Town of Pelham

PELHAM, NEW YORK 34 FIFTH AVE 10803

TOWN BOARD
Legislative Meeting Agenda
February 9, 2026

PELHAM TOWN BOARD MEMBERS

Theresa K. Mohan, *Town Supervisor*
Maura Curtin, *Deputy Supervisor*
Kristin Burke, *Councilmember*
Michael Jenks, *Councilmember*
Kara McLoughlin, *Councilmember*

1. **Call to Order**

2. **Pledge of Allegiance**

3. **Roll Call**

Attendee Name	Present	Absent	Late	Arrived
Theresa K. Mohan	□	□	□	□
Maura Curtain	□	□	□	□
Kristin Burke	□	□	□	□
Michael Jenks	□	□	□	□
Kara McLoughlin	□	□	□	□

4. **Public Comment**

5. **Reports**
   a. **Town Council Reports**
   b. **Supervisor Report**

NON-RECURRING ITEMS

6. **PUBLIC HEARING ON PROPOSED LAW NO. 1 OF 2026**

TOWN OF PELHAM LEGAL NOTICE OF PUBLIC HEARING

PROPOSAL OF LOCAL LAW No. 1 OF 2026:

A local law to adopt a Code of Ethics for the Town of Pelham, NY pursuant to section 806 of General Municipal Law NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Pelham will hold a Public Hearing on Monday, February 9, 2026 at 7:00pm at the Daronco Town House (20 Fifth Ave.) and at this hearing any person may be heard in favor or against the proposed local law as compiled; or, against any items contained therein.

Eileen Miller – Town Clerk
Molly Girolamo – Deputy Town Clerk

7. **RESOLUTION 2026-19 ADOPTING LOCAL LAW NO. 1 OF 2026 - A LOCAL LAW ADOPTING A CODE OF ETHICS FOR THE TOWN OF PELHAM**

WHEREAS, the Town Board of the Town of Pelham ("Town Board") is authorized pursuant to Article 18 of the New York State General Municipal Law to adopt a Code of Ethics governing the conduct of officers and employees of the Town; and

WHEREAS, the Town Board seeks to promote public confidence in local government by establishing clear standards of ethical conduct for Town officers and employees, including standards relating to conflicts of interest, disclosure, use of Town resources, and standards of professional behavior; and

WHEREAS, the Town Board has prepared and reviewed a proposed Code of Ethics to replace and modernize the Town's existing ethics provisions, consistent with best practices and applicable law; and

WHEREAS, the Town Board held a duly noticed public hearing on February 9, 2026, to receive public comment on proposed Local Law No. 1 of 2026; and

WHEREAS, the Town Board has considered any and all comments received and determined that adoption of the proposed local law is in the best interests of the Town and its residents;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Pelham hereby adopts **Local Law No. 1 of 2026**, entitled **"A Local Law Adopting a Code of Ethics for the Town of Pelham,"** a copy of which is attached hereto as **Exhibit A** and made a part hereof; and

BE IT FURTHER RESOLVED, that said Local Law shall supersede any prior ethics code or ethics provisions previously adopted by the Town, to the extent inconsistent therewith; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to file a certified copy of Local Law No. 1 of 2026 with the New York State Department of State in accordance with the provisions of the Municipal Home Rule Law; and

BE IT FURTHER RESOLVED, that Local Law No. 1 of 2026 shall take effect upon filing with the New York State Department of State.

Resolution 2026-19 Adopting a Local Law Establish a Code of Ethics for the Town of Pelham							
☐ Adopted ☐ Adopted as Amended ☐ Defeated ☐ Tabled ☐ Withdrawn ☐ Failed to Move			Yes / Aye	No / Nay	Abstain	Remote	Absent
	Theresa K. Mohan		☐	☐	☐	☐	☐
	Maura Curtin		☐	☐	☐	☐	☐
	Kristin Burke		☐	☐	☐	☐	☐
	Michael Jenks		☐	☐	☐	☐	☐
	Kara McLoughlin		☐	☐	☐	☐	☐

8. RESOLUTION ADOPTING TOWN OF PELHAM INVESTMENT POLICY

WHEREAS, Section 39 of the New York State General Municipal Law requires the Town Board to adopt an investment policy; and

WHEREAS, the Town Board seeks to ensure the prudent investment of public funds; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Pelham hereby adopts the Investment Policy attached hereto; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

Town of Pelham Investment Policy

I. AUTHORITY

Pursuant to Section 39 of the New York State General Municipal Law, the Town Board of the Town of Pelham hereby establishes this Investment Policy governing the investment of all Town funds not required for immediate expenditure.

II. POLICY STATEMENT

It is the policy of the Town of Pelham to invest public funds in a manner that will provide the highest investment return consistent with safety, liquidity, and legal requirements, while meeting the daily cash flow needs of the Town.

III. SCOPE

This policy applies to all monies and other financial resources available for investment by the Town of Pelham, including operating funds, reserve funds, and trust funds, except where otherwise provided by law.

IV. OBJECTIVES

The Town's investment activities shall be guided by the following objectives, in priority order:
1. Safety of Principal
2. Liquidity
3. Yield

V. DELEGATION OF AUTHORITY

The Town Board delegates authority to invest and manage Town funds to the Town Supervisor. The Supervisor may delegate day-to-day operational responsibilities to the Town Comptroller in writing.

VI. STANDARD OF PRUDENCE

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence exercise in the management of their own affairs.

VII. AUTHORIZED INVESTMENTS

Pursuant to General Municipal Law §11, Town funds may be invested in obligations of the United States, obligations guaranteed by the United States, obligations of the State of New York, certificates of deposit, time deposits, and repurchase agreements as permitted by law.

VIII. DIVERSIFICATION

The Town shall diversify investments by type, institution, and maturity.

IX. COLLATERALIZATION

All deposits and investments requiring collateral shall be fully collateralized in accordance with General Municipal Law §10.

X. SAFEKEEPING AND CUSTODY

All investments shall be held in the name of the Town of Pelham and kept in the custody of a bank or trust company authorized to do business in New York State.

XI. INTERNAL CONTROLS

The Supervisor and Comptroller shall establish and maintain internal controls to prevent loss of public funds.

XII. REPORTING

The Town Supervisor shall provide quarterly investment reports to the Town Board.

XIII. ETHICS

Officers and employees involved in the investment process shall avoid conflicts of interest in accordance with our Code of Ethics.

XIV. ANNUAL REVIEW

This policy shall be reviewed annually.

XIV. EFFECTIVE DATE

This policy shall take effect immediately upon adoption.

Resolution 2026-20 Adopting Town of Pelham Investment Policy							
☐ Adopted ☐ Adopted as Amended ☐ Defeated ☐ Tabled ☐ Withdrawn ☐ Failed to Move			Yes / Aye	No / Nay	Abstain	Remote	Absent
	Theresa K. Mohan		☐	☐	☐	☐	☐
	Maura Curtin		☐	☐	☐	☐	☐
	Kristin Burke		☐	☐	☐	☐	☐
	Michael Jenks		☐	☐	☐	☐	☐
	Kara McLoughlin		☐	☐	☐	☐	☐

9. RESOLUTION ADOPTING PROCUREMENT POLICY

WHEREAS, General Municipal Law §104-b requires the Town Board to adopt written policies and procedures governing the procurement of goods and services not subject to competitive bidding; and

WHEREAS, the Town Board has reviewed the Town's Procurement Policy adopted in 1996 and determined that it should be updated to reflect current statutory requirements and best practices; and

WHEREAS, the proposed Procurement Policy establishes clear procedures, documentation standards, and procurement methods consistent with General Municipal Law §§103 and 104-b;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Pelham hereby adopts the attached Procurement Policy pursuant to General Municipal Law §104-b; and

BE IT FURTHER RESOLVED, that this Policy shall take effect immediately upon adoption and shall supersede all prior procurement policies of the Town; and

BE IT FURTHER RESOLVED, that all Town officers and employees involved in procurement shall comply with this Policy.

Resolution 2026-21 Adopting Town of Procurement Policy							
☐ Adopted ☐ Adopted as Amended ☐ Defeated ☐ Tabled ☐ Withdrawn ☐ Failed to Move			Yes / Aye	No / Nay	Abstain	Remote	Absent
	Theresa K. Mohan		☐	☐	☐	☐	☐
	Maura Curtin		☐	☐	☐	☐	☐
	Kristin Burke		☐	☐	☐	☐	☐
	Michael Jenks		☐	☐	☐	☐	☐
	Kara McLoughlin		☐	☐	☐	☐	☐

TOWN OF PELHAM PROCUREMENT POLICY

I. STATEMENT OF PURPOSE

The Town of Pelham ("Town") adopts this Procurement Policy to ensure that the procurement of goods and services is conducted in a manner that:

- Assures the prudent and economical use of public funds;
- Facilitates the acquisition of quality goods and services at the lowest possible cost consistent with quality and responsibility;
- Guards against favoritism, improvidence, extravagance, fraud, and corruption;
- Provides fair competition among vendors; and
- Creates a clear paper trail to support transparency, auditability, and public confidence.

This Policy is adopted pursuant to General Municipal Law ("GML") §104-b and shall govern all Town procurements not subject to the competitive bidding requirements of GML §103.

II. APPLICABILITY AND GOVERNING LAW

A. Competitive Bidding (GML §103)

Except as otherwise provided by law, the following procurements by the Town are subject to competitive bidding pursuant to **General Municipal Law §103**:

- **Purchase contracts** (including goods, materials, equipment, and supplies) involving an aggregate expenditure of **more than $20,000** in a fiscal year; and
- **Public works contracts** involving an aggregate expenditure of **more than $35,000** in a fiscal year.

All such procurements shall be awarded in accordance with GML §103 and applicable law and are **not governed by this Procurement Policy**.

B. Procurements Below Competitive Bidding Thresholds

All procurements **below the statutory bidding thresholds set forth above**, and all procurements otherwise exempt from competitive bidding under GML §103, shall be governed by this Policy pursuant to General Municipal Law §104-b.

C. Other Applicable Law

This Policy shall be read in conjunction with:

- Town Law
- General Municipal Law
- State Finance Law
- OSC guidance and audit standards
- The Town's Code of Ethics
- Records retention and FOIL requirements

III. ROLES AND RESPONSIBILITIES

A. Town Board

- Adopts this Policy and any amendments.
- Retains authority over procurements requiring Board approval by law.

B. Town Supervisor

- Provides overall oversight of procurement practices.
- Ensures compliance with this Policy.
- May designate procurement authority consistent with law.

C. Town Comptroller

- Oversees fiscal controls, audit readiness, and compliance.
- Reviews procurement documentation as required.

D. Department Heads

- Estimate annual needs.
- Initiate procurement requests.
- Assist in vendor evaluation and documentation.

IV. DETERMINATION OF APPLICABILITY OF COMPETITIVE BIDDING

Prior to initiating any procurement, the authorized Town official shall:

- Estimate the aggregate annual cost of the goods or services, including consideration of:
  - Past purchasing history
  - Similar purchases across departments
  - Reasonably anticipated future needs
- Determine whether competitive bidding applies under GML §103; and
- Document the determination in writing for procurements exceeding the thresholds set forth in this Policy.

Documentation shall be retained with the procurement record.

V. PROCUREMENT METHODS WHEN COMPETITIVE BIDDING IS NOT REQUIRED

When competitive bidding is not required, the Town shall use one of the following methods, as appropriate, to ensure competition and cost-effectiveness.

A. GOODS (Including Incidental Services)

Estimated Annual Amount	Required Method
Less than $500	Discretion of Purchaser; competitive pricing encouraged
$500 – $3,500	Oral or written quotes from at least two vendors
$3,500 – $10,000	Written quotes or RFP from at least three vendors
Over $10,000 (below GML §103 threshold)	Formal written RFP or quote process

B. SERVICES (Non-Professional)

Estimated Annual Amount	Required Method
Less than $1,000	Discretion of Purchaser
$1,000 – $5,000	Oral or written quotes from at least two vendors
$5,000 – $15,000	Written quotes or RFP from at least three vendors
Over $15,000 (below GML §103 threshold)	Formal written RFP

C. PUBLIC WORKS (Below GML §103 Threshold)

Estimated Annual Amount	Required Method
Less than $2,500	Discretion of Purchaser
$2,500 – $10,000	Oral or written quotes from at least two contractors
$10,000 – Threshold	Written quotes or RFP from at least three contractors

VI. PROFESSIONAL SERVICES

Professional services (including but not limited to legal, engineering, architectural, auditing, planning, and consulting services) are generally exempt from competitive bidding.

However, the Town shall:

- Use Requests for Proposals (RFPs) or Qualifications-Based Selection (QBS) where practicable;
- Evaluate proposals based on experience, expertise, quality, and cost; and
- Document the basis for selection.

VII. USE OF STATE, COUNTY, AND COOPERATIVE CONTRACTS

The Town may procure goods and services through:

- New York State Office of General Services (OGS) contracts;
- County contracts; or
- Other governmental cooperative or piggyback contracts.

When using such contracts, separate competitive quotes are not required, but the use of the contract shall be documented.

VIII. DOCUMENTATION REQUIREMENTS

For all procurements subject to this Policy, the Town shall maintain documentation including:

- Vendors solicited
- Quotes or proposals received
- Basis for vendor selection
- Written justifications where required

All records shall be retained in accordance with records retention schedules and made available for audit and FOIL purposes.

IX. AWARD OF CONTRACTS

Contracts shall be awarded to the **lowest responsible offeror**, unless it is determined in writing that awarding to another offeror is in the Town's best interest.

Factors may include:

- Quality
- Experience
- Reliability
- Responsiveness
- Past performance

X. EXCEPTIONS

Solicitation of quotes or proposals may be waived under the following circumstances, provided justification is documented:

- Emergencies
- Sole source procurements
- Professional services
- Preferred sources
- Purchases from other governmental entities
- Purchases at auction
- Purchases below minimal thresholds

XI. BEST VALUE AWARDS

Pursuant to **General Municipal Law §103(1)**, and where authorized by resolution of the Town Board, the Town may award purchase contracts on the basis of **Best Value**, as permitted by law.

"Best Value" shall mean the basis for awarding contracts that optimizes quality, cost, and efficiency, and may include consideration of:

- Cost of maintenance or operation over the life of the product or service;
- Product performance, durability, and reliability;
- Quality of workmanship or materials;
- Vendor experience, past performance, and reputation; and
- Compliance with specifications, delivery schedules, and service requirements.

When a contract is awarded on the basis of Best Value rather than lowest price, the basis for the award shall be documented in the procurement record.

XII. ANNUAL REVIEW

The Town Board shall review this Policy periodically and no less than annually and may amend it by resolution as necessary.

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10. RESOLUTION ADOPTING THE RICHARD J. DARONCO TOWN HOUSE USE POLICY

WHEREAS, the Town of Pelham is the owner of the Richard J. Daronco Town House, a historic municipal facility used for official Town business and community-related activities; and

WHEREAS, the Town Board seeks to ensure that the Daronco Town House and Gazebo Park is used in a manner that is safe, orderly, equitable, consistent with the Town's public mission, and protective of Town resources; and

WHEREAS, the Town Board finds that adoption of a formal use policy will promote transparency, consistency, and lawful administration of access to the facility;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Pelham hereby adopts the Richard J. Daronco Town House Use Policy, effective immediately; and be it further

RESOLVED, that the Town Clerk is authorized and directed to administer the Policy, including review and approval of applications, collection of deposits and fees, and enforcement of Policy provisions; and be it further

RESOLVED, that the Town Board reserves the right to amend the Policy from time to time by resolution.

Resolution 2026-22 Adopting Town of Pelham Richard J. Daronco Town House Use Policy and Application							
☐ Adopted ☐ Adopted as Amended ☐ Defeated ☐ Tabled ☐ Withdrawn ☐ Failed to Move			Yes / Aye	No / Nay	Abstain	Remote	Absent
	Theresa K. Mohan		☐	☐	☐	☐	☐
	Maura Curtin		☐	☐	☐	☐	☐
	Kristin Burke		☐	☐	☐	☐	☐
	Michael Jenks		☐	☐	☐	☐	☐
	Kara McLoughlin		☐	☐	☐	☐	☐

TOWN OF PELHAM

RICHARD J. DARONCO TOWN HOUSE
USE POLICY

I. PURPOSE AND STATUS OF FACILITY

The historic Richard J. Daronco Town House, opened in 1930, is a Town-owned municipal facility that has long served important governmental and community functions, including housing the Pelham Recreation Department, the Town of Pelham Courts, the Town Historian and a variety of civic activities over the years. The Daronco Town House is intended primarily for official Town business and, when not required for such purposes, may be made available for Pelham-based civic, cultural, educational, and community-related uses, or for organizations whose activities benefit Pelham residents, as determined in accordance with this Policy.

In light of the significant maintenance, preservation, and operational demands associated with a historic municipal building of this size, the Town of Pelham has adopted the following policy, application requirements, and fee schedule to ensure that use of the Daronco Town House, inclusive of Gazebo Park, is safe, orderly, equitable, and consistent with the Town's public mission and stewardship responsibilities.

II. PRIORITY AND HIERARCHY OF USE

1. Use of the Daronco Town House shall be subject to the following order of priority:
2. Official Town business, including Town Board meetings, Town Court functions, and meetings or activities of Town departments, boards, and commissions;
3. Town-sponsored or Town-affiliated programs, including Recreation Department and other municipal programming;
4. Pelham-based civic, cultural, educational, or community organizations, or organizations whose activities primarily benefit Pelham residents, provided such use is consistent with this Policy.

The Town reserves the right to preempt, cancel, or reschedule any approved use when necessary to accommodate higher-priority Town needs.

III. ELIGIBILITY AND GENERAL REQUIREMENTS

1. Use of the Daronco Town House is limited to non-profit civic, cultural, educational, or community-related activities. Fundraising activities are not permitted inside the Town House.
2. All users must submit a completed application and receive written approval prior to use.
3. Applications must be submitted at least five (5) calendar days prior to the proposed event date.
4. Approval is subject to availability, compliance with this Policy, and Town operational needs.

IV. REVIEW AND APPROVAL

1. The Town Clerk's Office shall review applications for completeness and compliance with this Policy.
2. Applications meeting all requirements shall be considered on a first-come, first-served basis within the applicable priority category.
3. The Town may deny, condition, or revoke approval based on objective, content-neutral criteria, including but not limited to safety concerns, conflicts with Town operations, or failure to meet policy requirements.

V. FEES, INSURANCE, AND INDEMNIFICATION

1. Applicants must provide a Certificate of Insurance naming the Town of Pelham as an additional insured, with minimum limits of $1,000,000 per occurrence, at least three (3) business days prior to the event.
2. Applicants must execute the Town's Indemnification and Hold Harmless Agreement.
3. A refundable $250 security deposit is required prior to use and may be applied to cover damage, excessive cleaning, or loss of Town property.

4. When a Town Constable is required based on objective safety or operational considerations, applicable fees shall be charged in accordance with the Town's fee schedule.

VI. HOURS, DURATION, AND CAPACITY

1. All use must conclude by 9:00 p.m., including cleanup.
2. Events may not exceed four (4) hours in duration.
3. Maximum occupancy limits shall be enforced as established by the Town and applicable fire codes.

VII. ENFORCEMENT

Failure to comply with this Policy or with conditions of approval may result in immediate termination of the event and/or suspension or revocation of future use privileges.

VIII. NO ENDORSEMENT

Approval of use of the Richard J. Daronco Town House does not constitute endorsement by the Town of Pelham of any organization, viewpoint, program, or activity conducted on the premises. All users of the facility act independently and are solely responsible for the content and conduct of their activities.

Application for Use of Daronco Town House

Organization Name: _____

Contact Person (21+): _____

Address: _____

Email & Cell Phone: _____

Event Title & Description (attach as needed):

Date Requested: _____

Start / End Time: _____

Space Requested: ☐ Main Room ☐ Guild Room ☐ Gazebo Park

Estimated Attendance: _____

ELIGIBILITY CERTIFICATION

☐ The organization is Pelham-based or its activities primarily benefit Pelham residents.

☐ The proposed use is non-profit and does not involve fundraising.

ACKNOWLEDGMENT OF USE CONDITIONS

By initialing below, the applicant agrees to comply with the following conditions:

— No alcohol, tobacco, or vaping products

— No political fundraising, partisan advocacy, or campaign events

— No religious worship services

— No sale of goods or services

— No animals except service animals

— No hazardous or combustible materials

— No affixing items to walls or fixtures

— No confetti, glitter, or helium balloons

— Furniture must remain in assigned rooms and be returned after use

— Applicant is responsible for cleanup and trash removal

INSURANCE & INDEMNIFICATION

☐ Certificate of Insurance submitted

☐ Indemnification & Hold Harmless Agreement executed

FEES

☐ If the Town Clerk's office determines that the event requires a Constable, a fee of $30 per hour, minimum of 3 hours will be charged. This is payable by check to Town of Pelham.

SIGNATURE

I certify that the information provided is accurate and that I agree to comply with the Daronco Town House Use Policy and all conditions of approval.

Signature: _____
Name / Title: _____
Organization: _____
Date: _____

FOR TOWN CLERK USE ONLY – APPLICATION REVIEW & APPROVAL

Application Received Date: _____
Application Complete: ☐ Yes ☐ No

Priority Category:

☐ Official Town Business

☐ Town-Sponsored / Town-Affiliated Program

☐ Pelham-Based / Pelham-Benefiting Organization

Requested Space:

☐ Main Room ☐ Guild Room ☐ Gazebo Park

Date(s) Approved: _____

Approved Time: From _____ To _____

Maximum Approved Attendance: _____

REVIEW CHECKLIST

☐ Application reviewed for compliance with Daronco Town House Use Policy
☐ Facility availability confirmed
☐ Insurance Certificate received and verified
☐ Indemnification & Hold Harmless Agreement executed

☐ Security deposit received

☐ Constable required ☐ Yes ☐ No

If yes, number of hours required: ____

If no, Name and Signature of person responsible for guest key (to be completed in Clerk's office)

Name (pls print):_____

Signature: _____

APPROVAL STATUS

☐ Approved
☐ Approved with Conditions (see below)
☐ Denied

Conditions of Approval (if any):

Reason for Denial (if applicable – objective, content-neutral):

TOWN CLERK'S OFFICE CERTIFICATION

I certify that this application has been reviewed and acted upon in accordance with the Richard J. Daronco Town House Use Policy.

Approved / Denied by: _____
Signature: _____ Date: _____

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11. <u>RESOLUTION ESTABLISHING THE TOWN OF PELHAM SUSTAINABILITY ADVISORY BOARD</u>

WHEREAS, the Town Board of the Town of Pelham recognizes the importance of sustainability, resilience, and responsible stewardship of public resources in Town-owned buildings, facilities, grounds, and operations; and

WHEREAS, the Town Board further recognizes the value of coordination, information-sharing, and education to support voluntary sustainability efforts across the Town of Pelham, the Villages of Pelham and Pelham Manor, the Pelham Union Free School District, and community-based organizations; and

WHEREAS, the Town Board desires to establish a Sustainability Advisory Board to serve as a collaborative, non-regulatory advisory body to study sustainability-related issues, research best practices, identify opportunities for coordination, and make recommendations to the Town Board; and

WHEREAS, the Town Board further desires that such advisory efforts respect the independent authority of the Villages and the School District, and that participation in any coordinated initiative or funding opportunity remain entirely voluntary and subject to approval by the applicable governing body or organization; and

WHEREAS, the Town Board wishes to adopt a formal Charter setting forth the purpose, scope of authority, membership structure, and operating framework of the Sustainability Advisory Board;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Pelham hereby establishes the **Town of Pelham Sustainability Advisory Board** as an advisory body to the Town Board; and

BE IT FURTHER RESOLVED, that the Town Board hereby adopts the **Town of Pelham Sustainability Advisory Board Charter**, attached hereto as **Exhibit B** and incorporated herein by reference, which Charter governs the purpose, authority, membership, and operation of the Sustainability Advisory Board; and

BE IT FURTHER RESOLVED, that the Sustainability Advisory Board shall serve in a purely advisory capacity and shall have no regulatory, enforcement, or spending authority, nor shall it bind the Town of Pelham, the Villages of Pelham or Pelham Manor, or the Pelham Union Free School District; and

BE IT FURTHER RESOLVED, that the Sustainability Advisory Board may, where requested by the Town Board or Town staff, assist in identifying, evaluating, and coordinating sustainability-related funding and grant opportunities that may be pursued by the Town independently or collaboratively with community organizations, other municipalities, or public entities, subject in all cases to voluntary participation and applicable approvals; and

BE IT FURTHER RESOLVED, that the Town Board shall appoint five (5) voting members to the Sustainability Advisory Board, and that participating governmental entities, including the Villages of Pelham and Pelham Manor and the Pelham Union Free School District, may appoint up to three (3) additional voting members, as provided in the Charter; and

BE IT FURTHER RESOLVED, that the Town Supervisor is authorized to take any and all actions necessary to implement this Resolution, including coordinating initial appointments and convening the first meeting of the Sustainability Advisory Board.

Resolution 2026-23 Establishing the Town of Pelham Sustainability Advisory Board							
☐ Adopted ☐ Adopted as Amended ☐ Defeated ☐ Tabled ☐ Withdrawn ☐ Failed to Move			Yes / Aye	No / Nay	Abstain	Remote	Absent
	Theresa K. Mohan		☐	☐	☐	☐	☐
	Maura Curtin		☐	☐	☐	☐	☐
	Kristin Burke		☐	☐	☐	☐	☐
	Michael Jenks		☐	☐	☐	☐	☐
	Kara McLoughlin		☐	☐	☐	☐	☐

12. <u>RESOLUTION CLARIFYING THE SUPERVISOR'S AUTHORITY OVER DAY-TO-DAY ADMINISTRATION OF TOWN OPERATIONS</u>

WHEREAS, Town Law §§ 29 and 64 vest the Town Supervisor with responsibility for the supervision and coordination of Town officers and employees and for ensuring that the policies, resolutions, and directives of the Town Board are properly implemented; and

WHEREAS, the Town Board retains legislative and policy-making authority, including the adoption of budgets, approval of contracts, and establishment of positions and compensation, while the effective functioning of Town government requires clear administrative leadership over day-to-day operations; and

WHEREAS, the Town Board wishes to affirm and clarify the respective roles of the Town Board and the Town Supervisor in order to promote efficient, transparent, and accountable governance;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby affirms that the Town Supervisor is responsible for the **day-to-day administration and supervision of Town operations**, including the coordination and oversight of Town departments, offices, employees, and facilities, consistent with applicable law, Town policies, and resolutions of the Town Board; and

BE IT FURTHER RESOLVED, that nothing herein shall be construed to diminish or transfer any authority or responsibility expressly reserved to the Town Board or to independently elected or appointed Town officers under New York State law; and

BE IT FURTHER RESOLVED, that the Town Supervisor shall keep the Town Board appropriately informed regarding significant operational matters and shall carry out such duties in a manner consistent with the policies and directives adopted by the Town Board.

Resolution 2026-24 Affirming that the Town Supervisor is responsible for the day-to-day administration and supervision of Town operations							
☐ Adopted ☐ Adopted as Amended ☐ Defeated ☐ Tabled ☐ Withdrawn ☐ Failed to Move			Yes / Aye	No / Nay	Abstain	Remote	Absent
	Theresa K. Mohan		☐	☐	☐	☐	☐
	Maura Curtin		☐	☐	☐	☐	☐
	Kristin Burke		☐	☐	☐	☐	☐
	Michael Jenks		☐	☐	☐	☐	☐
	Kara McLoughlin		☐	☐	☐	☐	☐

13. AUTHORIZING THE TOWN SUPERVISOR TO EXECUTE AN AGREEMENT CONCERNING THE PARKING ENFORCEMENT PLATFORM

WHEREAS, the Village of Pelham has contracted with T2 Systems, Inc. to provide a parking enforcement software platform for use by the Village and its police department; and

WHEREAS, the Town Court of the Town of Pelham is responsible for the adjudication and processing of parking tickets once such tickets are filed with the Court; and

WHEREAS, the Town Court sought and received judicial ethics opinions from the New York State Office of Court Administration dated November 6, 2025 and December 18, 2025, providing guidance regarding judicial participation in a parking enforcement software platform and the necessity of restricting non-court personnel access to ticket data; and

WHEREAS, the Village of Pelham, the Town Court, and T2 Systems, Inc. have negotiated an agreement to ensure that access to parking ticket data within the software platform complies with the requirements set forth in those judicial ethics opinions; and

WHEREAS, the proposed agreement establishes that, once parking tickets are uploaded to the software platform, the Town Court shall have exclusive administrative control over such tickets, with the Village retaining “read only” access, and includes notice obligations in the event of any change to that access; and

WHEREAS, the Town Board wishes to authorize execution of this agreement in order to support judicial independence, transparency, and compliance with applicable judicial ethics requirements, without altering the statutory authority or responsibilities of the Town Court or the Village;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Pelham hereby approves the agreement among the Village of Pelham, T2 Systems, Inc., and the Town Court of the Town of Pelham concerning the parking enforcement software platform, substantially in the form presented to the Town Board and attached hereto as **Exhibit C**; and be it further

RESOLVED, that the Town Supervisor is hereby authorized and directed to execute said agreement on behalf of the Town of Pelham, together with any non-substantive or ministerial changes approved by the Town Attorney; and be it further

RESOLVED, that nothing in this resolution or in the agreement authorized hereby shall be construed to modify, limit, or interfere with the independent statutory authority or ethical obligations of the Town Court.

14. Resolution 2026-25 Authorizing the Town Supervisor to Execute an Agreement Concerning the Parking Enforcement Platform

☐ Adopted ☐ Adopted as Amended ☐ Defeated ☐ Tabled ☐ Withdrawn ☐ Failed to Move			Yes / Aye	No / Nay	Abstain	Remote	Absent
	Theresa K. Mohan		☐	☐	☐	☐	☐
	Maura Curtin		☐	☐	☐	☐	☐
	Kristin Burke		☐	☐	☐	☐	☐
	Michael Jenks		☐	☐	☐	☐	☐
	Kara McLoughlin		☐	☐	☐	☐	☐

RECURRING ITEMS

15. Approval of Minutes

16. Financial Report

17. Adjournment

EXHIBIT A

Code of Ethics of the Town of Pelham

Section 1. Purpose.

Officers and employees of the Town of Pelham hold their positions to serve and benefit the public, and not for obtaining unwarranted personal or private gain in the exercise and performance of their official powers and duties. The Town Board recognizes that, in furtherance of this fundamental principle, there is a need for clear and reasonable standards of ethical conduct. This code of ethics establishes those standards.

Section 2. Definitions.

(a) "Board" means the governing board of a municipality and any municipal administrative board (e.g. Town Board of Assessment Review), commission, or other agency or body comprised of two or more municipal officers or employees.

(b) "Code" means this code of ethics.

(c) "Interest" means a direct or indirect financial or material benefit, but does not include any benefit arising from the provision or receipt of any services generally available to the residents or taxpayers of the municipality or an area of the municipality, or a lawful class of such residents or taxpayers. A municipal officer or employee is deemed to have an interest in any private organization when he or she, his or her spouse, or a member of his or her household, is an owner, partner, member, director, officer, employee, or directly or indirectly owns or controls more than 5% of the organization's outstanding stock.

(d) "Municipality" means the Town of Pelham. The word "municipal" refers to the municipality.

(e) "Municipal officer or employee" means a paid or unpaid officer or employee of the Town of Pelham, including, but not limited to, the members of any municipal board.

(f) "Relative" means a spouse, parent, step-parent, sibling, step-sibling, sibling's spouse, child, step-child, uncle, aunt, nephew, niece, first cousin, or household member of a municipal officer or employee, and individuals having any of these relationships to the spouse of the officer or employee.

Section 3. Applicability.

This code of ethics applies to the officers and employees of the Town of Pelham, and shall supersede any prior municipal code of ethics. The provisions of this code of ethics shall apply in addition to all applicable State and local laws relating to conflicts of interest and ethics including, but not limited to, article 18 of the General Municipal Law and all rules, regulations, policies and procedures of the Town of Pelham.

Section 4. Prohibition on use of municipal position for personal or private gain.

No municipal officer or employee shall use his or her municipal position or official powers and duties to secure a financial or material benefit for himself or herself, a relative, or any private organization in which he or she is deemed to have an interest.

Section 5. Disclosure of interest in legislation and other matters.

(a) Whenever a matter requiring the exercise of discretion comes before a municipal officer or employee, either individually or as a member of a board, and disposition of the matter could result in a direct or indirect financial or material benefit to himself or herself, a relative, or any private organization in which he or she is deemed to have an interest, the municipal officer or employee shall disclose in writing the nature of the interest.

(b) The disclosure shall be made when the matter requiring disclosure first comes before the municipal officer or employee, or when the municipal officer or employee first acquires knowledge of the interest requiring disclosure, whichever is earlier.

(c) In the case of a person serving in an elective office, the disclosure shall be filed with the governing board of the municipality. In all other cases, the disclosure shall be filed with the person's supervisor or, if the person does not have a supervisor, the disclosure shall be filed with the municipal officer, employee or board having the power to appoint to the person's position.
In addition, in the case of a person serving on a municipal board, a copy of the disclosure shall be filed with the board. Any disclosure made to a board shall be made publicly at a meeting of the board and must be included in the minutes of the meeting.

Section 6. Recusal and abstention.

(a) No municipal officer or employee may participate in any decision or take any official action with respect to any matter requiring the exercise of discretion, including discussing the matter and voting on it, when he or she knows or has reason to know that the action could confer a direct or indirect financial or material benefit on himself or herself, a relative, or any private organization in which he or she is deemed to have an interest.

(b) In the event that this section prohibits a municipal officer or employee from exercising or performing a power or duty:

(1) if the power or duty is vested in a municipal officer as a member of a board, then the power or duty shall be exercised or performed by the other members of the board; or

(2) if the power or duty that is vested in a municipal officer individually, then the power or duty shall be exercised or performed by his or her deputy or, if the officer does not have a deputy, the power or duty shall be performed by another person to whom the officer may lawfully delegate the function.

(3) if the power or duty is vested in a municipal employee, he or she must refer the matter to his or her immediate supervisor, and the immediate supervisor shall designate another person to exercise or perform the power or duty.

Section 7. Prohibition inapplicable; disclosure, recusal and abstention not required.

(a) This code's prohibition on use of a municipal position (section 4), disclosure requirements (section 5), and requirements relating to recusal and abstention (section 6), shall not apply with respect to the following matters:

(1) adoption of the municipality's annual budget;

(2) any matter requiring the exercise of discretion that directly affects any of the following groups of people or a lawful class of such groups:

(i) all municipal officers or employees;

(ii) all residents or taxpayers of the municipality or an area of the municipality; or

(iii) the general public; or

(3) any matter that does not require the exercise of discretion.

(b) Recusal and abstention shall not be required with respect to any matter:

(1) which comes before a board when a majority of the board's total membership would otherwise be prohibited from acting by section 6 of this code;

(2) which comes before a municipal officer when the officer would be prohibited from acting by section 6 of this code and the matter cannot be lawfully delegated to another person.

Section 8. Investments in conflict with official duties.

(a) No municipal officer or employee may acquire the following investments:

(1) investments that can be reasonably expected to require more than sporadic recusal and abstention under section 6 of this code; or

(2) investments that would otherwise impair the person's independence of judgment in the exercise or performance of his or her official powers and duties.

(b) This section does not prohibit a municipal officer or employee from acquiring any other investments or the following assets:

(1) real property located within the municipality and used as his or her personal residence;

(2) less than five percent of the stock of a publicly traded corporation; or

(3) bonds or notes issued by the municipality and acquired more than one year after the date on which the bonds or notes were originally issued.

Section 9. Private employment in conflict with official duties.

No municipal officer or employee, during his or her tenure as a municipal officer or employee, may engage in any private employment, including the rendition of any business, commercial, professional or other types of services, when the employment:

(a) can be reasonably expected to require more than sporadic recusal and abstention pursuant to section 6 of this code;

(b) can be reasonably expected to require disclosure or use of confidential information gained by reason of serving as a municipal officer or employee;

(c) violates section 805-a(1)(c) or (d) of the General Municipal Law; or

(d) requires representation of a person or organization other than the municipality in connection with litigation, negotiations or any other matter to which the municipality is a party.

Section 10. Future employment.

(a) No municipal officer or employee may ask for, pursue or accept a private post-government employment opportunity with any person or organization that has a matter requiring the exercise of discretion pending before the municipal officer or employee, either individually or as a member of a board, while the matter is pending or within the 30 days following final disposition of the matter.

(b) No municipal officer or employee, for the two-year period after serving as a municipal officer or employee, may represent or render services to a private person or organization in connection with any matter involving the exercise

of discretion before the municipal office, board, department or comparable organizational unit for which he or she serves.

(c) No municipal officer or employee, at any time after serving as a municipal officer or employee, may represent or render services to a private person or organization in connection with any particular transaction in which he or she personally and substantially participated while serving as a municipal officer or employee.

Section 11. Personal representations and claims permitted.

This code shall not be construed as prohibiting a municipal officer or employee from:

(a) representing himself or herself, or his or her spouse or minor children before the municipality; or

(b) asserting a claim against the municipality on his or her own behalf, or on behalf of his or her spouse or minor children.

Section 12. Use of municipal resources

(a) Municipal resources shall be used for lawful municipal purposes. Municipal resources include, but are not limited to, municipal personnel, and the municipality's money, vehicles, equipment, materials, supplies or other property.

(b) No municipal officer or employee may use or permit the use of municipal resources for personal or private purposes, but this provision shall not be construed as prohibiting:

(1) any use of municipal resources authorized by law or municipal policy;

(2) the use of municipal resources for personal or private purposes when provided to a municipal officer or employee as part of his or her compensation; or

(3) the occasional and incidental use during the business day of municipal telephones and computers for necessary personal matters such as family care and changes in work schedule.

(c) No municipal officer or employee shall cause the municipality to spend more than is reasonably necessary for transportation, meals or lodging in connection with official travel.

Section 13. Interests in Contracts.

(a) No municipal officer or employee may have an interest in a contract that is prohibited by section 801 of the General Municipal Law.

(b) Every municipal officer and employee shall disclose interests in contracts with the municipality at the time and in the manner required by section 803 of the General Municipal Law.

Section 14. Nepotism.

Except as otherwise required by law:

(a) No municipal officer or employee, either individually or as a member of a board, may participate in any decision specifically to appoint, hire, promote, discipline or discharge a relative for any position at, for or within the municipality or a municipal board.

(b) No municipal officer or employee may supervise a relative in the performance of the relative's official powers or duties.

Section 15. Political Solicitations.

(a) No municipal officer or employee shall directly or indirectly to compel or induce a subordinate municipal officer or employee to make, or promise to make, any political contribution, whether by gift of money, service or other thing of value.

(b) No municipal officer or employee may act or decline to act in relation to appointing, hiring or promoting, discharging, disciplining, or in any manner changing the official rank, status or compensation of any municipal officer or employee, or an applicant for a position as a municipal officer or employee, on the basis of the giving or withholding or neglecting to make any contribution of money or service or any other valuable thing for any political purpose.

Section 16. Confidential Information.

No municipal officer or employee who acquires confidential information in the course of exercising or performing his or her official powers or duties may disclose or use such information unless the disclosure or use is required by law or in the course of exercising or performing his or her official powers and duties.

Section 17. Gifts.

(a) No municipal officer or employee shall solicit, accept or receive a gift in violation of section 805-a(1)(a) of the General Municipal Law as interpreted in this section.

(b) No municipal officer or employee may directly or indirectly solicit any gift.

(c) No municipal officer or employee may accept or receive any gift, or multiple gifts from the same donor, having an annual aggregate value of seventy-five dollars or more when:

(1) the gift reasonably appears to be intended to influence the officer or employee in the exercise or performance of his or her official powers or duties;

(2) the gift could reasonably be expected to influence the officer or employee in the exercise or performance of his or her official powers or duties; or

(3) the gift is intended as a reward for any official action on the part of the officer or employee.

(d) For purposes of this section, a "gift" includes anything of value, whether in the form of money, service, loan, travel, entertainment, hospitality, thing or promise, or in any other form. The value of a gift is the gift's fair market value, determined by the retail cost of the item or a comparable item. The fair market value of a ticket entitling the holder to food, refreshments, entertainment, or any other benefit is the face value of the ticket, or the actual cost to the donor, whichever is greater. Determination of whether multiple gifts from a single donor exceed seventy-five dollars must be made by adding together the value of all gifts received from the donor by an officer or employee during the twelve-month period preceding the receipt of the most recent gift.

(e) (1) A gift to a municipal officer or employee is presumed to be intended to influence the exercise or performance of his or her official powers or duties when the gift is from a private person or organization that seeks municipal action involving the exercise of discretion by or with the participation of the officer or employee.

(2) A gift to a municipal officer or employee is presumed to be intended as a reward for official action when the gift is from a private person or organization that has obtained municipal action involving the exercise of discretion by or with the participation of the officer or employee during the preceding twelve months.

(f) This section does not prohibit any other gift, including:

(1) gift made to the municipality;

(2) gifts from a person with a family or personal relationship with the officer or employee when the circumstances make it clear that the personal relationship, rather than the recipient's status as a municipal officer or employee, is the primary motivating factor for the gift

(3) gifts given on special occasions, such as marriage, illness, or retirement, which are modest, reasonable and customary;

(4) unsolicited advertising or promotional material of little intrinsic value, such as pens, pencils, note pads, and calendars;

(5) awards and plaques having a value of seventy-five dollars or less which are publicly presented in recognition of service as a municipal officer or employee, or other service to the community; or

(6) meals and refreshments provided when a municipal officer or employee is a speaker or participant at a job-related professional or educational conference or program and the meals and refreshments are made available to all participants.

Section 18. Board of Ethics.

(a) There is hereby established a board of ethics for the municipality. The board of ethics shall consist of three members, a majority of whom shall not be officers or employees of the municipality, but at least one of whom must be a municipal officer or employee. The members of such board of ethics shall be appointed by the Town Board, serve at the pleasure of the appointing authority, and receive no salary or compensation for their services as members of the board of ethics.

(b) The board of ethics shall render advisory opinions to the officers and employees of the Town of Pelham with respect to article 18 of the General Municipal Law and this code. Such advisory opinions must be rendered pursuant to the written request of any such officer or employee under such rules and regulations as the board of ethics may prescribe. The board of ethics shall have the advice of legal counsel employed by the board, or if none, the municipality's legal counsel. In addition, the board of ethics may make recommendations with respect to the drafting and adoption of a code of ethics, or amendments thereto, upon the request of the Town Board.

Section 19. Posting and distribution.

(a) The Town Supervisor must promptly cause a copy of this code, and a copy of any amendment to this code, to be posted publicly and conspicuously in each building under the municipality's control. The code must be posted within ten days following the date on which the code takes effect. An amendment to the code must be posted within ten days following the date on which the amendment takes effect.

(b) The Town Supervisor must promptly cause a copy of this code, including any amendments to the code, to be distributed to every person who is or becomes an officer and employee of the Town of Pelham.

(c) Every municipal officer or employee who receives a copy of this code or an amendment to the code must acknowledge such receipt in writing. Such acknowledgments must be filed with the Town Clerk or Deputy Town Clerk who must maintain such acknowledgments as a public record.

(d) The failure to post this code or an amendment to the code does not affect either the applicability or enforceability of the code or the amendment. The failure of a municipal officer or employee to receive a copy of this code of ethics or an amendment to the code, or to acknowledge receipt thereof in writing, does not affect either the applicability or enforceability of the code or amendment to the code.

Section 20. Enforcement.

Any municipal officer or employee who violates this code may be censured, fined, suspended or removed from office or employment in the manner provided by law.

Section 21. Effective date.

This code takes effect on [insert date on which code of ethics takes effect].

EXHIBIT B

TOWN OF PELHAM

Sustainability Advisory Board Charter

I. Establishment

The Sustainability Advisory Board ("SAB") is hereby established by resolution of the Town Board of the Town of Pelham as an advisory body to the Town Board.

II. Purpose

The purpose of the Sustainability Advisory Board is to:

1. Advise the Town Board on sustainability practices related to Town-owned buildings, facilities, grounds, and operations;
2. Serve as a coordinating, information-sharing, and collaborative advisory forum to support voluntary sustainability efforts across the Town of Pelham, the Villages of Pelham and Pelham Manor, and the Pelham Union Free School District;
3. Promote education and awareness by developing and sharing clear, accessible sustainability information for residents, local organizations, and public institutions;
4. Coordinate, where appropriate, with community-based organizations, civic groups, nonprofits, and other stakeholder groups within the Town of Pelham to support shared sustainability goals on a voluntary basis; and
5. Assist the Town Board and Town staff, where requested, with identifying, evaluating, and coordinating sustainability-related funding and grant opportunities that may be pursued by:
   a. the Town of Pelham independently;
   b. the Town in collaboration with Town-based sustainability groups or community organizations; and/or
   c. the Town in collaboration with other municipalities, public entities, or institutions, where appropriate.

   Participation in any specific funding opportunity or collaboration shall remain voluntary and subject to the approval of the applicable governing body or organization.

III. Scope of Authority

The Sustainability Advisory Board is purely advisory in nature.

The SAB may:

1. Study, evaluate, and make recommendations to the Town Board;
2. Assist Town staff by researching best practices, data, and funding opportunities;
3. Encourage coordination and alignment among local governmental entities on a voluntary basis;
4. Provide educational information to residents and community organizations;
5. Identify and assess potential funding strategies and partnership models to support sustainability initiatives, without administering grants or obligating participating entities.

The SAB shall not:

1. Exercise regulatory or enforcement authority;
2. Direct Town staff or expend Town funds without express authorization of the Town Supervisor or Town Board;
3. Bind the Town of Pelham, the Villages of Pelham or Pelham Manor, or the Pelham Union Free School District;
4. Interfere with or supersede the independent authority of any other governmental entity.

IV. Jurisdictional Limitation

Nothing in this Charter shall be construed to confer authority over the Villages of Pelham or Pelham Manor, or the Pelham Union Free School District, each of which retains full and independent governance authority. Participation in coordinated sustainability initiatives is entirely voluntary.

V. Membership

1. The Sustainability Advisory Board shall consist of five (5) voting members appointed by the Town Board.
2. In addition, up to three (3) voting members may be appointed by participating governmental entities, consisting of the Villages of Pelham and Pelham Manor and the Pelham Union Free School District.
3. All members shall be residents of the Town of Pelham, unless otherwise agreed by the Town Board for members appointed by participating governmental entities.
4. Members appointed by the Town Board shall serve terms of three (3) years and may be reappointed for successive terms, and shall continue to serve until their successors are appointed, unless earlier removed by the Town Board.
5. The Town Board may designate non-voting Town staff or Town Board liaisons to support the work of the SAB, as appropriate.
6. Role of Members Appointed by Participating Governmental Entities:
   Members appointed by the Villages of Pelham and Pelham Manor and the Pelham Union Free School District shall serve as full participating members of the Sustainability Advisory Board. Such members are expected to contribute subject-matter expertise, participate fully in deliberations, vote on advisory recommendations to the Town Board, and support collaborative problem-solving across institutions. These members do not represent or advocate for the official positions of their appointing entities unless expressly authorized by those entities, nor do they bind their appointing entities to any recommendation or action of the SAB.

VI. Meetings

1. The Sustainability Advisory Board shall meet at least quarterly.
2. Meetings shall be conducted in accordance with the New York State Open Meetings Law.
3. The SAB shall provide quarterly updates to the Town Board summarizing its activities, findings, progress, and opportunities for collaboration.

EXHIBIT C

AGREEMENT - PARKING ENFORCEMENT PLATFORM
JUDICIAL ETHICS OPINION AND ACCESS CONTROL

This agreement made this ____ day of _____, 2026 (the "Agreement"), by and between the Village of Pelham (hereinafter the "Village"), T-2 Systems, Inc., (hereinafter the "Company") and the Town Court of the Town of Pelham (hereinafter the "Town Court") (the Village, Town Court and the Company are collectively referred to as the "Parties").

WHEREAS, the Village has contracted with the Company to provide a parking enforcement platform for the Village and its police department; and

WHEREAS, the Town Court is responsible for the adjudication and processing of all parking tickets after they have been written; and

WHEREAS, in October of 2025, the Town Court requested an ethics opinion from the New York Office of Court Administration (the "OCA") requesting, among other things, guidance with respect to the Town Court's ability to authorize training of its court staff on the Company's software platform and what level of access, if any, the Village may retain to the Company software platform; and

WHEREAS, the OCA issued an ethics opinion on November 6, 2025 (the "November 2025 Opinion", annexed hereto at Exhibit "1"), in which the OCA held, in part, that: "In light of the judges' statutory responsibilities to account for the funds entrusted to them, we conclude that the village's current power to "at any time access, change or control the dispositions and reports of dispositions of tickets in the court's control" creates at the very least an appearance of impropriety and may undermine judicial independence [and that] the judges should not participate in this parking enforcement software platform as long as the village maintains administrative control over parking tickets in the vendor's platform, even after the tickets have been downloaded to the control of the justice court … [and] that limiting the village to "read only" access, so that non-court personnel cannot even inadvertently interfere with any accounting, auditing or reconciliation process that may need to be undertaken will satisfy this impediment …. [and] once the village access is changed to "read only," … the judges and/or court personnel may receive training from the vendor to familiarize them with the parking software platform;" and

WHEREAS, on November 21, 2025, the Village attorney provided a signed letter (the "T2 letter") from the Company, which confirmed that the Village's access to the Company platform had been "read only" going back to September 12, 2025 pursuant to a request from the Village (a copy of the T2 Letter is annexed hereto at Exhibit "2"); and

WHEREAS, subsequent to issuance of the November 2025 Opinion, the Town Court requested a second judicial ethics opinion from the OCA, requesting clarification as to representations that the Company is required to make with regard to the Village's "read only" status on the Company's software platform; and

WHEREAS, the OCA issued a second judicial ethics opinion on December 18, 2025 (the "December 2025 Opinion," annexed hereto at Exhibit "3"), in which the OCA held in part that: (1) A judge may participate in the program if (a) the vendor represents that the program precludes non-court personnel from modifying or deleting the ticket data (including the tickets themselves, information about their disposition, payments received, and other related information) but should take reasonable steps to ensure that such restricted access will be permanent and (b) the vendor is required to notify the court if there is any alteration of this "read only" access or if the "read only" access provision is violated by any non-court personnel; and (2) the judges have an ethical obligation to take reasonable steps to ensure that non-judicial personnel cannot modify ticket data and may decline to participate if the village declines to formally prohibit non-court personnel from modifying the ticket data; and

WHEREAS, the Village and the Town Court wish to enter into an agreement with the Company to ensure compliance with the November 2025 Opinion and the December 2025 Opinion;

NOW THEREFORE, the Parties hereby agree as follows:

1. The Village and members of its police department shall have administrative control over all parking tickets until such time as the subject ticket has been uploaded to the Company's parking platform.

2. The Town Court shall assume exclusive administrative control over all parking tickets once any parking ticket has been uploaded to the Company's parking platform, and the Village shall retain "read only" access to review records and reports.

3. The Company agrees to modify their parking platform to reflect the above, and to notify the Town Supervisor of the Town of Pelham in writing not less than ten (10) days prior to making any change to this arrangement for any reason.

4. Nothing in this Agreement (and no action taken pursuant hereto) is intended to, nor shall it, amend, modify, supplement, restate, waive, release, terminate, novate, supersede, or otherwise affect any rights or obligations of any Party under any

other agreement between or among any of the Parties, all of which shall remain in full force and effect. Nothing herein shall be construed as a consent to or waiver of any breach or default under any such other agreement.

[SIGNATURES APPEAR ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

BY:

Village of Pelham

_____

NAME: Christopher Scelza
TITLE: Village Administrator

BY:

T2 Systems, Inc.

_____
NAME: _____
TITLE: _____

BY:

Town of Pelham

_____
NAME: Theresa Mohan
Title: Town Supervisor