

VILLAGE OF PELHAM  
 BOARD OF TRUSTEES MEETING  
 TUESDAY, JANUARY 18, 2005 8:00 PM  
 VILLAGE HALL - 195 SPARKS AVENUE, PELHAM, NY

MINUTES

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

StartingTime  
 # Agenda  
 Items: of  
 Discussion

	<b>Housing</b>	<b>8:15 p.m.</b>
7	Public Hearing and Presentation by Charles DePasquale of the New Rochelle Neighborhood Revitalization Corporation (NRNRC) on a draft Public Housing Annual Plan and continuing the existing five-year plan.	
	<b>Comparative Police Survey</b>	<b>8:45 p.m.</b>
8	Presentation and discussion of survey showing comparative police department costs in different communities, including the Villages of Pelham and Pelham Manor	
	<b>Grants</b>	<b>9:30 p.m.</b>
9	Authorizing the acceptance of a \$5,000 grant from the Ginsburg Foundation for Revitalization of the Village of Pelham's Downtown.	
	<b>Financial Matters</b>	<b>9:35 p.m.</b>
10	Accounting clean-up budget amendment resolution(s) (per Shirley Brown, who recommends more regular clean-up resolutions, rather than just end-of-year clean-up resolutions).	
11	Authorizing a settlement to Arthur Touris of 34 5 <sup>th</sup> Street, Pelham, New York, to settle damage to his vehicle caused by a Village vehicle.	
12	Authorizing the Mayor to sign an extension agreement with the New York State Power Authority (NYPA) to maintain the current electrical rate structure.	
	<b>Housekeeping</b>	<b>9:45 p.m.</b>
13	Old Business/New Business.	

14	Approval of accounts payable and authorization of payment.	
15	Motion to approve the minutes – 8/3/04, 8/17/04, 1/4/05.	
16	Adjournment.	

\* Next meeting of the Board of Trustees – 8 p.m. Tuesday, February 1, 2005  
Agenda is subject to change until the night of the meeting.

MINUTES OF A REGULAR MEETING OF THE  
VILLAGE OF PELHAM BOARD OF TRUSTEES  
VILLAGE HALL, 195 SPARKS AVENUE, PELHAM, NEW YORK  
JANUARY 18, 2005 – 8 P.M.

Mayor Michael J. Clain called the meeting to order at 8:00 p.m., and the pledge of allegiance followed.

The following members of the Board of Trustees (BOT) were present:  
Mayor Michael J. Clain; Trustees Ciro Greco, Mia Homan, Edward Hotchkiss, David Merrick, Peter Potocki and Michael Rozycki.

Village staff attending the meeting were:  
Village Administrator Richard Slingerland, Administrative Assistant Dennis DeBorgo, Village Attorney Robert Tracy.

Item #3 – Mayor’s Report: Mayor Clain reported on the results of the Request for Proposals for the Planning and Design, noting the Village had received and opened three proposals this day. He also mentioned the progress on the topographical survey of the Wolfs Lane green space between 2<sup>nd</sup> Street and Boulevard, and that the Village would soon seek proposals for the Downtown Streetscape. Trustee Merrick commented he was pleased to see the Village taking a coherent and holistic approach.

Item #4 – Trustees’s Reports:

Trustee Greco gave a status report on the ongoing study of the Building and Zoning Code Review Committee, and said he expects to make his recommendations to the Board within a month. He asked the Trustees and residents to submit any comments or recommendations to the Committee for review and inclusion in its final report.

Trustee Potocki reported that Chief Benefico was continuing his preparation of a model combined police department.

Trustee Homan reported that the Village was continuing its negotiations with the CSEA.

Trustees Rozycki, Merrick and Hotchkiss had nothing to report.

Item #5 – Administrator’s Report: The Village Administrator had no news to report.

Item #6 – Public Comment: There was no comment from the Public.

Item #7 -- Public Hearing and Presentation by Charles DePasquale, Executive Vice President of the New Rochelle Neighborhood Revitalization Corporation (NRNRC) on a draft Public Housing Annual Plan and continuing the existing five-year plan.

Mr. DePasquale discussed NRNRC's management of the Pelham Section 8 Housing Program. He mentioned NRNRC administers 155 vouchers, spends 2 days a week in Pelham's Office, monitors Section 8 certificates, wait lists, tenants, landlords, and has rented up 148 certificates. There was a substantial discussion of the program by the Mayor and Board.

When the Public Hearing was opened, John Cassone of 7<sup>th</sup> Avenue asked to whom does the NRNRC report?

Mr. DePasquale explained NRNRC reports to its Board of Directors, and administers the Section 8 program for the City of New Rochelle, which requires New Rochelle City Council approval.

After some discussion, it was mentioned NRNRC's contract with the Village of Pelham is up for renewal soon.

After discussion and on the motion of Trustee Homan, seconded by Trustee Merrick, the following resolution was adopted unanimously by the Board of Trustees of the Village of Pelham by vote of seven in favor, none opposed, as follows:

RESOLUTION TO ADOPT  
THE VILLAGE OF PELHAM YEAR 4/1/2005 THROUGH 3/31/2006  
ANNUAL PUBLIC HOUSING AGENCY PLAN

WHEREAS, upon forty-five (45) days notice of public hearing, and upon holding the public hearing on the Village of Pelham Year 4/1/05 through 3/31/06 Annual Public Housing Agency Plan; and

WHEREAS, there was no public comment to amend the plan as proposed.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Pelham hereby adopts the Year 4/1/05 through 3/31/06 Annual Public Housing Agency Plan, as proposed in draft; and

BE IT FURTHER RESOLVED, that the Mayor, the Village Administrator and the New Rochelle Neighborhood Revitalization Corporation (NRNRC) are authorized to take the necessary and appropriate actions to effect and administer this Annual Public Housing Agency Plan, including filing it with the United States Housing and Urban Development (HUD) Agency.

The Board continued on to review the next item, which was adoption of the Village of Pelham 5 year Housing Agency Plan.

After discussion and on the motion of Trustee Homan, seconded by Trustee Merrick, the following resolution was adopted unanimously by the Board of Trustees of the Village of Pelham by vote of seven in favor, none opposed, as follows:

RESOLUTION TO ADOPT  
THE VILLAGE OF PELHAM  
5-YEAR PUBLIC HOUSING AGENCY PLAN  
FOR FEDERAL FISCAL YEARS 2005-2009  
DATES OF 4/1/2005 THROUGH 3/31/2010  
5-YEAR PUBLIC HOUSING AGENCY PLAN

WHEREAS, upon forty-five (45) days notice of public hearing, and upon holding the public hearing on the Village of Pelham Housing 5-YEAR Streamlined Fiscal Year 2005 through 2009, dates of 4/1/05 through 3/31/10 Public Housing Agency Plan; and

WHEREAS, there was no public comment to amend the plan as proposed.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Pelham hereby adopts the Year 4/1/05 through 3/31/10 5-year Public Housing Agency Plan, as proposed; and

BE IT FURTHER RESOLVED, that the Mayor, the Village Administrator and the New Rochelle Neighborhood Revitalization Corporation (NRNRC) are authorized to take the necessary and appropriate actions to effect and administer this Annual Public Housing Agency Plan, including filing it with the United States Housing and Urban Development (HUD) Agency.

Item #8 – Presentation and discussion of survey showing comparative police department costs in different communities, including the Villages of Pelham and Pelham Manor.

Trustee Potocki made a presentation on his survey and analysis of police department costs in various communities of different sizes and populations, with the goal of making a comparison between a department that could result from a shared or merged police department for Pelham Village and Pelham Manor Village.

Tom Morrissey asked a number of questions about response times, whether it could save money, and whether the current level of service could be maintained.

Mayor Clain commented on some of the analysis, including industry norms, patrol circulation and zones, and response times. He asked Trustee Potocki and Chief Benfico to show what a combined department could look like.

Item #9 -- Authorizing the acceptance of a \$5,000 grant from the Ginsburg Foundation for Revitalization of the Village of Pelham's Downtown.

This matter was tabled until the February 1, 2005 Board Meeting.

Item #10 – Accounting clean-up budget amendment resolution(s) (per Shirley Brown).

After discussion and on the motion of Trustee Homan, seconded by Trustee Merrick, the following resolution was adopted unanimously as amended (to remove a \$5,000 grant) by the Board of Trustees of the Village of Pelham by vote of seven in favor, none opposed, as follows:

**BUDGET TRANSFER AND AMENDMENT RESOLUTION**

RESOLVED, that the Board of Trustees of the Village of Pelham hereby authorizes the following budget amendments and account transfers to reflect mid-year changes to the Village of Pelham’s 2004-2005 Budget, and

RESOLVED, that pursuant to New York State Village Law the following transfers and amendments are made to the Budget as follows:

TRANSFERS FROM  
GENERAL FUND BUDGET TRANSFERS

<u>Account #</u>	<u>Description</u>	<u>Amount</u>
A1325.499	Supplemental Svcs.	\$18,000
		\$18,000
A1325.101	Personnel Svcs.	\$ 5,000
A1410.101	Personnel Svcs.	\$13,175
		\$18,175

TRANSFERS TO

<u>Account #</u>	<u>Description</u>
A1325.101	Pers. Svcs. Const.
A1230.101	Admin. Assistant

GENERAL FUND BUDGET AMENDMENTS

<u>Account #</u>	<u>Description</u>	<u>Amount</u>
A2705	Pelham Town Donation (Glover)	\$ 6,000
		\$6,000
A2705	State Aid Other Gen.	\$ 4,000
		\$ 4,000
A4411	Section 8 HUD	\$ 2,175
		\$2,175

INCREASE EXPENDITURE

<u>Account #</u>	<u>Description</u>
A3120.105	Crossing Guard
A3120.105	Police Voice Recorder
A6030.499	Sec. 8 Mgmt Fees: Computer and software Agreement

WATER FUND BUDGET AMENDMENTS

<u>Account #</u>	<u>Description</u>	<u>Amount</u>
F4000	Appropriation Fund Bal.	\$ 175
		\$ 175

INCREASE EXPENDITURE

<u>Account #</u>	<u>Description</u>
F8340.400	Hydrant Replacements

CAPITAL PROJECT FUND BUDGET AMENDMENTS

<u>Account #</u>	<u>Description</u>	<u>Amount</u>	<u>Account #</u>	<u>Description</u>	<u>Amount</u>
H3501	Rollover avail CHIPS bal.	\$ 5,883	F8340.400	CHIPS – Road Resfcing.	\$5,883

H3501	Reclassify CHIPS as	\$50,000	H4000	CHIPS reclassified	
\$50,000	State Aid, not Approp. Fd. Bal.				
H5731	Bond Anticip. Notes	\$165,000	H8140.299	New Swr. Line	
\$165,000					
H4000	App. Fund Balance	\$22,417	H3410.452	Fire Building Rprs.	\$5541
	Rollover 2003-04 BAN projects		H5900.300	Traffic Controls	
\$16,876					
H4000	App. Fund Balance	\$20,000	H5900.299	Pnt./Seal Pkg. Deck	
\$20,000	Rollover 2003-04 project				
H4000	App. Fund Balance	\$23,000	H3410.204	FD Repl. Ladd. Trk.	\$23,000
	Prior years Gen. Fund Transfers			(Bond Res \$623,000;	
\$600k)					
<b>Totals:</b>		<b>\$334,825</b>			
<b>\$334,825</b>					

Item #11 – Authorizing a settlement to Arthur Touris of 34 5<sup>th</sup> Street, Pelham, New York, to settle damage to his vehicle caused by a Village vehicle.

The Village Administrator mentioned that the Village's insurer had said the damage was exempted based on case law, and the Board asked him to look into whether the exemption exists and if it applies to this case.

(Editor's Note: The Administrator investigated the matter with the Village's insurer – the New York State Municipal Insurance Reciprocal. Their representative said she had applied a standard for emergency vehicles operating during inclement weather, in particular to snow emergencies. The damage that had occurred took place on a clear, dry day during the Village's curbside leaf pickups, so this matter was a valid claim.)

On the motion of Trustee Rozycki, seconded by Trustee Merrick, the following resolution was adopted unanimously by the Board of Trustees of the Village of Pelham by vote of seven in favor, none opposed, as follows:

#### RESOLUTION

##### AUTHORIZING A SETTLEMENT OF CLAIM WITH ARTHUR TOURIS FOR HIS CAR DAMAGE CAUSED BY A VILLAGE VEHICLE ON 12/04/2004

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham hereby authorizes a settlement of claim for Arthur Touris of 34 Fifth Street, Pelham, NY, 10803, in the amount not to exceed six hundred forty one dollars and fifty cents (\$641.50 – the Village of Pelham is tax exempt) for car damage that occurred on Saturday, December 4, 2004, to his parked vehicle, provided Mr. Touris sign a settlement and release of claim in this matter; and

BE IT FURTHER RESOLVED, that the Mayor, Village Administrator, Village Attorney and other appropriate village officials are authorized to effect the terms of this settlement and payment of claim.

Item #12 -- Authorizing the Mayor to sign an extension agreement with the New York State Power Authority (NYPA) to maintain the current electrical rate structure.

After discussion, on the motion of Trustee Merrick, seconded by Trustee Rozycki, the following resolution was adopted unanimously by the Board of Trustees of the Village of Pelham by vote of seven in favor, none opposed, as follows:

RESOLUTION

AUTHORIZING THE VILLAGE TO AGREE  
TO THE TERMS OF THE NEW YORK POWER AUTHORITY'S RATE  
INCREASES  
AS RELATED TO THE PRODUCER PRICE INDEX (PPI) FOR  
INDUSTRIAL ELECTRIC POWER  
IMPLEMENTING A 2.4% RATE INCREASE  
EFFECTIVE WITH THE JANUARY 2005 BILLING CYCLE

RESOLVED, that the Mayor and Board of Trustees authorize the Village of Pelham to agree to the terms of the Supplemental Agreement between the Village and the New York Power Authority relating to using the PRODUCER PRICE INDEX (PPI) implementing a rate increase of 2.4% effective with the January, 2005 bill; and

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

Item #13 – Old Business/New Business. The old business discussed was the Town discussion of the 9/11 Memorial at Harmon Park. Trustee Homan said she would attend the meeting and coordinate with the Town.

Item #14 – Approval of accounts payable and authorization of payment.

After discussion and on the motion of Trustee Homan, seconded by Trustee Rozycki, the following resolution was adopted by unanimous vote of the Board of Trustees of the Village of Pelham by vote of seven in favor, none opposed, 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:

Fund Name:	Amount
General Fund	\$151,739.06
Water Fund	\$14,114.43
Capital Projects Fund	\$0.00
Trust and Agency Fund	\$2,450.00
H3 Fund	0.00
Grand Total	\$168,303.49

**NOW, THEREFORE, BE IT**

**RESOLVED**, that this Board hereby approves payment of the above mentioned claims and authorizes payment thereof.

Item #15 – Motion to approve the minutes: The Board unanimously approved the minutes of August 3, 2004, August 17, 2004, September 7, 2004, January 4, 2005; Trustee Homan abstained from the August meetings she missed, and Trustees Greco and Rozycki abstained from the September 7<sup>th</sup> meeting they missed.

Item #16 – Adjournment: Executive Session – On the motion of Trustee Potocki, seconded by Trustee Rozycki, the Board agreed unanimously to enter into Executive Session to discuss personnel matters regarding ongoing contractual negotiations with the Police and the CSEA. On the motion of Trustee Homan, seconded by Trustee Rozycki, the Board agreed unanimously by vote of seven to none, to adjourn the public portion of the Board Meeting after completing their executive session. The public portion of the meeting adjourned at 10:00 p.m.

Respectfully submitted,

Richard Slingerland  
 Administrator/Deputy Clerk