

MINUTES OF REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF
BRONXVILLE HELD ON JUNE 9, 2003 AT VILLAGE HALL, 200 PONDFIELD ROAD, BRONXVILLE,
N.Y.

PRESENT:	Nancy D. Hand	Mayor
	Thomas M. Leslie	
	Mary C. Marvin	
	Glenn D. Bellitto	Trustees
ABSENT:	Frank V. Sica	Trustee
ALSO PRESENT:	Ned W. Branthover	Village Counsel
	William T. Regan	Village Administrator
	Brian M. Downey	Chief of Police
	Vincent Pici, P.E.	Superintendent of Buildings
	Robert J. Fels	Village Treasurer
	William J. Murphy	Parking Commissioner

Mayor Hand called the meeting to order at 7:05 PM. On motion of Trustee Marvin, seconded by Trustee Bellitto, the Board voted to enter executive session to discuss litigation and personnel matters.

EXECUTIVE SESSION

(Present were Mayor and Trustees Leslie, Marvin and Bellitto, Mr. Regan and Mr. Balog.) Village Assessor Robert Balog advised the Board on three pending certiorari lawsuits. In the matter of Parkway Road LLC, Trustee Leslie recused himself. On motion of Trustee Marvin, seconded by Trustee Bellitto, the Board voted (3-0) to authorize the Assessor to settle this case within the parameters he described in his memo dated June 6, 2003.

In the matter of Westbourne Cooperatives the Board, on motion of Trustee Leslie, seconded by Trustee Marvin, voted (4-0) to authorize the Assessor to pursue settlements within the parameters of the recommendation in his memo dated June 6, 2003.

The Board discussed Mr. Balog's contract renewal and his recommendation to include Ira Levy as an additional Special Counsel for certiorari matters. No votes were taken on these two subjects in executive session.

At 7:40 PM, Mr. Balog left the executive session and Police Chief Downey joined the session to discuss the promotion of Detective Sergeant Satriale and a recent arrest. No votes were taken in executive session on these items.

At 8:00 PM the Board ended executive session to begin the regular monthly meeting.

PRESENTATION OF PROCLAMATIONS

Mayor Hand began the meeting by giving special recognition to four individuals who served on various Village boards.

Mayor Hand presented a proclamation to John O'Callahan commending him for the outstanding nature of his service to the Village over the past 13 years. Mr. O'Callahan served as a Village Trustee from April 5, 1999 to April 7, 2003. He served as Counsel to the Ethics Board beginning in January 1990 and continued when he became Chairman of that board in April 1996 to April 1999.

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Mayor Hand presented a proclamation to Eugene Elliott in recognition of the high quality of civic interest and concern he displayed as a member of the Design Review Committee from November 10, 1997 until April 7, 2003.

Mayor Hand then presented proclamations to two former members of the Library Board of Trustees. The mayor commended Jayne Warman for her exceptional contributions to the Village as a member of the Library Board from April 8, 1996 to April 7, 2003. Mayor Hand commended William H. Yankus for his outstanding contributions to the Village as a member of the Library Board from July 14, 1997 to April 7, 2003.

APPROVAL OF MINUTES

On motion of Trustee Leslie, seconded by Trustee Bellitto, the Board approved the minutes of the Regular Meeting and Public Hearing of May 12, 2003, as drafted.

DEPARTMENT REPORTS

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

RESOLUTION – Capital Budget - Paddle Tennis Courts

Superintendent of Buildings Vincent Pici reported that subsequent to the last Board meeting he met with David Moran and Eric Blessing on May 27th at the paddle tennis courts. At that time he had the opportunity to observe many of the deficiencies identified by the Paddle Committee members during their presentation to the Board last month. He encouraged the Board to look at the funding for that project to provide for the repair of at least two courts. He said court 3 also needs a substantial amount of work.

Mr. Pici suggested that the Board consider authorizing the preparation of a comprehensive specification to address the reconstruction of all four courts with the understanding that initially we will do two courts. He said if we don't do those repairs now we will have substantial maintenance costs.

The Board discussed the proposal and were in agreement to increase the capital budget line for Paddle Tennis facility improvements at this time.

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

BE IT RESOLVED that the Board of Trustees amends the 2003/2004 Capital Improvement Budget by increasing the amount budgeted for the Paddle Tennis Courts from \$12,000 to \$54,000.

BID RESOLUTION – Curbing

Village Administrator Regan advised that bids for the restoration and installation of curbing were opened on June 3, 2003 as advertised. Four bids were returned for the opening, with the lowest bidder being Tony Casale, Inc. Mr. Regan said that Tony Casale has done work for the Village in the past and he does very good work and is very cooperative and flexible.

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RESUME OF BIDS:

	RESTORE EXISTING CURBING	INSTALL NEW CURBING	GEORGIA 4" GRANITE	CURB SPLIT FACE SAWN TOP	RESTORE CONCRETE CURB	GRANITE NEW CONCRETE
Tony Casale, Inc. 1185 Saw Mill River Rd. Yonkers, NY 10710	\$12.00	\$14.50	\$10.50	\$38.00	\$17.00	\$24.00
Peter J. Landi 249 Main Street Eastchester, NY 10709	\$18.00	\$32.00	\$14.00	\$15.00	\$18.00	\$25.00
Vernon Hills Landscaping 395 N. Macquesten Pkwy. Mt. Vernon, NY 10550	\$14.00	\$17.25	\$13.00	\$45.00	\$20.00	\$25.00
Acocella Contracting Inc. 86 Gaylor Road Scarsdale, NY 10583	\$16.00	\$24.00	\$22.00	\$42.00	\$18.00	\$27.00

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

BE IT RESOLVED the Board of Trustees awards the bid for restoration and installation of curbing to the lowest responsible bidder, Tony Casale, Inc., 1185 Saw Mill River Road, Yonkers, NY, for the following unit prices: restoration of existing curb (labor) \$12.00 per linear foot; installation of new curb (labor) \$14.50 per linear foot; new Georgia 4" Granite curb (material) \$10.50 per linear foot; new granite curb split face sawn top \$38.00 per linear foot; restoration of existing concrete curb \$17.00 per linear foot; installation of new concrete curb \$24.00 per linear foot.

BID RESOLUTION – Stormwater Abatement Program

Village Administrator Regan advised that bids for the second phase of the Midland-Pondfield Area Flood Abatement Program were opened on May 30, 2003 as advertised. Two bids were returned for the opening. One bid in the amount of \$269,000 was submitted by AD-Tech Enterprises, LTD, of Bronx, NY. A second bid, in the amount of \$93,800, was submitted by Central Site Development Corporation of Mt. Vernon, NY but was subsequently withdrawn. Central Site Development Corporation advised, in writing, that they were not able to complete the job for the amount bid. Mr. Regan said that the Village's consulting engineering firm is familiar with the work of AD-Tech Enterprises, LTD, were satisfied that they have experience with this type of work, and recommended that the contract be awarded to Ad-Tech for the sum of \$269,000 as per the bid specifications.

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

BE IT RESOLVED the Board of Trustees awards the contract for the 2003 Flood Abatement Program to the lowest bidder AD-Tech Enterprises, LTD, Bronx, NY for the sum of Two Hundred Sixty Nine Thousand Dollars (\$269,000.00) as per the bid specifications and upon the recommendation of the Village's consulting engineer J. Robert Folchetti & Associates.

RESOLUTION – Public Hearing - Sidewalk Code

Mayor Hand introduced a resolution to schedule a public hearing on a proposed amendment to the Village code to transfer liability for accidents because of defective conditions in sidewalks.

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

BE IT RESOLVED the Board of Trustees schedules a public hearing for Monday, July 14, 2003, 8:00 PM, in Village Hall to hear and consider comments concerning a proposed amendment to the Code of the Village of Bronxville, Chapter 260 STREETS AND SIDEWALKS, Article IV, Section 260-14 to transfer liability for accidents because of defective conditions in sidewalks.

RESOLUTION - Renewal Contract with Village Assessor

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

BE IT RESOLVED the Board of Trustees authorizes the Mayor to sign a contract with Robert W. Balog for continuation of services as Assessor for the sum of \$28,000 as per the attached agreement.

RESOLUTION - Retainer Agreement STAR Program

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

BE IT RESOLVED the Board of Trustees authorizes the Mayor to sign an agreement with Robert W. Balog to administer the New York State STAR Program for the Village for the sum of \$3,500.00 for the period August 1, 2003 to July 31, 2004.

RESOLUTION - Professional Services Agreement

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

BE IT RESOLVED the Board of Trustees approves the retention of Ira S. Levy, Esq. as Special Counsel for tax certiorari matters as per the attached letter of agreement.

RESOLUTION - Police Promotion

Mayor Hand said the Board received a recommendation from Police Chief Downey to promote Detective Sergeant Christopher Satriale to Lieutenant. Det. Sgt. Satriale has been a detective since 1992 and was promoted to Sergeant in 1995.

The following resolution was moved by Trustee Leslie, seconded by Trustee Marvin, and unanimously carried:

BE IT RESOLVED the Board of Trustees approves the promotion of Detective Sergeant Christopher Satriale to the position of Lieutenant, from Westchester County Civil Service List No. 00-719 (77-145), effective 12:01 AM on Monday, June 16, 2003 on a probationary basis for a period of fifty two weeks in accordance with Westchester County Civil Service Rules and Regulations.

MAYOR'S REPORT

Mayor Hand announced that the summer band concerts will be held every Thursday for four weeks starting on July 10th.

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TRUSTEE REPORTS

Trustee Marvin reminded everyone that the Farmers Market opens on June 14th and the Chamber of Commerce Spring Festival will also be held on that day.

Trustee Bellitto, as liaison to the Joint Cable Committee, reported that Peter North took him on a tour of the Village cable room. He also talked to Tammi Cane, Chairperson of the Joint Cable Committee.

PUBLIC COMMENTS

Dorothy Brennan, 69 Sagamore Road, commented on the quality of materials used on the new wall that was erected by Metro North on the Midland Avenue Bridge. She said the wall was stone at one time. Mayor Hand said it hadn't been stone since 1980. She said the Village did want to have stone there but there wouldn't have been room to have a sidewalk – it was a pedestrian safety issue.

Mrs. Brennan said we have a really lovely new park on Sagamore Road. She said there's also a crosswalk near the park on Sagamore Road where the children cross all the time and asked about getting a sign put up. Mayor Hand said she would ask the Police Chief to take a look at it.

Mrs. Brennan said it disturbs her when laws are passed and they aren't adhered to. She said she didn't think there had been a bank in the area of Andre's hardware store, and now there's a bank going in there. Mrs. Brennan recalled that a law was passed some time ago prohibiting new banks in the Village. She said we have to do something about our laws so that ten years from now it will still hold.

Superintendent of Buildings Pici said that Mrs. Brennan was correct, there was a law passed in the 1980's limiting banks. However, the language as written did not prohibit this bank from its proposed location. Mr. Pici said the Planning Board will draft proposed legislation that will clarify the uses allowed.

At 9:05 PM, on motion of Trustee Marvin, seconded by Trustee Leslie, the Board voted to enter executive session to discuss contract negotiations and personnel matters.

EXECUTIVE SESSION

The Board met with Labor Counsel Terry O'Neil to discuss the contract negotiations with the Bronxville PBA. Also in attendance was Police Chief Downey. Mr. O'Neil reviewed the history of the negotiations and sought the Board's direction regarding the latest proposal from the police association.

The Board also approved the following resolution unanimously on motion of Trustee Marvin, seconded by Trustee Bellitto:

BE IT RESOLVED the Board of Trustees hereby terminates the employment of Paul Carapella pursuant to Section 71 of the Civil Service Law effective June 14, 2003.

At 10:10 PM Mr. O'Neil and Chief Downey left the meeting. The Board continued discussing a personnel matter. At 10:20 PM the Board ended executive session. No members of the public were present at this time. On motion of Trustee Leslie, seconded by Trustee Marvin the Board adopted the following resolution:

BE IT RESOLVED the Board of Trustees approves a salary of \$103,000 for Vincent Pici effective June 1, 2003.

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There being no further business the Board adjourned on motion of Trustee Bellitto, seconded by Trustee Leslie.

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William T. Regan, Village Clerk