

DRAFT OF MINUTES OF REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF BRONXVILLE HELD ON JULY 11, 2005 AT VILLAGE HALL, 200 PONDFIELD ROAD, BRONXVILLE, N.Y.

PRESENT:	Mary C. Marvin	Mayor
	Glenn D. Bellitto	
	Robert S. Underhill	
	Anne W. Poorman	Trustees
	Frank V. Sica	Trustee
ALSO PRESENT:	Ned W. Branthover	Village Counsel
	Harold Porr III	Village Administrator
	Rocco Circosta	Superintendent of Public Works
	Brian M. Downey	Chief of Police
	Vincent Pici, P.E.	Superintendent of Buildings
	Robert J. Fels	Village Treasurer

Mayor Marvin called the meeting to order at 6:45 p.m. The mayor asked for a motion to enter executive session to discuss personnel and litigation issues. Motion was made by Trustee Poorman, seconded by Trustee Bellitto and approved unanimously.

EXECUTIVE SESSION

(In attendance were Mayor Marvin, Trustees Bellitto, Underhill and Poorman, Village Counsel and Village Administrator.) On motion of Trustee Underhill and second by Trustee Bellitto, the Board voted unanimously to leave executive session at 8:00 p.m.

On motion of Trustee Bellitto, seconded by Trustee Underhill, and unanimously carried, Mayor Marvin re-opened the regular monthly meeting of the Village Board of Trustees at 8:05 p.m.

APPROVAL OF MINUTES

Mayor Marvin asked that the spelling of two names be corrected in the minutes of the regular meeting of June 13, 2005. On motion of Trustee Poorman, seconded by Trustee Underhill, the minutes of the Regular Meeting of June 13, 2005, were unanimously approved as corrected.

DEPARTMENT REPORTS

Department reports were presented by Chief of Police Downey, Superintendent of Buildings Pici, Superintendent of Public Works Circosta, Village Treasurer Fels, and Village Administrator Porr. Mr. Fels also gave the report for Parking Commissioner William Murphy.

BID RESOLUTION – Paddle Tennis Courts

Superintendent of Buildings Pici stated that the Board had in front of them a memo from him to Village Administrator Porr reporting on the bid results for Paddle Tennis Courts Reconstruction. He advised that bids to remove and replace the existing paddle tennis courts at Paxton Avenue were advertised in the Journal News and were opened on July 6, 2005 at 10:30 a.m., as advertised. The base bid was for the replacement of Courts 3 and 4 as well as modifications to the spectator deck and installation of an ADA accessible ramp. The specification also included an option to replace Courts 1 and 2 within one year of the contract award, and to replace and/or renovate the existing warming hut.

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Notices and bid specifications were mailed to three contractors, with one bid returned for the opening. The single bid received was from Reilly Green Mountain Platform Tennis. Mr. Pici said that due to the specialized nature of the work there is a limited number of qualified contractors. It is unlikely that additional efforts to re-bid this work will result in any additional interest. A summary of the bid proposal has been outlined below:

ITEM A. PADDLE COURT REPLACEMENT

Court 1: \$59,500
 Court 2: \$59,500
 Court 3: \$58,000
 Court 4: \$58,000

Mr. Pici said that should the Village decide to defer work on courts 1 and 2 until next year the price would be \$60,700 per court (\$1,200 over 2005 price).

ITEM B. FURNISH PROPANE HEATERS

Price per court: \$1,450 (2 heaters per court)

ITEM C. SPECTATOR DECKS, STAIRS & ADA ACCESSIBLE RAMP

Spectator deck & ADA ramp (courts 3 & 4): \$11,000
 Spectator deck (courts 1 & 2): \$ 5,000

ITEM D. WARMING HUT RECONSTRUCTION

Warming hut reconstruction: \$26,000 (excludes plumbing & electrical)

Warming Hut Alternate – Limited renovation: \$16,000

Additional Work By Others:

Electrical Service Panel & lighting controls: \$15,000 estimated

Electrical Wiring per Court: \$2,000

Gas Piping per Court: \$1,000

Mr. Pici said that based on the proposal submitted, the replacement of two courts (courts 3 & 4) and the modification to the spectator deck, construction of the ADA ramp, and limited renovation of the warming hut will require a budget of \$184,000 including all electrical and plumbing work required. This amount includes required modifications to the electrical service and distribution panels. A contingency of 10% of the cost for this phase has also been included in this budget estimate.

Mr. Pici said that should the Trustees decide to replace all four courts this year an additional \$146,000 will be required to complete the work. Delaying the work on Courts 1 and 2 until next year will add \$2,400 to this amount.

Mayor Marvin said the Board had discussed doing the two courts this year, as promised, and not reconstructing the warming hut. She noted that we had \$181,690 available including the \$70,000 the paddle committee had raised, and the extra \$146,000 wasn't in the capital budget this year to do all four courts. It was decided to hold off doing the other two courts until we have the money in the budget.

On motion of Trustee Bellitto, seconded by Trustee Underhill, and unanimously carried, the following resolution was adopted:

BE IT RESOLVED the Board of Trustees awards a bid to RPTC, LLC of Orange, Connecticut for the removal and replacement of paddle tennis courts and other improvements at a cost of \$184,000 and authorizes the mayor to enter into contract with RPTC to accomplish the work.

BID RESOLUTION – Restoration and Installation of Curbing, Contract No. 0501

Superintendent of Public Works Rocco Circosta reported that bid specifications for the curbing contract were prepared for restoration of existing curbing and installation of new curbing prior to the street resurfacing. He said one bid was returned for the opening. Mr. Circosta recommended that the bid be awarded to the sole bidder, Tony Casale Inc. of 1185 Saw Mill River Road, Yonkers, NY.

Trustee Bellitto asked Mr. Circosta if the numbers were in keeping with last year's figures. Mr. Circosta stated that we have in the capital budget around \$250,000 for curbing and the total is within that amount. He said that we specify in the contract that the work has to be completed by August 15th. There is a short time frame for the completion of the work which will then eliminate a lot of bidders because of their existing workloads.

On motion of Trustee Bellitto, seconded by Trustee Underhill, and unanimously carried, the following resolution was adopted:

WHEREAS, bid specifications for Contract No. 0501 were prepared by the Department of Public Works in accordance with local and State requirements and were duly advertised in the Journal News on June 22, 2005; and

WHEREAS, one bid was received and publicly opened on July 6, 2005; and

WHEREAS, Tony Casale Inc. of 1185 Saw Mill River Road, Yonkers, NY 10710 submitted the following unit price bids for the work specified:

Item 1 – Restoration of Ex. Granite Curbing (Labor)	\$14.00/ l.f.
Item 2 – Installation of new Granite Curbing (Labor)	\$15.00/ l.f.
Item 3 – Georgia Granite, 4" (Material)	\$14.00/ l.f.
Item 4 – Split Face, Sawn Top Granite (Material)	\$42.00/ l.f.
Item 5 – Restoration of Ex. Concrete Curbing	\$18.00/ l.f.
Item 6 – Installation of New Concrete Curbing	\$26.00/ l.f.

WHEREAS, the Superintendent of Public Works has reviewed all the submitted documentation and finds that Tony Casale Inc. meets all bid requirements;

NOW THEREFORE, BE IT RESOLVED: That the Board of Trustees of the Village of Bronxville hereby awards Contract No. 0501 to Tony Casale Inc. of 1185 Saw Mill River Road, Yonkers, N.Y. 10710 at the unit bid prices specified and authorizes the Mayor to enter into such contract on behalf of the Village of Bronxville.

RESOLUTION – Intermunicipal Street Resurfacing Agreement

On motion of Trustee Poorman, seconded by Trustee Underhill, and unanimously carried, the following resolution was adopted:

WHEREAS, the Village of Bronxville, Village of Tuckahoe and the Town of Eastchester have jointly released bids for Street Resurfacing, and

WHEREAS, the Town of Eastchester has publicly advertised and received bids for said Contract, and

WHEREAS, Columbus Construction Inc. of Mount Vernon, N.Y. was the low bidder in the amount of \$379,999.79 with the cost breakdown as follows:

Town of Eastchester ----- \$ 171,270.22
Village of Tuckahoe ----- \$ 49,570.82
Village of Bronxville ----- \$ 159,158.75;

NOW THEREFORE, BE IT RESOLVED, that the Board of Trustees hereby authorizes the Mayor to execute an Inter-Municipal Agreement with the Town of Eastchester and the Village of Tuckahoe for resurfacing and repairing of various streets located within the Town and Villages.

RESOLUTION – Bronx River Watershed Coalition

On motion of Trustee Bellitto, seconded by Trustee Underhill, and unanimously carried, the following resolution was adopted:

WHEREAS, the Village of Bronxville is part of a regional coalition now known as the Watershed Advisory Committee 7 which is comprised of fourteen Westchester County municipalities, three not-for-profit organizations and the County of Westchester, all of whom have worked cooperatively on a plan to improve water quality in the Bronx River and its tributaries, and

WHEREAS, these parties are desirous of continuing to work together on a cooperative basis in order to maintain communications among the parties, establish a forum to address Bronx River watershed issues, enhance inter-municipal and public-private effort to manage water quality and habitat issues and begin to measure the success and provide the oversight over water quality, habitat and ecological health improvement of the Bronx River, and

WHEREAS, participation in this coalition is non-binding and will assist the group in seeking County, State and Federal funding on Stormwater Management grants;

NOW THEREFORE, BE IT RESOLVED, that the Board of Trustees hereby authorizes the Mayor to enter into the Memorandum of Agreement establishing the Bronx River Watershed Coalition.

RESOLUTION – Public Works Appointment

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

WHEREAS, the Superintendent of Public Works, Rocco Circosta, recommends the appointment of Angelo Gentile as a laborer to fill a vacancy in the Department of Public Works; and

WHEREAS, Mr. Gentile has been employed by the Village as a seasonal/part-time worker since 2002;

NOW THEREFORE, BE IT RESOLVED: That the Board of Trustees of the Village of Bronxville appoints Mr. Angelo Gentile, 428 Locust Street, Mt. Vernon, N.Y. to the position of Laborer in the Department of Public Works on a probationary basis effective Monday, July 11, 2005, at the starting salary of \$ 44,375.00.

RESOLUTION – Capital Budget – CHIPS Funding

Village Treasurer Fels stated that on May 9, 2005, the Trustees adopted the 2005/2006 Capital Budget. Since that date, the Village received a notice, dated May 12, 2005, from the NYS Department of Transportation notifying us that our CHIPS Capital Aid for 2005/2006 was available in the amount of \$74,859.16. This amount includes \$15,200.00 that the Village has already included in the General Fund estimated revenues, to be used to offset principle and interest payments on our capital road improvements. As such, Mr. Fels recommended that the Village establish a capital project for the balance of \$59,659.16.

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

BE IT RESOLVED that the Board of Trustees authorizes the Village Treasurer to amend the 2005/2006 Capital Budget to include the 2005/2006 CHIPS capital reimbursement state aid of \$59,659.16 and to establish project number 20052006-0039-5110.

RESOLUTION – Capital Budget Amendment – Paddle Court Improvements

Village Treasurer Fels stated that in January 2005, the Bronxville Paddle Committee held a fundraiser to benefit the Village to provide additional funding to make improvements to the paddle courts. As a result of their efforts, the Committee raised \$70,000.00. Mr. Fels recommended that the Village incorporate these funds into the Paddle Courts capital projects budget. As such, he requested that the following resolution be approved.

On motion of Trustee Underhill, seconded by Trustee Poorman, and unanimously carried, the following resolution was adopted:

BE IT RESOLVED that the Board of Trustees authorizes the Village Treasurer to amend project #20052006-0037-7137 in the amount of \$70,000.00, and increase this project's budget from \$60,000 to \$130,000, with the increase to be financed from the proceeds of the fundraising event.

RESOLUTION – Hiring an Appraiser for Certiorari Cases/Valuation Services

Village Administrator Porr said that in order to go to court and present the case for the village for certiorari cases, we have to have appraisals done for the properties. Mr. Porr recommending hiring Patrick McEvily and Associates, Inc. to do appraisals for thirteen homes and also for two vacant lots owned by the village on Dusenberry Road.

On motion of Trustee Poorman, seconded by Trustee Underhill, and unanimously carried, the following resolution was adopted:

BE IT RESOLVED the Board of Trustees authorizes the mayor to sign a contract with Patrick McEvily and Associates, Inc. of Bronxville, New York for appraisal services of thirteen homes and two vacant lots for the Village of Bronxville as part of the tax grievance process and for valuation purposes as outlined in the attached proposal.

MAYOR'S REPORT

Mayor Marvin gave an update on what's going at Village Hall. Classified ads for an assessor were placed in The Journal News and the New York State Assessors web site, as well as several other publications. She said we are now in the process of gathering resumes, and we have six so far, that the Trustees are reviewing.

With regard to the renovation of Village Hall, Mayor Marvin reported that we had a pre-bid walk-through with prospective bidders. She said that during the renovations village offices will be moved to the Bronxville Fire House and a trailer on Palumbo Place. The court will be moved to Tuckahoe, and Mayor Marvin said she wanted to thank Mayor Martino and the judges for their assistance.

Mayor Marvin reported that in an effort to find more parking on the west side, village officials have been looking into acquiring the Mobil lot site on Parkway Road, and Avalon Bay has been very cooperative.

Mayor Marvin announced the appointment of David Thurm, currently co-counsel, as an alternate member of the Zoning Board of Appeals. The mayor announced the appointment of Maryann Bugas, currently an alternate, as a permanent member of the Zoning Board of Appeals.

Mayor Marvin said she had received a copy of a letter of appreciation to the Reverend William Steele at The Reformed Church from Kathy Studwell, Director of Senior Citizens in Bronxville, which she read aloud:

"At the close of another 'season' I would like to take this opportunity to thank The Reformed Church for their continued support of Senior Citizens of Bronxville. We feel honored to be given a wonderful home at the Church – and for the many amenities and helpfulness of the staff and Ministers. Without the assistance of everyone at the Church we would not have grown in membership and community spirit. We are enormously grateful for all the Church has done for us over these past thirty years. It is our hope that the close ties between Senior Citizens of Bronxville and The Reformed Church will continue to flourish in the years to come."

Mayor Marvin reported that she spent a day with the first winner of the "Mayor for the Day" award, Sasha Myshalov, a student at the Bronxville School. The mayor said it is a tradition she hopes to continue.

Mayor Marvin extended thanks to Tommy Mendola and Tony Singer, who recently retired, and have a combined 53 years service in the Department of Public Works. She said the staff will be having a luncheon for them at Village Hall to thank them for their service to the village. Mayor Marvin thanked Tommy Mendola and Tony Singer, on behalf of the Board of Trustees and residents of Bronxville, for their many years of dedicated service.

TRUSTEE REPORTS

Trustee Bellitto said that he and other Board members will stay focused on the tax issue during the summer. He said he hopes everybody will take a little time to rest and rejuvenate so that we will be able to make a judgment in the fall.

Mayor Marvin noted that the Board of Trustees sent out a letter to all residents to update them on our review of the Village's property tax assessment system and practices.

PUBLIC COMMENTS

Mildred McLearn, 46 Prescott Avenue, said she came to protest against one part of the plan for the renovation of Village Hall. She said, "The architect was allowed, or perhaps even encouraged, to eliminate our little courtroom." She said the courtroom is an ideal place where the people who need to speak can be heard easily, so that there is a sense that the justice that should take place there is understood by all. It is a Bronxville tradition, and tradition should not be destroyed to save a few dollars by double use of the Trustee Room. Mrs. McLearn pleaded with the Trustees to keep the courtroom and to ask the architect to redesign anything that needs to be changed to save it, as it is.

Mayor Marvin said that she had spoken on the phone with Mrs. McLearn about the courtroom and told her she would speak to the Trustees about her concerns. The mayor said that the Trustees Room is used just one night per month and the thought was that we could double up with the court and save some space.

Steve Howard, 23 Homesdale Road, thanked the Mayor and Trustees for sending the letter to the residents and said it was helpful on the status of the assessment issue. He said it stated in the letter that the Board was reviewing the entire assessment function for the village, and the implication was that was part of the process of the work of Mr. Eckert. He said he was not aware if the right approach was a part-time assessor or full time assessor.

Village Administrator Porr responded that a number of issues have been reviewed regarding the assessment function. He said we have reached out to find someone properly

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trained. Right now we are looking at someone to fill the shoes of our part-time assessor. It may come to a time that we need a full-time assessor.

Mayor Marvin said that no decision had been made except to fill this interim position.

Dorothy Brennan, 59 Sagamore Road, had a question about the curbing. She said she noticed there is new curbing down in front of White's Laundry.

Superintendent of Public Works Circosta said the property owner paid for the sidewalk and the Village picked up the cost of the curbing.

Mrs. Brennan said a few years ago Bacon Court paid for the sidewalk and the curbing. The Village didn't pick up the charge then. She said it's something she would like him to think about because it was quite costly.

Betsy Harding, 39 Homesdale Road, said she heard on the cable that Ira Levy wasn't representing the Village on certiorari cases. She asked if Huff Wilkes was now representing the Village on certiorari cases. Mr. Porr responded that they were.

Ms. Harding said that obviously the more certiorari cases there are the more money he'll make. She said, in other words, he's going to advise you what the Village should do.

Mayor Marvin said we decided what legal help we needed and that someone from Huff Wilkes could help us. She said his firm is going to handle our certiorari cases that are presently at hand and the Trustees will figure out what we want to do long term for certiorari matters.

Ms. Harding said, regarding the Village's property tax records, she wondered if these records were transferred to Village Hall or where those are. She said she knew the tax roll on the desk is a computer generated tax roll.

Mayor Marvin said she has asked Mr. Balog to return everything that is Village property to the Village. She said she wasn't sure as of today if everything had been returned.

Ms. Hutton commented on the property cards on file at Village Hall and said they weren't kept up to date.

Ms. Harding asked if it was true that Mr. Balog was keeping electronic records. She asked if the Village is looking for an appraiser or an assessor.

Mayor Marvin said we are looking for an assessor, a highly qualified one.

There being no further comments, on motion of Trustee Bellitto, seconded by Trustee Underhill, the meeting was adjourned at 9:15 p.m.

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Harold Porr III, Village Clerk