



VILLAGE OF PELHAM BOARD OF TRUSTEES
REGULAR MEETING
TUESDAY, DECEMBER 1, 2015, 7:30 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.	Resolution Authorizing the Execution of an Agreement with AKRF Consultants for a Traffic and Parking Study on Fifth Avenue	Tabled
8.	Resolution Authorizing Drainage Improvements on Nyac Avenue	Approved
9.	Resolution Changing Start Time of Regular Board of Trustees Meetings	Approved
10.	Resolution Authorizing the Execution of an Agreement with AKRF Consultants to Assist the Village with Site Plan Application and SEQRA Review for the Proposed 101 Wolfs Lane Development	Approved
11.	Other Business – Resolution Authorizing Engagement Letter with Best Best & Krieger LLP	Approved
Recurring Items		
12.	Authorizing Accounts Payable	Approved
13.	Authorizing the Minutes of: November 17, 2015	Approved
14.	Adjournment to Executive Session	Approved

Next Regularly Scheduled BOT Meetings:

Tuesday, December 15, 2015
Tuesday, January 5, 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 7:30 p.m.

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

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 wished everyone a belated Happy Thanksgiving. He reported that the water fund was, as of the December 1st meeting, at net \$148,000.00. There is still \$4,000.00 in fees that still needs to be collected. The mayor noted that approximately \$50,000.00 of the water fund was used to pave additional streets this year. Mayor Volpe reminded everyone that the Village of Pelham Employee Holiday Party is December 10th from 5:00 – 7:30 p.m. at Sergio’s.

Trustees’ Report:

Trustee Cassidy was absent.

Trustee Ferrara reported that she had just come from the Chamber of Commerce’s Business Development Committee’s first Social Media Seminar. There was a great turn out of about 35 business owners. Trustee Ferrara also reported that the Town’s Tree Lighting will be held December 5. There will be a parade at 3:30 with Santa riding on the fire truck from the firehouse to Town Hall. The tree lighting will be at 5:30 p.m.

Trustee Kagan reported that AT&T had revised their agreement with the Village and they are ready to be signed. He also reported that he had conducted an informal poll of Pelham Heights Residents and found that the per unit price for water over the last three months has been lower with United Water than it was when the Village owned the water supply. He also reported that Cablevision had sent a merger agreement that is under review by outside counsel. Trustee Kagan reported that the board

received a redlined draft of the Police Union contract. It has been updated to include the interest arbitration award from three years ago and the Memorandum of Agreement, but is not ready to be reviewed and approved.

Trustee Marty reported that Matriarch Development, the owners of the property at 101 Wolfs Lane are working on a pre-submission and have been consulting lawyers, planners and both Trustee Marty and Building Inspector Russo. They have also set up a \$15,000 escrow account for the Village to hire legal counsel and planning consultants.

Trustee Mutti reported that DPW is working on leaf collection and that they will be working their way across the Village. They are also in the process of hanging holiday decorations. She reported that the slide at the Woodlands Park playground has been repaired. She also reported that the Village is researching mulching mower attachments and the possibility of joining the Love 'Em and Leave 'Em program to reduce organic yard waste. Trustee Mutti reported that she has received questions about the start of the Community Choice Aggregation Program. She reported that there were still some legal questions that needed to be worked out and the program had not yet begun.

Trustee Reim reported that the firehouse had a mechanical failure with its steam heating system which caused electrical damage. The firehouse was without heat for a few days but the problems are on the mend. This is part of a larger discussion about repairs in the firehouse.

Village Administrator's Report:

Administrator Yamuder reported that Sandy Shriman had recently had elective knee surgery and he wished her a speedy recovery.

Item # 6 – Public Comments

No Public Comment

Non-Recurring Items

Item # 7 – Authorizing the Execution of an Agreement with AKRF Consultants for a Traffic and Parking Study on Fifth Avenue

Mayor Volpe explained that the Board and Village Officials have discussed parking and traffic downtown. They thought it would be wise to get a proposal to consider alternative traffic flow and parking alternatives in the downtown community. A proposal was received from AKRF, however the proposal was a little rushed and perhaps the Mayor and Board did not define exactly what they wanted in the proposal. There are many questions regarding costs and the moving of the bus line, that have to be answered before pursuing a proposal. This item was tabled.

Resolution Authorizing the Execution of an Agreement with AKRF Consultants for a Traffic and Parking Study on Fifth Avenue

Be it resolved, that the Board of Trustees of the Village of Pelham herein authorizes the Village Administrator to execute the attached proposal from AKRF, Inc. for a Traffic and Parking Study of Fifth Avenue between Third Street and First Street in an amount not exceed \$15,000.00; and

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

Item # 8 – Authorizing Drainage Improvements on Nyac Avenue

Mayor Volpe explained that there are long-standing drainage problems in the 100 block of Nyac Avenue and that the homeowner at **142 Nyac Avenue**, Mr. Farley, has offered to contribute financially to the repair work. The problem is a result of water flowing from his property, failing to drain as a result of paving work done by the Village and causing a hazard when it freezes. The Farley family will be contributing \$10,000.00.

After discussion of precedent and payments a motion was made by Trustee Reim and seconded by Trustee Mutti to approve the resolution. The vote was approved by a vote of six in favor, none opposed. Trustee Cassidy was absent.

Resolution Authorizing Drainage Improvements on Nyac Avenue

Be it resolved, that the Board of Trustees of the Village of Pelham hereby authorizes the Village Administrator to execute the attached proposal from Manor Paving, Inc. for drainage improvements on Nyac Avenue in the amount of \$28,600.00 to be charged to the General Fund Storm/Sanitary Sewer Contractual Account (A.8140.400); and

Be it further resolved, that the Mayor, Village Administrator and Department of Public Works General Foreman are authorized to take the necessary and appropriate actions to effect this resolution; and

Be it further resolved, that the Village appreciates the participation of Mr. Farley and his family in contributing towards this effort.

Item # 9 – Changing the Start Time of Regular Board of Trustees Meetings

Mayor Volpe explained that there had been discussion amongst the board about changing the start time of regularly scheduled Board of Trustees Meetings to 8:00 p.m.

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

Resolution Changing the Start Time of Regular Board of Trustees Meetings

Be it resolved, that the Board of Trustees of the Village of Pelham hereby changes the start time of Regularly scheduled Board of Trustees Meetings from 7:30 p.m. to 8:00 p.m. for the remainder of the 2015-16 year; and

Be it further resolved, the Board of Trustees will continue to hold the Regularly scheduled Board of Trustees meetings on the First (1st) and Third (3rd) Tuesdays of every month, except as the schedule may be otherwise amended from time to time.

Item # 10 – Authorizing the Execution of an Agreement with AKRF Consultants to Assist the Village with Site Plan Application and SEQRA Review for the Proposed 101 Wolfs Lane Development

Mayor Volpe explained that Matriarch Development, the owners of 101 Wolfs Lane, have posted an escrow account of \$15,000 for the Village to retain legal counsel and planning consultants. The Village has retained the services of AKRF Consultants to assist with the site plan application and SEQRA review for 101 Wolfs Lane.

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

Resolution Authorizing the Execution of an Agreement with AKRF Consultants to Assist the Village with Site Plan Application and SEQRA Review for the Proposed 101 Wolfs Lane Development

Whereas, Matriarch Development has proposed to develop a mixed-use building at 101 Wolfs Lane in the Village; and

Whereas, via resolution dated October 6, 2015, the Village Board of Trustees authorized the execution of an escrow deposit agreement pursuant to §70-2 of the Pelham Village Code; and

Whereas, the Village wishes to retain professional Environmental and Planning Consultant Services from AKRF as per the attached agreement dated November 24, 2015.

Now, therefore, be it resolved, that the Board of Trustees of the Village of Pelham herein authorizes the Village Administrator to execute the attached agreement with AKRF Consultants to assist the Village with Site Plan Application and SEQRA Review for the proposed development at 101 Wolfs Lane; including the Village Board of Trustees and Land Use Boards as necessary; and

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

Item # 11 – Other Business

Mayor Volpe explained that there is a proposal from a Dutch company called Altice to buy Cablevision. The Village of Pelham and some other municipalities have the right to approve the transaction and have been asked to approve the transaction. The Village's franchise agreement with Cablevision expires in October 2016. There are certain issues under the law that have to be addressed before deciding whether or not to approve the transaction. He pointed out that there is a chance the Village may get improved equipment and accounting as well as the possibility of receiving fees for updated technology.

Mayor Volpe stated that the board has reached out to outside counsel and that he had sent a letter to Altice acknowledging their request as incomplete and asking for more information. Under federal regulations, the Village has 120 days to reach an agreement. The Village has retained the services of Best, Best, & Krieger LLP to advise the Mayor and Board in this matter.

A motion was made by Trustee Kagan and seconded by Trustee Reim to approve the resolution. After further discussion of FCC oversight and the Village's limitations on reviewing the transaction, the vote was approved by a vote of six in favor, none opposed. Trustee Cassidy was absent.

Resolution Authorizing Engagement Letter with Best Best & Krieger LLP

Be it resolved, that the Board of Trustees of the Village of Pelham herein authorizes the Mayor to execute the attached engagement letter with Best Best and Krieger LLP to assist the Village with review of an application for transfer it received dated October 30, 2015 (attached) in connection with the proposed definitive merger agreement between Altice and Cablevision; and

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

Mayor Volpe addressed recent communications regarding the Village of Pelham Fire Department and the Village of Pelham Manor Fire Department. The Mayor pointed out that the Village of Pelham and the Village of Pelham Manor both have the safety of their citizens on the top of their list of priorities. He stated that he was confident that the safety of the residents of both villages was of the utmost importance to all elected and appointed officials. He acknowledged that the two municipalities may have their differences over certain things, but that everyone is concerned about the safety of citizens. The great work of village employees in both Pelham and Pelham Manor is one of the reasons that many of us moved to the community, and we should all take pride in that. We should take time to iron out our differences to make sure that priority is always met.

Recurring Items

Item # 12- Authorizing the Accounts Payable

Trustee Ferrara audited the Accounts Payable.

After a brief a motion was made by Trustee Reim and seconded by Trustee Ferrara to approve the resolution. The vote was approved by a vote of six in favor, none opposed. Trustee Cassidy was absent.

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	\$1,829,356.39
Water Fund	\$0.00
Capital Projects Fund	\$0.00
Trust and Agency Fund	\$0.00
TE Expand Trust Fund	\$0.00
Grand Total	\$1,829,356.39

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

Item # 13 – Authorizing the Minutes of: November 17, 2015

A motion was made by Trustee Mutti and seconded by Trustee Ferrara to approve the minutes of November 17, 2015 as amended. The vote was approved by a vote of six in favor, none opposed. Trustee Cassidy was absent.

Item # 14 – Adjournment to Executive Session

A motion was made by Trustee Kagan and seconded by Trustee Ferrara to adjourn the public portion of the Board meeting at 8:20 pm and go into Executive Session to discuss one labor relations matter and two personnel issues after which time the Board would adjourn for the evening. The motion was approved by a vote of six in favor, none opposed. Trustee Cassidy was absent.

Respectfully submitted,

Christopher Scelza
Assistant to the Village Administrator