

VILLAGE OF PELHAM BOARD OF TRUSTEES
 REGULAR MEETING
 TUESDAY, DECEMBER 17, 2013, 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:

Non-Recurring Items		
7.	Continuing a Public Hearing To Petition The Public Service Commission For Approval To Allow The Charge For Hydrant Rental Fees From United Water Of New Rochelle To Be Spread Across The Rate Payer Base	Continued
8.	Discussion on Amending Chapter 96 of the Code of the Village of Pelham Regarding Water Bills and Late Penalties	Discussed
9.	Other Business	Discussed
Recurring Items		
10.	Authorizing Budget Transfers	Approved
11.	Authorizing Accounts Payable	Approved
12.	Authorizing Minutes of: November 19, 2013, December 3, 2013	Tabled
13.	Adjournment to Executive Session	Approved

Next Regularly Scheduled BOT Meetings:
 Tuesday, January 7, 2014
 Tuesday, January 21, 2014
 All meetings start at 7:30 p.m. unless otherwise noted.

Item #1 – Meeting called to order: The meeting of the Board of Trustees was called to order by Deputy Mayor Volpe at 7:30 p.m.

The following members of the Board of Trustees were present:

Deputy Mayor Volpe, Trustees McGoldrick, Senerchia, Mutti, Marty, and Kagan

The following members of the Board of Trustees were absent:

Mayor Cassidy

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 Deputy Mayor Volpe.

Reports:

Mayor Cassidy Report

Absent

Deputy Mayor Volpe

Trustees Reports:

Trustee Kagan

None

Trustee Marty

Trustee Marty advised the Board that the garbage contract will be going out to bid in March. He said he met with the Administrator and Village Clerk to discuss this pending advertisement and wanted to get the Board thinking about the various options it will request from bidders.

Deputy Mayor Volpe stated that the garbage contract is a two-year contract with additional two additional rollover years.

Trustee McGoldrick

Trustee McGoldrick said the Board should have received information forwarded from Building Inspector Russo regarding the revenues generated from building permits for the year.

Trustee Mutti

Trustee Mutti stated the Pelhamwood Association has decorated for the holidays and commented how festive it looks.

She stated that County Legislator Jim Maisano was interviewed regarding issues with the MTA and suggested municipalities that have concerns should hold public hearings where residents can voice their concerns.

Deputy Mayor said that one issue that needs to be addressed is the cleaning of the steps to and from the train platform after snowfall. He said this is a recurring issue and the MTA needs to dispatch teams to clear the steps promptly after a storm.

Trustee Senerchia

Trustee Senerchia stated that the parking meters along 5th Avenue and some side streets have been bagged to allow free parking to shoppers and visitors. He encouraged residents to shop with local Pelham merchants.

He said there have been some issues regarding the use of sandwich boards by merchants in the Village. He said he understood that the Village Code prohibits these sandwich boards however there has been a moratorium in effect for some time on this statute. Recently however several merchants received citations for the use of sandwich boards and subsequently received complaints from merchants about the sudden enforcement of this regulation. He stressed that this is an important issue and needs to be addressed by the Board.

Trustee Kagan stated that he believed the reason these sandwich boards were originally prohibited for safety reasons such as them becoming a trip hazard or becoming projectiles after being carried off by the wind.

Deputy Mayor Volpe said he had spoken with several merchants about this issue. He said although he felt that comparing Pelham to other municipalities is not the best gauge of the Village Code; he nonetheless feels that the current regulation does not reflect the needs of the community.

He stated that as of this evening, these sandwich boards are not permitted however he asked if Trustee McGoldrick and Trustee Senerchia could look into this matter further and develop suggestions for improving the Code. Trustee Kagan added that the Village Administrator can speak with the Chief of Police to get his input on regulation and enforcement.

Village Administrator's Report

Administrator Yamuder thanked the DPW for keeping the streets clear. He wished everyone Happy Holidays and said the parking meters along 5th Avenue have been bagged to assist shoppers and visitors. He asked that anyone parking there respect the two and three hour time limits that apply to these meters.

The Administrator stated that the Westchester County GIS department assisted the Village is developing a detailed PDF parking map for inclusion on the Village website. Deputy Mayor Volpe added that this is part of a Board initiative to further promote the parking availability in the Village of Pelham.

The Administrator finished his report by saying the New York State Department of Transportation (NYSDOT) will be working along the Hutchinson Parkway after the holidays. He said the work would be primarily between Exit 12 and Exit 8. He suggested any residents with questions should contact the DOT. Additional information will be posted on the Village website.

Item #6–Public Comment

None

Item #7– Continuing a Public Hearing To Petition The Public Service Commission For Approval To Allow The Charge For Hydrant Rental Fees From United Water Of New Rochelle To Be Spread Across The Rate Payer Base

Deputy Mayor Volpe said the hydrant rental fee resolution will require more debate and discussion. He said the Board will have to extend it into January's meetings pending more information to be provided by the Public Service Commission (PSC).

Trustee Marty stated it would be good to speak with the eight local non-profit entities that will be affected by this resolution. Administrator Yamuder stated that he had spoken to representatives of each entity by phone to make them aware of this resolution and give them time to comment. Trustee McGoldrick suggested sending out a letter from the Village to each of these non-profits.

Don Ali of United Water spoke to the Board regarding United Water's position regarding the hydrant rental fees and their disbursement amongst the rate-paying base in the municipalities. He stated that United Water has no involvement with the resolution before the Board. He said the PSC will set the rates once all the municipalities have approved the disbursement of the hydrant rental fees which will determine the impact on previously non-rate paying entities. By way of background, Mr. Ali stated that hydrant rental fees are charged to the municipality to service and maintain the infrastructure.

Trustee Kagan asked how many hydrants are in the Village. Administrator Yamuder responded there are 110 in the Village and he could find out how many are in the Heights alone.

Deputy Mayor Volpe stated as he understood the resolution, the previously budgeted amount by the Village will be apportioned to the entire user rate base in the Village. The \$110,000 which is on the Village's budget will be taken off and funneled through for equal distribution.

Trustee Kagan said he would write a letter to the Public Service Commission asking the questions he raised and asked if the other Trustees had further questions.

A motion was made to by Trustee McGoldrick and seconded by Trustee Marty to continue the public hearing. The vote was approved by a vote of six in favor, none opposed. Mayor Cassidy was absent.

WHEREAS, earlier this year the New York State Legislature adopted legislation which Governor Cuomo signed that would allow a municipality serviced by a private water company to petition the State Public Service Commission to require that a private water Company (in the Village's case United Water) spread the costs of public safety infrastructure (fire hydrants) across the water system rate base rather than directly billing municipalities for the costs;

WHEREAS, such action would more fairly pay for these costs as all water users, including those that do not pay property taxes, would share the cost rather than have the entire burden placed upon property tax payers;

WHEREAS, the legislation requires a local municipality wishing to take this action to hold a public hearing and adopt local legislation to formally petition the Public Service Commission;

BE IT RESOLVED, that the Mayor and Board of Trustees authorize the Village to petition the Public Service Commission for approval to allow the charge for hydrant rental fees from United Water Of New Rochelle to be spread across the rate payer base; and

BE IT FURTHER RESOLVED, that the Mayor and Village Administrator are authorized to take the necessary and appropriate actions to affect this petition.

Item #8– Discussion on Amending Chapter 96 of the Code of the Village of Pelham Regarding Water Bills and Late Penalties

Deputy Mayor Volpe said this resolution is part of an ongoing discussion regarding the Code language related to the Village's water billing services. Administrator Yamuder stated that he had lately received some proposed language to clarify the intent of the original Code language which makes the due date for payment 30 days from the date the bill is received by the resident.

Deputy Mayor Volpe the Village continues to investigate lost or late bill inquires. He said the Board will have to consider the cost factor with any billing options. He said the Board can review the proposed language and make comments in preparation for the January meetings.

Trustee Kagan asked the Administrator how the Board properly ages the law. Administrator Yamuder responded that the Board can call for a public hearing on the January 7th Board meeting, advertise in the local papers and on the website, and hold the hearing at the January 21st Board meeting.

Peter Wies of 230 Ancon Avenue thanked the Board for looking into this matter so thoroughly. He said he had had an email exchange with Trustee Kagan due to the fact that he has not yet received his latest water bill and stated that they are now more than a week into its payment period.

Administrator Yamuder responded that he informed that the water bills went out last week. He said any residents who feel they have not received their bills should contact Village Hall directly.

Mr. Wies suggested the Board continue to investigate looking into another vendor for these services. Trustee Senerchia stated the Board takes this matter seriously and will continue to deliberate its options.

Item #9– Other Business

Trustee Marty stated the garbage contract is going out to bid in the coming months. He said the Board should begin deliberating the options to request from bidders. He said simplifying the options from past bids will generate more interest and better prices. He said a few points to consider are:

1. Curbside Pickup- He said there are pros and cons to this option. His sense of it is that residents would be reluctant to give that option up.
2. Twice Weekly Garbage Collection- The option to consider is whether to switch to garbage collection once-a-week as opposed to twice in one week.
3. Weekly Recycling- Switching from recycling every other week to three weeks of recycling and one week of Bulk Rubbish collection.

He suggested the Board review and talk with residents about these options in preparation for the drafting of the RFP.

Deputy Mayor Volpe discussed the status of the video cameras in the Village. He said the Police Chief has received three bids with a lower bidder coming in at approximately \$1,500 a camera. He said the Police are also working with merchants who have cameras installed in their businesses to cover some blind spots as well.

Item #10– Authorizing Budget Transfers

These Budget Amendments and Transfers were requested by Finance Director Shirley Brown.

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

RESOLUTION

Re: Budget Amendments and Transfers for Fiscal Year 2013-14

Whereas, pursuant to the provisions of Section 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 appropriations accounts, excess revenues or fund balances available to cover the transfers, now therefore be it

Resolved, that pursuant to Village Law Section 5-520, the Board of Trustees hereby authorizes and directs the proper Village officers to modify the 2013-14 Budget by making the following amendments and rollovers:

2013/14 BUDGET TRANSFERS - VILLAGE BOARD MEETING DECEMBER 17, 2013

2013/14 BUDGET AMENDMENTS

CAPITAL FUND

H3120.20 Police-Bullet Proof Vests	\$	H3089.002 NYS Aid Dept of Justice	\$7,050.0
1	7,050		0
To reflect Grant from NYS Dept of Justice			

GENERAL FUND

A3120.12 Police - Special Assignment	\$	A2772 Refund for Personnel	\$
1	12,308	Services	12,308
A8560.47 Community Plantings & Beautif.	\$1,768	A2705 Gifts & Donations	\$
9			1,768

GENERAL FUND

2012/13 BUDGET TRANSFERS

A1910.91 Unallocated Insurance	\$	A1930.930 Judgements & Claims	\$
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0	5,235		5,235
A3410.41 Fire Training	\$	A3410.121 Fire Per Ser OT Training	\$
7	5,660		5,660
A1640.10 Central Gargage Per Ser-	\$	A5110.130 Public works Longevity	\$
1 Mechanic	1,415		8,575
A5110.10 Public Works Per.Ser Streets	\$	A1930.930 Judgements & Claims	\$
1	1,552		15,539
A7110.10 Public Works Per.Ser Parks	\$		
1	4,138		
A8140.10 Public Works Per.Ser Storm	\$		
1 Sewers	1,034		
A8170.10 Public Works Per.Ser St.	\$		
1 Cleaning	2,586		
A8310.10 Public Works Per.Ser Water	\$		
1	1,035		
A5110.10 PW Per.Ser Streets	\$		
3 Longevity	1,687		
A7110.10 PW Per.Ser Parks Longevity	\$		
3	4,500		
A8140.10 PW Per.Ser Storm Sewer	\$		
3 Longevity	1,125		
A8170.10 PW Per.Ser St Clean	\$		
3 Longevity	2,813		
A8310.10 PW Per.Ser Water Longevity	\$		
3	1,125		
A9030.93 Social Security	\$		
5	1,104		
To provide funding for Contract Settlement and split Longevity by percentages			
A8170.12 Public Works St. Cleaning	\$	A7110.120 Public Works Parks OT	\$
0 OT	18,000		14,000
A1640.12 Central Gargage Mechanic	\$	A8140.120 Public Works Storm	\$
0 OT	500	Sewers OT	4,000
To Reallocate Over Time		A8310.120 Public Works Water OT	\$
			500
A8560.41 Community Envir Supplies &	\$	A5110.415 Street - Supplies &	\$
5 Material	120	Materials	120
A5989.41 Traffic Equip. Supplie &	\$	A8140.415 Storm Sewer Suppl &	\$
5 Material	1,000	Materials	1,000
A9049.94 Workman's Comp Insurance	\$	A1930.930 Judgements & Claims	\$

9	120,752		46,281
		A9025.925 Local Pension Fund	\$
			4,200
		A9060.960 Health Insurance	\$
			50,000
		A9730.600 BAN Principal	\$
			20,240
		A9730.700 BAN Interest	\$
			31

TOTALS	\$	TOTALS	\$
	196,507		196,507

Item #11– Authorizing the Accounts Payable

Trustee Marty audited the Accounts Payable.

A motion was made by Trustee Marty and seconded by Trustee Senerchia to adopt the resolution. The vote was approved by a vote of six in favor, none opposed. Mayor Cassidy 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	\$124,378.48
Water Fund	\$310.00

Capital Projects Fund	\$0.00
Trust and Agency Fund	\$700.00
CD NYS Main Street Fund	\$0.00
H3 Fund	\$0.00
TE Expand Trust Fund	\$0.00
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Grand Total	\$125,388.48

NOW, THEREFORE, BE IT RESOLVED, that this Board hereby approves payment of the above mentioned claims and authorizes payment thereof.

Item #12– Authorizing Minutes of: November 19, 2013, December 3, 2013

The Board decided to table this resolution until a later meeting.

November 19, 2013- Tabled

December 3, 2013- Tabled

Item #13–Adjournment to Executive Session

A motion was made by Trustee Kagan with a second by Trustee McGoldrick to adjourn the public portion of the Board meeting at 9:30 pm and go into Executive Session to discuss a particular personnel matter at which time the Board would adjourn for the evening. The motion was approved by vote of six in favor, none opposed. Mayor Cassidy was absent.

Respectfully submitted,
Peter Bonington, Secretary to the Village Administrator