

VILLAGE OF PELHAM BOARD OF TRUSTEES MEETING  
TUESDAY, JANUARY 17, 2006, 7:30 P.M.  
VILLAGE HALL - 195 SPARKS AVENUE, PELHAM, NY

MINUTES

1. Meeting Called 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:	Approximate Starting Time of Discussion
	<b>Parking</b>	<b>7:45 p.m.</b>
7	Establishing a "No Parking – here to corner" on the north side of First Street, east of 2 <sup>nd</sup> Avenue, for a distance of approximately thirty feet, to improve sight distance for cars exiting 2 <sup>nd</sup> Avenue.	<b>Approved</b>
	<b>Financial Matters</b>	<b>8:00 p.m.</b>
8	Authorizing an amended Bond Authorization in the amount of an additional \$200,000 to the prior Bond Authorizations for village-wide sanitary and storm-drain sewer improvements.	<b>Approved</b>
9	Authorizing a budget amendment to the Police Department budget for police equipment and to telephone wiring maintenance and repairs.	<b>Approved</b>
	<b>Grants</b>	<b>8:15 p.m.</b>
10	Authorizing the Village of Pelham to participate in a Shared Municipal Services Incentive (SMSI) grant application to the New York State Department of State for improvements to the Imperia Project	<b>Approved</b>
11	Authorizing the Village of Pelham to participate in a Shared Municipal Services Incentive (SMSI) grant application to the New York State Department of State with other LISWIC communities (Villages of Mamaroneck, Port Chester, Rye Brook; Town of Mamaroneck and the City of Rye) to complete Geographical Information System data not collected during aerial photography stages.	<b>Approved</b>
	<b>Human Resources</b>	<b>8:30 p.m.</b>
12	Authorizing Settlement and Acceptance of Terms for a Contract Between the Village of Pelham and the Pelham Firemen's Taylor Act Committee for the period of June 1, 2005 through May 31, 2009.	<b>Approved</b>
	<b>Housekeeping</b>	<b>9:00 p.m.</b>
13	Authorizing and approving the accounts payable	<b>Approved</b>
14	Old Business/New Bus.: Contract w KJM Construction Insp. Svcs.	<b>Approved</b>
15	Minutes:	
16	Adjournment	<b>8:55 p.m.</b>

Next Meetings are as follows:

Regular Board Meetings Tuesday February 7, 2006 and Tuesday February 21, 2006  
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  
VILLAGE HALL - 195 SPARKS AVENUE, PELHAM, NY  
TUESDAY, JANUARY 17, 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 7:30 p.m.

The following members of the Board of Trustees were present:

Mayor Michael Clain, Trustees Ciro Greco, Mia Homan, David Merrick, Peter Potocki, and Michael Rozycki. Trustee Edward Hotchkiss was absent.

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

Mayor Clain announced an update on the asbestos remediation of the collapsed building site, and that a large portion of the street would have to be closed and traffic controlled with flagmen.

He announced that the final public meeting on the Village Yard Master Plan would be held on Tuesday, January 31<sup>st</sup>, at 7:30 p.m., that the meeting would be run by Committee Chairman Mike Zisser, and that the Village's planners from Buckhurst Fish & Jacquemart would be there to present the final report.

Mayor Clain also announced his formation of a Wolfs Lane Master Planning Committee, made up of Ron Czajka, Emily Freidburg, Susan Evans, Richard Veith, and Dominique Browning. He had asked the Committee to review the plans of Cherbuliez Munz and provide a report to him and the Board in six months, or roughly mid-July.

Mayor Clain announced the approval by the County of the Village's applications for CDBG projects, including \$80,000 for the Downtown streetscape, between 6<sup>th</sup> Street and Willow Avenue on 5<sup>th</sup> Avenue, and the approval of \$50,000 for neighborhood sidewalks in the low to moderate income zones. The Board thanked Dennis DelBorgo for his hard work on the grant applications.

Item #4 – Trustees Reports:

Trustee Greco reported that the Village had received the MOU for a settlement with the Fire Department for a four-year period, from June 1, 2005 through May 31, 2009.

Trustee Potocki provided a report on the “active shooter” training that took place on January 16<sup>th</sup> at the Middle School. He noted that there were police officers from 14 other police departments, to learn techniques and tactics on active shooters. He noted that the program was run by Lt. DelGrosso, Sgts. Glover and Conadon, Officer Mitrione, and assistance from Detective Carpenter, run in 3 4-hour sessions. He mentioned that the guys worked very hard, and cooperated with all the officers from the surrounding jurisdictions, including Pelham Manor and Mt. Vernon

Trustee Merrick asked about the revenue forecasts, since he had noted that the 5<sup>th</sup> Avenue was a ghost town, and that there would certainly be an impact due to the loss of revenues.

Trustee Hotchkiss reported on the online ticket payment, and that the site was down, and he had experienced 2 credit card rejections.

Trustees Rozycki and Homan had nothing to report at this time.

#### Item #5 – Village Administrator’s Report:

Administrator Slingerland reported:

- the Village was working on a newsletter
- budget submissions had been received and reviewed from the Department Heads.
- That he and Shirley Brown had met with a representative from USI, a firm that addresses Post Employment Benefit actuarial reviews.
- That the Village was working with the Small Business Administration, and the County and State Emergency Management Offices, to obtain assistance through a declaration of economic injury to qualify the businesses for low-interest loans. He noted the Village had also contacted the County IDA and Economic Development Office, and the State Empire State Development Corp., to explore all possible resources.
- He also mentioned that the First Street sewer job would be inspected by an engineer from Dolph Rotfeld’s Office, and an inspector from KJM contracting.

#### Item #6 – Public Comment:

John Cassone of 7<sup>th</sup> Avenue said that it was a great training exercise for the police officers, but that he was disappointed in the state of the Downtown streets after the collapse of the rock. He said the partitions, debris, yellow police ribbons and dumpster look terrible, and that the disaster site and area should be kept neat.

Paul Bloom of 6<sup>th</sup> Avenue, in the area above the rock fall, asked about the status of what can go in on 5<sup>th</sup> Avenue, to replace the collapsed building. It was discussed that the maximum height is 45’, or 4 stories, commercial/retail, with residential or office above.

Trustee Potocki commented that the Village could run regular training jointly, and that it could happen anyplace. Trustee Greco said that there are plans for joint training with the Fire Department, and the Village will extend an offer to the Pelham Manor Fire Department to participate as well.

Item #7 -- Establishing a "No Parking – here to corner" on the north side of First Street, east of 2<sup>nd</sup> Avenue, for a distance of approximately thirty feet, to improve sight distance for cars exiting 2<sup>nd</sup> Avenue.

Trustee Potocki mentioned that regarding the 3<sup>rd</sup> Avenue parking issue, that the Board would revisit it after the Marbury Corners construction was complete.

After discussion, the Board moved on this resolution. On the motion of Trustee Homan, seconded by Trustee Rozycki, the Board authorized the following resolution by vote of seven in favor, none opposed.

#### RESOLUTION

##### ENACTING "NO PARKING"

HERE TO CORNER – ON THE NORTH SIDE OF FIRST STREET  
EAST OF 2<sup>ND</sup> AVENUE, FOR A DISTANCE OF APPROXIMATELY THIRTY FEET

BE IT RESOLVED, that the Board of Trustees hereby amends the Village Code pursuant to § 90-15. No parking any time; to prohibit parking, as listed in Schedule X (§ 90-49), as follows:

Name of Street	Side	Location
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**New Language as follows:**

First Street	North	From Second Avenue to a point 30 feet east thereof
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Item #8 – Authorizing an amended Bond Authorization in the amount of an additional \$200,000 to the prior Bond Authorizations for village-wide sanitary and storm-drain sewer improvements.

The Board reviewed Bond Counsel's letter, and breakdown of sewer costs.

After discussion, the Board moved on this resolution. On the motion of Trustee Rozycki, seconded by Trustee Potocki, the Board authorized the following resolution by vote of seven in favor, none opposed.

**BOND RESOLUTION, DATED JANUARY 17, 2006, AUTHORIZING THE  
ISSUANCE OF UP TO \$200,000 AGGREGATE PRINCIPAL AMOUNT  
SERIAL BONDS OF THE VILLAGE OF PELHAM, COUNTY OF  
WESTCHESTER, STATE OF NEW YORK, TO FINANCE THE**

**ADDITIONAL COSTS OF THE ACQUISITION, CONSTRUCTION AND RECONSTRUCTION OF IMPROVEMENTS TO THE SEWER SYSTEM IN AND FOR THE VILLAGE, PURSUANT TO THE LOCAL FINANCE LAW.**

**WHEREAS**, the Board of Trustees of the Village of Pelham (the "Village"), a municipal corporation of the State of New York, located in the County of Westchester, hereby determines that it is in the public interest of the Village to authorize the financing of additional costs of the acquisition, construction and reconstruction of improvements to the sewer system in and for the Village, including the acquisition of any applicable equipment, machinery, apparatus, land and rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at a total estimated cost not to exceed \$200,000, in accordance with the Local Finance Law;

**WHEREAS**, on May 4, 2004 (the "Prior Bond Resolution"), the Board of Trustees of the Village adopted a serial bond resolution to finance the costs of the acquisition, construction and reconstruction of improvements to the sewer system in and for the Village (the "Project") in the amount of \$315,000, and now hereby determines that the cost of the financing of the Project has increased by \$200,000 to \$515,000;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of the Village of Pelham, in the County of Westchester, State of New York, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the Village, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, in the aggregate principal amount not to exceed \$200,000, pursuant to the Local Finance Law, in order to finance additional costs of the Project, including the acquisition of any applicable equipment, machinery, apparatus, land and rights-in-land necessary therefor and any preliminary and incidental costs related thereto.

Section 2. The Board of Trustees of the Village has ascertained and hereby states that (a) the estimated maximum additional costs of the Project are \$200,000; (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project except (i) as authorized under the Prior Bond Resolution, (ii) various federal and New York State grants, and (iii) other monies provided to the Village; (c) the Board of Trustees of the Village plans to finance the costs of the Project from (i) the proceeds of serial bonds, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, authorized by and issued under the Prior Bond Resolution and as authorized herein, (ii) various federal and New York State grants, and (iii) other monies provided to the Village; (d) the maturity of such serial bonds authorized herein will be in excess of five (5) years; and (e) on or before the expenditure of moneys to pay for any costs made in connection with the Project for which proceeds of such obligations are to be or have been applied to reimburse the Village, the Board of Trustees of the Village took "official action" for federal income tax purposes to authorize the capital financing of such expenditure.

Section 3. It is hereby and has been determined that the Project, at an estimated maximum cost of \$1,150,000, for which an additional \$200,000 principal amount of serial bonds, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, are authorized herein and appropriated therefore, is of a class of object or purpose having a period of probable usefulness of thirty (30) years pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law and

such serial bonds shall have a maximum maturity not to exceed thirty (30) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 4. Subject to the terms and conditions of this bond resolution and the Local Finance Law, including the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 60.00, inclusive, the power to authorize serial bonds as authorized herein, and bond anticipation notes issued in anticipation of the issuance of such serial bonds, including renewals thereof, the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes, and the power to sell, issue and deliver such serial bonds and such bond anticipation notes, are hereby delegated to the Village Administrator/Treasurer, as the chief fiscal officer of the Village. The Village Administrator/Treasurer is hereby authorized to execute, on behalf of the Village, all serial bonds issued pursuant to this bond resolution and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the Village Clerk is hereby authorized to impress the seal of the Village (or to have imprinted a facsimile thereof) to or on all such serial bonds and all such bond anticipation notes and to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds shall be authenticated by the manual or facsimile signature of the Village Administrator/Treasurer.

Section 5. The faith and credit of the Village is hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized and issued pursuant to this bond resolution as the same shall become due.

Section 6. When this bond resolution takes effect, the Village Clerk shall cause the same, or a summary thereof, to be published together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law in The Pelham Weekly, a newspaper having a general circulation in the Village. The validity of the serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if such obligations are authorized for an object or purpose, or class of object or purpose, for which the Village is not authorized to expend money, or the provisions of law, which should have been complied with at the date of the publication of this bond resolution, were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or if such obligations are authorized in violation of the provisions of the Constitution of the State of New York.

Section 7. Prior to the issuance of any obligations authorized herein, the Board of Trustees of the Village shall comply with all applicable provisions prescribed in Article 8 of the Environmental Conservation Law, all regulations promulgated thereunder by the New York State Department of Environmental Conservation, and all applicable Federal laws and regulations in connection with environmental quality review relating to the Project (collectively, the "environmental compliance proceedings"). In the event that any of the environmental compliance proceedings are not completed, or require amendment or modification subsequent to the date of adoption of this bond resolution, the Board of Trustees of the Village will re-adopt, amend or modify this bond resolution prior to the issuance of any obligations authorized herein upon the advice of

bond counsel. It is hereby and has been determined by the Board of Trustees of the Village that the Project will not have a significant effect on the environment.

Section 8. The Village hereby declares its intention to issue the serial bonds authorized herein, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds (the "obligations"), to finance the additional costs of the Project. The Village covenants for the benefit of the holders of such obligations that it will not make any use of the proceeds of such obligations, any funds reasonably expected to be used to pay the principal of or interest on such obligations or any other funds of the Village, and will not make any use of the Project, which would cause the interest on such obligations to become subject to Federal income taxation under the Internal Revenue Code of 1986, as amended (the "Code") (except for the federal alternative minimum tax imposed on corporations by section 55 of the Code), or subject the Village to any penalties under section 148 of the Code, and that it will not take any action or omit to take any action with respect to such obligations, the proceeds thereof or the Project financed thereby, if such action or omission would cause the interest on such obligations to become subject to Federal income taxation under the Code (except for the federal alternative minimum tax imposed on corporations by section 55 of the Code), or subject the Village to any penalties under section 148 of the Code. The foregoing covenants shall remain in full force and effect notwithstanding the defeasance of any serial bonds authorized and issued under this bond resolution or any other provisions hereof until the date which is sixty (60) days after the final maturity date or earlier prior redemption date thereof. The proceeds of any obligations authorized herein may be applied to reimburse the additional expenditures or commitments of the Village made in connection with the Project on or after a date which is not more than sixty (60) days prior to the date of adoption of this bond resolution.

Section 9. For the benefit of the holders and beneficial owners from time to time of the serial bonds authorized herein, and of the bond anticipation notes issued in anticipation of the issuance of such serial bonds, the Village agrees, in accordance with and as an obligated person with respect to such obligations under, Rule 15c2-12, as amended (the "Rule"), promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934, to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner, as may be required for purposes of the Rule. In order to describe and specify certain terms of the Village's continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Village Administrator/Treasurer is authorized and directed to sign and deliver, in the name and on behalf of the Village, the commitment authorized by subsection 6(c) of the Rule (the "Commitment") to be placed on file with the Village Clerk, which shall constitute the continuing disclosure agreement made by the Village for the benefit of holders and beneficial owners of the obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond resolution and not substantially adverse to the Village and that are approved by the Village Administrator/Treasurer on behalf of the Village, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed collectively by this paragraph and the Commitment, shall be the Village's continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to

meet costs the Village would be required to incur to perform thereunder. The Village Administrator/Treasurer is further authorized and directed to establish procedures in order to ensure compliance by the Village with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the Village Administrator/Treasurer shall consult with, as appropriate, the Village Attorney and bond counsel or other qualified independent special counsel to the Village and shall be entitled to rely upon any legal advice provided by the Village Attorney or such bond counsel or other qualified independent special counsel in determining whether a filing should be made.

Section 10. This bond resolution is subject to a permissive referendum and will take effect upon its adoption by the Board of Trustees of the Village and the expiration of the period prescribed in the Village Law during which petitions for a permissive referendum may be submitted and filed with the Village Clerk.

Item 9 – Authorizing a budget amendment to the Police Department budget for police equipment and to telephone wiring maintenance and repairs.

After discussion, the Board moved on this resolution. On the motion of Trustee Homan, seconded by Trustee Rozycki, the Board authorized the following resolution by vote of seven in favor, none opposed.

RESOLUTION

AUTHORIZING AN AMENDMENT TO THE 2005-2006 BUDGET  
FOR POLICE DEPARTMENT EQUIPMENT AND TELEPHONE WIRING  
TO INCREASE REVENUES AND INCREASE CORRESPONDENT EXPENDITURES

BE IT RESOLVED, by the Board of Trustees of the Village of Pelham that the following amendments and transfers to the Village of Pelham 2005-2006 Budget, as follows:

2005/06 BUDGET AMENDMENTS  
GENERAL FUND

INCREASE EXPENSE		INCREASE REVENUE	
A3120.201 POLICE EQUIPT.	\$ 4,996	A3089 OTHER GEN.GOV'T. AID	\$ 5,996
A9550.000 TRANS. TO CAP.FUND	\$ 1,000		
A3120.421 POLICETELEPHONE (for Telenet bill split w/Town of Pelham)	\$ 2,400	A2389 MISC. REV. OTHER GOV'T'S	\$ 2,400
CAPITAL FUND			
H3120.201 Bullet-Proof vests	\$ 1,000	H2831 INTRFD TRAN-GEN FUND	\$ 1,000
H3120.202 Bullet-Proof vests	\$ 1,000	H3502 STATE AID ,OTHER	\$ 1,000
TOTALS	\$10,396		\$ 10,396

Item #10 -- Authorizing the Village of Pelham to participate in a Shared Municipal Services Incentive (SMSI) grant application to the New York State Department of State for improvements to the Imperia Project.

Mayor Clain explained the project conceived by the Town, that that the total estimated costs were about \$490,000, that Pelham Manor had not participated in the project, but that the schools had, and that the total expense of the Village would be ten percent of the project, allocatable to the Village of Pelham.

After discussion, the Board moved on this resolution. On the motion of Trustee Greco, seconded by Trustee Rozycki, the Board authorized the following resolution by vote of seven in favor, none opposed.

### RESOLUTION

AUTHORIZING THE VILLAGE OF PELHAM TO PARTICIPATE  
IN A SHARED MUNICIPAL SERVICES INCENTIVE (SMSI) GRANT APPLICATION  
WITH THE TOWN OF PELHAM AND THE PELHAM PUBLIC SCHOOLS  
TO THE NEW YORK STATE DEPARTMENT OF STATE  
FOR IMPROVEMENTS TO THE IMPERIA PROJECT

WHEREAS, the State of New York has created the Shared Municipal Services Incentive (SMSI) grant program, wherein two or more municipalities may apply for a grant to cover costs associated with shared services, cooperative agreements, mergers, consolidations and dissolutions; and

WHEREAS, the Board of Trustees of the Village of Pelham desires, in conjunction with the Town of Pelham and the Pelham Union Free School District (collectively, "the Pelhams") to apply for an SMSI Grant in connection with the renovation and upgrade of Imperia Drive (hereinafter the "Imperia Project") in order to create additional recreational/field space and dedicated parking for employees of the Pelham Schools and parking in connection with use of the recreational and field space.

THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Pelham hereby authorizes the Mayor, the Village Administrator, the Village Attorney, and other appropriate village officials to take the necessary and appropriate actions and sign documents to assist in the submission of an application on behalf of the Pelhams to the New York State Department of State for an SMSI Grant in the amount of \$100,000 per municipal entity, in the total amount of \$300,000 (or the maximum allowed per municipal entity, whichever is greater); and be it

FURTHER RESOLVED, that such grant funds, if obtained, will be used in furtherance of the Imperia Project; and be it

FURTHER RESOLVED, that the Village of Pelham will provide local funding in the amount of up to ten thousand dollars (\$10,000), {e.g. ten percent (10%) of the portion of

the SMSI Grant allocable to the Village of Pelham} to be applied from the Sandford Boulevard settlement escrow funds, in the event such grant application is successful and the grant is awarded to the Pelhams by the State of New York.

Item #11 -- Authorizing the Village of Pelham to participate in a Shared Municipal Services Incentive (SMSI) grant application to the New York State Department of State with other LISWIC communities (Villages of Mamaroneck, Port Chester, Rye Brook; Town of Mamaroneck and the City of Rye) to complete Geographical Information System data not collected during aerial photography stages.

After discussion, the Board moved on this resolution. On the motion of Trustee Greco, seconded by Trustee Rozycki, the Board authorized the following resolution by vote of seven in favor, none opposed.

#### RESOLUTION

AUTHORIZING THE VILLAGE OF PELHAM TO PARTICIPATE  
IN A SHARED MUNICIPAL SERVICES INCENTIVE (SMSI) GRANT APPLICATION  
WITH OTHER LISWIC COMMUNITIES, (VILLAGES OF MAMARONECK, PORT  
CHESTER, RYE BROOK; TOWN OF MAMARONECK AND THE CITY OF RYE)  
WITH PORT CHESTER ACTING AS LEAD AGENT  
TO THE NYS DEPT. OF STATE TO COMPLETE THE COMPILATION OF  
GEOGRAPHICAL INFORMATION SYSTEM INFRASTRUCTURE DATA

WHEREAS, the State of New York has created the Shared Municipal Services Incentive (SMSI) grant program, wherein two or more municipalities may apply for a grant to cover costs associated with shared services, cooperative agreements, mergers, consolidations and dissolutions; and

WHEREAS, the Village of Pelham Board of Trustees desires, acting in cooperation with the Village of Port Chester as Lead Agent/Applicant and the other participating LISWIC Communities, the Villages of Rye Brook and Mamaroneck, the Town of Mamaroneck and the City of Rye, to apply for an SMSI Grant to complete Geographical Information System (GIS) data not collected during aerial photography stages.

NOW, THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Pelham hereby authorizes the Mayor, the Village Administrator, the Village Attorney, and other appropriate village officials to take the necessary and appropriate actions and sign documents to assist in the submission of an application on behalf of the participating LISWIC communities to the New York State Department of State for an SMSI Grant in the total grant request amount of \$95,000 to be matched by \$3,000 per municipality for a total of \$18,000 in matching funds; and be it further

RESOLVED, that such grant funds, if obtained, will be used in furtherance of the in a Shared Municipal Services Incentive (SMSI) Grant application with the other participating communities to complete the compilation of GIS infrastructure data related

to stormwater sewer and sanitary sewer infrastructure, including but not limited to missing manholes and catch-basins; and be it further

RESOLVED, that the Village of Pelham will provide local funding in the amount of up to three thousand dollars (\$3,000), {e.g. one sixth of the matching ten percent (10%) of the portion of the SMSI Grant allocable to the Village of Pelham} to be applied from Village funds, in the event such grant application is successful and the grant is awarded to the participating communities by the State of New York.

Item #12 -- Authorizing Settlement and Acceptance of Terms for a Contract Between the Village of Pelham and the Pelham Firemen's Taylor Act Committee for the period of June 1, 2005 through May 31, 2009.

After discussion, the Board moved on this resolution. On the motion of Trustee Greco, seconded by Trustee Homan, the Board authorized the following resolution by vote of seven in favor, none opposed.

#### RESOLUTION

AUTHORIZING SETTLEMENT AND ACCEPTANCE OF TERMS  
FOR A CONTRACT BETWEEN THE VILLAGE OF PELHAM  
AND THE PELHAM FIREMEN'S TAYLOR ACT COMMITTEE (IAFF LOCAL 2213)  
FOR THE PERIOD OF JUNE 1, 2005 THROUGH MAY 31, 2009

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham hereby authorizes the settlement and signature of documents including the Collective Bargaining Agreement (CBA) to effect the completion of contract negotiations with the Pelham Firemen's Taylor Act Committee (IAFF Local 2213), pursuant to the memorandum of understanding dated January 17, 2006, and

BE IT FURTHER RESOLVED, that the items detailed in the Memorandum of Understanding negotiated and as herein presented are adopted and made a part of this settlement; and

BE IT FURTHER RESOLVED, that the Mayor, Trustee Liaison, Village Administrator, Village Attorney and Labor Counsel are authorized to take the necessary and appropriate actions and execute any and all documents including the C.B.A. necessary to effect this settlement.

Item #13 -- Authorizing and approving the accounts payable.

After discussion, the Board moved on this resolution. On the motion of Trustee Homan, seconded by Trustee Potocki, the Board authorized the following resolution as amended by vote of seven 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	\$48,225.34	\$41,732.63
Water Fund	\$844.80	
Capital Projects Fund	\$0.00	
Trust and Agency Fund	\$0.00	
H3 Fund	\$0.00	
Grand Total	\$49,070.14	\$42,577.43

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

Item #14 – Old Business/New Business.

New Business – Authorizing an agreement to accept the Construction Inspection Services Proposal from KJM Construction Management Inc., of Hawthorne, NY.

The Board discussed this item, and asked that it be approved subject to input by the Village Engineer Jim Morris. Note: Mr. Morris noted that the County often uses KJM Construction Inspection Services and they have provided good service to the County. On the motion of Trustee Merrick, seconded by Trustee Potocki, the following resolution was approved by vote of seven in favor, none opposed.

## RESOLUTION

AUTHORIZING AN AGREEMENT TO ACCEPT THE  
CONSTRUCTION INSPECTION SERVICES PROPOSAL  
FROM KJM CONSTRUCTION MANAGEMENT INC.  
OF HAWTHORNE, NY

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham authorizes an agreement and the acceptance of the construction inspection services proposal of KJM Construction Management Inc., for construction inspection services for the First Street sewer contract, and that the Village retains the right to terminate this agreement for any reason, and

BE IT FURTHER RESOLVED, that the Mayor, Village Administrator and other appropriate Village officials are authorized to take the necessary and appropriate actions to sign and effect this agreement.

Item #15 – Minutes:

The Board asked for updated minutes to be submitted.

Item #16 – Executive Session.

The Mayor asked the Board to authorize an Executive Session with the Police Chief to discuss the issue of staffing Sergeant positions, and the Board authorized the request on the motion of Trustee Greco, seconded by Trustee Rozycki, by vote of seven in favor, none opposed.

Note: After Executive Session discussion, the Board reconvened in public session briefly to authorize the creation and funding of two additional sergeant positions, to fill vacancies and reduced work capacity of sergeants on injured and transitional duty status.

Item #17 – Adjournment.

On the motion of Trustee Greco, seconded by Trustee Rozycki, the Board agreed to adjourn the public portion of the meeting, by vote of seven in favor, none opposed.

The Public Portion of the Meeting adjourned at 8:55 p.m.

Respectfully submitted,

Richard Slingerland  
Village Administrator/Deputy Village Clerk