



VILLAGE OF PELHAM BOARD OF TRUSTEES
 REGULAR MEETING
 TUESDAY, OCTOBER 6, 2015, 7:30 PM
 VILLAGE HALL – 195 SPARKS AVENUE, PELHAM, NY 10803

MINUTES

1. Call To Order
2. Pledge of Allegiance
3. Mayor's Report
4. Trustees' Reports
5. Village Administrator's Report
6. Public Comments

Agenda Items:

Non-Recurring Items		
7.	Continuation of a Public Hearing on Establishing a Community Choice Aggregation (Energy) Program	Held Open
8.	Resolution Establishing a Standard Work Day for Appointed and Elected Officials Participating in the New York State and Local Retirement Systems	Approved
9.	Resolution Authorizing an Inter-Municipal Agreement between the Village of Pelham and the County of Westchester for the Purpose of Mutual Aid and Rapid Response Plan for the Police Departments of Westchester County	Approved
10.	Resolution Authorizing a Professional Services Agreement to Assist the Village of Pelham with Affordable Care Act Compliance	Tabled
11.	Other Business – Resolution Authorizing the Execution of an Escrow Deposit Agreement for the Proposed 101 Wolfs Lane Development Project	Approved
Recurring Items		
12.	Authorizing Accounts Payable	Approved
13.	Authorizing the Minutes of:	None
14.	Adjournment to Executive Session	Approved

Next Regularly Scheduled BOT Meetings:

Tuesday, October 20, 2015 at 8:00 p.m.
Tuesday, November 3, 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.

Present were Trustees Cassidy, Kagan, and Reim.

Absent were Trustees Ferrara, Marty and Mutti.

Also present was Village Administrator Yamuder and Assistant to the Village Administrator Scelza.

Item # 2 – Pledge of Allegiance:

The Pledge of Allegiance was led by Mayor Volpe.

Mayor's Report:

Mayor Volpe reported that Matriach Development submitted a Notice of Intent to Develop Application for the 101 Wolfs Lane property. This potential project is in the very early stages. If anyone has any questions please contact Village Administrator Yamuder.

Mayor Volpe reported a little walkway was created on Cliff Avenue for children to get to school. The Mayor encouraged any suggestions from the public regarding any projects.

On Wednesday, October 7th the Pelham Business Club will be hosting a Meet the Mayor event in Village hall beginning at 10:00 a.m. anyone from the public is welcome to attend.

Mayor Volpe discussed the use of leaf blowers at length with the Assistant Superintendent of the School District as promised from the September 29th meeting. The Village has a walking community and we are obligated to keep the sidewalks passable. The Village is looking into different concepts.

Mayor Volpe echoed the Village Administrator's comments regarding the e-mail notification system on the new website and stressed the importance of signing up for this new feature.

Mayor Volpe asked his fellow Trustees if the October 20th meeting could start at 8:00 p.m. instead of 7:30 p.m. There was no objection to this request and the public will be notified of the time change.

Trustees' Report:

Trustee Cassidy reported he completed a 10 year budget by budget database and he will be distributing it to the Board.

Trustee Ferrara was absent.

Trustee Kagan had no report.

Trustee Marty was absent.

Trustee Mutti was absent.

Trustee Reim had no report.

Village Administrator's Report:

Village Administrator Yamuder reminded residents that fall leaf collection will begin on October 15th and run through December 15th. Please bag all organics and leave them curbside for pickup.

Village Administrator encouraged all residents to sign up for the Village's new e-mail notification system at www.pelhamgov.com.

Item # 6 – Public Comments

John Cassone, 312 7th Avenue, asked if organic waste is placed at the curb on Wednesdays when historically it doesn't get picked up on that day will residents be fined.

Village Administrator Yamuder responded residents will not be fined.

Elaine Chang, 16 Irving Place, on behalf of the Friends of the Pelham Public Library requested a variance of Chapter 77 of the Village Code regarding interior signs. Ms. Chang is working with the Art Center and Picture House on a "Pelham Reads" project for two weeks in November ending around the 15th and requested local merchant participation in terms of donations. She is asking to have

merchants who donate to the project hang small signs in their windows to promote the “Pelham Reads” project.

Mayor Volpe stated this request will be brought before the Pelham Business Club at the Meet the Mayor event on October 7th.

Non-Recurring Items

Item # 7 – Continuation of a Public Hearing on Establishing a Community Choice Aggregation (Energy) Program

Mayor Volpe stated this public hearing was opened at the September 29th meeting and discussed at length. This item will remain open for the next three weeks.

Community Choice Aggregation is an energy procurement model that enables communities to put out for bid, the total demand for electricity and natural gas of participating homes and small businesses and purchase energy on their behalf. Con Ed will continue to deliver reliable power, maintain power lines and respond to service outages. They will still provide the same customer service to all residents regardless of whether they are in the Community Choice Aggregation program.

Under New York State home rule a village will need to authorize itself to join the program by adopting a local law. Every household and small business will be given full advanced notice of the program’s initiation and given clear instructions on how they can opt out. The program is expected to produce savings of 4 to 5%.

Item # 8 – Establishing a Standard Work Day for Appointed and Elected Officials Participating in the New York State and Local Retirement Systems

After a brief discussion led by Mayor Volpe a motion was then made by Trustee Reim and seconded by Trustee Cassidy to approve the resolution. The vote was approved by a vote of four in favor as it pertains to the appointed officials only, none opposed. Trustees Ferrara, Marty & Mutti were absent. Trustee Kagan abstained as to the Elected Official title because it relates to him.

Resolution Establishing a Standard Work Day for Appointed and Elected Officials Participating in the New York State and Local Retirement Systems

Whereas, New York State Employees' Retirement System Rule 315.4 requires reporting to the Retirement System, on a form prepared by the State Retirement System, with respect to work days for certain elected and appointed officials who are members of the Retirement System and who are being reported for service credit and for whom the Village does not maintain time records; and

Whereas, Rule 315.4(b) requires that the Board of Trustees adopt a resolution establishing a standard work day for each such elected or appointed office or position if the holder of that office or position is a member of the Retirement System for whom service credit is being reported.

Title	Name	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days/Month (based on Record of Activities)
Elected Official					
Village Trustee	Adam Kagan	6	April 2014 to March 2016	N	2.41
Appointed Officials					
Village Administrator	Robert Yamuder	8	April 2015 to March 2016	Y	N/A
Village Clerk	Terri Rouke	8	April 2015 to March 2016	Y	N/A
Deputy Treasurer	Deborah DelGrosso	8	April 2015 to March 2016	Y	N/A
Deputy Village Clerk	Sandra Shriman	8	April 2015 to March 2016	Y	N/A
Assistant to the Village Administrator	Christopher Scelza	8	June 2015 to March 2016	Y	N/A

Now, therefore, be it resolved, that the Board of Trustees of the Village of Pelham hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Village Clerk of this body; and

Be it further resolved, that a copy of this resolution be posted on the Village's website for a minimum of 30 days; and

Be it further resolved, that a certified copy of this resolution be filed with the New York State Retirement System within 45 days of the adoption hereof.

Item # 9 – Authorizing an Inter-Municipal Agreement between the Village of Pelham and the County of Westchester for the Purpose of Mutual Aid and Rapid Response Plan for the Police Departments in Westchester County

After a brief discussion led by Mayor Volpe a motion was then made by Trustee Cassidy and seconded by Trustee Reim to approve the resolution. The vote was approved by a vote of four in favor, none opposed. Trustees Ferrara, Marty & Mutti were absent.

Trustee Kagan asked why the Westchester County Arson Zone Plan is included in this agreement and how it relates to Law Enforcement. A discussion continued between the Board and Village staff.

Assistant to the Village Administrator Scelza responded by explaining what the Cause and Origin Team is and how they are requested to a scene.

Trustee Reim asked if the Village has an opinion on the size of our response as its referenced on page 5 of the agreement.

Mayor Volpe stated he will review this with the Chief of Police and Fire Department.

Resolution Authorizing an Inter-Municipal Agreement between the Village of Pelham and the County of Westchester for the Purpose of Mutual Aid and Rapid Response Plan for the Police Departments of Westchester County

Whereas, pursuant to New York State General Municipal Law § 209-M, municipal police departments may answer calls for service outside of their municipal boundaries when requested; and

Whereas, to ensure a synchronized response, the Westchester County Department of Public Safety has instituted a Mutual Aid Plan to organize, supervise and coordinate both cooperative and reciprocal assistance in which personnel, equipment and physical facilities of all participating departments; and

Whereas, the Village of Pelham has been party to an existing Mutual Aid Agreement with the County of Westchester for many years; and

Whereas, the current agreement expired as of July 30, 2015 and the County of Westchester has proffered an updated agreement and sent it to the Village of Pelham for its consideration for a term of five-years commencing on July 31, 2015 through July 30, 2020.

Now, therefore, be it resolved, that the Board of Trustees of the Village of Pelham authorizes the Mayor to execute an inter-municipal agreement with the County of Westchester providing for its

continued participation in the Mutual Aid and Rapid Response Plan pursuant to New York State General Municipal Law § 209-M; and

Be it further resolved, that the Mayor, Village Administrator and Chief of Police are authorized to take the necessary and appropriate actions to effect this resolution.

Item # 10 – Authorizing a Professional Services Agreement to Assist the Village of Pelham with Affordable Care Act Compliance

Mayor Volpe stated the Village is required to comply with the provisions of the Affordable Care Act. Village Administrator Yamuder recommended entering into a professional services agreement with CPI-HR due to the complexity of the law.

Trustee Kagan asked if we could share costs with the Town and the Village of Pelham Manor by entering into an inter-municipal agreement for these services. Trustee Kagan would also like to see the Employee Handbook updated as it relates to the law.

This item was tabled and will be taken up at the October 20th meeting.

Resolution Authorizing a Professional Services Agreement to Assist the Village of Pelham with Affordable Care Act Compliance

Whereas, the Village is required to comply with the provisions of the Affordable Care Act and must establish policies and procedures to implement this requirement; and

Whereas, CPI-HR provides municipal consulting services related to the implementation and requirements mandated by the Affordable Care Act and has proffered an agreement for the period of October 6, 2015 through October 5, 2016 at a cost not to exceed \$8,500.00.

Now, therefore, be it resolved, that the Board of Trustees of the Village of Pelham authorizes the Village Administrator to execute a professional services agreement with CPI-HR (attached hereto and made a part hereof) for Affordable Care Act consulting services for the period of October 6, 2015 through October 5, 2016 in an amount not to exceed \$8,500.00; and

Be it further resolved, that the Mayor and Village Administrator are authorized to take the necessary and appropriate actions to effect this resolution.

Item # 11 – Other Business

After a brief discussion led by Mayor Volpe a motion was then made by Trustee Kagan and seconded by Trustee Reim to approve the resolution. The vote was approved by a vote of four in favor, none opposed. Trustees Ferrara, Marty & Mutti were absent.

Resolution Authorizing the Execution of an Escrow Deposit Agreement for the Proposed 101 Wolfs Lane Development Project

Whereas, pursuant to §70-2 of the Pelham Village Code, the Board of Trustees may require the establishment of an escrow account, from which withdrawals shall be made to reimburse the Village for the costs of professional review services; and

Whereas, Matriarch Development (“Matriarch”) has proposed to develop a mixed-use building at 101 Wolfs Lane in the Village; and

Whereas, the Village and Matriarch agree that the Village will incur legal and other costs in reviewing and processing of the application, including, but not limited to site plan review and evaluation of the project under the State Environmental Quality Review ACT (SEQRA).

Now, therefore, be it resolved, that the Board of Trustees of the Village of Pelham authorizes the Village Administrator to execute an escrow deposit agreement with Matriarch Development of Pelham Manor, NY (attached hereto and made a part hereof); and

Be it further resolved, that the Mayor and Village Administrator are authorized to take the necessary and appropriate actions to effect this resolution.

Recurring Items

Item # 12 – Authorizing the Accounts Payable

Mayor Volpe audited the Accounts Payable.

After a brief discussion a motion was made by Trustee Kagan and seconded by Trustee Cassidy to approve the resolution. The vote was approved by a vote of four in favor, none opposed. Trustees Ferrara, Marty and Mutti were absent.

Resolution Authorizing the Accounts Payable

Whereas, pursuant to § 5-524 of the New York State Village Law, the Board of Trustees shall audit all claims against the Village.

Now, therefore, be it resolved, that the Board of Trustees after audit of the following claims, authorizes payment for services rendered and materials received, for the following items that have been submitted to the Treasurer's Office for payment and authorized by the Village Administrator:

<u>Fund Name:</u>	<u>Amount</u>
General Fund	\$14,759.41
Water Fund	\$0.00
Capital Projects Fund	\$0.00
Trust and Agency Fund	\$0.00
<u>TE Expand Trust Fund</u>	<u>\$0.00</u>
Grand Total	\$14,759.41

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

Item # 13 – Authorizing the Minutes of:

No minutes.

Item # 14 – Adjournment to Executive Session

A motion was made by Trustee Reim and seconded by Trustee Kagan to adjourn the public portion of the Board meeting at 8:08 pm and go into Executive Session to discuss a particular personnel matter and an update on a litigation matter after which time the Board would adjourn for the evening. The vote was approved by a vote of four in favor, none opposed. Trustees Ferrara, Marty and Mutti were absent.

Respectfully submitted,

Christopher Scelza
Assistant to the Village Administrator