

VILLAGE OF PELHAM BOARD OF TRUSTEES
REGULAR MEETING
TUESDAY, SEPTEMBER 16, 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.	Resolution Authorizing the Professional Review Services for the Permit Application of ExteNet Systems, Inc	Approved
8.	Authorizing the Appointment of a Firefighter In the Pelham Fire Department	Tabled
9.	Other Business	Discussed
Recurring Items		
10.	Authorizing Budget Transfers	Approved
11.	Authorizing Accounts Payable	Approved
12.	Authorizing Minutes of: September 2, 2014	Approved
13.	Adjournment to Executive Session	Approved

Next Regularly Scheduled BOT Meetings:
Tuesday, October 7, 2014
Tuesday, October 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 Mayor Cassidy at 7:30 p.m.

The following members of the Board of Trustees were present:

Mayor Cassidy, Trustees Senerchia, Mutti, Marty, Volpe, Reim, 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 stated the Business Development Committee held its first meeting last night at the Village Hall. He said it showed all involved that there will be a great deal of work to do. The purpose of the Committee is to help merchants in the Village as well as attract new business to the area.

He said the 9/11 ceremony was well attended and thanked Fire Chief Stone and Fire Lt. Benkwitt for their participation.

The Mayor finished his report by saying that the noise issues related to Metro-North continue to be a problem. He said it has gone from a minor annoyance to a quality of life issue. He said the Village intends to work with Assemblywoman Amy Paulin and Senator Jeff Klein to resolve these complaints.

Mayor Cassidy commented before the close of the meeting that the preliminary audit report indicates that the Village's fund balance will go up approximately \$115,000 from last year. He thanked the department heads for their efforts in bringing in revenues and decreasing expenses.

Trustees Reports:

Trustee Kagan

Trustee Kagan asked if the new policy for post-employment health insurance as reflected in the newly adopted employee handbook had been filed with Empire Plan.

Administrator Yamuder said he spoke to their Benefits Department at the New York State Department of Civil Service.

Trustee Marty

Trustee Marty stated he will attend the MTA meeting to be held at Grand Central Terminal for discussion on complaints.

Trustee Mutti

Trustee Mutti said the Pelhamwood Association held its block party with Senator Jeff Klein in attendance. She thanked the DPW for their help with placing and removing the barriers on the streets.

She stated that Metro-North will be holding an open public meeting at Grand Central Terminal on September 22nd. She said this information is available on the Village Facebook page and encouraged residents to attend and make their complaints heard. She added that the Village is working with Amy Paulin and Jeff Klein.

She stated that the Town and Village will be replanting Trotta Park at no cost to either entity. She said they are working on a watering schedule and DeCicco's Market offered to water the plantings for two weeks while this is being deliberated. She said the contractor will also remove any rust or stains on the concrete.

She stated the ArtsFest would take place on September 26th. She said residents can call the Art Center for more details.

Trustee Mutti stated the Children's Park is being designed with ADA specifications.

She finished her report by saying there is a discussion concerning live wires that has arisen in the aftermath of Hurricane Sandy. She is hoping the tape will be redesigned so that it will provide a better warning to residents. Currently the high voltage tape closely resembles the police tape. She advised residents not to cross yellow tape under any circumstances.

Trustee Reim

Trustee Reim stated he will be working on forming a shared services committee to investigate opportunities throughout the County.

Trustee Senerchia

Trustee Senerchia stated that Fabulous Finds on the Green would be having another event.

He said the Pumpkin Festival and Fun-Run would take place on Saturday.

He added that the Picture House event was well attended and was a great fundraiser for them.

Trustee Senerchia finished his report by saying that Officer Bornholtz, while off-duty, single-handedly arrested a suspect in the Bronx. He said this is an example of the professionalism and commitment of the Pelham Police Force.

Trustee Volpe

None

Village Administrator's Report

None

Item #6–Public Comment

Mark Rookwood of 216 Corona Avenue representing EcoPel spoke to the Board about the “Love’Em and Leave ‘Em” program for composting and disposing of leaves on private property. He said he had an expert from the Greenburgh Nature Center, Braden Cohen, available to explain the process.

Mr. Cohen stated he is an expert in compost stability with the Greenburgh Nature Center. He explained how ordinary lawn mowers can be retro-fit with special blades to grind leaf matter into small, easily compostable material and left on lawns. He said the benefits of this are nutrients are returned to the soil and costs to the municipalities of carting organic material away are significantly cut.

He stated 24 municipalities in Westchester have adopted this practice. He said bagging leaves would also be a viable alternative.

Trustee Kagan asked what the cost would be to a homeowner interested in making this transition. Mr. Cohen stated that it generally costs between \$15 to \$30 to fit the blades on a lawn mower. He added that on average it costs about \$600 a year for a landscaper to cart leaf matter away.

Trustee Marty asked how other communities have spread the word about this program. Mr. Cohen stated that much of it is by word-of-mouth and experience.

Trustee Senerchia stated that education is important and said most residents don't know the current ordinances in place for proper disposal of organic matter.

Trustee Reim stated that he would like to reduce the Village's tipping fees at sanitation plants and thanked Mr. Cohen and Mr. Rookwood for bringing this to the Board's attention.

Item #7– Resolution Authorizing the Professional Review Services for the Permit Application of ExteNet Systems, Inc.

Trustee Volpe stated the Village is reviewing the application from ExteNet and working to hire experts at ExteNet's expense to review it thoroughly. He said the Board has reached out to three companies

and chosen the most responsive one to proceed with, CTC engineering firm. He added the Board has 150 days to review the application. He said the Board has already submitted a letter to ExteNet's attorney's stating that the application is not complete under the new Chapter 87 section of the Village Code.

Trustee Reim asked if ExteNet has been paying the invoices supplied to them by the Village.

Trustee Volpe responded that although they are disputing one invoice he is satisfied with their response at this time.

Trustee Kagan asked to re-word the resolution to include "any professionals necessary..."

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.

BE IT RESOLVED, that the Mayor and Board of Trustees of the Village of Pelham hereby authorize the retention of engineers and any professionals deemed reasonably necessary to enable review of the permit application of ExteNet Systems, Inc and to establish an escrow account to reimburse the Village for the cost of such professional services, the amount of which is to be determined by the Mayor and Board of Trustees; and

BE IT RESOLVED, that the Mayor and Board of Trustees of the Village of Pelham hereby authorize the Mayor, the Village Attorney and the Village Administrator to sign the necessary contracts and agreements to obtain these services.

Item #8—Authorizing The Appointment of a Firefighter in the Pelham Fire Department

Administrator Yamuder said that Westchester County is performing their due diligence regarding civil service requirements. He said all paperwork has been submitted to the County by the Village and they are referring to the State for confirmation.

John Cassone of 7th Avenue asked if this is a replacement hire or a new hire.

Trustee Volpe said the department had one retirement as well as two new hires recently. There is a vacant space in the department left by the retiree and so this would classified as a replacement hire.

Alex Wolff of the Pelham Weekly asked if the Village had to consider the Fire Academy start dates.

Trustee Volpe responded there is no date certain for the next Fire Academy at this time. The Academy is initiated based on need and a large class just recently graduated. He said however, the new firefighter is not subject to the Academy so it will not affect his hiring.

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

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham authorize the appointment by the Mayor of XXXXXXX of Pelham, New York, to the position of firefighter, at an annual salary of Firefighter XXXXX Grade and effective date of employment to be determined by the requirements of Civil Service, for a probationary period of six (6) months, conditioned upon the satisfactory completion of a pre-employment medical examination, subject to the requirements of Civil Service, and authorizes the Mayor, the Village Administrator and the Fire Chief to take the necessary and appropriate actions to effect this appointment.

Item #9– Other Business

Trustee Marty said the debate about the proper time and usage of leaf blowers is a long-term issue in Pelham. He said not many residents know where to find this information either.

Mr. Cassone stated it is available in the Pelham phone book put out by the Pelham Weekly.

Trustee Volpe stated that the regulations are also available on the Village website. He suggested it could be moved to the front page of the site to allow for easy viewing.

Trustee Marty stated one of the issues is blower or mower use outside the regulated window of time.

Trustee Senerchia stated that under the current Village Code, the homeowner is subject to any violation received for landscapers or gardeners operating a leaf blower outside the acceptable time frame. He said there has been discussion in the past on whether including the landscapers would be better for the Police enforcing the regulations.

Mayor Cassidy stated this issue needs clarity and he was not sure about including the landscaper as a violation liable party. He said he believes it creates more confusion.

Mr. Cassone commented that various Boards in the past have tried addressing this issue. He said there has always been a big discussion on liability.

Trustee Volpe said if the Board wanted to consider raising the fine for violations, that may encourage more compliance on the homeowners and through them the contractors.

Item #10– Authorizing Budget Transfers

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

Trustee Volpe asked if the format of these transfers could be revised.

Administrator Yamuder stated he will revise layout for the next set of transfers however no financial numbers will need to be changed.

Mayor Cassidy said he has seen the system for generating these reports and it is not always easy to make changes.

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

RESOLUTION

Re: Budget Amendments and Transfers for Fiscal Year 2014-15

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 2014-15 Budget by making the following amendments and rollovers:

Item #11– Authorizing the Accounts Payable

Trustee Marty audited the Accounts Payable.

A motion was made by Trustee Marty and seconded by Trustee Volpe 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	\$216,025.93
Water Fund	\$310.00
Capital Projects Fund	\$0.00
Trust and Agency Fund	\$0.00
CD NYS Main Street Fund	\$0.00
H3 Fund	\$0.00
<u>TE Expand Trust Fund</u>	<u>\$0.00</u>
Grand Total	\$216,335.93

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: September 2, 2014

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

September 2, 2014- Approved

Item #13– Adjournment to Executive Session

A motion was made by Trustee Senerchia with a second by Trustee Volpe to adjourn the public portion of the Board meeting at 8:40 pm and go into Executive Session to discuss 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