

**MINUTES OF REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE
OF BRONXVILLE HELD ON NOVEMBER 14, 2011 AT THE VILLAGE HALL, 200
PONDFIELD ROAD, BRONXVILLE, N.Y.**

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

WORK SESSION & EXECUTIVE SESSION

The meeting was called to order at 6:38PM on the motion of Trustee Underhill, second by Trustee Poorman.

On motion of Trustee Barton, second by Trustee Poorman, the Board entered into Executive Session at 6:44PM to discuss personnel matters in the Police Department and on-going labor negotiation issues.

On motion of Trustee Poorman, second by Trustee Underhill, the Board closed the Executive Session at 8:02PM and re-opened the work session.

Village Administrator, Harold Porr, reviewed the meeting agenda.

At 8:07PM on motion of Trustee Barton, second by Trustee Underhill, the Trustees entered into the public session.

Mayor Marvin called the meeting to order at 8:10PM.

Mayor Marvin spoke about the honoree of the evening – Sergio Papetti. He has earned a certificate of public service award from NYCOM for 25 years of service. He has given incredible service to the Village. He is professional, loyal and the residents honor him as well as the Trustees.

MAYOR'S REPORT

First, I would like to congratulate everyone who won election or re-election to the various offices last Tuesday with a special congratulations to our former Deputy mayor on his election to the Eastchester Town Board.

October turned out to be another busy month in the Village. The snow storm caused a great deal of problems and all the Westchester communities felt Con Ed just was not prepared and as a result were caught really flat footed in their response. Their method of operations and the way they do repairs around the

Village continues to be a constant source of frustration. And sadly, our Department of Public Works estimates that 1,000 trees were lost or damaged throughout the Village during the storm.

Deputy Mayor Bob Underhill, his wife, Sarah, Chief Satriale and his son and I cleaned the Bronx River as part of the County-wide clean-up initiative. After being there, I believe now more than ever that the river must be dredged. It is filled with silt and there are areas which are no more than 2" deep. It is like filling a swimming pool to the top with sand.

Speaking of water, Village officials and engineers met with neighbors from Parkway Road and the homes adjacent to the school to discuss flooding issues particular to their home locations.

We continue to stay in the running for a multi-million dollar Federal flood mitigation grant and we now have both Nita Lowey and Governor Cuomo actively lobbying on our behalf.

As a reminder, we have designated half a million dollars in our upcoming capital program to camera, clean and repair our Village drainage system.

We had a terrific Halloween. Many of the younger trick or treaters came out early and we had absolutely no problems this year.

The Village hosted the French Exchange students. We gave them tours of the building and the police department and answered questions about our government operations.

We also took our turn hosting the Westchester Municipal Officials Association. I think we had about 60 guests and Harry Wilson, former candidate for State Comptroller, spoke to us about escalating pension and healthcare costs - a problem that was shared by everyone in the room.

We also hosted last month's meeting of our Eastchester Fire Board. With a budget more than that of the Village's, it is really important to stay informed on fire district issues. To that end, I am asking that their monthly meetings be broadcast on the Bronxville cable channel in addition to the Eastchester channel.

Two other very important meetings were held last month..... Mr. Porr and I attended an Affordable Housing meeting with speakers from HUD. It was frankly disturbing. HUD now wants to expand the agreement as they say "beyond the four corners" of what was a fully negotiated contract to add such things as requiring that the units have three plus bedrooms and that they only be built in communities with above average school districts. Over \$20 million has been spent so far including \$990 an hour to a HUD appointed monitor and not a single unit has been built. Honestly, I have never seen social engineering such as this.

Finally, we had a Citizen's Advisory Committee meeting where representatives from each of our seven election districts report on issues of concern in their neighborhoods. Some overarching concerns include the need for increased lighting throughout the business district and the desire to see police on foot patrol more often.

I want to end by thanking all of our veterans for their service. We need to remember to say thank you to you every day, not just on special holidays.

With that, I will turn it over to Deputy Mayor Underhill.

TRUSTEE REPORTS

Trustee Underhill reported that the Fire District will be using Village Hall for their voting on December 13, 2011 from 2PM – 9PM. He commented that the Chief of Police used the e-alert judiciously

for Halloween. The Village has received their audit for the prior year and that the Trustees will receive a briefing on December 12th. The Finance Committee will then review it.

Trustee Barton thanked the Department of Public Works for their hard work during the last snow storm.

Chamber – Trustee Barton announced a few upcoming events and reported that the Chamber has two new members.

Trustee Poorman reported on the police department and that it was a quiet month.

Parking – summonses decreased and this is attributed to the weather and a quiet downtown. There have been quite a few vacant parking spaces in the downtown area.

Library – The Westchester Library System now has downloadable e-books available. You can look them up from home and “borrow” them for two weeks. The staff has been trained to assist you with this. There is a wonderful slate of events coming up.

Justice Court – no report.

PRESENTATION – COMMUNITY FUND

Gail Halloran, President, spoke about the campaign. An appeal letter was sent out to the residents. The theme of the campaign is “Be A Part of Something Special”. The fund supports vital services in the community. The funds raised support 26 agencies in the Eastchester/Tuckahoe/Bronxville area. Without the support of the Community Fund many agencies would not be able to survive. She brought with her two people who spoke about Gramatan Village and how wonderful the services provided are. She concluded with telling residents that they are grateful for the support of the community and urged residents to support the fund.

APPROVAL OF MINUTES

On motion of Trustee Underhill, second by Trustee Poorman, the Board approved the minutes of the Regular Meeting on October 10, 2011.

NEW BUSINESS

Village Attorney, James Staudt, reviewed the proposed local laws and said that tonight is just to set a public hearing for each of them.

RESOLUTION - SETTING PUBLIC HEARING ON PROPOSED LOCAL LAW #8-2011 TO AMEND THE TRAFFIC AND VEHICLE LAW OF THE VILLAGE OF BRONXVILLE, CHAPTER 290, BY REVISING SECTION 290-17 REGARDING ONE-WAY STREETS AND PARKING LOT DRIVE AISLES

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

WHEREAS, the Board of Trustees (the "Board") of the Village of Bronxville (the "Village") requested Village Counsel to draft a local law amending the Traffic and Vehicle Law of the Village, Chapter 290, by revising section 290-17 regarding one-way streets and parking lot drive aisles; and

WHEREAS, having received proposed Local Law #8 - 2011, the Board is prepared to hold a public hearing on such proposed law,

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. A public hearing on proposed Local Law # 8 - 2011 will be held on December 12, 2011 at 8PM at Village Hall located at 200 Pondfield Road, Bronxville, NY.
2. The Village Board directs that all requisite notices be published in accordance applicable laws and regulations.

RESOLUTION - SETTING PUBLIC HEARING ON PROPOSED LOCAL LAW # 9 – 2011 TO AMEND THE TRAFFIC AND VEHICLE LAW OF THE VILLAGE OF BRONXVILLE, CHAPTER 290, BY ADDING A NEW TRAFFIC CONTROL SIGNAL AT THE INTERSECTION OF KRAFT AVENUE AT CEDAR STREET IN LIEU OF STOP SIGNS

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

WHEREAS, the Board of Trustees (the "Board") of the Village of Bronxville (the "Village") requested Village Counsel to draft a local law amending the Traffic and Vehicle Law of the Village, Chapter 290, by adding a new traffic control signal at the intersection of Kraft Avenue at Cedar Street in lieu of stop signs; and

WHEREAS, having received proposed Local Law # 9 - 2011, the Board is prepared to hold a public hearing on such proposed law,

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

3. A public hearing on proposed Local Law #9 - 2011 will be held on December 12, 2011 at 8PM at Village Hall located at 200 Pondfield Road, Bronxville, NY.
4. The Village Board directs that all requisite notices be published in accordance applicable laws and regulations.

RESOLUTION - SETTING PUBLIC HEARING ON PROPOSED LOCAL LAW # 10 – 2011 TO AMEND THE TRAFFIC AND VEHICLE LAW OF THE VILLAGE OF BRONXVILLE, CHAPTER 290, BY MODIFYING THE TIME LIMITS OF PARKING METERS ON KENSINGTON ROAD

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

WHEREAS, the Board of Trustees (the "Board") of the Village of Bronxville (the "Village") requested Village Counsel to draft a local law amending the Traffic and Vehicle Law of the Village, Chapter 290, by modifying the time limits at parking meters on Kensington Road; and

WHEREAS, having received proposed Local Law # 10 - 2011, the Board is prepared to hold a public hearing on such proposed law,

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

5. A public hearing on proposed Local Law # 10 - 2011 will be held on December 12, 2011 at 8PM at Village Hall located at 200 Pondfield Road, Bronxville, NY.
6. The Village Board directs that all requisite notices be published in accordance applicable laws and regulations.

RESOLUTION – 2011 SCAR SETTLEMENTS

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

WHEREAS, Small Claims Assessment Review petitions having been filed by each property owner identified on the annexed schedules to this resolution challenging real property tax assessments on the Village's 2011 Final Assessment Roll.

WHEREAS, petitioners' court challenges are now pending in the Supreme Court, Arbitration Division, Westchester County,

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 Assessment Consultant to execute those proceedings marked "***Settled***" on behalf of the Village and School reducing the assessments to no less than the following amounts:

<u>TYPE</u>	<u>ADDRESS</u>	<u>ORIGINAL AV</u>	<u>REDUCED AV</u>	<u>REDUCTION</u>	<u>REFUND (VILLAGE)</u>	<u>REFUND (SCHOOL)</u>	<u>TOTAL REFUND</u>
Settled	39 Homesdale Road	1,864,000	1,845,000	19,000	\$ 54.00	\$ 262.00	\$ 316.00
Settled	23 Normandy Terrace	852,800	840,000	12,800	\$ 37.00	\$ 176.00	\$ 213.00
Decided	47 Prescott Avenue	3,222,200	3,130,000	92,200	\$ 263.00	\$ 1,271.00	\$1,534.00
				TOTAL:	\$ 354.00	\$ 1,709.00	\$2,063.00

**RESOLUTION – IMA WITH WESTCHESTER COUNTY DEPARTMENT OF
EMERGENCY SERVICES**

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

BE IT RESOLVED that the Board of Trustees authorizes the Mayor to sign an Inter-municipal agreement with the County of Westchester for the distribution of specialized equipment to better respond to Weapons of Mass Destruction and to prepare a multi-year statewide Domestic Preparedness Strategy. The term of this Agreement shall commence upon execution and continue in full force and effect for five (5) years.

RESOLUTION – CAPITAL PROJECT AUTHORIZATION – FUNDING THE COST OF BOND SALE

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

BE IT RESOLVED that the Board of Trustees authorizes the Village Treasurer to establish capital project #20112012-0049-1325 Village Bond Sale Costs in the amount of \$57,000.

Mike Grubiak of Senator Jeff Klein's office introduced himself and spoke of upcoming events sponsored by the Senator.

PUBLIC COMMENTS –

Betsy Harding, 39 Homesdale, requested that the Trustees withdraw support of a bill proposed by Assemblywoman Paulin and Senator Klein that has been introduced to the State legislature. If passed, this bill provides that when a taxpayer submits a SCAR and there is a decision, the Village can appeal that decision. Generally this is a low key/cost endeavor. This bill would allow the Village to appeal decisions which means that residents are only able to ask for 14% or less so as to avoid legal bills and an appeal by the Village. This bill does not apply to anywhere else in the state. She sees no reason for the Village taxpayers to be treated differently.

Mayor Marvin responded that the Trustees do not support this bill. They are interested in only appealing errors of fact that have precedential value. The Village is working with legislators to craft a fair bill and have no interest in appealing SCAR settlements. She told Mrs. Harding that she should have contacted her rather than FOILing – 850 pieces of paper were copied and a lot of taxpayer money was spent in response to the FOIL.

Mrs. Harding said that responses to FOIL are a legal right.

Mayor Marvin commented that in the interest of taxpayer money that Mrs. Harding should try to get information in person before submitting a FOIL. FOIL's are the law but personal interaction should be tried first.

Mrs. Harding said that she asked for decisions from several years ago and not for a specific amount of pages. She found the information very informative and asked if the Mayor was attacking FOIL requests. She said that if the law does not reflect what the Village wants, then this needs to be communicated.

Mayor Marvin responded that she could have told Mrs. Harding in person prior to the meeting that the Village was working with legislators. The Village is trying to make it right and they simply do not support this bill.

Mrs. Harding mentioned again that this bill only pertains to the Village of Bronxville.

Mayor Marvin responded that it was suggested by the legislators to be fair to the residents due to errors of fact.

Mrs. Harding commented that she has been trying to reach Assemblywoman Paulin for some time. She also said that she is surprised that this bill got as far as it did without Village support.

Mayor Marvin said the Village is charting new ground for legislators and no bill has been passed.

Mrs. Harding asked if the Mayor would support the bill if it was only for Bronxville.

Mayor Marvin answered that there are lots of bills for separate communities. The Village is asking for an appeal based on errors of fact that has precedential value only. The Mayor wants fairness across the board. We do not want to end up with skewed and unfair values.

Mrs. Harding responded that decisions in SCAR cannot be used for precedent.

Mayor Marvin replied that they can if used for factual use.

Mrs. Harding asked the Mayor for her commitment to withdraw this bill.

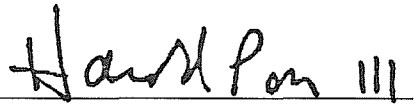
Mayor Marvin will speak with her colleagues and do what is best for Bronxville.

Mr. Thomas Wolff, 230 Pondfield Road, commented that there is a bi-partisan opposition to the bill and that it has been in its current form since May of 2011. He questioned why amendments have not been made to the bill if it has been this way for several months.

Mayor Marvin responded that it is an on-going conversation.

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There being no further comments, the meeting was adjourned at 9:02PM by motion of Trustee Poorman, second by Trustee Barton.

A handwritten signature in dark ink, reading "Harold Porr III", is written over a horizontal line.

Harold Porr III
Village Administrator/Village Clerk