



VILLAGE OF PELHAM BOARD OF TRUSTEES
 REGULAR MEETING
 THURSDAY, OCTOBER 6, 2016, 8:00 PM
 VILLAGE HALL – 195 SPARKS AVENUE, PELHAM, NY 10803

MINUTES

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

Agenda Items:

Non-Recurring Items		
8.	Presentation of Wolfs Lane Park Bid Drawings	Presented
9.	Resolution Adopting Purchasing and Procurement Policy for Fiscal Year 2016-17 (Tabled from 9/20/16)	Tabled
10.	Resolution Approving a Request from the Pelham Civics and Pelham Track N Tri for a Half Marathon	Approved
11.	Resolution Establishing a Standard Work Day for Elected Officials Participating in the New York State and Local Retirement Systems	Approved
12.	Resolution Authorizing Financial Advisory Services Agreement with Capital Markets Advisors, LLC.	Approved
13.	Resolution Authorizing an Inter-Municipal Agreement with the County of Westchester for the STOP-DWI Enforcement Crackdown Program	Approved
14.	Resolution Amending § 90-53 Schedule XIV: Limited-Time Parking, as Authorized by §90-20, to Allow Limited-Time Parking on Portions of First Avenue	Approved
15.	Other Business – Proposed "Downtown Floating Zone Legislation"	Discussed
Recurring Items		
16.	Authorizing Accounts Payable	Approved
17.	Authorizing the Minutes of: September 6, 2016	Approved
18.	Adjournment to Executive Session	Approved

Next Regularly Scheduled BOT Meetings:

Tuesday, October 18, 2016
Tuesday, November 1, 2016

All meetings start at 8:00 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 8:05 p.m.

Item # 2 – Pledge of Allegiance:

The Pledge of Allegiance was led by Mayor Volpe. A moment of silence was held for FDNY Battalion Chief Michael Fahy who tragically lost his life on September 27, 2016.

Item # 3 – Roll Call:

Present were Trustees Deere, Kagan, Mutti, Reim and Reinke.

Trustee Ferrara was absent.

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

Mayor’s Report:

Mayor Volpe reported that the Police Department is continuing to monitor the commuter parking issue on First Avenue and that further adjustments will be made if deemed necessary to address the issue.

Mayor Volpe thanked everyone for collaborating on the numerous traffic safety improvements made village-wide.

Mayor Volpe mentioned he received an email from a resident concerning vehicles idling near the train station. He asked the Village Administrator to purchase no idling signs and install them on Village property around the train station.

Trustees’ Report:

Trustee Deere had nothing to report.

Trustee Ferrara was absent.

Trustee Kagan thanked the Mayor and Board for observing a moment of silence for FDNY Battalion Chief Michael Fahy and he reported that there is a fund for his children’s education and anyone interested in donating can email him at adam.kagan@pelhamgov.com for the link to the website. He reported that there has been a change in management at Suez Water of Westchester, and the Village’s local representative has moved to another community. Trustee Kagan reminded everyone

that Suez has offered to conduct a Town Hall type meeting for customer's that have questions on their bill or consumption. Trustee Kagan has been reporting over the last couple of meetings that he filed a complaint against Con Edison with the New York State Public Service Commission over incorrect billing of certain Pelham Village residents. Specifically Con Edison was not giving the lower electricity rate that is part of the Village's Community Choice Aggregation contract with Sustainable Westchester to residents of what was North Pelham until its merger with the Village of Pelham in 1975. He thanked Pelham resident John Cassone for bringing this to his attention. He is happy to report that the issue has been finally resolved and a letter will be going out shortly to the affected residents. Trustee Kagan reported that Cablevision's Franchise agreement is up for renewal and he will be working with them on a successor agreement.

Trustee Mutti reported that the Benedict Fountain has been shut off for the season. She reported that the Pelham Preservation and Garden Society has asked the Village to join them in supporting a possible Metro North Station and Rail Bridge renovation project. A letter of support will be drafted in furtherance of this effort. Trustee Mutti mentioned that the Centennial Celebration Walking Tour Book has been restored to the About Us section on the Village website. She would love to see a smart phone app created.

Trustee Reim had nothing to report.

Trustee Reinke reported that EcoPel will be conducting a town-wide cleanup on October 22nd from 10:00 a.m. to 12:00 p.m. Anyone interested in participating should be meet at the northbound side of the Metro North Train Station parking lot. She also mentioned that EcoPel was exploring the idea of holding a recycling tutorial.

Village Administrator's Report:

Village Administrator Yamuder reported that the Village is pursuing a New York Power Authority Grant to install an electric vehicle charging station in Parking Lot 2.

Village Administrator Yamuder reported that Con Ed has begun milling and paving Loring Avenue between East Second Street and Colonial Avenue as a result of a gas main replacement project.

Village Administrator Yamuder reminded everyone that Fall Leaf Collection will begin on October 17th and run through December 15th. The Department of Public Works picks up every day and works their way around the Village picking up a section at a time on a revolving basis.

Village Administrator Yamuder thanked the Department of Public Works for installing LED street lights along the entire length of Fifth Avenue and Wolfs Lane.

Item # 7 – Public Comments

John Cassone, 312 Seventh Avenue, spoke about illegal gas service connections in light of the recent death of FDNY Battalion Chief Michael Fahy and brought to the Board's attention that Con Edison no longer visually reads meters.

Non-Recurring Items

Item # 8 – Presentation of Wolfs Lane Park Bid Drawings

Presented by Trustee Mutti:

This item was informational only and discussed with no action taken.

Maggie Klein, The Pelham Plus, asked if the Board could take from the different bidders portions of the project and let them do certain areas.

Mayor Volpe responded the way it is bid out he would say no, but he would look into it if need be.

Jeff Ginsburg, 9 Boulevard, asked if there was an estimate around a maintenance plan and associated budget. He also asked how close to his property the proposed path on the corner of Boulevard and Wolfs Lane will be.

Mayor Volpe responded no but that the Department of Public Works will continue to maintain the park as it always has. Village Administrator Yamuder will review the plan and email the exact data to Mr. Ginsburg.

Item # 9 – Adopting Purchasing and Procurement Policy for Fiscal Year 2016-17 (Tabled from 9/20/16)

Mayor Volpe stated this item was tabled at the September 20th meeting to allow for further review. He also stated that New York State General Municipal Law requires the Board to review its procurement and purchasing policies on an annual basis and that Village staff have suggested changes to the existing policy.

Trustee Kagan raised a concern regarding Section 6 which would allow the Village Administrator/Treasurer pay for certain expenses in advance of a Board of Trustee meeting. Trustee Kagan would like the entire Board to further review New York State Village Law § 5-524 (6) and understand that the claimant (Department Head) and the officer (Village Administrator/Treasurer) incurring or approving the claim is jointly and severally liable for any amount disallowed by the Board of Trustees. Trustee Reinke also had issues with the policy as drafted, so Mayor Volpe asked her to work with Village Administrator Yamuder and Assistant to the Village Administrator, Chris Scelza to amend it.

This item was tabled and will be discussed at the October 18th meeting.

Resolution Adopting Purchasing and Procurement Policy for Fiscal Year 2016-17

Whereas, New York State General Municipal Law § 104-b(4) requires the Village Board of Trustees to review its procurement policies and procedures on an annual basis; and

Whereas, staff reviewed and discussed the Purchasing and Procurement Policy and recommends modifications for Fiscal Year 2016-17.

Now, therefore, be it resolved, that the Purchasing and Procurement Policy be amended and adopted in accordance with the attached October 6, 2016 document, hereto referred to as “Procurement and Purchasing Policy, Revised October 6, 2016”.

Item # 10 – Approving a Request from the Pelham Civics and Pelham Track N Tri for a Half Marathon

Mayor Volpe stated that the Pelham Civics and Pelham Track N Tri had successfully organized this event for the past five years. They request the use of public streets for a half-marathon.

Resolution Approving a Request from the Pelham Civics and Pelham Track N Tri for a Half Marathon

Whereas, the Pelham Civics and Pelham Track N Tri has requested permission to hold the unofficial Pelham Half Marathon in the Village on Saturday, November 26, 2016 by letter dated September 14, 2016 (attached hereto and made a part hereof); and

Whereas, the temporary marking of the event route is necessary the day prior to the race as stated in the aforementioned request letter; and

Whereas, the Pelham Civics and Pelham Track N Tri shall reimburse the Village for all costs incurred by the Village as a result of the event, including but not limited to Police Department and Department of Public Works overtime, and provide a certificate of liability insurance naming the Village as an additional insured in a form and amount satisfactory to the Village.

Now, therefore, be it resolved, that the Board of Trustees of the Village of Pelham hereby authorizes the unofficial Pelham Half Marathon on Saturday, November 26, 2016 beginning at 8:00 a.m. and;

Be it further resolved, that the Mayor and Board of Trustees authorize the appropriate Village officials and staff to take the necessary and appropriate actions to effectuate the intent of this resolution.

Motion by: Trustee Mutti

Seconded by: Trustee Reim

Vote: 6-0

Absent: Trustee Ferrara

Item # 11 – Establishing a Standard Work Day for Elected Officials Participating in the New York State and Local Retirement Systems

The Mayor and Board briefly discussed the reporting requirements and the changes made to the law in August 2015.

Resolution Establishing a Standard Work Day for 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 elected 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 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 2016 to March 2018	N	3
Village Trustee	Andrea Reinke	6	April 2016 to March 2018	N	2

Now, therefore, be it resolved, that the Board of Trustees of the Village of Pelham hereby establishes the above as standard work days for elected 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 15 days of the adoption hereof.

Motion by: Trustee Mutti

Seconded by: Trustee Deere

Vote: 4-0

Abstained: Trustees Kagan and Reinke

Absent: Trustee Ferrara

Item # 12 – Authorizing Financial Advisory Services Agreement with Capital Markets Advisors, LLC.

Mayor Volpe stated the Village for many years has utilized the financial advising services of Capital Markets Advisors. CMA assists the Village with the planning and issuance of notes, bonds and lease financings to fund capital projects and cash flow needs. The Board discussed the SEC reporting requirements, fee and coverage period proffered by CMA.

Resolution Authorizing Financial Advisory Services Agreement with Capital Markets Advisors, LLC.

Whereas, a recent rulemaking of the Securities and Exchange Commission (SEC) and the Municipal Securities Rulemaking Board (MSRB) require written annual agreements between municipal advisors and their clients; and

Whereas, for many years the Village has utilized the financial advising services of Capital Markets Advisors, LLC; and

Whereas, Capital Markets Advisors, LLC, currently completes the required continuing disclosure filing for the Village on an annual basis.

Now, therefore, be it resolved, that the Board of Trustees of the Village of Pelham hereby authorizes the Village Administrator to execute the attached Financial Advisory Services Agreement with Capital Markets Advisors, LLC, for the period of September 1, 2016 through May 31, 2018 for a total cost of \$750.00 annually; and

Be it further resolved, that the Mayor and Village Administrator/Treasurer are authorized to take the necessary and appropriate actions to effectuate the intent of this resolution.

Motion by: Trustee Reim

Seconded by: Trustee Deere

Vote: 6-0

Absent: Trustee Ferrara

Item # 13 - Authorizing an Inter-Municipal Agreement with the County of Westchester for the STOP-DWI Enforcement Crackdown Program

Mayor Volpe explained that the Village of Pelham participates each year in Westchester County's Stop DWI Enforcement Program. The Village will receive a grant of \$8,400 to conduct DWI patrols. Police Chief Benefico believes that this program offers enforcement and educational opportunities to the community.

Resolution Authorizing an Inter-Municipal Agreement with the County of Westchester for the STOP-DWI Enforcement Crackdown Program

Whereas, the County of Westchester and its municipalities have participated in the Westchester County STOP-DWI Enforcement Crackdown Program for many years through an inter-municipal agreement which provides overtime reimbursement for added patrol efforts to enforce New York State Vehicle & Traffic Laws against intoxicated and impaired driving; and

Whereas, for the period from January 1, 2016 through December 31, 2020, Westchester County established a grant, not to exceed \$8,400.00, available to the Village of Pelham to conduct STOP-DWI Patrol activities; and

Whereas, the Chief of Police recommends continuing the program and has indicated its success in past years as an educational and enforcement tool for promoting safe driving throughout the Village.

Now, therefore, be it resolved, that the Board of Trustees of the Village of Pelham hereby authorizes the Village Administrator to execute the attached inter-municipal agreement with the County of Westchester for the STOP-DWI Enforcement Crackdown Program for a four (4) year period commencing on January 1, 2016 and finishing December 31, 2020; and

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

Motion by: Trustee Kagan

Seconded by: Trustee Reinke

Vote: 6-0

Absent: Trustee Ferrara

Item # 14 – Amending § 90-53 Schedule XIV: Limited-Time Parking, as Authorized by §90-20, to Allow Limited-Time Parking on Portions of First Avenue

Mayor Volpe stated the Board recently passed legislation limiting parking to two hours on the East Side of First Avenue 40 feet north of the intersection with 1st Street to 2nd Street. The vehicles have now shifted north and this resolution would limit parking to two hours all the way to Lincoln Avenue on the East Side of First Avenue.

Resolution Amending § 90-53 Schedule XIV: Limited-Time Parking, as Authorized by §90-20, to Allow Limited-Time Parking on Portions of First Avenue

Whereas, the Board of Trustees has discovered an increase in commuter parking on residential streets; and

Whereas, the Board of Trustees has determined that an effective means to deter commuter parking is to limit parking to two hours on residential streets.

Now, therefore, be it resolved, that § 90-53 Schedule XIV: Limited-Time Parking, as authorized by § 90-20 of the Code of the Village of Pelham is amended to add the following locations:

<u>Street Name</u>	<u>Side</u>	<u>Time Limit</u>	<u>Hours/Days</u>	<u>Location</u>
First Avenue	East	2 hrs.	8:00 a.m. to 6:00 p.m. Except Saturdays, Sundays & Holidays	From the intersection with 2 nd Street to Lincoln Avenue

Motion by: Trustee Mutti

Seconded by: Trustee Deere

Vote: 6-0

Absent: Trustee Ferrara

Item # 15 – Other Business

Discussion on Downtown Floating Zone

Mayor Volpe stated there will be a discussion on the proposed Downtown Floating Zone at the October 18th and November 1st regular meetings. The revised legislation is posted on the Villages website. Mayor Volpe stated the proposed Downtown Zoning Law was referred to the Planning Board at the September 20th meeting, they have forty five (45) days under the law to review and consider.

Recurring Items

Item # 16 - Authorizing the Accounts Payable

Trustee Reim audited the Accounts Payable.

A brief discussion took place on voucher numbers 7636, 7646, 7651 and 7684.

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 vouchers, 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	\$94,870.74
Capital Projects Fund	\$0.00
Trust and Agency Fund	\$0.00
<u>TE Expandable Trust Fund</u>	<u>\$0.00</u>
Grand Total	\$94,870.74

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

Motion by: Trustee Mutti

Seconded by: Trustee Deere

Vote: 6-0

Absent: Trustee Ferrara

Item # 17 – Authorizing the Minutes of: September 6, 2016

September 6, 2016 as amended.

Motion by: Trustee Reim

Seconded by: Trustee Mutti

Vote: 5-0

Abstained: Trustee Kagan

Absent: Trustee Ferrara

Item # 18 – Adjournment to Executive Session

The public portion of the Board meeting was adjourned at 9:50 pm to enter into Executive Session to discuss two labor relation matters, one litigation matter and a personnel matter after which time the Board would adjourn for the evening.

Respectfully submitted,

Christopher Scelza
Assistant to the Village Administrator