



VILLAGE OF PELHAM BOARD OF TRUSTEES
 REGULAR MEETING
 TUESDAY, DECEMBER 15, 2015, 8:00 PM
 VILLAGE HALL – 195 SPARKS AVENUE, PELHAM, NY 10803

MINUTES

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

Agenda Items:

Non-Recurring Items		
7.	Acknowledging the Retirement of Police Lieutenant Rocco DelGrosso	Acknowledged
8.	Department Head Reports – Police, Fire, Department of Public Works & Building	Discussed
9.	Resolution Approving the Change of Indirect Control of the Franchisee under the Cable Television Franchise	Tabled
10.	Resolution Authorizing the Appointment of to the Position of Firefighter in the Village of Pelham Fire Department (1 of 2)	Approved
11.	Resolution Authorizing the Appointment of to the Position of Firefighter in the Village of Pelham Fire Department (2 of 2)	Approved
12.	Resolution Authorizing Salary Adjustment for a Village Employee	Approved
13.	Resolution Authorizing Settlement Agreement with Verizon New York Inc. Regarding the Underpayment of Utilities Gross Receipts Tax	Tabled
14.	Resolution Authorizing the Transfer of Police Officer Compensation Time to a Retiring Police Lieutenant	Removed From Agenda
15.	Discussion on Purchasing Software for the Building Department	Discussed
16.	Other Business – Various Parking Items	Discussed
Recurring Items		
17.	Authorizing Budget Amendments and Transfers for FY 2015-16	Approved
18.	Authorizing Accounts Payable	Approved
19.	Authorizing the Minutes of: December 1, 2015	Approved
20.	Adjournment	Approved

Next Regularly Scheduled BOT Meetings:

Tuesday, January 5, 2016
Tuesday, January 19, 2016

All meetings start at 8:00 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 Volpe at 8:00 p.m.

Present were Trustees Cassidy, Ferrara, Kagan, Marty, Mutti and Reim.

Also present were Village Administrator Yamuder and Assistant to the Village Administrator Scelza.

Item # 2 – Pledge of Allegiance:

The Pledge of Allegiance was led by Mayor Volpe.

Mayor's Report:

Mayor Volpe reported that the Village lit the Christmas Tree and that the candy cane lane event was very successful. He thanked Acting Fire Chief McCann and the Fire Department for safely transporting Santa to the lighting, and Trustees Ferrara and Mutti for working with the Pelham Business Club to coordinate the event.

Mayor Volpe reported that since United Water took over the water system, it appears that the costs have gone down for residents. The Village has a \$168,000 fund balance in the Water Fund. There is additional money that the Village is owed in fees from residents. Letters will be sent out to remind them. This money could potentially be used for paving projects around the Village. He would like to discuss any potential paving projects with Con Ed, as they may be doing paving work around Pelham along with their repair work. He would like to see if there is a way to coordinate with Con Ed to maximize the efficiency of paving.

Mayor Volpe wished everyone a happy holidays and a happy and safe new year.

Trustees' Report:

Trustee Cassidy had no report.

Trustee Ferrara reminded everyone to make sure they have signed up for email alerts from the new website: Pelhamgov.com. She also encouraged everyone to like the Village of Pelham on Facebook, as they have been posting to that page, and it is a great forum for discussion.

Trustee Kagan reported that since the bills from United Water have been monthly, people have been more aware of their consumption. He did urge residents to check the fine print on their bills to make sure they are paying actual bills and not estimated bills. If the bills are estimated, he encouraged residents to call United Water to get an actual bill. Trustee Kagan also reported that Cablevision had sent over a large binder for the Village to review, regarding the sale of Cablevision to a Dutch company called Altice. Trustee Kagan and Mayor Volpe are reviewing the proposal, and the Village of Pelham may be owed money that they hope to get back.

Trustee Marty reported that there have been several ideas regarding solutions for parking issues downtown, which will be discussed later in the meeting. He also reported that the board and the building inspector are still awaiting a development proposal from Matriarch Development regarding 101 Wolfs Lane.

Trustee Mutti thanked the Department of Public Works for hanging the holiday decorations around town, as well as the candy canes for the Candy Cane Lane event. She reported that additional wreaths had been purchased to line all of Fifth Avenue, as well as an additional wreath that was hung on the Highbrook Highline bridge. Pelham hosted a New York State Historic Preservation Representative from Albany, who recently spent a few hours touring Pelham. The downtown is putting together an application for historic status, as well as the Highbrook Highline. Former Mayor Art Scinta led the tour of Downtown Pelham, and several other sites were also toured, including the Pelham Firehouse. Trustee Mutti stated that a historic designation would be long deserved recognition for the Village of Pelham.

Trustee Reim wished everyone a Happy Hanukkah and a Merry Christmas. He reminded everyone of the improved parking in Lot 2, and encouraged them to use the stores and restaurants downtown and remember that they are part of their holiday experience.

Village Administrator's Report:

The Village Administrator had no report.

Item # 6 – Public Comments

There was no public comment.

Non-Recurring Items

Item # 7 – Acknowledging the Retirement of Police Lieutenant Rocco DelGrosso

Mayor Volpe acknowledged the retirement of Police Lieutenant Rocco DelGrosso who served the Village of Pelham for 38 years. Mayor Volpe stated that it is honorable and a great accomplishment that Lt. DelGrosso stayed with the same job for his whole career, something that is not common anymore.

Mayor Volpe explained that Lt. DelGrosso's retirement is a transformative moment for the Pelham Police Department, as he has been at the head of it, as a great leader for the past 38 years. There will be interviews held for candidates to fill the Lieutenant position shortly. Lt. DelGrosso will be missed, and his many years of service are greatly appreciated.

Mayor Volpe presented Lt. DelGrosso with a certificate of appreciation.

Item # 8 – Department Head Reports – Police, Fire, Department of Public Works & Building

Police Chief Benefico reported that with Lt. DelGrosso's retirement, the police department is at 25 personnel, which seems to be the magic number. They had hired an extra person in anticipation of his retirement, and while they would not contest the hiring of additional personnel, 25 is a good number to have.

The Police Department is on track and in good shape regarding budget. They will be promoting a new Lieutenant to fill the opening. Chief Benefico reported that the department's canine officer had passed away this year, and they will need to discuss the possibility of getting another. Previously, donations from the public have helped offset the cost to the Village.

Chief Benefico reported that the Pelham Police Department was part of a conglomerate that received a \$100,000.00 grant for tactical teams. Officer Paul Sousa was a great help in that. The grant will be split between Eastchester, Tuckahoe and Pelham Police Departments for their tactical team. The money will be used for equipment purchases and for tactical training.

Chief Benefico reported that with the holidays there comes an uptick in crime. There was a burglary recently as well as a possible home entry, and packages have been stolen off of front porches. There was also a commercial burglary on Lincoln Avenue, and the police are working with the owner to better secure his store.

Chief Benefico warned of phone scams and urged residents not to give out any personal or financial information over the phone. Five people were recently arrested in Harrison for scamming an elderly woman out of money. Residents can report any scams to the Police Department.

Chief Benefico reported that some of the security cameras have gone up in public areas around town, with more to follow.

Acting Fire Chief McCann reported that the department has had 800 incident calls this year, with 12 structure related fires. Half of the call volume is EMS related.

Acting Chief McCann reported that they are a 16-man department working with 15 men. There are three men out, two with injuries and one with a long-term illness. They are hoping to get all three back within the first quarter of 2016. The two new hires for the department will help with overtime costs.

Acting Chief McCann reported that the equipment is holding up well, and that there were some new purchases made for hoses and replacing the computer in one truck with an iPad. They have also updated EMS protocols with active shooter training. The ladder and rescue trucks are in good shape, and should be good for another 8-10 years.

Acting Chief McCann reported that there have been some issues with the Firehouse, and that they are working on possible solutions with the Mayor and Board.

Mayor Volpe pointed out that there was a serious fire outside the High School and the Pelham Fire Department responded admirably. He thanked them for their service.

Building Inspector, Leonard Russo reported that since June 1, 2015 there have been 145 building permits issued and the department has taken in \$90,000 in building permit fees, and another \$25,000 in trade fees, a total of \$115,000. There are 6 houses in various states of being built across town, and the development of 101 Wolfs Lane is coming along at the correct speed.

Building Inspector Russo stated that 2016 will be a busy year for the building department. The department is already at 70% of its yearly projection, with a lot of renovation work being done around the Village. He is looking forward to advancing the systems and software within the department.

Department of Public Works Foreman, Michael Shriman reported that today was the last day to put out leaves, and the final collection will be this week. There will be no organic pick up until March 15, 2016. The DPW will be out cleaning parks and streets and they will be picking up Christmas Trees between January 4, 2016 and February 1, 2016.

DPW Foreman Shriman reported that the signs and fences were updated and repaired in Lot 2, and that they have bids in for paving it. The DPW worked with the Junior League of Pelham on the Woodland Park project, which it continues to maintain, and planted flowers along with 28 trees. The Benedict Place Fountain is also up and running again for the first time in decades. Holiday décor is up, and the short-term meters have been bagged for the holidays.

DPW Foreman Shriman reported that 60% of the catch basins have been cleaned out, and that there have been repairs to sidewalks and pillars. The DPW has 350 tons of salt in stock for the winter. The price of salt has gone up 12% in per unit costs. All the equipment is ready for winter. The pay loader may need to be replaced in the upcoming budget, and Lot 2 is also in need of repair and should be looked at by an expert. Two seasonal employees will start January 4, 2016 and one more full-time employee would make a difference in the department.

Item # 9 – Approving the Change of Indirect Control of the Franchisee under the Cable Television Franchise

This item was tabled.

Resolution Approving the Change of Indirect Control of the Franchisee under the Cable Television Franchise

Whereas, Cablevision of Southern Westchester, Inc. (“Franchisee”) owns, operates and maintains a cable television system (the “System”) in the Village of Pelham, New York pursuant to a cable television franchise (“Franchise”) granted by the governing body of the Village of Pelham (the “Franchise Authority”), and Franchisee is the current duly authorized holder of the Franchise; and

Whereas, pursuant to an Agreement and Plan of Merger (“Agreement”), Neptune Merger Sub Corp., a Delaware corporation and a subsidiary of Altice N.V. (“Acquiror”), will merge with Cablevision Systems Corporation (“Cablevision”) (which owns 100% of the ownership interests in Franchisee), and, as a result, the indirect control of Franchisee will change (the “Change of Control”); and

Whereas, Franchisee and Acquiror have requested the consent of the Franchise Authority to the Change of Control in accordance with the requirements of the Franchise and have filed an FCC Form 394 with the Franchise Authority (the “Application”); and

Whereas, the Franchise Authority has reviewed the Application, followed all required procedures in order to consider and act upon the Application, considered the comments of all interested parties, and concluded that Acquiror has the legal, financial and technical qualifications of Acquiror to indirectly control Franchisee.

Now, therefore, be it resolved as follows:

Section 1. The Franchise Authority hereby accepts the Application and consents to the Change of Control, all in accordance with the terms of the Franchise and applicable law.

Section 2. Subject to compliance with the terms of this Resolution, any action necessary with respect to the Change of Control has been duly and validly taken.

Section 3. This Resolution shall be deemed effective as of the date of its passage.

This Resolution shall have the force of a continuing agreement with Franchisee and Acquiror, and Franchise Authority shall not amend or otherwise alter this Resolution without the consent of Franchisee and Acquiror.

Item # 10 – Authorizing the Appointment of to the Position of Firefighter in the Village of Pelham Fire Department (1 of 2)

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

Resolution Authorizing the Appointment of a Firefighter in the Village of Pelham Fire Department

Be it resolved, that the Board of Trustees of the Village of Pelham hereby confirms the Mayor's appointment of Joseph A. Melendez of Mount Vernon, NY to the position of Firefighter Recruit, effective Monday, December 21, 2015 at an annual salary of \$32,457.00 subject to the requirements of Westchester County Civil Service, the current Village of Pelham Fire Department Collective Bargaining Agreement, Village of Pelham Employee Handbook and any other applicable regulations in place and for a probationary period of one (1) year; and

Be it further resolved, that the Mayor, Village Administrator and Acting Fire Chief are authorized to take the necessary and appropriate actions to effect this appointment.

Item # 11 – Authorizing the Appointment of to the Position of Firefighter in the Village of Pelham Fire Department (2 of 2)

A motion was made by Trustee Reim and seconded by Trustee Ferrara to approve the resolution. The vote was approved by a vote of seven in favor, none opposed.

Resolution Authorizing the Appointment of a Firefighter in the Village of Pelham Fire Department

Be it resolved, that the Board of Trustees of the Village of Pelham hereby confirms the Mayor’s appointment of Michael Senerchia of Mount Vernon, NY to the position of Firefighter Recruit, effective Monday, December 21, 2015 at an annual salary of \$32,457.00 subject to the requirements of Westchester County Civil Service, the current Village of Pelham Fire Department Collective Bargaining Agreement, Village of Pelham Employee Handbook and any other applicable regulations in place and for a probationary period of one (1) year; and

Be it further resolved, that the Mayor, Village Administrator and Acting Fire Chief are authorized to take the necessary and appropriate actions to effect this appointment.

Item # 12 – Authorizing Salary Adjustment for a Village Employee

The Mayor explained that this is a mid-year salary adjustment for Christopher Scelza. The Mayor and Board had stated they would review his salary mid-year, and have agreed on an adjustment.

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

Resolution Authorizing Salary Adjustment for a Village Employee

Whereas, Christopher Scelza (“Employee”) was hired by the Village of Pelham on June 1, 2015; and

Whereas, Employee was hired in the title of Secretary to the Village Administrator; and

Whereas, Employee’s salary at the time of hiring was established as \$37,500.00; and

Whereas, the Board of Trustees wishes to increase the Employee’s salary by \$7,500 bringing the Employee’s total salary to \$45,000.00 to become effective December 1, 2015; and

Whereas, the Employee agrees to maintain a high level of performance in accordance with tasks outlined in the Employee’s current job description and other tasks as may be assigned; and

Whereas, the Employee’s performance will be re-evaluated upon the Employee’s one (1) year anniversary.

Now, therefore, be it resolved, that the Board of Trustees of the Village of Pelham wishes to adjust the Employee’s salary to \$45,000.00 retroactive to December 1, 2015.

Item # 13 - Authorizing Settlement Agreement with Verizon New York Inc. Regarding the Underpayment of Utilities Gross Receipts Tax

This item was tabled.

Resolution Authorizing Settlement Agreement with Verizon New York Inc. Regarding the Underpayment of Utilities Gross Receipts Tax

Whereas, Verizon New York Inc. (“Verizon”) provides telecommunications services to customers in the Village of Pelham (“Village”); and

Whereas, the Village retained Computel Consultants to perform an audit concerning the application of the Utility User’s Tax (“UUT”) to gross receipts billed by Verizon to customers within the Village; and

Whereas, the Village and Verizon acknowledge the complexity of the factual and legal issues underlying these disputes, as well as the expense and uncertainty of administrative and judicial proceedings, and agree it is in their mutual interest to compromise and settle all issues relating to the application of the UUT; and

Whereas, the Village and Verizon have agreed to a resolution of all disputes concerning the UUT on Verizon’s gross receipts earned within the Village in which Verizon will remit **\$8,810.03** additional UUT for all periods prior to September 1, 2015, in full satisfaction of UUT including any associated penalties or interest.

Now, therefore, be it resolved, that the Board of Trustees of the Village of Pelham hereby authorizes the Village Administrator to execute the attached Settlement Agreement with Verizon New York Inc.

Item # 14 – Authorizing the Transfer of Police Officer Compensation Time to a Retiring Police Lieutenant

This item was removed from the agenda.

Resolution Authorizing the Transfer of Police Officer Compensation Time to a Retiring Police Lieutenant

Whereas, Rocco DelGrosso (“DelGrosso”) has been employed by the Village of Pelham since 1977; and

Whereas, DelGrosso has voluntarily decided to retire from his employment with the Village, effective, December 30, 2015; and

Whereas, as has been done previously for officers who retire with twenty (20) or more years of service, each active officer transfers eight (8) hours of compensation time to the retiring officer for payment.

<u>Comp Time:</u>	<u>Daily Rate of Pay:</u>	<u>Total Payment</u>
1 Chief of Police	\$614.08	\$614.08
6 Sergeants	\$438.80	\$2,632.80
2 Detectives	\$414.00	\$828.00
13 Patrolman 1 st Grade	\$389.20	\$5,059.60
1 Patrolman 3 rd Grade	\$314.80	\$314.80
2 Patrolman 5 th Grade	\$249.12	\$498.24
Total Payment:		\$9,947.52

Now, therefore, be it resolved, that the Board of Trustees of the Village of Pelham hereby authorizes the transfer and payment of Police Officer Compensation Time to Retiring Police Lieutenant Rocco DelGrosso in the amount of nine thousand nine hundred forty-seven dollars and fifty-two cents (\$9,947.52); and

Be it further resolved, that the Mayor and Village Administrator/Treasurer are authorized to take the necessary and appropriate actions to effect this resolution.

Item # 15 – Discussion on Purchasing Software for the Building Department

Mayor Volpe explained that the Mayor and Board along with the Building Inspector would like to upgrade the way the department interacts with the public. They have received a proposal for software that would be very helpful for residents wishing to look up properties, or to file simple permits.

The Mayor and Board discussed the pricing and implementation of the software and agreed to further discussion with Building Inspector Russo.

Item # 16 – Other Business

Mayor Volpe and Trustee Marty explained that the improvements to open Lot 2 have been a success, and business owners are very excited about it.

Trustee Marty explained that parking downtown is still an issue for many businesses and residents. There has been discussion on a potential parking study for the downtown, which may provide solutions for parking issues.

Trustee Marty also explained that they would like to potentially make parking in some lots free from 6:00 p.m. to 2:00 a.m. This would require updated signage, and he will be looking into the costs and processes involved in that.

Trustee Ferrara suggested the placement of parking signs along Fifth Avenue to direct patrons to additional parking. The board also discussed ways of encouraging more business owners to invest in merchant parking permits.

The board discussed the possibility of relocating the muni-meters from Lots 1 & 7 to Harmon Avenue and First Street.

Trustee Mutti explained that they are still clarifying the definition of weekend parking with Metro North to establish whether it includes Friday nights.

Mayor Volpe stated that there is a possibility of another meeting with the Mayor for business owners and residents to discuss issues around the Village.

Recurring Items

Item # 17 – Authorizing Budget Amendments and Transfers for Fiscal Year 2015-16

After a brief discussion, a motion was made by Trustee Mutti and seconded by Trustee Reim to approve the resolution. The vote was approved by a vote of seven in favor, none opposed.

Resolution Authorizing Budget Amendments and Transfers for Fiscal Year 2015-16

Whereas, pursuant to the provisions of § 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 appropriation accounts, excess revenues or fund balances available to cover the amendments and transfers.

Now, therefore, be it resolved, that pursuant to New York State Village Law § 5-520, the Board of Trustees of the Village of Pelham hereby authorizes and directs the proper Village officers to modify the 2015-16 Budget by making the following budget amendments and transfers (attached hereto and made part hereof).

Item # 18 - Authorizing the Accounts Payable

Trustee Reim audited the accounts payable.

After a brief discussion, a motion was made by Trustee Mutti and seconded by Trustee Ferrara to approve the resolution. The vote was approved by a vote of seven in favor, none opposed.

Resolution Authorizing the Accounts Payable

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

Now, therefore, be it 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	\$67,356.79
Water Fund	\$0.00
Capital Projects Fund	\$0.00
Trust and Agency Fund	\$0.00
<u>TE Expand Trust Fund</u>	<u>\$1,190.00</u>
Grand Total	\$68,546.79

Be it further resolved, that this Board hereby approves payment of the above mentioned claims and authorizes payment thereof.

Item # 19 – Authorizing the Minutes of: December 1, 2015

A motion was made by Trustee Reim and seconded by Trustee Mutti to approve the minutes of December 1, 2015 as amended. The vote was approved by a vote of seven in favor, none opposed.

Item # 20 – Adjournment

A motion was made by Trustee Kagan and seconded by Trustee Ferrara to adjourn the Board meeting at 9:50 p.m. The motion was approved by a vote of seven in favor, none opposed.

Respectfully submitted,

Christopher Scelza
Assistant to the Village Administrator