MINUTES OF THE PUBLIC HEARING AND LEGISLATIVE MEETING OF THE TOWN BOARD OF THE TOWN OF PELHAM HELD ON MONDAY, OCTOBER 2, 2023 COMMENCING AT 7:00 PM

PRESENT: TOWN SUPERVISOR DANIEL MCLAUGHLIN, DEPUTY TOWN SUPERVISOR RAE SZYMANSKI, COUNCILWOMAN KRISTEN BURKE, COUNCILWOMAN MAURA CURTIN, COUNCILWOMAN KARA MCLOUGHLIN

RECORDING SECRETARY: TOWN CLERK ANTOINETTE CLEMENTE; DEPUTY TOWN CLERK MOLLY GIROLAMO

OTHERS PRESENT: TOM KLEINBERGER – TOWN ATTORNEY, CONFIDENTIAL SECRETARY TO THE TOWN SUPERVISOR-RUTHANN DESIMONE, AUGUSTA TURNER – LIBRARY DIRECTOR, MEMBERS OF THE PUBLIC

1. Motion to open the Public Hearing

Motion by: Deputy Town Supervisor Szymanski
Seconded by: Councilwoman Curtin

Vote Taken:
Supervisor McLaughlin- Aye
Deputy Town Supervisor Szymanski- Aye
Councilwoman Burke- Aye
Councilwoman Curtin- Aye
Councilwoman McLoughlin - Aye

Motion passed unanimously

2. No Public Comment

Local Law No. 2 of the year 2023
Town of Pelham, County of Westchester

A local law to override the tax levy limit established in General Municipal Law §3-c

BE IT ENACTED by the Town Board of the Town of Pelham:

Section 1. LEGISLATIVE INTENT

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Pelham, pursuant to General Municipal Law §3-c, and to allow the Town of Pelham to adopt a town budget for (a) town purposes and (b) any other special or improvement district governed by the Town Board for the fiscal year 2024 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law §3-c.

Section 2. NECESSITY

The need to override the tax levy limit is primarily the result of the significant costs associated with funding a dedicated ambulance service, serving the citizens of the Town of Pelham; which cost is expected to exceed $1,500,000.00. In order to meet this cost, the Town of Pelham is required to override the "tax levy limit" as defined by General Municipal Law §3-c.

Section 3. AUTHORITY

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the Town Board to override the tax levy limit for the upcoming fiscal year, through the adoption of a local law approved by vote of not less than sixty percent (60%) of the Town Board.

Section 4. TAX LEVY LIMIT OVERRIDE
The Town Board of the Town of Pelham is hereby authorized to adopt a budget for the fiscal year 2024 that requires a real property tax levy in excess of the limit specified in General Municipal Law, §3-c.

Section 5. SEVERABILITY
If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 6. EFFECTIVE DATE
This Local Law shall take effect immediately upon filing with the New York State Secretary of State.

Dated: Pelham, New York
October 2, 2023

3. Motion to approve Local Law #2 of 2023

Motion by: Councilwoman McLoughlin
Seconded by: Councilwoman Burke

Vote Taken:
Supervisor McLaughlin- Aye
Deputy Town Supervisor Szymanski- Aye
Councilwoman Burke- Aye
Councilwoman Curtin- Aye
Councilwoman McLoughlin - Aye

Motion passed unanimously

4. Adjournment of Public Hearing at 7:01 pm

Motion by: Councilwoman Curtin
Seconded by: Deputy Supervisor Szymanski

Vote Taken:
Supervisor McLaughlin- Aye
Deputy Town Supervisor Szymanski- Aye
Councilwoman Burke- Aye
Councilwoman Curtin- Aye
Councilwoman McLoughlin - Aye

Motion passed unanimously

CALL TO ORDER- Town Supervisor Daniel McLaughlin opened the meeting at 7:02 PM.

1. APPROVAL OF MINUTES

Town Supervisor Daniel McLaughlin asked the Board to review and approve the minutes from the meeting held on September 11, 2023.

Legislative meeting minutes:

Motion by: Councilwoman Curtin
Seconded by: Deputy Supervisor Szymanski

Vote Taken:
Supervisor McLaughlin- Aye
Deputy Town Supervisor Szymanski- Aye
Councilwoman Burke- Aye
Councilwoman Curtin- Aye
Councilwoman McLoughlin - Aye

Motion passed unanimously

COMMITTEE REPORTS

1) DEPUTY TOWN SUPERVISOR SZYMANSKI

a. STATISTICS REPORT
Month of September 2023
Village of Pelham - 45
Pelham Manor- 40
HRP- 2
I95 – 1

Average response time for the ambulance units that back up the flycar was 10 minutes and 10 seconds.

96% of the fly car calls were answered in under 6 minutes. 88% of the fly car calls were answered in under 7 minutes.

2) COUNCILWOMAN MCLOUGHLIN- RECREATION/SENIORS

a. There were 35 senior trips to medical appointments plus a trip to Arthur Ave.

b. After school sports and activities are up and running. Basketball registration will open at the end of October.

c. The Marshall Award which is given out almost annually to a member of the community who contributes to the Rec department and youth. The ceremony will take place on October 10th at 7PM. James Lauria will be recognized this year.

d. The AED machines have arrived and will be set up at Ingalls field, Franklin field and Prospect field. Coaches will be made aware and more information will be available on the Town website.

e. The Rec department is working with the schools on the parking situation at Glover field which has become an issue. There will be new "no parking" areas and police will be ticketing. Parking is available at Friendship field via Imperia Dr. as well as the lot that is adjacent to Target.

3) COUNCILWOMAN BURKE – LEGAL

a. Nick Florio has been hired as the new Court Clerk and will be starting on October 10. Nick has worked with the Rec department since 2016 and is also a Town Constable.

b. Justice Report –

August 2023

Justice Kagan - $39,380.00

Justice Gardner - $12,948.00

c. Monthly Tax Receiver's Statement – September 2023

Town/County 2023	$0
Town/County 2022	$0
School Taxes	$27,196,231.65
School Collection Fee	$228,461.06
Duplicate Payments	$0
Duplicate Refunds	$6,471.50
Penalties and Interest	$0
Liens	$0
Taxpayers Agreement	$2,329.00
Misc.	$90.00
Pro-Ratas	$4,689.42
Total	**$27,438,272.63**

4) COUNCILWOMAN CURTIN – LIBRARY

a. Novel night was a huge success with over 900 people attending.

b. K-day was held on September 23rd and was well attended despite the rain. 134 new library cards were issued and over 400 people were in attendance. Thank you to Augusta Turner and her team for getting the word out an executing the program.

c. The following programs are coming up at the library (more information on the website)

- Voicescapes audio theater program (for ages 14 and up) will take on Saturday, October 7 from 2pm – 4pm.
- Defensive driving course (6 hour course). Call the library to register 914-738-1234.
- Demystifying Medicare on October 12 from 5:30pm – 8:45pm.
- Intro to Babysitting

SUPERVISOR'S REPORT

1) Supervisor McLaughlin, Ruthann DeSimone and Samantha Vitarello met with the accountants on September 20. They were happy with the Town's progress. The Town has requested a new contract which should be available by the next Board meeting.

2) Town Attorney, Tom Kleinberger, put together an ambulance contract and a meeting took place to discuss it last Thursday. A group of residents, representatives from the fire and police departments were in attendance. The contract will be discussed further in Executive Session.

3) We are submitting paperwork to the historical preservation department to get approval to move forward with the renovations of Daronco Town House including the kitchen, bathrooms and upgrades to the carpet, refurbished doors and storage for the Town Historian. Noted that we aren't changing the historical features of the building just upgrading the interiors.

4) Supervisor McLaughlin finished the grant for the ambulance and sent it to the offices of State Senator Fernandez and Assemblywoman Paulin. An ambulance has become available for the Town to purchase. Space to house the ambulance is being explored.

5) Supervisor McLaughlin, Councilwomen Curtin and Burke attended the WMOA dinner on September 14. Housing was one of the topics of the meeting.

NEW BUSINESS

1) Resolution

Town of Pelham

RESOLVED, that the tax certiorari proceeding relating to Pelham Apartments, LLC (163.28-2-27), located at 331 5th Avenue in Pelham be **corrected** and accepted by the Town's special council as follows:

Assmt Yr	SBL #	Current AV	Corrected AV	Net Reduction	Tax Rate	Refund
2016	163.28-2-27	775,000	710,000	65,000	$0.6793	$ 44.15
2017	163.28-2-27	790,000	720,000	70,000	$0.6625	$ 46.38
2018	163.28-2-27	850,000	780,000	70,000	$0.6245	$ 43.72
2019	163.28-2-27	890,000	815,000	75,000	$0.6110	$ 45.83
2020	163.28-2-27	950,000	865,000	85,000	$0.6035	$ 51.30
2021	163.28-2-27	950,000	875,000	75,000	$0.6092	$ 45.69
2022	163.28-2-27	950,000	875,000	75,000	$0.6037	$ 45.28
					Total	***$ 322.33***

Approved by the Town Board upon condition that all taxes are paid.

Taxes paid: _____ Tax Receiver

Date: 9/22/23

9/21/2023 Pelham Apartments

Motion by: Councilwoman Curtin
Seconded by: Deputy Supervisor Szymanski

Vote Taken:
Supervisor McLaughlin- Aye
Deputy Town Supervisor Szymanski- Aye
Councilwoman Burke- Aye
Councilwoman Curtin- Aye
Councilwoman McLoughlin - Aye

Motion passed unanimously

2) Resolution

TOWN OF PELHAM

Resolution to adopt 2023 Adjusted Base Proportions for the Town and School District

Resolved, that the Town Board adopt the 2023 Adjusted Base Proportions using the 2022 reference roll pursuant to Article 19, RPTL for the levy of Town and School taxes on the 2023 final assessment roll as follows:

Town of Pelham

Homestead	82.256249
Non-Homestead	17.743751

Pelham School District

Homestead	82.239051
Non-Homestead	17.760949

Motion by: Deputy Supervisor Szymanski
Seconded by: Councilwoman McLoughlin

Vote Taken:
Supervisor McLaughlin- Aye
Deputy Town Supervisor Szymanski- Aye
Councilwoman Burke- Aye
Councilwoman Curtin- Aye
Councilwoman McLoughlin - Aye

Motion passed unanimously

OLD BUSINESS

1) Councilwoman Burke reported on the ongoing discussion of doing a trial of Circuit cars in the Town. The service would provide Uber type rides at $4-$5 per ride. The proposal includes 3 dedicated vehicles and an ADA van on standby. It could be useful for seniors, commuters, etc… There is a lot of interest, but the concern is the price which could be upwards of $200,000 a year (after an initial pilot of $150,000). Discussion around involving the Villages to help defray costs.

PUBLIC COMMENT

- Johana Guerrero from the office of Senator Fernandez announced that there will be a small business town hall meeting in Throgs Neck. The meeting will provide information on how to help small businesses thrive and multiple state agencies will be in attendance. Senator Fernandez will hold a Town Hall in November to recap the year- date and time TBD. The office is also actively addressing the flooding issues in the area. Contact for the State Senator's office: (718)822-2049.
- Mark Cardwell (Reed Ave.) – inquired as to when the EMS contract would be signed. Supervisor McLaughlin responded that the Board would be reviewing the contract in Executive Session and will give their input and that after review from the Board and the EMS committee the contract will be given back to Eastchester.

Motion to adjourn the Legislative meeting and go into Executive Session at 7:35 PM

Motion by: Deputy Supervisor Szymanski
Seconded by: Councilwoman McLoughlin

Vote Taken:
Supervisor McLaughlin- Aye
Deputy Town Supervisor Szymanski- Aye
Councilwoman Burke- Aye
Councilwoman Curtin- Aye
Councilwoman McLoughlin - Aye

Respectfully Submitted,
Antoinette Clemente, Town Clerk
Molly Girolamo, Deputy Town Clerk