

MINUTES OF PUBLIC HEARING HELD BY BOARD OF TRUSTEES OF VILLAGE OF
BRONXVILLE ON JUNE 12, 2000 AT VILLAGE HALL, 200 PONDFIELD ROAD,
BRONXVILLE, N.Y.

* * * * *

PRESENT:	Nancy D. Hand	Mayor
	Thomas M. Leslie	
	Frank V. Sica	
	Mary C. Marvin	Trustees
ABSENT:	John O'Callahan	Trustee
ALSO PRESENT:	Bohn C. Vergari	Village Counsel
	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
	William J. Murphy	Parking Commissioner

* * * * *

Mayor Hand called the public hearing to order at 8:00 P.M. She advised that the purpose of the public hearings was to hear and consider comments regarding:

(1) A proposed Local Law to provide for codification of local laws, and (2) a Code Amendment Resolution to increase parking permit fees. (Copies of the proposed Local Law and Code Amendment Resolution are annexed to the official minutes.)

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

PROPOSED LOCAL LAW NO. 1 - 2000 - Codification of Local Laws

Mayor Hand opened the hearing on the proposed Local Law and asked Village Administrator Regan to give a little of the history on the recodification of the Village Code.

Mr. Regan explained that the Board initially discussed updating the code about six years ago. Work began about 13 months ago after the Village signed a contract with General Code of Rochester. General Code representatives worked with Village officials in reviewing the existing code, which had not been updated to include recently passed local laws and resolutions. They critiqued each chapter of the code, recommending wording changes where needed, to bring regulations into line with General Municipal Law. The entire document has been reorganized and renumbered and fines and penalties are now placed in the appendix. The code was also updated in relation to broader state regulations, such as procedures for complying with the State Environmental Quality Review Act. The recodification was kept mostly to wording changes and reorganizing the document. Once adopted, the code will be available online through General Code's web site, and in the future through the Village web site and on CD-ROM. Mr. Regan noted that there are no substantive changes in this document that would initiate the SEQRA process or anything of that nature.

Mayor Hand then called for public comments. There were none.

There were no comments from the Board of Trustees.

Mr. Regan stated that Trustee O'Callahan questioned the wording in the revised definition of "village officer or employee" under the Ethics Code. Judge McKinnis is researching this matter. If the research by Judge McKinnis gives us reason to change back to the original wording, he said, the Board could always amend that portion of the code at a later date.

June 12, 2000
Page 2

The public hearing on the Codification of Local Laws was adjourned at 8:30 PM.

CODE AMENDMENT RESOLUTION – Increasing Parking Permit Fees

Mayor Hand then opened the hearing on a proposed Code Amendment Resolution.

Mr. Regan described the proposal to amend the Code of the Village of Bronxville, Appendix, Chapter A321, to increase parking permit fees. He read aloud the new permit fees as listed in the Code Amendment. He noted that these rates have not been increased since 1994 or earlier.

Mayor Hand then called for public comments. There were none.

There were no comments from the Board of Trustees.

There being no further comments, the public hearing on the code amendment was adjourned at 8:35 PM.

* * * * *


William T. Regan, Village Clerk

MINUTES OF REGULAR MEETING OF BOARD OF TRUSTEES OF VILLAGE OF BRONXVILLE HELD ON JUNE 12, 2000 AT VILLAGE HALL, 200 PONDFIELD ROAD, BRONXVILLE, N.Y.

PRESENT:	Nancy D. Hand	Mayor
	Thomas M. Leslie	
	Frank V. Sica	
	Mary C. Marvin	Trustees
ABSENT:	John O'Callahan	Trustee
ALSO PRESENT:	Bohn C. Vergari	Village Counsel
	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
	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 Marvin, the Board voted to enter executive session to discuss litigation and personnel matters.

EXECUTIVE SESSION

(Present were Mayor and Trustees Leslie, Sica and Marvin, Village Administrator, Village Assessor and Village Counsel.) Village Assessor Robert Balog described a proposed certiorari settlement with Gramatan Townhouse Condominiums. After discussing the case the Board, on motion of Trustee Marvin, seconded by Trustee Leslie, voted to settle the claim within the parameters described by the Assessor.

Village Administrator Regan discussed with the Board the proposed settlement of a grievance filed on behalf of James Shute by IBT Local 456. The Board voted on motion of Trustee Leslie, seconded by Trustee Sica, to settle the grievance as detailed in the attached document which includes the creation of the title Automotive Mechanic and the promotion of James Shute to that position effective December 1, 1999 at an annual salary of \$48,074.

No other votes were taken in executive session which ended on motion of Trustee Sica, seconded by Trustee Marvin at 7:55 p.m.

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

PRESENTATION OF PROCLAMATIONS

Mayor Hand presented proclamations to recently retired Library Board members Janet C. Lentz and Michael J. McAllister. The mayor praised Ms. Lentz and Mr. McAllister for their work during the last several years as the library took on an expansion project and a move to temporary quarters. (Copies of proclamations attached.)

POLICE DEPARTMENT AWARDS

Police Chief DiVernieri stated that the Awards Committee met on May 11, 2000 to consider recommendations for awards for the period September through February 2000. The committee recommended that the following officers be recognized with departmental awards for services performed during the above period. Chief DiVernieri presented the awards.

Lieutenant Brian Downey – Certificate of Excellent Police Duty for his actions and perseverance which resulted in the arrest and conviction of a suspect charged with burglary in the second degree;

Sergeant Robert Thorn – Certificate of Meritorious Police Duty for his actions and perseverance, while off duty, which resulted in the arrest and conviction of a suspect charged with petit larceny;

PO Joseph Murray – Certificate of Excellent Police Duty for his actions and perseverance which resulted in the arrest of a suspect charged with criminal possession of stolen property in the third degree;

PO Jon Lattin and PO Frank Buhler – Lifesaving Certificates for their excellent judgment, unselfish performance of duty, and invaluable assistance to an infant in distress;

PO Michael Pirillo, and PO Thomas Kempkes – Lifesaving Certificates for their excellent judgment, unselfish performance of duty, and invaluable assistance to an infant in distress;

Sergeant Eugene Mitchell and PO John Casullo – Certificates of Commendation for their quick action and dedication to duty under extreme circumstances.

Mayor Hand extended congratulations to each of the police officers and thanked them on behalf of the residents of the Village for a job well done.

The regular meeting was recessed at 8:25 p.m. to go to a public hearing, and was reconvened at 8:40 p.m.

SEQRA RESOLUTION – Codification of Local Laws

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

Whereas, the Board of Trustees has reviewed the codification of local laws, ordinances and certain resolutions of the Village of Bronxville for the purpose of adopting a new Code of the Village of Bronxville which will increase the effectiveness of village governmental administration, provide for greater public awareness of and access to village legislation and protect the health, safety and welfare of village inhabitants;

Now Therefore Be it Resolved the Board of Trustees determines the codification project undertaken by the Village of Bronxville resulting in the adoption of a new Code of the Village of Bronxville is a Type II action in accordance with the New York State Environmental Quality Review Act (ECL Article 8) and 6 NYCRR Part 617.

RESOLUTION TO ENACT LOCAL LAW NO. 2 - 2000

Mayor Hand asked the Trustees if they wanted to vote this evening on passing a Local Law to provide for codification of local laws. Board members agreed to vote on enacting the legislation at this time. It was pointed out that the legislation could be amended at a later date if the Trustees wished to change the wording in the Ethics Code section that is being reviewed by Judge McKinnis.

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

WHEREAS a public hearing was held the 12th day of June, 2000 by the Board of Trustees of the Village of Bronxville, notice of which was given as required by the Municipal Home Rule Law, the Open Meetings Law and the Village Law of the State of New York;

WHEREAS at said public hearing the Board of Trustees considered the enactment of proposed Local Law No. 2 - 2000, entitled 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"; and

WHEREAS all interested persons were given an opportunity to be heard with respect to the enactment of said local law;

NOW, THEREFORE, BE IT RESOLVED, that Local Law No. 2 - 2000 be enacted as follows:

(copy of local law attached)

VOTE OF BOARD OF TRUSTEES

AYE: Mayor Hand, Trustees Leslie, Sica and Marvin

NO: None

CODE AMENDMENT RESOLUTION #1 - 2000

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

BE IT RESOLVED the Board of Trustees adopts the following Amendment to the Code of the Village of Bronxville, Appendix, Chapter A321, Fees Schedule as follows:

§ A321-4. Chapter 290, Vehicles and Traffic

Amend "C. Section 290-42. Parking meter fees" to read as follows:

- (6) Special permit to permit resident parking at metered spaces restricted to residents in the Kraft Avenue parking lot and in the Kensington II parking lot: \$600 for a one-year period October 1 to September 30; \$450 for the period January 1 to September 30; \$300 for the period April 1 to September 30; and \$150 for the period July 1 to September 30.
- (7) Special permit to permit merchant parking at metered spaces restricted to merchants in the Kraft parking lot (east side, southerly end), and merchant spaces in the Kensington III parking lot: \$600 for a one year period July 1 to June 30; \$450 for the period October 1 to June 30; \$300 for the period January 1 to June 30; and, \$150 for the period April 1 to June 30.
- (8) Special permit to permit merchant parking at any metered spaces restricted to merchants in the Garden Avenue lot: \$675 for a one year period, July 1 to June 30; \$507 for the period October 1 to June 30; \$338 for the period January 1 to June 30; and \$169 for the period March 1 to June 30.
- (9) Same as current (8).

Amend "D. Section 290-47, Parking Permits" to read as follows:

- (1) Resident parking permits: \$20, to be valid from October 1 to September 30 next following; application for a permit six months after October 1: \$10.
- (2) Merchant parking permits: \$30, to be valid from July 1 to June 30 next following; application for a permit six months after January 1: \$15.
- (3) Off-street public parking lot parking permit:
 - (a) Colodny Lot: \$50 per month.
 - (b) Maltby Park Parking Area: \$80 per month.

- (c) Upper Kensington Road Parking Area: \$80 per month.
- (d) Kensington II Lot (former power plant site): \$80 per month.
- (e) Stone Place Parking Area: \$50 per month.
- (4) Same as current (4).
- (5) Overnight parking permit. An off-street parking permit for overnight parking (from 6:00 p.m. to 8:00 a.m.) in off-street public parking lots Cedar Street Lot, Garden Avenue Lot and Maltby Park Lot: \$230 per year.

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

Mayor Hand stated that the new rates would be implemented as the various permits become due.

APPROVAL OF MINUTES

On motion of Trustee Sica, seconded by Trustee Marvin, the Board approved the minutes of the Public Hearing and the Regular Meeting of May 8, 2000, as drafted.

DEPARTMENT REPORTS

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

BID RESOLUTION - Village Facilities Painting Contract

Superintendent of Buildings Pici stated that bids to provide painting services at the Village Hall, Library and Girl Scout Cabin and other Village facilities were advertised in the Journal News and were opened on June 8, 2000 as advertised. Bid notices were mailed to eleven vendors, bid specifications were distributed to twelve vendors with four bids returned for the opening. Upon comparison of these bids to the current 1999 prevailing wage rates the apparent low bid of \$37.00 (painter straight time rate) submitted by York Industrial does not meet the minimum required hourly rate. The next lowest bid of \$60.87, submitted by Sugrue Painting is substantially higher, and will likely result in higher project costs than if a specific project was bid individually. Therefore, Mr. Pici recommended that the Board reject all bids at this time. Depending on the size of the painting project the appropriate Village purchasing policy will be implemented.

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

BE IT RESOLVED the Board of Trustees rejects all bids for the Village Facilities Painting Contract which were opened on June 8, 2000.

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 Bronxville Review Press and as advertised were opened on May 5, 2000. Eight 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	\$11.99	\$14.70	\$9.00	\$16.99/24.95
Tony Casale, Inc. 165 Summerfield Street Scarsdale, NY 10583	\$12.50	\$15.50	\$ 9.50	\$14.00/27.00
Vernon Hills 395 N. Macquesten Pkwy Mt. Vernon, NY 10550	\$14.00	\$27.00	\$9.00	\$9.00/18.00

After reviewing the bids Mr. Woodcock recommended that the bid be awarded to the lowest responsible bidder meeting specifications, Vincent Rusciano.

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

BE IT RESOLVED the Board of Trustees awards the bid for restoration and installation of curbing to the lowest bidder, Vincent Rusciano, 2243 Hollers Ave., Bronx, NY 10475 for the following unit prices: restoration of existing curb (labor) \$11.99 per linear foot; installation of new curb (labor) \$14.70 per linear foot; new Georgia Granite curb (material) \$9.00 per linear foot; restoration of existing concrete curb \$16.99 per linear foot; installation of new concrete curb \$24.95 per linear foot.

RESOLUTION – Intermunicipal Street Resurfacing Contract

Superintendent of Public Works Woodcock noted that the Villages of Bronxville and Tuckahoe, and the Town of Eastchester have joined together for the past few years by participating in an intermunicipal agreement for resurfacing streets, and requested that the Board pass a resolution to do the same this year. He said the Village is getting a better price than if we went out to bid on our own.

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

BE IT RESOLVED the Board of Trustees authorizes the Mayor to execute an Intermunicipal Agreement with the Town of Eastchester, the Village of Tuckahoe, the Eastchester Union Free School District and the Tuckahoe Union Free School District for the resurfacing and repairing of various streets located within the Town, the Villages, and the grounds of the Schools (copy of agreement attached).

RESOLUTION - Renewal Contract with Village Assessor

Mayor Hand called for a motion to renew the contract with Village Assessor Robert Balog for the sum of \$25,000. She noted that this is an increase of \$2,500 over last year and that he has not received an increase for the last four years. She said he does an excellent job for the Village in representing our interests.

On motion of Trustee Sica, seconded by Trustee Marvin, the Board unanimously approved 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 \$25,000 as per the attached agreement.

APPOINTMENT

Mayor Hand announced the appointment of Jeffrey J. Faville to the Design Review Committee to fill the vacancy for the three year term expiring in April 2003.

Trustee Marvin 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 remarked that the Village looks beautiful thanks to Maureen Hackett, a Village resident, who donated her time, purchasing the flowers, planning the arrangements and overseeing the planting. The mayor reported that she attended a luncheon last week sponsored by the Senior Citizens Council. She said she is very impressed with all their programs throughout the year and the wonderful things the senior citizens do for our community.

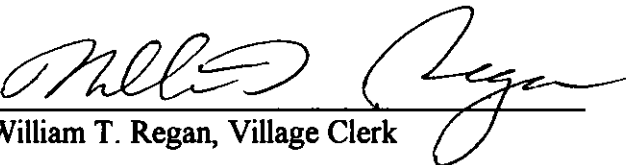
Mayor Hand commented on the teen center that some residents are pursuing as a place for teens to gather in the Village. This subject has long been discussed especially in recent years. The mayor said she has spoken with some of the people who have been involved in the effort. They decided against considering the "On Consignment" property because of opposition from people in the neighborhood. Mayor Hand said she encouraged them to continue their efforts and hopes that something positive for teens will come out of this.

TRUSTEE REPORTS

Trustee Marvin conveyed thanks to everyone from the Chamber of Commerce for supporting the sidewalk sale last Saturday. She said the summer band concerts sponsored by the Chamber of Commerce will be starting in July and noted that the Village of Bronxville also supports these concerts.

The meeting was adjourned at 9:10 p.m.

* * * * *


William T. Regan, Village Clerk