

BOARD OF TRUSTEES

April 25, 2016

PRESENT: Mayor Monachino Lapey
Trustee Annunziata
Trustee McLaughlin
Trustee Cataldi DeLillo
Trustee Senerchia
Attorney Cornachio
Manager Pierpont

PLEDGE OF ALLEGIANCE AND FIRE SAFETY ANNOUNCEMENT

Mayor Monachino Lapey led those assembled in the Pledge of Allegiance and notified those in attendance where the fire exits were located.

The Mayor recognized Robert Walder who was in the audience.

Robert Walder, 590 Monterey Avenue, said that he lives behind the shopping center on Boston Post Road. He said that the lights from the shopping center and the apartment building next to the shopping center have bright white security lights that shine into his house. He said that nothing has happened, especially during the winter, and the lights shine into his sunroom. He said that the lights on the Urstadt building are for security, but felt that the bank could aim the lights in a different way. He also said that the lights keep going on and off and thinks that this is a flaw. He also said that the light is coming through the bottom of the fence. He spoke about the wall behind his house and said that John Cannon, a senior vice president with Urstadt Biddle, told him two years ago that there were other things that could be done to beautify his property. To date, nothing else has been done. Mr. Walder also mentioned the work that Con Edison did in his neighborhood during the winter has not been remediated. He was told by Con Edison that they would come back in the spring.

Mayor Monachino Lapey apologized that this has gone on so long and indicated that the Village would continue its dialogue with Urstadt Biddle on this issue.

Trustee Cataldi DeLillo said that some of the roads where Con Ed did work do need to be repaired.

Manager Pierpont said that he wanted to address some of the issues brought up by Mr. Walder. He said that he has been responsive. He spoke about the lighting first. He said that he made them change wall packs and change the orientation of the lighting. He said that he has been to the apartment building and the light is not shining toward Mr. Walder's house, but said that the wall pack on the driveway could be a source of the problem.

Robert Walder said that the light above the doors is a problem. It faces the back. The floods are not always on.

Manager Pierpont said that he did not want to leave the meeting thinking we have not been responsive to Mr. Walder's concerns.

Manager Pierpont said that the bank is looking for LED lighting and there may be an opportunity to look at some things. He said that he was not aware of any promises from Mr. Cannon, but said that this may be an opportunity worth exploring.

Manager Pierpont said that he had walked all the cuts in the streets with a Con Edison representative, and he will walk that area with the next level supervisor. They agreed to do that with Manor Lane and will do that with this area that was affected by their work. He said that we are moving forward and the road will be restored.

Robert Walder said that the lights are along the bank side by the atm. The lights are somewhat new and very bright. He thought that they could probably shield them and thought that this might be a good opportunity.

Mayor Monachino Lapey thanked the manager for his updates.

Anthony Marrella, 103 Iden Avenue asked if the lights could be at the edge of the property and was told that could have been done if they were designing it from the beginning.

MINUTES FROM THE PUBLIC HEARING ON APRIL 11, 2016 AND THE REGULAR MEETING ON APRIL 11, 2016

The Mayor said that page three of the minutes was a little unclear that she, not Mrs. Soderberg, was on the Mayor's Committee for Re-Zoning. The Mayor said that she found Mrs. Soderberg to be a very talented attorney and engaged citizen.

Trustee Cataldi DeLillo said that on page four of the Inter Municipal Agreement the wording could be clarified to reflect that this agreement is to share costs that will allow the consortium to be in compliance with an agreement with Westchester County.

REPORTS

The Village Treasurer said that the one hundred series, personal services, are all on or under budget. He said that the final quarterly sales tax payment to the Village will be one hundred ninety four thousand dollars and the Village will make its revenue number.

The DPW report for February shows the amount of waste and recycling disposed of and that the Village was able to handle the snow storm.

After discussion and upon motion duly made and seconded, it was unanimously

RESOLVED, that the Village Treasurer and DPW reports be and hereby are approved.

RESOLUTION FOR THE 2016-2017 BUDGET AND TAX LEVY

After discussion and upon motion duly made and seconded, it was unanimously resolved that

WHEREAS, the Board of Trustees has met at the time and place specified in the notice of public hearing on the tentative budget and heard all persons desiring to be heard thereon; NOW THEREFORE BE IT

RESOLVED, That the tentative budget as hereinafter set forth is hereby adopted and that the several amounts stated in the column titled "Adopted" in Schedule 1-A be and they hereby are appropriated for the objects and purposes specified and the salaries and wages stated in Schedule 5 of such budget shall be and hereby are fixed at the amounts shown therein, effective June 1, 2016, and be it further

RESOLVED, That the Manager be and he hereby is authorized to complete the assessment roll by extending the taxes against properties on said roll in conformity with the budget figure as adopted, and be it further

RESOLVED, That the Board of Trustees set the 2015 adjusted base proportions for the year 2016 Village taxes at 79.86% Homestead and 20.14% Non-Homestead and be it further

RESOLVED, That the tax rate of \$ 7.0081 for each \$1,000 of assessed valuation of property be levied and collected upon all of the Homestead properties appearing on the completed assessment roll of 2015 and \$10.1795 for each \$1,000 of assessed valuation of property be levied

and collected upon all of the Non-Homestead properties appearing on the completed assessment roll of 2015 and that the Mayor and the Village Manager be authorized to sign the warrant attached to said roll; that the assessment roll, together with such warrant on or before the 15th day of May 2016, that all taxes on said roll become liens on the various properties against which same are assessed at 12 o'clock Noon on the first day of June 2016.

RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE TAX WARRANT

Mayor Monachino Lapey said that the following resolution authorizes the Receiver to collect the Village taxes.

TAX WARRANT
TO
John Nesi
Receiver of Taxes

YOU ARE COMMANDED to receive and collect from the several persons named in the tax roll hereunto annexed, the several sums stated in the last column hereof opposite their respective names, being a total of \$12,108,900.

YOU ARE FURTHER COMMANDED to receive and collect such sums without additional charge between the first day of June and the first day of July 2016 both inclusive and thereafter to collect with such of the sums as have not been heretofore collected, an additional charge of two per centum for the month of July and an additional one per centum for each month and fraction thereof until paid.

YOU ARE FUTHER COMMANDED to return the tax roll and warrant to the Village Clerk on or before the first day of February 2017 and to deliver to the Board of Trustees at the same time an account of the taxes remaining due and unpaid; describing each parcel of real property upon which taxes are unpaid, showing the person or persons to whom the parcel is assessed and showing as to each parcel the amount of tax unpaid.

After discussion and upon motion duly made and seconded, it was unanimously

RESOLVED, That the Mayor be and hereby is authorized to sign the Tax Warrant.

Trustee Annunziata asked what percent of the total budget is made up of property taxes and was told eighty five point twenty three per cent.

RESOLUTION TO ADOPT NEGATIVE DECLARATION

This negative declaration is for Local Law 1 of 2016. The Board of Trustees as Lead Agency has determined that the proposed local law regarding limiting distances between restaurant establishments will not have a significant environmental impact and a Draft Environmental Impact Statement will not be prepared.

It was noted that a Short Environmental Form was distributed for the April 11th meeting and there was a question that has been resolved, and the EAF has been or will be signed.

After discussion and upon motion duly made and seconded, it was unanimously

RESOLVED, That the Negative Declaration in respect to Local Law 1 be and hereby is approved.

RESOLUTION ON CONDITIONAL APPROVAL FOR MAR-CAN TRANSPORTATION TO

RENEW PERMIT TO UE PROPERTY AT 5 SECOR LANE FOR PARKING SCHOOL BUSES

The Village did have counsel, Judge Spolzino, weigh in on this. It is within the Village’s authority pursuant to Local Law 2 of 2013 which was a law regarding the issuance of permits for properties in the Business 2 Zoning District.

Trustee Cataldi DeLillo said the local law referred to one year approvals and this permit gives the applicant the ability to extend the permit for an additional year. She asked whether they automatically get the second year or if they have to ask the Board for the second year.

Trustee Annunziata said that it does suggest one year at a time.

Manager Pierpont said that he thought this was complying with the law.

Trustee McLaughlin said that two conditions have to be met before the Board has to consider a second year’s term.

Trustee Senerchia thought that renewing the permit did not tie the Village to a second year.

Trustee Cataldi DeLillo said that if we didn’t want to renew the permit we would have the latitude to say no, but maybe the time line isn’t going to be an issue for us.

Attorney Cornachio said that was a good point.

Manager Pierpont said that the agreement still has to be crafted. He thought that it may be a benefit to the Board to have a multiple year agreement and tried to craft that.

Mayor Monachino Lapey said that we need to have an eye toward being collaborative but we need something that allows us a little more independence. We need to make it clear that the agreement is for one year. We’re not saying no. We just don’t want to be bound.

Trustee McLaughlin said that the second paragraph could be knocked out and let them know that we’re willing to revisit it.

The Mayor said that she can see it both ways because of the absolute importance of these fees and that they have been a good tenant. It is important in helping keep us under the tax cap and there is a bang for the buck because there is not a lot of drain on Village services. It was suggested striking the second to last penultimate paragraph from Section 5 to the last Be it resolved.

After discussion and upon motion duly made and seconded it was unanimously

RESOLVED, that the approval for Mar-Can Transportation to use property at 5 Secor Lane for parking school buses be and hereby is granted with the stricken language.

RESOLUTION AUTHORIZING THE MAYOR TO SIGN ABSTRACT OF VOUCHERS NUMBERS 22587-22631

After discussion and upon motion duly made and seconded, it was unanimously

RESOLVED, That the Mayor be and hereby is authorized to sign Abstract of Vouchers Numbers 22587-22631.

PUBLIC COMMENT

Maggie Klein, editor of PelhamPlus, asked if there were anything new on development on Canal Road.

Manager Pierpont said that he speaks with the property owners and he has been told that they discuss

things with other property owners. Manager Pierpont said that he did not think it was his place to bring that forward until the owners come to the Board.

Robert Walder, 590 Monterey Avenue, asked if any notice was going to be given for the project. When the project behind his house was done, he received a certified letter. He was notified of the zoning variance but not the site plan

The Village Manager said that he remembered the discussion on the topic, but nothing has happened.

Trustee Annunziata said that contiguous properties are noticed for zoning variances.

Robert Walder said that it was worth thinking about notifying residents about site plans.

Mayor Monachino Lapey said that the Board could have counsel look at it and also see what neighboring municipalities do.

Robert Walder asked if something could be passed on to the Receiver of Taxes. He said that the Village tax is due June 1, 2016, but it cannot be paid online on May 31, 2016. He said that that he was told the payment system doesn't allow that transaction.

Mayor Monachino Lapey said that she didn't know how much power the Village has on something like this, but would be happy to pass the information along.

EXECUTIVE SESSION

After discussion and upon motion duly made and seconded, it was unanimously

RESOLVED, That the Board be and hereby is authorized to conduct an Executive Session to discuss the following:

Personnel Matter

No action was taken in Executive Session.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned.

Clerk