

VILLAGE OF PELHAM BOARD OF TRUSTEES
 REGULAR MEETING
 TUESDAY, APRIL 27, 2010, 7:30 PM
 VILLAGE HALL – 195 SPARKS AVENUE, PELHAM, NY

Minutes*

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

Approximate
Starting Time
of Discussion

Agenda Items:

Non-Recurring Items		7:40 p.m.
7.	Fiscal Year 2010-2011 Village of Pelham Budget Adoption, All Resolutions	Approved
8.	Junior League Presentation to the Board about May 7 th “Pelham Night Out” Event to Close the Downtown from Third Street to First Street on Fifth Avenue, to Encourage People to Shop that Night and Dine Out.	Approved
9.	Authorizing a Renewal of an Agreement between the Village Of Pelham and Community Markets for a Farmer’s Market in Pelham with a Rollover Extending the Agreement for Successive Two-Year Terms.	Approved
10.	Authorizing the Annual Chamber of Commerce Street Fair to Take Place on Saturday, June 5, 2010	Approved
11.	Amended Resolution Authorizing the exchange of Village Police Vehicle for Town of Pelham Van	Approved
Grants, Projects & Other Business		8:45 p.m.
12.	Grants- Status Report	Discussed
13.	Other Business- Closing Highbrook Avenue	Discussed
Recurring Items		9:15 p.m.
14.	Budget Amendment and Transfer Resolution	Approved
15.	Authorizing Accounts Payable	Approved
16.	Authorizing Minutes of: March 2, 2010 and March 23, 2010	Approved
17.	Adjournment to Executive Session	9:45 p.m.

Next Scheduled Board Meetings are:

Tuesday, May 11, 2010

Tuesday, May 25, 2010

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

* The Agenda is subject to change.

Item #1 – Meeting called to order: The meeting of the Board of Trustees was called to order by Mayor Edward Hotchkiss at 7:30 p.m.

The following members of the Board of Trustees were present:

Mayor Edward Hotchkiss, Trustees Mohan, Bullock, Lewis, Breskin, Marty

The following members of the Board of Trustees were absent:

Trustee Morris

Village staff in attendance:

Administrator/Treasurer Robert Yamuder, Administrative Intern Peter Bonington

Item #2 – Pledge of Allegiance:

The Pledge of Allegiance was led by Mayor Hotchkiss

Reports

Mayor Hotchkiss Report

Mayor Hotchkiss opened his report by stating that 100 recycling bins purchased by the Village with an anonymous donation from a Village resident are going to be made available to residents in the coming weeks. He reported that as of last meeting the Board decided to erect a “No Parking, No Stopping, No Standing” sign on the west side of Wolfs Lane to prevent parents from dropping off and picking up their children across from the Middle and High Schools. The Mayor closed his report by saying that the week of June 1st to June 4th, the Pelham Fire Department will be flushing the fire hydrants in Pelham Heights. Most of the flushing will be going on at night so as to not affect residences however; notices will be placed on doors as the first week of June approaches.

Trustees Reports:

Trustee Breskin- None

Trustee Bullock-

Trustee Bullock advised residents to consult the website for updates regarding the sanitation and recycling schedule. He said that there is an updated PDF of the Calendar on the Welcome page. He also said that the end of loose leaf collection will begin after April 30. All leaves must be placed in a biodegradable bag or open containers for Organic collection on either Monday or Tuesday.

Trustee Lewis-

Trustee Lewis stated that the Commercial Zoning Review Committee is preparing their final recommendations to the Board and should be ready to submit them by next Board of Trustees Meeting on May 11th.

Trustee Marty-

Trustee Marty reminded the public that there will be an introductory meeting for the Boston and Westchester site on Thursday, April 29. He added that there are engineering reports that have been done on the property available to the public on the Welcome page of the Village website.

Trustee Mohan-

Trustee Mohan said that she has been corresponding with Verizon FIOS as part of re-opening negotiations with them. Although she stated that no prior offers by Verizon have been passed to her, they are pursuing a new offer for the Village of Pelham. Trustee Mohan also said that she is pursuing the streetscape initiative portion of the New York Main Street grant for park accessories.

Trustee Morris- Absent

Village Administrator's Report

Administrator Yamuder reported that representatives from the Census Bureau will be working downstairs at Village Hall the week of April, 26-30 during regular office hours. He advised residents who have questions about their census information to call or come by and consult these representatives. Mr. Yamuder stated that there are currently nine municipalities around Westchester, of which Pelham is included, in a consortium whose purpose is to oppose the rate increases and increased hydrant fees being imposed on them by United Water. Mr. Yamuder stated that he will be meeting with Senator Klein in New Rochelle later in the week to explore the options about opposing these increases. Trustee Marty asked what the objectives are for this consortium. Mr. Yamuder responded that the consortium will be appealing to the Public Service Commission for their help.

Mr. Yamuder concluded his report by saying he has been in contact with the Federal Emergency Management Agency (F.E.M.A.) and has been told that Westchester has qualified for disaster relief in the aftermath of the most recent storms that have affected Pelham. He stated that he is seeking reimbursement for the overtime incurred during the storm by the Police, Fire, and Public Works departments.

Item #6–Public Comment

Tom Ralph of 9th Avenue spoke about the lack of development at the T&L Property. Mr. Ralph explained that he was dismayed about the gap in the streetscape along Wolfs Lane. He asked the Board where they stand in terms of development. Trustee Breskin stated that the owner of that particular property is Mr. Kravitz and the Village and he are currently involved in litigation and that no negotiations are currently taking place. Mr. Breskin stressed that the property is private land and therefore the Village cannot take any action to force development. He said that the claims Mr. Kravitz has put forward will most likely go away with time but whether he will pursue his development plan for that property is not clear at this time.

Mr. Ralph asked if the Board would describe their relationship with Mr. Kravitz as a confrontational one. Mr. Breskin responded that he would not characterize the relationship as such. He said that they do disagree on certain issues but that the Board has been very willing to assist and pursue development plans that Mr. Kravitz has demonstrated that willingness in the past. Mayor Hotchkiss added to that statement by saying that Mr. Kravitz has received an unprecedented amount of attention from the Board and that the Trustees would be more than happy to work with him on his plans provided the litigation they are currently involved in can be brought to a conclusion.

John Cassone of 7th Avenue related his recent experiences with the new garbage company. He related three incidents in which his recycling, bulk trash, or household garbage were not picked up. He stated that he had spoken with Terri several times and that she had been very helpful in ensuring the garbage was eventually picked up.

Administrator Yamuder said that AAA Carting has two new people who were only hired recently and are still learning the Village's garbage schedule. He also stated that AAA Carting had underestimated the amount of recycling the Village generates and has added a third truck to the fleet in order to better manage the heavy Recycling/Bulk Trash weeks. Mr. Yamuder stated that AAA was furnished with this information prior to awarding the contract and apologized for any inconvenience. Trustee Breskin stated that if this becomes a recurrent issue, the Village may consider going back to the once a week schedule for Bulk Trash.

Item #7-Fiscal Year 2010-2011 Village of Pelham Budget Adoption, All Resolutions

Mayor Hotchkiss gave a synopsis of the budget process prior to closing the public hearing portion. He reported that this year the New York State increases and the pension contributions that were handed to the Village to pay represent 85% of the increases this fiscal year. The Village has accrued savings from the new Sanitation contract and the additional 1% deduction by the Department heads have cut from their preliminary budget. The tax increase for the fiscal year 2010/2011 is 7.8% which averages to approximately a \$330 increase per household in Pelham. The Mayor stated the necessity for the Village to effectively manage its expenses which he believes the Board has with this budget. The need to create a tax base through development is a top priority for the Village. He added that non-Union members of the Village staff are being asked to contribute 10% to their medical benefits. He also stated the Union contracts for Police, Fire, and DPW will be coming up this year and that the Board will be asking for big concessions during negotiations.

Tom Ralph of 9th Avenue asked who the non-Union employees are in the Village. The Mayor responded that the office staff, code enforcement officers, and Dept. heads are all non-Union. Trustee Breskin stated that in all of Westchester County only about 4 municipalities pay 100% of their employee's medical benefits. The Mayor stated that the current pension contribution is not sustainable for the Village so there will be a need to some changes made in the next year. Trustee Mohan said that the Board realizes that there is a financial impact on Village employees and the Board does not take these decisions lightly. She stated, however, that the Board has a higher fiscal responsibility to the Village and its services and thanked the Village employees for their service. The Mayor said that the various departments in Pelham perform excellent service for the Village.

Mayor Hotchkiss called for any final comments prior to closing the public hearing portion of the budget adoption. No comments were made.

A motion was made by Trustee Breskin and seconded by Trustee Mohan to close the public hearing. The vote was approved by a vote of six in favor, none opposed. Trustee Morris was absent.

In connection with approval of the budget for Fiscal Year 2010-2011, the Board of Trustees should adopt the following resolutions tonight.

A. Resolution with Amendments and Revisions to the Tentative Budget

Administrator Yamuder said that these amendments pertained to revisions that were made to the preliminary budget from the last meeting Board of Trustees meeting on April 13, 2010.

A motion was made by Trustee Mohan and seconded by Trustee Marty to adopt the resolution. The vote was approved by a vote of six in favor, none opposed. Trustee Morris was absent.

B. Resolution adopting Fees, including Parking Permit Fee Rates.

The Administrator said this resolution involves the fee and fines schedule. Trustee Breskin related that the Board had increased the parking fines rate for the 1st Street lot. The going rate is now \$2,000 with a \$600 premium per year. Mayor Hotchkiss stated that the Board is looking at all the Village's assets to come up with more revenue.

A motion was made by Trustee Breskin and seconded by Trustee Lewis to adopt the resolution. The vote was approved by a vote of six in favor, none opposed. Trustee Morris was absent.

C. Resolution for Budget Adoption

Mr. Yamuder stated this is the resolution that will adopt the budget for fiscal year 2010/2011.

A motion was made by Trustee Breskin and seconded by Trustee Mohan to adopt the resolution. The vote was approved by a vote of six in favor, none opposed. Trustee Morris was absent.

D. Resolution to Levy Taxes

The Administrator said this resolution allows the Village to levy taxes.

A motion was made by Trustee Bullock and seconded by Trustee Breskin to adopt the resolution. The vote was approved by a vote of six in favor, none opposed. Trustee Morris was absent.

E. Resolution Authorizing Investments

The Administrator explained this resolution allows the Village to manage its investments under General Municipal Law.

A motion was made by Trustee Marty and seconded by Trustee Mohan to adopt the resolution. The vote was approved by a vote of six in favor, none opposed. Trustee Morris was absent.

F. Resolution Authorizing Levy of Additional Taxes

Mr. Yamuder said that this resolution allows the Town Assessor to additional real property taxes.

A motion was made by Trustee Lewis and seconded by Trustee Breskin to adopt the resolution. The vote was approved by a vote of six in favor, none opposed. Trustee Morris was absent.

**BUDGET RESOLUTION A
VILLAGE OF PELHAM – APRIL 27, 2010
RESOLUTION AMENDING AND REVISING THE
PROPOSED 2010-2011 VILLAGE BUDGET**

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

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

**ADOPTING FEE SCHEDULE
INCLUDING ANNUAL PARKING PERMIT RATES**

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

**Village of Pelham
Fee and Fine Schedule, April 27, 2010**

Item	Chapter	Fee amount
Alarm System	§ 27	No annual fee
Alarms: False Alarm Fine	§ 27-7	No violation for 1 st thru 3 rd false. Violations issued for false alarms after 3 rd , up to \$250 per violation
Amusement Device	§ 28	\$250 per establishment and \$250 per device
Blasting Permit	§ 33, 34, 35, 68	\$2,500 per blast, plus pre-blast surveys of properties reqd. w/in 500 ft. of a property being blasted, plus \$50,000 bond or escrow for property damage; \$2 million min. hazard & liability insurance
Building Permit (Consolidates in Fences, Tanks, Fuel Tank Installation or Removal,	§ 34	\$200 per \$0-5000 value of work; \$10 per each additional \$1000 in value of work with the requirement to substantiate cost

HVAC, Demolition, etc.)		of work upon completion.
Building & Work w/o Permit	§ 34	\$1000
Certificate of Occupancy or Compliance	§ 34	\$250
Certification Letter (in Lieu of Certificate of Occ.)	§ 34	\$125
Christmas Tree Sales		\$100 (plus \$150 deposit)
Curb Cut Fee, New Sidewalk installation, Street Opening involving major construction	§ 33 and 76	\$250 per opening/installation up to 25 sq. ft., with \$25 per each additional 50 sq. ft. above 25 sq. ft. for new side-walks and driveways; \$25 per each addl. ft. for curbs, \$350 refundable deposit.
Driveway Apron, Sidewalk Maintenance, minor curb repair	§ 33 and 76	\$100 curb and sidewalk minor repair and maintenance permit, and \$350 refundable deposit.
Dog License Fee	§ 41-2	\$12.50 if spayed or neutered, \$17.50 if not
Dumpster Permit		\$50 per day, plus \$5 per meter per day if it blocks a meter. (Public or Private Road.)
Electrical Permit	§ 34	\$100 plus \$10 per electrical item (switch, outlet, fixture, etc.)
Elevator Inspections		\$225 per inspection
Excavation and Digging w/o Permit	§ 33	\$1000 each separate violation, for work w/o a permit, or in violation of a permit,
Film Permit Fee	§ 44-3	\$600 per day 8 am-8 pm \$900 per day 7 am-9 pm \$1,200 per day, before 7 a.m. and/or after 9 p.m. Plus \$25 per parking space rental (overrides hourly parking limits), plus police costs (if assigned for traffic control)

Item	Chapter	Fee amount
Fire Inspection Fees (includes Haz. Chem., Flammable Stor., Dry Cleaning, Lumber Yards)	State Code and Village Code	\$100 per building or establishment, whichever is greater
Games of Chance (net proceeds fee)	§ 52-12 (B)	Not to exceed 5% of net proceeds
Hazardous Chemicals		* See Fire Inspection Fee.
Ice Cream Vendor (Truck)		\$100 per year
Motor Vehicle Service	§ 34; and Fire	\$100

Garage or Motor Vehicle Repair and Spray Booth	Inspection Fee	
Motor Vehicle – Fuel Dispenser Permit (per nozzle, annual)	§ 34; and Fire Inspection Fee	\$25 per nozzle
Newsrack/box Permit	§ 59, Newsracks	\$35 annual fee
Parking Permit Fees	Resident Annual	\$700
	Resident Semi-annual	\$385
	Resident Quarterly	\$225
	Resident Monthly	\$85
	Non-Resident Annual	\$1,400 (Lot 1 Commuter Rate \$2000 effective Jan.1,2011)
	Non-Res. Semi-annual	\$750
	Non-Resident Quarterly	\$425
	Non-Resident Monthly	\$140
	Merchant Annual	\$500
	Merchant Semi-annual	\$300
	Merchant Quarterly	\$175
	Merchant Monthly	\$75
Plumbing Permit	§ 34	\$100 plus \$10 for ea. addl. fixtr.
Sidewalk Café Permit	§ 75	\$200
Sign/Marquee Permit (Awning or Canopy – same)	§ 77-5	\$200 application fee
Site Plan Review	§ 79	\$500 per lot
Street Opening Permit	§ 33	\$300 per opening up to 25 sq. ft., \$100 per each addl. 100 s.f., \$350 refundable deposit.
Taxicab – Cab Lic Fee	§ 84	\$100 annual
Taxi – Driver Fee	§ 84	\$50 annual, plus fingerprinting costs
Taxi – Inspection Fee	§ 84	\$50 per inspection
Taxi Stand Parking Space	§ 90	\$900 per year
Taxi – parking Overnight on Harmon	§ 90	Under review.
Wireless Telecomm. Devices	§ 87	\$5,000; \$2,000 for co-location
Water Shut-Off/Turn-On		\$100 Fee
Zoning Board of Appeals Application or Appeal Fee	§98-128	Residential Application \$250 Commercial Application \$500

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

Description	Code Section cited (VO = Village Code)	Current Fine
Illegal Parking at Expired Meter * Fine if paid by end of day	VO § 90-30 A. (2)	\$30 *\$15
Illegally parked beyond <u>time limit</u> of the metered parking	VO § 90-31, VO § 90-56	\$30 *\$15
Over time in a Limited-Time parking zone (unmetered); *Fine if paid BEOD	VO § 90-20, VO § 90-53	\$30 *\$15
Night Parking – 2 AM to 6 AM * Fine if paid by end of day	VO § 90-16	\$40 *\$20
Over 12 inches from the curb	VO § 90-14 B.	\$40
Parking Obstructing a driveway	VO § 90-14 D. (1)	\$50
Parking On/Obstructing a sidewalk	VO § 90-14 C. (2)	\$50
Parking in a NO PARKING area	VO § 90-15, VO § 90-49	\$75
Parking on the wrong side of the street	VO § 90-14 B.	\$50
Double Parked	VO § 90-14 C. (1)	\$75
Obstructing a Fire Hydrant	VO § 90-14 E.	\$100
Parked in a Prohibited Area near Firehouse	VO § 90-14 D. (2) & (3)	\$100
Illegally parked in a Handicapped Zone	VO § 90-14 F.	\$100
Parked in a Village Lot or Space without Permit	VO § 90-24, VO § 90-25	\$75
Parked in a Tow-Away Zone	VO § 90-22, VO § 90-58	\$100
Parked on a Crosswalk	VO § 90-14 C. (3)	\$50
Obstructing a Curb Cut	VO § 90-14 D. (4)	\$50
Parking in a Bus Stop space	VO § 90-22.1, § 90-55	\$50
Parking in a Taxi Stand space	VO § 90-22.2, § 90-57	\$50
Other violations	Misc.(Dog waste, snow) VO § 42-7 Dog – § 54-78; § 81 Snow –	\$40 \$40

State Vehicle and Traffic law violations listed on tickets

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

AND BE IT RESOLVED, that the Mayor, Village Administrator, Village Attorney, Treasurer, Building Inspector and Police Chief are authorized to take the necessary and appropriate actions to effect and apply these fee rates.

BUDGET RESOLUTION C
VILLAGE OF PELHAM
APRIL 27, 2010

BUDGET ADOPTION RESOLUTION

RESOLUTION ADOPTING A BUDGET FOR THE FISCAL YEAR COMMENCING JUNE 1, 2010 AND ENDING MAY 31, 2011 MAKING APPROPRIATIONS FOR THE CONDUCT OF THE VILLAGE GOVERNMENT AND ESTABLISHING THE RATES OF COMPENSATION FOR OFFICERS AND EMPLOYEES FOR SUCH PERIOD.

WHEREAS, this Board of Trustees has met at the time and place of April 13, 2010, as specified in The Notice of Public Hearing on the tentative budget and heard all persons desiring to be heard thereon.

NOW, THEREFORE, BE IT RESOLVED that the budget as amended at Work Sessions held on Wednesday March 31, Monday April 5, 2010, and Tuesday April 6, 2010, as well as the Budget Hearing held on Tuesday April 13, 2010, and as hereinafter set forth is hereby adopted and the salaries and wages stated in the Salary Schedule of the budget are fixed at the amounts shown and are effective June 1, 2010, unless provided for by other means.

BUDGET RESOLUTION D
VILLAGE OF PELHAM
RESOLUTION LEVYING TAXES
FOR FISCAL YEAR 2010-2010
APRIL 27, 2010

RESOLUTION DATED APRIL 27, 2010, LEVYING THE 2010 VILLAGE TAX, ESTABLISHING THE TAX RATE, FIXING DATES OF PAYMENT.

WHEREAS, pursuant to Section 5-508 of the Village Law, the Board of Trustees has adopted the Village Budget for the fiscal year commencing June 1, 2010 and ending May 31, 2011, and

WHEREAS, such budget as adopted establishes a general Village tax levy of \$8,897,228 for this period.

NOW THEREFORE, BE IT RESOLVED that there are levied and assessed the sum of \$8,897,228 against all taxable real property and special franchise in the Village, pursuant to

this budget, as adopted, and the 2010 Village tax rate is set at \$5.988925 per thousand dollars of assessed valuation for Homestead Properties and \$8.238284 per thousand dollars of assessed valuation for Non-Homestead Properties. The Collector of Taxes is hereby authorized and directed to extend and carry out upon the 2010 tax roll the amount to be levied against each parcel of real property and each special franchise shown thereon,

AND BE IT FURTHER RESOLVED, that pursuant to Section 1432 of the Real Property Tax Law, taxes levied as aforesaid are due June 1, and payable by June 30, 2010, and the dates and rates of interest shall be set as follows:

Payment Due: Due June 1, 2010
 From June 1, 2010 to June 30, 2010 - No Interest
 On July 1, 2010 - 5% will be added and 1% additional on the first day of each month thereafter until paid.

**BUDGET FOR THE VILLAGE OF PELHAM
 FOR THE FISCAL YEAR JUNE 1, 2010 TO MAY 31, 2011**

GENERAL FUND

Government Support.....	\$1,381,516
Public Safety.....	\$5,331,698
Transportation.....	\$985,486
Economic Assistance.....	\$0
Home & Community Services.....	\$818,100
Employees' Benefits.....	\$2,987,993
Debt Service Payments.....	\$346,267
Transfer to Capital.....	<u>\$0</u>
TOTAL	\$11,851,060
Less Estim. Revenue (includes \$341,700 Approp. Fd. Bal.)....	\$2,953,832
Tax Levy.....	\$8,897,228
Assessed Valuation: HOMESTEAD.....	\$1,250,459,004
Tax Rate Per Thousand Homestead.....	\$5.9889251
Assessed Valuation: NON-HOMESTEAD.....	\$170,948,563
Tax Rate Per Thousand.	\$8.2382841

The total amount of local assistance to the General Fund anticipated to be received from the State of New York during the fiscal year 2010 – 2011 \$75,477

RATES OF INTEREST

Payment Due: Due June 1, 2010

From June 1, 2010 to June 30, 2011 - No Interest
On July 1, 2010 - 5% will be added and 1% additional on the first day of each month thereafter until paid.

PLEASE NOTE: It is the taxpayer's responsibility to remember the due date of the tax payment –
JUNE 1, 2010, payable without interest until June 30, 2010.

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

For more information, please call or write:

Town Receiver of Taxes	or	Town Tax Assessor
34 5 th Avenue		34 5 th Avenue
PELHAM, NY 10803		PELHAM, NY 10803
914-738-1642		914-738-2878

THIRD PARTY NOTIFICATION

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

Applications for third party notification must be filed with the Receiver of Taxes no later than June 1, 2010.

TAX SCHEDULE

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

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

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

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

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

BUDGET RESOLUTION E
2010-2011 VILLAGE OF PELHAM BUDGET
AUTHORIZATION FOR INVESTMENTS

RESOLVED, that the Village Administrator/Treasurer and/or Deputy Treasurer, during the fiscal year beginning June 1, 2010 are authorized to invest monies not needed for immediate expenditure in accordance with the provisions of the General Municipal Law, the Local Finance Law and the Village's investment policy.

BUDGET RESOLUTION F
2010-2011 VILLAGE OF PELHAM BUDGET
RESOLUTION AUTHORIZING THE LEVY AND COLLECTION
OF ADDITIONAL TAXES UPON TERMINATION OF EXEMPT STATUS

RESOLVED, that the Town Assessor and Receiver of Taxes, during the fiscal year beginning June 1, 2010 are authorized to levy and collect additional Village taxes upon termination of exempt status of real property in accordance with provisions of Section 494 of the Real Property Tax Law.

Item #8-Junior League Presentation to the Board about May 7th "Pelham Night Out" Event to Close the Downtown from Third Street to First Street on Fifth Avenue, to Encourage People to Shop that Night and Dine Out.

Representatives of the Junior League were present to give a short presentation for the Board regarding the Pelham Night Out. Tara Lyons and Mary McGowan stated this is the second year of the Junior League organizing this event and are hopeful that it could become an annual event in the future. The purpose of the event is to support the merchants in Pelham

as well as provide entertainment for residents. They stated that the event will take place on May 7th from 6:00-9:00 p.m. with street closings taking place at 4:00 p.m. to 10:00 p.m. It will be held on 5th Avenue between 1st and 3rd Street. Trustee Breskin stated that this is a good event and that he personally enjoyed the Pelham Night Out last year. Mayor Hotchkiss clarified that the Junior League will be paying for the Police overtime incurred for the event. The event is scheduled to take place rain or shine with contingency plans for using the Daronco Townhouse or the Gazebo in case of rain. Mrs. Lyons and Mrs. McGowan thanked the Board for their time and support.

A motion was made by Trustee Breskin and seconded by Trustee Mohan to adopt the resolution. The vote was approved by a vote of six in favor, none opposed. Trustee Morris was absent.

Dear Mr. Yamuder,

My name is Mary McGowan and I am co-chair, along with Tara Lyons, of the 2nd Annual Downtown Pelham Night to be held on Friday May 7th from 6-9pm along 5th Avenue. We are requesting that the street be closed to traffic from the town house/gazebo to the Pelham Art Center for these three hours on this night.

Our goal with Downtown Pelham Night is to get Pelham people out to the shops and restaurants along 5th Ave. to support their town and its local businesses. The Pelham Jazz Ensemble will be playing at The Pelham Art Center and The Larks will be playing at the town house. There will also be a historical photo display of the town in the town house. Just like last year, shops will stay open with special displays and offerings. Businesses not within the catchment area will be welcome to set up their own booth.

The Junior League is prepared to absorb the cost of the two officers needed to direct traffic for this evening. We are also promoting this event by means of articles and ads in The Weekly and The Post and banners at the high school and the gazebo.

The event will be held rain or shine.

Thank you so much for your consideration of our request.

Sincerely,

Mary McGowan

RESOLUTION

Authorizing the Junior League
May 7th "Pelham Night Out" Event to Close the Downtown

from Third Street to First Street on Fifth Avenue,
to Encourage People to Shop that Night and Dine Out.

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham authorizes the Junior League "Pelham Night Out" to take place on Friday, May 7, 2010, and authorizes the closure of 5th Avenue from First Street to Third Street. from 6 pm to 8 pm:

BE IT FURTHER RESOLVED, that the Junior League will absorb the cost of two officers needed to direct traffic for this evening;

AND BE IT FURTHER RESOLVED, that the Mayor and Village Administrator are authorized to take the necessary and appropriate actions to allow the Junior League Pelham Night Out to take place.

Item #9- Authorizing a Renewal of an Agreement between the Village Of Pelham and Community Markets for a Farmer's Market in Pelham with a Rollover Extending the Agreement for Successive Two-Year Terms.

Mayor Hotchkiss stated that the Board needs to renew its contract with Community Market. The only significant difference in this present contract is that it is an agreement for a year with a two year rollover. Any termination of the contract must be done after two years and be terminated by written notice. Trustee Bullock stated that when he was Village Attorney last year, his recollection of the contract with Community Markets is the same as the copy before the Board currently; however former Trustee Homan handled most of the negotiations. Trustee Mohan said that the contract does come with liability insurance. Mayor Hotchkiss stated that the contract is not particularly onerous on the Village and that the Farmer's Market is a good event to have in Pelham.

A motion was made by Trustee Lewis and seconded by Trustee Marty to adopt the resolution. The vote was approved by a vote of six in favor, none opposed. Trustee Morris was absent.

RESOLUTION

AUTHORIZING A RENEWAL OF AN AGREEMENT BETWEEN THE VILLAGE OF PELHAM
AND COMMUNITY MARKETS FOR A FARMER'S MARKET IN PELHAM WITH A
ROLLOVER EXTENDING THE AGREEMENT FOR SUCCESSIVE TWO-YEAR TERMS.

BE IT RESOLVED, that the Mayor and Board of Trustees hereby authorize a Renewal of an Agreement between the Village Of Pelham and Community Markets for a Farmer's Market in Pelham with a Rollover Extending the Agreement for Successive Two-Year Terms;

BE IT FURTHER RESOLVED, that the Mayor and Village Administrator are authorized to take the necessary and appropriate actions to effect and execute this contract for these services.

Item #10-Authorizing the Annual Chamber of Commerce Street Fair to Be Held on Saturday, June 5, 2010

Mayor Hotchkiss stated that on Saturday, June 5th the annual Chamber of Commerce Street Fair will take place. The Fair will be held on 5th Avenue between Lincoln and Harmon. Additionally part of Pelhamwood will be reserved for a classic cars show. Mayor Hotchkiss confirmed that the Chamber will be paying the police overtime and they also have the appropriate liability insurance. The street closings will begin at 8 a.m. and will re-open after 6 p.m. A local resident asked the Board to be mindful of trash on the dead end of 6th Street. The Board stated that they would notify the Street Department.

A motion was made by Trustee Marty and seconded by Trustee Mohan to adopt the resolution. The vote was approved by a vote of six in favor, none opposed. Trustee Morris was absent.

RESOLUTION

AUTHORIZING THE ANNUAL STREET FAIR
OPERATED BY THE CHAMBER OF COMMERCE
TO BE HELD ON SATURDAY JUNE 5, 2010

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham authorizes the annual Chamber of Commerce Pelham Street Fair to take place on Saturday, June 5, 2010, and authorizes the closure of the following streets from 8 am to 6pm:

- 5th Avenue from First Street to 330 5th Ave. North of Lincoln,
- the one-way part of 2nd Street, from 5th Avenue to 4th Avenue,
- the one-block portion on the one-way section of Harmon Avenue, east of 5th Avenue,
- the north side, westbound portion of Pelhamwood Avenue, for the staging of a classic car show (weather permitting),

AND BE IT FURTHER RESOLVED, that Mayor and Board authorize the appropriate Village officials and staff to take the necessary and appropriate actions to allow the Fair to take place, with the requirement that the Village of Pelham be provided with the insurance satisfactory to the Village's insurance carrier by the Pelham Chamber of Commerce.

Item #11-Amended Resolution Authorizing the exchange of Village Police Vehicle for Town of Pelham Van.

Administrator Yamuder stated that the Board has to amend an earlier resolution pertaining to an exchange between the Town and the Village of vehicles. The Town received a used but workable car from the Police Department and the Police received a town van which the Village is required to affix a monetary value to for the insurance. Mr. Yamuder stated that the approximate value of the van is \$1,000 and that this information will be added to the insurance policy.

A motion was made by Trustee Breskin and seconded by Trustee Bullock to adopt the resolution. The vote was approved by a vote of six in favor, none opposed. Trustee Morris was absent.

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham authorizes the exchange of a Village Police Vehicle for a Town of Pelham Van that has an approximate value of \$1000.00

Item #12-Grants- Status Report

Administrator Yamuder reported that the F.T.A. grant for renovating the DPW parking lot behind Village Hall is progressing. He stated he has the draft contract which he is reviewing and plans to re-submit to the F.T.A. within the week. Trustee Lewis asked what the time frame is for bidding out this contract. Mr. Yamuder responded that he expects in three weeks time the contract will be ready to bid. Trustee Breskin wanted to ensure that the project would be completed contractually by a certain date and recommended added penalties for setbacks in the completion of the yard. Trustee Marty agreed with this recommendation and added that there is a monetary link to that the Village can establish with these penalties such as the cost of the days times.

With regard to the flooding grants, Mr. Yamuder explained that Leonard Jackson and Associates, a firm that specializes in storm-water engineering, is compiling information on the storm-water grants the Village has received so far. The Administrator said that he had received the CATEX forms which are a necessary part of the pre-application process. He submitted them to the EPA on Tuesday, April 27 and is expecting a response from the EPA after they finish reviewing the material. The two Local Pre-Disaster Mitigation grants from the Department of Homeland Security, Mr. Yamuder reported that FEMA still requires additional engineering studies. Leonard Jackson and Associates are assessing which studies can be completed.

Mr. Yamuder commented that the New York Main Street Grant is scheduled for a June 1st deadline for new applicants. After June 1st, Mr. Yamuder stated that the remaining funds will go the Pelham Picture House for use in their renovation of the building. Trustee Marty said that he would be in favor of passing the money to the Picture House in lieu of waiting for more applicants. The Administrator mentioned that the Streetscape initiative is also

progressing. He stated that the Village has a map which shows the location and numbers of existing park furniture as well as the proposed additions by landscape architect Hank White.

Mr. Yamuder concluded his grant report by saying the \$50,000 Member Item from Senator Klein's office is being completed and that he hopes to have it submitted by next week. Trustee Mohan added that she is pursuing a bike routes grant and that she is also going to be working with Mr. Yamuder on completing the streetscape initiative of the New York Main Street grant.

Item #13- Other Business

Mayor Hotchkiss explained that at the last Board of Trustees meeting there had been a discussion about the possibility of closing Highbrook Avenue during school pickup and drop-off times. Trustee Mohan said that she had talked to Police Chief Benefico about this matter. She related that Chief Benefico's opinion was closing the street would create more safety issues by pushing traffic elsewhere. He explained to Trustee Mohan that there are already No Thru Traffic signs on Highbrook which in essence prevents stopping and dropping off on Highbrook.

A local resident stated that she had observed cars going down Highbrook not obeying the speed limit and dropping off kids on Pelhamdale. She suggested crossing signage and cross walks to help limit the speeding on this road. Trustee Breskin stated that these issues are all connected and recommended a joint meeting with the Police Chief, Trustee Mohan, and the Colonial School to discuss options for this issue. Trustee Marty concurred as well as stated that the Village should seek to use the means that it already has to correct this issue such as proper signage and the crossing guard. Trustee Mohan agreed that there is an enforcement aspect to this issue.

Item #14-Budget Amendment and Transfer Resolution

Mayor Hotchkiss stated that the Board will be shifting money in some of the line items in order to balance the budget. This however will not affect the budget in any way but is done mostly for audit compliance to ensure all the money is in the right place. Trustee Marty asked what the columns mean. Administrator Yamuder stated the first column is where the money will be shifted and the second column represents where the exchange comes from. Mr. Yamuder congratulated Finance Director Shirley Brown on preparing this sheet.

The review of the financial statements by the Board was conducted for the revenues and expenses lines. Mayor Hotchkiss stated that in the future he hopes to have the Administrator highlight the lines that are changing. Administrator Yamuder stated that typically this balance sheet will be in the Board's packages once a month. Mayor Hotchkiss said that the significant item on this particular sheet is the drop in the fines and forfeitures which he said

could be caused by low parking ticket distribution or the Court’s lowering of the rates. He stated that ultimately he wants to have representation of the current fund balance for purpose of accounting for Village funds. He stated the current balance is approximately \$340,000 which he hopes to raise in the coming months.

A motion was made by Trustee Marty and seconded by Trustee Breskin to adopt the resolution. The vote was approved by a vote of six in favor, none opposed. Trustee Morris was absent.

These Budget Amendments were requested by Finance Director Shirley Brown.

RESOLUTION
Re: Budget Amendments for Fiscal Year 2009-10

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, at the end of the fiscal year, it is 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 2009-10 Budget by making the following amendments and rollovers:

2009/10 BUDGET TRANSFERS - VILLAGE BOARD MEETING APRIL 27, 2010

BUDGET AMENDMENTS
CAPITAL FUND

H3120.204	Tactical Equipment	\$ 1,200.00	H2075	Gifts & Donations	\$ 1,200.00
H9901	Transfer to Gen.Fund	\$ 617.00	H5110.205	Highway Pickup	\$ 60.00
			H3120.203	Police Vehicle	\$ 137.00
			H8140.403	Storm & San.Sewers	\$ 420.00

BUDGET AMENDMENTS
GENERAL FUND

A3120.121	Police Spec.Assign	\$ 15,394.00	A2772	Refunds for Pers.Ser.	\$ 16,572.00
A9030.935	Social Security	\$ 1,178.00			

BUDGET TRANSFER
GENERAL FUND

A3120.101	Police Salaries	\$341,135.00	A2701	Refund P/Y Expend Judgements & Claims	\$ 34,959.00
A3120.120	Police Overtime	\$ 35,307.00	A1930.930		\$ 74,382.00
A3120.122	Pol-Comp Absences	\$ 1,764.00	A1990.990	Contingency	\$ 290,000.00
A3120.130	Police Holiday	\$ 8,764.00	A9060.960	Hosp & Med Ins.	\$ 16,629.00
A9030.935	Social Security	\$ 29,000.00			

Transfers for 2009/2010 portion of Police Contract Settlement

A1420.400	Law Contractual	\$ 50,000.00	A8160.409	Sanitation Contract.	\$ 63,000.00
A5142.120	Snow Removal OT	\$ 2,532.00	A8160.410	Refuse - West Cty	\$ 7,053.00
A5142.415	Snow - Supp&Mat	\$ 25,521.00	A5142.402	Snow-Rent.Mach.	\$ 8,000.00
A1620.207	Copier Lease	\$ 1,000.00	A1620.201	Vill. Hall Equipment	\$ 1,000.00
A1640.120	Cent.Garg. OT	\$ 456.00	A1640.415	Cent.Garg.Supp&Mat	\$ 2,212.00
A1640.422	Cent.Garg.Utility	\$ 1,756.00			
AA1980.4	MTA Tax	\$ 1,500.00	A1950.950	Taxes on Vill,Prop.	\$ 1,200.00
			A1325.415	Treas. Supp & Mat	\$ 300.00
A3120.122	Police-Comp Absen	\$ 16,344.00	A3120.104	Police-PT Sec.	\$ 4,000.00
			A3120.461	Police-Uniform	\$ 4,944.00
			A3120.415	Police - Supp & Mat	\$ 7,400.00
A3120.421	Police Telephone	\$ 2,000.00	A3120.453	Police Maint Equip	\$ 2,000.00
A3410.203	Fire-Bldg Capt.Impro	\$ 9,345.00	A3410.201	Fire-Equipt	\$ 7,499.00
A3410.415	Fire-Supp & Mat	\$ 5,000.00	A3410.102	Per.Ser.Chief	\$ 3,500.00
A3410.419	Fire- Parade&Funct	\$ 375.00	A3410.150	Fire-Education	\$ 1,500.00
A3410.421	Fire- Telephone	\$ 100.00	A3410.412	Fire- Tires	\$ 950.00
A3410.423	Fire - Heating Oil	\$ 832.00	A3410.451	Fire -Truck Repair	\$ 2,000.00
A3410.454	Fire - Radio Rep	\$ 1,207.00	A3410.462	Fire-Unif.Volunt.	\$ 1,505.00
A3410.461	Fire - Uniform Allow	\$ 95.00			
A5110.130	Street-Longevity	\$ 225.00	A5110.107	Street-Per Ser Seas	\$ 5,000.00
A5110.120	Street-Over Time	\$ 10,000.00	A5110.135	Street-Per Ser Vacat.	\$ 225.00
A5110.489	Street - Medical Exp	\$ 200.00	A5110.415	Street - Supp & Mat	\$ 2,700.00
			A5110.499	Street- Leaf Removal	\$ 2,500.00
A1410.107	PT Sal Record Mgt	\$ 280.00	A3620.404	Bldg Dept-Prof. Dues	\$ 140.00
			A3620.415	Bldg Dept-Supp&Mat	\$ 140.00

WATER FUND

F8310.120	Water - Testing OT	2000	F8340.415	Water - Supp & Mat	\$ 2,850.00
F8310.400	Water-ContSysCert	850			
		\$564,160.00			\$ 564,160.00

Item #15-Authorizing the Accounts Payable

Trustee Mohan is audited the Accounts Payable.

After some discussion, a motion was made by Trustee Marty and seconded by Trustee Breskin to adopt the resolution. The vote was approved by a vote of six in favor, none opposed. Trustee Morris was absent.

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	\$ 244,741.87
Water Fund	\$ 30,828.95
Capital Projects Fund	\$597.81
Trust and Agency Fund	\$ 1,450.00
H3 Fund	\$ 0.00
<u>TE Expand Trust Fund</u>	<u>\$ 0.00</u>
Grand Total	\$277,618.63

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

Item #16- Authorizing Minutes of: March 2, 2010, March 23, 2010, and April 13, 2010

After some discussion, a motion was made by Trustee Lewis and seconded by Trustee Bullock to adopt the resolution to approve the minutes from March 2nd and 23rd. The vote

was approved by a vote of four in favor, none opposed. Trustee's Marty and Mohan abstained. Trustee Morris was absent.

March 2, 2010-Approved

March 23, 2010-Approved

April 13, 2010-Tabled

Item #17-Adjournment to Executive Session

A motion was made by Trustee Breskin with a second by Trustee Lewis to adjourn the public portion of the board meeting at 9:30 p.m. and go into Executive Session to discuss litigation matters, after which the Board would adjourn for the evening. The motion was approved by vote of six in favor, none opposed. Trustee Morris was absent.

Respectfully submitted,
Peter Bonington, Administrative Intern