

VILLAGE OF PELHAM BOARD OF TRUSTEES
REGULAR MEETING
TUESDAY, JANUARY 17, 2012, 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.	Scheduling a Public Hearing to Increase the Village of Pelham’s Water System Rates.	Approved
8.	Public Hearing on Local Law #1-2012 to Allow 30 Minute Parking on Brookside, Hillside and Carol Avenues	Approved
9.	Resolution to Authorize a Contract to Ammann and Whitney to Provide Professional Engineering Services for Remediation Study of the NYW&B Bridge	Tabled
10.	Resolution for Documentation of Certain Benefits to Police Chief and Police Lieutenant	Tabled
Reports and other Business		8:30 p.m.
11.	Monthly Budget Review	Discussed
12.	Grants- Status Report	Discussed
13.	Other Business	None
Recurring Items		9:15 p.m.
14.	Authorizing Budget Transfers	Approved
15.	Authorizing Accounts Payable	Approved
16.	Authorizing Minutes of: December 20, 2011, January 3, 2012	Tabled
17.	Adjournment to Executive Session	9:30 p.m.

Next Scheduled Board Meetings are:

Tuesday, February 7, 2012

Tuesday, February 21, 2012

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 Hotchkiss, Trustees Marty, McGoldrick, Mohan, and Morris

The following members of the Board of Trustees were absent:

Trustee Lewis

Village staff in attendance:

Village Administrator Robert Yamuder, Secretary to the Village Administrator Peter Bonington

Item #2 – Pledge of Allegiance:

The Pledge of Allegiance was led by Mayor Hotchkiss.

Reports

Mayor Hotchkiss's Report

Mayor Hotchkiss reported that Christmas tree pickups will continue until Tuesday, January 31, 2012. He asked all residents to have their trees out to the curb for collection before that date.

The Mayor reported that on October 25, 2011 the Pelham Police and Fire Department responded to an emergency call on 5th Avenue which resulted in the saving an individuals life. He said the Village had received a letter from the family expressing their gratitude for the professional service rendered by the Village's first responders. He reminded the public that the Village is very fortunate to have such a professional Police and Fire Department.

Trustees Reports:

Trustee Lewis

Absent

Trustee Marciona

None

Trustee Marty

None

Trustee McGoldrick

None

Trustee Mohan

None

Trustee Morris

None

Village Administrator's Report

Item #6– Public Comment-

None

Item #7–Scheduling a Public Hearing to Increase the Village of Pelham's Water System Rates.

Administrator Yamuder stated that the Village proposes to raise the water rates for the Pelham Heights water district. He said the Village must raise its rates for water consumption to match the rates of United Water of New Rochelle. He said these increases are per water meter which belong to the Village. He said the Village must raise these rates periodically to keep pace with any repairs as well as match United Water's rates. This resolution for scheduling a public hearing is to allow residents a chance to comment on the proposed increases.

Mayor Hotchkiss added that the Village has a designated water fund that it uses for covering expenses and the rates must be adjusted for the Village to be able to continually cover any expenses. He said the date of the public hearing will be Tuesday, February 7, 2012.

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

RESOLUTION
SCHEDULING A HEARING
ON PROPOSED WATER RATE INCREASES
FOR THE PELHAM WATER SYSTEM 5911901

The Board of Trustees of the Village of Pelham hereby gives notice that there will be a Public Hearing on Tuesday, February 7, 2012 at 7:30 p.m. in Village Hall, 195 Sparks Avenue, Pelham, New York on the Proposed Water Increases of the Village of Pelham effective immediately for the Water billing Cycle ending 2/29/2012.

A copy of the Water rates are available at the office of the Village Clerk and may be inspected there by any interested person during office hours of 8 a.m. to 5 p.m.

By Order of the Mayor and Board of Trustees
Terri Rouke, Village Clerk
Publication date: Friday ,January 20, 2012

Item #8–Public Hearing on Local Law #1-2012 to Allow 30 Minute Parking on Brookside, Hillside and Carol Avenues

Mayor Hotchkiss said this public hearing is a chance for residents to respond about the proposed creation of 30 minute parking on Brookside, Hillside, and Carol Avenue. He said this is part of the licensing agreement the Village recently signed with Clovelly. He said this would involve changing a local law.

Carlolyn O'Connor of 213 Carol Avenue asked if there is any appeal mechanism in place for residents who wish to contest this decision. Trustee Mohan stated she believed there was a procedure under New York State Code. Ms. O'Connor asked if there was an appeal process under the Village Zoning Board. Mayor Hotchkiss responded that this was not a zoning issue therefore the Zoning Board would not be involved in any appeal.

Ms. O'Connor asked if there would be a mandate for more police supervision of the streets. Mayor Hotchkiss responded that the Police are aware of the new parking regulations for these streets and they will put some resources into making sure the new regulations are enforced but said that the Village would not be stationing an officer on the street at all times.

Ms. O'Connor asked what the recourse is for residents who feel a car has been parked longer than 30 minutes. Trustee Mohan stated that resident can call the Police desk but the officer must have a means of verifying the car being parked for longer than the regulated time period. Trustee Marty stated that Parking Enforcement Officers (PEO's) often chalk the tires to provide a means of verification.

Ms. O'Connor asked if her inquiry on the appeal process could be followed up on. Mayor Hotchkiss asked Administrator Yamuder if he could find out some more information for her.

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

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

Village Of Pelham, NY
Public Hearing That Amends Chapter 90 Of The Code Of The Village Of Pelham Regarding
Vehicles And Traffic to Allow 30 Minute Parking On Brookside, Hillside and Carol Avenues

LOCAL LAW NO. 1- 2012 TO AMEND CHAPTER 90 OF THE VILLAGE CODE

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham Amends Chapter 90 of the Code of the Village of Pelham regarding Vehicles and Traffic as follows:

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

Section 1. Section 90-49, Schedule X regarding “No Parking Any Time” is hereby amended to delete the restriction on parking on the West Side of Carol Avenue, as follows:

§ 90-49. Schedule X: No Parking Any Time.

In accordance with the provisions of § 90-15, no person shall park a vehicle at any time upon the following streets or parts of streets:

Name of Street	Side	Location
		...
Carol Avenue	West	From Brookside Avenue to
		...

Section 2. Section 90-53, Schedule XIV regarding “Limited-Time Parking” is hereby amended to limit the hours of parking on Brookside Avenue, Hillside Avenue and Carol Avenue, as follows:

§ 90-53. Schedule XIV: Limited-Time Parking.

In accordance with the provisions of § 90-20, the parking of vehicles is prohibited in the locations described below for a longer period of time than that designated, during the hours indicated of any day except Sundays and holidays, **except where specifically stated otherwise.**

Name of Street	Side	Time Limit	Hours/ Days	Location
		...		
Brookside Avenue	Both	30 mins	All, including Sundays and holidays	West of Carol Avenue
		...		
Hillside Avenue	Both	30 mins	All, including Sundays and Holidays	West of Carol Avenue
Carol Avenue	West Side	30 mins	All, including Sundays and holidays	Between Brookside Avenue and Hillside Avenue

Section 3. This local law shall become effective upon filing with the Department of State.

Key:

[] deleted text

Bold added text

Item #9—Resolution to Authorize a Contract to Ammann and Whitney to Provide Professional Engineering Services for Remediation Study of the NYW&B Bridge

Trustee Marty asked if the Board could table this resolution until a later meeting. He said members of the Committee were still reviewing the proposals received for the bridge study. Mayor Hotchkiss asked Trustee Marty if the Board could vote on this matter at the next meeting. Trustee Mary said he would work with the members of the Committee to hopefully get into a position to vote on the matter at the next Board meeting.

The Board decided to table this item until a later meeting.

TO AUTHORIZE A CONTRACT TO AMMANN AND WHITNEY
TO PROVIDE PROFESSIONAL ENGINEERING SERVICES
FOR REMEDIATION STUDY OF THE NYW&B BRIDGE

BE IT RESOLVED, that the Mayor and Board of Trustees hereby Authorize a Contract to Ammann and Whitney to Provide Professional Engineering Services for Remediation Study of the NYW&B Bridge in the amount of, Fourteen thousand five hundred dollars, (\$14,500.00);

AND 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—Resolution for Documentation of Certain Benefits to Police Chief and Police Lieutenant

The Board decided to table this resolution until a later meeting.

Resolution
Specifying Certain Benefits for
Village of Pelham Police Chief and Police Lieutenant

Whereas, Joe Benefico was hired as a Police Officer on August 1, 1976 and has been Police Chief since June 1, 1992; and

Whereas, Rocco DelGrosso was hired as a Police Officer on September 7, 1977 and has been Police Lieutenant since June 1, 1992; and

Whereas, Chief Benefico and Lieutenant DelGrosso have not had a written employment contract with the Village; and

Whereas, the Village of Pelham deems it is necessary to specify and document certain non-salary compensation and resolve their claim for compensatory time hours,

Therefore it is hereby resolved, that the Board of Trustees of the Village of Pelham hereby approve the following:

Effective January 1, 2011, Chief Benefico and Lieutenant DelGrosso will receive the following benefits:

- post employment health insurance, with a 25% co-pay
- 25 vacation days per calendar year
- 4 personal days per calendar year

Chief Benefico and Lieutenant DelGrosso will be eligible for health insurance coverage while employed by the Village and required to pay the same premium contribution for the employee health insurance and family coverage applicable to them as are all non-union employees (non-union employees currently contribute ten (10%) percent of the applicable annual premium, subject to amendment by the Village Board). If Chief Benefico or Lieutenant DelGrosso elects to receive a stipend for not taking the health insurance, such stipend shall be reduced by 10%.

Effective January 1, 2011, Chief Benefico and Lieutenant DelGrosso, as salaried management employees, are not permitted to earn compensatory time for any reason, including shooting days.

Chief Benefico and Lieutenant DelGrosso will be credited with eight (8) hours of compensatory time per calendar year from June 1, 1992 to December 31, 2010, which shall be prorated to four (4) hours in the first year. Said compensatory time hours shall be offset by previous compensatory time payments, hours transferred to retirees and comp time in excess of approved days off during a year. Given these offsets, as of December 31, 2010, no compensatory time hours were owed by the Village.

Chief Benefico and Lieutenant DelGrosso are not permitted to take vacation and personal days at the same time.

Item #11– Monthly Budget Review

Administrator Yamuder stated the Village is now seven months into the Fiscal Year. He reported that the Village is approximately 62% spent on its expenses. The Administrator said the Village has approximately 56% of its revenue has been received to date. This is slightly behind the mark for the Fiscal Year.

Mayor Hotchkiss asked what the projected fund balance is at this time. The Administrator stated the Village has a fund balance of approximately \$600,000 which is better than the ending balance from last year. However, he reminded the Board however that the winter months are still to come and this may cause the projected fund balance to be drawn down.

The Administrator discussed the Pelham Fire Department's budget status. He said Fire overtime is at approximately 95% spent. Trustee Marty said he had hoped there would be less overtime as a result of hiring the sixteenth firefighter. Administrator Yamuder stated that Fire Chief Stone has done much to curb the overtime by organizing vacation schedules and off time to allow for the maximum amount of coverage, however the contractual minimum manning creates overtime if the on duty firefighters respond to a call and replacements must be called in to man the Firehouse.

Trustee Mohan asked if the Board should consider putting an end to any discretionary spending in hopes of lessening the impact on the fund balance. Mayor Hotchkiss stated there is very little if any discretionary spending within the Village's operating budget.

Trustee Marty stated the Board should consider doing a preliminary budget before the actual budget meetings begin in March. He asked Administrator Yamuder if he could give an indication at this time of where the Village stands for Fiscal Year 2013. Administrator Yamuder referenced a financial memo from Shirley Brown, the Village's financial advisor, regarding the proposed 2% tax cap. The memo states that after considering certain items within the Village's budget, if the Village does not adjust its budget from last year the 2% cap will create an additional \$196,000 that must be accounted for which gives rough projection of \$260,000. He said many of these large expenditures are out of the Village's control.

Trustee Marty stated this is good information and raises certain concerns about the proposed 2% tax cap. Mayor Hotchkiss said the Village will be conducting a more robust analysis next month of the Village's finances and look into the 2% tax cap in more detail. Administrator Yamuder advised that the necessary resolutions in order to override the tax cap must begin soon if the Village does intend to consider overriding the cap.

Trustee McGoldrick stated that as he understood the current budget situation, the Village can either raise taxes or cut services. Trustee Mohan said this budget season the Village will have to think creatively how solve many of these fiscal issues.

Item #12– Grants- Status Report

Secretary Bonington gave the grants status report. He said the Village has three Local Pre-Disaster Mitigation (LPDM) grants for flooding remediation grants from 2008, 2009, and 2010 that are under review by the Federal Emergency Management Agency (FEMA) as well as the State Emergency Management Office (SEMO). These grants have been under review for sometime and the Mayor stated he intended to continue to reach out to FEMA and SEMO in hopes of getting an estimate of when these grants will be processed. The Secretary added that these grants will be processed in the order of their award so 2008 will be first, followed by 2009 and 2010.

There is also an Environmental Protection Agency (EPA) flooding remediation grant which has been awarded and the Village is currently working on the plans and specifications for. This particular project will run along Third Street from Fourth Avenue to First Avenue.

The Secretary said the Village has two grants being administered through the Dormitory Authority for the State of New York (DASNY). The Community Capital Assistance Program Grant (CCAP) for \$100,000 is to reimburse the Village for the First Street Parking Lot project. This grant is being reviewed by the State Senate Finance Committee at this time. The Technology and Development (TAD) grant for \$647,000 is being reviewed by the Senate Finance Committee as well. Both grant administrators have not provided a time frame for when these grants are available but the Village continues to follow up in hopes of new developments.

Secretary Bonington finished his report by saying that the Community Development Block Grant (CDBG) program which is administered through Westchester County is under review at this time and it has not yet been determined whether the program will proceed in 2012. The Village is monitoring any new developments for this funding source.

Item #13– Other Business

None

Item #14– Authorizing Budget Transfers

These Budget Amendments and Transfers were requested by Finance Director Shirley Brown.

Mayor Hotchkiss said these budget transfers were recommended by the Village's financial advisor. Administrator Yamuder stated this will serve to balance part of the budget for Fiscal Year 2012.

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

RESOLUTION

Re: Budget Amendments and Transfers for Fiscal Year 2011-12

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, 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 2011-12 Budget by making the following amendments and rollovers:

Item #15–Authorizing the Accounts Payable

Trustee Morris audited the Accounts Payable.

After some discussion, a motion was made by Trustee Morris and seconded by Trustee Mohan to adopt the resolution. The vote was approved by a vote of six in favor, none opposed. Trustee Lewis 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	\$ 111,316.00
Water Fund	\$46,316.81
Capital Projects Fund	\$46,532.98
Trust and Agency Fund	\$0.00
CD NYS Main Street Fund	\$ 0.00
H3 Fund	\$0.00
<u>TE Expand Trust Fund</u>	<u>\$ 0.00</u>
Grand Total	\$204,165.79

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: December 20, 2011, January 3, 2012

The Board chose to table the approval of these minutes until a later meeting.

December 20, 2011- Tabled

January 20, 2012- Tabled

Item #17—Adjournment to Executive Session

A motion was made by Trustee McGoldrick with a second by Trustee Morris to adjourn the public portion of the board meeting and go into Executive Session to discuss contractual matters at 9:00 p.m. after which time the Board would adjourn for the evening. The motion was approved by vote of six in favor, none opposed. Trustee Lewis was absent.

Respectfully submitted,
Peter Bonington, Secretary to the Village Administrator