



VILLAGE OF PELHAM BOARD OF TRUSTEES  
REGULAR MEETING  
TUESDAY, JUNE 7, 2016, 8:00 PM  
VILLAGE HALL – 195 SPARKS AVENUE, PELHAM, NY 10803

**MINUTES**

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

# Agenda Items:

Non-Recurring Items		
8.	Discussion on the Wolfs Lane Park Redesign	<b>Discussed</b>
9.	Resolution Authorizing the Pelham Picture House Fundraiser at Wolfs Lane Park on September 17, 2016	<b>Approved</b>
10.	Resolution Authorizing the Extension of a Stipulation of Agreement for the Position of Acting Fire Chief	<b>Approved</b>
11.	Resolution Authorizing the Change from Temporary to Permanent Status of a Fire Lieutenant	<b>Approved</b>
12.	Resolution Calling for a Public Hearing on Local Law No. 1 of 2016 Regarding Development Regulations and Amending Chapter 98 of the Village Code	<b>Approved</b>
13.	Other Business - Resolution Authorizing an Exclusive Representation Agreement with Bench Strength Partners, Inc. to Assist the Village with Telecommunication Negotiations	<b>Approved</b>
Recurring Items		
14.	Authorizing Accounts Payable	<b>Approved</b>
15.	Authorizing the Minutes of: March 1, 2016; March 16, 2016; April 4, 2016 and April 19, 2016	<b>Approved</b>
16.	Adjournment	<b>Approved</b>

Next Regularly Scheduled BOT Meetings:

**Tuesday, June 21, 2016**  
**Tuesday, July 12, 2016 (Summer Schedule)**  
**Tuesday, August 16, 2016 (Summer Schedule)**

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.

**Item # 2 – Pledge of Allegiance:**

The Pledge of Allegiance was led by Mayor Volpe.

**Item # 3 – Roll Call:**

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

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

**Mayor's Report:**

Mayor Volpe reported that the Council of Governing Boards continues to meet to discuss various traffic safety calming measures around the various school complexes. He then stated that dramatic changes have been made over the past few weeks and those improvements will be on going.

Mayor Volpe stated the Memorial Day Parade was a great success and thanked all who participated.

Mayor Volpe reported that contract negotiations are on going with the Village's various Unions. The Village and the Police Department are at an impasse and the first mediation hearing will be held on July 28<sup>th</sup>.

Mayor Volpe reported that the Muncity project is on going in an effort to allow the Public to interact with the Building Department during the initial application process. He stated hopefully in a few weeks the software would be up and running.

Mayor Volpe reported that on June 14<sup>th</sup> he will be meeting with representatives from the Pelham Business Club and the Chamber of Commerce to discuss a variety of topics.

**Trustees' Report:**

Trustee Cassidy reported he completed the twenty year financial data spreadsheet and he hopes future members of the Board will use it as a tool. Trustee Cassidy stated he was resigning from the Board at the conclusion of the meeting. He thanked the community for giving him the opportunity to serve as Village Trustee and Mayor.

Deputy Mayor Mutti read the following statement regarding Trustee Cassidy's departure from the Board:

"I am sorry to see Tim leave this board after 3 years and it may come as a surprise to some residents that you served as a trustee from 2000 -2004 with young children during a very challenging time for the village- Serving as Fire liaison, Sanford Boulevard liaison, liaison for 101 Wolfs Lane, the former T&L property that was slated for development as an assisted living facility, a plan with many flaws; You were part of a village board that fostered open communication with the introduction of televised meetings and the first village website. Your expertise with fiscal responsibility was much needed, a board had recently passed a 15% increase and during your service it became 2½%, a very significant reduction.

In 2013 when the village was again at a crossroads, you stepped back in to tackle some of the same issues – fiscal responsibility (taxes/spending/debt), rebuilding the fund balance (dangerously low), and poorly conceived proposed zoning that would have had a dramatic impact on development.

As our mayor you inspired teamwork and restored respect with your style of leadership and communication. This was true at the department head level and employee level. You were ready to address long expired contracts with the police and fire depts.

You brought back open and transparent government as well as improved relationships with the town board, Pelham Manor board and School Board

Our first budget was built on your sound management, you met with each department head, discussed the fiscal reality and set us up for reaching our goal of a budget under the tax cap.

I asked the office staff for some feedback and they has this to say:

"When Tim became Mayor he came into our office and treated us with respect. It was less stressful to come to work knowing that we were appreciated for everything that we do to help make this Village run.

He is an extremely intelligent person and quick to pick up on things you were trying to explain to him. He would figure out what you were trying to say before you even finished and already had an answer for you.

He changed things for the better here and it was a pleasure to work with him"

I have never met anyone more fraternal, you want everyone to be heard and included.

You are not afraid to disagree but, common ground or not, after a meeting you slap people on the back and buy them a drink. That level of respect is admirable. One of my favorite traits is your ability to reconsider your opinion based on new facts. I find it refreshing that you do not let a past position cloud your thinking.

On a personal level you challenged me and pushed me. You always followed up on all my responsibilities, regardless of how much progress I made in a single area.

No amount of progress in one area let me off the hook in another. You gave me the confidence to tackle things I did not want to - right after the election I had to negotiate the DPW contract. It was great to have a mentor.

I look back on all that I have accomplished and I realize that none of it would have happened if you did not step up and run for mayor. It is a remarkable impact and literally visible all around town.

After 2 years as mayor, ran again for trustee, so easy to leave, who stays? It says so much about your commitment. You continued to contribute using your financial acumen, leaving a comprehensive historical record of past budgets that will serve the government and community for years to come.

I would be remiss if I didn't mention your lovely wife Carolyn, affectionately called the first lady during your mayoral term. She kept everything going during the multiple campaigns and terms of service. Given the 24/7 nature of the mayoral role, it was no small task. But she is an advocate in her own right, up to date on all the issues and a valued volunteer with her own significant body of work. In fact in early 2013, her detailed letter regarding the Heights water system was the beginning of a meaningful discussion that eventually led to the sale to United Water.

Tim, it has been an honor to serve with you. You will be greatly missed.”

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Trustee Ferrara had nothing to report.

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Trustee Kagan reported that Suez Water has been sending out postcards in an effort to replace water meters at certain properties. He urged all property owners affected by this to schedule the replacement of there meter as soon as possible. Trustee Kagan reported that AT&T hired a consultant to request a 35% rent reduction at the Firehouse cell site. He stated the Village politely declined AT&Ts request. Trustee Kagan reported that T-Mobile sent a request seeking the Village's input on the historical significance of adding three cell phone antennas to the top of the Firehouse, they were referred to Chapter 87 of the Village Code if they want to make an application to the Board.

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Trustee Mutti thanked the Department of Public Works for doing a great job in preparing for the Memorial Day Parade. Trustee Mutti and the Mayor submitted a grant application for a downtown revitalization plan.

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Trustee Reim had nothing to report.

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Trustee Reinke had nothing to report.

**Village Administrator's Report:**

Village Administrator Yamuder stated a new schedule and updated contact information for the Building Department has been posted on the Village's website at [www.pelhamgov.com](http://www.pelhamgov.com). Due to personnel changes in Village Hall, anyone wishing to speak with the Building Department can now call 914-738-2258 and speak to a live person.

**Item # 7 – Public Comments**

Village of Pelham Manor Mayor Jennifer Monachino Lapey and former Pelham Village Mayor Arthur Scinta highlighted the accomplishments during the tenure of Trustee/Mayor Timothy Cassidy and wished him well.

**Non-Recurring Items****Item # 8 – Discussion on the Wolfs Lane Park Redesign**

Mayor Volpe reminded everyone that the Village had received a grant from the Dormitory Authority of the State of New York for renovations to Wolfs Lane Park, and that the grant had gone through and the funds can now be disbursed. The Board has received numerous written comments on the proposed project over the past few weeks.

Deputy Mayor Mutti highlighted the below items regarding the Wolfs Park Redesign:

**Process**

- Campaign issue in 2013, lots of feedback on condition and lack of use of parks (used pictures of parks in our campaign)
- Core value, vibrant downtown, interest in using parks as economic driver
- Began process of park renovation with Trotta Park in w/Town
- Wolfs Lane Park/JLP partnership back on track, 2012
- Adopted a philosophy for successful public space, Power of Ten PPS
- Chose A, initial drawings for redesign in 2014 (Sean muni/residential/roots)
- Returned to office in 2015 for a number of reasons, including parks and utilization of grant money in a timely manner

**Community feedback**

- In addition to residents - community groups, outreach (two rounds of presentations)
- Feedback
  - Presentations to PP&GS, PACT, PAC, ARB, Planning board, sent to school board, town, manor
  - **Landscape** funds available for around the playground JLP- Reminded
  - Balance desire for **more**, basketball, volleyball, water based play, lighting
  - Sensitivity to neighbors at night/time of use
  - Significant open space preserved
  - Senator Klein – update and tour during Memorial Day parade
  - DASNY, no scope change, SEQRA AKRF & outside counsel, no change
  - No fencing required for supernova

**Best practices**

- Trends, popularity
- Ping pong and bocce are trendy and time tested

**Our own Woodland Park**

- Addressed concerns at every juncture, great success

**Ready to proceed to detailed drawings, more feedback, last step before bid process**

- SJA site visit last week/incorporating recent feedback

Going forward, address any issues, commitment

**Item # 9 – Authorizing the Pelham Picture House Fundraiser at Wolfs Lane Park on September 17, 2016**

Mayor Volpe stated the Pelham Picture has requested permission to hold its 4<sup>th</sup> Annual Picnic in the Park Fundraiser on September 17, 2016. This is a community friendly fundraiser and has been very successful in the past.

**Resolution Authorizing the Pelham Picture House Fundraiser at Wolfs Lane Park on September 17, 2016**

**Whereas**, the Pelham Picture House has requested permission to hold its annual Picnic in the Park Fundraiser in Wolfs Lane Park on Saturday, September 17, 2016; and

**Whereas**, the Pelham Picture House shall reimburse the Village for all costs incurred by the Village as a result of the event, including but not limited to Police Department and Department of Public Works overtime, and provide a certificate of liability insurance naming the Village as an additional insured in a form and amount satisfactory to the Village.

**Now, therefore, be it resolved**, that the Board of Trustees of the Village of Pelham authorizes the Picture House the use of the section of Wolfs Lane Park directly across from the movie theatre with access to the park on Friday, September 16<sup>th</sup> to erect the tent, Saturday, September 17<sup>th</sup> for the fundraising event and Monday, September 19<sup>th</sup> to remove the tent and;

**Be it further resolved**, that the Mayor and Board of Trustees authorize the appropriate Village officials and staff to take the necessary and appropriate actions to effectuate the intent of this resolution.

*Motion by: Trustee Ferrara*

*Seconded by: Trustee Reim*

*Vote: 7-0*

**Item # 10 – Authorizing the Extension of a Stipulation of Agreement for the Position of Acting Fire Chief**

**Resolution Authorizing the Extension of a Stipulation of Agreement for the Position of Acting Fire Chief**

**Whereas**, the Board of Trustees is extending the stipulation of agreement with DiNapoli effective July 1, 2016 for a period not to exceed four (4) months, terminating on or before October 31, 2016 with no other modifications to the agreement.

**Now, therefore, be it resolved**, that the Board of Trustees of the Village of Pelham herein authorizes the Mayor to execute the attached stipulation of agreement with Fire Lieutenant James DiNapoli to serve as the Acting Fire Chief of the Village of Pelham Fire Department effective Friday, July 1, 2016 for a period not to exceed four (4) months, terminating on or before October 31, 2016; and

**Be it further resolved**, Fire Lieutenant James DiNapoli shall continue to receive a stipend of \$600.00 per week to be paid in conjunction with his regular paycheck.

*Motion by: Trustee Reim*

*Seconded by: Trustee Ferrara*

*Vote: 7-0*

**Item # 11 – Authorizing the Change from Temporary to Permanent Status of a Fire Lieutenant**

**Resolution Authorizing the Change from Temporary to Permanent Status of a Fire Lieutenant**

**Whereas**, via resolution dated March 28, 2016 (attached), the Village Board of Trustees authorized the Temporary Promotion of Firefighter Timothy W. Frusciante to the position of Fire Lieutenant; and

**Whereas**, said promotion was contingent upon the retirement of an existing Fire Lieutenant to free up the position as there were no free positions available at the time of his promotion; and

**Now, therefore, be it resolved**, that the Board of Trustees of the Village of Pelham herein authorizes the change from temporary to permanent status of Timothy W. Frusciante to include a probationary period extending from the date of the temporary appointment for a one year period; and

**Be it further resolved**, that the Village Administrator is authorized to take the necessary steps to effect this resolution.

*Motion by: Trustee Reim*

*Seconded by: Trustee Mutti*

*Vote: 7-0*

**Item # 12 – Calling for a Public Hearing on Local Law No. 1 of 2016 Regarding Development Regulations and Amending Chapter 98 of the Village Code**

Mayor Volpe stated he is in support of small pocket development in the community. He has asked AKRF to explore changes to the Village Code to allow for smaller developments to take place in the community. The floating zone legislation would be parallel to the Villages existing Code.

Nannette Bourne of AKRF and the Board had a lengthy discussion on the proposed legislation.

**Michael Carpentar**, 50 Central Avenue, asked what the intent was with regards to the various land use boards and the referral process.

**Joe Marty**, 275 Highbrook Avenue, stated he liked the idea of using incentives to attract downtown development. He felt the proposed process as stated in the draft legislation makes sense.

**Erin Ginsburg**, 9 Boulevard, stated she was happy to see a discussion on downtown development. She also felt that rental properties are a gateway to establishing long term residency in the Village.

**Resolution Calling for a Public Hearing on Local Law No. 1 of 2016 Regarding Development Regulations and Amending Chapter 98 of the Village Code**

**Whereas**, the Village of Pelham is interested in developing a new zoning district that would encourage appropriately-scaled mixed-use development in the Village’s downtown and would make use of existing infrastructure within the Village, as well as benefit from downtown’s proximity to public transportation.

**Now, therefore, be it resolved**, that the Board of Trustees of the Village of Pelham hereby calls for a Public Hearing on Tuesday, June 21, 2016 at 8:00 pm or soon thereafter at Village Hall, 195 Sparks Avenue, Pelham NY 10803 on a proposed local law regarding development regulations and amending or supplementing Chapter 98 of the Village Code; and

**Be it further resolved**, that the Village Clerk is hereby directed to publish notice of said public hearing.

*Motion by: Trustee Reim*

*Seconded by: Trustee Ferrara*

*Vote: 7-0*

**Item # 13 – Other Business**

Trustee Kagan stated in response to AT&T and T-Mobiles request he felt it was appropriate to have an expert assist the Village with Telecommunication negotiations. Trustee Kagan briefly explained the details of the proposed agreement to the Board and also mentioned that the agreement is on commission only. The Village will not pay for their services unless they negotiate higher fees than we are already receiving.

**Resolution Authorizing an Exclusive Representation Agreement with Bench Strength Partners, Inc. to Assist the Village with Telecommunication Negotiations**

**Be it resolved**, that the Board of Trustees of the Village of Pelham herein authorizes the Mayor to execute the attached Exclusive Representation Agreement with Bench Strength Partners, Inc. to assist the Village with telecommunication negotiations and related interactions with AT&T and its representatives.

*Motion by: Trustee Kagan*

*Seconded by: Trustee Cassidy*

*Vote: 7-0*

**Recurring Items**

**Item # 14 - Authorizing the Accounts Payable**

Trustee Reim audited the Accounts Payable.

**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	\$222,441.72
Capital Projects Fund	\$0.00
Trust and Agency Fund	\$350.00
<u>TE Expand Trust Fund</u>	<u>\$0.00</u>
Grand Total	\$222,791.72

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

*Motion by: Trustee Reim*

*Seconded by: Trustee Ferrara*

*Vote: 7-0*

**Item # 15 – Authorizing the Minutes of: March 1, 2016; March 16, 2016; April 4, 2016 and April 19, 2016**

March 1, 2016 as amended.

*Motion by: Trustee Kagan                      Seconded by: Trustee Ferrara                      Vote: 7-0*

March 16, 2016 as amended.

*Motion by: Trustee Kagan                      Seconded by: Trustee Ferrara                      Vote: 7-0*

April 4, 2016 as amended.

*Motion by: Trustee Kagan                      Seconded by: Trustee Ferrara                      Vote: 7-0*

April 19, 2016 as amended.

*Motion by: Trustee Kagan                      Seconded by: Trustee Ferrara                      Vote: 7-0*

**Item # 16 – Adjournment**

The Board meeting was adjourned at 10:05 pm.

*Motion by: Trustee Kagan                      Seconded by: Trustee Cassidy                      Vote: 7-0*

Respectfully submitted,

Christopher Scelza  
Assistant to the Village Administrator