

MINUTES OF PUBLIC HEARING HELD BY BOARD OF TRUSTEES OF VILLAGE OF
BRONXVILLE ON MAY 14, 2001 AT VILLAGE HALL, 200 PONDFIELD ROAD,
BRONXVILLE, N.Y.

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PRESENT:	Nancy D. Hand	Mayor
	Thomas M. Leslie	
	Frank V. Sica	
	John O'Callahan	
	Mary C. Marvin	Trustees
ALSO PRESENT:	Bohn C. Vergari	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 8:10 p.m. She stated that the purpose of the public hearing was to hear and consider comments regarding the tentative Capital Improvement Budget for fiscal year 2001/2002.

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

Mayor Hand asked Village Administrator Regan to give an overview of the Capital Plan. She noted that each department head had put together project requests for their departments and the Trustees spent quite a bit of time going over them during the past few months.

Village Administrator Regan gave a summary of the proposed capital budget for 2001/2002 totaling \$847,750, highlighting projects in each department. (Copy attached)

Public comment was then invited.

Dorothy Brennan, 69 Sagamore Road, said she heard Mr. Regan mention capital funds budgeted for Sagamore Park. She said the splinters in playground equipment are getting worse. She said that even if the village doesn't undertake a major project this year, some preventative measures should be taken at the park. Mrs. Brennan said that since she first moved to Bronxville the Village has "never put a dime into that park." The first equipment came from an area in Alden Place. When the park was redone by the neighbors they raised the money, and then it was done by the Junior League. Since it is our only park in the Village, she said, we should take it seriously.

Mayor Hand indicated that the Junior League is working on a project to revitalize the park but they are not yet ready to proceed. Funds are in the budget to do some maintenance. Next year at this time, hopefully, we will have a proposal on a much greater improvement plan there, she said.

There were no trustee comments on the capital budget.

The public hearing was adjourned at 8:20 p.m.

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A handwritten signature in black ink, appearing to read 'W. T. Regan', is written over a horizontal line.

William T. Regan, Village Clerk

MINUTES OF REGULAR MEETING OF BOARD OF TRUSTEES OF VILLAGE OF BRONXVILLE HELD ON MAY 14, 2001 AT VILLAGE HALL, 200 PONDFIELD ROAD, BRONXVILLE, N.Y.

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|---------------|--------------------|--------------------------------|
| PRESENT: | Nancy D. Hand | Mayor |
| | Thomas M. Leslie | |
| | Frank V. Sica | |
| | John O'Callahan | |
| | Mary C. Marvin | Trustees |
| ALSO PRESENT: | Bohn C. Vergari | 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 |

Mayor Hand called the meeting to order at 7:10 PM. On motion of Trustee Sica, seconded by Trustee Marvin the Board voted to enter executive session to discuss litigation and personnel matters.

EXECUTIVE SESSION

(Present were Mayor and Trustees, Village Assessor Robert Balog, Village Counsel and Village Administrator.) Assessor Balog reviewed four assessment cases with the Board for the following properties: 1-4 Alden Place; 72 Pondfield Road West; 80-84 Parkway Road; and 59 Kensington Road. The Board, on motion of Trustee Leslie, seconded by Trustee Sica, voted to authorize the assessor to settle the cases as described in his memos.

At 8:00 PM the Board voted to end executive session and reopen the regular meeting.

BEAUTIFY BRONXVILLE WEEK PRESENTATION

Mayor Hand welcomed everyone to the opening of Beautify Bronxville Week, which is traditionally celebrated during the second week of May. Residents from all over the Village come together to plant flowers and help to make the Village a beautiful place. These efforts are led by the Beautification Council, headed by Richard Szypula, and include residents, students, garden clubs, girl scouts, village employees and volunteers. The Mayor applauded everyone involved for all the work they do.

Bronxville School first graders officially kicked off Beautify Bronxville Week with a presentation of songs. Mayor Hand thanked the children and they each received a flower.

POLICE OFFICER AWARDS

Police Chief Downey described an incident of outstanding police work performed by Police Officer Joseph Murray and presented him with a Certificate of Excellent Police Duty. Mayor Hand extended special thanks to Officer Murray and also to the entire police force for the wonderful work they do on a regular basis.

RESOLUTION - CAPITAL IMPROVEMENT PLAN

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

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BE IT RESOLVED the Board of Trustees approves the 2001-2002 capital improvement plan as per the attached document.

Trustee Leslie noted that Mrs. Brennan's comment during the public hearing on the Capital Improvement Plan concerning work needed at Sagamore Park was an important one, and while it seems like a lot of money, it's a modest amount, and the situation bears watching.

APPROVAL OF MINUTES

On motion of Trustee Marvin, seconded by Leslie, the Board approved the minutes of the Public Hearing and the Regular Meeting of April 9, 2001, 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.

During his report Chief Downey mentioned that on Friday members of the police department completed training in the use of the defibrilators, and that there will be two defibrilators available twenty four hours a day. He extended thanks to the president of Lawrence Hospital and his staff for the training.

Chief Downey reported that Local 1199 SEIU, the Service Employees International Union, held a large rally in the Village on April 19th. For a village the size of Bronxville it was a huge undertaking. He expressed his appreciation to the surrounding police departments for their assistance, and to all the members of the Bronxville Police department.

Village Administrator Regan advised that 1199 SEIU intended to hold another rally on May 16th and they estimate that 3,000 members will participate. Mr. Regan praised Chief Downey for doing an outstanding job in coordinating the effort to keep everything in order during the last rally as well as making preparations for the upcoming one.

Mr. Regan reported that new regulations of the County of Westchester and the New York State Department of Environmental Conservation prohibit the village from bringing yard waste to the Charles Point Resource Recovery Facility. The Village has made arrangements to recycle spring and summer yard waste through an organic yard waste program. However, we are not allowed to include grass clippings. Mr. Regan announced that the Department of Public Works will no longer collect grass clippings effective June 1, 2001. The clippings should be either "grasscycled" or residents will have to make other arrangements to dispose of them privately. He said that notices were being mailed to all homeowners and to the gardeners informing them of the new regulations.

BID RESOLUTION – Curbing

Superintendent of Public Works Woodcock advised that bids for the restoration of existing curbing and possible new installations were advertised in the Review Press on April 19, and as advertised were opened on May 10, 2001. Five bids were mailed and/or given to various vendors with three being returned for the opening.

RESUME OF BIDS:	RESTORE EXISTING /FOOT	NEW CURB INSTALL /FOOT	GEORGIA GRANITE /FOOT	CONCRETE RESTORE/NEW /FOOT
Vincent Rusciano 2243 Hollers Ave. Bronx, NY 10475	\$22.00	\$29.95	\$12.99	\$24.99/29.99
Tony Casale, Inc. 165 Summerfield Street Scarsdale, NY 10583	\$12.50	\$16.50	\$10.50	\$17.00/27.00

After reviewing the bids Mr. Woodcock recommended that the bid be awarded to the lowest responsible bidder meeting specifications, Tony Casale, Inc.

On motion of Trustee O'Callahan, 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 bidder, Tony Casale, Inc., 165 Summerfield Street, Scarsdale, New York for the following unit prices: restoration of existing curb (labor) \$12.50 per linear foot; installation of new curb (labor) \$16.50 per linear foot; new Georgia Granite curb (material) \$10.50 per linear foot; restoration of existing concrete curb \$17.00 per linear foot; installation of new concrete curb \$27.00 per linear foot.

RESOLUTION – Financing 2000/2001 Capital Budget

Village Treasurer Fels advised the Board that on April 25, 2001 the Village's Finance Committee met with Mr. Richard Tortora of Evensen Dodge, Inc. to discuss the upcoming bond sale, and the financing of the 2000/2001 Capital Budget. At this meeting the Finance committee approved the following actions:

- Splitting the bond sale into two separate series; Series A to issue "new money" to convert the outstanding non-certiorari BAN's to Bonds, including the new BAN's to be authorized this evening. Series B to refinance and advance refund the 1992 Village serial bonds.

- Appropriate \$328,700 of the Village's Undesignated Fund Balance, based upon his recommendation, to finance a portion of the 2000/2001 Capital Budget.

- Sell Bond Anticipation Notes in the amount of \$611,100 to finance the remainder of the Village's 2000/2001 Capital Budget, including \$26,000 in related fees for the upcoming bond sale.

- Split the rollover of the BAN's that matured on May 11, 2001 into two separate pieces: \$195,000 Certiorari BAN's to mature in one year and \$588,900 previously authorized Capital Project BAN's to mature in 90 days to coincide with the upcoming bond sale.

In conjunction with this meeting Mr. Fels spoke with Mr. Randy Mayer from Willkie Farr & Gallagher, the Village's Bond Counsel, and requested that he prepare the following seven Bond Resolutions. In order to transfer the aforementioned funds to the Capital Budget, Mr. Fels requested that the following resolution be adopted:

Be it resolved by the Board of Trustees, to authorize the Village Treasurer to amend the Village's 2000/2001 General Fund Budget to appropriate \$328,700 of the Undesignated General Fund Balance to finance a portion of the 2000/2001 Capital Budget, as recommended by the Village's Finance Committee.

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

RESOLUTIONS – Bond Anticipation Notes

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

BE IT RESOLVED the Board of Trustees authorizes issuance of \$7,800 Serial Bonds of the Village of Bronxville, Westchester County, New York, to pay the cost of a Storm Sewer Flooding Study in and for said Village.

BE IT RESOLVED the Board of Trustees authorizes issuance of \$42,000 Serial Bonds of the Village of Bronxville, Westchester County, New York, to pay the cost of a Phase II Storm Sewer Flooding Study in and for said Village.

BE IT RESOLVED the Board of Trustees authorizes issuance of \$181,000 Serial Bonds of the Village of Bronxville, Westchester County, New York, to pay the cost of the purchase of various items of equipment, machinery and apparatus for the Department of Public Works in and for said Village.

BE IT RESOLVED the Board of Trustees authorizes issuance of \$78,000 Serial Bonds of the Village of Bronxville, Westchester County, New York, to pay the cost of the resurfacing of various streets located throughout and in and for said Village.

BE IT RESOLVED the Board of Trustees authorizes issuance of \$52,000 Serial Bonds of the Village of Bronxville, Westchester County, New York, to pay the cost of the restoration of various curbs located throughout and in and for said Village.

BE IT RESOLVED the Board of Trustees authorizes issuance of \$22,000 Serial Bonds of the Village of Bronxville, Westchester County, New York, to pay the cost of Village History Room renovations in and for said Village.

BE IT RESOLVED the Board of Trustees authorizes issuance of \$228,300 Serial Bonds of the Village of Bronxville, Westchester County, New York, to pay the cost of Library expansion in and for said Village.

RESOLUTION – Schedule a Public Hearing Re: Leaf Blowers

Mayor Hand said that a group of residents had come to speak with village officials and many residents complained about the noise of leaf blowers in the summertime, and said they really are a noise disturbance. She introduced legislation for a public hearing in June regarding the ban of gasoline-powered leaf blowers during the summer months. It would not prohibit the small electric blowers that are used by homeowners. She cited positive results from similar ordinances in Larchmont, Pelham and Scarsdale, from which the proposed legislation was modeled.

Some residents spoke in favor of extending the duration of the ban. One resident said that starting the ban on May 1st would prevent leaf-blowers from kicking up large amounts of pollen during allergy season. Also, during the month of May is the only time you can enjoy the spring with the windows open. Two residents asked the Board to also consider banning electric blowers. They thought it would be a regulatory nightmare enforcing the legislation as proposed.

Trustee Sica said he was a believer in incremental change. Let's start small and see what happens, he said. If there is a problem in the future we have already taken one step. Trustee O'Callahan concurred. Board members agreed to proceed and schedule a public hearing in June on the legislation as it was proposed, to publicize it, and get feedback from residents at the hearing.

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

BE IT RESOLVED the Board of Trustees schedules a public hearing for Monday, June 11, 2001 to hear and consider comments regarding a proposed change to the Code of the Village of Bronxville, Chapter 201, Section 210-8 "Specific Noises Prohibited" by adding the following:

- I. The use of gasoline-powered blowers shall be unlawful in the Village during the period from June 1 through September 30 of each year.

RESOLUTION - Chamber of Commerce Sidewalk Sale

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

BE IT RESOLVED the Board of Trustees approves the request of the Chamber of Commerce to hold the annual sidewalk sale on Saturday, June 9, 2001.

BE IT FURTHER RESOLVED the Board of Trustees authorizes free metered space parking in the Kraft Avenue and Garden Avenue parking lots and on Paxton Avenue on Saturday, June 9, 2001 in conjunction with the Chamber of Commerce Sidewalk Sale.

RESOLUTION - Website Design Phase III

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

BE IT RESOLVED the Board of Trustees authorizes the Mayor to sign an agreement with Renee Haas Design in the amount of \$4,250.00 for Website Design Phase 3.

RESOLUTION - Schedule a Public Hearing Re: Removal of Fire Lane

Mayor Hand stated that the Board received letters from the Eastchester Fire Chief and Police Chief Downey outlining proposed changes in the fire lanes in Alger Court.

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

BE IT RESOLVED the board of Trustees schedules a public hearing for Monday, June 11, 2001 to hear and consider comments regarding a request from the Eastchester Fire chief to amend the Code of the Village of Bronxville, Chapter 150 FIRE PREVENTION, Section 150-7 by revising (12)(1), deleting paragraphs (12)(b) and (c), and changing the current (d) and (e) to (b) and (c).

MAYOR'S REPORT

Mayor Hand reported that the County Board of Legislators has announced that they will be voting in the near future on a redistricting plan that would basically divide the Town of Eastchester into two districts. The Village of Bronxville would be in a district with a portion of the City of Yonkers, and Eastchester and Tuckahoe would be in a district dominated by the City of New Rochelle. She said the Town of Eastchester and the two villages have always been in one district, with a county legislator who represents us. The Mayor said that village and town officials are naturally opposed to this plan and she urged residents to contact their county legislator to voice their opinions.

Mayor Hand announced that the annual Memorial Day Parade would be held on Monday, May 28th, assembling at Leonard Morange Square at 9:00 AM.

TRUSTEE REPORTS

Trustee Marvin urged residents to come out and support the Sidewalk Sale on Saturday, June 9th.

PUBLIC COMMENTS

Patrick Savage asked if there was any change in the fire lanes at Rivermere. Mr. Regan said that changes to the fire lanes were made at the January meeting, and he would give him a

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copy of the current code. Mr. Savage said there was some confusion since the signs were removed during construction.

A representative of 1199 SEIU presented information to the Board of Trustees and asked the Board to look into the action taken by Lawrence Hospital.

Mayor Hand informed him that the Board doesn't usually take positions in issues of this sort - it's not Village business. The employees and the administration of the hospital are not under our purview.

Dorothy Brennan said she understood that sometime next fall or early winter the Junior League would be presenting a plan to the Village for a collaborative plan for renovations and new equipment for Sagamore Park. She said some things should be taken care of right away. Mrs. Brennan said the sandbox is completely in the sun and she asked the Board to consider putting in some trees for shade.

Mrs. Brennan said she read in the newspaper about the diminishing tax base and asked if the Avalon brought anything into the village coffers. She also mentioned the problem of certiorari settlements. Mayor Hand responded that the Avalon development did add nicely to our tax base. Regarding certiorari settlements, she said they accounted for less than 1% of the increase in school taxes.

On motion of Trustee Sica, seconded by Trustee O'Callahan, the meeting was adjourned to go into executive session at 9:35 PM.

EXECUTIVE SESSION

(Present were Mayor and Trustees, Village Counsel and Village Administrator.) In executive session the Board discussed personnel issues and legal advice regarding village owned property and the right to assemble.

On motion of Trustee Marvin, seconded by Trustee O'Callahan the board voted to end executive session at 10:20 PM. The Board resumed the public session but no one else was present. On motion of Trustee Leslie, seconded by Trustee Sica, the Board adopted the following resolution:

BE IT RESOLVED the Board of Trustees approves a base salary increase of three and three-quarter percent (3.75%) for all non-union employees effective June 1, 2001, with the exception of Police Chief Downey whose salary will be \$91,569 as of June 1, 2001.

The meeting was adjourned at 10:21 PM.

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William T. Regan, Village Clerk