

MINUTES OF PUBLIC HEARING HELD BY BOARD OF TRUSTEES OF VILLAGE OF
BRONXVILLE ON SEPTEMBER 8, 2003 AT BRONXVILLE PUBLIC LIBRARY,
201 PONDFIELD ROAD, BRONXVILLE, N.Y.

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PRESENT:	Nancy D. Hand	Mayor
	Thomas M. Leslie	
	Frank V. Sica	
	Glenn D. Bellitto	Trustees
ABSENT:	Mary C. Marvin	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
	Robert J. Fels	Village Treasurer
	William J. Murphy	Parking Commissioner

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Mayor Hand called the public hearing to order at 8:15 P.M. She advised that the purpose of the public hearing was to hear and consider comments with regard to a Code Amendment Resolution to add a STOP sign at the northwest corner of Governors Road as it enters Avon Road. (Copy is annexed to the official minutes.)

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

CODE AMENDMENT RESOLUTION No. 6 - 2003

Mayor Hand opened the hearing on the proposed Code Amendment and asked if anyone wished to comment.

Dr. C. A. Michelsen, 1 Governors Road, said she asked for consideration of a 4-way stop sign at the intersection of Avon and Governors Road at the time of the repaving. She said that with the repaving people were able to speed. Drivers ignore the speed signs, hidden drive signs and "children at play" signs. She said she spoke to neighbors in all of the adjoining houses and they supported the proposed stop sign. She said Mr. and Mrs. Hicks, One Leonard Road sent a letter to the Trustees in support. Dr. Michelsen said she personally witnessed teenagers ejected from cars at that location.

Mayor Hand noted that the proposal this evening was to install a stop sign at the northwest corner of Governors Road as it enters Avon Road. She asked Chief Downey if there was another stop sign at that intersection.

Chief Downey said "no". He added that the police did an internal study of all the accidents from 1993 to date and there were none at that intersection. He said this location, because of the topography, seems to be a little worse.

Barbara Murray, Kensington Road, said she agreed with Dr. Michelsen. She said as they go over Sagamore Road many of the cars dash out without stopping.

Mayor Hand stated that the Board may want to proceed as originally intended with the one stop sign.

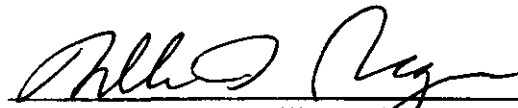
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Trustee Sica suggested that we could start with the proposed stop sign and continue to monitor the situation.

There being no further comments, the public hearing was adjourned at 8:10 PM.

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William T. Regan, Village Clerk

CODE AMENDMENT RESOLUTION # 6 - 2003

BE IT RESOLVED the Board of Trustees amends Chapter 290, Article VII, Section 290-15 of the Code of the Village of Bronxville by adding a STOP intersection as follows:

<u>STOP Street</u>	<u>Through Street</u>	<u>Location of Sign</u>
Governors Road	Avon Road	On Northwest corner

BE IT FURTHER RESOLVED, that these regulations shall become effective immediately upon adoption by the Board of Trustees.

MINUTES OF REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF
BRONXVILLE HELD ON SEPTEMBER 8, 2003 AT THE BRONXVILLE PUBLIC LIBRARY,
201 PONDFIELD ROAD, BRONXVILLE, N.Y.

PRESENT:	Nancy D. Hand	Mayor
	Thomas M. Leslie	
	Frank V. Sica	
	Glenn D. Bellitto	Trustees
ABSENT:	Mary C. Marvin	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
	Robert J. Fels	Village Treasurer
	William J. Murphy	Parking Commissioner

Mayor Hand called the meeting to order at 7:00 p.m. On motion of Trustee Leslie, seconded by Trustee Bellitto, the Board voted to enter executive session to discuss contractual negotiations and potential litigation.

EXECUTIVE SESSION

(Present were Mayor and Trustees Leslie, Sica and Bellitto, Village Counsel, Village Administrator, and Legal Counsel James Staudt.) The Board received advice from legal counsel, James Staudt, on the contract negotiations to develop the Kensington Road site.

The Board also discussed a claim filed against the Village for damage to private property and, by consensus, authorized the Village Administrator to offer the party a settlement of Six Thousand Dollars.

The Board ended executive session at 7:55 p.m. to begin the regular monthly meeting which was relocated to the Bronxville Public Library for this month.

Mayor Hand opened the regular meeting at 8:05 p.m. The meeting was recessed to go to a public hearing and reopened at 8:10 p.m.

CODE AMENDMENT RESOLUTION # 6 - 2003

On motion of Trustee Sica, seconded by Trustee Leslie, the Board approved the following resolution (4-0):

BE IT RESOLVED the Board of Trustees amends Chapter 290, Article VII, Section 290-15 of the Code of the Village of Bronxville by adding a STOP intersection as follows:

<u>STOP Street</u>	<u>Through Street</u>	<u>Location of Sign</u>
Governors Road	Avon Road	On Northwest corner

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APPROVAL OF MINUTES

On motion of Trustee Bellitto, seconded by Trustee Sica, the Board approved the minutes of the Regular Meeting and Public Hearing of July 14, 2003, and the Special Meeting of July 21, 2003, as drafted.

DEPARTMENT REPORTS

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

RESOLUTIONS – Municipal Snow and Ice Control Agreement

On motion of Trustee Sica, seconded by Trustee Bellitto, the Board unanimously adopted the following resolution:

The Village of Bronxville agrees to extend the Indexed Lump Sum Municipal Snow and Ice Agreement between the New York State Department of Transportation and the Village of Bronxville for the period of one year commencing July 1, 2001 to expire on June 30, 2002.

On motion of Trustee Bellitto, seconded by Trustee Leslie, the Board unanimously adopted the following resolution:

The Village of Bronxville agrees to extend the Indexed Lump Sum Municipal Snow and Ice Agreement between the New York State Department of Transportation and the Village of Bronxville for the period of one year commencing July 1, 2002 to expire on June 30, 2003.

On motion of Trustee Bellitto, seconded by Trustee Leslie, the Board unanimously adopted the following resolution:

The Village of Bronxville agrees to extend the Indexed Lump Sum Municipal Snow and Ice Agreement between the New York State Department of Transportation and the Village of Bronxville for the period of one year commencing July 1, 2004 to expire on June 30, 2005.

BID RESOLUTION – Girl Scout Cabin Roof Replacement

Village Administrator Regan stated that bids to remove and replace the existing roof at the Girl Scout Cabin were advertised in the Journal News and were opened on August 21, 2003 at 10:00 A.M., as advertised. Notices were mailed to ten contractors with two bids returned for the opening. Village Engineer Vincent Pici compared the two bids and recommended that the Board award the bid to Joseph Salvatore & Sons, Yonkers, NY for a base bid price of \$25,450. Due to the uncertainty in the underlying condition of the roof Mr. Pici requested that the Board authorize funding for this project in the amount of \$30,000.

On motion of Trustee Bellitto, seconded by Trustee Sica, the Board unanimously adopted the following resolution:

BE IT RESOLVED the Board of Trustees awards the contract for the replacement of the Girl Scout Cabin roof to Joseph Salvatore & Sons, 1187 Yonkers Avenue, Yonkers, NY as per the recommendation of the Village Engineer (attached).

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PUBLIC COMMENTS

Mildred McLearn, 46 Prescott Avenue, said she was here this evening to tell the Board what the people in the Kensington community have been doing. She said she has confronted one Board of Trustees after another over a period of 35 years in an effort to enhance the beauty of the Village. Mrs. McLearn urged the Board to listen to residents, who she said felt ignored. She said, as they see it, the Board's apparent choice of a commercial builder, without their consent or knowledge, seems one more tired repetition of past boards. This prompted them into action to make a choice of a developer agreeable to the residents of the area.

Barbara Murray, Sagamore Road, said she was wondering if there should be a referendum since this piece of property was bought with taxpayer's money.

Mayor Hand said that the Board understands that there are particular concerns of residents and they are equally concerned about the impact on the village. However, the Trustees have a fiduciary interest to get the best value for the village. She said discussions have been contractual in nature, such as how much money we will be paid in a lump sum, taxes, what kind of parking garage, etc. These items in total represent \$6-8 million. Mayor Hand stated that at this time the Board is in negotiation and has not chosen a developer. Once these things get ironed out, she added, we will go to a public arena. There will be a full Design Review and Planning Board process. This will be an ongoing process through October and November and the public will start to hear more information as we go forward.

Rene Atayan, Oval Court, said she felt there was bad faith between Village Hall and Kensington Road residents. She noted that Avon Road extends from Midland to Kensington and the paving that was done this summer on Avon Road ended at the top of Sagamore Road. Concerning the Kensington Road property, Ms. Atayan said the residents understand that the financials are very important and they don't question the acumen of the trustees, particularly Trustee Sica. However, she said she has never heard of a developer that has made changes after a contract has been signed. She said they are just asking to be brought into the process.

Trustee Sica said he appreciated what she said and that her concerns were appropriate. He said we are talking about a project that has significant financial impact. He said we have to start with a view of the financial consequences and go to someone who will deliver a project that fits the architecture of the village and looks like it has been here for 100 years. He said we will try to get someone who will work with the community. Trustee Sica said the Board is negotiating with people who deal with multi-million dollar projects. There will be substantial penalties if they don't deliver by a certain time. Trustee Sica said that the Board welcomes comments and the developers have to be prepared to discuss every single issue with the neighbors and the village and the church.

Ms. Atayan asked if the Board was willing to have a citizens committee.

Mayor Hand said she was not going to commit to that tonight but she would commit to input from the neighbors. She said there will be a public presentation at the October meeting and time for comments in November. There may be a time during that period where we will have the architects spend time with people in the neighborhood to take comments.

RESOLUTION – Paddle Tennis Court Reconstruction Project Bids

Village Administrator Regan stated that bids to remove and replace the existing paddle tennis courts at Paxton Avenue were advertised in the Journal News and were opened August 12, 2003 at 10:00 A.M., as advertised. Notices were mailed to three contractors with one bid returned for the opening. The bid came in significantly higher than the estimated costs and the budgeted funding for this work. Based on Village Engineer Vincent Pici's review of the submitted bid, it was his recommendation that the Board reject the bid at this time. In the

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interim, Mr. Pici suggested that we proceed with the minimal repairs necessary to allow the safe use of these courts through the fall season.

On motion of Trustee Leslie, seconded by Trustee Sica, the Board unanimously adopted the following resolution:

BE IT RESOLVED the Board of Trustees rejects all bids for the Paddle Tennis Court Reconstruction Project which were opened on August 12, 2003, as per the recommendation of the Village Engineer.

RESOLUTION – Rescheduling Monthly Meeting in October

Mayor Hand noted that the monthly meeting of the Board of Trustees is normally held on the second Monday of the month and falls on October 13th, which is a holiday. She asked the Trustees if they wanted to reschedule the October meeting for Tuesday, October 14th.

On motion of Trustee Bellitto, seconded by Trustee Sica, the Board unanimously adopted the following resolution:

BE IT RESOLVED the Board of Trustees reschedules its regular monthly meeting from Monday, October 13, 2003 to Tuesday, October 14, 2003.

RESOLUTION - Chamber of Commerce Request for Free Parking

On motion of Trustee Sica, seconded by Trustee Leslie, the Board unanimously adopted the following resolution:

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 11, 2003 in conjunction with the Chamber of Commerce *Fall Festival*, and approves a rain date for October 18, 2003.

CODE AMENDMENT RESOLUTION – Handicapped Parking

On motion of Trustee Bellitto, seconded by Trustee Sica, the Board unanimously adopted the following resolution:

BE IT RESOLVED the Board of Trustees amends the Code of the Village of Bronxville Chapter 290, VEHICLES AND TRAFFIC, Section 290-33 A to add the following location as a handicapped parking space:

Taxi Stand Plaza	East side of railroad adjacent to the current curb cut with a time limit of fifteen minutes.
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RESOLUTION – To Schedule a Public Hearing

Mayor Hand stated that the Planning Board was busy working on changes to the Code with regard to the business district. As part of that process, village officials deemed it would be appropriate to have a moratorium for a six month period.

On motion of Trustee Leslie, seconded by Trustee Sica, the Board unanimously adopted the following resolution:

BE IT RESOLVED the Board of Trustees schedules a public hearing for October 14, 2003 to hear and consider comments regarding a proposed local law which would impose a six month moratorium on change of an existing or immediately prior use and/or expansion of an existing or immediately prior use for properties located in the Village's Central Business District A and Service Business District B zones.

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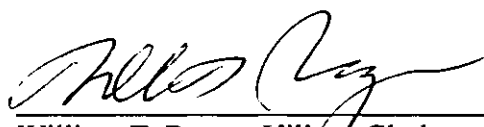
RESOLUTION – Professional Services Agreement

On motion of Trustee Sica, seconded by Trustee Bellitto, the Board unanimously adopted the following resolution:

BE IT RESOLVED the Board of Trustees approves the agreement with The Appraisal Service Group, 20 Woods Bridge Road, Katonah, NY to prepare a property appraisal for the Kensington Road development site in the amount of Four Thousand Dollars (\$4,000).

On motion of Trustee Sica, seconded by Trustee Marvin, the meeting was adjourned at 9:15 p.m.

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William T. Regan, Village Clerk