

VILLAGE OF PELHAM BOARD OF TRUSTEES
REGULAR MEETING
TUESDAY, MAY 24, 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:

Non-Recurring Items		7:40 p.m.
7.	The Appointment Of Paul McGoldrick To The Position Of Trustee To Complete The Term Of Office For Greg Breskin	Tabled
8.	Resolution Authorizing The Appointment Of Albert Bucaj To The Position Of Fire Lieutenant In The Pelham Fire Department	Approved
9.	Authorizing The Acceptance Of A Donation Of A Car From The Fire Department In Mount Vernon For The Village Of Pelham Fire Chief	Approved
10.	Continuing a Public Hearing Regarding Recognition of Hillside and Brookside Avenues as Public Streets	Approved
11.	Scheduling A Public Hearing That Amends Chapter 90 Of The Code Of The Village Of Pelham Regarding Vehicles And Traffic For A Maximum 30 Minute Parking Restriction on Brookside and Hillside Avenues	Tabled
12.	Resolution Pursuant to the State Environmental Quality Review Act (SEQRA) in Regard to Proposed License Agreement For Parking on Brookside and Hillside Avenues	Tabled
13.	Resolution to Authorize a Licensing Agreement For Parking on Brookside and Hillside Avenues	Tabled
14.	Resolution Authorizing the Award of Insurance Coverage to Provider for <u>Property and Casualty</u> Insurance Coverage (Property including Crime, General and Law Enforcement Liability, Public Officials and Employment Practices Liability, Automobile Liability and Physical Damage, and Excess Liability)	Approved
15.	Site Plan Application For 44 Lincoln Avenue For Proposed Change Of Use From Commercial Office Space To Residential	Approved
16.	Considering Grant Applications To The Community Development Block Grant (CDBG) Program, Through The Westchester County Planning Department And Urban County Consortium For: 1) Sanitary Sewer Relining; and 2) Street and Sidewalk Improvements	Approved
Grants, Projects & Other Business		8:45 p.m.
17.	Grants- Status Report	Discussed
18.	Monthly Budget Review	Discussed
19.	Other Business	Discussed
Recurring Items		9:00 p.m.
20.	Budget Amendment and Transfer Resolution	Approved
21.	Authorizing Accounts Payable	Approved
22.	Authorizing Minutes of: April 26, 2011, May 10, 2011	Approved
23.	Adjournment to Executive Session	9:30 p.m.

Next Scheduled Board Meetings are:

Tuesday, June 7, 2011

Tuesday, June 21, 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, Morris, Mohan, Lewis, and Marty

The following members of the Board of Trustees were absent:

Trustee McGoldrick

Village staff in attendance:

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 opened his report by saying that Administrator Yamuder is absent this meeting to attend a conference. He said hopefully he will be making good contacts at this function.

He said the Building Inspector will be absent until next week to spend time with his family after his daughter's wedding last Sunday.

The Mayor also stated that Fire Chief Stone was approved for his Section 211 waiver. The waiver permits Chief Stone to remain with the Village of Pelham. The approval of the waiver is good for two years and will have to be periodically renewed.

Trustees Reports:

Trustee Lewis

None

Trustee Marciona

None

Trustee Marty

None

Trustee Mohan
Absent (arrived at 8:40 p.m.)

Trustee Morris

None

Village Administrator's Report

Secretary Bonington stated that Administrator Yamuder is attending the annual New York State Manager's Conference in Watkins Glen, NY. He said Mr. Yamuder is newly appointed to the State Board for Municipal Manager's. This position allows Mr. Yamuder to make contacts with other governmental agencies. He said this will be beneficial to the Village in terms of grants and other funding opportunities.

Mr. Bonington stated that as of Wednesday, June 1, 2011, Westchester County will be accepting plastic recyclables bearing a designation from 1-7. He said however there are some important exceptions to this change. He advised residents to pick up a copy of the Quick Reference Recycling Guide available here at Village Hall. There is also a copy available on the Village website.

The Secretary reminded residents of the Village's leaf blower ordinances. He stated that leaf blowers are prohibited except for periods between March 15 to April 30 and October 15 to December 15. He advised anyone who has questions to look up these regulations or call Village Hall for guidance. He reminded residents that these ordinances are printed on the Village website and listed in the Pelham Chamber of Commerce phonebook among other places.

Item #6– Public Comment-

John Cassone of 7th Avenue spoke to the Board about the quality of the taped Board meetings being played. He said there is a humming sound in the background which is distracting. He noted that the date and time which was present on the screen from prior meetings was not been present in recent meetings. He also asked that the Trustees speak into their microphones to make it easier for them to be heard on tape.

Mayor Hotchkiss stated he would work on these issues. Secretary Bonington stated the Village is working on a list of purchases with the Verizon P.E.G. grant to update the Village's media equipment.

Item #7—The Appointment Of Paul McGoldrick To The Position Of Trustee To Complete The Term Of Office For Greg Breskin

Mayor Hotchkiss reported that Paul McGoldrick would have to be sworn in as a Trustee at the next Board meeting as he was not able to attend the meeting this evening.

Item #8—Resolution Authorizing The Appointment Of Albert Bucaj To The Position Of Fire Lieutenant In The Pelham Fire Department

Mayor Hotchkiss stated that this promotion was recommended to the Board by the Village Fire Chief Bill Stone to replace the position of Fire Lt. Brennan who retired recently. Firefighter Bucaj not being present would sign the ledger at a later time.

A motion was made by Trustee Marty and seconded by Trustee Morris adopt the resolution. The vote was approved by a vote of five in favor, none opposed. Trustee Mohan was absent.

RESOLUTION

AUTHORIZING THE APPOINTMENT BY THE MAYOR OF ALBERT BUCAJ
TO THE POSITION OF FIRE LIEUTENANT
IN THE PELHAM FIRE DEPARTMENT

Be It Resolved, That The Board Of Trustees Authorizes The Promotion And Appointment By The Mayor Of Albert Bucaj To The Position Of Fire Lieutenant, Effective 8:00 AM Saturday, April 30, 2011 Subject To The Requirements Of Civil Service, For A Probationary Period Of one (1) Year And Authorizes The Mayor And The Village Administrator And The Fire Chief To Take The Necessary And Appropriate Actions To Effect This Appointment.

Item #9—Authorizing The Acceptance Of A Donation Of A Car From The Fire Department In Mount Vernon For The Village Of Pelham Fire Chief.

Mayor Hotchkiss stated this resolution is for the acceptance of a donated vehicle by the Mount Vernon Fire Department to the Village of Pelham Fire Department. The vehicle is in good condition and has many of the necessary fire components already installed. He said the car will be used as a tactical vehicle for the Chief of the Fire Department.

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

RESOLUTION

ACCEPTING A 1999 FORD EXPEDITION

FROM MOUNT VERNON FIRE DEPARTMENT
FOR THE VILLAGE OF PELHAM FIRE CHIEF

Be It Resolved, That The Board Of Trustees Of The Village Of Pelham Hereby Acknowledges And Accepts A Donation To The Village Of Pelham Of A Car From The Fire Department In Mount Vernon For The Village Of Pelham Fire Chief, At A Value Of Thirty -Eight Hundred Dollars (\$3800.00) And Thanks Them For This Donation To The People Of The Village Of Pelham.

Item #10—Continuing a Public Hearing Regarding Recognition of Hillside and Brookside Avenues as Public Streets

Mayor Hotchkiss said this resolution is the culmination of months of research conducted to determine if Hillside and Brookside are public streets. He said the public hearing will give residents an opportunity to speak on the matter before the Board. After the hearing is closed the Board can proceed to with signing a licensing agreement with Clovelly in Pelham Inc.

Carolyn O'Connor of 213 Carol Avenue asserted this public hearing is in violation of the New York State Code. She said all agenda items pertaining to it should be shelved. She claimed the Board had used "bully tactics" on residents to institute an arrangement where residents on those streets will have to pay the Village to park their car on the street. She said the result of this would increase parking issues and fighting amongst neighbors. Ms. O'Connor warned other residents of Pelham that their private property is up for grabs.

Mayor Hotchkiss responded by saying there has been ambiguity on this issue for a number of years. He said the Board sought a legal opinion to formally recognize these streets as public or private. He said the legal opinion they had requested determined that the streets were public. Village Attorney Mercedes Maldonado confirmed this was the initial opinion of Joel Sachs of Keane and Beane. She said Clovelly's lawyer responded and faced with these conflicting opinions the Board had to conduct research to further clarify the status of the streets.

Jamie Caboracas of 9 Brookside said he had been paying close attention to this debate. He asserted that the Board has been a strong proponent of the Picture House and its expansion efforts. He accused the Board of finding a technicality and began negotiating with Clovelly to arrange this licensing agreement without consulting the other residents on Brookside and Hillside. He said the Board is appeasing Clovelly by allowing the association to administer and distribute permits to other residents on the streets. He added that there has been no apparent bidding process for this transfer of permitting power to Clovelly.

Mayor Hotchkiss addressed Mr. Caboracas's claims in order. He stated he is not acting as a proponent of the Picture House. He said the Board must make a determination on the status of these streets in the face of years of ambiguity. He said the Picture House appeared before the Zoning Board of Appeals and the Board of Trustees regarding parking for potential moviegoers which prompted this issue of public or private streets to come to the forefront.

He said, however, it is not in service of the Picture House that the Board is declaring it a public street. Furthermore, the Mayor stated that the Village has provided services such as snow plowing and lighting to Hillside and Brookside over the years and has collected no tax revenue from the residents on either Hillside or Brookside for the street they claim to own. Mayor Hotchkiss finished by saying Clovelly has come forward stating they own the street and so the Village has dealt with them based on that information.

Mr. Caboracas stated private residents and Clovelly own the street together as a joint interest and that is not articulated in this licensing agreement. The Mayor responded that the licensing agreement is a transitional measure over a 15 year period moving the area toward market price. He said residents had purchased this property under the assumption that it was private and this is the Board and Clovelly's method of trying to resolve the situation short of a lawsuit that would be damaging to all parties involved.

Ron Uzzo of 1 Brookside Avenue asked how much did the Village spend on legal fees in order to obtain this opinion from Keane and Beane. Mayor Hotchkiss stated he did not know that exact number but the information is public and can be given without a FOIL request to residents who are interested. He said the Picture House did not contribute monetarily to this investigation.

Mr. Uzzo also stated his concerns about the proposed pipe the Picture House would have to run under Brookside Avenue to direct stormwater to the Hutchinson River. Mayor Hotchkiss stated that no plans have been filed and nothing has been approved yet by either the Planning Board or the Board of Trustees.

Jamie Carborocas asked why the Village had negotiated only with Clovelly and not other residents. Mayor Hotchkiss responded that the Village had to deal with the entity that claimed ownership of the street. He added that Clovelly residents have a garage, but are not equipped with a driveway so they must seek parking on the street other residents on Brookside and Hillside do have driveways he said.

Mr. Caboracas asked why there was no public bidding process. Nancy Tagliaferro of Keane and Beane stated that for arrangements under \$20,000 the Village does not have to go out to bid. Trustee Morris pointed out that the Village would not be paying for a service in this instance.

Cynthia Matthews Brown of Brookside Avenue asked how the Board can let some citizens on that street have a right that other's do not. She said this decision will have an effect on the property values of the homes on Brookside Avenue. Mayor Hotchkiss stated the Board has to make a decision on parking based on the needs of Clovelly residents who do not have a driveway and those residents who do have one.

Scott Simon, President of the Clovelly Association said the agreement that was reached with the Board is designed to protect Clovelly's interests. He said the agreement is the result of negotiations and represent a settlement short of legal action which neither the Board nor Clovelly wants to pursue.

Mr. Caboracas stated that Brookside residents listened to Mr. Simon and believed he was negotiating in their best interest as fellow property owners. He said they are now finding out that Mr. Simon had negotiated a bad bargain for non-Clovelly residents. He said they feel betrayed by this agreement.

Mercedes Maldonado the Village Attorney stated the Board negotiated with Clovelly because they produced a document from 1935 claiming ownership of the area. She stated although this situation has not turned out as planned she hoped that Clovelly would be as accommodating as possible to non-Clovelly residents in terms of parking arrangements.

Trustee Marciona asked if a survey would determine ownership of the street. Mayor Hotchkiss stated the matter is more involved than a survey of property lines. He said the legal opinion that was rendered incorporates all the information available regarding the history of the streets as either public or private and based on that information the Board has determined the street is public. Nancy Tagliaferro of Keane and Beane the only true way to make a determination is through the courts which the Village has already made clear is an undesirable course of action.

Scott Simon asked why the same state of benign ignorance on the status of Hillside and Brookside could not continue to exist. Mayor Hotchkiss said the Board must make a decision regarding these streets because it cannot allow the ambiguity of the past to continue indefinitely.

A motion was made by Trustee Lewis and seconded by Trustee Mohan continue the public hearing. The vote was approved by a vote of six 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.

Item #11—Scheduling A Public Hearing That Amends Chapter 90 Of The Code Of The Village Of Pelham Regarding Vehicles And Traffic For A Maximum 30 Minute Parking Restriction on Brookside and Hillside Avenues

The Board decided to table to the motion until closing the public hearing.

Village Of Pelham, NY

Scheduling A Public Hearing That Amends Chapter 90 Of The Code Of The Village Of Pelham Regarding Vehicles And Traffic For A Maximum 30 Minute Parking Restriction On Brookside And Hillside Avenues

The Board of Trustees of the Village of Pelham hereby schedules a public hearing to be held at 7:30 p.m. on Tuesday, June 7, 2011, in Village Hall at 195 Sparks Avenue, Pelham, NY, on a draft proposed Local Law that would amend the Code of the Village of Pelham, as follows:

**A Local Law that amends
Chapter 90 of the code of the
Village of Pelham
Regarding Vehicles and
Traffic**

A copy of the draft proposed Local Law is on file in the offices of the Village Clerk and may be viewed during normal business hours of 8 a.m. to 4:30 p.m., or an electronic copy may be obtained from the opening page of the Village's website www.pelhamgov.com.

By Order of the Mayor and Board of Trustees
Terri Rouke, Village Clerk
Publication date: May 27, 2011

Item #12–Resolution Pursuant To The State Environmental Quality Review Act (SEQRA) In Regard To Proposed License Agreement For Parking On Brookside And Hillside Avenues

The Board decided to table to the motion until closing the public hearing.

Item #13–Resolution to Authorize a Licensing Agreement For Parking on Brookside and Hillside Avenues

The Board decided to table to the motion until closing the public hearing.

Item #14–Resolution Authorizing the Award of Insurance Coverage to Provider for Property and Casualty Insurance Coverage (Property including Crime, General and Law Enforcement Liability, Public Officials and Employment Practices Liability, Automobile Liability and Physical Damage, and Excess Liability)

This resolution was conducted prior to Agenda Item #10.

Mayor Hotchkiss stated this resolution is for the renewal of the Village's insurance provider. He said with competition in the market place there is a fair chance of getting good prices from companies who will quote for the job. He said R.J. Impestato of FOA and Sun is available to

give a presentation to the Board comparing the quotes received from Traveler's Insurance and NYMIR.

Mr. Impestate explained that Traveler's Insurance is the largest insurer of municipalities in the country. The Village's original premium with Traveler's was \$170,000 but thanks to a fiscal year of 2011 in which there were no payable losses, Traveler's has now quoted the new premium at \$154,000. He said the 10% reduction is a reaction to an accident free fiscal year.

He reminded the Board that NYMIR is an insurance reciprocal and that New York State does not guarantee the claims. Trustee Lewis asked if the Village was to return to NYMIR would then have to pay into the entry capitalization again. Mr. Impestate said they would not have to pay in again to get back into NYMIR.

Mayor Hotchkiss stated the NYMIR is not for profit as opposed to Traveler's Insurance which is for profit. Mr. Impestate stated that is true but Traveler's has a reputation of being fair in its dealings with the Village. They have a separate municipal division which handles other Westchester municipalities such as the City of Rye and Mamaroneck. He stated again that Traveler's lowered their prices in response to an accident free year in 2011.

Mayor Hotchkiss said that based on this information, the Board has elected to renew their contract with Traveler's. He said there is a need for consistency with insurance companies as it can be detrimental to be seen to be switching every year. He said this contract will be for fiscal year 2012 which begins June 1st 2011 through May 31, 2012.

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

RESOLUTION

AUTHORIZING THE AWARD OF INSURANCE COVERAGE
FOR THE VILLAGE OF PELHAM
TO FOA AND SON INSURANCE CORP.
FOR PROPERTY AND CASUALTY INSURANCE COVERAGE TO BE PROVIDED BY
TRAVELER'S INSURANCE COMPANY

WHEREAS, the Village of Pelham is renewing Property and Casualty Insurance to provide coverage for the Village of Pelham. Property and Casualty Insurance covers: Property Including Crime; General and Law Enforcement Liability; Public Officials and Employment Practices Liability; Automobile Liability and Physical Damage; and Excess Liability.

WHEREAS The Village has received a proposal through FOA and SON Insurance Corp. from Traveler's Insurance Company submitted with a reduction from fiscal year 2010-2011 of \$170,590.00 to \$154,000.00 for the fiscal year 2011-2012.

In addition to the reduction in premium, coverage through Traveler's Insurance Company provides financial security, protection under NYS claim fund should company go bankrupt, highest A.M. Best rating, no risk of additional premium surcharges and no capitalization fee.

WHEREAS, the Village recommends renewing the Property and Casualty insurance package to Traveler's Insurance Company.

NOW, THEREFORE, BE IT RESOLVED, that the Village hereby awards Insurance Services, and authorizes the Village to retain Insurance through FOA and Son Insurance Corp., with Insurance Coverage Services to be provided for Property and Casualty through Traveler's Insurance Company, at a total cost of one-hundred fifty-four thousand (\$154,000), as detailed in the proposal received May 20, 2011; and

BE IT FURTHER RESOLVED, that the Mayor and Village Administrator are authorized to take the necessary and appropriate actions to retain coverage for the Property and Casualty Insurance to be effective June 1, 2011.

Item #15–Site Plan Application For 44 Lincoln Avenue For Proposed Change Of Use From Commercial Office Space To Residential

Herbert Forstein the architect for 44 Lincoln Avenue reviewed the plans with the Board. He said this was previously a commercial building which is being converted into a residential building. The building complies with all zoning qualifications and requires no variances.

Trustee Lewis asked if the Planning Board had any stipulations for this building. Mr. Forstein said Planning Board President Richard Veith had no objections to the proposed site plan and neither did Building Inspector Russo.

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

RESOLUTION
AUTHORIZING THE SITE PLAN FOR PROPOSED
CHANGE OF USE FROM COMMERCIAL TO RESIDENTIAL (BABUSKA)
AT 44 LINCOLN AVENUE

RESOLVED, that the application for a Site Plan to change use of 44 Lincoln Avenue from Commercial to residential is approved, based on the review and recommendations by the Planning Board; and

BE IT FURTHER RESOLVED, that conditions apply as follows:

1. That the office building must be built in accordance with plans received by the Village and approved by the Planning Board in their memo dated May 17, 2011;

2. That the fire barrier separation between the different uses within the building must be in accordance with the NYS Building Code sections part 706 and 711 and table 508.3.3;
3. That in accordance with part 903 of the NYS Building Code for Group R uses the residential occupancy must include a fire sprinkler system installed in accordance with NFPA 13 R standards. The fire sprinkler system must be inspected and tested by a third party and that test be witnessed by the Village of Pelham Fire Inspector;
4. That the new windows will have white trim;
5. That the existing parking configuration complies with the Village Of Pelham Zoning Code section 98-117 "Exemptions"
6. That portions of the front sidewalk be replaced with new plantings;
7. That the lighting on the front of the building be sufficient to illuminate the front entry but not become a source of glare to traffic on Lincoln Avenue;
8. That the garbage receptacles for the residence be placed to the right side of the building and kept out of the public view at all times other than collection times;
9. That the Mechanicals must be placed on the roof set back from the edges of the building to reduce visibility;
10. That the applicant provide a construction timeline;
11. All construction activity must comply with the Village Noise Ordinance and all construction activity must only take place on the days and times as per Village Noise Ordinance;
12. Any other actions deemed necessary by the Mayor, Village Administrator, Building Inspector, and other officials of the Village of Pelham;
13. That the application and permit shall remain subject to the continued jurisdiction of the Board of Trustees ; and
14. At no time may construction commence and not strictly adhere to the construction timeline this will be considered a violation of the Planning Board approval;

AND, BE IT FURTHER RESOLVED, that this application for a site plan by Babuska for 44 Lincoln Avenue , is subject to the procedures, regulations and requirements of the Pelham Village Code and Pelham Building Department; and

BE IT FURTHER RESOLVED, that the Mayor, Village Administrator, Building Inspector and officials of the Village of Pelham are authorized to take the necessary and appropriate actions to effect this site plan approval.

Item #16—Considering Grant Applications To The Community Development Block Grant (CDBG) Program, Through The Westchester County Planning Department And Urban County Consortium For: Project Priorities 1 & 2 Street and Sidewalk Improvements and Project Priority 3 Sanitary Sewer Relining;

Mayor Hotchkiss stated this resolution is to proceed with the Community Development Block Grant application. He said the program allows for three streetscape improvement projects over three years. Through this program, Westchester County can reimburse up to 50% of the project cost.

Trustee Marty asked about the contract language regarding the Westchester County housing settlement. The Mayor responded that this resolution does not lock the Village into the contract; it only allows the application process to proceed.

A motion was made by Trustee Morris, with a second by Trustee Marty to adopt the resolutions. The motion was approved unanimously by vote of six in favor, none opposed.

RESOLUTION
AUTHORIZING AN APPLICATION TO THE
WESTCHESTER URBAN COUNTY CONSORTIUM
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM
FOR PROJECT PRIORITY #1:
Neighborhood Streetscape Improvement Project – Sidewalk, Curb and
Pavement Replacement.

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham hereby authorizes an application to the Westchester County Urban County Consortium Community Development Block Grant (CDBG) Program for the following project:

Project Priority #1. Neighborhood Streetscape Improvement Project – Sidewalk, Curb and Pavement Replacement. The proposed project is part of an ongoing plan to continue to improve the sidewalks, curbs and pavement along a portion of 5th Avenue between 3rd Street and 2nd Street. Total project estimated at \$400,000. Requesting \$200,000 to be matched by \$200,000 from the Village of Pelham.

BE IT FURTHER RESOLVED, that the Mayor and the Village Administrator are authorized to take the necessary and appropriate actions to effect and submit this application.

RESOLUTION
AUTHORIZING AN APPLICATION TO THE
WESTCHESTER URBAN COUNTY CONSORTIUM
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM
FOR PROJECT PRIORITY #2:
Neighborhood Streetscape Improvement Project – Sidewalk, Curb and
Pavement Replacement.

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham hereby authorizes an application to the Westchester County Urban County Consortium Community Development Block Grant (CDBG) Program for the following project:

Project Priority #2. Neighborhood Streetscape Improvement Project – Sidewalk, Curb and Pavement Replacement. The proposed project is part of an ongoing plan to continue to improve the sidewalks, curbs and pavement along a portion of 5th Avenue between 2nd Street and 1st Street. Total project estimated at \$300,000. Requesting \$150,000 to be matched by \$150,000 from the Village of Pelham.

BE IT FURTHER RESOLVED, that the Mayor and the Village Administrator are authorized to take the necessary and appropriate actions to effect and submit this application.

RESOLUTION
AUTHORIZING AN APPLICATION TO THE
WESTCHESTER URBAN COUNTY CONSORTIUM
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM
FOR PROJECT PRIORITY #3:
Capital Improvement Project – Relining of Sanitary Sewer.

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham hereby authorizes an application to the Westchester County Urban County Consortium Community Development Block Grant (CDBG) Program for the following project:

Project Priority #3. Capital Improvement Project – Relining of Sanitary Sewer. The proposed project is part of an ongoing plan to continue to improve the sanitary sewer system. The proposed project limits include a portion of 5th Avenue between 3rd Street and 2nd Street. Total project estimated at \$100,000. Requesting \$50,000 to be matched by \$50,000 from the Village of Pelham.

BE IT FURTHER RESOLVED, that the Mayor and the Village Administrator are authorized to take the necessary and appropriate actions to effect and submit this application.

Item #17– Grants- Status Report

Secretary Bonington gave the grant status report. He reported that all four of the flooding remediation grants the Village has been awarded have been submitted to their reviewing agencies. He said that Administrator Yamuder and he would be following up regularly with these agencies to ensure that the applications continue to be processed.

He said the New York Main Street program will be coming to an end on June 30, 2011. He said all the final applicants in the program are being processed and will hopefully be reimbursed for their improvements before the deadline. He commented that this was a highly successful program for Village commercial property owners.

He added the Village will be pursuing new grants in the coming weeks such as the Multi-Modal Facility grant which will help to pay for the DPW Yard Project as well as Archive and Department specific grant opportunities.

Item #18– Monthly Budget Review

Mayor Hotchkiss said in the next fiscal year he hopes to seasonalize the budget to make the review package more detailed. He said three Village departments will be looking even more closely at their budget lines in order to avoid unnecessary spending.

Item #19– Other Business

Trustee Morris mentioned the first Farmer’s Market will be on Saturday, May 28. She asked residents to show up and support the market.

Item #20– Budget Amendment and Transfer Resolution

These Budget Amendments were requested by Finance Director Shirley Brown.

A motion was made by Trustee Morris, with a second by Trustee Marty to adopt the resolution. The motion was approved unanimously by vote of six in favor, none opposed.

RESOLUTION

Re: Budget Amendments for Fiscal Year 2010-11

- 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,** at the end of the fiscal year, it is necessary to make modifications to the areas in the budget that had 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 2010-11 Budget by making the following amendments and rollovers:

Item #21– Authorizing the Accounts Payable

Trustee Morris audited the Accounts Payable.

A motion was made by Trustee Morris, with a second by Trustee Marty to adopt the resolution. The motion was approved unanimously by vote of six 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	\$ 90,186.79
Water Fund	\$2,393.19
Capital Projects Fund	\$0.00
Trust and Agency Fund	\$ 0.00
H3 Fund	\$ 81,320.00
<u>TE Expand Trust Fund</u>	<u>\$ 0.00</u>
Grand Total	\$173,899.98

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: April 26, 2011, May 10, 2011

A motion was made by Trustee Morris, with a second by Trustee Marty to adopt the minutes from April 26, 2011 and May 10, 2011. The motion was approved unanimously by vote of six in favor, none opposed.

April 26, 2011- Approved

May 10, 2011- Approved

May 24, 2011- Tabled

Item #23– Adjournment to Executive Session

A motion was made by Trustee Lewis with a second by Trustee Mohan to adjourn the public portion of the board meeting at 9:35 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 six in favor, none opposed.

Respectfully submitted,
Peter Bonington, Secretary to the Village Administrator