

VILLAGE OF PELHAM BOARD OF TRUSTEES
 REGULAR MEETING
 TUESDAY, MARCH 4, 2014, 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. | Authorizing the Appointment of a Part time Secretary to the Chief of Police | Approved |
| 8. | Resolution Authorizing the Settlement of Disciplinary Charges for a Firefighter | Approved |
| 9. | Discussion On Amending Chapter 77 Of The Code of the Village of Pelham Regarding Portable Signs | Tabled |
| 10. | Scheduling a Public Hearing Amending Chapter 87 Of The Code Of The Village Of Pelham Regarding Wireless Telecommunications Facilities | Approved |
| 11. | Other Business- Resolution To Accept The Following Donations Of Funds From The Pelham Preservation And Garden Society For The Purchase Of Lights for the Benedict Fountain | Approved |
| Recurring Items | | |
| 12. | Authorizing Accounts Payable | Approved |
| 13. | Authorizing Minutes of: February 4, 2014 | Approved |
| 14. | Adjournment to Executive Session | Approved |

Next Regularly Scheduled BOT Meetings:
 Wednesday, March 19, 2014
 Tuesday, April 8, 2014 (Annual Organizational Meeting)

Proposed Meetings for Budget Work Sessions:
 Monday, March 24, 2014- Building/PD
 Wednesday, March 26, 2014- FD/DPW
 Thursday, March 27, 2014- Revenue/Expense

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

The following members of the Board of Trustees were present:

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

The following members of the Board of Trustees were absent:

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 Mayor Cassidy.

Reports:

Mayor Cassidy Report

Mayor Cassidy reported that Ivor Hyden of the New Rochelle City Council contacted him regarding the status of the proposed development on Lincoln Avenue. He said there is some concern about this project.

He stated that he held a meeting with the Village Department Heads regarding the coming budget. He said the State is imposing a property tax cap of 1.6% on the Village for the coming fiscal year.

The Mayor stated he would be attending a Westchester Municipal Officials Association (W.M.O.A.) meeting to discuss a variety of issues relating to other municipalities around the County. He stated Pelham is in a similar position to many other communities and discussion amongst them will help Pelham.

Trustee Volpe said there should be an appeal generated to the State regarding the proposed tax cap. He said although he is not a proponent of higher taxes, he would like to see more information as to how they arrive at the numbers they are quoting.

Mayor Cassidy said it would be good to see how they arrive at those numbers. He said it really forces municipalities to combine more and more services.

The Mayor finished his report by saying that he considers it unfair that State government is pushing unfunded mandates on local governments. He applauds the goal of reducing taxes for residents however how this is achieved requires more investigation.

Trustees Reports:

Trustee Kagan

Trustee Kagan stated he is continuing the meet with United Water and there has been good progress since they initially began discussions and he hopes that will continue.

Trustee Kagan referenced a question by several residents regarding “No Parking” signs on Pine Avenue. He asked the Administrator to look into the matter.

Trustee Marty

Trustee Marty stated that the Village’s previous sanitation carter AAA has finished up their four year contract and that R&S Waste Services has assumed the collections for the Village.

He thanked Administrator Yamuder for seeing this contract through to fruition. Administrator Yamuder thanked Trustee Marty for his praise.

Trustee McGoldrick

None

Trustee Mutti

Trustee Mutti said Metro-North will be placing 25 bike racks around the Metro-North Station. The racks are designed to accommodate two bikes for a total of 50 that can be stored. She said she will be receiving more information about the placement which will be posted on the Village website.

She reported the Junior League is working in designs for the proposed Children’s Adventure Park in Wolfs Lane Park.

She said that the Village DPW has been salting and grading under the Highbrook Bridge for safety reasons. She said although this is a Metro-North responsibility, the Village has done what it can to ensure it is safe and passable.

Trustee Mutti commented that the commuter parking map is available on the Village website and are on the billboard at the train station.

Trustee Senerchia (via Skype)

Trustee Senerchia commented that on March 27th there will be a Chamber of Commerce sponsored side walk sales event. He added there would be an “Easter Bunny Extravaganza” as well.

He added that he reached out to County Legislator Jim Maisano with regard to flooding issues to see if he could render any assistance.

Trustee Volpe

None

Village Administrator's Report

Administrator Yamuder stated that R&S Waste Services has begun collections in the Village. He said they have extra supervisors out with the pickup crews to learn the routes and improve efficiency. He advised residents and merchants who have inquiries can contact R&S directly at (914) 231-0171 or email at pelhamsanitation@wasteservices.net.

The Administrator added that this new carter is anxious to take care of the commercial district as early as possible. He said they plan to adhere as closely as possible to the pickup time frame mandated in the schedule between 9 a.m. and 11 a.m. This will facilitate less traffic disruption and speedier pickup times. Administrator Yamuder urged merchants and apartment residents to have their garbage, bulk, or recycling out between 7 a.m. and 9 a.m. in time for collection as per the schedule.

Item #6–Public Comment

Robert Keller of 245 Wolfs Lane thanked the Board for approving the request for support for Crime Stoppers. He said that after watching the meeting he noticed there were some questions by the Board about whether Crime Stoppers is a useful and successful program. He explained several examples of how Crime Stoppers contributed to investigations around the County.

Trustee Kagan thanked Mr. Keller for his insight into Crime Stoppers operations. He said the questions raised by the Board were raised in absence of an authority to explain the benefits of the request for support. He said one of the Police Department Detectives contacted Trustee Senerchia during the meeting and stated that they supported Crime Stoppers.

Mayor Cassidy said this will be a tough budget year however there have been disturbing incidents in Pelham within the last few years.

Trustee Volpe said the administration has taken steps to install cameras in select areas to increase public safety.

John Cassone of 7th Avenue stated that he is so far impressed by the conduct of the new sanitation carter. He said he noticed that some new indictments were handed down to the principals at AAA Carting.

Mr. Cassone stated that the necessity to get under the cap means municipalities must begin to consolidate. He said while trying to reduce the mandates is worthwhile, the key is consolidation of services.

Mayor Cassidy commented that the Village has made strides in securing shared services with other communities to improve efficiency and control expenses. He said it will continue this trend going forward.

Item #7– Authorizing the Appointment of a Part time Senior Typist (Part Time) Reporting to the Chief of Police

Administrator Yamuder stated the Board approved this resolution at a prior meeting however he wanted to confirm the language of the resolution to state that this position is a Civil Service position and is subject to Civil Service requirements.

Mayor Cassidy stated he felt Mrs. Shirriffs would make a great addition to the Police Department's administrative team.

Trustee Kagan asked what would be the requirements to which Mrs. Shirreffe would be subject to. Administrator Yamuder responded there is a probationary period and submitting payroll records to Westchester County. He added that there is a Civil Service test however that is only for employees who work more than 20 hours a week; Mrs. Shirriffs resolution states she will only be working 16 hours a week.

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

BE IT RESOLVED, that the Mayor and Board of Trustees of the Village of Pelham hereby appoints Donna Shirreffe, 146 Loring Avenue, Pelham New York, effective immediately, to the position of Senior Typist (part time) reporting to the Police Chief, with an appropriate job description, subject to the requirements of Civil Service, with a one year probationary period and authorizes the Mayor, the Village Administrator and the Police Chief to take the necessary and appropriate actions to effect this appointment

Item #8– Resolution Authorizing the Settlement of Disciplinary Charges for a Firefighter

Trustee Volpe stated that a situation had developed at the Firehouse in which a Firefighter was brought up on disciplinary charges. He said this resolution is accepting a settlement reached by the Village and the employee which he feels was the result of concessions from both sides.

Trustee Volpe recommended the Board authorize this acceptance.

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

BE IT RESOLVED, that the Mayor and Board of Trustees of the Village of Pelham hereby approves the terms of the settlement agreement between a Firefighter and the Village of Pelham and authorizes the Mayor to execute the agreement on behalf of the Village.

Item #9–Discussion on Amending Chapter 77 of the Code of the Village Of Pelham Regarding Portable Signs

Mayor Cassidy stated that with Trustee Senerchia skyping into the meeting it would not facilitate a conversation on this resolution at this time.

Trustee Volpe added that Trustee Senerchia has done a lot of work on this matter and has consulted the right people to develop a solution.

Trustee Senerchia stated he hopes to have more to report at the next meeting.

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

Item #10– Scheduling a Public Hearing Amending Chapter 87 Of The Code Of The Village Of Pelham Regarding Wireless Telecommunications Facilities

Mayor Cassidy stated the Board began looking into this section of the Code after the Extenet issue. He said Chapter 87 as it currently exists is out of date and does not provide the level of protection that the Village would like. He said Pelham is not the only community dealing with this issue noting Scarsdale as a comparable example.

The Mayor said the Board intends to update the Code with the proposed local law for Chapter 87. He said a draft is available in Village Hall for public review and is posted on the Village website. He said

the Code requires a public hearing before changing the law. The Board will call for one this evening to take place on March 19th.

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

Trustee Kagan thanked the Village Attorney Cathy Woods-King for her detail oriented approach to drafting this proposed local law. He said much of the law was "Pelhamized" from other communities who had stronger protections in their telecommunications law.

Trustee Volpe said any comments regarding the local law draft should go through the Village Hall office and be addressed to the Board prior to March 19th. He wanted to make it clear that if this law is heard and passed on the 19th it will be in full force in effect.

Trustee Kagan offered his email as a way for residents to contact the Board regarding comments on the proposed law.

Mayor Cassidy stated that no law is perfect and the Board will have to be vigilant going forward in order to stay on top of these issues.

Village Of Pelham, NY

Scheduling a Public Hearing for Local Law #2-2014 Amending Chapter 87 of the Code of the Village of Pelham regarding wireless telecommunications facilities.

The Board of Trustees of the Village of Pelham hereby schedules a public hearing to be held at 7:30 p.m. on Wednesday, March 19, 2014, in Village Hall at 195 Sparks Avenue, Pelham, NY, on a draft proposed Local Law that would amend the Code of the Village of Pelham, as follows:

**A Local Law Amending Chapter 87 of
the Code of the Village Of Pelham
Regarding Wireless
Telecommunications Facilities**

A copy of the draft proposed Local Law is on file in the offices of the Village Clerk and may be viewed during normal business hours of 8 a.m. to 4:30 p.m., or an electronic copy may be obtained from the opening page of the Village's website www.pelhamgov.com.

By Order of the Mayor and Board of Trustees
Terri Rouke, Village Clerk
Publication date: March 7, 2014

Item #11– Other Business- Resolution to Accept the Following Donations of Funds from the Pelham Preservation and Garden Society for the Purchase of Lights for the Benedict Fountain

Administrator Yamuder said there has been a request by the Pelham Preservation and Garden Society to place two lights on Benedict Fountain which is owned by the Village. He said the resolution will accept the donation from the Society for two lights in the amount of \$127.52.

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

Trustee Mutti said this is a great community project. The Pelham Preservation and Garden Society have worked hard to improve the aesthetic of the fountain.

She added that the Pelhamwood Neighborhood Association is working on some improvement initiatives as well. Trustee Volpe asked what the cost would be to make the fountain functional. Trustee Mutti said it is difficult to tell and it would require more information to give a better answer.

BE IT RESOLVED, that the Mayor and Board of Trustees of the Village of Pelham authorize the acceptance of the following donation, by the Pelham Preservation and Garden Society in the amount of \$127.52 for the purchase of lights for Benedict Fountain on Pelhamwood.

Item #12– Authorizing the Accounts Payable

Trustee Marty audited the Accounts Payable.

Trustee Volpe suggested submitting the bill received from the Village's legal counsel to Extenet for payment. He said although Extenet has retained the right not to pay the Village's legal expenses, he feels it is better to request payment upfront as opposed to try and recoup the money later.

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

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 | \$61,685.03 |
| Water Fund | \$725.77 |
| Capital Projects Fund | \$0.00 |
| Trust and Agency Fund | \$562.50 |
| CD NYS Main Street Fund | \$0.00 |
| H3 Fund | \$0.00 |
| <u>TE Expand Trust Fund</u> | <u>\$0.00</u> |
| Grand Total | \$62,973.30 |

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

Item #13– Authorizing Minutes of: February 4, 2014

A motion was made by Trustee Volpe and seconded by Trustee Kagan to approve the minutes of February 4, 2014. The vote was approved by a vote of seven in favor, none opposed.

Item #14– Adjournment to Executive Session (if needed)

A motion was made by Trustee Volpe with a second by Trustee Kagan to adjourn the public portion of the Board meeting at 8:50 pm and go into Executive Session to discuss a contractual and a particular personnel matter after which time the Board would adjourn for the evening. The motion was approved by vote of seven in favor, none opposed.

Respectfully submitted,
Peter Bonington, Secretary to the Village Administrator