

VILLAGE OF PELHAM BOARD OF TRUSTEES REGULAR MEETING  
TUESDAY, FEBRUARY 6, 2007, 7:30 PM  
VILLAGE HALL – 195 SPARKS AVENUE, PELHAM, NY  
MINUTES

6:30 P.M. Executive Session Regarding A Matter Of Ongoing Litigation

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

Approximate  
# Agenda Items: Time  
of Discussion

	<b>Code Changes</b>	<b>8:15 PM</b>
7.	Public Hearing on outstanding proposed changes to the Site Plan Code and Residential Zoning Code in the Village of Pelham	<b>Approved as amended</b>
8.	Scheduling a public hearing on a proposed Local Law to amend the Code and increase Senior Citizen property tax exemption levels.	<b>Scheduled for next meeting</b>
	<b>Business</b>	<b>8:45 PM</b>
9.	Authorizing a contract with Westchester County for the Stop-DWI program.	<b>Approved</b>
10.	Authorizing a contract with Westchester County for the Employee Assistance Program (EAP).	<b>Tabled to next meeting</b>
11.	Considering the award of the contract for Architectural services for the Pelham Parking Facility and new DPW Garage and yard.	<b>Approved</b>
12.	Considering the award of the bid for decorative garbage cans for the Pelham Downtown.	<b>Tabled to next meeting</b>
13.	Discussion for parameters of a Master Plan to begin preparation of a Request for Proposals for Planning Services.	<b>Discussed</b>
14.	Authorizing the village to enter into a certiorari settlement agreement for the property at 625 5 <sup>th</sup> Avenue.	<b>Approved</b>
15.	Authorizing the award of the bid to sell 2 Ford Crown Victorias.	<b>Approved</b>
16.	Authorizing a budget amendment and change orders as the First Street Storm Drain project nears completion.	<b>Approved</b>
17.	Authorizing a contract with Maximus to perform a valuation of the Village's infrastructure, as required by G.A.S.B. 34	<b>Approved</b>
	<b>Housekeeping</b>	<b>9:30 PM</b>

18.	Authorizing the accounts payable.	<b>Approved</b>
19.	Old Business/New Business	
20.	Minutes: January 16, 2007	<b>Approved</b>
21.	Adjournment.	<b>Adjourned</b>

Next Regular Board Meetings are Tuesdays February 20, 2007 and March 6,  
2007

All meetings start at 7:30 p.m. unless otherwise noted.

\* Agenda is subject to change until the night of the meeting.

VILLAGE OF PELHAM BOARD OF TRUSTEES REGULAR MEETING  
MINUTES  
TUESDAY, FEBRUARY 6, 2007, 7:30 PM  
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 Michael J. Clain at 7:35 p.m.

The following members of the Board of Trustees were present:

Mayor Michael Clain, Homan, Hotchkiss, Merrick, Mohan, and Potocki. Trustee Greco was absent.

Village staff in attendance:

Administrator/Treasurer Richard Slingerland, Administrative Aide Devron Wilson, and Building Inspector Len Russo.

Item #2 – Pledge of Allegiance:

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

Item #3 – Mayor's Report:

Mayor Clain reported on the fire that took place at 264 Cliff Avenue on January 31, 2007. He thanked the Pelham Fire Department and all other fire departments that assisted with the fire incident. He also reported that 80% of the house was saved from damage and there were no casualties. He further reported that Provisions of 209 Wolfs Lane has extended a courtesy of free meals to the Carden family of 264 Cliff Avenue, courtesy Deborah Larkin.

He mentioned that Commerce Bank will be starting demolition on two (2) homes on Lincoln Avenue by the end of this week. It should take approximately three (3) months before they are ready to open during the spring season.

Mayor Clain further mentioned that the village expects Pelham Medical Group to submit plans for rock remediation by the middle of February with the actual remediation work set to take place by the end of March pending planning board approval. Geo Foam will be installed in the meantime to stabilize the rock until plans to remove the rock are submitted to the Village.

Item #4 – Trustees Reports:

Trustee Potocki reported that police officers from Pelham and Pelham Manor had an active shooting training day at Pelham High School on Martin Luther King Day Monday January 15, 2007. Pelham Police Chief Joe Benefico would like to raise funds from the community to help purchase some of the active shooting training materials.

Trustee Potocki also reported that six (6) police officers were involved with responding to the fire at 264 Cliff Avenue. The six (6) officers along with Village DPW personnel controlled the scene and set up barricades around the perimeter of 264 Cliff Avenue.

Trustees Homan, Hotchkiss, Merrick, and Mohan had nothing to report. Trustee Greco was absent.

Item #5 – Village Administrator’s Report:

Village Administrator had nothing to report.

Item #6 – Public Comment:

Richard Altobelli of 107 5<sup>th</sup> Avenue was concerned with jobs available for Pelham residents. Mr. Altobelli feels as though the Village as it relates to the Pelham Fire Department, is hiring people outside of Pelham as opposed to hiring Pelham residents. The Mayor responded to Mr. Altobelli’s concern by letting everyone know that the Village hires the best and most qualified person for the job.

Item #7 – Public Hearing on outstanding proposed changes to the Site Plan Code and Residential Zoning Code in the Village of Pelham:

It was the consensus of the Board to approve the following changes:

Section 1 - Items 1A and 1B.

Section 2 – Items 1, 2, 3, 4, 5, 6, and 7.

\*Section 1 – Item 2 has been tabled until the next scheduled Board of Trustees Meeting.

Trustee Hotchkiss thanked everyone who helped with the Zoning Code changes. He individually thanked Village Administrator Richard Slingerland, Building Inspector Len Russo, Planning Board Chairperson Gwen Tapogna, Zoning Board Chairman David Daly, and Architectural Review Board Chairman Nigel Scott Williams for their involvement as committee members for the Zoning Code changes.

SEQ CHAPTER \h \r 1 LOCAL LAW NUMBER OF 2006  
SEQ CHAPTER \h \r 1

A local law that amends various sections of the Code including Chapters 79 – regarding limits of construction requiring a site plan, enlargement of a building, amendment of an approved site plan, and sections of the Zoning Code, Chapter 98, applicable to required parking spaces, rear yards and curb-cuts.

BE ENACTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF PELHAM AS FOLLOWS:

SECTION 1.

The following changes are made in Chapter 79 Site Plan Approval of the Code of the Village of Pelham:

1) ~~SEQ CHAPTER 79-4~~ Sections 79-4 A and 79-4B are repealed, and the following new Sections 79-4A and 79-4B are enacted:

A. The erection of any building in any district, other than a permitted accessory building in a residential zone with a building area of less than two hundred and seventy-five square feet (275 s.f.).

B. The enlargement of any residential building resulting in the expansion of living space (as defined by the NYS Building Code) by more than thirty-five percent (35%) or seven hundred and fifty square feet (750 s.f.).

2) Section 79-6 A. 1 is hereby repealed and the following new Section 79-6

A. 1 is enacted:

(1) This process shall be commenced when the applicant files a declaration of intent to develop form, as prescribed by the Village, with the Building Inspector. Copies of this form are to be transmitted to the Planning Board. Upon submission of a declaration of intent to develop form, the applicant shall provide notice to all property-owners contiguous to the applicant's property, including those separated by a street. These notices must be hand delivered or mailed by the applicant at least ten (10) days prior to the date of the scheduled consideration by the Planning Board, with an affidavit, or proof of delivery, or proof of mailing, provided by the applicant to the Village Clerk prior to the Planning Board Meeting.

SECTION 2.

The following changes are made in Chapter 98 Zoning of the Code of the Village of Pelham:

- 1) Section 98-10B(1) is repealed and the following new Section 98-10B(1) is adopted:

Detached private garage or garages on site for not more than two cars, provided that no garage which is connected to or a part of a dwelling shall be built nearer than 45 feet to the front street line unless the entrance of such garage faces the rear lot line.

- 2) Section 98-31B(1) is repealed and the following Section 98-31B(1) is adopted:

Detached private garage or garages on site for not more than two cars. No garage which is connected to or a part of a dwelling shall be built nearer than 35 feet to the front street line unless the entrance of such garage faces the rear lot line.

- 3) Section 98-101E is repealed and the following new Section 98-101E is adopted:

In any residence district, accessory buildings may occupy, in the aggregate, not more than 10% of the area of the lot or not more than 35% of the area of the rear yard, whichever is the more restrictive. In any case, the total area of all accessory buildings shall not exceed five hundred and fifty square feet (550 s.f.).

- 4) Sections 98-112C and 98-112D are repealed and the following new Section 98-112C is adopted:

Single- and Two-family dwellings: at least two parking spaces are required on site for each dwelling unit.

- 5) Section 98-115D is repealed and the following new Section 98-115D is enacted:

In any residence district, not more than 600 square feet or 30% of the area of a minimum required rear yard shall be used as a parking area, whichever is more restrictive.

- 6) Section 98-115F is repealed and is "Reserved".

- 7) Section 98-115L is repealed and the following new Section 98-115L is adopted:

In all districts, required parking areas and truck loading spaces shall have safe and adequate access to a public street either by a driveway on the same lot or by means of a permanent easement across an adjoining lot, such driveway or easement to have a minimum width of 10 feet. No such easement to a nonresidential use shall be permitted across a lot in a Residence A-1, A-2, A-3, B-1 or B-2 District. **Curb-cuts in residential districts shall be limited to a maximum of twelve feet (12') in width.**

SECTION 3. This Local Law shall take effect upon adoption and filing in the office of the Secretary State of the State of New York.

Item #8 – Scheduling a public hearing on a proposed Local Law to amend the Code and increase Senior Citizen property tax exemption levels:

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

## RESOLUTION

### SCHEDULING A PUBLIC HEARING A LOCAL LAW THAT AMENDS CHAPTER 73 TO ENACT SENIOR CITIZEN PROPERTY TAX EXEMPTION LEVELS

The Board of Trustees of the Village of Pelham hereby schedules a public hearing to be held at 7:30 p.m. on Tuesday, February 20, 2007, 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 73 To Enact Senior  
Citizen Property Tax Exemption  
Levels

A copy of the 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 5 p.m., or an electronic copy may be obtained from the opening page of the Village's website [www.pelhamgov.com](http://www.pelhamgov.com).

By Order of the Mayor and Board of Trustees

Terri Rouke, Village Clerk

Richard Slingerland, Village Administrator/Deputy Clerk

A Local Law That Amends  
Chapter 73 To Enact Senior  
Citizen Property Tax Exemption  
Levels

BE IT ENACTED by the Board of Trustees of the Village of Pelham as follows:

Section 1.

Article II, Veteran's Exemption is hereby repealed, and re-numbered as Article III.

Section 2.

Article II, Senior Citizen Property Tax Exemption Levels is hereby adopted as follows:

73.4 Section 467 of the New York State Real Property Tax Law, as amended from time to time, authorizes municipal corporations to grant partial real property tax exemptions to senior citizens who are 65 years of age or over who have limited incomes. Such partial real property tax exemptions established by New York State provide for property tax exemption levels ranging from five percent (5%) to fifty percent (50%) of the assessed value of a home, based on household income levels.

73.5 Real property owned by persons 65 years of age or over shall be exempt from certain Village taxes, as defined hereafter, up to a maximum of fifty percent (50%) of the assessed valuation, pursuant to the following schedule and subject to the following conditions:

a. for the period expiring June 30, 2007:

Annual Income	Percentage of Assessed Value Exempt from Taxation
\$0 to \$26,000.00	50%
\$26,000.01 to \$26,999.99	45%
\$27,000.00 to \$27,999.99	40%
\$28,000.00 to \$28,999.99	35%
\$29,000.00 to \$29,899.99	30%
\$29,900.00 to \$30,799.99	25%
\$30,800.00 to \$31,699.99	20%
\$31,700.00 to \$32,599.99	15%
\$32,600.00 to \$33,499.99	10%
\$33,500.00 to \$34,399.99	5%

- b. for the period commencing July 1, 2007 and expiring June 30, 2008:

Annual Income	Percentage of Assessed Value Exempt from Taxation
\$0 to \$27,000.00	50%
\$27,000.01 to \$27,999.99	45%
\$28,000.00 to \$28,999.99	40%
\$29,000.00 to \$29,999.99	35%
\$30,000.00 to \$30,899.99	30%
\$30,900.00 to \$31,799.99	25%
\$31,800.00 to \$32,699.99	20%
\$32,700.00 to \$33,599.99	15%
\$33,600.00 to \$34,499.99	10%
\$34,500.00 to \$35,399.99	5%

- c. for the period commencing July 1, 2008 and expiring June 30, 2009:

Annual Income	Percentage of Assessed Value Exempt from Taxation
\$0 to \$28,000.00	50%
\$28,000.01 to \$28,999.99	45%
\$29,000.00 to \$29,999.99	40%
\$30,000.00 to \$30,999.99	35%
\$31,000.00 to \$31,899.99	30%
\$31,900.00 to \$32,799.99	25%
\$32,800.00 to \$33,699.99	20%
\$33,700.00 to \$34,599.99	15%
\$34,600.00 to \$35,499.99	10%
\$35,500.00 to \$36,399.99	5%

- d. for the period commencing July 1, 2009:

Annual Income	Percentage of Assessed Value Exempt from Taxation
\$0 to \$29,000.00	50%
\$29,000.01 to \$29,999.99	45%
\$30,000.00 to \$30,999.99	40%
\$31,000.00 to \$31,999.99	35%
\$32,000.00 to \$32,899.99	30%
\$32,900.00 to \$33,799.99	25%
\$33,800.00 to \$34,699.99	20%
\$34,700.00 to \$35,599.99	15%
\$35,600.00 to \$36,499.99	10%

\$36,500.00 to \$37,399.99	5%

73.6 The owner, or owners, must file an application annually in the Assessor's Office at least ninety (90) days before the day for filing the final assessment roll or which other time as may be hereafter fixed by law. An application filed for Town or County senior citizen property tax exemption shall be deemed an application for Village taxes as well.

73.7 The income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption from all sources, as set forth in §467 of the Real Property Tax Law must not exceed the levels noted in Village Code §73.5.

73.8 The property must be used exclusively for residential purposes, be occupied in whole or in part by the owners and constitute the legal residence of the owners.

73.9 All other provisions of §467 of the Real Property Tax Law applicable to Villages as municipal corporations of the State of New York shall apply. Section 3.

Section on Veteran's Exemption is hereby re-enacted as Article III. as follows:

73.10 Amount of exemption.

Qualifying residential real property, as defined in New York State Real Property Tax Law § 458-a, shall be exempt from taxation to the extent of 15% of the assessed value of such property; provided, however, that such exemption shall not exceed \$54,000 or the product of \$54,000 multiplied by the latest state equalization rate for the assessing unit.

73.11 Amount of exemption for combat veterans.

In addition to the exemption provided by § 73-10 of this article, where the veteran served in a combat theatre or combat zone of operations, as documented by the award of a United States campaign ribbon or service medal, qualifying residential real property, as defined in New York State Real Property Tax Law § 458-a, shall be exempt from taxation to the extent of 10% of the assessed value of such property; provided, however, that such exemption shall not exceed \$36,000 or the product of \$36,000 multiplied by the latest state equalization rate for the assessing unit.

73.12 Amount of exemption for disabled veterans.

In addition to the exemptions provided by § 73-10 and 73-11 of this article, where the veteran received a compensation rating from the United States Veteran's Administration or from the United States Department of Defense

because of a service-connected disability, qualifying residential real property, as defined in New York State Real Property Tax Law § 458-a, shall be exempt from taxation to the extent of the product of the assessed value of such property multiplied by 50% of the veteran's disability rating; provided, however, that such exemption shall not exceed \$180,000 or the product of \$180,000 multiplied by the latest state equalization rate for the assessing unit. For purposes of this section, where a person who served in the active military, naval or air service during a period of war died in service of the service-connected disability, such person shall be deemed to have been assigned a compensation rating of 100%.

Section 4.

This Local Law shall take effect immediately upon adoption and filing with the Secretary of State of the State of New York.

Item #9 – Authorizing a contract with Westchester County for the Stop-DWI program:

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

\* Note: This contract establishes a five-year term for this renewal agreement.

RESOLUTION

AUTHORIZING RENEWAL AND CONTINUED PARTICIPATION BY  
THE VILLAGE OF PELHAM  
IN THE WESTCHESTER COUNTY STOP DWI PATROL/DATAMASTER  
PROJECT  
WITH FUNDING FROM THE COUNTY NOT TO EXCEED \$8,400 PER YEAR  
FOR A TERM OF 1/1/2007 THROUGH 12/31/2010

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham hereby authorizes the renewal of an agreement and continued participation by the Village of Pelham in the Westchester County Stop DWI Patrol/Datamaster Project With Annual Funding From The County not to exceed \$8,400 per year, and a total contract-term amount not to exceed \$42,000; and

BE IT RESOLVED, that the term of the agreement shall be extended for an additional four (4) years commencing on or about January 1, 2007 and ending December 31, 2010; and

BE IT FURTHER RESOLVED, that the Mayor, the Village Administrator, the Village Attorney and the Police Chief are authorized to take all necessary and appropriate actions including signing all documents to effect this agreement.

Item #10 – Authorizing a contract with Westchester County for the Employee Assistance Program (EAP):

Trustee Mohan will research other companies to get the most competitive rate.  
\*This topic was tabled until the next scheduled Board of Trustees meeting.

RESOLUTION

AUTHORIZING THE CONTRACT RENEWAL AND  
CONTINUED PARTICIPATION BY THE VILLAGE OF PELHAM IN THE  
WESTCHESTER COUNTY EMPLOYEE ASSISTANCE PROGRAM (EAP)

Item #11 – Considering the award of the contract for Architectural services for the Pelham Parking Facility and new DPW Garage and yard:

Jonathan Miller of Professional Consulting, Inc (PCI) of Parsippany, NJ thanked the board for the opportunity to attend the board meeting. He was pleased to answer any questions from the board.

The board plans to hold a kick off meeting with PCI within the next two weeks to develop a timeline and a more concise direction for the FTA Parking/DPW Garage construction design services.

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

RESOLUTION

AUTHORIZING THE AWARD OF CONTRACT NUMBER 2006-09  
FOR ARCHITECTURAL SERVICES  
TO PREPARE PLANS AND SPECIFICATIONS TO GO TO PUBLIC BID FOR  
CONSTRUCTION AND DEVELOPMENT/REDEVELOPMENT OF FTA  
PARKING AND RECONFIGURATION OF THE PELHAM PUBLIC WORKS  
FACILITY TO ACCOMMODATE SUCH PARKING

WHEREAS, the Village Of Pelham Issued A Notice to Bidders and Request For Bids for Contract 2006-09 for Construction and Development/Redevelopment of FTA Parking Facility and Pelham DPW Garage, advertised and bid as a qualifications based bid and contract in the Village Of Pelham; and

WHEREAS, a public notice was published on Friday, November 10, 2006, and on Monday, November 13, 2006, in the Gannett Westchester Newspaper, an official newspaper of the Village of Pelham; and posted on the Village of Pelham website at [www.pelhamgov.com](http://www.pelhamgov.com); and

WHEREAS, during the notice period approximately eighty (80) companies were contacted and sent copies, or stopped in to Village Hall to pick up copies of the contract documents; and

WHEREAS, at 11 a.m. E.S.T., on Monday, December 18, 2006, the Village of Pelham publicly opened and read eight (8) proposals; and

WHEREAS, the proposals were as follows:

<u>Company:</u>	
<u>Proposal Amount:</u>	
BET Consultants, East Hanover, NJ	\$
67,300	
Professional Consulting, Inc. (a.k.a. PCI), Parsippany, NJ	\$ 98,500
MSA Collaborative, Elmsford, NY	
\$108,000	
AKRF, White Plains and NY City	
\$119,000	
Peter Gaito and Associates, White Plains, NY	\$199,370
Gedeon, GRC Consulting, Mineola, NY	
\$212,000	
M.G. McLaren, P.C., West Nyack, NY	\$302,500
Baker Engineering Team, Elmsford, NY	\$334,700

WHEREAS, Interviews were conducted by a Village team with the four (4) lowest bidding firms.

BE IT RESOLVED, the Village team performing the interviews determined that the most suitable proposal that meets requirements of the Village and the FTA, based upon prior experience with similar projects in New Jersey and Westchester, for the proposed project at hand is Professional Consulting, Inc. (PCI) of Parsippany, NJ.

BE IT FURTHER RESOLVED, that the Board of Trustees of the Village of Pelham hereby award Contract 2006-09 for professional services to prepare bid-ready plans and specifications to go to public bid for the Construction and Development/ Redevelopment of FTA Parking Facility and relocation of the Pelham DPW Garage to accommodate such parking, as advertised and bid as a qualifications based bid and contract in the Village Of Pelham to Professional Consulting, Inc. (PCI) of Parsippany, NJ, at the total approximate bid price of ninety eight thousand five hundred dollars (\$98,500); and

FURTHER RESOLVED, that the Mayor, Village Administrator, DPW General Foreman, and other appropriate Village officials are authorized to take the necessary and appropriate actions to effect and execute this contract for these services, with the following provisos:

1. That the total base price of this contract is \$98,500, with any requests for additional sums or change orders to be submitted for approval by the Mayor and Board of Trustees;
2. That the Village Board hereby requests a change-order proposal from PCI to cover the additional construction and improvement of village-owned land on First Street, also known as "Lot 1", to improve such lot for municipal parking as part of this contract; and
3. That the Village Board will hold a meeting with the consultant in Work Session to review the conceptual plans prepared as part of the RFP to determine the final plan to be designed by PCI with plans and specifications for public bid.

Item #12 – Considering the award of the bid for decorative garbage cans for the Pelham Downtown:

\*This topic has been tabled until a future date, after the State has released the Main Street Grant contract, authorizing the expenditure of the funds.

RESOLUTION

AUTHORIZING THE AWARD OF THE BID  
FOR DECORATIVE STEEL GARBAGE CANS  
FOR THE PELHAM DOWNTOWN  
FUNDED BY THE NYS MAIN STREET GRANT  
FOR STREETScape IMPROVEMENTS IN THE VILLAGE OF PELHAM

Item #13 – Discussion for parameters of a Master Plan to begin preparation of a Request for Proposals for Planning Services:

\*This topic was discussed.

Village Administrator Richard Slingerland mentioned that we are required to adhere to the parameters of the application for the Master Plan. Mayor Clain asked that the Village try and include improvements to Wolfs Lane Park in the Pelham Master Plan.

Item #14 – Authorizing the village to enter into a certiorari settlement agreement for the property at 625 5<sup>th</sup> Avenue:

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

**RESOLUTION**  
**AUTHORIZING A TAX CERTIORARI JUDGMENT**  
**FOR 625 5<sup>TH</sup> AVENUE**  
**AS AUTHORIZED BY THE TOWN OF PELHAM**  
**FOR ASSESSMENT YEARS 1997 THROUGH 1999**

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham hereby the settlement and authorizes payment upon acceptance of the settlement by the Court of a draft Court Ordered Judgment on Consent for a refund of taxes and reduction in assessment pursuant to the Court Order and Judgment for 625 5<sup>th</sup> Avenue, known as tax lot Section 159.77, Block 419, Lot 5, for Assessment Years 1999/2000 through 2005/2006, in the total amount of one thousand nine hundred sixty eight dollars and forty seven cents (\$1,968.47), and authorizes the Mayor, the Village Attorney and the Village Administrator/Treasurer to sign this agreement take the necessary and appropriate actions to effect this Court Order and refund these taxes.

**Item #15 – Authorizing the award of the bid to sell 2 Ford Crown Victorias:**

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

**RESOLUTION**  
**AUTHORIZING THE AWARD AND SALE OF**  
**TWO (2) OF THE VILLAGE OF PELHAM'S SURPLUS**  
**FORD CROWN VICTORIA POLICE PACKAGE SEDANS**

WHEREAS, the Village Of Pelham Issued A Notice to Bidders and Request For Bids for two (2) 2003 Ford Crown Victorias, published on November 27, 2006, and again on January 19, 2006, including in the automobile section of the Gannett Westchester Newspapers; and

WHEREAS, during the notice period more than ten (10) potential buyers were contacted and supplied with the notice for the sale of these two vehicles; and

WHEREAS, as of Friday, January 26, 2007, the Village had received two (2) bids, as follows:

Yousef Dabbagh, Island Lake, IL  
(\$4,400 total)

\$2,300 and \$2,100

All County Transportation, Peekskill, NY  
(\$9,500 total)

\$5,100 and \$4,000

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Pelham hereby authorizes the sale of these two vehicles, in as-is condition, of two (2) 2003 Ford Crown Victoria police-package vehicles, with mileage of 56,131 and 72,675, to All County Transportation of Peekskill, NY, for a total bid amount of \$5,100 and \$4,000, totaling \$9,500; and

BE IT FURTHER RESOLVED, that the Mayor and the Village Administrator are authorized to take the necessary and appropriate actions sell these surplus vehicles.

Item #16 – Authorizing a budget amendment and change orders as the First Street Storm Drain project nears completion:

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

RESOLUTION

AUTHORIZING A BUDGET AMENDMENT AND CHANGE ORDERS  
FOR THE FIRST STREET STORM DRAIN PROJECT

BUDGET AMENDMENT:

**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,** from time to time, during and after the end of the fiscal year, it may become 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 2006-07 Budget by making the following transfers:

BUDGET AMENDMENT:

Feb. 6 07		FIRST STREET FLOOD REMEDIATION/SEWER PROJECT			
2006/07 Budget Amendments		H8140.400			
Feb. 6 07	For Agenda				
Capital Fund					
Increase Expenditures			Increase Revenues		
H8140.400	1 <sup>st</sup> St Sewer/ Flood Remed	\$18,450	H2075	Gifts and Donations	\$ 15,000
			H4000	App Cap Fund Bal.	\$ 3,450
TOTALS		\$18,450			\$ 18,450
H8140.400	1 <sup>st</sup> St Sewer/ Flood Remed	\$891,504	H4000	Capital Fund -- Fund Bal 05/06	\$546,087
			H4000	Fd Bal EPA Proj H8140.299	\$ 94,382
			H3504	Wstr Cty CDBG	\$250,000
			H2401	Int Earnings GDC	\$ 1,035

FIRST STREET FLOOD REMEDIATION/SEWER PROJECT				
H8140.400 (Capital Budget Project Account)				
CHANGE ORDERS				
Contract #	Contract Title			Amount
Number 1	Montesano Contracting			
		Original Contract		\$ 802,810
		Change Order #1		\$ 85,000
		Change Order #2		\$ 5,400
		Change Order #3		\$ 10,000
			Sub-total	\$ 903,210
	Authorize	Change Order #4		\$(148,403)
			Final Total Contract	\$ 754,807
Number 2	KJM Construction Management			
		Original Contract		\$40,000
	Authorize	Change Order #1		\$12,530
			Final Total Contract	\$52,530
Number 3	Dolph Rotfeld Engineers			

	Authorize		Final Total Contract	\$58,005
			(Est. pending final bill	
			for As-builts)	

FIRST STREET FLOOD REMEDIATION/SEWER PROJECT			
BUDGET REVIEW			
REVENUES		EXPENDITURES	
Sources of Financing		Financial Summary	
Description	Amount	Description	Amount
2004 Bond Anticipation Note	\$150,000.00	Total Funding	\$960,417
2006 Bond Anticipation Note	\$200,000.00	Total Expended	\$954,684
CDBG Grant	\$250,000.00		
GDC/Marbury Corners Contrib	\$250,000.00	Available Balance	\$5,733
Int. on GDC donation	\$ 1,035.00		
Bal H8140.399 EPA Swr Proj	\$ 94,382.00	Open Items:	
(\$109,000 EPA/\$165,000 BAN)		Fending of NYS Property	\$4,500
		Dolph Rotfeld	\$2,000
GINSBURG DONATION 2007	\$ 15,000.00	(AS BUILTS)	
		Total, Open Items	\$6,500
<b>TOTAL FUNDING</b>	<b>\$960,417.00</b>		
		Projected Balance	\$ ( 767)
		* Capital Fund Interest earnings could	
<b>PROJECT EXPENDITURES</b>		be applied to make up the shortfall.	
Montesano Contracting	\$754,806.94		
En Tech Corp (re-lining)	\$ 33,620.40		
Dolph Rotfeld Engineers	\$ 56,005.06		
KJM Construction Mgmt	\$ 52,530.00		
Contractors Line and Grade	\$ 975.00		
Spain Insurance Agcy (bond)	\$ 500.00		
Almstead Tree	\$ 857.50		
Expanded Supply	\$ 4,730.90		
Fred A. Cook – Relining Video	\$ 4,800.00		
<b>Total Expended</b>	<b>\$908,825.80</b>		

A8140.120 Sewer Overtime	\$ 45,858.27		
GRAND TOTAL EXPENDED	\$954,684.07		

Item #17 – Authorizing a contract with Maximus to perform a valuation of the Village’s infrastructure, as required by G.A.S.B. 34:

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

RESOLUTION

AUTHORIZING A CONTRACT WITH MAXIMUS TO PERFORM A VALUATION OF VILLAGE INFRASTRUCTURE, AS REQUIRED BY GASB 34 FOR AN AMOUNT NOT TO EXCEED \$4,500

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham hereby authorizes a contract with Maximus to perform a Valuation of Village-owned infrastructure assets, such services not to exceed \$4,500, and

BE IT FURTHER RESOLVED, that the Village Administrator/Treasurer is authorized to take all necessary and appropriate actions including signing this agreement to obtain these services for the Village.

Item #18 – Authorizing the accounts payable:

A motion was made by Trustee Homan, with a second by Trustee Hotchkiss to adopt the resolution. The motion passed 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	\$227,810.11

Water Fund	\$28,511.47
Capital Projects Fund	\$56,045.32
Trust and Agency Fund	\$0.00
H3 Fund	\$0.00
Grand Total	\$312,366.90

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

BE IT FURTHER RESOLVED, that the Village Administrator/Treasurer is authorized to take all necessary and appropriate actions including signing this agreement to obtain these services for the Village.

Item #19 – Old Business/New Business:

Trustee Mohan mentioned that Fire Engine #5 is old and needs replacing. Village Administrator Richard Slingerland mentioned that Fire Engine #5 is eight (8) years past normal expected life. Many of the components are so old that they would have to be specially made, if they break or wear out.

The Pelham Fire Department has been approached by Ferrara Fire Apparatus, Inc. about purchasing a new demonstration-model truck for \$356,000 (2004 Ferrara Pumper Demo Truck). The board recommended the proposal be tabled until the new board of trustees take office in April, for inclusion in the budget discussion. Fire Lieutenant Dinapoli will be invited to the April Board of Trustees meeting to make a presentation on the 2004 Ferrara Pumper Demo Truck.

Village Administrator Richard Slingerland will contact Pete Russillo regarding the suggestions he may have to reduce speeding on the Boulevard hill by Colonial School.

Item #20 – Minutes: January 16, 2007:

A motion was made by Trustee Mohan, with a second by Trustee Potocki to adopt the minutes from January 16, 2007. The motion passed unanimously by vote of six in favor, none opposed.

Item #21 – Adjournment:

On the motion of Trustee Homan, seconded by Trustee Merrick, the Board voted to adjourn the board meeting 9:40 p.m. The motion passed unanimously by vote of six in favor, none opposed.

Item #22 – Board Reconvene:

The board reconvened to discuss a Hold Harmless Agreement for installation of Geo Foam at the Pelham Medical Group building site located at 116 5<sup>th</sup> Avenue.

Item #23 – Re-adjournment:

On the motion of Trustee Homan, seconded by Trustee Merrick, the Board voted to adjourn the board meeting 9:45 p.m. The motion passed unanimously by vote of six in favor, none opposed.

Respectfully submitted,

Devron Wilson, Administrative Aide

Richard Slingerland, Administrator/Deputy Clerk