

MINUTES OF PUBLIC HEARING HELD BY BOARD OF TRUSTEES OF VILLAGE OF
BRONXVILLE ON MARCH 10, 2003 AT VILLAGE HALL, 200 PONDFIELD ROAD,
BRONXVILLE, N.Y.

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|---------------|--------------------|--------------------------------|
| PRESENT: | Nancy D. Hand | Mayor |
| | Frank V. Sica | |
| | John O'Callahan | |
| | Mary C. Marvin | Trustees |
| ABSENT: | Thomas M. Leslie | Trustee |
| ALSO PRESENT: | Ned W. Branthover | Village Counsel |
| | William T. Regan | Village Administrator |
| | Peter J. Woodcock | 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 |

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Mayor Hand called the public hearing to order at 8:55 P.M. She advised that the purpose of the public hearing was to hear and consider comments with regard to a proposed Amendment to the Code of the Village of Bronxville, Chapter 290, Vehicles and Traffic, Section 290-28, Parking prohibited in designated locations, to add the following:

Kensington II Parking Lot. The parking of vehicles is hereby prohibited between the hours of 7:00 AM and 9:15 AM, Monday through Friday, at the metered parking spaces KTW-1, KTW-2, and KTW-3. Signs prohibiting such parking shall be maintained at such location.

Village Administrator Regan verified that due notice of the public hearing had been given by posting and publication.

Mayor Hand explained that the proposed Code Amendment would prohibit parking at three metered spaces in the Kensington II Parking Lot between the hours of 7:00 AM and 9:15 AM, Monday through Friday. The intention is to enable people who go into the city later to find a parking space. She said commuters have often complained that there were no spaces available after 9:00 A.M.

Mayor Hand called for public comments. There were none.

Parking Commissioner Murphy said that when the lot was repaved we created four additional spaces. The three metered spaces next to the wall are the ones being addressed tonight. The fourth space is a regular commuter space. He said that while the three spaces will not alleviate the problem, we have people who purchase the full buy-out and can't find a place to park. This is just an effort to be responsive to them. He said that the parking enforcement officer gets to his first space at 9:00 AM. If cars are parked there before 9:15 AM they will be ticketed. He said signs would be posted.

Trustee Marvin said her concern is it will be a little confusing. She asked, what about people who work a half day and don't get to the lot until noon? We would be establishing a precedent.

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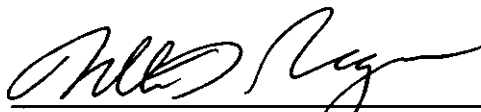
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Trustee O'Callahan said he had trouble understanding why we are creating this special group. He asked, why do we take commuters and break them up into two groups? He said we have to make a decision that is fair to everyone. He would have trouble explaining why the three parking spaces are reserved for a certain group of commuters, and for that reason he urged the Board to defeat this legislation tonight.

Mayor Hand thanked Mr. Murphy for his efforts and said she knew he came to the Board with good faith in response to the concerns of residents who arrive at the lot after 9:15 AM and can't find a parking space. However, she was in agreement with Trustees O'Callahan and Marvin. If we had different categories of commuters it would be complicated.

The public hearing was adjourned at 9:00 PM.

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A handwritten signature in cursive script, appearing to read "William T. Regan", written over a horizontal line.

William T. Regan, Village Clerk

MINUTES OF REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF
BRONXVILLE HELD ON MARCH 10, 2003 AT VILLAGE HALL, 200 PONDFIELD ROAD,
BRONXVILLE, N.Y.

* * * * *

PRESENT:	Nancy D. Hand	Mayor
	Frank V. Sica	
	John O'Callahan	
	Mary C. Marvin	Trustees
ABSENT:	Thomas M. Leslie	Trustee
ALSO PRESENT:	Ned W. Branthover	Village Counsel
	William T. Regan	Village Administrator
	Peter J. Woodcock	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

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Mayor Hand called the meeting to order at 7:05 p.m. On motion of Trustee Sica, seconded by Trustee O'Callahan, the Board voted to enter executive session to discuss litigation and contract negotiations.

EXECUTIVE SESSION

(Present were Mayor and Trustees Sica, O'Callahan and Marvin, Village Counsel, Village Administrator and Assessor Robert Balog.) Village Assessor Balog advised the Board of the status of grievances filed. The Board of Assessment Review recommended a reduction in assessed value of \$1,000 for the property of Mrs. Dorothy Brennan located at 69 Sagamore Road.

The Board, on motion of Trustee Marvin, seconded by Trustee Sica, approved the following resolution:

BE IT RESOLVED the Board of Assessment Review denies all assessment grievances filed for 2003 with the exception of a reduction of \$1,000 for Section 20, Block 1, Lot 116 reducing the assessment to \$36,500.

Mr. Balog also advised the Board he recommends challenging the equalization rate. The challenge was previously authorized by the Board.

The Board also discussed the presentations of the developers interested in the Kensington property.

The Board recessed executive session at 8:00 p.m. to open the regular monthly meeting.

YOUTH COUNCIL

Linda Zambelli, Treasurer of the Youth Council, introduced three student members she brought with her who participate in some programs – her daughter Jessica Zambelli, Ned Kenney and Alex Rappaport.

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Ned Kenney said the Youth Council is open to all high school students in the 10708 zip code. Currently they have about 60 members and about 30 additional students involved in various activities during the year. Their main purpose is to promote community service opportunities and leadership experiences for high school students and organize healthy and safe social activities that are alcohol free and overcome barriers established by certain social cliques. He said they have greatly increased their community service projects and social activities this year. He highlighted some of them, including Community Clean-up Day, Habitat for Humanity, and Midnight Runs to New York City bringing food to homeless people.

Jessica Zambelli said she is the coordinator with Helen Milson for Graham Windham. They take about 20 people on Sunday afternoons, going to the park and helping the children with their homework. She said the Youth Council sponsored a dance and held a band concert, with proceeds going to Habitat for Humanity. She said it's difficult for the Youth Council Director to accomplish everything in 20 hours a week and they are hoping to obtain additional funding to help pay her for 30 hours week. The members have also planned some fundraising events.

Mayor Hand said it was a privilege to help fund the Youth Council. She noted that not only do they have a lot of fun activities but it seems they spend about 75% of their time in giving back to the community. She thanked the members, saying they should be proud of all the work they do.

SENIOR CITIZENS

Julie Jackson, Chairwoman of the Senior Citizens Council, thanked the Board for their longstanding support of Senior Citizens in Bronxville. She introduced Kathy Studwell, the Director of Bronxville's Senior Citizens Services.

Kathy Studwell, said Senior Citizens of Bronxville is thriving and has about 450 members. She said the Senior Citizens Center is a welcoming place for members to rekindle old friendships and to forge new ones. In addition to the meetings, they participate in many social activities throughout the year including luncheons, day trips and vacations. The members also participate in community service projects. In her office at Village Hall, Ms. Studwell offers practical information to senior citizens and their families. This year they joined with the Eastchester Office for the Aging and with the assistance of the Community Fund distributed a "File for Life" to seniors in the community. They were also part of the team that put together the "Senior Citizens Guide", a directory of services for senior citizens.

Mayor Hand thanked Kathy Studwell and said that the work she does is outstanding.

RESOLUTION – Public Hearing - Local Law - Zoning Changes

Mayor Hand noted that on the agenda tonight was a resolution to hold a public hearing in April on Zoning law changes. Last November the Board of Trustees initiated a six-month moratorium so that the Village might study and make recommendations so as to control the potential over-building of one and two family homes in Bronxville. This was done in response to concerns expressed by residents about the scope and size of additions to houses in their neighborhoods. A special committee was appointed that has been meeting on a regular basis. Members of the Committee are Anna Longobardo, Chairperson, A. Corwin Frost and Donald Henderson of the Planning Board; James L. Fischer, Chairman of the Zoning Board; and John O'Callahan, Trustee Liaison. They were assisted by Building Superintendent Vincent Pici and Frank Fish, Consultant on Planning and Zoning Board matters. Mayor Hand advised that the Committee has finished their work and has recommended changes to the Zoning Code. She asked Anna Longobardo to review the main changes and findings of the Committee.

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Anna Longobardo gave an overview of the work of the Zoning Committee. Quoting from the 2002 Community Plan, she said that Bronxville is a very special place and one of the finest and most desirable communities in the United States. She said the Committee's aim was to preserve the character of Bronxville's residential neighborhoods by limiting overbuilding, and yet not overly restricting a homeowner's ability to improve their property. She said that the current zoning regulations have not been sufficient to prevent overbuilding and she gave some examples. The Committee has come up with a set of zoning changes that they feel meets their objectives but are still generous enough to ensure that most existing homes remain conforming and allow room for expansion on the lot.

Harlan Saxton of Buckhurst Fish & Jacquemart stated that the proposed zoning changes include Floor Area Ratio (FAR) requirements. She handed out a basic description of FAR and also explained what a FAR is and gave examples of how it is used.

Superintendent of Buildings Pici talked about how the proposed changes would apply to Bronxville. He gave some examples of how the proposed FAR regulations would apply to some recently completed projects. He said that in the vast majority of these cases there would still be more area that could be expanded. Mr. Pici reviewed the main changes, including: a minimum of fifty percent of the lot be dedicated to open space; reducing the maximum building coverage from 30% to 25% in A, AA and AAA zones; and Floor Area Ratios for one and two family dwellings.

Jim Fisher, Chairman of the Zoning Board of Appeals, spoke about the proposed zoning changes and how the FAR regulations would apply to homes in the Village.

Mayor Hand stated that copies of the local law would be available to the public at Village Hall prior to the public hearing in April, and added if anyone has questions to call or put them in writing.

On motion of Trustee O'Callahan, seconded by Trustee Sica, the Board unanimously passed the following resolution:

BE IT RESOLVED that the Board of Trustees schedules a Public Hearing for Monday, April 14, 2003, to hear and consider comments regarding proposed amendments to the Code of the Village of Bronxville, Chapter 310 ZONING, including:

Article I, Section 310-3 Definitions, adding new definitions and amending existing definitions; Article III, Sections 310-8, 310-9, 310-10, by adding new sections: G. Floor Area Ratio, and H. Minimum Open Space Requirement; adding new Subsection K. Floor Area Ratio, to Section 310-11; amending Article III, Sections 310-9.B; 310-10.B and 310-11.B relating to height by deleting certain words; amending Article III, Section 310-8.A (4)(c), related to height and setback limitations of detached garages; and amending Article V, Supplementary Regulations and Nonconforming Buildings and Uses by adding a new Section 310-22E, Floor Area Ratio controls.

The regular meeting was recessed at 8:55 PM to go to a public hearing, and reopened at 9:00 PM.

PROPOSED CODE AMENDMENT RESOLUTION NO. 1 - 2003

Mayor Hand called for a vote on the proposed Amendment to the Code of the Village of Bronxville, Chapter 290, Vehicles and Traffic, Section 290-28, Parking prohibited in designated locations, to add the following:

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Kensington II Parking Lot. The parking of vehicles is hereby prohibited between the hours of 7:00 AM and 9:15 AM, Monday through Friday, at the metered parking spaces KTW-1, KTW-2, and KTW-3. Signs prohibiting such parking shall be maintained at such location.

A motion was offered by Trustee O'Callahan, seconded by Trustee Sica. The motion was defeated (4-0).

APPROVAL OF MINUTES

On motion of Trustee Marvin, seconded by Trustee Sica, the Board approved the minutes of the Regular Meeting and Public Hearing of February 10th, and the Grievance Hearing and Special Meeting of February 25, 2003, as drafted.

DEPARTMENT REPORTS

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

RESOLUTION – Amending Capital Projects Budget - Sagamore Park Improvements

Village Treasurer Fels stated that this project was included in the Village's 2002/2003 adopted capital budget and funded for \$75,000. As of February 28, 2003 the project has incurred \$152,620.97 in expenditures, leaving a deficit of \$77,620.97. This budget shortfall exists because the Village has not increased this project's authorization to reflect the results of fundraising that provided \$30,950 (\$25,000 of which was a grant from the Junior League), and \$100,000 in State Aid. As such, Mr. Fels requested that a resolution be adopted to amend the capital budget.

On motion of Trustee O'Callahan, seconded by Trustee Sica, the Board unanimously passed the following resolution:

BE IT RESOLVED the Board of Trustees authorizes the Treasurer to increase the budget for project #20022003-0035-7142 Sagamore Park Renovations by \$130,950 to a revised total of \$205,950, such increase to be funded by donations in the amount of \$30,950 and State Aid in the amount of \$100,000.

RESOLUTION – Amending Capital Projects Budget - Repair and Reconstruction of Storm Sewer Lines

Village Treasurer Fels stated that this project was originally authorized by the Village in the spring of 2002 to address the flooding problems around the School. The estimate of the costs associated with this work was \$250,000. To date the Village has incurred \$272,121.14 in project expenditures. Also, it is estimated that we will need an additional \$30,000 to continue this project, bringing the final cost to \$305,000. This would result in a budget deficit of \$55,000. As such, Mr. Fels requested that a resolution be adopted to amend the capital budget.

On motion of Trustee Sica, seconded by Trustee Marvin, the Board unanimously passed the following resolution:

BE IT RESOLVED the Board of Trustees authorizes the Treasurer to increase project #20012002-0040-8140 Repairs and Reconstruction of Storm Sewer Lines from \$250,000 to \$305,000, an increase of \$55,000. The increase to be funded in conjunction with the financing of the Village's 2002/2003 Capital Budget.

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RESOLUTION – Amending Capital Projects Budget - Sanitary Sewer Repairs

Village Treasurer Fels noted that as part of the 2002/2003 capital budget the Board approved project #20022003-0032-8120 Sanitary Sewer Repairs in the amount of \$25,000. Mr. Fels recommended that this project be renamed Village Sewer Repairs so as to allow the Village to use these funds for both Sanitary and Storm Water sewer repairs as they become identified. As such, he requested that a resolution be adopted.

On motion of Trustee Marvin, seconded by Trustee Sica, the Board unanimously passed the following resolution:

BE IT RESOLVED the Board of Trustees authorizes the Village Treasurer to rename project #20022003-0032-8120 from Sanitary Sewer Repairs to Village Sewer Repairs so as to allow for use of these funds to repair village sanitary and stormwater sewers.

Mr. Fels stated that once these resolutions are adopted the total capital projects to be funded amounts to \$767,850. The breakdown is as follows:

2002/2003 original capital budget adopted May 13, 2002	\$ 712,850.00
Increase to project #20012002-0040-8140	<u>55,000.00</u>
Total projects to be funded	\$ <u>767,850.00</u>

APPOINTMENT – Animal Control Officer

On motion of Trustee O'Callahan, seconded by Trustee Marvin, the Board unanimously passed the following resolution:

BE IT RESOLVED the Board of Trustees designates Elijah Glenn, an employee of the Village of Tuckahoe, as Animal Control Officer for the Village of Bronxville for the period of January 1, 2003 through December 31, 2003, and

BE IT FURTHER RESOLVED that the rate of pay shall be based on Mr. Glenn's hourly rate of pay for the Village of Tuckahoe.

RESOLUTION – Public Hearing - 2003-2004 Operating Budget

On motion of Trustee O'Callahan, seconded by Trustee Sica, the Board unanimously passed the following resolution:

BE IT RESOLVED the Board of Trustees schedules the public hearing for the 2003-2004 fiscal year operating budget for Monday, April 14, 2003 in Village Hall at 8:00 p.m.

RESOLUTION – Prisoner Transportation Contract

On motion of Trustee Marvin, seconded by Trustee Sica, the Board unanimously passed the following resolution:

BE IT RESOLVED the Board of Trustees authorizes the Mayor to sign a Prisoner Transportation Contract with the County of Westchester for the period of January 1, 2003 to December 31, 2004 (copy attached).

MAYOR'S REPORT

Mayor Hand noted that this was Trustee O'Callahan's last board meeting. She said we will very much miss his advice and insight into all the business that comes before the

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Board. Most important, the work he has done over the last six months or so with the Zoning and Planning Boards on the zoning legislation. Mayor Hand thanked Trustee O'Callahan for all he has done for the Village over the last four years as a member of the Board of Trustees.

Trustee O'Callahan said he will miss working with all the members of the Board, adding that the Village is in excellent hands.

Trustee Marvin echoed Mayor Hand's sentiments.

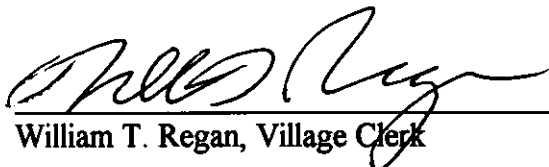
Trustee Sica emphasized that Trustee O'Callahan's work on the Zoning Code was very well done.

On motion of Trustee O'Callahan, seconded by Trustee Sica, the Board adjourned to go into Executive Session at 9:30 p.m.

EXECUTIVE SESSION

The Board continued discussing the Kensington property and negotiations with potential developers. No votes were taken in executive session which ended at 10:00 p.m. No members of the public were present at this time.

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William T. Regan, Village Clerk