

VILLAGE OF PELHAM BOARD OF TRUSTEES REGULAR MEETING  
TUESDAY, JUNE 3, 2008 – 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 |  | Approximate<br>Starting Time<br>of Discussion |
| 6. | Public Comment                 |  |   |
| #  | Agenda Items:                  |  |   |

	<b>Committee Reports</b>		<b>7:40 p.m.</b>
7.	Open Spaces (Purchase of trash /recycling cans, benches, picnic tables & bike racks).		<b>Discussed</b>
8.	Website / Telecommunications (Verizon Fios, Website upgrades, E-mail notifications, Village Hall Phone Prompts).		<b>Discussed</b>
9.	Flooding (Grants, Engineer Report, DPW catch-basins, etc.).		<b>Discussed</b>
10.	Environmental – LED light status report.		<b>Discussed</b>
11.	Development (Site Plan Review, Pelham Medical Group/Lordae)		<b>Discussed</b>
12.	Human Resources & Administration (Dept. Risk Assessment)		<b>Discussed</b>
13.	Farmer’s Market (status report).		<b>Discussed</b>
	<b>Streets and Parking</b>		<b>8:15 p.m.</b>
14.	Recommendations on the Safe Routes to School plan for Franklin Place and establishing general drop-off zones to serve the Pelham High School and Pelham Middle School.		<b>Discussed</b>
15.	Resolution authorizing a Home Rule Request for an exception to the Vehicle and Traffic Law to allow residents with restricted driveways to park in the driveway overhanging the sidewalk, only late at night.		<b>Approved</b>
	<b>Business</b>		<b>8:45 p.m.</b>
16.	Motion to authorize the Pelham Police Dept. to certify shooting compliance for retired Pelham Police Officers with licenses to carry their weapons pursuant to Federal Law HR 218 of 2004.		<b>Approved</b>
17.	Resolution authorizing a grant application to the NYS Dept. of Env. Conservation’s Urban and Community Forestry Tree Program.		<b>Approved</b>
18.	Resolution authorizing a grant application to the NYS Dept. of Parks, Rec. and Historic Pres. for the Parks Development and Imp. Program, to continue the Wolfs Lane Park improvement program.		<b>Approved</b>
19.	Resolution authorizing a Stipulation of Discontinuance, as recommended by the Village’s counsel in the matter of the Westchester Guardian vs. the Village of Pelham, et al.		<b>Approved</b>
20.	Resolution authorizing a proposal by Hank White Architects to prepare a Parks Improvement Plan for Wolfs Lane Park.		<b>Tabled</b>
	<b>Housekeeping</b>		<b>9:30 p.m.</b>
21.	Authorizing the Accounts Payable		<b>Approved</b>
22.	Other Business		<b>Approved</b>
23.	Minutes: May 20 2008		<b>Tabled</b>
24.	Adjournment		<b>Adjourned</b>

The Summer Board Meetings are June 17, July 15 and August 12, 2008.

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

Agenda is subject to change.

VILLAGE OF PELHAM BOARD OF TRUSTEES REGULAR MEETING  
TUESDAY, JUNE 3, 2008 – 7:30 P.M.  
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 Edward Hotchkiss at 7:45 p.m.

The following members of the Board of Trustees were present:

Mayor Edward Hotchkiss and Trustees Breskin, Homan, Lewis and Potocki. Trustees Morris and Weinstein were absent.

Village staff in attendance:

Administrator/Treasurer Richard Slingerland and Administrative Aide Devron Wilson.

Item #2 – Pledge of Allegiance:

The Pledge of Allegiance was led by Mayor Edward Hotchkiss.

Item #3 – Mayor's Report:

Mayor Hotchkiss reminded residents everyone that the Chamber of Commerce Annual Street Fair will be held Saturday from 9 a.m. to 5 p.m. The street fair will be located on 5<sup>th</sup> Avenue from Pelhamwood Avenue to Lincoln Avenue. Mayor Hotchkiss mentioned there will be food, vendors, and a classic car show at the street fair. He encouraged residents to attend.

Item #4 – Trustees' Reports:

Trustee Breskin had nothing to report.

Trustee Potocki congratulated the Pelham High School Baseball Team for making it to the Section 1 championship. They will be playing against Somers in the championship this Saturday at 4:30 p.m.

Trustee Homan reported that the flowers planted along 5<sup>th</sup> Avenue and Wolfs Lane looked awful, because they had dried out. They need to be dead-headed and watered more frequently. She also reported that a woman is planting flowers at Pelhamdale and Washington Avenues. Trustee Homan said that the woman is doing a great job and the village appreciated her efforts.

Trustee Geoff Lewis had nothing to report.

Item #5 – Village Administrator's Report:

Village Administrator Richard Slingerland reported that the village submitted three (3) Community Development Block Grant (CDBG) applications yesterday (\$250, 000 for flood remediation, \$100,000 for curb and sidewalk improvements, and \$100,000 for a complete streetscape on 7<sup>th</sup> Avenue, between 6<sup>th</sup> and 7<sup>th</sup> Streets). Administrator Slingerland also submitted correspondence from the Housing Action Council and Westchester Residential Opportunities, which are applying to the Community Development Block Grant Program. Westchester Residential Opportunities, Inc. stated its willingness to make a presentation to the village board about affordable housing. Mr. Slingerland mentioned that Westchester

County is looking into affordable housing in office parks around the county. Administrator Slingerland further mentioned that the Village of Pelham is scheduled to host the Westchester County Municipal Officials Association Dinner on October 16<sup>th</sup>.

Item #6 – Public Comment:

John Cassone of 312 7<sup>th</sup> Avenue stated that the Pelham Weekly has a public notice article about the Town of Pelham applying to the Community Development Block Grant Program for money for “Brick Park”. Mr. Cassone asked the board if they knew about this. Mayor Hotchkiss and Trustee Lewis responded and let Mr. Cassone know that Town Supervisor Joe Solimine had contacted them and discussed the Town’s application. The Mayor mentioned that whatever the plan is for the park, the Board of Trustees would have to approve it.

Item #7 – Open Spaces (Purchase of trash /recycling cans, benches, picnic tables & bike racks):

Administrator Slingerland mentioned that the village plans to have all of the locations for trash and recycling receptacles, benches, and bike racks finalized by the end of the week.

Item #8 – Website / Telecommunications (Verizon Fios, Website upgrades, E-mail notifications, Village Hall Phone Prompts):

Administrator Slingerland informed everyone that Lightpath is working on the auto attendant for the village phones. Lightpath plans to have everything completed by June 20, 2008.

Mayor Hotchkiss mentioned that the village will be hiring Danielle Cardinale as an intern this summer to work on updating and reorganizing the village website and other clerical tasks.

Mayor Hotchkiss reported that the contract between Verizon and the Village is being finalized. The village wants to ensure that it will be getting the same package and agreement from Verizon that it is getting from Cablevision.

John Cassone of 312 7<sup>th</sup> Avenue asked the board how long after the contract is executed would residents have to wait for installation. Administrator Slingerland informed everyone that Verizon has already begun installation, but the company cannot offer services until the contract is executed. It shouldn’t be too long after the contract is executed for residents to apply for a new account.

Item #9 – Flooding (Grants, Engineer Report, DPW catch-basins, etc.):

Mayor Hotchkiss reported that the village received flood remediation recommendations from Dolph Rotfeld Engineering, P.C. The village plans to seek flood remediation recommendations from other engineering firms.

Trustee Potocki mentioned that last week Thursday he, Mayor Hotchkiss, and Trustee Morris met with a few members of the Glenwood Lake Association and Councilman Richard St. Paul to discuss Glenwood Lake. Trustee Potocki stated that the Glenwood Lake Association watched the flood video and was shocked to see the massive amount of water that drains into Pelham from New Rochelle. The Glenwood Lake Association is willing to work together with the village to help beautify the Glenwood Lake area and alleviate the flooding that drains

into Pelham from Glenwood Lake. Trustee Potocki also mentioned that last week's rain was heavy, causing some flooding in areas of the village. However, once the rain stopped, the water left the street quickly. The village believes this is due to the removal of the major obstruction at 5<sup>th</sup> Avenue and 6<sup>th</sup> Avenue a few months ago.

It was reported that a hand-marked catch-basin map has been completed.

Administrator Slingerland reported he had contacted the City of New Rochelle to repair and clean the catch basins at Mayflower and Pelhamdale.

Item #10 – Environmental – LED light status report:

Administrator Slingerland stated that he and General Foreman Michael Shriman are meeting on Friday with a vendor and distributor of LED lights.

Item #11 – Development (Site Plan Review, Pelham Medical Group/Lordae):

Administrator Slingerland mentioned that Phase 2 for Pelham Medical Group has been approved and the village is expecting the group's permit fees and escrow payment soon. He also mentioned that Lordae will be on the June 10<sup>th</sup> Planning Board agenda. Mr. Slingerland reported that the site plan approval process is being reviewed by the village's attorney. Mr. Slingerland further mentioned that the post office has started work on 1<sup>st</sup> Street.

Item #12 – Human Resources & Administration (Dept. Risk Assessment):

Mayor Hotchkiss reported that the village is meeting with each department head to perform risk exposure analyses.

Item #13 – Farmer's Market (status report):

Trustee Homan reported that signs and banners are posted for the Farmer's Market that will start on June 15<sup>th</sup> from 9 a.m. to 2 p.m. The Farmer's Market will be located on Harmon Avenue off of Fifth Avenue. The Village will be raffling off bags. The bags will also be for sale during the year.

Item #14 – Recommendations on the Safe Routes to School plan for Franklin Place and establishing general drop-off zones to serve the Pelham High School and Pelham Middle School:

The Village of Pelham representatives including Trustee Potocki, Administrator Slingerland, and Administrative Aide Devron Wilson met with Principals Joe Longobardi and Jeannine Clark, and other school administrators on different occasions, to discuss possible traffic and parking improvements that could be made around the Middle and High Schools, to reduce traffic bottlenecks and improve pedestrian and student safety. The recommendations that came out of the meeting with the school administrators were shared with Police Chief Joseph Benefico and Fire Chief Carfora for their input.

The Village team recommended establishing "drop-off" zones on surrounding streets, as follows:

- Drop Off/Pick-Up Zone on Corlies Avenue, north of Boulevard.
- Drop Off/Pick-Up Zone on Nyac Avenue, north of Boulevard.
- Drop Off/Pick-Up Zone on Pelhamdale Avenue, north of Boulevard.
- Drop Off/Pick-Up Zone on northbound Wolfs Lane, south of Franklin Place, east side only.

Additional recommendations for changes on Franklin Place, included the following:

- Close Franklin Place heading westbound, at Nyac Avenue (this was actually a practice about 20 years ago); recommended with barricades, from 7 or 7:30 a.m. to Noon; barricades to be set up and removed by school personnel;
- Establish a “drop-off only” lane, on the south side of Franklin, east of Nyac Ave., for parents to stop and drop their kids off (no parking, no stopping, no standing all other times)
- Reinforce/enforce the “no parking, no stopping, no standing” regulations on Franklin and Corlies.

Trustee Potocki mentioned that by the next fall season no one will be able to drop off his or her child directly in front of Hutchinson Elementary School. There will be drop off zones away from the front entrance of the school to minimize congestion in that area. This concept is already executed at Colonial School.

Vincent Cartelli of 328 Corlies Avenue asked the Board about safety during pick-up hours at the High School and Middle School. Trustee Potocki asked Mr. Cartelli if he had any opinion on Corlies Avenue being a one-way street, and Mr. Cartelli did not. Upon further discussion, Trustee Potocki thought Corlies Ave. should remain two-way traffic. Trustee Potocki informed everyone that the safety and congestion problems seem to be more significant in the morning. Mr. Cartelli mentioned that the crossing guards need to be more attentive at the High School and Middle School. Furthermore, Mr. Cartelli would like the village to consider placing a stop sign at Franklin Place and Corlies Avenue for cars traveling north on Corlies Avenue from Colonial Avenue.

Item #15 – Discussing a draft Home Rule Request for an exception to the Vehicle and Traffic Law to allow residents with restricted driveways to park in the driveway overhanging the sidewalk, only late at night:

Mayor Hotchkiss mentioned that this had been tabled last time. Trustee Potocki mentioned that this affects approximately sixty homes, and would allow the homes with small driveways to park overhanging the sidewalk between 11 p.m. and 7 a.m.

A motion was made by Trustee Potocki, with a second by Trustee Homan to adopt the resolution. The motion was approved unanimously by vote of five in favor, none opposed. Trustees Morris and Weinstein were absent.

RESOLUTION

REQUESTING THE INTRODUCTION OF HOME RULE LEGISLATION  
TO AMEND THE V & T LAW TO ALLOW RESIDENTS  
TO PARK OVERNIGHT IN THEIR DRIVEWAYS, OVERHANGING SIDEWALKS

WHEREAS the Village of Pelham is a small village of approximately 6,500 residents, covering eight-tenths of a square mile, with approximately 3,300 housing units; and

WHEREAS, the village was in large part developed in the late 1920's and early 1930's, at a time when passenger cars were much smaller than they are at present; and

WHEREAS, many of the garages and driveways built in the Village have driveways that are restricted by retaining walls and other space constrictions that make the driveways too small to accommodate cars, which in turn causes homeowners to park in their driveways in such a way that their cars overhang the sidewalks; and

WHEREAS, the New York State Vehicle and Traffic Law, Art. 32, §1202 entitled, "Stopping, standing or parking prohibited in specified places" (a) 1. b., prohibits parking "On a sidewalk"; and

WHEREAS, the Village has explored several alternatives, which include:

- Capital construction and expansion of driveways and garages, at major expense to private property owners;
- Eliminating or partially revoking a village-wide ban on overnight parking (except where authorized by existing Home Rule legislation). Maintaining Village-wide law prohibiting overnight parking has proven extremely vital to security/law enforcement, street sweeping and curbside leaf pick-up, and snow clearing and other emergency operations; or
- Adopt a Home Rule Request message asking the State Legislature to amend the Vehicle and Traffic Law, to allow for a middle-ground, for homeowners with small, restricted driveways, to park in their driveways, overhanging the sidewalk, only between the hours of 11 p.m. and 7 a.m.

AND, WHEREAS, the Village has determined that the most fair and cost-effective means of addressing this problem is to request an amendment to §1202 of the Vehicle and Traffic Law.

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham requests the Senate and the Assembly of the Legislature of the State of New York to introduce Home Rule Legislation (draft submitted) to amend the V & T Law, to allow overnight parking in driveways, overhanging sidewalks, between the hours of 11 p.m. and 7 a.m., and authorizes the Mayor, the Administrator, the Village Clerk and the Police Chief to take all necessary and appropriate actions to cooperate with the State Legislature to assist with the introduction and enactment of this legislation to benefit the residents of the Village of Pelham.

Draft Proposed Home Rule Sponsor Memo

BILL NO Requested

SAME AS

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COSPNSR Klein

MLTSPNSR

Enact a new section to the VTL, Art. 32, §1202 (b) which would allow residents in older homes that have small, restrictive driveways, to park in their driveways and block sidewalks between the hours of 11:00 p.m. and 7:00 a.m. This would authorize an exception to the current VTL, Art. 32, §1202 entitled, "Stopping, standing or parking prohibited in specified places" (a) 1. b., which prohibits parking "On a sidewalk." The new provision would allow parking on at designated residences, upon registration with the Police Department, allowed without violation, only between the hours of 11 p.m. and 7 a.m.

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Memo:

BILL NUMBER: requested

PURPOSE OR GENERAL IDEA OF BILL:

The purpose of the bill is to allow residents and homeowners with restrictive driveways, to have the legal authorization to park in their driveways, but across the sidewalk, only late at night and early in the morning, between 11 p.m. and 7 a.m. This would require a change in NYS Vehicle and Traffic Law.

The Village requests the NY State Legislature to enact a new section to the VTL, Art. 32, §1202 (b) which would allow residents with small, restrictive driveways to park in their driveways and if necessary overhang sidewalks between the hours of 11:00 p.m. and 7:00 a.m.

SUMMARY OF SPECIFIC PROVISIONS:

In response to this Home Rule Request, enact a new section to the VTL, Art. 32, §1202 (b), which would allow residents in the Village of Pelham who live in older homes that have small, restrictive driveways to park in their driveways and overhang sidewalks between the hours of 11:00 p.m. and 7:00 a.m.

**JUSTIFICATION:**

The Village of Pelham is a small village, with 1,903 parcels, about 3,300 housing units, and approximately 6,500 residents in a village that is approximately eight tenths (.8) square miles. The age of the average house structure in Pelham is roughly dated in the late 1920's, or early 1930's, and driveways and garages for these homes were built in an era when passenger cars were much smaller than the vehicles of today.

The Village of Pelham for decades has maintained a village-wide prohibition on overnight parking on our streets, between the hours of 2 a.m. and 6 a.m. for three primary reasons:

1. security/law enforcement
2. street sweeping and curbside leaf pick-up;
3. snow clearing operations.

There is one drawback of this restriction. Residents of Pelham who live in older, 1920's and 1930's era homes, which have smaller, restrictive, tightly walled-in driveways, at all times must park in their driveways in such a way that their modern cars, built much larger than 1920's and 1930's cars, cannot fit into the driveway and often overhang the sidewalk.

During the day, the Village requires them to park in the street, but they are without options on where to park, due to the village-wide prohibition on overnight parking.

If these residents attempt to park in their driveways, they often cannot exit their cars because of narrow walls on both sides of the driveway, and other similar constrictions. These residents are caught between a rock wall and a car door. The Village has identified approximately 50-60 homes with this kind of situation.

The Village of Pelham is submitting this Home Rule Legislation request to the New York State Legislature to enact a change to the State Vehicle and Traffic Law, which would provide relief to residents whose homes have severely restricted driveways.

**PRIOR LEGISLATIVE HISTORY:**

None as of yet.

**FISCAL IMPLICATIONS:**

None for the state.

**EFFECTIVE DATE:**

Immediately upon its enactment by the State of New York.

Home Rule Draft Text

2008-2009 Regular Sessions

IN ASSEMBLY

\_\_\_\_\_  
Introduced by

AN ACT to amend the vehicle and traffic law, Article 32, §1202 (d) to allow residents with small, unusable driveways and garages to park in their driveways, overhanging the sidewalks, between the hours of 11:00 p.m. and 7:00 a.m.

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Section 1202 (d) of the vehicle and traffic law is hereby enacted, to read  
2 as follows:

3 (d) Any person who is a resident of the Village of Pelham may, between the hours  
4 of 11:00 p.m.

5 and 7:00 a.m., park a vehicle in a driveway of their residence in such a manner that  
6 the vehicle is

7 also parked on a sidewalk, provided that said person has first applied for and  
8 received authorization

9 from the Village of Pelham to park said vehicle on a sidewalk because of the limited  
10 size of the

11 residential driveway.

12 This act shall take effect immediately upon its enactment by the State of New York.

EXPLANATION – Matter in ITALICS (underscored) is new; matter in brackets { } is old law to be omitted.

Item #16 – Motion to authorize the Pelham Police Dept. to certify shooting compliance for retired Pelham Police Officers with licenses to carry their weapons pursuant to Federal Law HR 218 of 2004:

The Board Members were provided copies of H.R. 218, the Law Enforcement Officers Safety Act of 2004, which exempts qualified active and retired law enforcement officers from State laws that prohibit the carrying of concealed firearms, was signed into law by the President on Thursday, July 22, 2004.

This Federal Law authorizes qualified active and retired police officers to carry concealed firearms, between states.

The Village of Pelham's role in this regard will only be to allow the officers to be certified and qualified to meet acceptable standards regarding marksmanship, nothing more.

Therefore, we propose the following motion:

Motion -- To authorize the Pelham Police Dept. to certify shooting compliance for retired Pelham Police Officers with licenses to carry their weapons pursuant to Federal Law HR 218 of 2004.

A motion was made by Trustee Breskin, and seconded by Trustee Potocki. The motion was approved unanimously by vote of five in favor, none opposed. Trustees Morris and Weinstein were absent.

Item #17 – Resolution authorizing a grant application to the NYS Dept. of Env. Conservation's Urban and Community Forestry Tree Program:

This grant application would fund the planting of approximately seventy five trees at \$200 per tree staked and planted, totaling \$15,000.

A motion was made by Trustee Homan, with a second by Trustee Lewis to adopt the resolution. The motion was approved unanimously by vote of five in favor, none opposed. Trustees Morris and Weinstein were absent.

## RESOLUTION

### AUTHORIZING AN APPLICATION TO THE NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION'S URBAN AND COMMUNITY FORESTRY PROGRAM FOR TREE PLANTING.

RESOLVED, that the Board of Trustees of the Village of Pelham authorize and direct Richard Slingerland, Village Administrator, or his designee, to file an application for fifty percent (50%) matching funds in an amount not to exceed seven thousand five hundred dollars (\$7,500), to be matched by Village funds not to exceed seven thousand five hundred dollars (\$7,500), and upon approval of said request authorize and direct the Village Administrator to enter into and execute a project agreement with the New York State Department of Environmental Conservation for such financial assistance to the Village of Pelham, NY, for this Village of Pelham tree planting project.

Item #18 – Resolution authorizing a grant application to the NYS Dept. of Parks, Rec. and Historic Pres. for the Parks Development and Imp. Program, to continue the Wolfs Lane Park improvement program:

Resolution for the NYS Parks grant includes project cost estimates as follows:

1. Pre-Development= \$8,100
2. Bidding/Construction= \$101,300 (street-scape quality lighting and conduit, and such)

3. Amenities= (11) Garbage Cans x \$500.00 each = \$5,500

(6) Benches x \$750.00 each = \$4,500

Total = \$10,000

50% matching grant

Total Project= \$119,400

Grant Request=\$60,000

Applicant Share= \$40,000

A motion was made by Trustee Lewis, with a second by Trustee Potocki to adopt the resolution. The motion was approved unanimously by vote of five in favor, none opposed. Trustees Morris and Weinstein were absent.

#### RESOLUTION

AUTHORIZING AN APPLICATION TO THE NYS OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION FOR THE 2008 PARKS PROGRAM TO DEVELOP, RESTORE AND REHABILITATE THE WOLFS LANE AND FIRST STREET PARK

RESOLVED, that the Board of Trustees of the Village of Pelham authorizes and directs the Village Administrator to take the necessary and appropriate actions and sign all necessary and appropriate documents to file an application for funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of the 2008 Parks Program, in an amount not to exceed sixty thousand dollars (\$60,000), to be matched by forty thousand dollars (\$40,000) by the Village of Pelham, and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to the Village of Pelham for the Wolfs Lane and First Street Park for a 2008 Parks Program Grant.

Item #19 – Resolution authorizing a Stipulation of Discontinuance, as recommended by the Village’s counsel in the matter of the Westchester Guardian vs. the Village of Pelham, et al.:

The Village Administrator explained that earlier this year, the Village had received a report from our attorney representing the Village provided through our insurance coverage from NYMIR, in the matter of the Westchester Guardian vs. the Village of Pelham, et al.

On our attorney’s recommendation, we drafted and adopted a Local Law to establish local regulations on News Racks.

Upon review of the legislation we adopted in Local Law #5 - 2007, adopted on September 18, 2007, the plaintiff agreed to discontinue the lawsuit against the Village of Pelham.

A motion was made by Trustee Homan, with a second by Trustee Lewis to adopt the resolution authorizing the stipulation of discontinuance. The motion was approved unanimously by vote of five in favor, none opposed. Trustees Morris and Weinstein were absent.

#### RESOLUTION

AUTHORIZING A STIPULATION OF DISCONTINUANCE  
AS RECOMMENDED BY THE VILLAGE'S COUNSEL  
MIRANDA SOKOLOFF SAMBURSKY SLONE VERVENIOTIS LLP  
IN THE MATTER OF  
THE WESTCHESTER GUARDIAN VS. THE VILLAGE OF PELHAM, ET AL.

RESOLVE, that the Mayor and Board of Trustees of the Village of Pelham hereby authorize our attorneys with MIRANDA SOKOLOFF SAMBURSKY SLONE VERVENIOTIS LLP to execute a Stipulation of Discontinuance on behalf of the Village of Pelham.

Item #20 – Resolution authorizing a proposal by Hank White Architects to prepare a Parks Improvement Plan for Wolfs Lane Park:

Trustee Homan mentioned that we need a proposal that will allow us to complete the project in phases. She mentioned that the Village has already laid out locations for benches, garbage cans, lighting and other related items.

Trustee Breskin asked the Village Administrator to ask Hank White to structure his fees as milestones based on completion instead of hourly.

This matter was tabled until the next scheduled Board of Trustees Meeting on June 17, 2008.

Item #21 – Authorizing the Accounts Payable:

Trustee Lewis had performed the audit and review of the accounts payable.

A motion was made by Trustee Homan, with a second by Trustee Breskin to adopt the resolution. The motion was approved unanimously by vote of five in favor, none opposed. Trustees Morris and Weinstein were absent.

2007-2008 Accounts Payable

#### 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	\$ 29,767.36
Water Fund	\$ 25,966.49
Capital Projects Fund	\$ 13,051.25
Trust and Agency Fund	\$ 3,113.75
H3 Fund	\$ 0.00
TE Expendable Trust Fund	\$ 0.00
Grand Total	\$ 71,898.85

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

A motion was made by Trustee Homan, with a second by Trustee Lewis to adopt the resolution. The motion was approved unanimously by vote of five in favor, none opposed. Trustees Morris and Weinstein were absent.

2008-2009 Accounts Payable

#### 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	\$ 115,637.67
Water Fund	\$ 0.00
Capital Projects Fund	\$ 0.00
Trust and Agency Fund	\$ 0.00
H3 Fund	\$ 0.00
TE Expendable Trust Fund	\$ 0.00
Grand Total	\$ 115,637.67

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

Item #22 – Other Business:

Administrator Slingerland reported that the village is looking to settle a claim with Phil Nesmith on a vehicle accident.

A motion was made by Trustee Homan, with a second by Trustee Breskin to adopt the resolution. The motion was approved unanimously by vote of five in favor, none opposed. Trustees Morris and Weinstein were absent.

RESOLUTION

AUTHORIZING A SETTLEMENT OF CLAIM  
WITH PHILIP NESMITH  
FOR DAMAGE BY THE VILLAGE TO HIS PERSONAL VEHICLE

RESOLVED, that the Mayor and Board of Trustees authorize the settlement and payment of claim to Philip Nesmith in the amount of one thousand three hundred and forty two dollars and fifty seven cents (\$1,342.57) for damage to his personal vehicle, caused by the Village of Pelham, which occurred on Tuesday, January 8, 2008, and authorize the Village of Pelham to make payment on this claim to close out this matter.

Other business – Grand Cleaners:

Trustee Potocki mentioned that Omar from Grand Cleaners opened a small store in Mount Vernon. Anyone who is seeking claim information should visit the store in Mount Vernon.

Item #23 – Minutes: May 20 2008:

This May 20<sup>th</sup> minutes were tabled until the June 17<sup>th</sup> Board of Trustee Meeting.

Item #24 – Adjournment:

On the motion of Trustee Homan, seconded by Trustee Breskin, the Board voted to adjourn the public portion of the board meeting and go into Executive Session at 9 p.m. to discuss personnel matters, after which it would adjourn. The motion was approved unanimously by vote of four in favor, none opposed. Trustee Lewis stepped away from the meeting. Trustees Morris and Weinstein were absent.

Respectfully submitted,

Devron Wilson, Administrative Aide  
Richard Slingerland, Administrator/Deputy Clerk