

**MINUTES OF REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE
OF BRONXVILLE HELD ON OCTOBER 10, 2011 AT THE VILLAGE HALL, 200 PONDFIELD
ROAD, BRONXVILLE, N.Y.**

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

WORK SESSION & EXECUTIVE SESSION

The meeting was called to order at 6:35PM on the motion of Trustee Barton, second by Trustee Gray.

Village Administrator, Harold Porr, reviewed the meeting agenda. He also reviewed the 2011/2012 Capital Improvement Plan with the Trustees. There were some minor modifications discussed as well as additional monies put aside to assist with localized flood mitigation throughout the Village.

On motion of Trustee Underhill, second by Trustee Barton, the Board entered into Executive Session at 7:18PM to discuss personnel matters in Administration and the Village Court, and to discuss real estate matters with legal counsel.

On motion of Trustee Gray, second by Trustee Underhill, the Board closed the Executive Session at 8PM and entered into the public session.

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Mayor Marvin called the meeting to order at 8:03PM.

MAYOR'S REPORT

This month we spent a great deal of time on the flooding issue. We attended a meeting with Congresswoman Lowey and other State and Federal officials to impress upon them the importance of getting funding for flood mitigation projects on the Bronx River.

- Tracking our major \$6.1 million flood mitigation proposal which is still under consideration by FEMA.
- Also reviewing possible smaller, neighborhood centered mitigation projects and tracking possible funding sources.
- Met with engineers to review ideas and ask for more possible mitigation options.

- We have also added 500,000 to our Capital Program for the express purpose of inventorying our Village drainage system – checking on the size and condition of all of our pipes and clearing, repairing if necessary.

Engineers recommended we ensure that our infrastructure is in good shape first before beginning the mitigation measures.

How much we get done depends on the amount of repair or cleaning we have to do. We are starting in the flood prone areas first.

We also spent a great deal of time developing the Capital Improvement Program. We did not have one last year, clear we need to do work around the Village to repair an aging infrastructure. Trustees and I also believed that one of the few benefits of the economic downturn is the extremely low cost of borrowing money and we felt now was the time to take advantage of such low interest rates. Great deal of paving money, technology upgrades, upgrades in the police department.

We continue to negotiate with our police officers and labor staff to come to terms for contracts going forward. We still have not come to agreement.

Met with fellow mayors and administrators to explore common interests, including shared services, joint purchasing and green initiatives we can do together.

Also, we enlisted the help of our two State representatives, Senator Jeff Klein and Assemblywoman Amy Paulin to craft a bill to help us with the assessment appeals process.

Under current law, municipalities have no right of appeal to challenge factual errors made in the calculation of an assessment in the small claims proceeding.

As an example, a judge used a square footage value of \$150 for a home in the Village when in fact the actual square footage values in the Village are between \$400 and \$800.

As a result, the petitioner received a value on their house that was incorrect. In the interest of fairness, we would like to be able to challenge errors of fact like this that could have great precedential value if not corrected.

We are not interested in a right of appeal in the pro se process where a homeowner, not a lawyer or appraisal company, can challenge their assessments in front of a hearing officer. We are only interested in the right of appeal in the proceedings before judges on factual errors.

Department of Public Works Superintendent, Rocco Circosta, and I spoke at the Boulder Ledge Garden Club Meeting. I attended a terrific Chamber merchants get together and we filmed a fall edition of our cable show.

And lastly, with the generous help of the BBC, you will see a great deal of work being done to beautify the quadrants adjacent to the railroad station in the coming months.

TRUSTEE REPORTS

No Trustee reports this month.

APPROVAL OF MINUTES

On motion of Trustee Gray, second by Trustee Barton, the Board approved the minutes of the Regular Meeting on September 12, 2011 and the Special Meeting on September 26, 2011.

PUBLIC HEARING

2011-2012 Capital Improvement Program (CIP)

On motion of Trustee Underhill, second by Trustee Gray, the Board opened the public hearing at 8:12PM.

Trustee Gray commented that a lot of time was spent on this program. There were lengthy discussions with department heads and they have come up with a reasonable and very well thought out plan.

Mayor Marvin agreed with Trustee Gray.

Village Administrator, Harold Porr, said that this plan funded two years of paving which was a new feature.

Trustee Underhill said he was gratified to see the extent to how the department heads worked with the Trustees on this program.

Trustee Barton commented that you can only defer maintenance for so long and that there is a need to make up for this.

Mayor Marvin said the Governor's 2% tax cap is frustrating. As a State, we should be incentivized and not penalized to make capital improvements which are not exempt from the 2% cap. This past week, the bi-partisan Board in Bedford, the Governor's hometown, voted to override the 2% tax cap.

Village Administrator, Harold Porr, added that the Village cannot exclude the pension, healthcare and infrastructure costs from the new 2% tax cap.

Mr. Thomas Wolff, 230 Pondfield Road, inquired about the cost of the four vehicles scheduled to be purchased for the police department and if the actual price was higher than that quoted in the Capital Improvement Plan.

Village Administrator, Harold Porr, responded that Chief Satriale told him that the cost per vehicle is higher but that the insurance proceeds from a damaged vehicle will offset the final price.

Mr. Wolff said that the estimates then for 2012, 2013 and 2014 then need to be adjusted.

Village Administrator, Harold Porr, replied that the numbers are estimates based on best information available at this time.

On motion of Trustee Gray, second by Trustee Underhill, the Board closed the public hearing at 8:21PM.

RESOLUTION - CAPITAL IMPROVEMENT PROGRAM

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

BE IT RESOLVED that the Board of Trustees of the Village of Bronxville adopts the 2011/2012 five year capital improvement program as attached.

NEW BUSINESS

RESOLUTION – IMA WITH WESTCHESTER COUNTY FOR TRACS (TRAFFIC AND CRIMINAL SOFTWARE)

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

BE IT RESOLVED that the Mayor is authorized to sign the agreement with the Westchester County Department of Public Safety and the New York State Police to allow the Village of Bronxville to participate in the so-called TRaCS Program. The agreement will commence upon execution and continue for a period of five (5) years thereafter.

RESOLUTION – COURT AUDIT

On motion of Trustee Barton, second by Trustee Underhill, 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, examine 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 year ended May 31, 2011 and provided a copy of the report to the Trustees (attached), and

WHEREAS the Board has examined this report 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 examination was conducted, and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded along with a copy of the report to the NYS Office of Court Administration.

RESOLUTION – TAX CERT – NORTHGATE CO-OP

On motion of Trustee Underhill, 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>
Northgate CO -Op	Stoneleigh Pl. Section 21/2/ 1, 1A & 1B	2003-2011

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	COMBINED ASSESSMENT	REVISED ASSESSMENT	REDUCTION
2003	260,000	247,000	13,000
2004	260,000	228,800	31,200
2005	260,000	213,200	46,800
2006	260,000	210,600	49,400
2007	8,931,000	7,950,000	981,000
2008	8,931,000	7,950,000	981,000
2009	8,269,443	7,800,000	469,443
2010	8,269,443	7,700,000	569,443
2011	7,750,000	7,600,000	150,000

PUBLIC COMMENTS –

Mr. Wolff, 230 Pondfield Road, asked the Mayor to read the total amount for the Capital Improvement Plan.

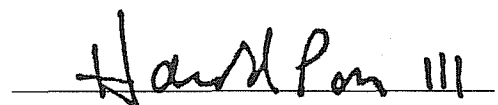
Mayor Marvin responded.

Trustee Underhill commented that these are target numbers for the next four years.

Village Administrator, Harold Porr, said that next year the numbers come back for reconsideration. He also mentioned that the Capital Improvement Plan was reduced by \$10,000 for stone pillar work on Avon Road.

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There being no further comments, the meeting was adjourned at 8:27PM by motion of Trustee Gray, second by Trustee Barton.



Harold Porr III
Village Administrator/Village Clerk