

MINUTES OF REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF
BRONXVILLE HELD ON DECEMBER 11, 2006 AT THE BRONXVILLE LIBRARY, 201 PONDFIELD
ROAD, BRONXVILLE, N.Y.

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PRESENT:	Mary C. Marvin	Mayor
	Glenn D. Bellitto	
	Anne W. Poorman	
	William H. Barton, Jr.	Trustees
ABSENT:	Robert S. Underhill	Trustee
ALSO PRESENT:	Ned W. Branthover	Village Counsel
	Harold Porr III	Village Administrator
	Rocco Circosta	Superintendent of Public Works
	Christopher Satriale	Police Lieutenant
	Vincent Pici, P.E.	Superintendent of Buildings
	Robert J. Fels	Village Treasurer
	William J. Murphy	Parking Commissioner

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Mayor Marvin called the meeting to order at 6:45 p.m.

WORK SESSION

(In attendance were Mayor Marvin, Trustees Barton, Bellitto and Poorman, Administrator Porr, Counsel Branthover, Superintendent of Buildings Pici and Lt. Satriale.) The Board reviewed agenda and discussed, parking, taxis and garbage schedule.

A motion was made by Trustee Barton, second by Trustee Bellitto, and unanimously carried, to enter executive session to discuss PBA negotiating matters and proposed litigation at 7:17 p.m. On motion duly made, seconded and carried, the Board voted to leave executive session at 8:00 p.m.

On motion of Trustee Bellitto, seconded by Trustee Poorman, the meeting was reopened at 8:05 p.m.

Mayor Marvin said she would like to take a moment to remember and honor former Village Trustee Barbara Yeager who passed away. Barbara was an extraordinary woman of great character, compassion and kindness. She loved this Village and was unfailingly generous to every cause large and small. Mayor Marvin said we sit tonight in the Yeager Room – a testimony to her generosity and that of her husband George. The Village lost a great role model and a great lady in Barbara Yeager. She will be sorely missed.

PRESENTATION by René Atayan – EVAC Update

Mayor Marvin invited René Atayan, the Bronxville representative on EVAC, to give an update. The Mayor thanked René for her service.

Following are Ms. Atayan's comments.

"It's a pleasure to speak this evening on behalf of EVAC - Eastchester Volunteer Ambulance Corps. As was outlined in my November 29th report, EVAC is performing in an exemplary fashion this year.

As a reminder to Village residents, established in 1952, EVAC is your ambulance or Emergency Medical Service. It is NOT part of any taxing district. This is a lifesaving non-profit service relying primarily on donations and grants, not taxes. This allows EVAC to

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operate both lean and flat administratively. It is both highly effective and efficient. Our Ambulance Corps is staffed by paid paramedics and state certified volunteer EMTs.

Per my report: Finances are being well-managed; reserves have risen from \$9,000 to \$50,000. A goal of 3 months' payroll, EVAC's major expense is targeted at \$60,000. Reserve balance is attributed to: enhanced collections, lower operating expenses, and a successful fund drive. Overall call volume is down, primarily due to pressure exerted on neighboring New Rochelle, to enhance their service. While EVAC will certainly perform mutual aid when necessary, as any of our emergency services would, the message our service was being used primarily to subsidize an inadequate neighboring service was heard loud and clear. New Rochelle has staffed up; its result, as I mentioned was a marked decrease in our call volume. 2,100 down to 1,900. - still a very busy year.

Other upgrades: New doors will be installed. Due to grade, water has entered the building, and damaged the floor and door frame.

A grant from the Generoso-Pope Foundation will assist generating follow-up letters to patients, therefore enhancing collections.

A Community Fund grant has been wisely spent, not only on new vehicles, but also on a consultant who has standardized all future vehicle purchases AND interior layout - this can/will aid in more immediate/fluid patient care.

EVAC will host an upcoming Fundraising Casino Night in early 2007, as fundraising is an ongoing necessity.

Finally, as a non-profit providing life saving services, we hope Bronxville Villagers will remember EVAC when considering tax-deductible charitable contributions. Whether it is a small donation, or part of your estate planning, as has been the case with many families helped by EVAC, we are greatly appreciative of all of your support.

For more information, you can reach EVAC at 337-3051, or eastchesterems.com. They are located at 257 Main Street, Eastchester 10709."

MAYOR'S REPORT

Mayor Marvin noted that Trustee Underhill was away on business this evening.

Mayor Marvin said tonight we have a very long agenda; many year end items as well as items we deferred from the October and November meetings as we concentrated on the Homestead option and the revaluation project in general. She thanked all the citizens on both sides of the issue for becoming involved and sharing their opinions. Mayor Marvin said, "It truly was an exercise in democracy and as much as we all anguished over the issue and on some level still do, I can assure you we all tried really hard to do the right thing - and your positive responses regardless of your opinion makes us all proud to be your representatives. I can attest to the fact that this is one diverse group in experience, credentials and opinions. We are united in a lack of shyness."

Mayor Marvin recounted the highlights of the last month or so.

- 1) Our police contract was officially ratified by both sides; officers received their retroactive checks in time for the holidays. We are canvassing the police civil service list - we still need two more officers to reach full complement. Lt. Satriale and Mr. Porr will begin interviews tomorrow. The list of candidates is not as long as last time but we are hopeful to recruit one or two new officers.
- 2) Village officials are meeting this week with Legislators Pinto and Burrows, Supervisor Colavita and members of the County Parks Office to discuss the state of Scout Field and how we can work together to improve the quality of the fields.

- 3) The Village is still negotiating with Cablevision and Verizon to get the most favorable deals. Our neighbor Scarsdale just negotiated a very good arrangement in our view so using their agreement as a template – anxious to get this done, on terms most favorable to the Village.
- 4) Mayor Marvin attended the senior citizens luncheon in November and will be attending their holiday event tomorrow. She said it is truly one of the most important and enjoyable groups in the Village – and they can always use your support.
- 5) Renovation of Village Hall is continuing on schedule – our goal is to open for the Village elections on March 20th so we can get back to our regular election procedures and not have to make contingency plans like last year. We are confident we can meet this deadline.
- 6) Mayor Marvin noted that there is a very important election tomorrow here in the Library to choose a fire commissioner. The fire district budget is \$12 million which comprises a good portion of your Eastchester tax bill. She encouraged citizens to have a voice in choosing who controls this budget. Since the election allows for no absentee ballots and very limited voting times, it is important to note polls are open here in the Library only from 4 to 9 p.m. We will have the suspended parking rules to aid people in voting.
- 7) Mayor Marvin reported that the Village Finance Committee will be meeting Thursday morning to review a planned study of our internal technical operations, to coincide with our moving into the refurbished Village Hall.

Update on Revaluation Process

Mayor Marvin reported that the revaluation process is working extremely well. Over 200 appointments were made; approximately one half have already occurred – the percentage of property owners coming forward is approximately 14%, a smaller number than expected. By way of comparison, Greenwich had numbers in the low 20% range who grieved at this stage. She said that all residents who would like to discuss their assessments can do so even after the formal appointment period is over – that is why we employ the services of our consultant, Mr. Iagallo, so don't hesitate to call. Everyone will have an opportunity to be heard. Adjustments will be made when warranted – this is not an exercise in futility or public relations. The process counts on individual property owners coming forward. Mayor Marvin said, "We encourage you to do so because in the give and take of exchanging data, we will find even better equilibrium in the roll." Notices and determination of grievance requests will begin to be mailed during the week of the December 18th. She said we moved up the deadlines from a January release and the letters will be mailed as determinations are made in consultation with CLT and the assessing office. The process has specific stages and it can appear cumbersome, but it is designed to be thorough so our repairs of the roll are correct. She said, please be patient with the upheaval – it is temporary – and remember we are repairing a 40 year old roll with its attended inequities in one year.

Mayor Marvin advised that we have a terrific database available at the Library with all kinds of information about everyone's property as well as comparable properties. It is a modern database with information we've never had before and this state-of-the-art system will provide a long term benefit, well after the revaluation is completed.

Mayor Marvin announced that the CBRE report on capitalization rates is expected to come to the Trustees this week and we will release it to the public upon receipt.

Under the same heading of assessment, as she mentioned in her recent letter to the community, Mayor Marvin said we have discovered that there was an unauthorized release of privileged information about your properties by the State of New York to a private individual not working for the Village and then put in the public domain on a private website. We were rightfully stunned by the breach of confidentiality which caused disruption to our process for the

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past few weeks and only hope our project was not jeopardized in any way by this leak. She assured everyone that we are pursuing all avenues of investigation and have referred it to the proper legal authorities. The Mayor said we are unable to provide more details while the investigations are under way so as not to jeopardize their efforts. As soon as we have information that the authorities recommend releasing she will do so. This is a very serious matter and we are treating it as such.

TRUSTEE REPORTS

Deputy Mayor Bellitto reported that the Citizens Advisory Committee met on November 29th. He said they divided themselves into subcommittees. The next meeting will be on January 31, 2007 and all residents are invited to attend.

Trustee Bellitto said that with the property tax issue the community went through an awful lot and having gone through it together brings us a stronger community.

Trustee Poorman reported that Chamber of Commerce held a wonderful holiday party on December 4th that she attended along with Mayor Marvin, Trustee Bellitto and Mr. Porr. Trustee Poorman said she regretted to report that the Executive Director, Sheryl Donner, will be resigning effective December 31st. She thanked Ms. Donner for all of her hard work. Trustee Poorman said that long time resident Michele MacMillan will assume the position of Executive Director in January 2007.

Trustee Barton reported that Sheryl Donner has volunteered to be the new chairperson of the Village/School Cable Committee. He said he spoke with Dr. Quattrone, Superintendent of Schools, who is enthused about Ms. Donner's appointment. He said if anyone else would like to join the committee to get in touch with him or Sheryl.

APPROVAL OF MINUTES

On motion of Trustee Barton, seconded by Trustee Poorman, and unanimously carried, the Board approved the Minutes of the Regular Meeting and Public Hearing of November 13, 2006, the Special Meeting of November 20, 2006 and the Special Meeting of November 27, 2006, as drafted.

DEPARTMENT REPORTS

Department reports were presented by Police Lieutenant Christopher Satriale, Superintendent of Buildings Pici, Superintendent of Public Works Circosta, Village Treasurer Fels, Parking Commissioner Murphy, and Village Administrator Porr.

RESOLUTION – Local Law No. 2 - 2006 – Taxi Fares

On motion of Trustee Bellitto, seconded by Trustee Poorman, and unanimously carried, the Board approved the following resolution:

BE IT RESOLVED that the Board of Trustees enacts Local Law No. 2 - 2006, a local law to amend Chapter 274 Taxicabs, Section 274-25 Fares established, of the Code of the Village of Bronxville, a copy of which is attached hereto as if fully set forth herein.

RESOLUTION – General Fund Budget Amendment – Youth Council

Village Treasurer Fels stated that in the Village's adopted budget for the 2005/2006 fiscal year the Trustees approved a subsidy to the Bronxville Youth Council in the amount of \$8,000.00. During the course of the Council's fiscal year they forgot to request the subsidy from the Village. This undistributed subsidy was closed out to the Village's fund balance at May 31, 2006. On November 27, 2006 a letter was received from the Youth Council requesting that the Village Board amend the 2006/2007 budget to provide for this prior year subsidy. In order for the Village to pay out this subsidy from the 2005/2006 fiscal year, Mr. Fels said he would need a

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resolution amending the 2006/2007 budget to provide the necessary appropriation. As this prior year subsidy was closed out to the Village's fund balance at May 31, 2006, the funding for the 2006/2007 amendment would come from the Village's accumulated fund balance.

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

BE IT RESOLVED that the Board of Trustees authorizes the Village Treasurer to amend the Village's 2006/2007 General Fund budget to provide \$8,000 to fund the undistributed Youth Council subsidy from the 2005/2006 fiscal year as follows:

Increase	A.6989453	Bronxville Youth Council	<u>\$8,000.00</u>
Increase	A.599000	Appropriated Fund Balance	<u>\$8,000.00</u>

RESOLUTION – General Fund Budget Amendment – PBA Agreement

Treasurer Fels noted that on November 29, 2006 the Memorandum of Agreement between the Village and the Bronxville PBA was signed. This agreement covers the period from June 1, 1005 through May 31, 2008 and provides for a 3.75% salary increase per year. The Treasurer's department has calculated the cost of the retroactive pay checks for the PBA members from June 1, 2005 through December 1, 2006 as follows:

<u>Period</u>	<u>Salary</u>	<u>Employer Payroll Taxes</u>	<u>Total Cost</u>
6/01/2005-5/31/2006	\$ 68,335.32	\$ 5,227.65	\$ 73,562.97
6/01/2006-12/01/2006	<u>72,205.19</u>	<u>5,523.70</u>	<u>77,728.89</u>
<u>Total costs</u>	<u>\$140,540.51</u>	<u>\$10,751.35</u>	<u>\$151,291.86</u>

Mr. Fels said the funding to cover these costs has been provided in the respective fiscal years' budgets. However, because the Village closed its 2005/2006 fiscal year, the budget to finance the 2005/2006 portion of the settlement was closed to our fund balance. As was the practice when the Village settled the last PBA contract, he said we must appropriate a portion of the Village's accumulated fund balance to finance the previous year's portion of the settlement.

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

BE IT RESOLVED that the Board of Trustees authorizes the Village Treasurer to amend the Village's 2006/2007 General Fund budget to provide \$73,565 to fund the 2005/2006 portion of the PBA settlement as follows:

Increase	A.3120100	Police Per Services	\$68,336.00
Increase	A.9030800	Social Security (FICA)	4,239.00
Increase	A.9031800	Medicare	<u>991.00</u>
		Total	<u>\$73,566.00</u>
Increase	A.599000	Appropriated Fund Balance	<u>\$73,566.00</u>

RESOLUTION – General Fund Budget Amendment – Community Fund Grant

Village Treasurer Fels stated that in October the Library received a grant from the Community Fund in the amount of \$5,000.00. The grant has been awarded to the Bronxville, Eastchester and Tuckahoe Libraries to conduct a multicultural storytelling program that will run from October 2006 through February 2007. As such, Mr. Fels requested that the following budget amendment be approved to accept these funds and increase the Library's budget.

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

BE IT RESOLVED that the Board of Trustees authorize the Village Treasurer to amend the Village's Library Fund budget to reflect the \$5,000 grant from The Community Fund for 2006/2007 as follows:

Increase	L.2705000	Gifts & Donations	<u>\$5,000.00</u>
Increase	L.7410483	Special Programs	<u>\$5,000.00</u>

RESOLUTION – General Fund Budget Amendment – Library Repairs

Village Treasurer Fels stated that over the past several months the Library has incurred significant work due to mold damage caused by a malfunction in their HVAC system and structural repairs due to building settling. The cost of the repairs amounted to \$38,429, and was funded by transfers from the Library's Burt and Corbus Trust Funds. On November 29, 2006 he received an e-mail from Gene Piper, the Library Board President, requesting that the Village Board consider a \$10,000 subsidy from the Village to offset these unanticipated repairs. At this time, he said he cannot identify a source of funds in the current year's budget to cover this subsidy. As a result the funds for this request must come from the Village's accumulated fund balance. Based upon discussions with Board members, Mr. Fels requested that the following budget amendment be approved to grant this subsidy.

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

BE IT RESOLVED that the Board of Trustees authorizes the Village Treasurer to amend the Village's General Fund budget to provide a \$10,000 subsidy to partially reimburse the Library's Trust Funds for the cost of the aforementioned repairs as follows:

Increase	A.9650900	Transfer to Library Trust Fund	<u>\$10,000.00</u>
Increase	A.599000	Appropriated Fund Balance	<u>\$10,000.00</u>

RESOLUTION – Performance Bonus

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

BE IT RESOLVED that the Village of Bronxville Board of Trustees expresses its appreciation to village parking office employees Linda Henry and Eileen Muller for their fine work accomplished in the last year during a prolonged absence of a fellow employee. Employees Henry and Muller took on additional tasks to cover the fellow employee during her recovery. A performance award of \$500 is granted to each employee for their dedicated service to the village.

RESOLUTION – Surplus Equipment

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

BE IT RESOLVED the Board of Trustees authorizes the Village Administrator to declare the attached list of items including broken printers and postage meter as surplus equipment and authorizes the Village Administrator to utilize a method of disposal that is in the best interest of the Village.

RESOLUTION – Parking on Pondfield Road for Fire District Election

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

BE IT RESOLVED the Board of Trustees hereby allows for twenty minute parking along the east and west side of Pondfield Road in the approved parking areas between Midland Avenue and the Gramatan Avenue intersection to facilitate convenient parking for residents participating in the Eastchester Board of Fire Commissioners Election on Tuesday, December 12, 2006 between the hours of 4:00 p.m. to 9:00 p.m.

Appropriate signage is to be placed which will give full notice to the public.

RESOLUTION – Contract with Kensington Project Parking Lot Consultant

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

BE IT RESOLVED that the Board of Trustees authorizes the mayor to sign an agreement with Margulies Hoelzli Architecture, PLLC of New York, New York for consultation services related to the Village Parking Facility on Kensington Road in the Village of Bronxville that will be constructed at the expense of WCI Communities, Inc. The attached agreement outlines the specifics of the work. Also attached is a letter from WCI Communities, Inc. in which it is agreed that 75% of the cost of the parking consultant will be paid for by WCI, Inc.

RESOLUTION – Contract with Downtown Parking Consultant

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

BE IT RESOLVED the Board of Trustees authorizes the Mayor to sign an agreement with Chance Management Advisors, Inc. of Philadelphia, PA for consulting services regarding the Village of Bronxville downtown parking facilities, inventory and utilization. The fee for services is outlined in the attached contract and schedule and will be paid for by a grant from the New York State Senate.

RESOLUTION – Contract for Parking Consultant Services

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

BE IT RESOLVED the Board of Trustees authorizes the Mayor to sign an agreement with Spencer Consultation Services of Brooklyn, New York for consulting services regarding the Village of Bronxville Parking Office operations. The fee for services is outlined in the attached contract and schedule and will be paid for by a grant from the New York State Senate.

RESOLUTION to Schedule a Public Hearing – Eligible Funds Veterans Exemption

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

BE IT RESOLVED the Board of Trustees schedules a public hearing for December 19, 2006 at 7:00 p.m. in the Yeager Room at the Bronxville Library to consider a proposed local law to amend the Code of the Village of Bronxville, Chapter 268, entitled "Taxation", to add a new sub-division Article VII, entitled "Eligible Funds Veterans Exemption".

RESOLUTION – Local Law No. 3 - 2006 – Senior Citizens Property Tax Exemption

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

BE IT RESOLVED that the Board of Trustees enacts Local Law No. 3 - 2006, a local law amending Chapter 268 of the Code of the Village of Bronxville, Article II, Senior Citizen Tax Exemption, a copy of which is attached hereto as if fully set forth herein.

PUBLIC COMMENTS

Dorothy Brennan, Kensington Road, thanked the Board for all the work they did on the Homestead Act. She particularly commended Mayor Marvin on the way she conducted the meetings. As far as the actual tax went, she said we know that the taxes were unfair. She wondered at the 600 properties with vast improvements that weren't taxed. She said there are also many people in the Village who were paying far too much tax. As far as the Homestead Act, Mrs. Brennan thinks the people who would probably have been hurt were the Village stores, as many of the merchants are hanging on by a thread. She thought the decision the Board made was a fair one and she thanked them.

Mrs. Brennan commented on Scout Field and the number of County Police patrolling the field and issuing summonses. She said she has been going down to Scout Field for forty years with her dogs.

Mrs. Brennan commented on the Fire Department election tomorrow night. She said she's concerned about the 12% increase in the fire budget.

Mrs. Brennan commented on the sanitation schedule and said she thought it was a wise decision to alternate the collection days in 2007.

Mrs. Brennan thanked the Public Works department and Rocco for the plantings at the Cabin. She said she's very appreciative and that the whole Cabin is beginning to look better.

Mr. Thomas Wolff had a few questions. He asked if the Board of Trustees, before February 20, 2007, will be able to make any additional comments about the matter referred to in the first sentence of Mayor Marvin's letter to residents on the revaluation. Mayor Marvin said she sent the information she had to the appropriate legal authorities. She said anything they allow her to say that doesn't impede their investigation she will share.

Mr. Wolff said Mr. Iagallo did an excellent reading of the two resolutions concerning property taxes and exemptions. He said he thought the Village had a different assessor. Mayor Marvin said he was absolutely right. Mr. Iagallo is our consultant and Mr. Anthony DeBellis is our assessor. Mr. Iagallo happens to be here tonight. Mr. Wolff also had some questions concerning the eligible funds Veterans exemption.

Mr. Wolff asked if a copy of a General Fund Budget Amendment Resolution approved earlier would be available to the public. He asked if there was any postage left on the old Pitney Bowes meter that was on the surplus equipment list. Village Treasurer Fels said there was \$68 left on that meter and we were able to transfer it from the old meter to the new meter.

There being no further comments, on motion of Trustee Bellitto, seconded by Trustee Barton and unanimously carried, the meeting was adjourned at 9:50 p.m.

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Harold Porr III, Village Clerk