

VILLAGE OF PELHAM BOARD OF TRUSTEES REGULAR MEETING
TUESDAY, MAY 6, 2008 – 7:30 PM
VILLAGE HALL – 195 SPARKS AVENUE, PELHAM, NY
MINUTES

- | | | |
|----|---|---------------|
| 1. | Call To Order | |
| 2. | Pledge of Allegiance | |
| 3. | Mayor’s Report | |
| 4. | Trustees’ Reports | |
| 5. | Village Administrator’s Report (including gift acceptances) | Approximate |
| 6. | Public Comment | Starting Time |
| # | Agenda Items: | of Discussion |

	Committee Reports	7:40 p.m.
7.	Departmental Liaison reports – Police, Fire, DPW, Building	Discussed
8.	Website / Telecommunications (Verizon Fios, Website upgrades, E-mail notifications).	Discussed
9.	Flooding (Grants, Engineer Report, etc.).	Discussed
10.	Environmental – LED light status report.	Discussed
11.	Development (Site Plan Review, Pelham Medical Group, Pelham Picture House & Main St. / Downtown grant).	Discussed
12.	Human Resources & Administration (HR Manual, Risk Assessment).	Discussed
13.	Farmer’s Market (status report).	Discussed
	Planning Issues	8:15 p.m.
14.	Considering adoption of the Village of Pelham’s updated Comprehensive Plan.	Adopted
	Business	8:45 p.m.
15.	Considering a Resolution to adopt and update the Pelham Fee Schedule.	Approved as amended
16.	Considering authorizing an agreement with Westchester County for an inter-municipal cooperation grant for the County-wide MS-4 Phase II Stormwater Education and Outreach Program.	Approved
17.	Considering authorizing a resolution scheduling a hearing on May 20 th to consider a franchise agreement between the Village of Pelham and Verizon, for FIOS cable TV services.	Tabled
18.	Resolution giving 45 days public notice about the Village’s intent to renew the annual goals for DBE participation re: the FTA project.	Approved
	Parking	9:15 p.m.
19.	Discussing a draft Home Rule Request for an exception to the Vehicle and Traffic Law to allow residents with restricted driveways to park in the driveway overhanging the sidewalk, only late at night.	Tabled
	Housekeeping	9:20 p.m.
20.	Authorizing the Accounts Payable	Approved
21.	Other Business	Discussed
22.	Minutes: March 11 and 25; and April 8 and 22 2008.	Approved thru 4/8/08
23.	Executive Session	Discussed
24.	Adjournment	Adjourned

The next Regular Board Meetings are Tuesdays May 20 and June 3, 2008.

* All meetings start at 7:30 p.m. unless otherwise noted.

Agenda is subject to change.

VILLAGE OF PELHAM BOARD OF TRUSTEES REGULAR MEETING
TUESDAY, MAY 6, 2008 – 7:30 P.M.
VILLAGE HALL – 195 SPARKS AVENUE, PELHAM, NY

Item #1 – Meeting called to order: The meeting of the Board of Trustees was called to order by Mayor Edward Hotchkiss at 7:35 p.m.

The following members of the Board of Trustees were present:

Mayor Edward Hotchkiss, Trustees Breskin, Homan, Lewis, Morris, and Potocki. Trustee Weinstein arrived at 8:45 p.m.

Village staff in attendance:

Administrator/Treasurer Richard Slingerland and Administrative Aide Devron Wilson.

Item #2 – Pledge of Allegiance:

The Pledge of Allegiance was led by Mayor Edward Hotchkiss.

Item #3 – Mayor's Report:

Mayor Hotchkiss had nothing to report that was not included on the agenda.

Item #4 – Trustees' Reports:

Trustee Greg Breskin had nothing to report that was not included on the agenda.

Trustee Potocki reported that he, Administrator Slingerland, and Administrative Aide Devron Wilson met with Pelham Middle School Principal Joe Longobardi, and Pelham Middle School Assistant Principal Ben Fusco to discuss ways to reduce traffic and improve pedestrian safety around the middle school. There were several recommendations that came out of the meeting. Trustee Potocki will discuss the recommendations with Pelham Police Chief Joseph Benefico. To help reduce traffic, parents are encouraged to let their children walk or bike to school, and drop off children a block or two from school to reduce congestion. Trustee Potocki also mentioned that there was an attempted burglary last week at the Getty station on Lincoln Avenue. Police officers Zoccolillo and Artola arrested the burglar, due to Officer Artola noticing activity in the building during the early morning hours. Trustee Potocki further mentioned that detectives have interviewed a suspect associated with the 5th Avenue burglaries.

Trustee Homan had nothing to report that was not included on the agenda.

Trustee Lewis had nothing to report that was not included on the agenda.

Trustee Morris reported that she, Trustee Homan, and Administrator Slingerland are going to meet tomorrow to map out locations downtown and around Wolfs Lane Park where streetscape improvements should be planned, including decorative garbage cans, benches and other street furniture.

Item #5 – Village Administrator's Report:

Village Administrator Richard Slingerland reported that on May 10, 2008 the Department of Environmental Conservation (DEC) will start a follow up investigation of chemical spill that was first discovered approximately 10 years ago, traced back to Crystal Cleaners on Wolfs Lane. The investigation will take place on Wolfs Lane, Sparks Avenue, and at the Village DPW Yard, to determine if there is any hazard from leaked dry cleaning chemicals. Administrator Slingerland also reported that village trees will be planted soon.

Item #6 – Public Comment:

John Cassone of 312 7th Avenue mentioned that the audio from the last Board of Trustees meeting was poor. He watched the broadcast of the meeting and noticed that there was static throughout and it was difficult to hear the board members when they spoke.

Trustee Homan thanked Senator Klein for writing a letter to the New York State Department of Transportation (NYSDOT) supporting the Village of Pelham's Safe Routes to School grant application.

Item #7 – Departmental Liaison reports – Police, Fire, DPW, Building:

Trustee Potocki mentioned that the Annual Village Police Awards will be held on May 13, 2008. He congratulated Detective Deere on being chosen to receive an award from Westchester County for his work on an arrest in a homicide case that happened 25 years ago. Trustee Potocki will find out if the event where Detective Deere will be receiving the award is open to the public. If so, the village will post the information on the website so that the public may attend.

Trustee Morris reported that the fire inspections process is moving along.

Trustee Geoff Lewis mentioned that General Foreman Michael Shriman did a great job on Earth Day Cleanup. Trustee Morris mentioned that Metro North has been doing a poor job cleaning up the trash around the train station.

Mayor Hotchkiss assigned Trustee Greg Breskin as the liaison to the village building department.

Item #8 – Website / Telecommunications (Verizon Fios, Website upgrades, E-mail notifications:

Trustee Lewis reported that he, Mayor Hotchkiss, and Administrator Slingerland met with Eddie Ganbuam from the Pelham Memorial High School Technology Department and the two high school students working on the village website. The students are working on improving the functionality of the website. The students will develop a site map and come up with suggestions to present to the village. Trustee Lewis also mentioned that students from the Pelham Memorial High School Graphics Department will possibly work on recreating the village logo. Trustee Lewis also reported that the village is working on finalizing the Fios TV Franchise Agreement with Verizon. The village is trying to build an equipment grant for use by the public into the agreement. Mayor Hotchkiss informed everyone that Verizon will have 50% of the village built out (Verizon Fios capable) by the end of the year.

Alex Cammarda from Senator Klein's office asked the village board if customer service provisions were requested in the contract with Verizon because he knows of others who have requested these types of provisions in their contracts.

Administrative Aide Devron Wilson reported that the auto attendant for the village hall phones is in process. Mr. Wilson is also working on a Parks Grant and Tree Planting Grant which must be submitted to the state by June 2008.

Item #9 – Flooding (Grants, Engineer Report, etc.):

Mayor Hotchkiss mentioned that the village is trying to negotiate a protocol with The City of New Rochelle to lower Glenwood Lake. Mayor Hotchkiss also mentioned that the village has asked Dolph Rotfeld Engineering to submit a revised proposal relating to flood remediation projects. Dolph is expected to submit a revised proposal to the village soon.

Item #10 – Environmental – Earth Day follow-up report:

Mayor Hotchkiss reported that Earth Day on April 26th was a major success. There were approximately 15 to 20 people that participated in the cleanup. Administrator Slingerland reported that they filled up a dump truck with about five yards of garbage, rubbish and recyclables. The Mayor thanked all who participated that day.

Item #11 – Development (Site Plan Review, Pelham Medical Group, Pelham Picture House & Main St. / Downtown grant):

Administrator Slingerland reported that Village Prosecutor Martha Conforti is preparing a draft of the village site plan procedures. The draft will be submitted to Mr. Slingerland this week. Mr. Slingerland also reported that the Downtown Streetscape Program is in process. Administrator Slingerland mentioned that Pelham Medical Group will be going before the planning board on May 13. There are outstanding drainage issues with both the PMG and Lordae Realty Management's sites.

Trustee Breskin mentioned that there will be a kick-off meeting of the Commercial Zoning Code Review Committee on May 14th at 7:30 p.m. to review and discuss the zoning code.

Item #12 – Human Resources & Administration (HR Manual, Risk Assessment):

Trustee Homan mentioned that she will have a draft Village of Pelham Human Resources Manual ready for review by the end of the summer.

Mayor Hotchkiss reported that he met with Police Chief Joseph Benefico and Administrator Slingerland regarding the villages' management procedures and risk exposures. Mayor Hotchkiss plans to meet with all of the village department heads about this topic.

Item #13 – Farmer's Market (status report):

Trustee Homan met with Miriam Haas of Community Markets and citizens to discuss the farmer's market in Pelham. Trustee Homan gathered some great ideas and ways to educate residents and build relations between the farmer's market and merchants. The start date for

the market is June 15, 2008 at a.m. There will be a raffle and canvas bags on sale for \$10 during the first month of the market.

Item #14 – Considering adoption of the Village of Pelham’s updated Comprehensive Plan:

The Mayor and the Village Administrator gave a brief summary of all of the work, including the final edits to the document. The Mayor recommended the plan be approved with all the changes, under the proviso that the Village correct, replace and augment photographs in the plan to provide a better flavor for the Pelham community.

A motion was made by Trustee Breskin, with a second by Trustee Lewis to adopt the resolution. The motion was approved unanimously by vote of six in favor, none opposed. Trustee Weinstein was absent.

RESOLUTION
CONSIDERING REVIEW AND ADOPTION OF
THE VILLAGE OF PELHAM
COMPREHENSIVE MASTER PLAN

WHEREAS, the Village of Pelham received a grant in the amount of \$75,000 from the New York State Department of State Quality Communities Program, prepared a bid for the preparation of an updated Comprehensive Plan, awarding the consulting contract for preparation of the new and updated Comprehensive Plan to Saratoga Associates offices in New York, NY; and

WHEREAS, Mayor Edward Hotchkiss appointed a citizen committee comprised of seventeen residents and ex-officio representatives of the Village of Pelham, which the Village would like to thank at this time for their service and contributions to this plan; and

WHEREAS, Committee Meetings that were opened to the public, and public meetings at which this plan was discussed, were held on the following dates, including a public hearing initially opened on December 4, 2007:

1. July 17, 2007 6 p.m. Initial Work Session Meeting of the Comprehensive Plan Committee
2. September 25, 2007 7:30 p.m. Public Work Session held specifically for public discussion and input on the Preliminary Draft Comprehensive Plan;
3. October 30, 2007 7:30 p.m. Public Board Meeting and Discussion on the Draft Comprehensive Plan, including
 - a. Declaration of the Board’s intent to act as Lead Agency under SEQRA, and circulation of the Notice of Intent with a copy of the draft plan to involved and interested parties and agencies;
 - b. Authorization of a Legal Public Notice of a Public Hearing on the Draft Comprehensive Plan, scheduled for Tuesday, December 4, 2007
4. December 4, 2007 Public Hearing and forum for residents to make comment on the draft proposed Comprehensive Plan.
5. Continuation of the Public Hearing through the Board Meetings of December 18, 2007, January 8, 2008, and January 22, 2008, after which the formal public hearing was closed; and
6. Continuous Publication of the draft Comprehensive Plan of the Village of Pelham on the Village’s website, at www.pelhamgov.com, from November 2, 2007, through the present.

NOW, THEREFORE, BE IT RESOLVED, pursuant to Village Law, Section 7-722, 7., that the Mayor and Board of Trustees of the Village of Pelham hereby declare the Comprehensive Plan of the Village of Pelham to be complete and adopt it as final, with a schedule for it to be updated regularly on a three to five (3-5) year basis, so that the recommendations and plans remain current and applicable to the future growth of the Village of Pelham.

Item #15 – Considering a Resolution to adopt and update the Pelham Fee Schedule:

Trustee Homan mentioned that it seems like the fee schedule penalizes those who buy monthly, quarterly, and semi-annual parking permits. Trustee Breskin mentioned that one can look at this from the opposite perspective and believe that the fee schedule presents a discount for those who buy annual parking permit. Trustee Potocki mentioned that the price for permits should be prorated for new residents and new merchants.

John Cassone of 312 7th Avenue mentioned that he doesn't think that \$60 fee is practical for a permit to allow residents or contractors to park on the street during construction. He believes it should be more like \$15 per week.

A motion was made by Trustee Potocki, with a second by Trustee Breskin to adopt the resolution. The motion was approved by vote of five in favor, two opposed. Trustees Homan and Morris were opposed.

BUDGET RESOLUTION B
ADOPTING FEE SCHEDULE
INCLUDING ANNUAL PARKING PERMIT RATES

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham hereby adopts the Fee Schedule for the Village of Pelham as follows:

Proposed Fee and Fine Schedule, April 22, 2008

Village of Pelham
Fee and Fine Schedule, updated May 2, 2008

Item	Chapter	Fee amount	Updated Fee 5/2
Alarm System	§ 27	No annual fee	
Alarms: False Alarm Fee	§ 27-7	No violation for 1 st thru 3 rd , Violations issued for false alarms after 3 rd , up to \$250 per violation	Per Village Code update of Alarm Code law update
Amusement Device	§ 28	\$250 per establishment and \$250 per device	
Blasting Permit	§ 33, 34, 35, 68	\$2,500 per blast, plus pre-blast surveys of properties required within 500 feet of a property being blasted, plus \$50,000 bond or escrow for property damage; \$2 million minimum hazard & liability insurance	

Building Permit (Consolidates in Fences, Tanks, Fuel Tank Installation or Removal, HVAC, Demolition, etc.)	§ 34	\$200 per \$0-5000 value of work; \$10 per each additional \$1000 in value of work, with requirement to substantiate cost of work upon completion.	
Building/Work w/o Permit	§ 34	\$1000	
Certificate of Occupancy or Compliance	§ 34	\$250	
Christmas Tree Sales		\$100 (plus \$150 deposit)	
Curb Cut Fee, Driveway Apron, Sidewalk/Curb Repair	§ 33 and 76	\$250 per opening up to 25 sq. ft., with \$25 per each additional 50 sq. ft. above 25 s.f. for sidewalks and driveways; \$25 per each addl. linear foot for curbs, \$350 refundable deposit.	\$125 sidewalk maintenance repair permit, and \$350 refundable deposit. \$100 sidewalk repair permit flat rate.
Item	Chapter	Fee amount	Updated Fee 5/2
Dog License Fee	§ 41-2	\$12.50 if spayed or neutered, \$17.50 if not	
Dumpster Permit		\$50 per day, plus \$5 per meter per day if it blocks a meter. (Public or Private Road.)	
Electrical Permit	§ 34	\$100 plus \$10 per electrical item (switch, outlet, fixture, etc.)	
Elevator Inspections		3 rd Party – No longer administered by Village.	
Excavation and Digging w/o Permit	§ 33	For work w/o a permit, or in violation of a permit, \$1000 each sep. violation	
Film Permit Fee	§ 44-3	\$600 per day 8 am-8 pm \$900 per day 7 am-9 pm \$1,200 per day, earlier/later hrs. Plus \$25 per parking space rental (overrides hr limits), plus police costs (if assigned duty for traffic control or other work)	* Reflects Board policy from 2007.
Fire Inspection Fees (includes Haz. Chem., Flam- mable Stor., Dry Cleaning, Lumber Yards, & Resdntl./Places of Public Assembly)	State Code and Village Code	Annual fee of \$100 per building, per residential building, or commercial establishment, whichever is greater	
Games of Chance (net proceeds fee)	§ 52-12 (B)	Not to exceed 5% of net proceeds	
Hazardous Chemicals		* See Fire Inspection Fee.	
Ice Cream Vendor (Truck)	§ 68-32	\$100 per year, plus \$90 for NYS background check, and	

		\$10 for fingerprinting.	
Motor Vehicle Service Garage or Motor Vehicle Repair and Spray Booth	§ 34; and Fire Inspection Fee	\$100	
Motor Vehicle – Fuel Dispenser Permit (per nozzle, annual)	§ 34; and Fire Inspection Fee	\$25 per nozzle	
Parking Meter Reservation	Daily fee	\$7.50 per day, per meter	
Parking On-Street Pmt for Residents or Contractors only during active building permit		\$60 a month; or \$15 per week depending on length of time. (can be prorated)	

Item	Chapter	Fee amount	Updated Fees 5/2
Parking Lot Permit Fees	Resident Annual	\$550	\$590
	Resident Semi-annual	\$344	\$340
	Resident Quarterly	\$200	\$190
	Resident Monthly	\$73	\$70
	Non-Resident Annual	\$1,200	\$1,200
	Non-Res. Semi-annual	\$750	\$660
	Non-Resident Quarterly	\$435	\$360
	Non-Resident Monthly	\$160	\$130
	Merchant Annual	\$440	\$480
	Merchant Semi-annual	\$264	\$275
	Merchant Quarterly	\$160	\$160
	Merchant Monthly	\$59	\$60
Plumbing Permit	§ 34	\$100, plus \$10 ea. fixture	
Sidewalk Café Permit	§ 75	\$200	
Sign/Marquee Permit (Awning or Canopy – same as Sign)	§ 77-5	\$200 application fee	
Site Plan Review	§ 79	\$500 per lot	
Street Opening Permit	§ 33	\$300 per opening up to 25 sq. ft., \$100 per each addl. 100 s.f., \$350 refundable deposit.	
Taxicab – Cab Lic Fee	§ 84	\$100 annual	
Taxi – Driver Fee	§ 84	\$50 annual, plus fingerprinting costs	

Taxi – Inspection Fee	§ 84	\$50 per inspection, (2x/yr)	
Taxi Stand Parking Space	\$ 90	\$800 per year	\$900 per year
Wireless Telecomm. Devices	§ 87	\$5,000 \$2,000 for co-location	
Water Shut-Off/Turn-On		\$100 Fee	
Zoning Board of Appeals Application or Appeal Fee	§98-128	\$250 Residential Applic. \$500 Commercial Applic.	

AND BE IT RESOLVED, that the Mayor, Village Administrator, Village Attorney, Treasurer, Building Inspector and Police Chief are authorized to take the necessary and appropriate actions to effect and apply these fee rates.

Item #16 – Considering authorizing an agreement with Westchester County for an inter-municipal cooperation grant for the County-wide MS-4 Phase II Stormwater Education and Outreach Program:

A motion was made by Trustee Lewis, with a second by Trustee Morris to adopt the resolution. The motion was approved unanimously by vote of seven in favor, none opposed.

RESOLUTION

AUTHORIZING AN AGREEMENT WITH WESTCHESTER COUNTY
FOR AN INTER-MUNICIPAL COOPERATION GRANT
FOR THE COUNTY-WIDE MS-4 PHASE II
STORMWATER EDUCATION AND OUTREACH PROGRAM

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham hereby authorize the Village to participate in the County's MS4 Phase II Stormwater Education and Outreach Program, as a cooperating municipality, providing in-kind services and assistance as the match for this program, with no funding or dollar contribution required of the village of Pelham; and

BE IT FURTHER RESOLVED, that the Mayor and the Village Administrator are authorized to execute this agreement, and the Village of Pelham is authorized to take the necessary and appropriate actions to cooperate with and implement this program as it relates to the Village of Pelham.

Item #17 – Considering authorizing a resolution scheduling a hearing on May 20th to consider a franchise agreement between the Village of Pelham and Verizon, for FIOS cable TV services:

* This topic was tabled until a future Board of Trustees Meeting, due to the fact that the negotiations had not been completed and the contract settled.

Item #18 – Resolution giving 45 days public notice about the Village’s intent to renew the annual goals for DBE participation re: the FTA project:

A motion was made by Trustee Homan, with a second by Trustee Weinstein to adopt the resolution. The motion was approved unanimously by vote of seven in favor, none opposed.

RESOLUTION

LEGAL NOTICE OF THE VILLAGE OF PELHAM, NY
GIVING PUBLIC NOTICE
AND SCHEDULING ADOPTION OF THE DBE GOALS ON JUNE 17, 2008
REGARDING THE VILLAGE’S INTENT TO ESTABLISH ANNUAL GOALS
FOR DBE PARTICIPATION RE: THE FTA PROJECT TO EXPAND PARKING
IN LOT 7 AND THE VILLAGE DPW YARD

BE IT RESOLVED, by the Board of Trustees of the Village of Pelham that notice is hereby given that the Village plans to adopt its DBE goals on June 17, 2008, for DBE participation in the FTA project at the Village DPW yard.

Such goals are available in the Office of the Village Administrator and Village Clerk, between the hours of 8 a.m. and 4:30 p.m., and can be requested by e-mail to Richard.slingerland@pelhamgov.com.

By order of the Mayor and Board of Trustees
Richard Slingerland, Village Administrator/Treasurer/Deputy Clerk
Village of Pelham, NY
195 Sparks Avenue
Pelham, NY 10803

VILLAGE OF PELHAM
DBE PROGRAM OVERALL GOAL FFY 2008 AND 2009
FOR THE PELHAM PUBLIC WORKS/INTERMODAL PARKING FACILITY PROJECT

Overall Goal

The Village of Pelham’s overall goal for Federal Fiscal Year (FFY) 2008 and 2009 is four and half percent (4.5%), in the aggregate, of the Federal assistance that the Village of Pelham will expend in DOT-assisted contracts for the Pelham Intermodal Parking/Public Works Facility Project.

The funding amount of FTA-assisted contracts that the Village of Pelham (hereinafter the “Pelham”) expects to let during these two fiscal years is approximately seven hundred and forty two thousand dollars (\$742,000) of FTA funds. Based on past bidding experience, the Village of Pelham has set a goal of expending four and a half percent of these funds, or approximately thirty three thousand three hundred and ninety dollars (\$33,390) in FTA funds

with certified Disadvantaged Business Enterprise (DBE) businesses during FFY 2008 and FFY 2009.

The Village will be obtaining names for DBE businesses for the work to be performed from all available resources – the MTA DBE certification program, the Unified Certification Program, and other available resources such as the Westchester County DOT.

METHOD AND INTENT

Based on the work to be performed, the Village has calculated that restrictions apply to this construction project that affect the DBE program, including the Wicks Law (NYS Gen. Mun. Law Section 101) as noted above, and the requirement by Westchester County that contractors be licensed to do work in Westchester County.

The work to be performed by Pelham primarily includes the following:

1. Demolition of existing structures to make way for the expanded intermodal parking facility area
2. Construction of a new consolidated Public Works Facility to replace the one demolished, and
3. Construction of the expanded intermodal parking facility area.

Types of contracts that will be utilized for this work includes primarily the following:

1. General Contracting
2. Plumbing
3. Heating/HVAC
4. Electrical
5. Metal Working/Sheet Metal

Pelham's additional, basic requirements are that the businesses must be ready, willing, able and qualified. To perform work requiring a licensed professional, such as plumbing and electrical work, Pelham requires that any business submitting the bid must have the required license(s) to operate as that business.

USE OF UNIFIED CERTIFICATION PROGRAM (UCP) AND ALL OTHER AVAILABLE RESOURCES

The Village does not have the availability of trained staff to research, formulate and perform analyses to create its own DBE Certification program. In light of that fact, Pelham must rely on the work of other organizations that have already performed such analyses and certified such businesses as DBE businesses. The Village will accept DBE businesses as such if they have received a DBE certification from another department, agency or other program such as the NYS DOT UCP or other similar program in the New York Metropolitan area. From a practical standpoint, the Village would prefer, but will not require, that a business have its operating base within thirty (30) miles of the Village of Pelham, NY. Prior to the start of work, if awarded, that business must also obtain all applicable and required licenses to do business in New York State and Westchester County, NY.

PAST EFFORTS FOR DBE PARTICIPATION:

Starting off, for the design phase and Request For Proposals (RFP) the Village of Pelham issued to obtain Architectural/Engineering services for the Pelham Intermodal Parking/Public Works Facility, the Village publicly advertised the announcement seeking proposals for Architectural/Engineering Services, and sent RFP packages to eighty (80) architectural/engineering firms. More than half the businesses contacted were DBE businesses – forty four (44) were DBE businesses, 36 were non-DBE businesses. Of those 80 businesses contacted, eight (8) submitted bids as ready, willing and able to do the work stated in the RFP. Of those 8, two (2), or 25% of the bidders were certified DBE businesses. That translates into a response figure from DBE businesses of 4.5%. Based on qualifications and experience, the Village awarded the contract for these services to the lowest responsible and qualified bidder, which was not a DBE business (but is a MBE business).

FUTURE EFFORTS FOR DBE PARTICIPATION:

The Village of Pelham will continue its best, good faith effort to reach out to include DBE businesses in its bidding process with the goal of awarding at least four point five percent (4.5%), or a larger portion, of the work to be performed as funded by the FTA grant for the Village of Pelham. Therefore, based on the Westchester County DOT's goal of 4.29% for DBE business participation, and the Village's past experience with receiving bids from 4.5% of contacted DBE firms, 4.5% is Pelham's goal for ready, willing, able and qualified DBE businesses, based on the Village's calculations.

Item #19 – Discussing a draft Home Rule Request for an exception to the Vehicle and Traffic Law to allow residents with restricted driveways to park in the driveway overhanging the sidewalk, only late at night:

* This topic was tabled until the next scheduled Board of Trustees Meeting on Tuesday, May 20, 2008. The Board asked the Village Attorney to contact an attorney in Senator Jeff Klein's Office, to determine whether the law should be changed, or whether the Village had enough local discretion to continue to deal with this locally without making a Home Rule Request to change the NYS Vehicle and Traffic Law.

Item #20 – Authorizing the Accounts Payable:

A motion was made by Trustee Weinstein, with a second by Trustee Potocki to adopt the resolution. The motion was approved unanimously by vote of seven in favor, none opposed.

RESOLUTION

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

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Board of Trustees after audit of the following claims, authorizes payment for services rendered and materials received, for the

following items that have been submitted to the Treasurer's Office for payment and authorized by the Village Administrator:

<u>Fund Name:</u>	<u>Amount</u>
General Fund	\$ 66,554.56
Water Fund	\$ 1,125.00
Capital Projects Fund	\$ 00.00
Trust and Agency Fund	\$ 00.00
H3 Fund	\$ 0.00
Expendable Trust Fund	\$ 0.00
Grand Total	\$ 67,679.56

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

Item #21– Other Business:

The board discussed how it would handle future requests for memorial plaques in relation to trees planted along Village streets. The board made a general motion and agreed that all future offers of donations to trees could be accepted, but that donors, or honorariums, would be noted on a central plaque in Village Hall, to memorialize donors, or those honored. The intent of the Board was to stop the proliferation and over-saturation of memorial plaques around the Downtown.

Item #22– Minutes: March 11 and 25; and April 8 and 22 2008:

A motion was made by Trustee Breskin, with a second by Trustee Morris to adopt the minutes from March 11, March 25, April 8 and April 22, 2008. The board voted unanimously to approve the minutes through April 8, 2008 by vote of seven in favor, none opposed. The April 22nd minutes were tabled until the next Board meeting.

Item #23– Executive Session:

The Mayor asked for a motion to go into Executive Session to discuss personnel and real estate matters. On the motion of Trustee Morris, seconded by Trustee Lewis, the Board voted to go into Executive Session. The motion was approved unanimously by vote of seven in favor, none opposed.

Item #24– Adjournment:

On the motion of Trustee Morris, seconded by Trustee Lewis, the Board voted to adjourn the public portion of the board meeting and go into Executive Session at 9:17 p.m. to discuss personnel and real estate matters, after which it would adjourn. The motion was approved unanimously by vote of seven in favor, none opposed.

Respectfully submitted,
 Devron Wilson, Administrative Aide
 Richard Slingerland, Administrator/Deputy Clerk