

MINUTES OF REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF BRONXVILLE HELD ON SEPTEMBER 8, 2008 AT THE VILLAGE HALL, 200 PONDFIELD ROAD, BRONXVILLE, N.Y.

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PRESENT: Mary C. Marvin Mayor
Glenn D. Bellitto Trustees
William H. Barton, Jr.
Anne W. Poorman
Robert S. Underhill

ALSO PRESENT: Harold Porr III Village Administrator
Lino Sciarretta Village Attorney

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WORK SESSION & EXECUTIVE SESSION

The meeting was called to order at 6:45PM and in attendance were Mayor Marvin, Trustee Bellitto, Trustee Underhill, Trustee Poorman, Trustee Barton, Village Administrator Harold Porr and Village Attorney, Lino Sciarretta.

At 6:50PM, on motion of Trustee Barton, second by Trustee Underhill, the Trustees entered into Executive Session to discuss personnel and labor contract negotiations and to seek legal advice on the WCI contract.

At 7:30PM, on motion of Trustee Poorman, second by Trustee Bellitto, the Trustees returned to the Work Session.

Presentations were made by Tectonic Engineering on the recent vibration study regarding the MTA third track and Superintendent of Public Works, Rocco Circosta, on snow melting equipment.

The Board also discussed the Avalon parking lot, the Kensington Road parking lot, Scout Field and a possible self-imposed property tax increase cap.

At 8:10PM, on motion of Trustee Underhill, second by Trustee Poorman, the Board re-opened the meeting and re-entered the public session.

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Mayor Marvin called the meeting to order at 8:16PM.

Mayor Marvin presented a NYCOM certificate for years of service to John DeCecco, Foreman in the Department of Public Works, for his 30 years of service to the Village of Bronxville.

John DeCecco introduced his family and the members of the Department of Public Works that were in attendance.

Mayor Marvin reviewed his employment history with the Village and mentioned that John's father and grandfather both worked for the Village. As a matter of fact, his grandfather was a foreman for 40 years.

Superintendent of Public Works, Rocco Circosta, stated that he is the youngest in attendance from his department as far as years of service are concerned. He said that he has counted on John since he started four years ago. Rocco thanked John personally for all he has done.

MAYOR'S REPORT

Village Hall has stayed very busy this summer laying the groundwork for Fall projects and completing our promised summer initiatives.

Our contract terminated with WCI on August 29th. The Trustees worked very hard at protecting the Village's interest relative to all possible outcomes and placing ourselves in the best legal position. We will be discussing all our options in the coming months. There is currently a great deal of interest in the project from national builders.

- Our curbing/paving program will be completed by the second week of September – approximately one week behind our ideal schedule. We are trying something new near Starbucks by using patterned paving in the crosswalk. It has been used in other communities to both better demarcate the crossing area as well as alert drivers to reduce speed. Let us know what you think because if it proves successful we would do the same at other intersections, most notably the crosswalk from Valley Road to Botticelli Bridal shop.
- The Village just recently received the vibration and noise study commissioned in the Spring to monitor the effects of the third track on our residents living in the Metro North corridor. There will be a public meeting on September 18th at 7PM in the Library with the engineers to review their results, explain the ramifications and take questions. The meeting will be televised and hard copies of the study are currently available at Village Hall.
- A landscape architect specializing in municipal properties has been commissioned to draw up plans for the rehabilitation of both the Girl Scout Cabin property, per the cabin committee recommendation, as well as Sagamore Park. We anticipate improving these two open spaces this Fall as well as some refurbishment of Bicentennial Park.
- We also recently received our macro flood mitigation study report commissioned jointly by the School and the Village. We plan to meet with school officials and the experts to review the recommendations in the coming weeks. On a more micro flooding level, we meet this week with the County representatives to review our grant applications for mitigation monies for individual neighborhoods including Garden Avenue and Paxton Avenue areas. Because the area near the intersection of Meadow Avenue and Garden Avenue floods much too frequently, we have contracted to videotape the pipes from the tennis courts to the Bronx River to see if we can locate any cracks or possible obstructions.
- In our continued quest to improve the service at and condition of our post office, I am meeting with the Postal Services' Regional Director and members of Congresswoman Lowey's staff on September 10th to see if we can press for improvements. It has come to our attention that a small sample of Villagers have recently received a survey assessing the quality of the post office. We have made copies of the survey and they are available at Village Hall. I urge you to help us present our case by filling out a survey so we can bundle the results and present them to the postal authorities.
- In an effort to encourage our students to walk to school, the Village is adding marked crosswalks near the intersection of Masterton Road and Pondfield Road to provide a safe and designated walking route to school.
- In our continuing efforts to be green, the Village is participating with the Town in an E-waste day on Saturday, September 20th from 9AM to 3PM at the Anne Hutchinson Elementary School on Mill Road. Items accepted include TVs, all computer equipment, air conditioners, faxes, phones, washers, dryers, refrigerators, lamps, small appliances and alkaline batteries. I am also proud to report that the Village's recycling tonnage has increased by 44% over the past two years.
- To maintain tax equity going forward, the Trustees are contemplating mechanics of a revaluation cycle going forward. We are in the early stages of discussion but we are looking at an approach that ties any reassessment to the acceptable ratio of dispersion or inequity as opposed to the method of revaluing after a fixed amount of years regardless of the equity of the roll. We will discuss this at length both at our October Trustees Meeting and in subsequent newspaper columns.
- Negotiations continue with our police union and the Teamsters representing our Public Works employees and we hope to reach fair and responsible agreements expeditiously.
- School construction is progressing on schedule which will allow us to reopen Palumbo Place to traffic in mid-Fall.
- Verizon is up and running now on channel 47.

TRUSTEE REPORTS

Trustee Bellitto reported that the Citizen's Advisory Committee will be meeting on September 25th at 7PM and that their focus is on soliciting suggestions from residents on how the Village can become more green.

Police Department – there were 4 arrests for burglaries that took place over several months. These arrests were made by the Chief of Police. There has been an increase in the bicycle patrols on Friday and Saturday nights.

Parking – Trustee Bellitto reported that revenues were higher than last year.

Trustee Barton reported on the Department of Public Works stating that the sprinkler system has been repaired around the train station and that the paving project this summer went very well.

Finance – Trustee Barton stated that the final fiscal year numbers were very good as far as revenues and expenses were concerned. A positive trend continues. Tax collections have been very much on target.

Trustee Poorman reported that on September 9th there will be a meeting regarding the Bronx River Bike Path in the Yeager Room at the Library from 6PM – 7:30PM. The bike path will be closed to cars and will become a part of the bike path that will go from Maine to Florida.

Library – Trustee Poorman said that there will be a magnetic security system bought to protect against book theft. The Library has a very high theft rate. Estimates for this security system are around \$20,000 but this is still in the exploration stage. She also reported that there are lots of programs going on – book clubs, films, etc.

Chamber of Commerce – there will be a Fall sidewalk sale on October 4th and the Children's Festival on October 18th.

Trustee Underhill reported that the WCI contract has terminated due to bankruptcy. There is continued interest in developing this property amongst the Trustees. Several construction firms have inquired about acquiring the plans. The Trustees plan on waiting to see if anything positive comes of this and will look at it fresh at the beginning of next year.

Paddle Tennis – Trustee Underhill thanked Sugar Generaux and the committee for their terrific efforts.

Mayor Marvin stated that the Trustees recognize that there is clean up work needed at the Kensington Road parking lot and that this will be addressed.

Mayor Marvin announced that there has been a date change for the October and the November Trustee meetings. They will be scheduled for Monday, October 20th and Monday, November 17th due to the national holidays in both of those months.

APPROVAL OF MINUTES

On motion of Trustee Poorman, second by Trustee Underhill, the Board approved the minutes of the Regular Meeting on July 14, 2008 and the Special Meeting on July 25, 2008, as drafted.

Mayor Marvin announced that there will be a public hearing on October 20, 2008 at 8PM at Village Hall at which time interested persons will be afforded the opportunity to be heard concerning a local law regarding election inspectors.

Trustee Poorman asked if it was possible to have shift work for inspectors.

Village Administrator, Harold Porr, stated that it is a long day but there is no shift work permitted. This allows for better accuracy. However, the Trustees can vote to change the hours that the polls are open.

NEW BUSINESS

RESOLUTION - Approval of Court Examination

On motion of Trustee Poorman, second by Trustee Barton, the following resolution was unanimously approved:

WHEREAS, the Uniform Justice Court Act requires that the Village Board of Trustees, as the auditing Board of the Village, examines the records of the Justice court, at least once per year, and

WHEREAS, the Board has delegated that responsibility to the Village Treasurer, as Accountant for the Justice Court, and

WHEREAS, the Treasurer has completed such examinations for the fiscal years ended May 31, 2007 and 2008 and provided copies of the reports to the Trustees (copies attached), and

WHEREAS, the Board has examined these reports and has determined that the fines therein collected have been turned over to the proper Village officials

NOW THEREFORE BE IT RESOLVED that the Village of Bronxville Board of Trustees acknowledges that the required examinations were conducted, and **BE IT FURTHER RESOLVED** that a copy of this resolution be forwarded along with copies of the reports to the NYS Office of Court Administration.

RESOLUTION - Tax Certiorari Settlement – McGrath, 20 Cedar Street LLC

On motion of Trustee Bellitto, second by Trustee Poorman, the following resolution was unanimously approved:

WHEREAS, petitions having been filed by the property owner below, challenging real property tax assessments on the Village’s Final Assessment Roll with respect to the following parcel:

<u>Property Owner</u>	<u>Address Description</u>	<u>Year(s)</u>
McGrath, 20 Cedar Street LLC	Section 4 Block 3, Lot 20 20 Cedar Street, Bronxville	2004-2008

WHEREAS, petitioner’s court challenges are now pending in the Supreme Court, Westchester County; and

WHEREAS, the Village and the property owner have reached a mutually agreeable resolution;

NOW THEREFORE BE IT RESOLVED, that the Village Board hereby authorizes the Village Attorney to execute the following settlement on behalf of the Village and School reducing the assessments to no less than the following amounts:

<u>Year</u>	<u>Assessment</u>	<u>Revised Assessment</u>	<u>Reduction</u>
2004	134,460	130,500	30,960
2005	134,460	102,900	31,560
2006	134,460	100,450	34,010
2007	3,520,400	3,272,000	248,400
2008	3,520,400	3,300,000	220,400

RESOLUTION - Revised Capital Appraisal Services

On motion of Trustee Underhill, second by Trustee Barton, the following resolution was unanimously approved:

BE IT RESOLVED by the Village of Bronxville Board of Trustees that the Mayor is authorized to sign a contract with Capital Appraisal Services for appraisal services related to the 114-120 Parkway Road Certiorari litigation. The fee for the appraisal report is \$9,800 with a trial appearance fee schedule of \$225 per hour.

RESOLUTION - Tax Collection Software

On motion of Trustee Bellitto, second by Trustee Poorman, the following resolution was unanimously approved:

PUBLIC COMMENTS –

Sugar Genereaux, 7 Midland Gardens, inquired about the vibration study findings meeting and about the e-waste day sponsored by Eastchester.

Mayor Marvin responded that she will put the e-waste day in her column, on the Village website and will ask community advisory representatives to get the word out. As far as the vibration study is concerned, the Trustees will schedule a meeting for residents to attend in the near future.

Ms. Genereaux said that putting money into Village parks is great but that Bicentennial Park needs plantings and several other improvements.

Thomas Wolff, 230 Pondfield Road, inquired about the sprinkler system at Village Hall and about the tax software currently used in Eastchester.

Mayor Marvin responded that we will be using a different software than Eastchester. She also responded that she will have Superintendent of Public Works, Rocco Circosta, look into a sensor for the sprinkler system so that it does not operate in the rain.

Maureen Curran, 100 Parkway Road, requested information on the status of the Avalon parking lot and when enforcement will be made to illegal parkers. She realizes that towing cannot happen because the Village does not have a contract with a towing company. Many residents are furious.

Mayor Marvin stated that this lot was in limbo due to the WCI contract. The Trustees discussed working with the Avalon people and keeping this lot until June of next year. The Village will get appropriate signage now.

Village Administrator, Harold Porr, reported the termination of the WCI contract was on August 29, 2008. The purpose of this lot was for displaced parkers on Kensington Road. The Board decided tonight to continue to rent spaces and new signage will be provided, ticketing will occur, there will be a new ordinance to regulate the use of this lot.

Maureen Curran said that since May people have been paying for spots and other people have been parking there for free without penalty.

Trustee Bellitto responded that it is only a matter of time before things fall into place and these people will be penalized.

Mayor Marvin said that for legal reasons a towing contract must be obtained before any signs are put up.

Trustee Poorman explained that the police cannot ticket on private property so we must go the towing route.

James Kroulas, 70A Parkway Road, wanted to know the status of the vibration study.

Mayor Marvin reported that there will be a meeting for the residents but she did mention that the numbers are higher than originally reported.

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There being no further comments, the meeting was adjourned at 9:10PM by motion of Trustee Poorman, second by Trustee Underhill.

Harold Porr III, Village
Administrator/Village Clerk