

MINUTES OF REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF BRONXVILLE HELD ON OCTOBER 20, 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	
ALSO PRESENT:	Harold Porr III	Village Administrator
	Lino Sciarretta	Village Attorney
EXCUSED:	Robert S. Underhill	Trustee

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WORK SESSION & EXECUTIVE SESSION

The meeting was called to order at 6:39PM and in attendance were Mayor Marvin, Trustee Bellitto, Trustee Poorman, Trustee Barton, Village Administrator Harold Porr and Village Attorney, Lino Sciarretta. Excused was Trustee Underhill.

Presentations were made by David Wilkes and Gerry Iagallo on reassessment.

At 7:38PM, on motion of Trustee Bellitto, second by Trustee Barton, the Trustees entered into Executive Session to discuss labor contract negotiations, personnel issues and legal advice.

At 7:58PM, on motion of Trustee Poorman, second by Trustee Bellitto, the Board re-opened the work session and entered the public session.

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Mayor Marvin called the meeting to order at 8:09PM.

Mayor Marvin introduced Mayor John Fitzpatrick of Tuckahoe who was in attendance to present Mayor Marvin a Tuckahoe High School football shirt and hat. This was due to Bronxville and Tuckahoe playing football this past weekend and Tuckahoe winning.

Mayor Marvin thanked Mayor Fitzpatrick for coming and for her gifts. She said it was a fun night for all and that she will take the Tuckahoe boys for pizza.

Mayor Fitzpatrick asked that Mayor Marvin wear the hat for a few minutes during the meeting this evening.

Mayor Marvin obliged and wore it while giving her Mayor's report.

MAYOR'S REPORT

Though our agenda is fairly short because many of our initiatives do not require formal resolutions, I want to share with you our activities as a government since the September meeting.

Just this week, we had a public meeting regarding the results of our vibration study. In essence, the current readings are considerably higher than what were promised by Metro North in their 2000 Environmental Impact Study. As a result, we plan a three pronged approach to help residents along the train corridor. First, I have reached out to Metro North scheduling a meeting for next week to discuss possible mitigation measures with the desire that we solve this in the spirit of good neighbors. If this is not possible, we will reach out for assistance to our State and Federal elected officials who helped us a great deal in the past with Metro North issues and finally if no relief has been granted, we will invoke our legal remedies. Listening to the experiences of many neighbors the other night - this is a quality of life issue that cannot be ignored.

The Trustees also met with members of the School Board to review the findings of the recent flood mitigation report we commissioned jointly. The engineers' remedy includes retention basins and a pumping system requiring environmental agency

approvals. We are currently reaching out to the DEC if such an option is feasible before continuing discussions. Village Administrator, Harry Porr, also attended a State summit on flooding in Kingston to see what remedies/monies may be available to the Village.

Many of you have asked about the public access channels being deleted from your Cablevision package. You should have received postcards in August alerting subscribers that a digital box is now needed to access these channels. It will only convert the PEG channels not any others lost. To receive the one free box allotted, you need to call 1-800-353-9821 and choose option 3 or come to the Cablevision vision store in Yonkers or Mamaroneck to arrange installation. Cablevision will provide and install one converter box for free if ordered before December 31, 2008.

Thanks to the efforts of Eastchester Town Councilman Fred Salinitro, we are partnering with Eastchester and Tuckahoe on a Utility Audit. The purpose of this review is to identify, correct, and secure refunds on any overcharges on utility accounts during the prior six year period by reviewing our telephone, electric, gas, basic and cable franchise agreements. Scarsdale recently completed an audit and received some sizable refunds. Certainly worth the time to review.

The BAMS gas station on Kraft Avenue has opted not to extend their lease and will be closing shop at year's end. We are sad to see a valued merchant leave the Village, but we are glad Tony is leaving on his own terms and time table.

As part of the closing, gas tanks must be removed – which is going on currently. The property is owned by the Village so at year's end we will be demolishing the building and creating some 45 new parking spaces in that area. At the same time, in response to our traffic engineers' recommendations, we will reconfigure the corner near St. Joseph's to create a safer intersection.

Continuing on the subject, parking, as the Board promised Parkway Road residents at last month's meeting, we have placed the appropriate signage in the Avalon/Mobil lot and tonight we will be formally hiring a towing company to remove cars that have been illegally parking in that lot in recent weeks. Our parking office is also working to reconfigure the lot to accommodate resident commuters as well as west side residents. We are making great strides in increasing our parking inventory with the Avalon lot eventually adding additional spaces.

Some of us met this week with residents of Garden Avenue to discuss solutions to the frequent flooding in that area. Our first step was to begin videotaping all the pipes in that area. We have found a great deal of silt in the pipes so our next step will be to clean the pipes in the area which will certainly improve water flow.

We have made some improvements in the business district – we have refurbished Bicentennial Park, added the new crosswalk arrangement near Starbucks which is actually just stenciled blacktop made to look like brick - and thanks to all our garden groups, especially the Bronxville Beautification Council and our own Department of Public Works staff, I think the plantings this fall in the Village look particularly beautiful.

Tonight in our work session, we also continued our discussion on what procedures to implement going forward to keep our tax role equitable. We are looking at a variety of options including tying it to the coefficient of dispersion or ratio of inequity. I am extremely proud to say that thanks to the efforts of the whole Village team, we have the lowest ratio of inequity in the County – 7.75. To put it in perspective, 10% is considered the gold standard and most neighboring communities are currently at 20%.

Finally, in an effort to communicate the initiatives of our government, we recently sent out our quarterly newsletter and completed taping a fall segment of our cable tv show.

TRUSTEE REPORTS

Trustee Bellitto reported on the police department. There were four arrests last week for burglary. Trustee Bellitto stated that we owe our police department a debt of gratitude, as well as those from Tuckahoe, Mount Vernon and the County. He urged residents to say something if they see something. Our police need to find an efficient way to notify residents of what is going on.

Citizen's Advisory Council – Trustee Bellitto and Mayor Marvin met with this committee two weeks ago. The guest speaker was Village Administrator, Harry Porr, who

discussed a variety of issues – the vibration study results and parking. The next meeting will discuss new green initiatives that the Village of Bronxville can undertake.

Mayor Marvin announced that Trustee Underhill had to unexpectedly go to San Francisco and is not here this evening.

Trustee Poorman reported on the Chamber of Commerce who hosted a successful Fall Festival this past Saturday. Our police worked with the Community Fund on safety. Chief Satriale will be meeting with the merchants in the next few weeks to discuss down issues.

Library – Trustee Poorman that the library continues to investigate the installation of electronic sensors. The thefts continue – an entire set of World Books were taken from the Children’s Library over the summer. The library director has reported that there is a high rate of theft of new and express books.

Trustee Barton reported on the status of the general fund. He wanted to compliment Village Treasurer, Robert Fels, and his staff for their work and his diligence.

APPROVAL OF MINUTES

On motion of Trustee Poorman, second by Trustee Barton, the Board approved the minutes of the Regular Meeting on September 8, 2008, as drafted.

PUBLIC HEARING - Proposed Local Law #6 – Residency Requirements

Village Administrator, Harold Porr, stated that it is hard to recruit people to sit as election inspectors for so many hours to monitor the elections.

Village Attorney, Lino Sciarretta, explained that the law allows us to expand our scope of residency outside the Village of Bronxville.

Mr. Thomas Wolff, 230 Pondfield Road, commented that this will put various Village positions on a more legal basis.

Village Administrator, Harold Porr, stated that this is for Village elections only and not Federal, State, Town, School or County elections.

On motion of Trustee Barton, second by Trustee Poorman, Mayor Marvin closed the public hearing.

On motion of Trustee Poorman, second by Trustee Bellitto, the local law was approved.

NEW BUSINESS

RESOLUTION - SCAR Settlements

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

BE IT RESOLVED, that the Village Board hereby authorizes the following small claims settlements for 2008:

TYPE	Address	Original AV	Reduced AV	Reduction	Refund (Village)	Refund (School)	Total Refund
Settled	142 White Plains	3,400,000	3,100,000	300,000	\$740	\$3,667	\$4,407
Settled	3 Locust Lane	2,700,000	2,600,000	100,000	\$227	\$1,222	\$1,449
Settled	34 Tanglewylde Av	1,151,500	1,000,000	151,500	\$343	\$1,852	\$2,195
					\$1,311	\$6,741	\$8,051

RESOLUTION – Surplus Equipment

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

WHEREAS, the Superintendent of Public Works has reviewed the attached list of equipment, and

WHEREAS, the Superintendent has requested that the Village Board of Trustees declare this equipment as “ SURPLUS “ in order to properly dispose of at Public Auction,

NOW THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Bronxville, hereby declares this list of equipment as “ SURPLUS “ and authorizes the Superintendent to dispose.

RESOLUTION – Tax Certiorari Settlement – 50 Kraft Avenue, LLC

On motion of Trustee Barton, 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>
50 Kraft Ave, LLC	Section 4 Block 3, Lot 21	2004 - 2008

50 Kraft Ave. Bronxville

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	33,930	27,970	5,960
2005	33,930	28,730	5,200
2006	33,930	28,470	5,460
2007	1,312,500	850,000	462,500
2008	1,312,500	885,000	427,500

RESOLUTION – Tax Certiorari Settlement – 45 Kraft Avenue, LLC

On motion of Trustee Bellitto, second by Trustee Barton, 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>
45 Kraft Ave, LLC	Section 1 Block 25 Lot 1.B	2004 - 2007

45 Kraft Ave. Bronxville

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	63,870	57,810	6,060
2005	63,870	59,470	4,400
2006	63,870	59,170	4,700
2007	1,893,000	1,850,000	43,000

RESOLUTION – Tax Certiorari Settlement – Avalon-Richter 110-120 Parkway Road

On motion of Trustee Poorman, second by Trustee Barton, 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>
Avalon-Richter 110-120 1997 – 2008 Parkway Road	Section 2 Block 1 Lot 3 & 6 110-120 Parkway Rd, Bronxville	

Avalon-Richter 110-120 Parkway Road

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 settlements 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>
1997	86,400	75,400	11,000
1998	86,400	86,400	-
1999	86,400	76,680	9,720
2000	86,400	74,880	11,520
2001	86,400	71,225	15,175
2002	86,400	63,280	23,120
2003	86,400	61,360	25,040
2004	86,400	57,815	28,585
2005	86,400	86,400	-
2006	86,400	56,595	29,805
2007	2,804,900	1,700,000	1,104,900
2008	2,804,900	1,725,000	1,079,900

RESOLUTION – Towing Contract with County Auto & Commercial Towing, Inc.

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

BE IT RESOLVED that the Mayor is authorized to sign an agreement with County Auto & Commercial Towing, Inc. of Yonkers, NY for the purpose of providing towing

services for the Village of Bronxville. The contract is effective upon the signing of the agreement by the Mayor. The services are outlined in the attached agreement.

Village Administrator, Harold Porr, assured the Trustees and the residents that the rates County Auto & Commercial Towing is charging are the going rate for this area.

PUBLIC COMMENTS –

Mrs. Betsy Harding, Homesdale Road, urged the Trustees to adopt a regular schedule for the tax roll to save money and in fairness to the residents. She said that the coefficient of dispersion is a problem because it only measures horizontal equity. She feels people should pay some percentage on their house not based on the value and that vertical equity on this roll was not very good. She said that a fully equitable roll will not be produced if a coefficient of dispersion is used. She commented that the Assessing Consultant, Gerry Iagallo, has set up the roll in an inefficient way because he looked at every house individually. She said that with the fluctuating market, the savvy people will get their own assessments down and that the others will not.

Mayor Marvin responded that the Trustees have been discussing this with many people. Options are to tie to a certain amount of years or to inequity. The coefficient of dispersion may not be perfect. It is hard work coming up with a solution that looks at cost and equity. Mayor Marvin made it clear that it will be equitable going forward.

Trustee Barton thanked Mrs. Harding for her comments.

Mrs. Harding said that there should be an overall update and that the coefficient of dispersion is a limited way to go.

Mayor Marvin responded that the coefficient of dispersion is the number that the State uses. She does not underestimate the value of the coefficient of dispersion. She said the Trustees will be vigilant and keep the numbers as close to equity as possible.

Maureen Curran, 100 Parkway Road, wanted to thank the Mayor, the Board of Trustees, the Village Administrator, the Police Chief, the Lieutenant and the Superintendent of Public Works and his staff for their efforts in getting the Mobil lot straightened out.

Mayor Marvin thanked Ms. Curran for handling things so well.

James Kroulas, Parkway Road, asked for a flood meeting similar to the vibration study meeting that was held this past month. It should be a Village wide meeting and should include a presentation with findings and recommendations.

Mayor Marvin said that the current findings require global solutions that require a lot of pre-meetings to see if these solutions are indeed possible.

Mr. Kroulas then asked about Kensington Road. He mentioned the Ginsburg Project in Scarsdale and the control of age restriction on this project. He recommended that Bronxville should make the same age requirements if the project on Kensington Road ever moves ahead. He feels that if strict age requirements are not met there will be a great strain on the school.

Mayor Marvin mentioned that she and Village Administrator, Harold Porr, went to see the project in Scarsdale this past week. She asked Village Attorney, Lino Sciarretta, to find out if it is age restricted or age targeted.

Village Administrator, Harold Porr, reported that he attended a conference sponsored by the NYSDEC in Kingston on flooding this past week and found the information valuable. Congresswoman Nita Lowey wants to bring this summit to Westchester County and he will notify residents if she does.

Mrs. Harding commented that she was impressed with the project in Scarsdale. She said they had negotiated a pre-sale timeframe for Scarsdale residents to purchase apartments. She feels this is something the Village should think about if the project comes to fruition.

Mayor Marvin agreed with Mrs. Harding and commented on how impressed she was with the marketing and the project as a whole.

17th. Mayor Marvin announced that the next meeting will be on Monday, November

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There being no further comments, the meeting was adjourned at 9:05PM by motion of Trustee Bellitto, second by Trustee Barton.

Harold Porr III, Village
Administrator/Village Clerk