

**MINUTES OF REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE
OF BRONXVILLE HELD ON MAY 14, 2012 AT THE VILLAGE HALL, 200 PONDFIELD
ROAD, BRONXVILLE, N.Y.**

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PRESENT:	Robert S. Underhill Anne W. Poorman Donald M. Gray Guy Longobardo	Deputy Mayor Trustees
ALSO PRESENT:	Harold Porr III Joanna Feldman Robert Fels Rocco Circosta	Village Administrator Village Attorney Representative Village Treasurer Superintendent of Public Works
EXCUSED:	Mary C. Marvin	Mayor

WORK SESSION & EXECUTIVE SESSION

The meeting was called to order by Deputy Mayor Underhill at 6:30PM on the motion of Trustee Gray, second by Trustee Longobardo. In attendance were Trustee Underhill, Trustee Poorman, Trustee Gray, Trustee Longobardo, Village Administrator Porr, Village Attorney Representative Feldman, Village Treasurer Fels and Superintendent of Public Works Circosta.

Village Administrator, Harold Porr, reviewed the meeting agenda.

Village Treasurer, Robert Fels, discussed the 2012 Capital Improvement Program.

Superintendent of Public Works, Rocco Circosta, discussed the street repaving and current Public Works projects including the Parkway Road bridge repair, Masterton Road sewer line repair, tennis court conditions and the Sagamore Park and Maltby Park improvements.

On motion of Trustee Poorman, second by Trustee Gray, the Board entered into Executive Session to discuss on-going contract negotiations with the Bronxville PBA and the Bronxville Unit of the Teamsters.

Village Administrator, Harold Porr, gave an update on the movie production coming to the Village next week.

On motion of Trustee Longobardo, second by Trustee Gray, the Board closed Executive Session at 7:30PM and re-entered the public session.

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Deputy Mayor Robert Underhill called the meeting to order at 8:04PM on motion of Trustee Gray, second by Trustee Poorman.

Deputy Mayor Underhill introduced Joanna Feldman who was sitting in for Village Attorney, James Staudt.

DEPUTY MAYOR'S REPORT

Trustee Underhill reported that the Zoning Board will be meeting on Tuesday, May 22nd at Village Hall.

Building Department – the number of alterations are above those of last year. There is a healthy level of activity.

Farmer's Market – the Market begins on Saturday May 26th and is from 8:30AM – 1PM. There will be 27 vendors. Also, if there is sunshine that day there will be alpacas at the market.

Green Committee – there will be a meeting in Eastchester on June 9th.

There will be a movie called "Admission" shooting in the business district of the Village on Wednesday, May 16th. Trustee Underhill asked Village Administrator Porr to give an update.

Village Administrator Harold Porr reported that Tina Fey and Paul Rudd will be filming the movie "Admission". Filming will take place in Womrath's Book Store and Value Drugs. There will be 70 – 100 actors/workers related to this operation. There will be a definite impact on downtown parking. There will be a lot of activity with trucks and campers. He urged residents to be as patient as possible. This will be a one day affair. They will film from 6AM to 8PM. The orange cones will be going up after 1AM. The Village charged them a fee for the day. In addition to this fee, the film company will pay for off-duty policemen and a fee to the Boy Scouts for the use of their parking lot. The film company is also paying a fee to the various merchants for the use of their space. He has urged the film company staff to patronize the other shops.

The Senior Citizens will be selling raffle tickets for the free parking space. Trustee Underhill urged residents to support the seniors.

Trustee Underhill asked residents to please support the Village as much as possible.

TRUSTEE REPORTS

Trustee Gray – spoke about the Chamber of Commerce and that all are concerned about the vacancies in the shopping area. He plans on meeting with the new director at some point this week.

Trustee Poorman – reported on the Police Department. There will be a new sergeant as of June 4, 2012. Detective Richard Anderson will be promoted. He has been with the Village since 2006. This position became available due to the retirement of Sergeant Gallo. Officer Anderson will be on probation for up to 52 weeks.

Department of Public Works – the Sagamore Park renovations are delayed due to the back-order of some supplies. It should be complete by mid-June. The leaf blower prohibition takes effect on June 1, 2012. Trustee Poorman urged residents to notify their landscapers and to remember that there are fees for violations and they are pretty significant.

Trustee Longobardo – discussed the Library and the appointment of a new Library Director. She will begin on June 4, 2012. She currently works in Oradell, NJ. The Acting Director, Linda Smith-Shearer, has been asked to stay on and work with the new Director for a transition period.

APPROVAL OF MINUTES

On motion of Trustee Longobardo, second by Trustee Gray, the Board approved the minutes of the Regular Meeting on April 9, 2012.

On motion of Trustee Poorman, second by Trustee Longobardo, the Board approved the minutes of the Special Meeting on April 11, 2012.

On motion of Trustee Poorman, second by Trustee Gray, the Board approved the minutes of the Special Meeting on April 30, 2012.

PUBLIC HEARING

At 8:17PM, on motion of Trustee Poorman, second by Trustee Gray, the Board opened the public hearing for Proposed Local Law #2-2012.

Trustee Underhill gave some background on the proposed local law and stated that it really is cleaning up the old aspects of this law.

Mr. Thomas Wolff, 230 Pondfield Road, stated that the resolution referred to in the proposed local law was not amply promulgated for analyzing.

At 8:20PM, on motion of Trustee Longobardo, second by Trustee Poorman, the Board closed the public hearing.

Trustee Gray commented that it has been 8 years since the last increase in meter rates.

Trustee Underhill said that all of the Trustees are highly motivated to keep costs as low as possible. The reality is that there are rising costs and the Trustees need to address them. It really is a balancing act. The parking meters are going up to a consistent level with surrounding communities.

Trustee Poorman said that there is a need to look at the overall parking operation. It truly is a balancing act. In making her decision, Trustee Poorman felt worried that the Village had reached a tipping point with people shopping in the Village but the budget was tight and needed to be balanced.

RESOLUTION - ADOPTION OF LOCAL LAW #2 – 2012

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

WHEREAS current section 290-42 of the Village Code provides that the Village Board of Trustees may set by resolution fees for the use of metered parking spaces; and

WHEREAS some provisions in section 290-42 require such fees be set in particular time increments; and

WHEREAS on May 14, 2012, the Board held a duly noticed public hearing on Proposed Local Law # 2-2012 to remove said provisions; and

WHEREAS the Village Board believes it is in the best interest of the Village to remove the time increment constraints, and

NOW THEREFORE BE IT RESOLVED that the Village Board of Trustees hereby adopts Local Law # 2-2012, a local law to amend the Traffic and Vehicle Law of the Village of Bronxville, Chapter 290, by removing particular provisions requiring parking meter fees be set in particular time increments.

LOCAL LAW NO. 2 – 2012

A LOCAL LAW TO AMEND THE TRAFFIC AND VEHICLE LAW OF THE VILLAGE OF BRONXVILLE, CHAPTER 290, BY REMOVING PARTICULAR PROVISIONS REQUIRING PARKING METER FEES BE SET IN PARTICULAR TIME INCREMENTS

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

Section One. Subsections 290-42.A, 290-42.B., 290-42.C., 290-42.D., 290-42.E. and 290-42.H. of Chapter 290 of the Code of the Village of Bronxville are hereby repealed.

Section Two. New subsection 290-42.A. of Chapter 290 of the Code of the Village of Bronxville is hereby added to read as follows:

§ 290-42. Fees for metered parking spaces.

A. Fees for use of metered parking spaces for the time limits established in this article shall be as set from time to time by resolution of the Board of Trustees.

Section Three. Subsections 290-42.F. and 290-42.G. of Chapter 290 of the Code of the Village of Bronxville shall be redesignated as subsections 290-42.B. and 290-42.C., respectively.

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

NEW BUSINESS

RESOLUTION - FEES FOR THE USE OF METERED PARKING SPACES

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

WHEREAS, the Board of Trustees of the Village of Bronxville has adopted Local Law # 2 - 2012, which provides that fees for the use of metered parking spaces shall be set by resolution of the Board of Trustees,

NOW BE IT RESOLVED, that upon the effective date of Local Law # 2- 2012 and pursuant to subsection 290-42 of Chapter 290 of the Code of the Village of Bronxville, the Board of Trustees adopts the following schedule of fees for the use of metered parking spaces to be memorialized in subsection A321-5.C. of the Code:

§ A321-5. Chapter 290, Vehicles and Traffic

C. Section 290-42. Parking meter fees.

- (1) \$0.25 for 15 minutes at the following meters:
 - (a) Meters designated in §§ 290-41.A., 290-41.B., 290-41.D., 290-41.E., 290-41.F., 290-41.G., and 290-41.H.
 - (b) Kensington Road: meters not designated for twelve-hour parking.
 - (c) Garden Avenue Lot: meters not restricted to merchant permit parking.
- (2) \$0.25 for 20 minutes at the following meters:
 - (a) Garden Avenue Lot: meters restricted to merchant permit parking.
- (3) \$0.25 for 30 minutes, Monday through Friday, and \$0.25 for 15 minutes on Saturday at the following meters:
 - (a) Kensington Road: meters designated as twelve-hour parking.
 - (b) Meadow Avenue: meters designated as twelve-hour parking.
 - (c) Kensington II Lot: meters designated as twelve-hour parking and restricted to merchant or resident permit parking.
 - (d) Kraft Avenue Lot: meters designated as twelve-hour parking and restricted to merchant or resident permit parking.
 - (e) Maltby Parking Lot: meters designated as twelve-hour parking and restricted to merchant permit parking.
- (4) Permits issued to residents permitting parking in restricted metered spaces: \$900 for a one-year period from October 1 to September 30; \$675 for the period from January 1 to September 30; \$450 for the period from April 1 to September 30; and \$225 for the period from July 1 to September 30.
- (5) Permits issued to merchants permitting parking in restricted metered spaces in the Kraft Avenue Lot and the Kensington III Lot: \$900 for a one-year period from July 1 to June 30; \$675 for the period from October 1 to June 30; \$450 for the period from January 1 to June 30; and \$225 for the period from April 1 to June 30.
- (6) Permits issued to merchants permitting parking in restricted metered spaces in the Garden Avenue Lot: \$1,200 for a one-year period from July 1 to June 30; \$900 for the period from October 1 to June 30; \$600 for the period from January 1 to June 30; and \$300 for the period from April 1 to June 30.

Village Administrator Harold Porr stated that meters have been 20 minutes for 25¢ but will now be re-set for 15 minutes for 25¢. The time on the meters will be adjusted for nickels and dimes as well as quarters.

Trustee Underhill commented that the fees will be effective on June 1, 2012. Residents will be reminded via e-alert. All meters will be re-configured and all meter plates will reflect the new rate.

RESOLUTION - AWARDING CONTRACT VA-1202 VILLAGE OF BRONXVILLE D.P.W. YARD DRAINAGE IMPROVEMENTS

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

WHEREAS the Superintendent of Public Works reports that he publicly advertised for the receipt of bids for Contract VA- 1202, entitled D.P.W. Yard Drainage Improvements, and

WHEREAS on the bid date, April 24, 2012, bids were publicly opened and read aloud from eight bidders, and

WHEREAS the Superintendent of Public Works in conjunction with Dolph Rotfeld Engineers, reviewed, analyzed and recommends that the Contract be awarded to the lowest responsible bidder, and

WHEREAS the lowest responsible bidder, Landi Contracting Inc., 13 Bradhurst Ave., Hawthorne, N.Y. 10532, has met all the bid requirements and has provided unit prices for all the items totaling \$ 76,760, and

NOW THEREFORE BE IT RESOLVED that contract VA - 1202 – D.P.W. Yard Drainage Improvements be awarded to Landi Contracting, 13 Bradhurst Ave., Hawthorne, N.Y. 10532 at the unit bid pricing totaling \$ 76,760, and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized and directed to execute Contract VA-1202 – D.P.W. Yard Drainage Improvements to Landi Contracting, 13 Bradhurst Ave., Hawthorne, N.Y. 10532.

Village Administrator Harold Porr reported that this is to contain and treat run-off storm water and direct it into the sanitary system rather than into the storm water system. The Village received a grant which will pay for two-thirds of this improvement.

RESOLUTION - TAX CERTIORARI SETTLEMENT – JB PARK PLACE REALTY LLC (SECTION 4/BLOCK 2/LOT 18.B)

On motion of Trustee Longobardo, second by Trustee Gray, 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>
JB Park Place Realty LLC	Section 4- Block 2 Lot 18.B	2007-2011

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

WHEREAS, the Village and the property owners 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:

YEAR	ASSESSMENT	REVISED ASSESSMENT	REDUCTION
2007	1,899,400	1,650,000	249,400
2008	1,899,400	1,650,000	249,400
2009	1,620,370	1,620,370	NONE
2010	1,620,370	1,620,370	NONE
2011	1,620,350	1,620,350	NONE

RESOLUTION – TO PROMOTE RICHARD ANDERSON TO THE POSITION OF SERGEANT IN THE VILLAGE OF BRONXVILLE POLICE DEPARTMENT

On motion of Trustee Longobardo, seconded by Trustee Poorman, the following resolution was unanimously approved:

BE IT RESOLVED that the Board of Trustees does hereby promote Detective Richard Anderson to the position of Police Sergeant from Westchester County Civil Service list #79-617 at a salary of \$109,864.00, effective Monday, June 4, 2012.

RESOLUTION – AWARDING CONTRACT DPW 12-100 CLEANING SERVICES AT THE VILLAGE HALL & DPW LOCKER ROOMS

On motion of Trustee Poorman, seconded by Trustee Gray, the following resolution was unanimously approved:

WHEREAS the Village Engineer reports that he publicly advertised for the receipt of bids for Contract **DPW 12-100** entitled cleaning services at the Village Hall and DPW locker rooms, and

WHEREAS on the bid date, May 10, 2012, bids were publicly opened and read aloud from (3) three bidders, and

WHEREAS the Village Engineer, reviewed, analyzed and recommends that the Contract be awarded to the lowest responsible bidder, and

WHEREAS the lowest responsible bidder, **CFM Services, PO Box 548, Moriches, N.Y. 11955** has met all the bid requirements and has provided for a (3) three year base bid price of **\$99,480.00** (Ninety

nine thousand four hundred eighty dollars and zero cents) with payments for work completed to be paid monthly in accordance with the contract requirements,

NOW THEREFORE BE IT RESOLVED that contract **DPW 12-100** entitled cleaning services at the Village Hall and DPW locker rooms be awarded to **CFM Services, PO Box 548, Moriches, N.Y. 11955** for a (3) three year base bid price of **\$99,480.00** (Ninety nine thousand four hundred eighty dollars and zero cents), and,

BE IT FURTHER RESOLVED that the Mayor is hereby authorized and directed to execute Contract **DPW 12-100** entitled cleaning services at the Village Hall and DPW locker rooms to **CFM Services, PO Box 548, Moriches, N.Y. 11955**

RESOLUTION - YEAR END BUDGET TRANSFERS

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

WHEREAS pursuant to the provisions of Village Law (Section 5 – 520), the Board of Trustees of the Village of Bronxville, by resolution, may increase existing appropriations by transferring funds from the unexpended balance of another appropriation, from the contingent account, from available cash surplus or unanticipated revenues within a fund, or by borrowing, and

WHEREAS at the end of the fiscal year, it is necessary to make modifications to the areas in the budget that had insufficient appropriations based on actual results of operations, and

WHEREAS, in all cases, there are sufficient unexpended balances in other appropriations accounts, excess revenues, or fund balances available to cover the transfers,

NOW THEREFORE BE IT RESOLVED that pursuant to Village Law (Section 5 – 520), the Village Board of Trustees hereby authorizes and directs the Village Treasurer to make necessary year end transfers in the 2011/2012 budget.

PUBLIC INFORMATION – MS4 UPDATE - Annual Stormwater Management Meeting

Superintendent of Public Works, Rocco Circosta, provided the Village Board and the public with a background to the MS4 Program and the original storm water management plan that was filed with the N.Y.S.D.E.C. in March 2003.

Mr. Circosta then reviewed the Annual Report with emphasis on the six minimum measures in the plan, the accomplishments that the Village made over the past year and the program for next year.

Upon completion of the report, Trustee Underhill asked for public comment and there was none.

There were approximately 6 people in attendance and the meeting was broadcast live on Village TV.

Superintendent of Public Works, Rocco Circosta, reported that the Village was recently audited for our sweeping plan by the Environmental Protection Agency. He was happy to report that there have been 2,100 miles swept – this includes streets and parking lots.

Trustee Underhill said that the Memorial Day parade will be on Monday, May 28th at 9AM and will begin at Leonard Morange Square. He invited all residents to attend.

PUBLIC COMMENTS –

None.

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There being no further comments, the meeting was adjourned at 8:47PM by motion of Trustee Longobardo, second by Trustee Gray.

A handwritten signature in black ink, appearing to read "Harold Porr III", written over a horizontal line.

Harold Porr III
Village Administrator/Village Clerk