MINUTES OF PUBLIC HEARING HELD BY BOARD OF TRUSTEES OF VILLAGE OF BRONXVILLE ON SEPTEMBER 10, 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

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Mayor Hand called the public hearing to order at 8:00 P.M. She advised that the purpose of the public hearing was to hear and consider comments regarding adoption of a proposed Resolution to amend the building department fees pursuant to Section 112-22, Fees, of the Code of the Village of Bronxville, as follows: All building department fees and related construction development fees including the fee for Certificates of Occupancy will automatically be doubled when work is commenced without first securing all required permits and approvals. The mayor explained that the Village is not required by law to have a public hearing when increasing building department fees but the Trustees wanted to hear views from the public and to bring it to the public's attention.

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

Public comment was then invited.

Dorothy Brennan, 69 Sagamore Road, asked what the fees are for, and what work requires a permit.

Superintendent of Buildings Pici explained that the initial document he presented to the Board was in respect to an increase in the number of building projects being commenced in the Village without first securing permits. He said that the actual filing fees were not being changed but we would be increasing the penalty fee.

Mr. Pici stated that basically any alteration, addition or modification to the house is subject to building permit requirements, and he gave some examples of work that requires a permit. He said that some people don't file for permits before they do the work and the penalty fee is intended to discourage that.

Trustee Sica said that you are required to get a permit by law because it insures that the work is inspected and according to the code – it's a health and safety issue.

Mrs. Brennan said one of the things that bothers her is that it is so intrusive to have government come into our homes. She thought that perhaps the Board should send out a letter explaining that permits are required for work being done in people's homes.

Village Counsel Vergari pointed out that building permits are required in all municipalities throughout New York State.

Mrs. Brennan asked if the permit process holds up the work being done.

Mr. Pici said the turn-around time is fairly quick and that any hold-ups are usually due to items missing from the applicant or contractor. He said that as part of the normal routine his office tries to keep people informed. They also work with the realtors and furnish information to them to give to their clients. In addition, building department forms can be downloaded from the Village's web site. He said that if people have a question about whether or not the work requires a permit, they can call the building department. He said that generally speaking this Village has a good compliance rate.

In order to address the situation where construction work was previously completed without required permits, Mr. Pici recommended that an "Administrative Penalty" be assessed in addition to the required filing and permit fees otherwise required to legalize the work performed. This administrative penalty fee would be in lieu of the automatic doubling of fees for new work performed without permits. He suggested a penalty fee of $250, which is consistent with the penalty fees provided for elsewhere in the Code.

Mayor Hand said as she understands it this problem sometimes comes up when people are selling their home and they don't have a Certificate of Occupancy for work that was done 25 or 30 years ago. Most lawyers and banks require that all that paperwork be in order prior to closing. The homeowner would have to pay an administrative fee as well as normal permit fees.

Mr. Regan said these two proposals are meant to protect people who follow the rules and do it the right way the first time. He said that those contractors who are licensed by the county know the rules and follow them. The contractors that don't follow the rules ultimately endanger people in their homes by doing substandard work.

The Mayor asked the board members if there were any comments

Trustee Leslie reiterated that this is a statute that's consistent throughout the State of New York.

There being no further comments, the public hearing was adjourned at 8:20 P.M.

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William T. Regan, Village Clerk

MINUTES OF REGULAR MEETING OF BOARD OF TRUSTEES OF VILLAGE OF BRONXVILLE HELD ON SEPTEMBER 10, 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

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

EXECUTIVE SESSION

(Present were Mayor and Trustees, Village Counsel and Village Administrator.) No votes were taken in executive session. The Board discussed the probationary appointment of Chief Downey. The Board adjourned executive session at 8:00 p.m. to commence the public portion of the meeting.

The meeting was adjourned at 8:00 p.m. to go to a public hearing and was reconvened at 8:20 p.m.

RESOLUTION - Building Department Fees

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

> BE IT RESOLVED the Board of Trustees amends Chapter 112 BUILDING CONSTRUCTION, Section 112-22. Fees of the Code of the Village of Bronxville by adding the following:
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> All building department fees and related construction development fees including the fee for Certificates of Occupancy will automatically be doubled when work is commenced on or after September 15, 2001 without first securing all required permits and approvals.

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

> BE IT RESOLVED that a $250 administrative fee shall be required in addition to all building department fees and related construction development fees when work was completed prior to September 15, 2001 without first securing all required permits and approvals.

It was noted that for work completed prior to September 15, 2001, the fees will not be doubled.

Mayor Hand stated that the above fees will go into effect starting September 15, 2001.

APPROVAL OF MINUTES

On motion of Trustee Sica, seconded by Trustee Marvin, the Board approved the minutes of the Regular Meeting of July 9, 2001, and the Special Meeting and Public Hearing of July 26, 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, and Village Administrator Regan. Mr. Regan also gave the Parking report.

BID RESOLUTION – Police Uniforms

Police Chief Downey stated that four bids were sent out for police uniforms. He said this year they were more specific than they were in the past. Only one bid was received back. Chief Downey compared the price to All City which supplied the uniforms last year and it is a $72 increase over last year. He said he is quite comfortable with the bid and that they will now have the quality of uniform that they like to have.

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 contract for police uniforms to the sole bidder, New England Sportswear, 495 Main Street, Armonk, NY (copy of price list attached).

RESOLUTION – Municipal Snow and Ice Control Agreement

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

> BE IT RESOLVED the Board of Trustees authorizes the Mayor to sign the extension of 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 three years commencing July 1, 2000 to expire on June 30, 2003.

BID RESOLUTION – Flo'N Dump Spreader Body

Superintendent of Public Works Woodcock advised that bids for a Flo'N Dump truck body were advertised in the Journal News (southern zone) and the Review Press and as advertised were opened on September 5, 2001. Seven bids were mailed or given to various vendors with three being returned for the opening.

RESUME OF BIDS:

Trius, Ins. 458 Johnson Avenue PO Box 158 Bohemia, NY 11716	$25,970.00
R.W. Truck Equipment 994 Fulton Street, Rte. 109 PO Box # 339 Farmingdale, NY 11735	$27,439.00
Advanced Equipment 75 Cedarhurst Ave. Medford, NY 11763	No Bid Letter

After reviewing the bids Mr. Woodcock recommended that the bid be awarded to the lowest responsible bidder meeting specifications, Trius, 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 contract for a new dump truck body to Trius, Inc., 458 Johnson Avenue, Bohemia, NY as the lowest responsible bidder for the sum of Twenty-five Thousand Nine Hundred Seventy Dollars ($25,970).

RESOLUTION – To Schedule a Public Hearing

Village Administrator Regan stated that the Trustees had in front of them a proposal to hold a public hearing regarding Defense and Indemnification of public employees. He said that in the last three years or so local municipalities have revised this section of their codes to provide protection for people in municipal government including volunteers and elected officials.

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

BE IT RESOLVED the Board of Trustees schedules a public hearing for Monday, October 8, 2001, 8:00 PM, Village Hall, to hear and consider comments concerning a proposed amendment to the Code of the Village of Bronxville, Chapter 15 DEFENSE AND INDEMNIFICATION.

RESOLUTION - Chamber of Commerce Request for Free Parking

On motion of Trustee Sica, seconded by Trustee Marvin, 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 6, 2001 in conjunction with the Chamber of Commerce Fall Festival.

APPOINTMENT OF POLICE CHIEF

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

BE IT RESOLVED the Board of Trustees approves the probationary appointment of Brian M. Downey as Chief of Police, effective September 11, 2001, from Civil Service Eligible List No. 88-045 (70-116) subject to the Rules and Regulations of Westchester County Civil Service.

MAYOR'S REPORT

Mayor Hand reported that the grand reopening of the Library the day before was a spectacular event. She said it was a wonderful afternoon and it was a tribute to the many people who worked on the project over the past several years. The project began under the direction of Library Board President Peter Doyle, followed by Janet Lentz, and was completed under the guidance of Eloise Morgan, the current President.

The mayor said that funding for the project was a community-wide effort. One painting bequeathed in 1947 by Library Trustee William F. Burt, *Central Park* by Childe Hassam, appreciated considerably in value and was auctioned in 1998 for over $4 million. The proceeds formed the core of the 2000-2001 building fund. The building fund was supplemented by donations from many villagers. The Village donated funds and it was really the whole

community coming together to see that this building was completed. The one thing that struck her was that not only is it a Library but it is also a beautiful public space - a very visible and permanent tribute to the Village.

Mayor Hand noted that it was Village Counsel Bohn Vergari who did the initial work that determined that the Village could sell the Child Hassam painting under the covenants of Mr. Burt's will and helped launch the project.

Mayor Hand reported that over the summer the Village web site was officially launched. Although not fully launched, most of the main areas are there – all of the Village's departments and services, along with application forms. A large group of people worked on this project over the last two years. The mayor extended thanks to Drew Thatcher, our resident consultant, Peter North, Nancy Vittorini, and Julie Cagliostro on staff. She said that to date the Village has spent approximately $10,000 to $12,000 on the launch, which is quite incredible considering the sophistication of the site, which was designed by graphic artist Renee Haas.

The mayor reported that during the summer Village officials received the stormwater flooding report from our consultants and copies of the report were forwarded to school board members and school administrators, and to interested residents. She said there will be extensive discussion on implementing these recommendations and looking at ways to fund this project which comes with a price tag of over $1 million. Mayor Hand said that there is money available with a very low interest rate, and she has spoken with our state and local legislators about funding and we will be working on this matter over the next few months.

TRUSTEE REPORTS

Trustee Marvin reported that the Chamber of Commerce is kicking off the fall season with a dinner at Pane Vino. As liaison to the School, Trustee Marvin welcomed the new school superintendent, Dr. Warren Gemmill.

PUBLIC COMMENTS

Dorothy Brennan commented that the newly renovated Library was "priceless". She said the League of Women Voters are having a meeting in the Yeager Community Room on Redistricting with County Legislators George Latimer, Vito Pinto and Kay Carsky and they would like to see a good crowd.

Mrs. Brennan said that the entrance to Sagamore Park is in need of repair and requested that the street side be blacktopped and the gate repaired. She also requested that the walkway leading to the Girl Scout Cabin be repaired. Mrs. Brennan said that the street cleaner is doing a beautiful job and she wanted to thank whoever is responsible.

On motion of Trustee Leslie, seconded by Trustee Marvin, the meeting was adjourned to go into executive session at 9:12 PM.

EXECUTIVE SESSION

(Present were Mayor and Trustees, and Village Administrator.) The Board continued discussion of personnel matters and a potential litigation matter. No votes were taken in executive session which ended at 9:20 p.m. on motion of Trustee Marvin, seconded by Trustee O'Callahan.

The board then resumed the public hearing. No members of the public were present.

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

BE IT RESOLVED the Board of Trustees approves a salary of $99,000 per year for Police Chief Brian M. Downey effective September 11, 2001.

BE IT RESOLVED the Board of Trustees approves an appropriation of $600 for the Chamber of Commerce Fall Festival.

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William T. Regan, Village Clerk