

VILLAGE OF PELHAM BOARD OF TRUSTEES  
 REGULAR MEETING  
 TUESDAY, NOVEMBER 16, 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

# Agenda Items		Approximate Starting Time of Discussion
	<b>Non-Recurring Items</b>	<b>7:45p.m.</b>
7.	Public Hearing to Increase the Village of Pelham's Water System Rates.	Approved
8.	Public Hearing Regarding the Recognition of Hillside and Brookside Avenues as Public Streets- Postponed	Approved
9.	Resolution Authorizing the Completion of Probation for Richard Pietrantonio as Laborer in the Department of Public Works.	Approved
10.	Financial Audit of the Village of Pelham, by Auditors from O'Connor Davies Munns & Dobbins/Bennett Kielson Storch Kremer & DeSantis (ODMD/BKSKD)	Discussed
	<b>Grants, Monthly Budget Review &amp; Other Business</b>	<b>9:00p.m.</b>
11.	Grants- Status Report	Discussed
12.	Monthly Budget Review	Discussed
13.	Other Business	Discussed
	<b>Recurring Items</b>	<b>9:30p.m.</b>
14.	Authorizing Accounts Payable	Approved
15.	Authorizing Minutes of: October 5, 2010, October 19, 2010	Approved
16.	Adjournment to Executive Session	<b>9:45p.m.</b>

Next Scheduled Board Meetings are:

Tuesday, December 7, 2010

Tuesday, December 21, 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 Morris, Mohan, Bullock (arrived at 8:10 p.m.), Breskin (came in at 8:30 p.m.), and Lewis

The following member of the Board of Trustees were absent:

Trustee Marty

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 Report-

Mayor Hotchkiss commented that the budget for fiscal year 2011-2012 is approaching and the most recent analysis suggests that it will be another difficult year. He reminded the public that these are challenging financial times.

Trustees Reports:

Trustee Breskin-

None

Trustee Bullock-

None

Trustee Lewis-

None

Trustee Marty-

Absent

Trustee Mohan-

None

Trustee Morris-

Trustee Morris reminded residents that this coming weekend is the last Farmer's Market until spring. She encouraged residents to take advantage of the Market this weekend.

Village Administrator's Report-

None

Item #6–Public Comment-

Jamie Weyndling of 237 Nyac Avenue stated there is heavy traffic by the Colonial School by caregivers and parents picking up their kids from school. He said this poses a danger to elementary school kids who are crossing Boulevard to get to their parents and caregivers waiting on Highbrook Avenue. He said the Colonial School Site Council had recommended to the Board and Police Chief Benefico that Highbrook Avenue be closed during school hours to prevent cars from parking and waiting there.

Trustee Mohan said that she and the Police Chief had made a trip to the site with Mr. Weyndling. She said at the time Chief Benefico had said closing Highbrook would force more cars onto Boulevard which would create a more dangerous situation. Mr. Weyndling said there are barriers up on Boulevard currently which state "No Entry during School Hours." Mr. Weyndling asserted there used to be a sign that said "No Thru Traffic." He said the standard is not being enforced by the Pelham Police.

Mayor Hotchkiss said he believed closing Highbrook would create a more dangerous situation on Boulevard for the school children. Mr. Weyndling responded that the Board could enforce a policy where the parent's cars can only park on the school side of the Boulevard. He also suggested a "No Idling" sign on the side facing away from the school but said the Village would have to place the sign there as the school does not administrate that property.

Trustee Mohan stated she would speak with Police Chief Benefico and perhaps they could attend a Colonial School Site Based Council meeting and discuss this matter further. Mr. Weyndling asked if Chief Benefico had reported to the Board the last time this matter was brought up. Mayor Hotchkiss stated he did not recall but this forum was not the place to discuss the details of what arrangement might be worked out.

Item #7– Public Hearing to Increase the Village of Pelham’s Water System Rates

Administrator Yamuder stated that the Pelham Water District in Pelham Heights is required to raise its water rates in response to the rate increases by United Water of New Rochelle. The Pelham District is obligated to make their rates comparable with the United Water rates. The Pelham Water District increase is 20%.

Mr. Yamuder stated the reasons for some of these increases by United Water were maintenance fees including hydrant rentals and the Delaware Improvement Project which United Water is paying for. He stated Pelham’s fees had been based on total consumption of water. The more water purchased; the less expensive the fees. He reported now United Water has introduced a flat rate for consumption for all who use their water.

The Administrator said the consortium organized to contest the rates increases by United Water is challenging the Public Service Commission decision permitting the proposed increases. He said the consortium of nine municipalities is still working on extra legal services to oppose the decision by PSC.

Jay Soel of Manning Circle asked if the resident’s water bills are going to increase 20%. Mr. Yamuder responded that United Water is billing the Village for 20% and that could be passed on to residents in higher rates. The actual proposal is for a four year increase.

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

RESOLUTION  
ADOPTING  
WATER RATE INCREASES  
PROPOSED AT 20% ON FORMER VILLAGE RATES  
FOR THE PELHAM WATER SYSTEM 5911901

RESOLVED that the Board of Trustees of the Village of Pelham hereby adopts the 20% Water Increases of the Village of Pelham effective immediately for the Water billing Cycle ending 11/30/2010.

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

	Meter size	Current Rates	Proposed rate of incr. of 20% to cover rate increases and pass-troughs by United Water New Rochelle & NYC DEP
Base Rate	1/2" and 5/8"	\$50.99	\$61.20

Meter Rate	3/4"	\$56.25	\$67.50
Meter Rate	1" - 1 1/4"	\$100	\$120
Meter Rate	1 1/2"	\$187.50	\$225
Meter Rate	2"	\$306.25	\$367.50
Meter Rate	3" - 4"	\$467	\$560.
Consumption Rates -- cost per 100 cubic feet)			
First 1200 CCF		\$ 5.09	All CCF \$6.10
next 36000 CCF		\$ 4.79	
Next 60000 CCF		\$ 3.91	

Item #8– Public Hearing Regarding Recognition of Hillside and Brookside Avenues as Public Streets- Postponed

Mayor Hotchkiss said the Board is going to postpone the public hearing until the Village's legal counsel can finish its research.

A motion was made by Trustee Breskin and seconded by Trustee Lewis to adopt the resolution. The vote was approved by a vote of five in favor, none opposed. Trustees Bullock and Marty were absent.

VILLAGE OF PELHAM, NY  
Public Hearing Regarding Recognition of  
Hillside and Brookside Avenues as Public Streets

Public Hearing Pursuant To The Provisions Of Village Law §6-612 And Village Law §7-732 In Regard To The Recognition Of Brookside Avenue From Wolfs Lane To Its Terminus At The Hutchinson River And Hillside Avenue From Carol Avenue To Its Terminus At The Hutchinson River As Public Streets In The Village Of Pelham.

Item #9– Resolution authorizing the completion of probation for Richard Pietrantonio as Laborer in the Department of Public Works.

Mayor Hotchkiss said this resolution is to appoint Richard Pietrantonio as a laborer for the Pelham Department of Public Works. He said General Foreman Shriman has described him as an asset to the DPW.

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

## RESOLUTION

AUTHORIZING THE SUCCESSFUL COMPLETION OF PROBATION  
FOR RICHARD PIETRANTONIO AS LABORER

BE IT RESOLVED, that the Mayor and Board of Trustees hereby authorize the successful completion of probation for Richard Pietrantonio as Laborer, which is approved based on the positive evaluation and recommendation of the Public Works General Foreman.

Item #10—Financial Audit of the Village of Pelham, by auditors from O'Connor Davies Munns & Dobbins/Bennett Kielson Storch Kremer & DeSantis (ODMD/BKSKD)

Independent auditors Tom Kennedy and Yulia Kelly from O'Connor Davies delivered their unqualified audit opinion. He said it is a 70 page audit report on the Village's statements as well as its revenues and expenses. Yulia Kelly discussed the Village's general fund and the available fund balance. Due some savings accrued through the sanitation contract and other incoming revenues the general fund is now totaled at \$631,000. Ms. Kelly stated the only shortfalls were in respect to an archive grant which the Village had budgeted for but was denied by the grant authority. Ms. Kelly said the Village's general fund represents roughly 5.3% of the Village of Pelham's fund balance.

Mr. Kennedy stated the last part of the report is the management letter. Mr. Kennedy stated this letter pertains to any control deficiencies in the Village government. He stated that there were no control deficiencies found; the last pages of the audit report are informational comments only. Mr. Kennedy concluded his report by saying his firm is fully independent of the Village. Mayor Hotchkiss and the Board thanked the auditors for their report and summary.

Item #11- Grants- Status Report

Secretary to the Village Administrator Bonington gave the grants report. He stated the FTA grant for \$929,120 for the renovation of the DPW Yard is progressing. Administrator Yamuder has been in contact with the FTA and has completed the electronic application up to the current state of the project. When the contractors on site begin finishing their work, Mr. Yamuder can then begin completing the disbursement documents.

The flooding grants were addressed as one topic. The EPA grant for \$340,000 which the Village had applied for a Categorical Exclusion was approved as of last meeting. The application for the next step in the process has been made available to Administrator Yamuder. The 2008 LPDM for \$125,000 has been submitted by the Village to FEMA and SEMO for review. The documentation received by the Village thus far by residents and Trustees has been incorporated into the application. The 2009 LPDM for \$50,000 is being

compiled and will be submitted to the same authorities before the holidays. The last grant from Congresswoman Nita Lowey for \$562,500 has been appropriated for Village use.

The New York Main Street Grant is progressing on several fronts. The Village has applied for reimbursement for some of the streetscape additions to Wolfs Lane Park totaling \$38,250 from the \$50,000 available. The remaining funds will be spent on Victor Stanley trash receptacles and replacement liners. The order for these items has been confirmed by Victor Stanley. Three façade renovation applicants have been submitted to the grant authority for review.

The application for the Dormitory Authority grant for \$100,000 for the 1<sup>st</sup> Street parking lot has been submitted for their review. The Village should hear in a couple of weeks what the status of that application is.

The Police portion of the \$50,000 Member Item grant from Senator Klein's office totaling \$25,000 is being reviewed by the NY Department of State. The Department has stated the application has been approved and the awarded funds will be coming shortly.

Mr. Bonington stated several pages of the grants list need to be updated. He said he hopes to have the updates made by the next Board of Trustees meeting.

Trustee Mohan had asked if in the intervening period between Board meetings if Mr. Bonington had applied for any new grants. Mr. Bonington responded that he had attended a conference specifically for archive grants. The next funding round for these particular types of grants will be in February. He said the Village is looking into applying for grants from this office which would allow for the creation of electronic records as an alternative method of backing up official records.

#### Item #12- Monthly Budget Review

Mayor Hotchkiss instructed the Board to look at the monthly balance sheet. He stated the tax sales certificates represent tax liens that the Village has filed on certain properties. The tax receivables represent the funds being recouped from the New York Power Authority.

Jamie Weyndling asked how much the Village bond debt is. Mayor Hotchkiss stated the debt is approximately 2 million dollars with net debt below \$1.4 million after subtracting the Village's fund balance. Mr. Weyndling asked if the Village could refinance any of its bonds since borrowing rates are low. Mayor Hotchkiss said the rates under which the Village borrowed under bond anticipation notes are very low and serial notes are not contractually able to be refinanced yet.

Mayor Hotchkiss noted that the sales tax received to date is higher than last year. He also noted that building permits are very high as well which is good for the Village. The Board went through several items noting the fire overtime as a significant over budget item. Trustee Breskin stated the fire overtime would decrease in the coming months due to the return of

one of the lieutenants and one of the firefighters as well as the arrival of the most recent addition to the Pelham Fire Department; Phillip DeSimone.

Item #13- Other Business

Trustee Lewis asked about the feasibility of installing muni-meters in the newly renovated Village DPW Yard. Mayor Hotchkiss stated he could see definite benefits to having them placed there. Trustee Breskin said the Board had looked at this option before and the costs/benefits of switching from regular meters to muni-meters were not as significant as they had hoped. Trustee Lewis said the Village should look into grant opportunities for installing muni-meters.

Item #14- Authorizing the Accounts Payable

Trustee Lewis audited the Accounts Payable.

After some discussion, 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 Marty 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	\$ 102,801.36
Water Fund	\$ 55,710.82
Capital Projects Fund	\$ 1,395.00
Trust and Agency Fund	\$ 1,400.00
H3 Fund	\$ 0.00
TE Expand Trust Fund	\$ 0.00
Grand Total	\$161,307.18

**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: October 5, 2010, October 19, 2010

After some discussion, a motion was made by Trustee Mohan and seconded by Trustee Bullock to adopt the minutes from the October 5 Board meeting. The vote was approved by a vote of six in favor, none opposed. Trustee Marty was absent.

After some discussion, a motion was made by Trustee Bullock and seconded by Trustee Lewis to adopt the minutes from the October 19 Board meeting. The vote was approved by a vote of six in favor, none opposed. Trustee Marty was absent.

September 21, 2010- Tabled

October 5, 2010- Approved

October 19, 2010- Approved

November 3, 2010- Tabled

Item #17- Adjournment to Executive Session

A motion was made by Trustee Mohan with a second by Trustee Breskin to adjourn the public portion of the board meeting at 9:32 p.m. and go into Executive Session to discuss personnel and legal matters, which the Board would adjourn for the evening. The motion was approved by vote of six in favor, none opposed. Trustee Marty was absent.

Respectfully submitted,  
Peter Bonington, Secretary to the Village Administrator