

VILLAGE OF PELHAM BOARD OF TRUSTEES REGULAR MEETING
TUESDAY, JUNE 17, 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 | Approximate |
| 6. | Public Comment | Starting Time |
| # | Agenda Items: | of Discussion |

	Committee Reports	7:40 p.m.
7.	Open Spaces (Purchase of trash /recycling cans, benches, picnic tables & bike racks).	Discussed
8.	Website / Telecommunications (Verizon Fios, Website upgrades, E-mail notification, Village Hall Phone Prompts).	Discussed
9.	Flooding (Westchester County Flood Action Task Force, Engineer Project Bid, DPW catch-basins mapping, etc.).	Discussed
10.	Environmental – LED light status report.	Discussed
11.	Development (Site Plan Review Revision, Pelham Medical/Lordae).	Discussed
12.	Human Resources & Administration (Dept. Risk Assessment).	Discussed
13.	Farmer’s Market (status report).	Discussed
	Human Resources and Personnel	8:15 p.m.
14.	Resolution authorizing the appointment of an employee to the position of Police Sergeant.	Approved
15.	Resolution reserving the Village’s rights regarding the Fire Department work schedule and work week.	Approved
	Site Plan applications	8:30 p.m.
16.	Resolution authorizing a site plan application by Ragno for an in-ground pool at 515 4 th Avenue.	Approved
17.	Resolution authorizing a site plan application by Lordae Realty for the site drainage plan for 100-112 5 th Avenue.	Approved
	Business	8:50 p.m.
18.	Resolution authorizing a proposal by Hank White Architects to prepare a Parks Improvement Plan for Wolfs Lane Park.	Approved
19.	Resolution adopting pre-audit Fiscal Year end 2007-2008 budget transfers and amendments.	Approved
20.	Declaration of Ford Crown Victoria as totaled for salvage.	Approved
21.	Resolution authorizing the sale of surplus DPW vehicles & equip.	Approved
22.	Resolution renewing Pelham Village’s annual goals for Disadvantaged Business Enterprise (DBE) participation re: the FTA project.	Approved
23.	Resolution authorizing the Village to submit a grant application to the Dept. of Homeland Security’s SAFER program for supplemental funding for the Village of Pelham to hire a new firefighter.	Approved
	Housekeeping	9:30 p.m.
24.	Authorizing the Accounts Payable	Approved
25.	Other Business	Approved
26.	Minutes: May 20 2008 and June 3 2008	Tabled
27.	Adjournment	Adjourned

The Summer Board Meetings are July 15 and August 12, 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, JUNE 17, 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 Deputy Mayor Mia Homan at 7:45 p.m.

The following members of the Board of Trustees were present:

Deputy Mayor Mia Homan, Trustees Lewis, Morris, and Potocki. Trustee Weinstein arrived at 8:20 p.m.

Mayor Ed Hotchkiss and Trustee Breskin were absent.

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 Deputy Mayor Mia Homan.

Item #3 – Mayor's Report:

Deputy Mayor Mia Homan had nothing to report that was not included on the agenda.

Item #4 – Trustees' Reports:

Trustee Potocki reported that he, Administrator Slingerland, Police Chief Joseph Benefico, and Administrative Aide Devron Wilson met with Pelham Middle School Principal Joseph Longobardi and Assistant Principal Ben Fusco to discuss the Safe Routes To School program and proposed parking and traffic changes around the Pelham Middle School. The group discussed the suggestion to close Franklin Place and Nyac Avenue at Boulevard during school hours, and create drop-off zones in several areas near Boulevard. However, it was decided to hold this suggestion for review during the month of September and for the school to encourage the use of drop-off zones without closing Franklin Place and Nyac Avenue.

The Administration Office is working with the Schools on a joint letter to all parents about proposals for drop-off zones around the schools.

Trustee Homan mentioned that National Safe Routes to School Day will be on Wednesday, October 8, 2008.

The following item was moved up in the agenda to be considered next.

Item #14 – Resolution authorizing the appointment of an employee to the position of Police Sergeant:

On the motion of Trustee Potocki, seconded by Trustee Lewis, the resolution was approved unanimously by vote of four in favor, none opposed. Mayor Hotchkiss and Trustees Breskin and Weinstein were absent.

RESOLUTION

AUTHORIZING THE APPOINTMENT BY THE MAYOR OF PATRICK POLESE
TO THE POSITION OF POLICE SERGEANT
IN THE PELHAM POLICE DEPARTMENT

BE IT RESOLVED, that the Board of Trustees authorizes the promotion and appointment by the Mayor of Patrick Polese to the position of Police Sergeant, effective Monday, June 23, 2008, subject to a six (6) month probationary period, subject to the requirements of Civil Service.

Deputy Mayor Mia Homan gave the oath of office to Patrick Polese as Police Sergeant.

Item #4 – Trustees' Reports (continued):

Trustee Potocki mentioned that Pelham Police Sergeant Michael Glover is retiring at the end of the month. He has been a police officer for over twenty years. Trustee Potocki and the Board thanked Sergeant Glover for his exemplary job performance and service to the Village and the Pelham Police Department.

Trustee Homan reported that the Farmer's Market has been a huge success. Several vendors sold out of goods and food. She also mentioned that farmer's market bags will be on sale for \$10.00 every Sunday at the Farmer's Market. Deputy Mayor Homan announced the winners of the bag-affle from first Farmer's Market. The following names were called: Judy Hom, Ellen Albert, Alita Mesrop, Ellen Fitzgerald, and Jessica Solomon. The Village Administrator announced that his office would contact the winners of the bags to pick them up at Village Hall.

Administrator Slingerland made a reminder announcement that the Farmer's Market is scheduled to be held on Harmon Avenue every Sunday through the weekend after Thanksgiving.

Trustee Morris thanked Fire Chief Carfora who will be leaving next week, for his service to the Village and the Fire Department. She also reported that the new fire truck is in. Trustee Morris thanked the Red Cross, Police Department, Fire Department, and Con Edison for helping out last Wednesday with the evacuation of 125 5th Avenue due to a carbon monoxide emergency caused by smoking wires below the street.

Trustee Potocki mentioned that the village truly appreciates Fire Chief Carfora and all his hard work.

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

Item #5 – Village Administrator’s Report:

Administrator Slingerland had nothing to report that was not included on the agenda.

Item #6 – Public Comment:

Krista Errickson of 101 5th Avenue spoke, and stated that she had experienced problems with violations in her building. She claimed that she received minimal help from the village administrator and the village building inspector with regard to the violations. She stated she went to the building inspector, and was told it was not his job. She asked who residents should go to for Code violations. Mr. Slingerland mentioned that he and Building Inspector Len Russo had spoken with Ms. Errickson and had acted swiftly on the code issues she had brought forth. The Fire Department had performed an inspection of the fire escape, the Building Department had contacted the landlord and the Health Department on the apartment issues and possible health code violations. Mr. Slingerland said he spoke directly to Mr. Errickson the same day she first contacted him, and, upon review, had advised her that the ongoing issues did not constitute either health or building code violations, but were more matters of a landlord-tenant dispute. He had suggested Ms. Errickson contact the Westchester County Executive’s complaint bureau, as a resource, for possible suggestions where she could receive additional assistance and resources for this type of issue. Trustee Lewis asked the Administrator to improve the process. Mr. Slingerland promised to investigate the matter and report back to the Board, with an assessment of the process and whether any changes are necessary.

Item #7 – Open Spaces (Purchase of trash /recycling cans, benches, picnic tables & bike racks):

Administrator Slingerland mentioned that the village plans to purchase some of the trash and recycling receptacles and benches for the Downtown, over the next few weeks, to finish the grant monies from Senator Jeff Klein. Mr. Slingerland mentioned the village has bids out for these items. He further reported that the NYS Main Street program had advised the Village not to spend any Main Street grant monies on streetscape items until some businesses are signed up for participation in the façade program.

Item #8 – Website / Telecommunications (Verizon Fios, Website upgrades, E-mail notifications, Village Hall Phone Prompts):

Nothing further to report from last meeting.

Item #9 – Flooding (Grants, Engineer Report, DPW catch-basins, etc.):

Trustee Potocki reported that Glenwood Lake water level was lowered by about eight inches approximately 2 to 3 weeks ago. He reported that he had been tracking the rainfall and how the precipitation affects the lake. He has observed that each normal rain storm adds about two to three inches of water to the lake, and that residents on 7th Avenue have not been experienced any flooding while the lake is releasing water over the spillway. Trustee Potocki suggested the lake be lowered regularly before rainfalls on an ongoing basis, as a matter of course to prevent flooding.

Administrator Slingerland advised the Board that he had been informed that the Westchester County Flood Summit Task Force was reviewing the village's flooding issues today for recommendations.

Item #10 – Environmental – LED light status report:

Nothing new to report at this time.

Item #11 – Development (Site Plan Review, Pelham Medical Group/Lordae):

Nothing new to report since the last meeting.

Item #12 – Human Resources & Administration (Dept. Risk Assessment):

Deputy Mayor Homan reported there would be nothing further to report on this matter until after the Summer.

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

Deputy Mayor Homan had covered this topic during her trustee report.

Item #15 – Resolution reserving the Village's rights regarding the Fire Department work schedule and work week:

The Board discussed this matter, and mentioned that they had to send notice to the Firefighters since this was a formality under the contract, and that after review it could be formally reviewed and determined whether it would be implemented at a later date.

A motion was made by Trustee Potocki, with a second by Trustee Lewis to adopt the resolution. The motion was approved unanimously by vote of four in favor, none opposed. Mayor Hotchkiss and Trustees Breskin and Weinstein were absent.

RESOLUTION

WHEREAS, pursuant to the collective bargaining agreement between the Village and the Pelham Firemen's Taylor Act Committee ("PFTAC"), the Village has the right to return paid firefighters to a 10 hour/14 hour tour schedule from the present 24-hour schedule in any year after May 31, 2008; and

WHEREAS, the Village has determined it is in the best interests of the Fire Department for paid firefighters to return to a 10 hour/14 hour tour schedule effective January 1, 2009;

BE IT RESOLVED that the Village has determined that paid firefighters within the collective bargaining unit represented by the PFTAC shall return to and be assigned to a 10 hour/ 14 hour tour

schedule effective January 1, 2009 and directs the Village Administrator to notify the PFTAC in writing of said change.

Item #16 – Resolution authorizing a site plan application by Ragno for an in-ground pool at 515 4th Avenue:

The Board briefly discussed the application. Trustee Lewis noted there would be less permeable surface on the property, and asked if there was any stormwater management plan. Administrator Slingerland advised the Board that there are drywells existing on the site provided under the original site plan for the home, and the drainage connects to them.

A motion was made by Trustee Potocki, with a second by Trustee Lewis to adopt the resolution. The motion was approved unanimously by vote of four in favor, none opposed. Mayor Hotchkiss and Trustees Breskin and Weinstein were absent.

RESOLUTION

AUTHORIZING A SITE PLAN APPLICATION BY RAGNO
FOR AN IN-GROUND POOL AT 515 4TH AVENUE

RESOLVED, that the application for a Site Plan by Mr. Ragno is approved, based on the review and recommendations by the Planning Board (hereinafter "Planning"), and the Special Permit granted by the Zoning Board of Appeals (hereinafter "the ZBA"), which the Planning approval memo is attached to and made a part of this approval; and

BE IT FURTHER RESOLVED, that the action is determined to be an unlisted action under SEQRA and therefore no further action is required; and

BE IT FURTHER RESOLVED, that the conditions applied by Planning and the ZBA are as follows:

1. In accordance with the ZBA approval, a fence must be erected around the site in compliance with Section 98-106 B. 4);
2. in accordance with the ZBA approval, the pool equipment shall be maintained not less than five (5) feet from the rear property line;
3. All work shall be performed in compliance with Planning approval, as noted on plan drawings S-1, S-2, S-3, S-4, S-5, S-6 and S-7, dated April 29, 2008, as prepared by Mastrogiamco Engineering, P.C.
4. In addition, permanent screening of the pool equipment in the form of three (3) additional four foot (4') high arbor vitae on the southern side property line, or an equivalent evergreen shrub, shall be maintained;

And;

BE IT FURTHER RESOLVED, that this application for a site plan to include an in-ground pool and related equipment and landscaping at 515 4th Avenue is subject to the procedures, regulations and requirements of the Pelham Village Code and Pelham Building Department; and

BE IT FURTHER RESOLVED, that the Mayor, Village Administrator, Building Inspector and other appropriate Village officials are authorized to take the necessary and appropriate actions to effect this approval and authorize this remediation plan to proceed, including the imposition of additional conditions and requirements as may be necessary.

Planning Board memo follows:

MEMO

Date: June 12, 2008

To: Village of Pelham Board of Trustees

From: Village of Pelham Planning Board

Re: Applicant: Ragno
Property: 515 4th Avenue
Application for Proposed Pool

The Village of Pelham Planning Board (PB) recommends that the Village of Pelham Board of Trustees (BOT) approve the application for the Proposed Pool for 515 4th Avenue. The Planning Board unanimously approved the application for the proposed construction of the pool submitted by the applicant.

All work relating to the construction of the proposed drainage system shall be performed as shown on Plan Drawings S-1, S-2, S-3, S-4, S-5, S-6 and S-7 dated 4/29/08 by Mastrogiacommo Engineering PC.

RV

Item #17 – Resolution authorizing a site plan application by Lordae Realty for the site drainage plan for 100-112 5th Avenue:

Carrie Hilpert of Shamberg Marwell Davis & Hollis and Mark Lukasik of Tectonic Engineers made a presentation about the drainage plan for 100-112 5th Avenue. Mr. Lucasik noted the need to revisit the plan was due to the existing underground utilities in the street next to the site, which are in the way of the utilities proposed under the previously approved site plan for this property.

The Board asked about the easements serving Pelham Medical Group, and Ms. Hilpert advised the Board that the easements are agreed to in principle, but that they need to be formalized and recorded.

A motion was made by Trustee Potocki, with a second by Trustee Lewis to adopt the resolution. The motion was approved unanimously by vote of four in favor, none opposed. Mayor Hotchkiss and Trustees Breskin and Weinstein were absent.

RESOLUTION

AUTHORIZING THE REVISED DRAINAGE PLAN SUBMITTED BY LORDAE REALTY CORP. FOR LOTS 14, 15, 16, & 18 AS DISCUSSED AT THE PLANNING BOARD MEETING OF JUNE 10, 2008

BE IT RESOLVED, by the Board of Trustees of the Village of Pelham that the report and recommendation of the Planning Board which shall be based on the discussion and presentation by Tectonic that took place at a Planning Board Meeting at 7:30 p.m. on June 10, 2008, specifically for the revised drainage plan for lots 14, 15, 16 & 18 proposed by Tectonic Engineers of Mountainville, New York, are found to be acceptable and the plan is accepted to install the drainage in accordance with the revised drainage plan to complete the remedy of the unsafe condition and cliff stabilization behind the buildings at 126 through 142A 5th Avenue, which are owned by Lordae Realty; and

BE IT FURTHER RESOLVED, that the conditions and requirements of approval are contingent upon the work being performed as shown on Project Drawings C-400 through C-401 dated July 27, 2006, with additional revisions prepared by Tectonic Engineering and Surveying Consultants, P.C. dated May 15, 2008; and

BE IT FURTHER RESOLVED, that the Mayor, Village Administrator, Building Inspector and other appropriate Village officials are authorized to take the necessary and appropriate actions to effect this approval and authorize this remediation plan to proceed, including the imposition of additional requirements as may be necessary.

Planning Board Memo follows:

MEMO

Date: June 12, 2008

To: Village of Pelham Board of Trustees

From: Village of Pelham Planning Board

Re: Applicant: Lordae Property Management
Property: Lots 14, 15, 16 and 18 on 5TH Avenue

Application for Approval of Drainage System Plan

The Village of Pelham Planning Board (PB) recommends that the Village of Pelham Board of Trustees (BOT) approve the application for the revision to the Drainage Plan proposed for lots 14, 15, 16 and 18 on 5th Avenue. The Planning Board unanimously approved the application for the proposed construction of the Drainage Plan submitted by the applicant providing for drainage pipes to be routed through the buildings on or to be built on the above lots, into the catch basin in the park on the south side of lot 18 and then into the municipal storm drainage line on 5th Avenue. Cross easements covering the lots specified above and lot 17 will be required to be executed and recorded.

All work relating to the construction of the proposed drainage system shall be performed as shown on Drainage Plan Drawings C-400 and C-401 dated 7/26/06 by Tectonic Engineering and Surveying Consultants PC. With revisions dated 5/15/08

RV

Item #18 – Resolution authorizing a proposal by Hank White Architects to prepare a Parks Improvement Plan for Wolfs Lane Park:

Trustee Morris mentioned that there was formerly a committee that had made input on the park, and announced her intent and plans to restore a smaller parks and open spaces committee for the Wolfs Lane Park project.

Trustee Homan mentioned her interest in making sure the improvements to the park can be performed in phases, stating, “We don’t want one, huge project, but projects that can be performed in distinct, bite-sized pieces.” The Board mentioned its interest in keeping the size and cost of the individual projects to between \$20,000 and \$50,000, phased in such a way that future projects do not destroy or remove what had been done in the past.

The Board reinforced to the Village Administrator to make sure that Mr. White is fully informed about the direction the Village wants to take. Village Administrator Slingerland assured the Board that its intent and plan is clear, and he will convey it to Mr. White.

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 five in favor, none opposed. Mayor Hotchkiss and Trustee Breskin were absent.

RESOLUTION

AUTHORIZING THE ACCEPTANCE OF A PROPOSAL BY HANK WHITE, R.A.
AS REVISED TO REFLECT THE REQUESTS OF THE MAYOR AND BOARD
AS STATED ON JUNE 3, 2008 TO PREPARE BID-READY PLANS, WITH
PLANS PREPARED TO BE IMPLEMENTED IN PHASES
TO IMPROVE WOLFS LANE PARK

RESOLVED, that the Board of Trustees of the Village of Pelham authorize the Village to accept a proposal by Hank White Site Architects, for design services to prepare bid-ready plans to make improvements to the Wolfs Lane Park, between Boulevard and First Street and along First Street, in an amount not to exceed ten thousand dollars (\$10,000) without additional approval from the Mayor and Board of Trustees, with payments to be made upon completion of milestones (at one third (33%) intervals), with plans prepared to be implemented in phases, and authorizes the Mayor, the Village Administrator and the Village Clerk to take the necessary and appropriate actions to execute and effect this agreement for these services.

Item #19 – Resolution adopting pre-audit Fiscal Year end 2007-2008 budget transfers and amendments:

The Board made the request that Finance Director Shirley Brown put together a budget analysis of favorable and unfavorable variances to each budget line.

A motion was made by Trustee Potocki, with a second by Trustee Weinstein to adopt the resolution. The motion was approved unanimously by vote of five in favor, none opposed. Mayor Hotchkiss and Trustee Breskin were absent.

RESOLUTION

Re: Year-end Budget Transfers for Fiscal Year 2007-08

Whereas, pursuant to the provisions of Section 5-520 of the New York State Village Law, the Board of Trustees, by resolution, may increase existing appropriations by transferring funds from the unexpended balance of another appropriation, from the contingent account, from available cash surplus or unanticipated revenues within a fund, or by borrowing, and

Whereas, at the end of the fiscal year, it is necessary to make modifications to the areas in the budget that had insufficient appropriations based on actual results of operations, and

Whereas, in all cases, there are sufficient unexpended balances in other appropriations accounts, excess revenues or fund balances available to cover the transfers, now therefore be it

Resolved, that pursuant to Village Law Section 5-520, the Board of Trustees hereby authorizes and directs the proper Village officers to modify the 2007-08 Budget by making the following transfers:

2007/08 BUDGET AMENDMENTS as of May 31, 2008

2007/08 budget amendments					
general fund					
increase expense			decrease expense		
a9550.000	trans to capt fund	68,250	a4000	appropriated fund balance	73,250
a3410.201	fire.equipt	5,000			

a3120.121	police overtime	72,703	a2772	refunds for pers. service	81,593
a9030.935	social security	8,890			
a6030.499	sect, 8 fees	12,864	a4411	sect. 8 fees	12,864
a9550.000	trans to capt fund	5,058	a3120.151	police educ.non-union	3,000
			a3120.201	police equipt.	2,058
a3120.201	police equipt.	5,000	a3091	state aid fire & police	10,000
a3410.201	fire equipt	5,000		(amy paulin member item)	
a1640.451	central garage veh. rprs	18,651	a2680	insurance recoveries	18,651
capital fund					
h3410.205	fire truck-pumper	329,500	h2831.1	interfund trans gen.fund	68,250
			h4410	fema emergency aid	261,250
h3120.203	police vehicles	5,058	h2831.1	interfund trans gen.fund	5,058
total budget amend		535,974			535,974
budget transfers					
a1010.415	bot mat & supplies	282	a1410.408	records management	2,948
a1010.490	trustees,newsletter	1,499	a1410.440	annual election	4,835
a1210.440	mayor - mis.	2,255	a1620.422	village hall utilities	5,313
a1230.404	adm.dues	9	a1950.1953	business district	2,000
a1230.470	adm. travel	55	a1950.950	taxes-village property	1,873
a1355.401	assessment comp serv	5			
a1355.406	assessm. postage	659	a9060.960	hospital & medical	13,319
a1410.101	vill.clerk per.ser.	637			
a1440.400	engineer-contractual	2,125			
a1620.201	village hall equip	129			
a1620.401	computer servcices	2,441			
a1640.411	cent.garage fuel & oil	17,565			
a1640.415	vehicle supply & mat.	26,133			
a1640.422	utilities	4,897			
a1640.451	central garage veh. rprs	6,078			
a1900.1920	municipal dues	81			
a1910.910	unallocated insurance	11,447			
a1950.1952	web site design	432			
a1640.101	central garage per. serv.	3,216			
a3120.101	police salariees	126,419	a1990.990	contingency	190,000
a3120.105	sal. crossing guards	5,400	a1930.930	judgements & claims	83,471
a3120.120	police overtime	60,616			
a3120.130	holiday pay	289			
a3120.153	response team training	573			
a3120.461	uniform allowance	2,922			
a5110.101	st.mt. salaries	16,101			
a5110.130	st.mt. longevity	1,075			
a5110.421	st. mt.cell phones	850	a3410.419	fire parades	31
a5110.461	st.mt. uniform allow	300	a9015.915	police & fire retire.	62,320
a3120.402	police rent	3,778	a3120.155	police training	1,394

a3120.415	supply & misc.	2,456	a3120.135	police super holiday	3,745
a3120.421	police telephone	731	a3120.202	police furniture	1,900
a3120.440	police misc.	1,151	a3120.403	police pistol range	1,250
a3120.453	maint. of equipt	1,699	a3120.406	police med.testing	1,545
a3320.401	on st.pkg computer	6,002	a3320.201	on st.parking-equipt	1,431
a3410.120	fire - overtime	176,515	a3410.101	fire salaries	107,910
a3410.201	fire equipment	720	a3410.121	fire train overtime	6,669
a3410.417	fire training	2,571	a3410.130	fire holiday pay	11,328
a3410.422	fire utilities	3,325	a3410.135	fire attend bonus	2,125
a3410.421	fire telephone	1,041	a3410.150	fire education	1,340
a3410.423	fire heating oil	5,772	a3410.408	fire medical	1,250
a3410.451	fire vehicle repair	5,800	a3410.424	fire bldg maint.	1,417
a3410.454	fire radio repair	193	a3410.452	fire build. repair	3,380
a3410.455	fire hydrant rental	3,748	a3410.462	fire uniform	1,915
a5110.120	public works overtime	8,896	a5110.107	salaries - seasonal	16,580
a5110.415	supply & materials	7,398	a5110.135	salaries - vacation/cont.	7,171
			a5110.201	public works equipt	5,225
			a5110.499	leaf removal	3,025
a5142.415	snow-supp & materials	17,402	a5142.120	snow rem.pers.serv.	5,402
			a5142.402	snow rem.rent.machinery.	12,000
a5182.400	st.light contractual	2,129			
a5182.422	st light utilities	10,957	a5182.415	st.light supp & materials	2,584
a5989.415	traf.equipt supp & mat	9,969			
a5989.453	traf.equipt mt.of equipt	4,384			
a8010.400	zoning-contractual	90	a8020.404	planning dues	90
a8160.491	refuse - cont.recycling	7,368	a8160.409	refuse-cont.collection	13,424
a8160.410	refuse - cont.dumping	411			
a8560.400	comm.env.contracturl	12,652	a8140.120	storm sewers overtime	4,890
			a8140.400	storm sewer-contract.	1,146
			a8140.415	storm sewer supp & materials	2,347
a8560.480	comm.envir.tree plcemnt	53	a8560.415	comm.envir.supp & materials	1,304
			a8560.479	comm.env.beautification	1,804
a9030.935	social security	4,205	a9060.960	health ins.	4,706
a9070.970	comp.absenses	501			
total general fund		596,407			596,407
water fund					
f8310.484	water labs & billing	1,832	f8320.422	source of supply utility	16,703
f8340.400	trans. & distr.contrct.	14,871			
total water		16,703			16,703
housing authority					
d6030.410	housing auth. accting fees	3,250	d6030.400	housing assistance payments	30,000
d6030.430	housing auth rent	75,000	d6030.498	administrative fees	123,250
d6030.499	housing auth.sundry	75,000			

total housing auth		153,250			153,250
Grand totals		1,302,334	Totals		1,302,334

Item #20 – Declaration of Ford Crown Victoria as totaled for salvage:

A motion was made by Trustee Weinstein, with a second by Trustee Morris to adopt the resolution. The motion was approved unanimously by vote of five in favor, none opposed. Mayor Hotchkiss and Trustee Breskin were absent.

RESOLUTION
DESIGNATING A POLICE VEHICLE
2005 FORD CROWN VICTORIA
AS TOTALED AND DISPOSED OF AS SALVAGE
ON THE RECOMMENDATION
OF THE VILLAGE’S INSURANCE COMPANY

WHEREAS, a police patrol vehicle was damaged on May 14, 2008, and upon review and evaluation by the village’s insurance company the vehicle damage was deemed to be at a value in excess of the value of the vehicle, and therefore the vehicle is declared totaled and disposed of as salvage, as follows:

Year	Vehicle	VIN	Description	Mileage
2005	Ford Crown Victoria	2FAFP71W95X139589	Patrol Car 73	48,611

BE IT FURTHER RESOLVED, that the disposal of this vehicle is authorized in compliance with the requirements of law, and the Mayor and the Village Administrator and all other necessary are authorized to take the necessary and appropriate actions.

Item #21 – Resolution authorizing the sale of surplus DPW vehicles and equipment:

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

RESOLUTION
AUTHORIZING THE AWARD AND SALE
OF PUBLIC WORKS TRUCKS AND EQUIPMENT
TO THE HIGHEST RESPONSIBLE BIDDERS

WHEREAS, certain vehicles and equipment of the Village of Pelham were declared surplus and available for sale on May 6, 2008; and

WHEREAS, they were advertised on May 9, 2008, in the Gannett Westchester classifieds;

WHEREAS, during the advertisement period, three (3) proposals were submitted for the vehicles and equipment, which are as follows:

Year	Vehicle	VIN	Description	Bid
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Brookfield Auto Wreckers, Elmsford, NY

1983	International	Model 1900-S; 6 Wheel	Truck #5 w/8' dump	\$2,851
1986	International	Model 1900-S; 6 Wheel	Truck #4 w/10' bed	\$2,901
1987	Gledhill Leaf Loader	Model LL-H-R&L	2-Wheel Leaf Loader	\$201

Devino Used Trucks, Newark, NJ

1983	International	Model 1900-S; 6 Wheel	Truck #5 w/8' dump	\$777
1986	International	Model 1900-S; 6 Wheel	Truck #4 w/10' bed	\$777
1987	Gledhill Leaf Loader	Model LL-H-R&L	2-Wheel Leaf Loader	\$777

Superior Sales & Service, Mount Vernon, NY

1983	International	Model 1900-S; 6 Wheel	Truck #5 w/8' dump	\$300
1986	International	Model 1900-S; 6 Wheel	Truck #4 w/10' bed	\$200
1987	Gledhill Leaf Loader	Model LL-H-R&L	2-Wheel Leaf Loader	\$100

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham hereby authorizes the award and sale of these surplus vehicles to Brookfield Auto Wreckers of Elmsford, NY, at the prices submitted (Devino Used Trucks withdrew their bid for the leaf loader since they were not the successful bidder on the other two vehicles), of \$2,851 for the 1983 International, for \$2,901 for the 1986 International, and for \$201 for the 1987 Gledhill; and

BE IT FURTHER RESOLVED, that the Mayor and the Village Administrator and all other necessary are authorized to take the necessary and appropriate actions to dispose of these vehicles

Item #22 – Resolution renewing Pelham Village’s annual goals for Disadvantaged Business Enterprise (DBE) participation re: the FTA project:

The Village Administrator noted that this was a re-adoption of the DBE participation program and goals based on the evaluation and determination made in the last cycle.

A motion was made by Trustee Weinstein, with a second by Trustee Morris to adopt the resolution. The motion was approved unanimously by vote of five in favor, none opposed. Mayor Hotchkiss and Trustee Breskin were absent.

VILLAGE OF PELHAM

RE-ADOPTING PELHAM'S DBE PROGRAM
OVERALL GOAL FFY 2008 AND 2009
FOR THE PELHAM PUBLIC WORKS /
INTERMODAL PARKING FACILITY PROJECTOverall 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, 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 #23 – Resolution authorizing the Village to submit a grant application to the Dept. of Homeland Security’s SAFER program for supplemental funding for the Village of Pelham to hire a new firefighter:

A motion was made by Trustee Morris, with a second by Trustee Lewis to adopt the resolution. The motion was approved unanimously by vote of five in favor, none opposed. Mayor Hotchkiss and Trustee Breskin were absent.

RESOLUTION

AUTHORIZING THE VILLAGE OF PELHAM TO SUBMIT
A GRANT APPLICATION TO FEMA/DHS FOR
STAFFING for ADEQUATE FIRE and EMERGENCY RESPONSE (SAFER)
FIREFIGHTER GRANT PROGRAM

BE IT RESOLVED, that the Mayor and Board of Trustees authorize the Village of Pelham and the Village Administrator to sign and submit a grant application to the FEMA/DHS SAFER Grant firefighters funding program, to co-fund the hiring of an additional firefighter, based on the following formula:

(not to exceed the lesser of 90 percent of actual costs or \$39,015; actual costs are estimated at over \$46,000, including salary, health and dental benefits, social security, retirement, and other contractual payments)

	Village Match (approximate)	Federal Request Maximum per FF	Total Funding
Firefighter (recruit)	\$ 7,000	\$ 39,015	\$ 46,015

Item #24 – Authorizing the Accounts Payable:

Trustee Weinstein had reviewed and audited the accounts payable. A motion was made by Trustee Weinstein, with a second by Trustee Lewis to adopt the resolution. The motion was approved unanimously by vote of five in favor, none opposed. Mayor Hotchkiss and Trustee Breskin were absent.

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	\$ 355,476.43
Water Fund	\$ 360.00
Capital Projects Fund	\$ 0.00
Trust and Agency Fund	\$ 0.00
H3 Fund	\$ 0.00
TE Expendable Trust Fund	\$ 0.00
Grand Total	\$ 355,836.43

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

Item #25 – Other Business:

1. Administrator Slingerland reported that the copy machine at Village Hall is over 6 years old, beyond its useful life, and needs to be replaced.

A motion was made by Trustee Weinstein, with a second by Trustee Potocki authorizing the village to dispose of the old copy machine at Village Hall as surplus. The motion was approved unanimously by vote of five in favor, none opposed. Mayor Hotchkiss and Trustee Breskin were absent.

2. Administrator Slingerland reported that the six Emergency Alert “Vector” Lights formerly used on top of the police cars should be declared as surplus, as the Village no longer uses that model on the police cars.

A motion was made by Trustee Weinstein, with a second by Trustee Potocki authorizing the village to declare the Vector Lights as surplus and available for sale. The motion was approved unanimously by vote of five in favor, none opposed. Mayor Hotchkiss and Trustee Breskin were absent.

3. Administrator Slingerland reported that the Pelham Preservation & Garden Society would like to donate trees to the Village for the 1st Street Park Plan (1st Street between Pelhamdale and Corlies Avenues), and that the Village had finally received the design and plan for the park, as prepared by Hank White.

A motion was made by Trustee Potocki, with a second by Trustee Lewis authorizing the village to accept trees and other landscaping from the Pelham Preservation & Garden Society for the 1st Street Park Plan. The motion was approved unanimously by vote of five in favor, none opposed. Mayor Hotchkiss and Trustee Breskin were absent.

4. Administrator Slingerland mentioned that he has been working with Senator Jeff Klein’s office and Assemblywoman Amy Paulin’s office on a 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. They advised the Village that it must

adopt a new resolution in support of the Home Rule Request that includes the specific bill numbers.

A motion was made by Trustee Potocki, with a second by Trustee Weinstein to adopt the resolution. The motion was approved by vote of four in favor, one -- Trustee Morris, opposed. Mayor Hotchkiss and Trustee Breskin were absent.

RESOLUTION

REQUESTING THE ENACTMENT OF BILLS AUTHORIZING HOME RULE LEGISLATION TO AMEND THE V & T LAW TO ALLOW RESIDENTS OF PELHAM TO PARK OVERNIGHT IN THEIR DRIVEWAYS, OVERHANGING SIDEWALKS

WHEREAS the Village of Pelham is a small village of approximately 6,500 residents, covering eight-tenths of a square mile, with approximately 3,300 housing units; and

WHEREAS, the village was in large part developed in the late 1920's and early 1930's, at a time when passenger cars were much smaller than they are at present; and

WHEREAS, many of the garages and driveways built in the Village have driveways that are restricted by retaining walls and other space constrictions that make the driveways too small to accommodate modern cars, which in turn causes homeowners to park in their driveways in such a way that their cars overhang the sidewalks; and

WHEREAS, the New York State Vehicle and Traffic Law, Art. 32, §1202 entitled, "Stopping, standing or parking prohibited in specified places" (a) 1. b., prohibits parking "On a sidewalk"; and

WHEREAS, the Village has determined that the most fair and cost-effective means of addressing this problem is to request an amendment to §1202 of the Vehicle and Traffic Law; and

WHEREAS, the Village of Pelham's representatives in Albany, State Assemblywoman Amy Paulin, and State Senator Jeff Klein, have introduced the bills requested by the Village of Pelham, with the bill numbers of Assembly Bill A.11565, and Senate Bill S.8501.

BE IT RESOLVED, that the Board of Trustees of the Village of Pelham requests the Senate and the Assembly of the Legislature of the State of New York to enact Home Rule Legislation bill numbers of Assembly Bill A.11565, and Senate Bill S.8501, to amend the V & T Law, to allow overnight parking in driveways, overhanging sidewalks, between the hours of 11 p.m. and 7 a.m., and authorizes the Mayor, the Administrator, the Village Clerk and the Police Chief to take all necessary and appropriate actions to cooperate with the State Legislature to assist with the introduction and enactment of this legislation to benefit the residents of the Village of Pelham.

Text of Bill follows here:

S T A T E O F N E W Y O R K

11565

I N A S S E M B L Y

June 12, 2008

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Paulin) --
read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to stopping,
standing or parking in specified places

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. Section 1202 of the vehicle and traffic law is amended by
2 adding a new subdivision (d) to read as follows:
3 (D) NOTWITHSTANDING THE PROVISIONS OF THIS SECTION TO THE CONTRARY,
4 ANY PERSON WHO IS A RESIDENT OF THE VILLAGE OF PELHAM IN THE COUNTY OF
5 WESTCHESTER MAY, BETWEEN THE HOURS OF 11:00 P.M. AND 7:00 A.M., PARK A
6 VEHICLE IN A DRIVEWAY OF THEIR RESIDENCE IN SUCH A MANNER THAT THE VEHI-
7 CLE IS ALSO PARKED ON A SIDEWALK, PROVIDED THAT SAID PERSON HAS FIRST
8 APPLIED FOR AND RECEIVED AUTHORIZATION FROM THE VILLAGE OF PELHAM,
9 ACTING BY AND THROUGH ITS BOARD OF TRUSTEES, TO PARK SAID VEHICLE ON A
10 SIDEWALK BECAUSE OF THE LIMITED SIZE OF THE RESIDENTIAL DRIVEWAY.
11 S 2. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
{ } is old law to be omitted.

Item #26 – Minutes: May 20 2008 and June 3 2008:

These minutes were tabled until the next Board Meeting.

Item #27 – Adjournment:

On the motion of Trustee Potocki, seconded by Trustee Weinstein, the Board voted to adjourn the public portion of the board meeting and go into Executive Session at 8:50 p.m. to discuss personnel matters, after which it would adjourn. The motion was approved unanimously by vote of five in favor, none opposed. Mayor Hotchkiss and Trustee Breskin were absent.

Respectfully submitted,

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

