

**MINUTES OF REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE
OF BRONXVILLE HELD ON JULY 11, 2011 AT THE VILLAGE HALL, 200 PONDFIELD
ROAD, BRONXVILLE, N.Y.**

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PRESENT:	Anne W. Poorman William H. Barton, Jr. Donald M. Gray	Trustees
ALSO PRESENT:	Harold Porr III James Staudt	Village Administrator Village Attorney
EXCUSED:	Mary C. Marvin Robert S. Underhill	Mayor Trustee

The meeting was called to order by Trustee Poorman at 6:29PM on the motion of Trustee Gray, second by Trustee Barton.

APPROVAL OF MINUTES

On motion of Trustee Barton, second by Trustee Gray, the Board approved the minutes of the Special Meeting on June 28, 2011.

PUBLIC HEARING

PROPOSED LOCAL LAW #7-2011

At 6:32PM, on motion of Trustee Barton, second by Trustee Gray, the Board opened the public hearing for Proposed Local Law #7-2011.

Village Attorney, James Staudt, said that this law was recommended by Chief Satriale and that the purpose of it is to increase the fines for gas powered leaf blowers. The current fines established in the law are not sufficient to deter landscapers from using gas powered leaf blowers.

Trustee Poorman commented that the law has been discussed, re-drafted and reviewed carefully by both the Village Attorney and the Trustees. Both the Mayor and the Chief feel this law should be signed and in place this summer.

Village Attorney, James Staudt, said that this has been the law since 2001 and that it needs to be updated. He also said that he had received some comments from resident, Thomas Wolff, and that the law has been re-drafted with his non-substantive recommendations.

Trustee Gray said that the existing fine is minimal and that it is looked at as a cost of doing business by the gardeners.

Trustee Barton inquired if this law applies to electric blowers as well as they too provide noise.

Village Administrator, Harold Porr, replied that the gas powered blowers are the larger offenders.

Trustee Poorman said that the electric leaf blowers would be difficult for a professional service to use.

Trustee Barton wanted to know how the landscapers will be informed of this increase and recommended that residents be sent an e-alert.

Village Administrator, Harold Porr, replied that the Department of Public Works maintains a registry of landscapers and that they will be notified.

Trustee Poorman commented that the Trustees want to approve this law so that the Village is able to enforce the law this season.

At 6:38PM, on motion of Trustee Gray, second by Trustee Barton, the Board closed the public hearing.

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

LOCAL LAW#7-2011 TO INCREASE PENALTIES FOR VIOLATIONS OF THE SEASONAL PROHIBITION OF THE USE OF GASOLINE-POWERED BLOWERS

BE IT ENACTED by the Board of Trustees of the Village of Bronxville as follows:

Section One. Section 210-17 of Chapter 210 of the Code of the Village of Bronxville, last revised by Local Law 2-2000, is hereby amended in its entirety to read as follows:

Article IV. Penalties.

§ 210-17. Violations and penalties.

- A. Any person who violates subsection 210-8.I. concerning the seasonal prohibition of the use of gasoline-powered blowers shall, upon conviction thereof, be guilty of a violation punishable by a mandatory fine of \$250 for the first offense; for conviction of a second offense committed within 365 days of the first offense, punishable by a mandatory fine of \$500; and upon conviction of a third or subsequent offense committed within 365 days of the first offense, punishable by a mandatory fine of \$1,000.
- B. Any person who violates any provision of this chapter 210 other than subsection 210-8.I. shall, upon conviction thereof, be guilty of a violation punishable by a fine of not more than \$250 or imprisonment for not more than 15 days, or both such fine and imprisonment.

Section Two. If any section, subsection, clause, phrase or other portion of this Local Law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, such portion shall be deemed a separate distinct and independent portion. Such declaration shall not affect the validity of the remaining portions hereof, which other portions shall continue in full force and effect.

Section Three. This local law shall take effect immediately upon filing with the Secretary of State.

NEW BUSINESS

RESOLUTION – BRONXVILLE VETERANS MEMORIAL TRUST

Village Administrator, Harold Porr, gave a description of the trust. There has been great interest in the exhibition of local veterans and the organizers have asked the Village to be the caretaker of their funds in order to continue accepting donations from the community.

Trustee Gray asked if this was done for other organizations and then commented that this was started by two local women and has just grown tremendously.

Village Administrator, Harold Porr, responded that the Village does do this for other groups, such as the Historical Conservancy and the Nature Preserve. He also said that a lot of work has gone into this exhibit by community volunteers.

Trustee Poorman said that this year they received a lot more interest from the school and that the project continues to grow.

Village Attorney, James Staudt, commented that it was acceptable to do this but that he can discuss it further in a future Executive Session.

Village Administrator, Harold Porr, said that this has become part of the Village Memorial Day celebration.

Trustee Gray said that the Village is just the recipient and does no solicitation.

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

BE IT RESOLVED that the Board of Trustees authorizes the Village Treasurer to accept contributions to the Bronxville Veterans Memorial Trust and to establish a trust account # TA 097000-Bronxville Veterans Memorial Trust to account for these funds.

PUBLIC COMMENTS –

None.

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There being no further comments, the meeting was adjourned at 6:43PM by motion of Trustee Barton, second by Trustee Gray.



Harold Porr III
Village Administrator/Village Clerk