

VILLAGE OF PELHAM BOARD OF TRUSTEES SCHEDULED MEETING  
TUESDAY, APRIL 18, 2006, 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  
StartingTime  
of Discussion

#	Agenda Items:	Approximate StartingTime of Discussion
	<b>Budget Adoption</b>	<b>7:45 p.m.</b>
7	Resolutions to Adopt the Budget and Levy Taxes for Fiscal Year 2006-2007, including the adoption of rates for Village fees.	<b>Approved.</b>
	<b>Business</b>	<b>8:15 p.m.</b>
8	Adopting a resolution in support of the full funding of the Community Development Block Grant (CDBG) program by the Federal government.	<b>Approved.</b>
9	Authorizing a contract with Cingular Wireless for a lease extension at the Pelham Firehouse at revised rates.	<b>Approved.</b>
10	Authorizing a contribution of \$1000 towards the American Legion Post 50 towards the Memorial Day Parade.	<b>Approved.</b>
11	Discussion of a draft local law to enact new Erosion and Sediment Control provisions to the Pelham Village Code, for adoption as required by the US EPA Phase 2 Stormwater regulations. (Will require a public hearing.)	<b>Referred for report.</b>
12	Adoption of the Federal National Incident Management System (NIMS)	<b>Approved.</b>
13	Resolution to recognize Friday, April 28, 2006 as Arbor Day.	<b>Approved.</b>
	<b>Housekeeping</b>	<b>8:45 p.m.</b>
14	Executive Session Discussion item – potential litigation (Eric Gordon, Esq.)	<b>Approved.</b>
15	Authorizing the accounts payable	<b>Approved.</b>
16	Old Business/New Business:	
17	Minutes: March 7, 2006; March 21, 2006; April 4, 2006	<b>Held.</b>
18	Adjournment – 8:50 p.m.	<b>Approved.</b>

Next Regular Board Meetings are Tuesday May 2 and May 16, 2006 at 7:30 p.m.  
There is a closed hearing scheduled for Monday, May 15, 2006 at 7:30 p.m.

Meetings start at 7:30 p.m. unless otherwise noted.  
\* Agenda is subject to change until the night of the meeting.

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VILLAGE OF PELHAM BOARD OF TRUSTEES  
VILLAGE HALL - 195 SPARKS AVENUE, PELHAM, NY  
TUESDAY, APRIL 18, 2006

Item #1 – Meeting called to order: The meeting of the Village of Pelham Board of Trustees was called to order by Mayor Michael J. Clain at 7:35 p.m.

The following members of the Board of Trustees were present:

Mayor Michael Clain; Trustees Greco, Merrick, Mohan and Potocki.

Absent – Trustees Homan and Hotchkiss

Village staff in attendance:

Village Administrator Richard Slingerland.

Item #2 – Pledge of Allegiance

The Pledge of Allegiance was led by Mayor Michael J. Clain.

Item #3 – Mayor’s Report – The Mayor reported on the status of the Village’s progress on negotiations with Pelpark and the Kravitzes. He also reported that the rock cliff remediation work is expected to begin in 1-2 months.

Item #4 – Trustees’ Reports:

Trustee Greco reported that he had spoken with the President of the Chamber of Commerce, and the Chamber had agreed to postpone the Street Fair until September.

Trustee Potocki reported on a number of crimes taking place in April, particularly about car thefts and damage, and advised residents to be aware. He reported that last week there had been a second “active shooter” training event at the schools, which had gone well.

Trustee Potocki also reported on the second parking meeting with the Board of Education. He noted that an opinion had been requested from the State Attorney General about local government options for regulating parking around a school. After discussing the matter at length, it was agreed by Trustee Potocki and the rest of the Board that both communities will have to cooperate to address the parking needs around the High School, Middle School and Colonial School.

Trustee Merrick reported on the progress made by the Linear Park committee, including trees marked and removed by the Public Works Department, and that plans for new plantings would require a water source for watering them in the park.

Trustee Mohan reported that the Village had received the new Fire Ladder Truck and would put it into service soon. She noted that the Fire Department had begun training on it with help from the manufacturer’s representatives.

Item #7 -- Resolutions to Adopt the Budget and Levy Taxes for Fiscal Year 2006-2007.

On the matter of the Budget, the Mayor announced the various resolutions to be adopted.

John Cassone of 7<sup>th</sup> Avenue thanked the Board for their hard work in reducing the tax levy increase from the proposed level of 9.9% to the adopted level of 5.824%.

In connection with approval of the Adopted Budget for Fiscal Year 2006-2007 by the Board of Trustees, it is in order tonight to adopt the following resolutions.

- A. Resolution with Amendments and Revisions to the Tentative Budget
- B. Resolution adopting Fees and Penalties for Violations, including Parking Permit Fee Rates (some fee and fine increases or changes will require code amendment by local law, to be determined later).
- C. Resolution calling for a hearing on increasing water rates in the Pelham Public Water Supply #5911901
- D. Budget Adoption Resolution
- E. Tax Levying Resolution
- F. Authorization for Investments
- G. Levy of Additional Taxes

On the motion of Trustee Merrick, seconded by Trustee Greco, resolution A amending and revising the budget was adopted by the Board by vote of five in favor, none opposed, two absent (Homan and Hotchkiss) as follows:

BUDGET RESOLUTION A  
VILLAGE OF PELHAM – APRIL 18, 2006  
RESOLUTION AMENDING AND REVISING THE  
PROPOSED 2006-2007 VILLAGE BUDGET

WHEREAS, the Board of Trustees has met at the times and place specified in the Notice of Public Hearing on the proposed budget and heard all persons desiring to be heard thereon; and, subsequently consulted with the appropriate Village officials on the contents thereof and determined that certain modifications would be desirable.

NOW, THEREFORE, BE IT RESOLVED that the budget be amended and revised as follows:

**Summary of Changes to 2006-07 Proposed Budget**

budget changes through 4-18-2006

<b>Appropriations</b>						
<u>Review Date</u>	<u>Page #</u>	<u>Acct # Detail</u>	<u>Proposed</u>	<u>Revised</u>	<u>Change</u>	
3/23/2006	11	1640.201 equipment	2,500	2,000	-500	
3/23/2006	11	1640.203 capital improvements	3,000	2,000	-1,000	
3/23/2006	24	5110.201 equipment	6,500	5,500	-1,000	
3/23/2006	24	5110.415 supplies and materials	50,000	46,000	-4,000	
3/23/2006	25	5142.402 Equipment Rental	15,000	12,000	-3,000	
3/23/2006	26	5989.453 Maintenance of equipment	7,000	6,000	-1,000	
3/23/2006	12	8140.415 supplies and materials	10,000	9,000	-1,000	
3/23/2006	18	3410.408 Medical	3,000	2,500	-500	
3/23/2006	18	3410.411 Heating Oil	8,000	11,000	3,000	
3/23/2006	18	3410.412 Tires	2,000	1,200	-800	
3/23/2006	18	3410.415 supplies and materials	3,000	2,500	-500	
3/23/2006	18	3410.417 Training	4,000	3,000	-1,000	
3/23/2006	18	3410.424 building maintenance	12,500	8,000	-4,500	
3/23/2006	18	3410.452 building repair	10,000	7,000	-3,000	
3/23/2006	18	3410.453 equipment maintenance	10,000	7,500	-2,500	
3/23; 4/11	18	3410.100 Personal svcs -- Chief Stipend	12,500	0	-12,500	
3/28/2006	21	3620.100 Personal Svcs - PT file clerk	3,000	0	-3,000	
3/28/2006	15	3120.120 Overtime	192,500	140,000	-52,500	
3/28/2006	15	3120.121 Overtime -- Resp. Team Trng.	20,000	12,500	-7,500	
3/28/2006	15	3120.201 police equipment	15,050	12,500	-2,550	
3/28/2006	15	3120.403 pistol range	2,000	1,000	-1,000	
3/28/2006	15	3120.415 office supplies	19,900	17,000	-2,900	
3/28/2006	15	3120.440 matron	4,750	3,750	-1,000	
3/28/2006	15	3120.453 equipment maintenance	18,000	16,000	-2,000	
3/28/2006	2	1010.415 supplies and materials	2,000	1,500	-500	
3/28/2006	2	1010.490 newsletter	3,000	2,500	-500	
3/28/2006	3	1210.440 miscellaneous	5,500	3,000	-2,500	
3/28/2006	4	1230.470 VA - Travel Expenses	1,500	500	-1,000	
3/28/2006	5	1325.402 bank charges	250	0	-250	
3/28/2006	5	1325.415 supplies and materials	1,000	500	-500	
3/28/2006	5	1325.481 fixed assets GASB 45	8,000	5,000	-3,000	
3/28/2006	7	1410.470 travel expense	750	250	-500	
3/28/2006	7	1420.400 contractual -- attorney	80,000	60,000	-20,000	
4/5/2006	8	1620.201 equipment	5,000	4,000	-1,000	
4/5/2006	12	1930.000 Judgments and Claims	135,000	100,000	-35,000	
4/5/2006	12	1953.000 Business District Planning	5,000	2,000	-3,000	
4/5; 4/11	32	9065.000 EAP	2,500	2,500	0	
4/5/2006	40 & 32	9550 & Cap Foreman's vehicle	27,000	18,000	-9,000	
4/11/2006	18	3410.201 equipment	25,000	23,000	-2,000	
4/11/2006	18	3410.100 List titles -- Lieutenants	0	0	0	
4/11/2006	12	1990.000 Contingency	255,000	310,000	55,000	
4/17/2006	15	3120.100 Police mgmt	129,461	128,228	-1,233	
4/17/2006	15	3120.100 Police mgmt	115,919	114,814	-1,105	
4/17/2006	5	1325.100 Deputy Treasurer	53,502	54,011	509	
4/17/2006	5	1325.100 Deputy Clerk	38,955	39,326	371	

4/17/2006	7	1410.100 Village Clerk		44,520	45,368	848
4/18/2006	32	9711.000 Interest on Serial Bonds		59,533	62,533	3,000
				<u>10,786,406</u>	<u>10,658,796</u>	<u>-127,610</u>
Budget and Tax Rate Change		2005-2006 adopted		06-07 Propd \$ Chg Yr-Yr		% Levy Incr
Expenditures and Transfers			10140148	10,658,796		
Levy			6992352	7,562,961	570,609	5.824%
				*218,000FB		
<b>Revenues</b>						
<u>Review Date</u>	<u>Page #</u>	<u>Acct # Detail</u>		<u>Proposed</u>	<u>Revised</u>	<u>Change</u>
4/5/2006	34	1720.1 Parking Permits - General		260,000	270,000	10,000
4/5/2006	34	2115.0 Site Plan Fees		500	2,500	2,000
4/5/2006	34	2450.1 Public Phone Commissions		100	0	-100
4/5/2006	34	2501.4 Bus. & Occupational Licenses		10,000	15,000	5,000
4/5/2006	34	2590.0 Building Permits		95,000	120,000	25,000
4/5/2006	34	2610.0 Fines -- Justice Court		300,000	350,000	50,000
4/5;4/11	34	2705.0 Gifts and Donations		6,000	11,000	5,000
4/18/2006	34	2626.0 Forfeiture of Crime Proceeds R		0	2,500	2,500
4/11/2006	34	2401.0 Interest Earnings		130,000	175,000	45,000
4/11/2006	35	2801.2 Water fund (Transmission)		70,000	73,500	3,500
4/11/2006	35	3001.0 State Aid -- Revenue Sharing		62,425	74,888	12,463
4/18/2006	34	2610.0 Fines -- Justice Court		350,000	353,000	3,000
				<u>1,284,025</u>	<u>1,447,388</u>	<u>163,363</u>
Orig. Amount raised by taxes				2006-07	7,690,571	
Reduction in Amount raised by taxes					290,973	
					7,399,598	

The Administrator commented to the Board that, with exceptions, the Code or other statute may or may not establish minimums or maximums for fines and penalties. The Water Rents/Rates should be established by Local Law through a hearing, but the Village also should establish provisions over the Village's Water District in our Code, which is something we are working on with legal Counsel with draft legislation from Pace's Municipal Law Resource Center.

To the extent that the rest of the fees are to be raised, some of these fees and penalties may have to be amended and/or increased by Local Law. The Administrator promised to sit with appropriate legal counsel to work up the enabling local laws as necessary.

On the motion of Trustee Merrick, seconded by Trustee Mohan, budget resolution B was adopted by the Board by vote of five in favor, none opposed, two absent (Homan and Hotchkiss) as follows:

**BUDGET RESOLUTION – B  
ADOPTING FEE SCHEDULE  
INCLUDING ANNUAL PARKING PERMIT RATES  
AND NON-MOVING VIOLATION RATES**

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham hereby adopts the Fee Schedule for the Village of Pelham as follows:

Proposed Fee and Fine Schedule, April 18, 2006

Village of Pelham Fees and Fines

April 2006

<b>Item</b>	<b>Chapter</b>	<b>Fee amount</b>
Alarm System	§ 27	No annual fee
Alarms: False Alarm Fee	§27-7	No charge for 1 <sup>st</sup> and 2 <sup>nd</sup> , \$50 for the 3 <sup>rd</sup> , \$75 for the 4 <sup>th</sup> and \$100 for 5 <sup>th</sup> and each thereafter
Amusement Device	§ 28	\$250 per establishment and \$250 per device
Blasting Permit	§ 33, 34, 35, 68	\$2,500 per blast, plus pre-blast surveys of properties required within 500 feet of a property being blasted, plus \$50,000 bond or escrow for property damage; \$2 million minimum hazard & liability insurance
Building Permit (Consolidates in Fences, Tanks, Fuel Tank Installation or Removal, HVAC, Demolition, etc.)	§ 34	\$200 per \$0-5000 value of work;  \$10 per each additional \$1000 in value of work with the requirement to substantiate cost of work upon completion.
Building and Work w/o Permit	§ 34	\$1000
Certificate of Occupancy or Compliance	§ 34	\$250
Christmas Tree Sales		\$100 (plus \$150 deposit)

<b>Item</b>	<b>Chapter</b>	<b>Fee amount</b>
Curb Cut Fee, Driveway Apron, Sidewalk/Curb Repair	§ 33 and 76	250 per opening up to 25 square feet, with \$25 per each additional 50 square feet above 25 s.f. for sidewalks and driveways; \$25 per each additional linear foot for curbs, \$350 refundable deposit.
Dog License Fee	§ 41-2	\$12.50 if spayed or neutered, \$20 if not
Dumpster Permit		\$50 per day, plus \$5 per meter per day if it blocks a meter. (Public or Private Road.)
Electrical Permit	§ 34	\$100 plus \$10 per electrical item (switch, outlet, fixture, etc.)
Elevator Inspections		\$225 per inspection
Excavation and Digging w/o Permit	§ 33	For work w/o a permit, or in violation of a permit, \$1000 each separate violation
Film Permit Fee	§ 44-3	\$600 per day, plus \$25 per parking space rental, plus police costs (if assigned to duty for traffic control or other police work)
Fire Inspection Fees (includes Hazardous Chem., Flammable Storage, Dry Cleaning Operations, Lumber Yards)	State Code and Village Code	\$100 per building or establishment, whichever is greater
Games of Chance (net proceeds fee)	§ 52-12 (B)	Not to exceed 5% of net proceeds
Hazardous Chemicals		* See Fire Inspection Fee.
Ice Cream Vendor (Truck)		\$100 per year
Motor Vehicle Service Garage or Motor Vehicle Repair and Spray Booth	§ 34; and Fire Inspection Fee	\$100
Motor Vehicle – Fuel Dispenser Permit (per nozzle, annual)	§ 34; and Fire Inspection Fee	\$25 per nozzle
Parking Permit Fees	Resident Annual	\$500
	Resident Semi-annual	\$312
	Resident Quarterly	\$181
	Resident Monthly	\$67
	Non-Resident Annual	\$1,200
	Non-Res. Semi-annual	\$750

Item	Chapter	Fee amount
	Non-Resident Quarterly	\$435
	Non-Resident Monthly	\$160
	Merchant Annual	\$400
	Merchant Semi-annual	\$250
	Merchant Quarterly	\$145
	Merchant Monthly	\$53
Plumbing Permit	§ 34	\$100 plus \$10 for each additional fixture.
Sidewalk Café Permit	§ 75	\$200
Sign/Marquee Permit (Awning or Canopy – same as Sign)	§ 77-5	\$200 application fee
Site Plan Review	§ 79	\$500 per lot
Street Opening Permit	§ 33	\$300 per opening up to 25 square feet, \$100 per each additional 100 s.f., \$350 refundable deposit.
Taxicab – Cab Lic Fee	§ 84	\$100 annual
Taxi – Driver Fee	§ 84	\$50 annual, plus costs of fingerprinting
Taxi – Inspection Fee	§ 84	\$50 per inspection
Taxi Stand Parking Space	§ 90	\$800 per year
Wireless Telecommunication Devices	§ 87	\$5,000 \$2,000 for co-location
Water Shut-Off/Turn-On Fee		\$100
Zoning Board of Appeals Application or Appeal Fee	§98-128	Residential Application \$250 Commercial Application \$500

## Village of Pelham Non-moving violations and fines for Parking, as listed on each ticket:

Description	Code Section cited (VO = Village Code)	Date of last incr.	Current Fine	Proposed Fine
Illegal Parking at Expired Meter * Fine if paid by end of day	VO § 90-30 A. (2)	Bdgt. Apr. '05	\$20 *\$15	\$20 *\$15
Illegally parked beyond <u>time limit</u> of the <b>metered</b> parking	VO § 90-31, VO § 90-56		\$15	\$20 *\$15
Over time in a Limited-Time parking zone ( <b>unmetered</b> ); *Fine if paid BEOD	VO § 90-20, VO § 90-53	Bdgt. Apr. '05	\$20 *\$15	\$20 *\$15
Night Parking – 2 AM to 6 AM * Fine if paid by end of day	VO § 90-16	Bdgt. Apr. '05	\$30 *\$15	\$40 *\$20
Over 12 inches from the curb	VO § 90-14 B.		\$10	\$40
Parking Obstructing a driveway	VO § 90-14 D. (1)		\$25	\$40
Parking On/Obstructing a sidewalk	VO § 90-14 C. (2)		\$25	\$50
Parking in a NO PARKING area	VO § 90-15, VO § 90-49		\$25	\$40
Parking on the wrong side of the street	VO § 90-14 B.		\$25	\$50
Double Parked	VO § 90-14 C. (1)		\$50	\$75
Obstructing a Fire Hydrant	VO § 90-14 E.		\$50	\$100
Parked in a Prohibited Area near Firehouse	VO § 90-14 D. (2) & (3)		\$50	\$100
Illegally parked in a Handicapped Zone	VO § 90-14 F.		\$80	\$100
Parked in a Village Lot or Space without Permit	VO § 90-24, VO § 90-25		\$25	\$40
Parked in a Tow-Away Zone	VO § 90-22, VO § 90-58	???	\$25	\$100
Parked on a Crosswalk	VO § 90-14 C. (3)		\$25	\$50
Obstructing a Curb Cut	VO § 90-14 D. (4)		\$25	\$40
Parking in a Bus Stop space	VO § 90-22.1, § 90-55		<b>Not set</b>	<b>\$50</b>
Parking in a Taxi Stand space	<b>VO § 90-22.2, § 90-57</b>		<b>Not set</b>	<b>\$50</b>
<b>Other violations</b>	Misc. (Dog waste, snow) VO § 42-7 Dog – § 54-78; § 81 Snow –		150, 200, 250 \$25	\$40 \$40

## State Vehicle and Traffic law violations listed on tickets

Description	State Law cited	Last Incr.	Current	Proposed
Invalid Inspection sticker displayed	VTL – § 306 B.		\$25	\$40
Invalid Registration	VTL – § 401 (1)		\$25	\$40

AND BE IT RESOLVED, that the Mayor, Village Administrator, Village Attorney, Treasurer and Police Chief are authorized to take the necessary and appropriate actions to effect these changes in local parking rates and effective times.

On the motion of Trustee Mohan, seconded by Trustee Potocki, resolution C was adopted by the Board by vote of five in favor, none opposed, two absent (Homan and Hotchkiss) as follows:

RESOLUTION C  
SCHEDULING A HEARING ON A LOCAL LAW  
ON PROPOSED WATER RATE INCREASES  
PROPOSED AT 10% FOR CONSUMPTION RATES  
AND ENACTMENT OF NEW METER USE CHARGES FOR LARGER METERS  
FOR THE VILLAGE OF PELHAM PUBLIC WATER SUPPLY #5911901

The Board of Trustees of the Village of Pelham hereby gives notice that there will be a Public Hearing on Tuesday, May 2, 2006, at 7:30 p.m., on a proposed Local Law that will enact Proposed Water Rate Increases for the Pelham Public Water Supply; and said hearing shall be held at 7:30 p.m. in Village Hall, 195 Sparks Avenue, Pelham, New York, on the Proposed Water Rate Increases of the Village of Pelham effective immediately for the July 1, 2006 Water Billing Cycle.

A copy of the Water Budget is available at the office of the Village Clerk and may be inspected there by any interested person during office hours of 8 a.m. to 5 p.m.

The Water Rate Comparison is as follows:

Village of Pelham Water Rates			
	Current Rates		Proposed Rate Increases
Base Rate:	\$36.01	½" & 5/8"	\$39.61
New Base Rates for Quarterly usage of larger meters:			
	Meter size	¾"	\$45
		1 - 1 ¼"	\$80
		1 ½"	\$150
		2"	\$245
		3"	\$467
(Consumption rates – cost per 100 cubic feet)			
First 1200 cubic feet	\$2.9964		\$3.2960
Next 36,000 cubic feet	\$2.8204		\$3.1024
Next 60,000 cubic feet	\$2.3048		\$2.5353
Above 97,200 cubic feet	\$1.4876		abolish rate – no users reach this level; if reached \$2.5353 would apply.

\* Note: The Village's last water rate increase was enacted in 2003. A 10% increase this year would amount to an annual increase of about 3.25% over the past 3 years.

On the motion of Trustee Greco, seconded by Trustee Potocki, resolution D was adopted by the Board by vote of five in favor, none opposed, two absent (Homan and Hotchkiss) as follows:

BUDGET RESOLUTION D  
VILLAGE OF PELHAM  
APRIL 18, 2006

BUDGET ADOPTION RESOLUTION

**RESOLUTION ADOPTING A BUDGET FOR THE FISCAL YEAR COMMENCING JUNE 1, 2006 AND ENDING MAY 31, 2007 MAKING APPROPRIATIONS FOR THE CONDUCT OF THE VILLAGE GOVERNMENT AND ESTABLISHING THE RATES OF COMPENSATION FOR OFFICERS AND EMPLOYEES FOR SUCH PERIOD.**

WHEREAS, this Board of Trustees has met at the time and place specified in The Notice of Public Hearing on the tentative budget and heard all persons desiring to be heard thereon.

**NOW, THEREFORE, BE IT RESOLVED** that the budget as amended at Work Sessions held on Thursday March 23, Tuesday March 28, Wednesday April 5, Tuesday April 11, and Monday, April 17, 2006, as well as the Budget Hearing held on Tuesday April 4, 2006, and as hereinafter set forth is hereby adopted and the salaries and wages stated in the Salary Schedule of the budget are fixed at the amounts shown and are effective June 1, 2006, unless provided for by other means.

On the motion of Trustee Potocki, seconded by Trustee Mohan, resolution E was adopted by the Board by vote of five in favor, none opposed, two absent (Homan and Hotchkiss) as follows:

BUDGET RESOLUTION E  
VILLAGE OF PELHAM  
RESOLUTION LEVYING TAXES  
FOR FISCAL YEAR 2006-2007  
APRIL 18, 2006

**RESOLUTION DATED APRIL 18, 2006, LEVYING THE 2006 VILLAGE TAX, ESTABLISHING THE TAX RATE, FIXING DATES OF PAYMENT.**

WHEREAS, pursuant to Section 5-508 of the Village Law, the Board of Trustees has adopted the Village Budget for the fiscal year commencing June 1, 2006 and ending May 31, 2007, and  
WHEREAS, such budget as adopted establishes a general Village tax levy of \$7,399,598 for this period.

NOW THEREFORE, BE IT RESOLVED that there are levied and assessed the sum of \$7,399,598 against all taxable real property and special franchise in the Village, pursuant to this budget, as adopted, and the 2006 Village tax rate is set at \$5.789314 per thousand dollars of assessed valuation for Homestead Properties and \$8.564229 per thousand dollars of assessed valuation for Non-Homestead Properties. The Collector of Taxes is hereby authorized and directed to extend and carry out upon the 2006 tax roll the amount to be levied against each parcel of real property and each special franchise shown thereon,

AND BE IT FURTHER RESOLVED, that pursuant to Section 1432 of the Real Property Tax Law, taxes levied as aforesaid are due June 1, and payable by June 30, 2006, and the dates and rates of interest shall be set as follows:

Payment Due: Due June 1, 2006  
 From June 1, 2006 to June 30, 2006 - No Interest  
 On July 1, 2006 - 5% will be added and 1% additional on the first day of each month thereafter until paid.

BUDGET FOR THE VILLAGE OF PELHAM  
 FOR THE FISCAL YEAR JUNE 1, 2006 TO MAY 31, 2007

GENERAL FUND

Government Support.....	\$1,427,393
Public Safety.....	\$4,368,942
Transportation.....	\$951,252
Economic Assistance.....	\$62,430
Home & Community Services.....	\$968,506
Employees' Benefits.....	\$2,679,640
Debt Service Payments.....	\$130,133
Transfer to Capital.....	<u>\$70,500</u>
TOTAL	\$10,658,796
Less Estim. Revenue (includes \$218,000 Approp. Fd. Bal.)....	\$3,259,198
Tax Levy.....	\$7,399,598
Assessed Valuation: HOMESTEAD.....	\$1,071,544,572
Tax Rate Per Thousand Homestead.....	\$5.789314
Assessed Valuation: NON-HOMESTEAD.....	\$139,661,138
Tax Rate Per Thousand. ....	\$8.564229

The total amount of local assistance to the General Fund anticipated to be received from the State of New York during the fiscal year 2006 - 2007..... \$74,888

RATES OF INTEREST

Payment Due: Due June 1, 2006  
 From June 1, 2006 to June 30, 2006 - No Interest

On July 1, 2006 - 5% will be added and 1% additional on the first day of each month thereafter until paid.

**PLEASE NOTE:** It is the taxpayer's responsibility to remember the due date of the tax payment –  
JUNE 1, 2006, payable without interest until June 30, 2006.

**SENIOR CITIZENS:** You may be eligible for tax exemption if you are age 65 and over.

For more information, please call or write:

Town Receiver of Taxes                      or  
34 5<sup>th</sup> Avenue  
PELHAM, NY 10803  
914-738-1642

Town Tax Assessor  
34 5<sup>th</sup> Avenue  
PELHAM, NY 10803  
914-738-2878

### THIRD PARTY NOTIFICATION

Under New York State Law (Chapter 758, Laws of 1986) if you are either 65 years of age or older or disabled and own and occupy a 1, 2, or 3 family residence, you may designate a consenting adult third party to receive duplicate copies of your tax bills and notice of unpaid taxes until further notice. Applications may be obtained in person from the Tax Office, 34 5<sup>th</sup> Avenue, Pelham, New York 10803 or by mail if you include with your request a self-addressed stamped envelope.

Applications for third party notification must be filed with the Receiver of Taxes no later than June 1, 2006.

### TAX SCHEDULE

JANUARY:	Second Half School Taxes Town of Pelham
APRIL:	Town Taxes Town of Pelham
JUNE:	Village Taxes are due w/o interest by June 30 <sup>th</sup> To: Village of Pelham (Town Receiver of Taxes)
SEPTEMBER:	First Half School Taxes Town of Pelham

**The data used to calculate real property taxes due includes, but is not limited to, the tax rates and assessed valuation applicable to each parcel of real property, as shown on the reverse side of this sheet.**

**The Village of Pelham, Assessed under Full Valuation by the Town of Pelham, shall submit assessment information in compliance with the applicable Section of the Real Property Tax Law.**

If you feel your assessment is too high, you have the right to seek a reduction in the future. Applications for challenging your assessment and a copy of the booklet "How to File a Complaint about Your Assessment" are available at the Assessment Office.

Any tax questions can be answered by calling the Town of Pelham Tax Assessor at 738-2878 or the Town of Pelham Receiver of Taxes at 738-1642 for Village, School or Town tax information.

On the motion of Trustee Mohan, seconded by Trustee Greco, resolution F was adopted by the Board by vote of five in favor, none opposed, two absent (Homan and Hotchkiss) as follows:

**BUDGET RESOLUTION F  
2006-2007 VILLAGE OF PELHAM BUDGET  
AUTHORIZATION FOR INVESTMENTS**

RESOLVED, that the Village Administrator/Treasurer and/or Deputy Treasurer, during the fiscal year beginning June 1, 2006 are authorized to invest monies not needed for immediate expenditure in accordance with the provisions of the General Municipal Law, the Local Finance Law and the Village's investment policy.

On the motion of Trustee Greco, seconded by Trustee Merrick, resolution G was adopted by the Board by vote of five in favor, none opposed, two absent (Homan and Hotchkiss) as follows:

**BUDGET RESOLUTION G  
2006-2007 VILLAGE OF PELHAM BUDGET  
RESOLUTION AUTHORIZING THE LEVY AND COLLECTION  
OF ADDITIONAL TAXES UPON TERMINATION OF EXEMPT STATUS**

RESOLVED, that the Town Assessor and Receiver of Taxes, during the fiscal year beginning June 1, 2006 are authorized to levy and collect additional Village taxes upon termination of exempt status of real property in accordance with provisions of Section 494 of the Real Property Tax Law.

<b>Business</b>
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<b>8:15 p.m.</b>
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Item #8 -- Adopting a resolution in support of the full funding of the Community Development Block Grant (CDBG) program by the Federal government.

The Mayor summarized the resolution. The Administrator explained the Village had utilized funding from this program towards projects like the neighborhood sidewalks in the low- to moderate-income neighborhoods, the parking decks, the Downtown Streetscape improvements, and the \$250,000 First Street flooding remediation project.

On the motion of Trustee Mohan, seconded by Trustee Greco, the resolution was adopted by the Board by vote of five in favor, none opposed, two absent (Homan and Hotchkiss) as follows:

RESOLUTION

BY THE VILLAGE OF PELHAM, NY  
IN SUPPORT OF THE FULL FUNDING OF THE  
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM  
BY THE FEDERAL GOVERNMENT.

WHEREAS, the Community Development Block Grant (CDBG) program was enacted as the centerpiece of the Housing and Community Development Act of 1974 with the primary objective to develop viable urban communities in partnership among the federal, state and local governments, business, and the nonprofit sector, "by providing decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low and moderate income;" and

WHEREAS, CDBG funded activities must fall under three national objectives, the elimination of slums and blight; addressing urgent needs that pose an immediate threat to the health, safety, and public welfare of a community; and addressing the needs of low and moderate income persons with at least 70 percent of CDBG funding; and

WHEREAS, under these guidelines, Westchester County uses CDBG funds to eliminate slums and blight; conserve and expand housing stock; conserve energy; preserve properties of historic value; reduce isolation of income groups within communities; revitalize deteriorating neighborhoods; improve the provision of community services; promote economic development; and encourage more rational use of land and natural resources; and

WHEREAS, a 2001 report published by the Brookings Institution notes that suburban communities house much of the nation's working families and don't have the funding they need to manage older infrastructure and the cost of rebuilding and depend heavily on residential taxes to fund basic services. Further, high-cost counties like Westchester have extreme gaps between rich and poor. Workers such as teachers, firefighters, hotel workers and other service personnel – the core people each community needs –

can't find affordable housing. Neither can immigrants who are attracted to thriving areas where the jobs are; and

WHEREAS, CDBG program funds have been used to help provide relief in disasters such as the Katrina, Rita and Wilma Hurricanes when Congress appropriated \$11.5 billion in CDBG funds for the recovery of Louisiana, Mississippi, Alabama, and Texas. The \$3.483 billion in CDBG funds appropriated to help New York City recover from the September 11<sup>th</sup> tragedy continues to play a critical role in the City's restoration; and

WHEREAS, the success of the CDBG program has been well documented as a stabilizing force in our cities, towns and villages and the need for funding has increased as our municipalities face rising federal and state costs and taxes and a shortage in housing stock considered "affordable," yet, since 2001, CDBG funding has declined steadily from \$4.41 billion nationally to \$3.71 billion and is threatened with a further reduction of 25 to 33 percent in the Federal FY2007 budget; and

WHEREAS, A national survey on the impact of prior reductions in CDBG funding reports a substantial negative effect on homeownership, local economy growth and the strength of the nation's infrastructure. It is alarming to contemplate the projections: fewer jobs retained and created; fewer households assisted with homebuyer assistance; fewer services for elderly persons, children and youth, persons with special needs and low-and-moderate-income persons; reductions in housing rehabilitation; canceled or delayed public improvements including street and sidewalk improvements, community and neighborhood centers and health and recreational facilities; now therefore be it

RESOLVED, that the Village of Pelham, NY joins such CDBG Coalition members as the United States Conference of Mayors, the National League of Cities, the National Association of Counties, and many others, in strongly urging Congress to fund the CDBG program to at least the \$4.5 billion level in the Federal FY2007 budget; and be it further

RESOLVED, that the Village of Pelham, NY strongly urges that funding of CDBG not have a negative impact on other HUD programs that critically impact our communities.

Item #9 -- Authorizing a contract with Cingular Wireless for a lease extension at the Pelham Firehouse at revised rates.

The Administrator commented that the proposed lease amendment agreement is attached, and should be reviewed and approved by the Village Attorney and/or other appropriate legal counsel before it is signed. On the motion of Trustee Merrick, seconded by Trustee Mohan, the resolution was adopted by the Board by vote of five in favor, none opposed, two absent (Homan and Hotchkiss) as follows:

## RESOLUTION

AUTHORIZING A CONTRACT WITH CINGULAR WIRELESS (FORMERLY A T & T)  
FOR A LEASE EXTENSION AT THE PELHAM FIREHOUSE AT REVISED RATES  
AND SOME AMENDMENTS TO THE ORIGINAL TERMS OF THE LEASE

BE IT RESOLVED, by the Board of Trustees of the Village of Pelham that a lease extension and amendment agreement for the period of June 1, 2006, through May 31, 2011, with five (5) five-year extensions possible, at a starting annual rate of \$34,970.28, with 5% increases effective with each five-year extension; and

BE IT FURTHER RESOLVED, that the Mayor, the Village Administrator, the Village Attorney, and all appropriate Village Officials, are authorized to take the necessary and appropriate actions to sign and effect this amended lease extension, based on terms that are to the satisfaction of the Mayor and the Village Attorney.

Item #10 -- Authorizing a contribution of \$1000 towards the American Legion Post 50 towards the Memorial Day Parade.

On the motion of Trustee Greco, seconded by Trustee Merrick, the resolution was adopted by the Board by vote of five in favor, none opposed, two absent (Homan and Hotchkiss) as follows:

## RESOLUTION

AUTHORIZING A CONTRIBUTION OF \$1000  
TOWARDS THE AMERICAN LEGION POST 50  
ANNUAL PELHAM MEMORIAL DAY PARADE

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham authorizes funding of one thousand dollars (\$1,000) to be attributed towards the American Legion Post 50 Annual Pelham Memorial Day Parade, authorizes Pelham Police to assist with traffic control along the Parade Route, and authorizes the appropriate Village officials to take the necessary and appropriate actions to provide this assistance for the Annual Pelham Memorial Day Parade.

Item #11 -- Discussion of a draft local law to enact new Erosion and Sediment Control provisions to the Pelham Village Code, for adoption as required by the US EPA Phase 2 Stormwater regulations. (Will require a public hearing.)

The Board discussed the guide and sample local law from the NYS Department of State and Department of Environmental Conservation. The Board should circulate this local law to the Village's Land-Use Boards for review, comment, and then report and recommendation for you all to consider and act on this matter.

It was the consensus of the Board, which moved unanimously, to refer the draft sample local law to the Village of Pelham's Land-Use Boards – the Planning Board and the

Zoning Board of Appeals -- for review, comment and report and recommendation back to the Mayor and Board of Trustees with a more final form of law for the Board of Trustees to schedule a hearing on.

Item # Adoption of the Federal National Incident Management System (NIMS).

The Administrator gave a brief report to the Board that this is a Federal Mandate based on a post-“9/11” Presidential Order, to have a standard national system for emergency management and command control. Key employees in all departments will have to be trained and the village will have to be prepared to operate under this new system, including things like standard radio communication language, operating under mutual aid agreements that pre-establish mutual aid command and control for national incidents, updating village plans, policies and procedures incorporating NIMS, etc. The Mayor and Board commented on the importance of this approach and encouraged compliance by the Village as soon as possible.

On the motion of Trustee Potocki, seconded by Trustee Mohan, the resolution was adopted by the Board by vote of five in favor, none opposed, two absent (Homan and Hotchkiss) as follows:

RESOLUTION

ADOPTING THE NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS)

WHEREAS, In Homeland Security Presidential Directive (HSPD)-5, the President directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS) which would provide for a more consistent nationwide approach for Federal, State, Local and Tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to, and recover from domestic incidents, regardless of cause, size or complexity; and

WHEREAS, the collective input and guidance from all Federal, State, Local and Tribal homeland security partners has been and will continue to be vital to the development, effective implementation and utilization of a comprehensive NIMS; and

WHEREAS, it is necessary that all Federal, State, Local and Tribal emergency management agencies and personnel coordinate their efforts to effectively and efficiently provide the highest levels of incident management; and

WHEREAS, to facilitate the most efficient and effective incident management it is critical that Federal, State, Local and Tribal organizations utilize:

- standardized terminology
- standardized organizational structures
- uniform personnel qualification standards
- uniform standards for planning, training and exercising
- comprehensive resource management, and
- designated incident facilities during emergencies or disasters; and

WHEREAS, the NIMS standardized procedures for managing personnel, communications, facilities and resources will improve the State's ability to utilize Federal funding to enhance Local and State agency readiness, maintain first responder safety, and streamline incident management processes; and

WHEREAS, the Incident Command System components of NIMS are already an integral part of various incident management activities throughout the state, including all public safety and emergency response organizations training programs; and

WHEREAS, the National Commission of Terrorist Attacks (9-11 Commission) recommended adoption of a standardized Incident Command System.

BE IT RESOLVED, by the Board of Trustees of the Village of Pelham that the Village of Pelham adopts the National Incident Management System (NIMS) be utilized for all incident management in the Village of Pelham.

Item #13 -- Resolution to recognize Friday, April 28, 2006 as Arbor Day.

On the motion of Trustee Merrick, seconded by Trustee Mohan, the resolution was adopted by the Board by vote of five in favor, none opposed, two absent (Homan and Hotchkiss) as follows:

#### RESOLUTION

#### TO RECOGNIZE AND OBSERVE NATIONAL ARBOR DAY 2006

WHEREAS, the Mayor and Board of Trustees would like to express our best and warmest wishes to celebrate Arbor Day as the last Friday in April – April 28, 2006 and reflect upon the importance of trees to the Village of Pelham; and

WHEREAS, trees have for centuries been an important part of the look and feel of the Pelham community, since the planting of the Pell Treaty Oak. They are a symbol of our responsibility and commitment to our environment and to our future. And, it is the Village of Pelham's desire to continue our participation in the Tree City USA program.

BE IT RESOLVED, that in recognition of the Village of Pelham's past and future commitments to the care and replacement of trees due to the environmental, economic and cultural value to Pelham, it is our honor and privilege to recognize Friday, April 28, 2006, as National Arbor Day throughout the Village of Pelham, NY.

Item #14 -- Executive Session Discussion item – potential litigation (Eric Gordon, Esq.).  
The Board held this item until the rest of the business items were completed.

Item #15 -- Authorizing the accounts payable.

On the motion of Trustee Greco, seconded by Trustee Mohan, the resolution was adopted by the Board by vote of five in favor, none opposed, two absent (Homan and Hotchkiss) as follows:

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/Treasurer:

<u>Fund Name:</u>	<u>Amount</u>
General Fund	\$145,579.44
Water Fund	\$25,020.36
Capital Projects Fund	\$670,577.70
Trust and Agency Fund	\$4,587.50
H3 Fund	\$0.00
Grand Total	\$845,765.00

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

Item #16 – Old Business/New Business: There was no old or new business.

Item #17 -- Minutes: March 7, 2006; March 21, 2006; April 4, 2006. The Board held over the minutes for further review and proofreading.

Item #18 – Adjournment.

On the motion of Trustee Greco, seconded by Trustee Potocki, the Board agreed by vote of five in favor, none opposed, two absent (Homan and Hotchkiss) to adjourn the public portion of the Board Meeting and go into Executive Session on subjects of potential litigation, and a personnel matter.

On the motion of Trustee Potocki, seconded by Trustee Mohan, the Board agreed by vote of five in favor, none opposed, two absent to adjourn the meeting at 8:50 p.m.

Respectfully submitted,  
Richard Slingerland  
Village Administrator/Deputy Village Clerk