

VILLAGE OF PELHAM BOARD OF TRUSTEES
REGULAR MEETING
TUESDAY, MAY 5, 2015, 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.	Presentation regarding the Pelham Business Club and the Pelham Chamber of Commerce	Discussed
8.	Presentation by Pelham Preservation and Garden Society on Pelham Downtown Historic District	Discussed
9.	Resolution Authorizing an Agreement for AKRF to Prepare an EAF as per SEQRA Requirements for Determination of Significance for the Wolfs Lane Park Project	Approved
10.	Resolution Authorizing the Successful Completion of Probation for Firefighter Morello	Approved
11.	Public Discussion and Consideration of the Village of Pelham's MS-4 Report Under the EPA Phase 2 Stormwater Management Guidelines, and Authorizing Submission to the NYSDEC for Consideration of Renewal of the Village's SPDES Permit	Discussed No Public Comment
12.	Resolution Authorizing A & D Recreation, Inc. to Perform Safety Audit on Children's Woodland Park	Approved
13.	Resolution Approving Renewal of a Three Year Contract for Complus	Approved
14.	Authorizing the Government Efficiency Plan (GEP) and Certifications	
15.	Resolution to Accept a Donation from the Junior League of Pelham for the Fence and Plantings in the Woodlands Children's Play Area in Wolfs Lane Park	Approved
16.	Other Business-Discussion of the Leaf Blower Law and Enforcement	Discussed
Recurring Items		
17.	Authorizing Minutes of: April 7, 2015	Approved
18.	Authorizing Accounts Payable	Approved
19.	Adjournment to Executive Session (if needed)	Approved

Next Regularly Scheduled BOT Meetings:

Tuesday, May 19, 2015

Tuesday, June 2, 2015

All meetings start at 7:30 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.

The following members of the Board of Trustees were present:

Trustees Mutti, Reim, Ferrara, and Marty. With Trustee Kagan skyping in.

The following members of the Board of Trustees were absent: Trustee Cassidy

Village staff in attendance:

Administrator Yamuder

Item #2 – Pledge of Allegiance:

The Pledge of Allegiance was led by Mayor Volpe

Mayor Volpe explained that the original order of the meeting was being revised and that there would be some additions to the meeting agenda as well as the change in order.

Reports:

Trustees Reports:

Trustee Marty had two things to report. He congratulated Eco Pel and all of the people who contributed to the April 25th Cleanup. He said that the group was especially proud of the Boston Post Road Hutch interchange which was much cleaner. He also pointed out that he would be raising new business about revisiting the leaf blower law that he was working with Trustee Ferrera on.

Trustee Mutti reported that there had been many complaints about the MTA steps at Highbrook. She explained that Metro North repaired them in very short order and that they had done a very nice job. She said that it was encouraging that there was such a great turnaround especially with the issues with schedules and late trains. She said that they were actively looking for someone to serve permanently on the Citizens Committee and for the first time in three years there would be representation for the New Haven line on that committee. She mentioned the green space and that she would like to recognize Susan Seither, a resident of Pelhamwood and an active member of the Pelhamwood Association, who was tireless in making green spaces more beautiful. She listed a number of spaces that Susan had beautified such as the Young Avenue Park, the Harmon Clock

Tower and the Benedict Fountain. Her next item to report was the landscape buffer that was going in to Wolfs Lane Park in conjunction with the children's playground. She said that the plantings were nearly complete and that the DPW was doing the planting. She explained that Pelham Preservation had donated the cost of the landscaping materials. She went on to say that it was a lovely collaborative effort and that it will make a nice difference for the neighbors in the area and for all of those who enjoy the downtown. She was hoping for the ribbon cutting and grand opening in early June.

Trustee Kagan reported that on April 29th the New York State Public Service Commission gave the Village the okay to announce the United Water Plan for the transition. He said that the Village had requested the turnaround coincide with the next water reading at the end of May. He explained that it would make a nice tidy transition but that it would also overlap with the end of the fiscal year. He asked Administrator Yamuder if he had followed up with Attorney Chris Fisher regarding AT & T. He said that he would like to make sure that there was a follow up because there is the issue of the open permit and the increased rent that was requested by the Village.

Mayor Volpe responded that he and Adam would follow up with Mr. Fisher.

Trustee Kagan ended his report by saying that he was excited to see the playground installation.

Trustee Reim wanted to echo the thanks to all of those who volunteered for the cleanup with the Eco Pel. He said that everything looked great and that it was a very generous contribution making it a beautiful way to come into spring. He went on to report that the Fire Department had a quiet two weeks. He wanted to remind everyone that the firefighters are in good shape and that to stay in good shape they worked out. He asked residents if they are cleaning out any old exercise equipment and they are not sure what to do with it, the Fire Department might be able to put it to good use. He also asked that if residents see a member of the Fire Department they please remember to say thank you because they keep us safe.

Trustee Ferrara asked that everyone save the preliminary date, May 21, for the Police Awards Ceremony. She also reported that Chief Benefico reminded everyone to lock their cars because there had been some incidents of people going into unlocked cars. She also spoke about the amount of work that had happened over the past week with the Junior League with regards to the Woodland Park. She gave an update on the monies received for reimbursements that the Village had received for the playground designer and equipment, the deposit for the fencing and the full payment for the plantings, and the full and final payment for the landscape designer and the trash cans. She said that the only outstanding item that she hoped would be resolved by the next meeting was the recognition pavers and the concrete pathways. She moved on to report that, on Monday the work would begin on the new website with Virtual Towns and Schools, with a meeting that would give them a sense of what we are looking for and hear their perspective of what they thought we would need.

Village Administrator's Report

Administrator Yamuder said that he had two quick items to speak about. He reminded residents that as scheduled the organics and grass clippings can no longer be left loose at the curb, they must be bagged as of April 30th. He also reminded everyone that also on April 30th, by code, the Village does not allow gas powered leaf blowers to be used in the Village. He explained that they are used the homeowner could be subject to a violation. He said that later in the meeting there would be a discussion about these laws and how to effectuate them, who gets the violations and how to enforce that.

Mayor Volpe said that with regards to reports at future meetings that he wanted to have reports on Trustee assignments to see exactly where we stand with them. He explained that he is involved with all of the collective bargaining and wanted the public to know that it had begun with the Fire Department for a new contract and they would try to finish the collective bargaining with the Police Department in a session on May 22 with the help of a state appointed mediator to try to avoid interest arbitration. He said that there had been some concern in the public in the past that this kind of information had not been disclosed. He informed the public that he will disclose this information. He asked that anyone who had questions about any contracts new or old contact the Village Administrator and he would give them the contracts. He said that in the future the Board would ask that Chief Benefico and Chief Stone to attend a couple of Board meetings a year. He reminded everyone that, as Trustee Ferrera pointed out, the upcoming ceremony for the Police awards was an important one that recognized the important work that the police do. The Mayor moved on to a report about the budget. He said that for the fiscal year beginning on June 1 and ending on May 31 that he was happy to report that through the efforts of his colleagues our that the budget came in very much in line with the projections. He said that this budget was slightly under last year and again slightly under that one this year. He said that this was good news for the community.

The Mayor next reported on the transfer of the Pelham Heights water system to United Water. He said that this turnover was good for the community and that it was important to make the turnover to someone who could properly service the infrastructure. He went on to describe a tiny water main break a month ago that cost the Village 25 to 30 thousand. He went on to thank Administrator Yamuder, Trustee Kagan, Former Mayor Cassidy and Village Attorney Cathy Woods-King for the smooth transition.

Item# 6-Public Comment

None

Item# 7- Presentation regarding the Pelham Business Club and the Pelham Chamber of Commerce

Joseph Solimine Jr, President of the Pelham Chamber of Commerce commended the Board on their service to the Village. He went on to explain that Louisa DeCicco, Vice President of the Chamber of Commerce, is also the founder of the Pelham Business Club. He also recognized Joe Nunziata who is the Chair of the Pelham Chamber Marketing Committee.

Mr. Solimine explained that the Chamber had been on a respirator for the last six months and that they saw this as an opportunity to take over and rework the Chamber because there was a lot of energy right now, so it would be the right time to revitalize and rebuild the infrastructure. He said that the results would be seen in the fall and many years to come. He said that one of the first decisions that was made was that the Chamber would take off a year of from having the street fair. He explained that it was a tremendous amount of work. He also explained that it had changed to include a lot of outside vendors and that the Chamber was trying to get away from that. He said that Luisa and Joe had come up with the concept of a block party which would be a smaller version of the fair with the focus on promoting Pelham businesses and non-profits. He went on to discuss the funding for the Block party and how much added expenses the Village might incur and how much might land on the Chamber's doorstep. He wanted to be very careful about this because the Chamber did not have funds.

Mayor Volpe said that he wanted to deal with that right up front. He went on to say that he appreciated the efforts of the Chamber and that he personally felt that the expenses should not fall on the Chamber. He reminded everyone that 2 ½ years ago everyone during elections had talked about reinvigorating the downtown. He said with this smaller block party certain costs would be reduced. He went on to say the this was not put in the budget but that the Board could certainly figure out a way to find a little money to pay for this. His only concern and something that he would get technical with, would be the insurance.

Luisa DeCicco spoke about the Pelham Business Committee and how it did not cost to join and that this group was created to help the Town. She explained that they had no means to advertise but that they have a Facebook page of businesses owned by people who live in Pelham. She said that they have about 600 members in the past 2 months. She said that this small event would give exposure to businesses allowing people to come see what is offered and what businesses have.

Mayor Volpe asked Luisa how it would work if a Pelham Manor business wanted to participate.

Luisa said that those businesses could be included and she gave her email address so that people could contact her.

Trustee Marty said that even though businesses on Wolfs Lane were not in the area closed off for the block party they would be welcome as well and everyone in the business club could have a table.

Trustee Ferrera asked if other businesses were hosting.

Luisa DeCicco said that any business with a storefront can host others and each store could share with more than one business.

Mayor Volpe suggested ways to get the details out; it would be put on the website, into the Pelham Weekly and maybe walking business to business.

Joe Nunziata said that he has been in advertising a long time and that he was proud to be a part of this resurrection of the Chamber and starting the Pelham Business Committee. He said that the spirit from these people would become viral.

Mayor Volpe thanked them for coming because the Board needs clarification about the change to the Block Party from the Street Fair. He went onto say that he would be in favor of the Village paying for limited overtime. He said in the past this overtime had been about \$2600.00 but for this event might be around \$1500.0 or less. He wanted to give the Chamber assurance and authorize the overtime.

Deputy Mayor Mutti agreed and said that it made sense. She said that the only way to lift the downtown is with a collaborative effort. She said that is an exciting time for the downtown and there is a lot of energy right now. She said that it is inspiring how everyone has stepped up.

Trustee Marty agreed that there was a unique quality about the block party and the Fair and what it does for us. He said that this promotes the entire downtown and he was perfectly comfortable with that decision.

Trustee Reim said that he was entirely in support of the obvious thing to do. He said a month we are a month away from June 6th and that everyone should remind their neighbors that this is a great event. He said that with all of the great restaurants that it was a great opportunity for everyone to get out and walk the streets.

Mayor Volpe then asked Trustee Kagan if he had any concerns.

Trustee Kagan replied that he has concerns that we do not want to favor one group over another and that maybe we should take another look at this.

Mayor Volpe responded that as long as any businesses or any non-profit will be included maybe the Town and Pelham Manor will be willing to help with the costs.

Trustee Marty said that this is raising another question and that Trustee Kagan is worried about other events using the downtown.

Trustee Ferrera said that this is inclusive and we are asking everyone to join.

Mayor Volpe said that we will find a way to make this work. He appreciated the explanation that was given tonight and that the clarity was very helpful. He went on to say that he would reach out to the Town of Pelham and Pelham Manor and that maybe this would fall under shared services.

John Cassone of Seventh Avenue reminded the Board that at the last meeting he had asked for more information about residents having a table and is there a cost for a table.

Trustee Ferrera replied that yes residents could have a table and that there was no cost.

Item # 8 Presentation by Pelham Preservation and Garden Society on Pelham Downtown Historic District

Mayor Volpe introduced Michael Carpenter, President of the Pelham Preservation to give a presentation regarding the potential for a Downtown Pelham Historic District.

Michael Carpenter explained that Pelham Preservation and Garden Society is a nonprofit that has been in existence since 1999 and that their purpose is to foster community understanding and appreciation of the architecture, historic structures, natural beauty and aesthetic character of the Town of Pelham and surrounding areas.

He went on to give his presentation to clarify what a historical district involves. He explained that a historic district is a group of buildings or structures and sites related architecturally and or historical and listed together on the state and national registers. He said that what makes Pelham special and unique is that the commercial district is several blocks long and its historic core is that there are very few post 1930 buildings or major alterations on existing buildings so this would qualify under the law. He went on to address some concerns that the property owner or business might have. He explained that they would have the same rights tomorrow that they have today. He clarified saying that the property owner would have the right to remodel, alter, paint, manage, sell or demolish. He also went on to list some of the benefits , the fact that it would be a badge of honor for the village, that owners of listed historic properties may qualify for a preservation tax credit and that not for profits and municipalities that own listed properties are eligible for grants. He finished his presentation showing what areas would be included in the district along Fifth Avenue to Third Street down Wolfs to Sparks Avenue taking in the Railroad Station and Pelhamwood including Children's' Woodland Park.

Trustee Reim asked if this excluded the gas stations beyond Sparks.

Mr. Carpenter explained that it did exclude the businesses past Sparks and that the reason was that there had to be a certain number of conforming and a limited number of non-conforming numbers in the district and that the number of nonconforming in that area going south would be too great.

Mayor Volpe asked Mr. Carpenter if the district is defined by a consultant who takes into consideration elements defined by the state.

Mr. Carpenter said that yes, if this moves forward the state might walk the district and move some of the boundary lines.

Mr. Cassone asked why the Fire House was excluded.

Mr. Carpenter explained the Fire House on its own might qualify as a historic building but that going north had the same issue as going south that there were too many non-conforming buildings to get to the Fire House. He said that if this was to move forward that the next two things that need to be done were a letter from the Village of Pelham to the New York State Historic Preservation Office and in addition to that letters of support from a number of property owners within the proposed district showing their support would be critical and that the consultants say that a good number of property owners showing support is between forty to forty-five percent.

Mayor Volpe asked how many owners that would be.

Mr. Carpenter said that he did not know that there were 51 properties in the area but that some of them are the same owners.

Deputy Mayor Mutti said that the Village of Pelham would be writing as an owner not just as a municipality because then we would be able to apply for grants for the park.

Mr. Carpenter said that the Town would be an owner as well.

Trustee Reim asked for the explanation of the badge of honor benefit.

Mr. Carpenter gave an example that an apartment or business owner could use this as a selling point if they put that they were located in the Pelham Historic District on marketing information.

Deputy Mayor Mutti said that there is signage that can be displayed by the property owner. She went on to say that we are one of the few municipalities in the area to qualify for this honor and that Pelham Preservation has done research and spent a significant amount of money to try and get to this point.

Trustee Reim asked why it had taken so long, why the delay.

Mr. Carpenter replied that during the first process there were misunderstandings and that the State was not looking for any adversarial positions.

Mayor Volpe then asked if the Village had signed a letter before during the first process.

Michael Carpenter said that yes the Village had signed a letter in the fall of 1999, with a 7-0 resolution.

Mayor Volpe asked if there were any other municipalities that have historic districts.

Mr. Carpenter replied that he did not know of any in the area but that there were some upstate and on Long Island.

Mayor Volpe spoke about the point raised by Mr. Cassone regarding the Fire House. He said that, even though it was not in the district at least the Village should consider putting together a letter and was in favor of using the letter as a tool to go to the landowners to say that we are requesting the Fire House be designated a historic building so that the Village may be able to apply for grants to allow the Fire House to be fixed up.

Deputy Mayor Mutti brought up the New York and Boston Westchester, which she said was eligible for historic status. She said that it would be nice to be able to use these historic designations to market the Village.

Trustee Marty said that he believed that he was for this but said that he wanted to ask the skeptical questions. He went on to ask how good is good and how bad is bad. He also wanted to know who if the district is formed did this help get grants and are there cases where this has worked.

Mr. Carpenter explained that it is not big money, there are not a lot of projects, there is no downside and no restrictions if a historically conforming building wanted to raise a building, this would not stop it.

Trustee Marty asked if even if there are no restrictions could this be used to restrict development.

Mr. Carpenter responded that listed or not if something came in non-conforming that people would have an issue whether it was historic or not.

Deputy Mayor Mutti said that she was completely in favor because the historic designation increases the grant opportunities and this was a path to get grants for the New York and Boston Westchester properties. She went on to say that people have preconceived notions and that the misinformation needed to be managed.

Mr. Carpenter agreed and said that this was not the same as the Landmark Preservation in New York City. He stated that it was a not the same government or the same jurisdiction and that the perception was there and that they needed to do their best to fight that.

Deputy Mayor Mutti asked if the next step was to have a meeting with the business owners.

Mr. Carpenter said that there was no need for a meeting and that there would be a letter of Village support and that they would reach out to individual owners one on one.

Mayor Volpe explained that they did not need a resolution but that he would like to do more homework, do more research, pull out old information and consider the project on May 19.

Michael Carpenter said that it would be a slow process and that if everyone talked to one another and got each other to write letters the state will let us know the numbers not including names. He said that 40% support was needed.

Deputy Mayor Mutti asked if there were only certain times of year that these were reviewed.

Mr. Carpenter answered that they were reviewed quarterly.

Trustee Kagan asked why the resolution in 1999 did not go any further and that we want to make sure that we don't do the same thing now.

Michael Carpenter explained that last time when this got to Albany for a public hearing a group of owners, that had originally supported this, changed their minds at the last minute. He said that if there are any issues the State will not support.

Mayor Volpe asked if they were still owners of those properties.

Mr. Carpenter said yes that they would be reaching out to those owners first.

Mayor Volpe said that if the Village can come up with a letter that there should be a joint session with Pelham Preservation, The Village Board and those owners.

Trustee Ferrera reminded everyone that this is a marketing opportunity for the Village.

Mayor Volpe said that the next step was to do more research, develop a working plan and move forward with a joint meeting. He said that we were looking at September or the end of the year for the next session.

Item # 9. Resolution Authorizing an Agreement for AKRF to Prepare an EAF as per SEQRA Requirements for Determination of Significance for the Wolfs Lane Park Project

Mayor Volpe said that pursuant to the entire Wolfs Lane Park Project that the Village has a legal obligation to comply with the SEQRA regarding the potential environmental impact. He then introduced Graham Trelstad and Peter Farrow of AKRF.

Mr. Trelstad explained that they had presented to the Board in February for the proposed Wolfs Lane Park Improvements. He described how they would help with the SEQRA by filling out the forms and communicate with several State agencies. He explained that this area is sensitive because of previous archeological resources because of its proximity to the Hutch. He said that included in their proposal was a contingency task to perform Phase 1A investigation should SHIPPO need more information. He said that that investigation would describe how the land had previously been used and the potential for sensitivity. He said that they could provide the necessary documentation to expedite this and would draft a letter to be sent to the DEC and SHIPPO on Village letterhead and that they would prepare the long Form EAF.

Mayor Volpe spoke to clarify so that the public would understand that the Village would further retain AKRF so that they would do the EAF and at the end of the process they would contact the applicable state agencies, the EAF would be completed and then the Board on the advice of AKRF would come up with a determination of significance.

Mr. Trelstad said yes that he could give examples, first would be a negative declaration where a determination would not be likely because there would be no adverse impacts and that would conclude the process, the other option would be a positive declaration where there may be one significant potential impact, where additional analysis would be necessary and the form of an Environmental Impact Statement. He said that SEQRA outlines the whole process and that is generally takes several months and there would be a public hearing.

Trustee Reim asked what the cost of this might be

Mr. Trelstad said that it varies in complexity and that you could spend thousands but that their proposal has a budget of \$7500 for EAF and if they have to do an EIS they budgeted \$8000 plus they might need a little more to look at alternatives, potentially it could be tens of thousands for a project if this scale.

Mayor Volpe asked if the Board had any questions.

Deputy Mayor Mutti asked if they felt that based on Sean Jancski's plans if they understood the spirit of the project.

Mr. Trelstad replied that they understood the spirit but if they were retained they would like to be in touch with Mr. Jancski to include details and his drawings in the EAF and in the correspondence to the DEC and SHIPPO.

Trustee Ferrera asked Mr. Trelstead if he said that this would take a couple of months.

Mr. Trelstad said that to do the EAF and the outreach to the two agencies they had budgeted about 30 days for a response. He wanted to remind the Board that it was important that they cannot formally approve or undertake a vote to fund or start construction of the project until the determination of significance is completed.

Trustee Kagan said that he had no questions but that he had asked the Administrator to rewrite the resolution.

Mayor Volpe said that he also had a rewrite of the resolution.

Trustee Reim asked if there is a contingency task does it trigger an auto pay.

Mr. Trelstad said that no they would have to go back to the Board.

Mayor Volpe reminded the Board that if a long form EAF is done and it requires further review that they might find that it is so costly that the whole project could go away.

Administrator Yamuder said that the resolution stopped at a \$7500 max.

Trustee Reim said that we are not creating a new park but renovating a park. He asked Mr. Trelstad that under his experience was there a high or low possibility that it might run into a positive declaration.

Mr. Trelstad answered that it was likely a low possibility however he would not represent anything.

Trustee Reim said that he had one last question and asked, that the way it is written in the opening letter of the proposal, it also expressed a proposed plan from which they are operating. He asked if we were obligated to stay exactly the way that the plan is if we get the negative declaration that we hope for.

Mr. Trelstad said no, that as long as changes or alterations are not significant and as long as they can be documented changes could be made.

Mayor Volpe read the resolution into the minutes.

WHEREAS, the Village of Pelham is planning to renovate the existing Village Park which is currently a passive park that stretches from Boulevard to First along Wolfs Lane;

WHEREAS, the concept plan which has been conceptually designed by Sean Jancski Landscape Architects includes, among other items currently, enhanced pedestrian entrances at Boulevard, West Second Street and several other places along Wolfs Lane; defined walking paths through the park, defined seating areas, a sculpture garden, a "Village Green" plaza with a memorial monument, new signage, and bocce courts, funded by a grant secured through State Senator Jeff Klein;

WHEREAS, the project will require an analysis of the proposed projects impacts on environmental and cultural resources in accordance with the State Environmental Quality Review Act (SEQRA);

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham hereby authorizes a contract between the Village of Pelham and AKRF of White Plains , NY, to prepare a long form EAF as per SEQRA Requirements for Determination of Significance for the proposed renovations for Wolfs Lane Park in an amount not to exceed \$7,500.00; and

BE IT FURTHER RESOLVED that the Mayor is authorized to sign this contract and the Mayor, the Village Administrator and the Village Attorney are authorized to take all necessary and appropriate actions to effect this agreement.

A motion was then made by Deputy Mayor Mutti 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.

Item # 10 Resolution Authorizing the Successful Completion of Probation for Firefighter Morello

Mayor Volpe explained that Firefighter Morello had been hired six months ago and had now completed his required probation on the recommendation by Fire Chief Stone. He then read the resolution into the minutes.

BE IT RESOLVED, that the Mayor and Board of Trustees hereby authorize the acknowledgement of successful completion of probation for Anthony Morello as a Firefighter, which is approved based on the positive evaluation and recommendation of the Fire Chief.

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

Item #11. Public Discussion and Consideration of the Village of Pelham's MS-4 Report Under the EPA Phase 2 Stormwater Management Guidelines, and Authorizing Submission to the NYSDEC for Consideration of Renewal of the Village's SPDES Permit

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 2014 to March 2015. The report must be compiled and submitted to the NYSDEC by June 1, 2015.

Trustee Kagan questioned the date that this report had been posted and asked if it was the correct date.

Administrator Yamuder said that he would check with the engineers if that was the correct date for the posting.

Trustee Reim asked what the Village's method was for detecting illicit discharges.

Trustee Yamuder said that no if there was an illegal sanitary overflow into the storm system it would go through a reporting period and be noted in this report. He also said that there had been some several years ago but there were not any in this reporting period.

Trustee Reim asked if there was a formal process for looking for these.

Administrator Yamuder explained that every year the Village does a check of the systems.

Mayor Volpe asked Administrator Yamuder to please ask the engineers if the date that was questioned is correct and he also questioned the training. He said the last one done was in 2010. He wanted to know if there was a training requirement.

Administrator Yamuder explained that it was just reporting at this time.

Mayor Volpe asked if at some point wouldn't the Village have to do more training.

Administrator Yamuder said that it is not required every year.

There was no public comment regarding the MS-4 Stormwater Report.

Item# 12. Resolution Authorizing A & D Recreation, Inc. to Perform Safety Audit on Children's Woodland Park

Administrator Yamuder explained that this is a resolution to retain A & D Recreation to do a safety audit on Children's Woodland Park and that we were required by the state to have the audit done.

Mayor Volpe said that this proposal looked fair and that it was something that we were required to do. He also noted that it was to be funded by the Junior League.

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham hereby authorizes A & D Recreation, Inc. of Mamaroneck, NY, to perform a safety audit on play equipment in Children's Woodland Park, performed by a NPSI Certified Playground Safety Inspector following the current CPSC guidelines, ADA and ATM standards for the amount of \$995.00; and

BE IT FURTHER RESOLVED that the Junior League of Pelham is funding the cost of these inspection services; and

BE IT FURTHER RESOLVED that the Mayor is authorized to sign this contract and the Mayor, the Village Administrator and the Village Attorney are authorized to take all necessary and appropriate actions to effect this agreement.

A motion was then made by Trustee Ferrera and seconded by Deputy Mayor Mutti to approve the resolution.

The Mayor asked if there was any discussion.

Deputy Mayor Mutti stated that this was important because of the fabricated nature of the equipment it needed to be made safe. She went on to say that the DPW would be trained to watch for problems. She said that an inspection would be required every year. She also reported that A & D carried their own liability so that we have many layers of insurance.

Trustee Kagan asked if A & D had seen all of the revisions because the original plans were April 1, 2014.

Deputy Mayor Mutti said that, yes there had been many revisions and that they had received all of them.

The vote was approved by a vote of six in favor, none opposed. Trustee Cassidy was absent.

Item #13 Resolution Approving Renewal of a Three Year Contract for Complus

Administrator Yamuder gave a summary explaining that Complus handles the in and out of state ticketing process for the Village and that this is a renewal of a three year contract with them. He said that several years ago the Complus take on the contract had been negotiated down from 17% to 12.5 % and that this contract retained the same 12.5 %. He said that our Village Attorney John Gallagher had looked at this contract and that Complus had agreed to his changes.

Mayor Volpe asked if this was a straight renewal with the same financial terms.

Administrator Yamuder replied that there would be no financial changes.

Mayor Volpe said that the resolution needed to reflect the fact that this was not just for the financial terms but for the renewal of the complete contract.

Trustee Ferrera asked if the 12.5 % was what other municipalities paid.

Administrator Yamuder said yes that is what other municipalities pay.

Trustee Reim asked if a three year contract is necessary.

Trustee Marty responded to that by saying that we get equipment from them and we might not be able to do that if there was a one year contract.

Administrator Yamuder pointed out that if it was a one year contract they could raise the rates every year.

Mayor Volpe said that the Village should do their due diligence and review this at the end of the year.

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham hereby authorizes a three year contract renewal between the Village of Pelham and Complus Data Innovations of Elmsford, NY, to provide for the processing of parking tickets using the FastTrack Parking Ticket Management System; and

BE IT FURTHER RESOLVED that the Mayor is authorized to sign this agreement and the Mayor, the Village Administrator/Treasurer and the Village Attorney are authorized to take all necessary and appropriate actions to effect this agreement.

A motion was then made by Deputy Mayor Mutti 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.

Item # 14. Authorizing the Government Efficiency Plan (GEP) and Certifications

Mayor Volpe explained that the Village of Pelham is one of 40 entities' that signed on with the County government to participate in the Government Efficiency Plan. He said that this plan does two things, first it gets the proper submissions to the state and second it proves to the state that we qualify for the tax rebate of 1% for each resident. He went on to say that some governments have done their own submissions. He asked everyone to note that they would only see three items on the Village's list while we had submitted 10 or more, far in excess of the amount needed to qualify. He said that the County had whittled every community down. He said that this requires certifications that have to be signed by the CFO and Chief Elected Official or the Budget Officer of the Community. He told Administrator Yamuder that he had no problem with the certifications and if he would prepare them the Mayor would sign them

Trustee Reim questioned Administrator Yamuder and asked is there any implied allegation that of the \$324,000 in savings ideas, are we supposed to do all of them or are we just showing that we can get over the \$104,000.

Administrator Yamuder replied that even if we are over the \$104,000 by \$1.00 that we are okay. Once we join the County plan we are under their umbrella of the 1% of their tax levy so they are well in excess of the numbers needed to qualify and that is why other municipalities join. He wanted to inform the public that he did get the certification that we had adhered to the tax cap and are eligible for the rebates.

Item # 15 Resolution to Accept a Donation from the Junior League of Pelham for the Fence and Plantings in the Woodlands Children's Play Area in Wolfs Lane Park

Mayor Volpe said that this resolution seemed very straightforward for the fencing and the plantings for the Children's Woodland Park.

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham authorizes the proposal from Gun Hill Fence in the amount of \$19,878 for the fence in Woodland Children's Play Area and the proposal from Shemin's Nursery in the amount of \$3,611.00 for plantings in Woodland Children's Play Area with continued thanks to the Junior League for their contributions to fund the project.

BE IT FURTHER RESOLVED that the Mayor is authorized to sign this agreement and the Mayor, the Village Administrator/Treasurer and the Village Attorney are authorized to take all necessary and appropriate actions to effect this agreement.

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

Item # 16. Other Business-Discussion of the Leaf Blower Law and Enforcement

Trustee Marty reported that he had some other business to discuss. He said that the issue regarding leaf blowers comes up every year. He said that there are many complaints in the Village with regard to the use of leaf blowers. He then read the section of the code Chapter 68 Peace and Good Order Article V that gives the dates and times that leaf blowers are allowed to be used in the Village. He explained that the time for leaf blowers to be used was over for the summer. He also explained that the article enforced against the owner of the property where the violation occurred. He and Trustee Ferrera would look at the law and talk to Chief Benefico to see what options there are and possibly make the owners of the equipment liable for the charges for the violations. He said that there had been a strong reaction against that in the past but that we should take another look at this.

Trustee Ferrea asked what the fine was for this violation.

John Cassone said that he thought that it was up to \$200.00.

Deputy Mayor Mutti said that law for all intents and purposes does not exist and that we need to come up with an enforcement policy.

Mayor Volpe said that he did not disagree and that if we change the law that we should be considering other municipalities and see if they have any language on the operation of this equipment. He said that if the violation could go to both the owner and operator that enforcement might be easier.

Trustee Ferrera said that communication is the first layer of this and that we have to remind people of this code and then move on to enforcement.

Trustee Reim said that it is okay for neighbors to ask other neighbors why their contractors are using leaf blowers. He said that maybe they are not aware that they are being used on their property during the day if they are away and that the contractors should be made aware of this law.

Deputy Mayor Mutti said that flyers have been sent in the past.

Mayor Volpe said that Trustees Marty and Ferrera should have a meeting and then give an update to the Board of what is needed to move forward.

Item # 17. Authorizing Minutes of: April 7, 2015

A motion was then made by Deputy Mayor Mutti and seconded by Trustee Ferrera to approve the minutes. The vote was approved by a vote of six in favor, none opposed. Trustee Cassidy was absent.

Item # 18. Authorizing Accounts Payable

Trustee Kagan is auditing the Accounts Payable.

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	\$224,917.78
Water Fund	\$66,602.95
Capital Projects Fund	\$0.00
Trust and Agency Fund	\$350.00
CD NYS Main Street Fund	\$0.00
H3 Fund	\$0.00
TE Expand Trust Fund	\$0.00
Grand Total	\$291,870.73

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

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

Item # 19. Adjournment to Executive Session

A motion was then made by Trustee Marty with a second by Trustee Reim to adjourn the public portion of the Board meeting at 9:40 pm and go into Executive Session to discuss two particular personnel matters and a labor relations item 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,
Terri Rouke, Village Clerk