).

9.	Resolution authorizing the completion of probation for Matthew Westall as Laborer in the Department of Public Works.	
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RESOLUTION

AUTHORIZING THE SUCCESSFUL COMPLETION OF PROBATION  
FOR MATTHEW WESTALL AS LABORER

BE IT RESOLVED, that the Mayor and Board of Trustees hereby authorize the successful completion of probation for Matthew Westall as Laborer, which is approved based on the positive evaluation and recommendation of the Public Works General Foreman.

	<b>Business</b>	<b>8:30 p.m.</b>
10.	End of 3 <sup>rd</sup> -quarter Budget amendments & transfers for FY 2008-09.	

### RESOLUTION

#### Re: Mid-Year Budget Amendments and Transfers for Fiscal Year 2008-09

- Whereas,** pursuant to the provisions of Section 5-520 of the New York State Village Law, the Board of Trustees, by resolution, may increase existing appropriations by transferring funds from the unexpended balance of another appropriation, from the contingent account, from available cash surplus or unanticipated revenues within a fund, or by borrowing, and
- Whereas,** during the course of the fiscal year, it is necessary from time to time to make modifications to the areas in the budget that have insufficient appropriations based on actual results of operations, and
- Whereas,** in all cases, there are sufficient unexpended balances in other appropriations accounts, excess revenues or fund balances available to cover the transfers, now therefore be it
- Resolved,** that pursuant to Village Law Section 5-520, the Board of Trustees hereby authorizes and directs the proper Village officers to modify the 2008-09 Budget by making the following amendments and transfers:

2008/09 Budget Amendments and Transfers as of March 5, 2009

#### 2008/09 BUDGET AMENDMENTS

##### CAPITAL FUND

H2831.1	TRANSFER FROM GEN.FUND	\$ 828	H3120.203	POLICE VEHICLES	\$ 828
GENERAL FUND					
A3120.201	POLICE EQUIPT	\$ 828	A9550.000	TRANSFER TO CAPT.	\$ 828
A3120.201	POLICE VESTS	\$ 992	A3089.1	STATE AID OTHER	\$ 992
A3120.121	Police special Assignment	\$ 20,000	A2772	Refund for Person. Serv.	\$ 21,530
A9030.935	Social Security	\$ 1,530			
A1640.451	CENT.GARG.VEH.REPAIR	\$ 1,925	A2680	INSURANCE RECOVERIES	\$ 1,925
A8020.400	PLANNING. CONT.	\$ 2,616	A2701	REFUNDS PRIOR YRS	\$ 2,616

A3410.121	FIRE TRAINING	\$ 574	A2262	PUB.SFTYSER OTH.GOV	\$ 574
A3120.201	POLICE EQUIPT	\$ 5,000	A3091	STATE AID FIRE, POL EQPT	\$ 10,000
A3410.201	FIRE EQUIPT	\$ 5,000			
A3120.201	POLICE MOBILE TACT COMP.	\$ 5,000	A4000	Appropriation of Seized Fnds	\$ 5,000

## 2008/09 BUDGET TRANSFERS

## GENERAL FUND

A1355.415	ASSESSMENT SUPPLIES	\$ 697	A1410.407	VILLAGE - NOTICES	\$ 2,221
A1410.120	PER SER RECORDS MNGT	\$ 775			
A1410.408	REC.MANGMT EXPENSE	\$ 749			
A1620.424	VILLAGE HALL/DPW MAINT.	\$ 1,500	A1620.201	VILLAGE HALL EQUIP	\$ 1,500
A1640.201	CENT GARAGE EQUIP	\$ 1,100	A1910.910	Unallocated Insurance	\$ 28,600
A1640.415	CENT GAR SUPP & MAT	\$ 20,000			
A1640.422	CENT GAR UTILITIES	\$ 3,000			
A1640.451	CENT GAR VEH. REPAIR	\$ 4,500			
A3120.201	POLOCE EQUIPT	\$ 2,500	A3120.453	POLICE MT OF EQUIPT	\$ 2,500
A3410.102	FIRE - FIRE CHIEFSAL	\$ 13,400	A9015.915	POLICE & FIRE RETIRE	\$ 13,400
A3410.405	FIRE PERIODICALS	\$ 165	A3410.406	FIRE POSTAGE	\$ 165
A3410.415	FIRE SUPP & MAT	\$ 1,000	A3410.418	FIRE PREVENTION	\$ 1,000
A3410.417	FIRE TRAINING	\$ 6,000	A3410.451	FIRE VEH.REPAIR	\$ 6,000
A3410.419	FIRE PARADES & FUNCTIONS	\$ 13	A3410.421	FIRE TELEPHONE	\$ 2,013
A3410.422	FIRE UTILITIES	\$ 2,000			
A5110.130	ST MT LONGEVITY	\$ 75	A5110.461	ST.MT. UNIFORM	\$ 75
A5142.415	SNOW REMOV SUPPLIES	\$ 6,000	A5142.402	SNOW REMOV. CONT.	\$ 6,000
A5182.415	ST.LIGHT SUPPLIES	\$ 3,000	A5182.400	ST. LIGHT CONTR.	\$ 3,000
A5989.400	TRAFFIC CONTRACTUAL	\$ 3,500	A5989.453	TRAF.MT OF EQUIP	\$ 3,500
A5989.415	TRAF. SUPP & MAT	\$ 1,500	A5110.461	ST.MT. UNIFORM	\$ 1,500
A8560.400	COMM.ENVIR.CONTRACTUAL	\$ 5,360	A8140.400	STORM SEWER CONT	\$ 5,360
A9070.970	COMP. ABSENSES PRIOR YRS	\$ 2,016	A9030.935	SOCIAL SECURITY	\$ 2,016
	TOTAL	\$123,143		TOTAL	\$123,143

11.	Home Rule Resolution in support of State Legislation enacting amendments to NYS Law authorizing residents in the Village of Pelham to park overnight and overhang the sidewalks, in the late-night to the early morning hours (e.g. 11 p.m. to 7 a.m.)	
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## RESOLUTION

REQUESTING THE NEW YORK STATE LEGISLATURE  
TO PASS BILLS A808 PAULIN / S1865 KLEIN  
AMENDING SECTION 1202 OF THE VEHICLE AND TRAFFIC LAW  
AUTHORIZING RESIDENTS IN THE VILLAGE OF PELHAM  
TO PARK OVERNIGHT AND OVERHANG THE SIDEWALKS,  
IN THE LATE-NIGHT TO THE EARLY MORNING HOURS FROM 11 P.M. TO 7 A.M.

WHEREAS the Village of Pelham is a small village of approximately 6,500 residents, covering eight-tenths of a square mile, with approximately 3,300 housing units; and

WHEREAS, the village was in large part developed in the late 1920's and early 1930's, at a time when passenger cars were much smaller than they are at present; and

WHEREAS, many of the garages and driveways built in the Village have driveways that are restricted by retaining walls and other space constrictions that make the driveways too small to accommodate cars, which in turn causes homeowners to park in their driveways in such a way that their cars overhang the sidewalks; and

WHEREAS, the New York State Vehicle and Traffic Law, Art. 32, §1202 entitled, "Stopping, standing or parking prohibited in specified places" (a) 1. b., prohibits parking "On a sidewalk"; and

WHEREAS, the Village has explored several alternatives, which include:

- Capital construction and expansion of driveways and garages, at major expense to private property owners;
- Eliminating or partially revoking a village-wide ban on overnight parking (except where authorized by existing Home Rule legislation). Maintaining Village-wide law prohibiting overnight parking has proven extremely vital to security/law enforcement, street sweeping and curbside leaf pick-up, and snow clearing and other emergency operations; or
- Adopt a Home Rule Request message asking the State Legislature to amend the Vehicle and Traffic Law, to allow for a middle-ground, for homeowners with small, restricted driveways, to park in their driveways, overhanging the sidewalk, only between the hours of 11 p.m. and 7 a.m.

AND, WHEREAS, the Village has determined that the most fair and cost-effective means of addressing this problem is to request an amendment to §1202 of the Vehicle and Traffic Law.

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham hereby requests the New York State Legislature to adopt Assembly Bill A808 Paulin and Senate Bill S1865 Klein to amend Section 1202 of the NYS Vehicle and Traffic Law, such bills entitled, "AN ACT to amend the vehicle and traffic law, in relation to stopping, standing or parking in specified places," and authorizes the Mayor, the Administrator, the Village Clerk and the Police Chief to take all necessary and appropriate actions to cooperate with the State Legislature to assist with the enactment of this legislation to benefit the residents of the Village of Pelham.

12.	Designation of short-term parking spaces on First Street, by the new Post Office at 26 First Street.	
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Discussion item (not action item, unless the Board is okay with this tonight).

On February 4, 2009, the Village received an update from the Post Office about the progress of their new building at 26 First Street. The Village was informed by the Post Office’s Architect that:

- The interior of the Post Office will be 100% complete in 3 weeks.
- The exterior and remaining site work will be weather permitting but should be complete by the end of March.
- The lease on the existing Post Office expires the end of April. They are planning to vacate and move into the new facility over a weekend sometime in April (exact weekend to be determined).
- After they sort out their operations and things are running smoothly, they will have a ceremony at the new facility (probably early May), and they asked who who from the Village should attend.
- They also asked if it can be requested from the Village that a few 15 minute customer parking spaces may be designated.

For enactment, a resolution would be suggested as follows:

RESOLUTION  
 AMENDING THE VILLAGE CODE CHAPTER 90-53  
 TO ENACT THREE (3) SHORT TERM PARKING SPACES ON FIRST STREET  
 IN FRONT OF THE NEW POST OFFICE AT 26 FIRST STREET

BE IT RESOLVED by the Board of Trustees of the Village of Pelham, that the Village Code Chapter 90-53 is hereby amended as follows:

Section 1 – That the following reference to limited time parking on First Street is deleted:

Street	Side	Time Limit	Hours	Location
First Street	South	2 hrs.	9:00 a.m. to 6:00 p.m. Mon. through Sat.	From a point 75 feet west of Second Ave. to Fourth Ave. except for the loading zone

– continued on next page –

Section 2 – That the following references to limited time parking on First Street are added:

Street	Side	Time Limit	Hours	Location
First Street	South	2 hrs.	9:00 a.m. to 6:00 p.m. Mon. through Sat.	From a point 75 feet west of Second Ave. to Fourth Ave. except for the loading zone, and except for the 15-minute short-term parking spaces in front of the Post Office at 26 First Street
First Street	South	30 minutes	9:00 a.m. to 6:00 p.m.	Three (3) spaces, for a length of approximately seventy five feet (75'), in front of the new Post Office Building at 26 First Street.

	<b>Site Plan</b>	
13.	Authorizing a re-approval of the site plan approval for James Vasilotti for a single family home at 446 First Avenue.	

RESOLUTION

AUTHORIZING A RE-APPROVAL OF THE SITE PLAN APPROVAL  
FOR JAMES VASILOTTI FOR A SINGLE FAMILY HOME  
AT 446 FIRST AVENUE, AS ORIGINALLY AUTHORIZED ON SEPTEMBER 23, 2008  
EFFECTIVE IMMEDIATELY AND EXPIRING AS PROVIDED IN THE VILLAGE CODE

RESOLVED, that the re-approval of a Site Plan for 446 First Avenue, based on the application by Vasilotti, as originally approved on September 23, 2008, is hereby authorized, with all original provisions enacted on September 23, 2008 remaining in effect, for a new time period, as provided under the Site Plan provisions of Chapter 79 of the Village Code.

	<b>Grants and Projects</b>	<b>8:50 p.m.</b>
14.	Review and status report on ongoing Projects and Grants.	

Projects review.

	<b>Housekeeping</b>	<b>9:00 p.m.</b>
15.	Authorizing the Accounts Payable	

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	\$ 147,455.22
Water Fund	\$ 450.00
Capital Projects Fund	\$ 32,749.08
Trust and Agency Fund	\$ 0.00
H3 Fund	\$ 0.00
TE Expandable Trust Fund	<u>\$ 741.20</u>
Grand Total	\$ 181,395.50

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

16.	Other Business	
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17.	Minutes: Dec. 2 <sup>nd</sup> , Dec. 16 <sup>th</sup> , Jan 13 <sup>th</sup> , Jan 27 <sup>th</sup> , Feb 10 <sup>th</sup> & Feb 24 <sup>th</sup> .	
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December 2, 2008

December 16, 2008

January 13, 2008

January 27, 2008

February 10, 2008

February 24, 2008

	<b>Adjournment</b>	<b>9:30 p.m.</b>
18.	Executive Session	
19.	Adjournment	