



VILLAGE OF PELHAM BOARD OF TRUSTEES
 REGULAR MEETING
 TUESDAY, MAY 3, 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.	Public Discussion and Consideration of the Village of Pelham's MS-4 Report Under the Environmental Protection Agency Phase II Stormwater Management Guidelines, and Authorizing the Submission to the New York State Department of Environmental Conservation for Consideration of Renewal of the Village's State Pollutant Discharge and Elimination System Permit	Discussed
9.	Resolution Authorizing the Issuance of \$190,000 in Bonds for the Village of Pelham to Pay for the Cost of a Pay Loader and Police Vehicle	Approved
10.	Resolution Authorizing Street Closure on Saturday, June 11, 2016 for a Kids' Music Show at the Town Gazebo	Approved
11.	Discussion on Proposed MX-1 Commercial Corridor Zone along East Third Street between South Fulton Avenue and South Columbus Avenue in the City of Mount Vernon	Discussed
12.	Discussion on Redesign of Highbrook Avenue Traffic Island	Discussed
13.	Discussion on Updates to Wolfs Lane Park Redesign	Discussed
14.	Resolution to Accept a Donation from the Junior League of Pelham for Play Equipment at Woodlands Park	Approved
15.	Other Business	
Recurring Items		
16.	Authorizing Accounts Payable	Approved
17.	Authorizing the Minutes of: February 2, 2016 and February 16, 2016	Approved
18.	Adjournment to Executive Session	Approved

Next Regularly Scheduled BOT Meetings:

Tuesday, May 17, 2016
Tuesday, June 7, 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.

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, and Reinke.

Trustee Reim participated via Skype and joined the meeting at 8:06 p.m.

Also present was Village Administrator Yamuder.

Mayor's Report:

Mayor Volpe reported that the bus stops in the vicinity of the middle / high school complex have been removed and thanked Westchester County for their support. He also reported that a sidewalk will be installed on Stellar Avenue. In addition, some changes have been made to the traffic patterns around Colonial School to make drop off safe for the children.

Mayor Volpe updated the Board on the status of Collective Bargaining Negotiations with the Police Department, Fire Department, Department of Public Works, Parking Enforcement Officers and School Crossing Guards.

The Fiscal Year 2016-17 Budget has been filed with New York State. The 0.385% increase to the tax levy is under the state mandated tax cap and the Mayor thanked everyone for all their work on the budget the past few months.

Trustees' Report:

Trustee Cassidy had nothing to report.

Trustee Ferrara had nothing to report.

Trustee Kagan thanked Maggie Klein of The Pelham Plus for running an article explaining the Community Choice Aggregation Energy Program the Village opted into with other Westchester Communities.

Trustee Mutti reminded residents that the use of gas-powered leaf blowers is strictly prohibited in the Village from May 1st to October 14th. Also, the Department of Public Works has cleaned 75% of the catch basins in the Village.

Trustee Reim had nothing to report.

Trustee Reinke had nothing to report.

Village Administrator's Report:

Village Administrator Yamuder had nothing to report.

Item # 7 – Public Comments

John Cassone, 312 7th Avenue, thanked the Board and Village staff for a wonderful job on the Fiscal Year 2016-17 Budget and inquired about the letter residents were supposed to receive from Sustainable Westchester regarding the Community Choice Aggregation Program the Village opted into.

Non-Recurring Items

Item # 8 – Public Discussion and Consideration of the Village of Pelham’s MS-4 Report Under the Environmental Protection Agency Phase II Stormwater Management Guidelines and Authorizing the Submission to the New York State Department of Environmental Conservation for Consideration of Renewal of the Village’s State Pollutant Discharge and Elimination System

Village Administrator Yamuder gave a brief summary of the annual MS4 stormwater report. He explained that the documentation for the SPDES permit was prepared by Michael Ritchie and James Maxwell of Dolph Rotfeld Engineering. The federal law commonly known as Stormwater Phase II Permits will be required for stormwater discharges from Municipal Separate Storm Sewer Systems (MS4s). To implement the law, the NYSDEC has developed two general permits, one for MS4s in urbanized areas and one for construction activities. The permits are part of the State Pollutant Discharge Elimination System (SPDES) and the operators of regulated MS4s and operators of construction activities must obtain permit coverage under either an individual SPDES permit or one of the general permits. This reporting period is from March 2015 to March 2016. The report must be compiled and submitted to the NYSDEC by June 1, 2016.

Item # 9 – Authorizing the Issuance of \$190,000 in Bonds for the Village of Pelham to Pay for the Cost of a Pay Loader and Police Vehicle

Mayor Volpe stated in connection with the Budget process the Board decided to refinance \$190,000 in Bond Anticipation Notes to pay for the cost of a pay loader and police vehicle.

Trustee Kagan inquired about the language of the resolution as it gives the Village the option to issue a Bond Anticipation Note or a Long Term Bond for the purpose of the resolution. The Board discussed the question as well as the potential interest rate for the BAN.

BOND RESOLUTION, DATED MAY 3, 2016, AUTHORIZING THE ISSUANCE OF UP TO \$190,000 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE VILLAGE OF PELHAM, COUNTY OF WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE COSTS OF (i) THE ACQUISITION OF MOTOR VEHICLES AND (ii) THE ACQUISITION OF MACHINERY AND APPARATUS FOR CONSTRUCTION AND MAINTENANCE, ALL IN AND FOR THE VILLAGE.

Whereas, the Board of Trustees of the Village of Pelham (the “Village”), located in the County of Westchester, in the State of New York (the “State”), hereby determines that it is in the public interest of the Village to authorize the financing of the costs of (i) the acquisition of motor vehicles (\$40,000) and (ii) the acquisition of machinery and apparatus for construction and maintenance (\$150,000), all in and for the Village, including any preliminary and incidental costs related thereto, at a total cost not to exceed \$190,000, all in accordance with the Local Finance Law;

Now, therefore, be it resolved by the Board of Trustees of the Village of Pelham, County of Westchester, State of New York, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the Village in the aggregate principal amount of up to \$190,000, pursuant to the Local Finance Law, in order to finance the costs of the specific objects or purposes hereinafter described.

Section 2. The specific objects or purposes, or class of objects or purposes, to be financed pursuant to this bond resolution (collectively, the “Project”), the respective estimated maximum cost of such specific object or purpose, or class of object or purpose, the principal amount of serial bonds authorized herein for such specific object or purpose, or class of object or purpose, and the period of probable usefulness of such specific object or purpose, or class of object or purpose, thereof pursuant to the applicable subdivision of paragraph a of Section 11.00 of the Local Finance law, are as follows:

(a) The acquisition of motor vehicles, including any preliminary and incidental costs related thereto, at an estimated maximum cost of \$40,000, for which \$40,000 principal amount of serial bonds, or bond anticipation notes issued in anticipation of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of five (5) years pursuant to subdivision 29 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall

have a maximum maturity of five (5) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds; and

(b) The acquisition of machinery and apparatus for construction and maintenance for the Village, including any preliminary and incidental costs related thereto, at an estimated maximum cost of \$150,000, for which \$150,000 principal amount of serial bonds, or bond anticipation notes issued in anticipation of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of fifteen (15) years pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of five (5) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 3. The Board of Trustees of the Village has ascertained and hereby states that (a) the estimated maximum cost of the Project is \$190,000; (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) the Board of Trustees of the Village plans to finance the costs of the Project from the proceeds of the serial bonds, or bond anticipation notes issued in anticipation of such serial bonds, authorized herein; (d) the maturity of the obligations authorized herein may not be in excess of five (5) years; and (e) on or before the expenditure of moneys to pay for any costs of an item within an object or purpose, or class of object or purpose, for which proceeds of such obligations are to be applied to reimburse the Village, the Board of Trustees of the Village took "official action" for federal income tax purposes to authorize capital financing of such item.

Section 4. Subject to the terms and conditions of this bond resolution and the Local Finance Law, including the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 60.00, inclusive, the power to authorize the serial bonds authorized herein, and bond anticipation notes in anticipation of the issuance of such serial bonds, including renewals thereof, the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes, and the power to issue, sell and deliver such serial bonds and such bond anticipation notes, are hereby delegated to the Village Administrator/Treasurer, as the chief fiscal officer of the Village. The Village Administrator/Treasurer is hereby authorized to execute, on behalf of the Village, all serial bonds authorized herein and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the Village Clerk is hereby authorized to affix the seal of the Village (or attach a facsimile thereof) on all such serial bonds and bond anticipation notes and to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds shall be authenticated by the manual or facsimile signature of the Village Administrator/Treasurer.

Section 5. Each of the serial bonds authorized by this bond resolution and any bond anticipation notes issued in anticipation of the issuance of such serial bonds shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law. The faith and credit of the Village is hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized and issued pursuant to this bond resolution as the same shall become due.

Section 6. When this bond resolution takes effect, the Village Clerk shall cause the same, or a summary thereof, to be published together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law in the Journal News, a newspaper having a general circulation in the Village. The validity of the serial bonds authorized by this bond resolution, and of

bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if such obligations are authorized for an object or purpose, or class of object or purpose, for which the Village is not authorized to expend money, or the provisions of law which should have been complied with as of the date of the publication of this bond resolution, or such summary thereof, were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or if such obligations are authorized in violation of the provisions of the Constitution of the State.

Section 7. Prior to the issuance of the obligations authorized herein, the Board of Trustees of the Village shall comply with all applicable provisions prescribed in Article 8 of the Environmental Conservation Law, all regulations promulgated thereunder by the New York State Department of Environmental Conservation, and all applicable Federal laws and regulations in connection with environmental quality review relating to the Project (collectively, the “environmental compliance proceedings”). In the event that any of the environmental compliance proceedings are not completed, or require amendment or modification subsequent to the date of adoption of this bond resolution, the Board of Trustees of the Village will re-adopt, amend or modify this bond resolution prior to the issuance of the obligations authorized herein upon the advice of bond counsel. It is hereby determined by the Board of Trustees of the Village that the Project will not have a significant effect on the environment.

Section 8. The Village hereby declares its intention to issue the obligations authorized herein to finance the costs of the Project. The proceeds of any obligations authorized herein may be applied to reimburse expenditures or commitments of the Village made with respect to the Project on or after a date which is not more than sixty (60) days prior to the date of adoption of this bond resolution by the Village.

Section 9. For the benefit of the holders and beneficial owners from time to time of the obligations authorized herein, the Village agrees in accordance with and as an obligated person with respect to the obligations under Rule 15c2-12 promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934 (the “Rule”), to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner, as may be required for purposes of the Rule. In order to describe and specify certain terms of the Village’s continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Village Administrator/Treasurer is authorized and directed to sign and deliver, in the name and on behalf of the Village, the commitment authorized by subsection 6(c) of the Rule (the “Commitment”) to be placed on file with the Village Clerk, which shall constitute the continuing disclosure agreement made by the Village for the benefit of holders and beneficial owners of the obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond resolution and not substantially adverse to the Village and that are approved by the Village Administrator/Treasurer on behalf of the Village, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed collectively by this paragraph and the Commitment, shall be the Village’s continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the Village would be required to incur to perform thereunder. The Village Administrator/Treasurer is further authorized and directed to establish procedures in order to ensure

compliance by the Village with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the Village Administrator/Treasurer shall consult with, as appropriate, the Village Attorney and bond counsel or other qualified independent special counsel to the Village and shall be entitled to rely upon any legal advice provided by the Village Attorney or such bond counsel or other qualified independent special counsel in determining whether a filing should be made.

Section 10. This bond resolution shall take effect immediately upon its adoption by the Board of Trustees of the Village.

Motion by: Trustee Mutti

Seconded by: Trustee Ferrara

Vote: 7-0

Item # 10 – Authorizing Street Closure on Saturday, June 11, 2016 for a Kids’ Music Show at the Town Gazebo

Mayor Volpe stated the Village received a request from Mark Sidgwick, a local musician and teacher to hold a Kids’ music show at the Town Gazebo on Saturday, June 11, 2016. Mr. Sidgwick asked the Board to close Harmon Avenue between Fifth Avenue and Harmon Place from 9:00 a.m. to 7:00 p.m. The Board had no objections.

Resolution Authorizing Street Closure on Saturday, June 11, 2016 for a Kids’ Music Show at the Town Gazebo

Be it resolved, that the Board of Trustees of the Village of Pelham herein authorizes the closing of Harmon Avenue between Fifth Avenue and Harmon Place on Saturday, June 11, 2016 from 9:00 a.m. to 7:00 p.m. with a rain date of Sunday, June 12th for a Kids’ Music Show at the Town Gazebo. The Town of Pelham has previously approved the subject request; and

Be it further resolved, the Event Organizer 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; and

Be it further resolved, that the Board of Trustees of the Village of Pelham authorize the appropriate Village officials and staff to take the necessary and appropriate actions to allow this event to take place.

Motion by: Trustee Ferrara

Seconded by: Trustee Mutti

Vote: 7-0

Item # 11 – Discussion on Proposed MX-1 Commercial Corridor Zone along East Third Street between South Fulton Avenue and South Columbus Avenue in the City of Mount Vernon

Mayor Volpe stated the City of Mount Vernon will be receiving comments concerning environmental topics related to the creation of a proposed MX-1 Commercial Corridor Zone along East Third Street between South Fulton Avenue and South Columbus Avenue on Wednesday, May 11, 2016 at 7:00 p.m. in City Hall. This zone would encourage downtown development and promote foot traffic.

Item # 12 – Discussion on Redesign of Highbrook Avenue Traffic Island

Mayor Volpe stated there have been some discussions on the Highbrook Avenue Traffic Island at First Street in conjunction with the various other traffic safety measures being initiated around the Village. Pelham Preservation and Garden Society is proposing to expand the island without a crosswalk. Mayor Volpe and Deputy Mayor Mutti discussed various options with the Board. No action was taken. This item was informational only.

Item # 13 – Discussion on Updates to Wolfs Lane Park Redesign

Mayor Volpe explained 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. He congratulated Trustee Mutti on all of her hard work in pushing the grant through. Trustee Mutti will be making a formal presentation to the Board and the public at the May 17, 2016 meeting. Trustee Mutti stated that this has been in the works for a long time, and that she has been working on it for three years, but that the project goes back to 2005, and that the grant has been rewritten three times. There will be detailed plans drawn up soon, and Trustee Mutti expects there will be a groundbreaking by mid-summer, early fall of 2016.

Trustee Mutti presented the revised master plan to the Board. This item was informational only and discussed with no action taken.

Item # 14 – Accepting a Donation from the Junior League of Pelham for Play Equipment at Woodland Park

Mayor Volpe stated the Junior League of Pelham was willing to donate money for the purchase of additional play equipment at Woodland Park. Trustee Ferrara briefly explained the equipment chosen to the Board as well as a timeline for delivery and installation.

Resolution Accepting a Donation from the Junior League of Pelham for Additional Play Equipment at Woodland Park

Be it resolved, that the Board of Trustees of the Village of Pelham herein authorizes the acceptance of a donation of \$6,906.70 from the Junior League of Pelham for various children’s play equipment including installation in Woodland Park with thanks to the donor for their contribution to the Village of Pelham community.

Motion by: Trustee Mutti

Seconded by: Trustee Ferrara

Vote: 7-0

Item # 15 – Other Business

Recurring Items

Item # 16 - Authorizing the Accounts Payable

Trustee Kagan audited the Accounts Payable.

A brief discussion took place on voucher numbers 6872, 6875 and 6879.

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	\$91,867.81
Water Fund	\$0.00
Capital Projects Fund	\$0.00
Trust and Agency Fund	\$845.30
TE Expand Trust Fund	\$0.00
Grand Total	\$92,713.11

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

Motion by: Trustee Kagan

Seconded by: Trustee Ferrara

Vote: 7-0

Item # 17 – Authorizing the Minutes of: February 2, 2016 and February 16, 2016

February 2, 2016 as amended.

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

February 16, 2016 as amended.

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

Item # 18 – Adjournment

The public portion of the Board meeting was adjourned at 9:23 pm to enter into Executive Session to discuss one contract negotiation matter after which time the Board would adjourn for the evening.

Motion by: Trustee Mutti Seconded by: Trustee Cassidy Vote: 7-0

Respectfully submitted,

Christopher Scelza
Assistant to the Village Administrator