

DRAFT OF MINUTES OF REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF BRONXVILLE HELD ON SEPTEMBER 12, 2005 AT VILLAGE HALL, 200 PONDFIELD ROAD, BRONXVILLE, N.Y.

PRESENT:	Mary C. Marvin	Mayor
	Frank V. Sica	
	Glenn D. Bellitto	
	Robert S. Underhill	
	Anne W. Poorman	Trustees
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
	William J. Murphy	Parking Commissioner

Mayor Marvin called the meeting to order at 7:00 p.m.

WORK SESSION

The Board reviewed the meeting agenda and discussed Dr. Eckert's visit and other assessment issues.

On motion of Trustee Bellitto, seconded by Trustee Underhill, the Board moved to Executive Session to discuss personnel issues and contract negotiation.

EXECUTIVE SESSION

On motion of Trustee Underhill, seconded by Trustee Bellitto, the Board voted unanimously to leave executive session at 8:00 p.m.

Mayor Marvin re-opened the regular monthly meeting of the Village Board of Trustees at 8:05 p.m.

PRESENTATION OF PUBLIC SERVICE CERTIFICATE

Mayor Marvin presented a Public Service Certificate from the New York State Conference of Mayors and Municipal Officials to Anthony Singer honoring him for twenty-five years of public service to the Village of Bronxville. Mayor Marvin spoke about Mr. Singer's career in the Department of Public Works, starting as a laborer in 1980 and moving up to assistant foreman. Mayor Marvin thanked Mr. Singer, on behalf of the residents of Bronxville, for his twenty-five years of commendable service.

APPROVAL OF MINUTES

On motion of Trustee Bellitto, seconded by Trustee Underhill, the Board approved the minutes of the Regular Meeting of July 11, 2005, as drafted.

MAYOR'S REPORT

Acting on the suggestion of a community member, due to the length of our meetings, Mayor Marvin said she was moving the Mayor and Trustees comments to the beginning of the meeting when there are more viewers.

Mayor Marvin said we have had an extremely busy summer. In light of all we have to accomplish this fall, she spent some time visiting other communities with the goal of learning how to run an organized and efficient meeting as well as an open process. With this in mind, she said we plan to open every board meeting with a public work session from 7:00 to 7:45 p.m. All are welcome. In the past board members were sharing information on the phone, one on one, and the board feels it would be more productive and transparent to sit around the table in open discussion.

In the interest of organization, Mayor Marvin asked that during the public comment period speakers try to limit their remarks to five minutes. If appropriate, board members will answer questions quickly or otherwise will get the person an answer in a timely manner.

Mayor Marvin stated that, in an effort to jump start the fall process, the Board of Trustees held a special meeting in August to approve four resolutions. First, they commissioned two different experts to continue evaluating our options and refining our choices on assessments. The mayor said we asked the Michaelian Institute of Law of Pace University to review the legal and statutory options: (1) of the Village retaining the assessment function full or part-time; (2) the Village retaining assessment function using the Town roll as much as practicable; (3) the Village transferring the assessing function to the Town of Eastchester entirely — with three core analytic areas: financial, legal and operational analysis, as well as case studies of other Westchester communities who have used these options. We also asked the Michaelian Institute for a general review of Article 19 – the Homestead option – its pros and cons, and the advisability on changing our tax assessment review board from trustees as members to a group of residents at large.

Mayor Marvin said we also asked Dr. Eckert to come in to discuss a “revaluation modeling” study – in essence overlay our particular tax roll and evaluate the economic impacts of a full revaluation.

The mayor said the reason for the additional studies are that we are at an important point in Village tax policy, and the tax roll has not changed since 1967. So whatever path we take, in conjunction with citizen input, we have the impartial data to support why we chose one option over the other and have the facts to support it. For example, revaluation vs. using the town roll. As elected officials, we have a duty to pursue all the options out there; systematically study them and either adopt them or discount them.

Mayor Marvin said the Trustees also talked about two Paddle Tennis issues at the special meeting in August because they were time sensitive. The Board approved two Paddle Resolutions: (1) Authorizing a fee schedule so the committee can create an early bird special. (2) Amending the contract pertaining to the renovation of the Paddle Tennis hut. Mayor Marvin commended the Paddle Committee for really invigorating the program and attracting all ages.

Mayor Marvin said the Board met last week in a public work session, that was televised, to discuss the Village Hall renovation project with the architect, construction manager and Village Treasurer.

The Board also designated three vehicles surplus: a 1993 Chevrolet Impala, a 1974 Ford 800, and a 2000 Ford Crown Victoria. Two of the vehicles will be auctioned at a joint municipalities auction in Scarsdale. At the suggestion of Chief Downey, who reported that there is a desperate need for police cars in the Gulf region after the recent hurricane, the Board decided to donate the 2000 Ford Crown Victoria to the police department in Gulfport Mississippi. The Harrison police drove it down. Mayor Marvin said she was really happy to make a contribution on behalf of everyone in the Village.

Mayor Marvin announced that we will have both assessment reports we commissioned available to the public this Tuesday at the front desk at noon. The authors, Mr. Wilkes and Dr. Eckert, will be here at a public meeting, tentatively scheduled for September 27th, to answer questions from residents. She said the Trustees will continue to review these reports, get the

Michaelian report and Dr. Eckert's revaluation modeling study, and make a decision about going forward as expeditiously as possible, without sacrificing thoroughness.

In other news, Mayor Marvin thanked Mrs. Brennan and the Salerno Club for the improvements made to the bathroom at the Girl Scout cabin. She said the Board is committed to continue the repair work at the Cabin.

Mayor Marvin said she met with John Preising, President of the School Board, to strengthen our communication with the school. She will be arranging a meeting of school personnel and our new assessor to discuss certiorari cases going forward. She is also going to ask our Eastchester assessor to be more involved.

Mayor Marvin reported that she met State Senator Klein and received a grant check for over \$20,000 to computerize Village archival materials.

The mayor reported that she and Mr. Porr met with Nanette Albanese, the current Scarsdale assessor and former assessor in Pelham during their revaluation. She said we are trying to get an apolitical perspective and just learn about the assessment process.

Going forward, Mayor Marvin said we are looking at soliciting law firms to take an of-counsel role. Most towns and even villages, have gone this way. We need a real estate attorney, tax attorney, litigation, etc., she said, and it's more cost efficient to have a law firm on retainer.

Mayor Marvin said we will probably need an increase in our part-time clerical staff. The reasons for this are to assist our new assessor and to handle the unprecedented volume of FOIL requests and still get our daily business accomplished.

In closing, Mayor Marvin said that the Board is working very hard on reviewing the tax assessment issue and are focused on the work at hand. The Mayor said she welcomes public input and citizens' views on Dr. Eckert's and Mr. Wilkes' reports. She said the reports will be available at Village Hall and on the Village web site. If anyone has any questions or comments on the tax issue, she said to come see her, call her at Village Hall or send an e-mail to her or Mr. Porr. She said, we are listening and everyone will be heard.

TRUSTEE REPORTS

Trustee Bellitto said, that as the Trustee Liaison to the Assessor, he would like to speak about his personal views on the Tax Assessment issue. After a thorough Village discussion of all options during the next few weeks, he thinks that Village-wide reassessment of property will be one of the most compelling courses of action available to us.

When he thinks of Bronxville, he said, he thinks, first and foremost, of community – a collection of people bound together by common interests and common responsibilities. And the document that binds our community together financially is the tax roll. When that tax roll loses its integrity in the eyes of the citizens, the compact that binds us all together is severely compromised.

The Eckert report states that taxes in Bronxville are unfairly distributed, with higher-price homes paying proportionately less in taxes than lower-priced ones. There are also wide variations in tax rates for similarly priced homes. Yet, for him, the 600 pieces of straw that broke the camel's back were the 600 properties that were reassessed by Eastchester, but not by Bronxville, over the past 10 years. The sheer volume of properties not reassessed is staggering, and the lack of documentation about much of the decision-making processes is remarkable.

Trustee Bellitto said that most alternatives to a Village-wide assessment seem inadequate. To do nothing would be unacceptable because it would continue significant unfairness. To adopt the Bronxville portion of the Eastchester Town Roll would be problematic. Per the Eckert report the Bronxville portion of the Eastchester Town Tax Roll has a significantly higher Coefficient of

Dispersion than our own roll. To adopt a Town roll that is less equitable than our own would serve no logical purpose.

So where do we go from here? Trustee Bellitto said he thinks that the Mayor and we Trustees have a pretty good road map for the prospective decision-making process. Hopefully, we will hire Dr. Eckert to do an impact study, a Part 2, to what will be distributed tonight. As the Mayor has mentioned we have already commissioned the Michaelian Institute to investigate such issues as the pros and cons of giving our tax assessment function over to the Town of Eastchester, either post or prior reassessment, to recommend optimal staffing for our Village Assessor's office, and delineate best practices of record-keeping for property information.

Trustee Bellitto talked about his hopes for the proposed impact study by Dr. Eckert. Although the tax effect of a reassessment to the Village as a whole would be 0, he thinks it's safe to say that there will be some changes to most people's taxes and drastic changes to some people's taxes, both up and down. We have to try to help answer for residents the very natural and human question of "How is tax fairness going to affect me?"

What he would like to see Dr. Eckert do is to fashion a financial model, so that people would know, post re-assessment, about how much in taxes houses valued at \$1 million, \$2 million, \$3 million and so on, as well as what various townhouses, would pay. As a former president of a Bronxville co-op board, Trustee Bellitto said he is also very interested in seeing how much co-ops, as well as what other New York State-classified commercial properties would pay, both with and without the Homestead Option.

As we move along with this corrective decision-making, Trustee Bellitto said that we, as a community, need to keep in mind that quantitative analyses and coefficients of dispersion eventually have very human faces. He can imagine a young couple with children who may now live in one of the highly-taxed 1960's split levels say that with double digit school tax increases during the past few years, they thought that they would no longer be able to afford to live in Bronxville. A Village wide tax reassessment might lower their taxes enough so that they could stay. Conversely, he can easily imagine a senior citizen that, post reassessment, might be forced to sell her old home on The Hilltop because of higher taxes.

Although a tax reassessment would almost certainly be done all at one time, Trustee Bellitto said that one thing we would want to consider as a community would be whether the changes in property taxes should take effect all at once, or maybe be phased in over a 2 or 3 year period, to give residents more time for financial planning, as well as to possibly help stabilize the real estate market. He said we would also need to have a thorough Village conversation concerning the level of detail we would want in a reassessment, along with its concomitant costs. A community like ours would demand and deserve a world-class process. Further ahead, would be decisions regarding how we would keep the roll up-to-date so that we would never fall into this problem again, as well as what would be optimal staffing for the Assessor's office.

Trustee Bellitto said he hoped that, by December, the results of the rest of the studies would be available to all, and that citizens would have had enough time to voice their opinions at Trustee meetings on reassessment and any other alternatives that they would like to suggest, so that there could be a formal Board vote on reassessment by year-end. The road to tax fairness that we continue to travel together on is not easy. But, as a community, we will recognize that it is in all of our best interests to face our joint responsibilities forthrightly, so as to make our compact with each other both fairer and stronger.

Trustee Sica reported that we are exploring with counsel the renegotiation of the PBA contract and are working hard on a process so we can stay out of arbitration with the PBA. He said the big issue the PBA has is with health care. They want to have a substantial Village increase in retirement health care. Right now, he said, there is a reasonably good dialogue and cooperation with the PBA.

Trustee Underhill reported that we have been working with the Paddle Committee in recent weeks on renovation of the two courts. The Board decided to go ahead with complete renovation of the hut. The work is scheduled to be completed by the end of September. Trustee Underhill applauded the Paddle Committee for their enthusiasm and energy.

Trustee Poorman reported that, as liaison to the Chamber of Commerce, Mayor Marvin asked her to put together a committee to look at improving the business district and to address ways merchants could fulfill residents' needs. She said she had worked on putting a group together over the summer. They are going to hear from Mayor Marvin on October 12th because she spearheaded a similar group about 10 years ago and she will advise them on what she thinks might work now.

DEPARTMENT REPORTS

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

RESOLUTION – Year End Budget Amendment

Village Treasurer Fels stated that in conjunction with the close of the fiscal year ended May 31, 2005, he has reviewed the status of the Village's General Fund Budget:

Appropriations-Original Budget	\$ 10,937,323.00
Add: Budget Revisions	
O/S encumbrances 5/31/04	7,105.56
02/03&03/04 PBA Settlement	<u>212,623.75</u>
Revised Budget 5/31/2005	11,157,052.31
Actual Expenditures-final 5/31/05	<u>11,395,694.45</u>
Budget Variance	\$ <u>(238,642.14)</u>

Mr. Fels said some of the major components of this variance have to do with Village services, Snow Removal (A.5142) was overspent by \$70,000; some are related to legal matters, Certiorari Settlements and Legal Fees were overspent by \$316,500; and one area had to do with changes in governmental accounting procedures relating to pension costs, resulting in an unanticipated cost of \$99,000. These items total to \$485,500, indicating that the Village's 2004/2005 operating budget was able to absorb a large amount of these overages from savings in various other line items.

Mr. Fels said that on the revenue side of the budget, the Village had several accounts that surpassed their original estimates:

Estimated Revenues-Original Budget	\$ 10,337,323.00
Actual Revenues-final 5/31/2005	<u>10,880,085.91</u>
Budget Variance	\$ <u>542,762.91</u>

Some of the revenues that exceeded budget estimates include:

A.1125	Local Sales Tax	\$ 133,406.00
A.1130	Utility GR Tax	42,067.00
A.1721	Parking Permits	48,531.00
A.2401	Interest Income	28,985.00
A.2410	Rental of Property	12,600.00
A.2590	Building Permits	76,236.00
A.2611	Parking Tickets	74,585.00
A.3005	Mortgage Tax	<u>251,142.00</u>
	Total	\$ <u>667,552.00</u>

Mr. Fels stated that in order for the Village to properly close its books for the fiscal year ended May 31, 2005, the overspent budget variance related to appropriations of \$ 238,642.14 must be funded from the excess revenues realized. It was his recommendation that the following year end budget amendment be adopted so that the Village may properly close its books at May 31, 2005.

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

BE IT RESOLVED that the Board of Trustees authorizes the Village Treasurer to amend the 2004/2005 Village Budget as follows:

Increase Estimated Revenues:

A.2590	Building Permits	\$ 50,000.00
A.3005	Mortgage Tax	<u>200,000.00</u>
Total Estimated Revenue Increase		<u>\$ 250,000.00</u>

Increase Appropriations:

A.1921500	Legal Fees	\$ 100,000.00
A.5142103	Snow Removal O/T	35,000.00
A.5142428	Sn Rem Equipt Rent	15,000.00
A.9010800	Employ Ret System	25,500.00
A.9015800	Police Ret System	69,500.00
A.9060800	Hospitalization	<u>5,000.00</u>
Total Appropriations Increase		<u>\$ 250,000.00</u>

RESOLUTION - Approval of Appointment of Village Assessor

Village Administrator Porr noted that there was a resolution on the Agenda this evening to hire a new assessor. He said that several candidates were interviewed by Mayor Marvin, Trustee Bellitto and himself, before selecting Gerry Iagallo. He noted that Mr. Iagallo was present this evening. Mayor Marvin stated that Mr. Iagallo is currently the Assessor in Greenburgh, and has held that position since 1982. She said he was one of the first in Westchester County to develop a Geographic Information System and is a New York State Certified Assessor.

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

BE IT RESOLVED the Board of Trustees approves the appointment of Gerry Iagallo as the assessor for the Village of Bronxville according to the terms and conditions outlined in the attached Agreement and upon the Mayor signing the Agreement.

Mayor Marvin stated that Mr. Iagallo would be available to start work next Monday.

RESOLUTION - Appointment to Eastchester Volunteer Ambulance Corps Board

Mayor Marvin announced the appointment of René Atayan as the Bronxville Representative to the EVAC Board. The mayor introduced Ms. Atayan, a 14 year resident of Bronxville, who has worked with the Red Cross assisting in 9/11 relief, served in the New York City Police Department Auxiliary, and continued her work in public safety, becoming a FEMA Certs Trainer and conducting Personal Preparedness courses for the Town of Eastchester and the Bronxville Adult School. Mayor Marvin said we are absolutely thrilled to have René as our representative on the EVAC Board.

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

BE IT RESOLVED the Board of Trustees approves the appointment of René Atayan as Bronxville Representative to Eastchester Volunteer Ambulance Corps (EVAC) Board.

RESOLUTION – New York State Snow & Ice Agreement Amendment – 2004/2005 Snow Season

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

WHEREAS, the Village of Bronxville has entered into Agreement # D01076 with the New York State Department of Transportation entitled "Indexed Lump Sum Snow and Ice Agreement" dated August 15, 1997; and

WHEREAS, the original agreement allowed for increased funding due to the severity of the winter and fuel costs; and

WHEREAS, the present agreement provides funding in the amount of \$2,885.50;

NOW, THEREFORE BE IT RESOLVED, that the Village of Bronxville Board of Trustees authorizes the Mayor to sign the 2004/2005 NYSDOT Snow & Ice Agreement Amendment that allows for the additional funding of \$4,080.10 over the original funding of \$2,885.50. This increased funding was due to the severity of that winter season and higher fuel costs during that period.

RESOLUTION - Chamber of Commerce Request for Free Parking

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

BE IT RESOLVED the Board of Trustees authorizes free parking in the Kraft Avenue and Garden Avenue parking lots and on Paxton Avenue on Saturday, October 8, 2005 in conjunction with the Chamber of Commerce *Fall Festival and Sidewalk Sale*, and approves a rain date for October 15, 2005.

RESOLUTION – Funding Request from EVAC

Village Administrator Porr stated that the Village has traditionally set aside in our budget \$5,000 a year for EVAC. They have requested an additional \$15,000 from the Town of Eastchester and the Villages of Tuckahoe and Bronxville for renovations to their headquarters. This would increase our commitment to EVAC to \$20,000.

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

BE IT RESOLVED the Board of Trustees authorizes an increase in the Village of Bronxville financial commitment to the Eastchester Volunteer Ambulance Corps of \$15,000. This action is taken in concert with the Village of Tuckahoe and the Town of Eastchester who have already increased their annual commitments to EVAC.

RESOLUTION – Inter-Municipal Agreement with Westchester County – Geographic Information System ("GIS") Program

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

BE IT RESOLVED the Board of Trustees authorizes the Mayor of the Village of Bronxville to enter into an agreement with the County of Westchester for the purpose of sharing GIS data as it becomes available. Through this agreement the County will provide

to Bronxville a CD Rom which will include some or all of the following: planimetrics, color orthophotography. The County will continue to provide updates as they become available. Through this Inter-Municipal Agreement Bronxville agrees to make available digital tax parcel data to the County.

RESOLUTION – Setting Public Hearing on the Hazard Mitigation Plan

Village Administrator Porr stated that one of the requirements for adopting a Hazard Mitigation Plan is to have a public hearing on the issue. The Village of Bronxville has joined together with the Town of Eastchester and the Village of Tuckahoe to have one public hearing on September 22nd.

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

BE IT RESOLVED that the Board of Trustees of the Village of Bronxville hereby schedules a joint public hearing with the Town of Eastchester and the Village of Tuckahoe on a Hazard Mitigation Plan in the Community Room at Eastchester Town Hall, 40 Mill Road, Eastchester, New York, on September 22, 2005 at 7:30 p.m.

RESOLUTION – United Water Settlement

Village Administrator Porr stated that United Water of New Rochelle had notified us that they were increasing their water rates by over 60% over a three-year period. Subsequently, the City of New Rochelle and the Villages of Dobbs Ferry, Hastings-on Hudson, Pelham Manor, Ardsley and Bronxville got together and formed a municipal consortium to jointly fund the hiring of consultants to assist the consortium to object to United Water's proposal before the P.S.C. As a result of that effort, a settlement agreement was reached which greatly reduced the increases proposed in United Water's original application. Unfortunately, the process to reach this settlement was extended which resulted in a consultant cost which was higher than the original estimate. In March 2005 the Board approved an expenditure of \$2,500. Bronxville's share of the additional costs is \$1,216.76.

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

BE IT RESOLVED the Board of Trustees authorizes an additional expenditure of \$1,216.76 as part of our joint municipal effort with the City of New Rochelle, Village of Dobbs Ferry, Village of Hastings-on-Hudson, Village of Pelham Manor and the Village of Ardsley to reduce the recently proposed rate hike by United Water Company.

RESOLUTION – Authorizing the Mayor to Enter into Various Construction Contracts to Complete the Addition and Renovation Work at Village Hall

Village Administrator Porr noted that resolutions authorizing the renovation work for Village Hall were on the agenda. He said that David Chen of Calgi Construction was present this evening.

Mr. Porr read the resolutions for the various construction contracts for the purpose of completing the Village Hall renovation. He said that, in addition there is an action that would absolve the low bidder for the site work. We received a number of bids for site work. The bid that came in the low bid was Monsanto Brothers, but they realized there were several basics of the work that were not included. They had a bid for \$246,500. They sent Mr. Porr a letter and asked to be released from their bid. Mr. Porr said we put an allowance aside of about \$150,000 for site work. He said we feel comfortable in releasing Monsanto Brothers from their bid.

The Trustees commented on moving ahead with renovating Village Hall before voting on awarding the contracts.

Trustee Poorman said she doesn't really love construction, it's messy. She said she's sure that during the next year the Mayor and Trustees and all the employees will find conditions difficult. Having said that, she said, we in Bronxville are very aware that older buildings require ongoing maintenance. Our Village Hall is a lovely building. While the facade of the building looks good, the interior is in pretty bad shape. It's our job to preserve the building. In the 65 years since Village Hall was constructed, we have seen a revolution in electronics. This building must be able to sustain the demands on Village government. The roof is leaking, one of the two boilers is ready to go. There is no elevator for anyone who wants to go to the 2nd floor. Any of these jobs, were we to do this piecemeal, and to remove the lead would demand that the building be vacated in order for those substances to be removed. She said she has been attending the weekly meetings since May. The team has a long track record of successful projects in Westchester County on other municipal buildings. She said it's time to get started.

Trustee Bellitto said that Village Hall is in woeful shape. We are not ADA compliant, the roof is leaking, and some mechanical systems are over 60 years old. On the gain side, he said, the basement now has a large amount of unused space that could be put to very good use. He said the five winning bidders are highly regarded in their industries. The construction costs will continue to rise. The bids that we received in July are good for just a couple of more weeks. From the financial side, we have a \$5 million bond at a very attractive interest rate.

Trustee Bellitto said, he wanted to say something about the court room. He said Mildred McLearn told him of some of her concerns. He said he knows that the court room isn't used all that often, but he is fond of infrequently used formal rooms. He's hoping that the new parking office is put, not the court room, but at a lower level. He said the mayor has become involved in looking at various alternatives, and Peter Gisolfi said as the project moves forward there's time to look at various alternatives.

Trustee Bellitto said projects like these can rise and fall on leadership. The Village Hall renovation will be a strain on everyone. He thinks the two people it will be the most strain on are the Mayor and Village Administrator, Harold Porr. He said he looks forward to both the groundbreaking and the dedication.

Trustee Sica said he wanted to point out that the Kensington project is a very important project for the Village because the sale of the property will bring in over \$5 million. He said that the Kensington project is important as far as insuring that we do not have significant tax increases. The Kensington project is a Village-wide issue with regard to finances.

Secondly, Trustee Sica said, unlike the Library, we rejected additions to Village Hall as too expensive. To that effect, he has to agree with not keeping the courtroom. The room we are in, he said, is an excellent space to use as a court. In trying not to add space we have to use the space in the most efficient manner possible. To have rooms left empty for large periods of time is not practical. Trustee Sica said he too supports the renovation but also thinks we have to look at other issues associated with it, primarily the Kensington project.

Trustee Underhill said that when he assumed office as a Trustee a couple of months ago he came in as a sceptic, primarily the timing of the project. Having spent much more time understanding the situation, he said he was appalled at the conditions we are asking personnel to work in. It is also not compliant with ADA regulations. The alternative is to put it off for a year or do it piecemeal. We have come into a situation where this asset has been ignored for some period of time. We are in a position where we could delay it for a year but all we would do is face higher construction costs. He said it's a very difficult choice, but he supports it enthusiastically. It's a tough call. He said he disagreed with Trustee Bellitto concerning the court room. He said it's a time when we have to respect the needs of this Village. Ideally, we would have a bigger Village Hall, but he said we have to be prudent. Trustee Underhill said he doesn't think it's our job to maintain a museum but a highly functional building that will last for future generations.

Mayor Marvin said, on the court issue, voting to approve this project is not necessarily a determination on the courtroom. We will still have time to discuss the court issue. Mayor

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Marvin pointed out that delaying the renovations another year is not going to save the Village any money.

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

BE IT RESOLVED the Board of Trustees authorizes the Mayor to enter into the following contracts for the purposes of completing the Village Hall renovation as described in the plans and specifications prepared by Peter Gisolfi and Associates, issued for bid on May 18, 2005 and opened as advertised on July 22, 2005.

CONTRACT 1: SITE WORK

The Board of Trustees hereby rejects all bids submitted.

CONTRACT 2: GENERAL CONSTRUCTION

The Board of Trustees hereby authorizes the Mayor to enter into a contract with St. Francis Construction, 7 Woodland Avenue Suite One, Larchmont, NY for the bid price of \$3,016,000.00 (Three million, sixteen thousand dollars, and zero cents), including add alternates #2 and #3 and deduct alternate #5.

CONTRACT 3: MECHANICAL (HVAC)

The Board of Trustees hereby authorizes the Mayor to enter into a contract with DP Wolff, Inc., 50 Broadway, Hawthorne, NY, for the bid price of: \$576,276.00 (Five hundred, seventy six thousand, two hundred seventy six dollars and zero cents).

CONTRACT 4: PLUMBING AND FIRE PROTECTION

The Board of Trustees hereby authorizes the Mayor to enter into a contract with Frank & Lindy Plumbing and Heating, 2 John Walsh Blvd., Peekskill, NY, for the bid price of \$289,700.00 (Two hundred eighty nine thousand, seven hundred dollars and zero cents).

CONTRACT 5: ELECTRICAL

The Board of Trustees hereby authorizes the Mayor to enter into a contract with Naber Electric, 5 Schulman Road, Millwood, NY for the bid price of \$750,000.00 (Seven hundred fifty thousand dollars and zero cents).

Village Administrator Porr said that as part of our program, the renovation project incorporates a geothermal well system which should save us a lot of money. We had a separate contract let for the geothermal work.

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 enter a contract with Connecticut Wells Inc., 49 Hard Hill Road N, Bethlehem, CT to provide the installation of a Geothermal Well System and Related Piping to be installed in conjunction with the Village Hall renovation project as described in the request for proposal issued on September 3, 2005 and opened as advertised on September 9, 2005 for the contract price of \$234,400.00 (Two hundred thirty four thousand, four hundred dollars and zero cents).

RESOLUTION – Inter-municipal Agreement with Village of Tuckahoe

Village Administrator Porr said we're hoping that the Village Hall renovation is going to be a 12-14 month project. There will be a trailer set up on Palumbo Place for Village Hall staff.

He said Mayor Marvin reached out to the Mayor of Tuckahoe and they have agreed to allow us to use their court facilities for \$10.00 during the Village Hall renovations.

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

BE IT RESOLVED the Board of Trustees authorizes the mayor to sign an inter-municipal agreement with the Village of Tuckahoe providing for the use of Village of Tuckahoe facilities for village court operations and police department detention cell needs during Village of Bronxville Village Hall renovations.

Mayor Marvin said that Tuckahoe has been enormously helpful on this issue. She said that Supervisor Colavita had also offered us the use of the Eastchester Court. She said people could not have been more cooperative. She said the real thanks goes to the judges of these communities in making sure the times work.

RESOLUTIONS - Appointments to Library Board of Trustees

Mayor Marvin said this is an issue that came about because one of our citizens, Mr. Wolff, had looked into whether members of the Library Board were complaint is signing oaths of office. We also realized that Library Board members may be required to file oaths of office with the County, which had not been done in 100 years. Mayor Marvin said she was reappointing the entire Library Board and they will sign new oaths of office.

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

BE IT RESOLVED the Board of Trustees approves the following re-appointments made by the Mayor to the Library Board of Trustees:

Re-appointed to the Library Board for the three year term ending April 2006:

Mary Anne Maher
Gene Piper
John Kenney
Patricia McAndrew
Mary Freeman

Re-appointed to the Library Board for the three year term ending April 2007:

Steve Lysohir
Margaret Pyle

Re-appointed to the Library Board for the three year term ending April 2008:

Christopher Goff

Appointed to the Library Board to complete the three year term of Mariellen Carpenter to April 2008:

Victoria Manley

RESOLUTION - Appointment to Zoning Board of Appeals

Mayor Marvin announced the appointment of William Fredericks as Co-Counsel to the Zoning Board of Appeals.

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

BE IT RESOLVED the Board of Trustees approves the appointment of William Fredericks as Co-Counsel to the Zoning Board of Appeals to complete the one year term ending April 2006.

MAYOR'S COMMENTS

Mayor Marvin noted that our former Library Director, Roxane Campagna, had passed away. She said she admired Roxane the way she conducted herself in her three year struggle with Lou Gehrig's disease. The mayor said Roxane was so much admired in the Bronxville community.

PUBLIC COMMENTS

Thomas Wolff, 230 Pondfield Road, said kudos should be given to Betsy Harding and Thomas Hutton, who earlier this year disclosed inconsistencies in tax assessments.

Dorothy Brennan, 59 Sagamore Road, spoke about the Girl Scout Cabin and said she is happy with repairs that were made.

Mrs. Brennan said, as far as the assessments, she's very happy about the way things are going, but wanted assurance that a similar assessment problem would not occur in the future. She said we need to pass some kind of law so this won't happen again. She said that the people who question you are people who really care about the Village. Mrs. Brennan said she was very happy that the Board has done as much as they've done.

Vandy Walker, 12 Meadow Avenue, spoke on the assessment issue and revaluation. She said we really have a fixed pot to divide and the Village's job is to divide it. The impact is negative only to those who are under-assessed.

Steve Howard, 23 Homesdale Road, said he would like to thank the Mayor for moving the Mayor's and Trustees' reports to the beginning of the meeting. He also expressed his appreciation for all the time and effort the Mayor and Trustees put into the assessment issue, and most importantly, the openness and the responsiveness to the public. Moving ahead with respect to all the deliberations on the topic of assessments in the coming months, he said he would encourage the Village to comply with the open meetings law. Mr. Howard said he was encouraged that the Village moved quickly to appoint a new assessor. He said it doesn't necessarily preclude the Board's decision that the Village includes working with the Town of Eastchester and even expanding the role of assessor and making it a full-time position.

Mayor Marvin responded that in appointing Mr. Iagallo as assessor we were very clear that this was an interim position. We brought him in because we believe he is an expert. She said his hiring does not preclude any other options for the Village.

Betsy Harding, 39 Homesdale Road, thanked Trustee Bellitto for his comments. She said she still has some questions about Mr. Wilkes' role and she wondered whether he was able to write an impartial, independent report. Ms. Harding asked if Dr. Eckert was coming in during the day on September 27th before the public meeting in the evening and asked if he would be available to speak to the public. Ms. Harding also said she was concerned about the assessment for the new Kensington Road project and how it would be taxed.

Trustee Sica said that with regard to the Kensington project, there is a ten year agreement. There will not be a tax reduction for at least ten years after it is built.

Mrs. Brennan said she was upset about the scaffolding the landlord erected in front of the businesses on Pondfield Road and Cedar Street. She said the people in those shops have been very unhappy about it.

Superintendent of Buildings Pici said the scaffolding was erected for safety purposes to protect pedestrians. The project goes to the Planning Board for review and the architects are working on plans. He said work would probably start in the spring.

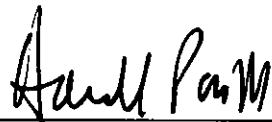
Mrs. Brennan asked if there was some way we can hasten that. Mayor Marvin said she would ask Mr. Pici to talk to the landlord.

Betsy Harding said she forgot to mention that Mr. Wilkes represented the Village doing certiorari work going back to 2003, and it made her wonder about the Board's choice. Since he was working with Mr. Balog, she said it strikes her as an odd choice. Ms. Harding said she thought it was significant that Mr. Wilkes and his partner were getting income from the Village.

Mayor Marvin said that Mr. Wilkes was hired by the Village Administrator and never met Mr. Balog. He appeared on behalf of the village of Bronxville to get court dates and dates on adjournment. His employment was strictly a procedural role and terminated in 2003. Mayor Marvin said currently Mr. Wilkes is advising the Board on tax issues, he is not doing certiorari work.

On motion of Trustee Bellitto, seconded by Trustee Poorman, the meeting was adjourned at 10:40 p.m.

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Harold Porr III, Village Clerk