

VILLAGE OF PELHAM BOARD OF TRUSTEES  
REGULAR MEETING  
TUESDAY, MAY 21, 2013, 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

# Agenda Items:

<b>Non-Recurring Items</b>		
7.	Resolution to Accept Donations from the Pelville Beautification Committee for the Hanging Baskets to be Placed Along Wolfs Lane and Fifth Avenue	<b>Approved</b>
8.	Resolution Authorizing the Award of Insurance Coverage to FOA and Son Insurance Corp for Property and Casualty Insurance Coverage (Property including Crime, General and Law Enforcement Liability, Public Officials and Employment Practices Liability, Automobile Liability and Physical Damage, and Excess Liability)	<b>Approved</b>
9.	Resolution on Behalf of the Mayor and Board Of Trustees in Support of the New York State Assembly Bill No.A.4086 (Authorizing the Public Service Commission, Upon Application by a Municipality ,to Order Costs for Infrastructure Maintenance and Access to be Charged to All Customer Classes Located in Such Municipality).	<b>Approved</b>
10.	Other Business	<b>None</b>
<b>Recurring Items</b>		
11.	Authorizing Budget Transfers	<b>Approved</b>
12.	Authorizing Accounts Payable	<b>Approved</b>
13.	Authorizing Minutes of: May 7, 2013	<b>Approved</b>
14.	Adjournment to Executive Session	<b>Approved</b>

Next Regularly Scheduled BOT Meeting:  
Tuesday, June 4, 2013  
Tuesday June 18, 2013

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

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

The following members of the Board of Trustees were present:

Mayor Cassidy, Trustees Kagan, McGoldrick, Senerchia, Mutti, Marty, and Volpe

The following members of the Board of Trustees were absent:

None

Village staff in attendance:

Secretary to the Village Administrator Peter Bonington

Item #2 – Pledge of Allegiance:

The Pledge of Allegiance was led by Mayor Cassidy.

Reports:

Mayor Cassidy Report

Mayor Cassidy reported that Administrator Yamuder absent for the Board meeting due to attending a New York State Manager's Conference. He said this Conference is helpful for keeping municipal managers in touch with each other and gives the opportunity to explore cost-saving strategies.

The Mayor stated the Memorial Day Parade would take place on Monday, May 27 beginning at 11:30 am at the Manor Club in Pelham Manor and finishing at the Memorial Park by 34 Fifth Avenue.

He finished his report by saying the Pelham Police Department are compiling a resident emergency contact list. He said residents who would like to be added to this list should contact the Police front desk at (914) 738-2000. He said this information would be available on the Village website.

Trustees Reports:

Trustee Kagan

None

Trustee Marty

None

Trustee McGoldrick

None

Trustee Mutti

Trustee Mutti reported that the DPW has been fixing sidewalks throughout the Village over the past few weeks. She said meter poles and potholes were also being addressed around the Village.

She stated that after speaking with the Town, the Trotta Park Project is still scheduled for a July kick-off.

Trustee Mutti stated she attended a green MS4 infrastructure seminar that had some helpful points on how to protect and preserve stormwater.

She finished her report by saying that the hanging baskets are being placed along Wolfs Lane and Fifth Avenue.

Trustee Senerchia

None

Trustee Volpe

None

Village Administrator's Report

None

Item #6–Public Comment

John Cassone asked the Board what the status was on the proposed development at the Lincoln Avenue Getty Gas Station. He said there were construction vehicles working at the site over the past week.

Mayor Cassidy said although there were some initial discussions regarding a proposed development at the Getty Station there have been no plans or specifications circulated to the Building Inspector or the Village Land Use Boards.

Secretary Bonington added that the vehicles at the site were from Westchester County Department of Environmental Conservation (DEC) and the purpose of the work was the removal of an oil tank.

Item #7– Resolution to Accept Donations from the Pelville Beautification Committee for the Hanging Baskets to be Placed Along Wolfs Lane and Fifth Avenue

Trustee Mutti said she wanted to acknowledge the efforts of the Pelville Beautification Committee. She said the Committee met their fundraising goal by raising \$1,730. She thanked DPW Foreman Shriman for his work in arranging the hanging baskets.

Trustee Kagan said the overall cost for this beautification was \$3,000. He said the donations accounted for approximately half of this but there is still an expense to the Village. Mayor Cassidy said the decision to proceed with the plantings was last minute and perhaps next year the Village will reevaluate how it will handle this project.

A motion was made by Trustee Mutti and seconded by Trustee Kagan to adopt the resolution. The vote was approved by a vote of seven in favor, none opposed.

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham authorizes the acceptance of a donation of \$1,730 from the Pelville Beautification Committee for the hanging baskets along Wolfs Lane and Fifth Avenue with thanks to the donors for their contribution to the Village of Pelham community.

The funds will be a budget amendment for budget line A2705 Gifts and Donations to budget line A8560.479 Community Environment Plantings and Beautification.

Item #8–Resolution Authorizing the Award of Insurance Coverage to FOA and Son Insurance Corp for Property and Casualty Insurance Coverage (Property including Crime, General and Law Enforcement Liability, Public Officials and Employment Practices Liability, Automobile Liability and Physical Damage, and Excess Liability)

Mayor Cassidy said the Village has been seeking quotes for property and casualty insurance coverage to begin on June 1, 2013. He said the Board has been awaiting a final quote from Traveler's Insurance. He said based on the proposal before the Board there is a 14% increase in the premium from last year from \$167,000 to \$191,820. He said although the Village solicited other quotes through its insurance broker, only Traveler's was able to provide a quote for full coverage of the Village. He said RJ Impastato of FOA and Son would give a summary of the Village's quotes.

RJ Impastato, the Village's insurance broker, explained how that his firm represents the Village when it seeks insurance bids. He said he had contacted three other insurance companies to provide quotes for coverage. Mr. Impastato stated Traveler's is the largest insurer of municipalities and has been the Village's provider for the past few years. He said Traveler's returned a quote with a higher premium of \$191,820 with the same deductible as the previous year's coverage. They also provided an alternate quote with a lesser premium of \$177,984 but with a higher deductible.

Mayor Cassidy said the Board was dissatisfied with the quotations received. He said two companies declined to quote: one not being authorized to work in New York State, and another felt there was too much exposure with regard to Highbrook Bridge, and a third only gave a partial quote. The Mayor said faced with these options, the Village can only reasonably proceed with Traveler's quote with a significantly increased premium.

Trustee Volpe asked when the broker began requesting quotations from insurance companies. Mr. Impastato responded he requested quotes approximately two weeks ago. He said insurance companies normally do not quote earlier because they don't want to be held to a quote that is several months old nor do they want their quote numbers shopped around by the municipality.

Trustee Volpe said next year he would like to see this advertisement put out earlier to give the Board time to assess the quotes and request further proposals if necessary. Mr. Impastato stated under the terms of the renewal with Traveler's, the Village has sixty days to research additional insurance coverage options and can change providers without penalty if the Village's secure a competitive quotation from another company.

Iris Kasten of 240 Carol Avenue asked how quickly the Village must make a decision on this matter. Mayor Cassidy responded that the Village will have to have an insurance provider by June 1, 2013. He said in the past the Village has waited until the meeting before the end of the contract but in the future the Village will look at this earlier.

Mayor Cassidy said he did not want to change the terms of the contract. He said he would prefer to approve the higher premium with the same deductible and not assume more risk with this renewal with Travelers. Trustee McGoldrick reminded the Board that this will have an impact on the Village budget.

Trustee Kagan said there are certain things not included in the coverage that the Village will pay more for. Mayor Cassidy said the coverage is not the same from previous years which is another reason he is not happy with the returned quotations.

Trustee Volpe asked if there were any cost savings to had by increasing the deductible for certain items such as public official coverage.

A motion was made by Trustee Kagan with a second by Trustee Marty to adjourn the public portion of the Board meeting at 8:45 p.m. and got into Executive Session to discuss the insurance matter after which time the Board would reconvene the public portion of the meeting. The motion was approved by vote of seven in favor, none opposed.

The Board reconvened at 8:54 p.m.

After some discussion, the Board chose to approve the Traveler's quotation with the higher premium of \$191,820 subject to a reduction if the Village secures another quotation within the sixty day period.

A motion was made by Trustee Mutti and seconded by Trustee Senerchia to adopt the resolution. The vote was approved by a vote of six in favor, Trustee Kagan was opposed.

WHEREAS, the Village of Pelham is renewing Property and Casualty Insurance to provide coverage for the Village of Pelham. Property and Casualty Insurance covers: Property Including Crime; General and Law Enforcement Liability; Public Officials and Employment Practices Liability; Automobile Liability and Physical Damage; and Excess Liability.

WHEREAS, the Village recommends renewing the Property and Casualty insurance package to Traveler's Insurance Company.

NOW, THEREFORE, BE IT RESOLVED, that the Village hereby awards Insurance Services, and authorizes the Village to retain Insurance through FOA and Son Insurance Corp., with Insurance Coverage Services to be provided for Property and Casualty through Traveler's Insurance Company, at a total cost of One hundred ninety-one thousand, eight hundred twenty dollars (\$191,820.00), as detailed in the proposal received May 17, 2013; and

BE IT FURTHER RESOLVED, that the Mayor and Village Administrator are authorized to take the necessary and appropriate actions to retain coverage for the Property and Casualty Insurance to be effective June 1, 2013.

Item #9—Resolution on Behalf of the Mayor and Board Of Trustees in Support of the New York State Assembly Bill No.A.4086 (Authorizing the Public Service Commission, Upon Application by a Municipality, to Order Costs for Infrastructure Maintenance and Access to be Charged to All Customer Classes Located in Such Municipality).

Mayor Cassidy stated this resolution would support a bill being proposed by Assemblywoman Paulin's office regarding disseminating the hydrant rental fees paid by the Village to United Water of New Rochelle to all United Water rate payers. The Mayor stated the strongest argument in favor of this resolution is that it will provide more leverage on the part of the Village as a whole to urge United Water to keep their rental fees minimal.

Trustee Kagan said the Village is shifting the burden from the taxpayers of Pelham to all United Water rate payers which would include any entity that uses water from their company.

Trustee Marty said the Village is one of nine other municipalities in this consortium that is looking to maximize pressure on United Water regarding their hydrant rental fees.

A motion was made by Trustee Kagan and seconded by Trustee Volpe to adopt the resolution. The vote was approved by a vote of seven in favor, none opposed.

WHEREAS, United Water services the nine communities Pelham, Hastings-on-Hudson, Dobbs Ferry, Ardsley, Bronxville, Pelham Manor, Tuckahoe, Eastchester, and New Rochelle; and WHEREAS, the ever increasing rental fees for the use of United Water's fire hydrants is a line item in each of the respective communities; and

WHEREAS, under the present system the cost of the fire hydrant rentals is borne solely by the private property owners of each community; and

WHEREAS, it is the general belief that all tax exempt properties such as colleges, public and private schools, hospitals, houses of worship, cemeteries, federal, state and county owned properties, and other not-for-profits should pay their fair share of the cost of the operation of these fire hydrants; and

WHEREAS, with the blessing of the New York State Public Service Commission, the hydrant cost charged by United Water to the Village of Pelham taxpayers alone has ballooned from \$65,000 in 2009 to \$106,200 in 2013, an increase of 63%; now therefore be it

RESOLVED, that the Board of Trustees of the Village of Pelham hereby supports Assemblywoman Amy Paulin's sponsorship of a bill in the Albany legislature to transfer the cost of hydrant rentals from municipal budgets to the respective water rate payers so that all who depend on the operation of the fire hydrants pay their fair share.

Item #10– Other Business

None

Item #11– Authorizing Budget Transfers

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

Secretary Bonington stated that these budget transfers are an accounting measure for the Village staff. The transfers are the shifting of funds to budget lines that are low or depleted of funds in order to balance the budget

Trustee Volpe understood that these transfers are a balancing exercise but wanted to ensure that the Village is not over or under budgeting certain line items. He wanted to ensure that the Village delivers a budget that does not require consistent shifting of funds from one area to another. He said he would look into this matter further in the coming weeks.

A motion was made by Trustee Kagan and seconded by Trustee Volpe to adopt the resolution. The vote was approved by a vote of seven in favor, none opposed.

**RESOLUTION**

**Re: Budget Amendments and Transfers for Fiscal Year 2012-13**

**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 2012-13 Budget by making the following amendments and rollovers:

Item #12– Authorizing the Accounts Payable

Trustee Marty audited the Accounts Payable.

The Mayor asked Trustee Kagan about the hydrant rental fees and how that payment is made. Trustee Kagan said he had confirmed with Deputy Treasurer Shriman that it is billed through the water fund. He advised the Board to consider that the Board is paying \$8,400 for four fire hydrants.

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

**RESOLUTION**

**WHEREAS,** pursuant to Section 5-524 of the New York State Village Law, the Board of Trustees shall audit all claims against the Village.

**NOW, THEREFORE, BE IT HEREBY RESOLVED,** that the Board of Trustees after audit of the following claims, authorizes payment for services rendered and materials received, for the following items that have been submitted to the Treasurer's Office for payment and authorized by the Village Administrator:

<u>Fund Name:</u>	<u>Amount</u>
General Fund	\$ 70,636.13
Water Fund	\$85,814.69
Capital Projects Fund	\$0.00

Trust and Agency Fund	\$0.00
CD NYS Main Street Fund	\$0.00
H3 Fund	\$0.00
TE Expand Trust Fund	\$0.00
<b>Grand Total</b>	<b>\$156,450.82</b>

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

Item #13– Authorizing Minutes of: May 7, 2013

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

May 7, 2013- Approved

Item #14– Adjournment to Executive Session

A motion was made by Trustee Kagan with a second by Trustee Marty to adjourn the public portion of the Board meeting at 9:09 pm and got into Executive Session to discuss a legal matter after which time the Board would adjourn for the evening. The motion was approved by vote of seven in favor, none opposed.

Respectfully submitted,  
Peter Bonington, Secretary to the Village Administrator