

MINUTES OF PUBLIC HEARING HELD BY BOARD OF TRUSTEES OF VILLAGE OF BRONXVILLE ON
MAY 8, 2000 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	Trustees
ABSENT:	Mary C. Marvin	Trustee
ALSO PRESENT:	Bohn C. Vergari	Village Attorney
	William T. Regan	Village Administrator
	Peter J. Woodcock	Superintendent of Public Works
	Alexander W. DiVernieri	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 8:15 p.m. She advised that the purpose of the public hearing was to hear and consider comments regarding the tentative Capital Improvement Budget for fiscal year 2000/2001.

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

Mayor Hand asked Village Administrator Regan to go over some of the highlights before the public hearing was opened for comments.

Village Administrator Regan gave a summary of the proposed capital budget for 2000/2001 totaling \$754,900, highlighting projects in each department. (Copy attached)

Public comment was then invited.

Dorothy Brennan, manager of the Girl Scout cabin, noted that this is the third year that the cabin was listed in the capital budget and said she hopes this is the year that the improvements finally come to fruition. She said the cabin needs a ramp for handicap accessibility and bathroom work. Mrs. Brennan said she was very appreciative of the improvements that are specified in the capital budget and she thanked the Board.

Chris Noble, 33 Garden Avenue, said he noticed there is nothing in the capital budget on flooding.

Mayor Hand responded that the Village has had the sewer lines videotaped and has hired an engineer who is reviewing that information as well as making an independent study of exactly how our storm drains run. The engineer should be coming back to the Board in late June with a preliminary report and some recommendations. The mayor said we don't really know at this point what kind of recommendations there might be, therefore, we have left this item open in terms of any commitment.

Mr. Regan said we don't have any cost estimates at this time. The engineer should be coming back with some short term and long term recommendations. The Board may want to consider implementing some of the short term recommendations later in this fiscal year.

Mayor Hand stated that there may be some items we can accomplish to address the flooding problem this year, or two or three years out. Occasionally projects are added to the

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capital budget later in the year. She assured him that the Board was not dismissing the issue just because he didn't see it listed here.

Mr. Noble read from press releases put out by the Federal Emergency Management Association that dealt with global warming and health issues as a result of flooding. He said he and some of his neighbors were concerned about flooding especially as it pertains to safety and health matters. He also expressed concern about the safety of children getting released from school in the middle of a hurricane if the roads at both entrances of the school were flooded and inaccessible to cars. Mr. Noble said the last time the village took a look at the flooding problem a decision was made not to do anything because of the cost, which was estimated at \$200,000. He raised the prospect about pumping the excess storm water downstream into the Bronx River.

Mayor Hand responded that pumping the water is one solution that will be looked at; however, it would be subject to a full environmental review by both the county and the state. She stated that both the school and the village are exploring solutions to the flooding problem, and the village will try to do as much as it can to attempt to alleviate the problem.

Mr. Noble also spoke about the problem of traffic congestion near the school at dismissal times.

Mayor Hand said that Bill Regan has been meeting with school officials about implementing a plan for traffic control during the construction period.

There were no trustee comments on the capital budget.

The public hearing was adjourned at 8:38 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 MAY 8, 2000 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 (6:55-8:00 PM) | Trustees |
| ALSO PRESENT: | Bohn C. Vergari | Village Attorney |
| | William T. Regan | Village Administrator |
| | Peter J. Woodcock | Superintendent of Public Works |
| | Alexander W. DiVernieri | 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 6:55 p.m. On motion of Trustee Marvin, seconded by Trustee O'Callahan, the Board voted to enter executive session to discuss litigation and personnel items.

EXECUTIVE SESSION

No votes were taken in executive session. Board members asked the Village Attorney and Village Administrator to seek legal advice concerning a section of the zoning code.

The public meeting was reconvened at 8:05 p.m.

BEAUTIFY BRONXVILLE WEEK PRESENTATION

Mayor Hand noted that there is a long standing tradition in the Village of celebrating the second week in May as Beautify Bronxville Week. The mayor welcomed Miss Johnson's first grade class from the Bronxville Elementary School who sang "What a Wonderful World". She thanked the children for setting the tone for the week. Mayor Hand extended appreciation to Maureen Hackett, a landscape designer and Village resident, who ordered the flowers and helped in planning the arrangements; and to the Beautification Council, garden clubs, organizations, and numerous volunteers who all come together to improve the attractiveness of the Village by their involvement in special projects throughout the month.

The regular meeting was recessed at 8:15 p.m. to go to a public hearing, and was reconvened at 8:40 p.m.

RESOLUTION - CAPITAL IMPROVEMENT PLAN

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

BE IT RESOLVED the Board of Trustees approves the 2000-2001 capital improvement plan as per the attached document.

APPROVAL OF MINUTES

On motion of Trustee Leslie, seconded by Trustee Sica, the Board approved the minutes of the Public Hearing and the Regular Meeting of April 10, 2000, as drafted.

DEPARTMENT REPORTS

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

RESOLUTION - Year End Budget Transfers

In conjunction with the Village's fiscal year end, Village Treasurer Fels requested that the following resolution be adopted:

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

BE IT RESOLVED the Board of Trustees authorizes the Village Treasurer to make necessary year-end budget transfers at the close of the Village's 1999/2000 fiscal year.

RESOLUTION - Year End Budget Amendments

In anticipation of "closing the books" for the Village's fiscal year ending May 31, 2000, Village Treasurer Fels requested a Board resolution amending the 1999/2000 General Fund Budget for the Village's Day Camp Program and Gymnastics Program. He noted that revenues generated for both programs have surpassed budget estimates as follows: Day Camp Fees (A.2001) \$31,780; and Gymnastics Fees (A.2068) \$15,132.

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

BE IT RESOLVED the Board of Trustees authorizes the Village Treasurer to amend the 1999/2000 General Fund Budget as follows:

<u>Account</u>		<u>Increase</u>
<u>Appropriations:</u>		
A.7138100	Day Camp Personal Services	\$ 24,000
A.7138436	Day Camp Travel	350
	Subtotal	<u>24,350</u>
A.7139100	Gymnastics Personal Services	\$ 6,600
A.7139801	Social Security	409
A.7139802	Medicare	96
A.7139803	Workers Compensation	550
	Subtotal	<u>7,655</u>
	Total Appropriations Increase	<u>\$ 32,005</u>
<u>Estimated Revenues:</u>		
A.2001000	Day Camp Fees	\$ 24,350
A.2068000	Gymnastics Fees	<u>7,655</u>
	Total Estimated Revenues Increase	<u>\$ 32,005</u>

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RESOLUTION - Capital Project Authorizations and Amendments

Village Treasurer Fels advised that on March 29, 2000 the Village received notification from the New York State Department of Transportation regarding approval by the State to substitute SHIP's state aid from one project to another. In 1995 the Village was awarded \$2,000,000 in SHIP's aid for the rehabilitation of the railroad bridge underpass. In April 1997 the Village notified the State that it would need only \$1,604,000 to complete the project. Since that time, the village has completed the project with a final cost of \$1,431,000, a savings of \$173,000. In March 1999, the State identified an additional project, in another municipality, requiring \$53,000 of the savings. As a result, the Village was authorized by the State to use the remaining \$120,000 SHIP's aid to make roadway safety improvements to the area adjacent to the bridge underpass. As such, Mr. Fels requested that the following resolution be adopted so that he can adjust the accounting records to reflect these changes:

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

BE IT RESOLVED the Board of Trustees authorizes the Village Treasurer to reduce the project budget for project # S 1994-95-9503-5110, Bridge Rehabilitation Railroad Underpass by \$ 173,000 to a final budget of \$ 1,431,000, equivalent to its final cost.

BE IT FURTHER RESOLVED that the Board of Trustees authorizes the Village Treasurer to establish a capital project # S 1994-95-9531-5110, Street Lighting Hospital Circle/Palmer Avenue in the amount of \$ 120,000, to be funded by SHIP'S aid previously approved by New York State.

RESOLUTION - Designation of Fund Balance

Village Treasurer Fels noted that on December 18, 1999, the Mayor signed the second amendment to the lease agreement between the Village and Kensington Bronxville Associates, Inc. Item 4 of the amendment discusses the preleasing requirements to be met by the tenant, as well as the deadline and forfeiture of deposits. The tenant was required to have 55 units preleased by February 29, 2000. If this deadline was not met, the lease would be automatically terminated and the tenant's deposits forfeited.

On March 8, 2000 Kensington Bronxville Associates, Inc. conceded that they had not met the terms of the lease and requested that the Village return to them the accumulated interest on the lease deposits. On March 14, 2000 a check was issued to Kensington Bronxville Associates, Inc. in the amount of \$51,069.63, representing the interest earned on the deposit from inception through February 29, 2000. Up through that date a total of \$300,000 was received in lease deposits, which were accounted for in the Village's Trust & Agency Fund as a lease deposit. Now that the lease has been terminated the Village must recognize these funds as revenue in the General Fund, in the current fiscal year. In order to prevent the close out of these funds in the Village's Undesignated Fund Balance at year-end, Mr. Fels recommended that the Village designate these funds for future Village improvements. As such, he requested that the following resolution be adopted:

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

BE IT RESOLVED that the Board of Trustees authorizes the Village Treasurer to transfer the Kensington Bronxville Associates, Inc., forfeited lease deposit in the amount of \$300,000, previously accounted for in the Village's Trust & Agency Fund, to the Village's General Fund.

BE IT FURTHER RESOLVED that the Board of Trustees authorizes the Village Treasurer to establish, at year-end a Designation of Fund Balance in the amount of \$300,000 to be used for future Village improvements.

RESOLUTION - Bond Anticipation Notes

Village Treasurer Fels noted that on April 10, 2000, the Board of Trustees approved the financing of the 1999/2000 Capital Budget totaling \$656,000 by authorizing an operating transfer from the General Fund for \$356,000, and the issuance of Bond Anticipation Notes (BAN's) in the amount of \$300,000. In addition, he discussed with the Village Administrator, financing the current fiscal year's certiorari settlement costs, totaling \$90,000, from the issuance of BAN's. Mr. Fels submitted seven resolutions requiring Board approval, authorizing \$390,000 in Bond Anticipation Notes.

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

BE IT RESOLVED the Board of Trustees authorizes the reconstruction of the roof of the salt shed in and for the Village of Bronxville, Westchester County, New York including incidental improvements, at a maximum estimated cost of \$28,000, and authorizes the issuance of bonds not exceeding \$28,000 of said Village to pay the cost thereof. (Project # BN990005-0005-1640)

BE IT RESOLVED the Board of Trustees authorizes the construction or reconstruction of stone curbing in and for the Village of Bronxville, Westchester County, New York, including incidental improvements, at a maximum estimated cost of \$75,000, and authorizes the issuance of bonds not exceeding \$75,000 of said Village to pay the cost thereof. (Project # BN990012-012-5110)

BE IT RESOLVED the Board of Trustees authorizes the resurfacing of village roads and streets in and for the Village of Bronxville, Westchester County, New York, at a maximum estimated cost of \$75,000, and authorizes the issuance of bonds not exceeding \$75,000 of said Village to pay the cost thereof. (Project # BN990013-0013-5110)

BE IT RESOLVED the Board of Trustees authorizes the purchase of replacement equipment for the rebuilding of a leaf vacuum for the Village of Bronxville, Westchester County, New York, at a maximum estimated cost of \$10,000, and authorizes the issuance of bonds not exceeding \$10,000 of said Village to pay the cost thereof. (Project # BN990015-0015-1640)

BE IT RESOLVED the Board of Trustees authorizes the installation of street lights in and for the Village of Bronxville, Westchester County, New York, at a maximum estimated cost of \$50,000, and authorizes the issuance of bonds not exceeding \$50,000 of said Village to pay the cost thereof. (Project # BN990018-0018-5182)

BE IT RESOLVED the Board of Trustees authorizes the purchase of a front end loader for the Village of Bronxville, Westchester County, New York, including apparatus incidental thereto, at a maximum estimated cost of \$62,000, and authorizes the issuance of bonds not exceeding \$62,000 of said Village to pay the cost thereof. (Project # BN990020-0020-5110)

BE IT RESOLVED the Board of Trustees authorizes the issuance of bonds not to exceed \$90,000 of the Village of Bronxville, Westchester County, New York to pay the cost of certiorari judgements and/or compromised or settled claims resulting from court orders on proceedings brought pursuant to article 7 of the real property tax law, and to amend the Village's 1999/2000 operating budget to fund these expenditures.

RESOLUTION - Personnel

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

BE IT RESOLVED the Board of Trustees approves a base salary increase of three and three-quarter (3.75%) percent for all non-union employees effective June 1, 2000.

RESOLUTION TO HOLD PUBLIC HEARING ON PROPOSED LOCAL LAW

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

WHEREAS the Board of Trustees of the Village of Bronxville has entered into a project for the codification of local laws, ordinances and certain resolutions of the Village of Bronxville for the purposes of increasing the effectiveness of village governmental administration, providing for greater public awareness of and access to village legislation and protecting the health, safety and welfare of village inhabitants; and

WHEREAS the proposed codification has been published in loose-leaf form and the Board of Trustees now desires to formally effect the adoption of said codification by enactment of a local law;

NOW, THEREFORE, BE IT RESOLVED, that a public hearing be held by the Board of Trustees with respect to enactment of the following local law, such public hearing to be held on the 12th day of June, 2000, at 8:00 p.m., in the Village Hall, Bronxville, New York. The proposed local law to be considered is as follows:

LOCAL LAW NO. 2 - 2000

A LOCAL LAW TO PROVIDE FOR THE CODIFICATION OF THE LOCAL LAWS, ORDINANCES AND CERTAIN RESOLUTIONS OF THE VILLAGE OF BRONXVILLE INTO A MUNICIPAL CODE TO BE DESIGNATED THE "CODE OF THE VILLAGE OF BRONXVILLE"

Copies of the text of the above-named local law shall be filed in the office of the Village Clerk.

AND BE IT FURTHER RESOLVED that the Village Clerk is hereby directed and authorized to cause public notice of said hearing to be given in accordance with the Municipal Home Rule Law, the Open Meetings Law and the Village Law of the State of New York.

VOTE OF BOARD OF TRUSTEES

AYE: Mayor Hand, Trustees Leslie, Sica and O'Callahan

NO: None

RESOLUTION - To Hold Public Hearing Regarding Parking Permit Fees

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

BE IT RESOLVED the Board of Trustees schedules a public hearing for Monday, June 12, 2000, 8:00 PM, at Village Hall to hear and consider comments concerning proposed increases to certain parking permit fees by amending the Village Code, Chapter A321, Fees Schedule, Section A321-4 (copy of the proposed fees attached).

RESOLUTION - Chamber of Commerce Sidewalk Sale

On motion of Trustee Sica, seconded by Trustee Leslie, the Board 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 10, 2000.

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 10, 2000 in conjunction with the Chamber of Commerce Sidewalk Sale.

APPOINTMENTS

Mayor Hand announced the appointment of Andrew Garvey as an alternate member to the Planning Board for a three year term commencing this date and ending in April 2003.

Trustee Leslie offered a motion, seconded by Trustee Sica, approving the action of the Mayor with regard to appointment as set forth above.

MAYOR'S REPORT

Mayor Hand stated that a ceremony would be held on Saturday, May 20th at 11:00 a.m. dedicating the Bronxville Centennial Circle. The mayor said that the veterans were planning a wonderful Memorial Day Parade this year and she encouraged everyone to come out and participate in all of the Memorial Day activities.

PUBLIC COMMENTS

Dorothy Brennan, volunteer manager of the Girl Scout cabin for the past 18 years, said she wanted to set the record straight concerning an open letter regarding a teen center published in the Review Press Reporter. In the very last paragraph of the article it mentioned that in 1960 the Girl Scout cabin was considered as a possible site for a teen center. Mrs. Brennan said that in the 1960's the Girl Scouts were alive and well in Bronxville. She said the statement is not true. There was never any mention of the Girl Scout cabin being used by teenagers at that time. It wasn't until 1982 or 1983 that the Girl Scouts decided to abandon the building and the Village took over the cabin. Mrs. Brennan said she chose to take over the cabin because she envisioned it being used as a teen center someday. When her children were teenagers a small group of parents ran a teen center at the school and Mrs. Brennan and her husband were very involved in running it. They had 400 teens on some nights. Once the school took it over it started to fail because children don't want to be involved with the school, she said. She said it is not a remote building and they have parties there all the time and many groups enjoy use of the facilities. Mrs. Brennan said she has given up the idea of using the cabin as a teen center. As far as she is concerned the Village people are going to enjoy it.

Chris Noble also made some comments about the teen center and said he thinks the best place for it would be the Midland Avenue gym.

The meeting was adjourned at 9:45 p.m.

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William T. Regan, Village Clerk