

**MINUTES OF REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE
VILLAGE OF BRONXVILLE HELD MARCH 13, 2017
AT THE VILLAGE HALL, 200 PONDFIELD ROAD, BRONXVILLE, N.Y.**

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PRESENT:	Mary C. Marvin	Mayor
	Robert S. Underhill	Deputy Mayor
	Randolph Mayer	Trustee
ALSO PRESENT:	James Staudt	Village Attorney
	Lori Voss	Village Treasurer
EXCUSED:	Anne Poorman	Trustee
	Guy Longobardo	Trustee
	James Palmer	Village Administrator

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WORK SESSION & EXECUTIVE SESSION

At 7:30pm, on motion by Trustee Mayer, seconded by Deputy Mayor Underhill, the Village Board of Trustees convened a Work Session.

Mayor Marvin stated that Village Administrator James Palmer will not be present this evening due to a death in the family.

Mayor Marvin went through the agenda items with the Village Board of Trustees.

At 8:03pm, on a motion by Deputy Mayor Underhill, seconded by Trustee Mayer, the Village Board of Trustees closed the Work Session.

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At 8:07pm, Mayor Mary Marvin re-opened the regular meeting of the Board of Trustees.

County Legislature Gordon Burrows was a special guest tonight. He briefly discussed the County's adopted budget for 2017, fund appropriations, planned projects and the tax levy. The Board thanked Legislature Burrows for sharing these updates with them.

MAYOR'S REPORT

Mayor Marvin shared some details on what she has been working on. With the impending storm hitting our area tomorrow, the Mayor has declared a State of Emergency for March 14, 2017. There will be no overnight street parking, parking meters will not be enforced, garbage pickup has been canceled for Tuesday and recycling has been canceled for Wednesday. To report any power outages, please call Con Edison. Village Election will be held next Tuesday, March 21, 2017, polls will be open from 6am to 9pm.

Mayor Marvin also discussed the report received from Ecosystems Strategies. Ecosystems was hired by Village of Bronxville to review the report prepared by Omega Environmental Services, Inc. Omega conducted testing on school soil and groundwater. Mayor Marvin was happy to have a report that explains the levels of what was found in the soil. As a result, all samples tested did not warrant special actions and were within normal limits.

APPROVAL OF MINUTES

On motion of Deputy Mayor Underhill, seconded by Trustee Mayer, the Board approved the minutes of the following meetings:

- Executive/Work Session of February 6 , 2017
- Regular Meeting of February 6, 2017

PUBLIC HEARING – LOCAL LAW 1-2017

At 8:35PM, on motion of Trustee Mayer, seconded by Deputy Mayor Underhill, the Village Board of Trustees opened the public hearing for Local Law 1-2017, authorizing a property tax levy in excess of the limit established in general municipal law section 3-C.

Trustee Mayer made a few comments on the importance of overriding the tax cap and adopting this local law.

There was no public comment.

At 8:39PM, on motion of Deputy Mayor Underhill, seconded by Trustee Mayer, the Village Board of Trustees closed the public hearing for Local Law 1-2017.

LOCAL LAW NO. #1-2017

A LOCAL LAW AUTHORIZING A PROPERTY TAX LEVY IN EXCESS OF THE LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW § 3-C

BE IT ENACTED by the Board of Trustees of the Village of Bronxville as follows:

Section One. Legislative Intent. It is the intent of this local law to allow the Village of Bronxville to adopt a budget for the fiscal year commencing June 1, 2017, that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law § 3-c.

Section Two. Authority. This local law is adopted pursuant to subdivision 5 of General Municipal Law § 3-c, which expressly authorizes a local government’s governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

Section Three. Tax Levy Limit Override. The Board of Trustees of the Village of Bronxville, County of Westchester, is hereby authorized to adopt a budget for the fiscal year commencing June 1, 2017, that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law § 3-c.

Section Four. Severability. If any section, subsection, clause, phrase or other portion of this Local Law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, such portion shall be deemed a separate distinct and independent portion. Such declaration shall not affect the validity of the remaining portions hereof, which other portions shall continue in full force and effect.

Section Five. Effective Date. This local law shall take effect immediately upon filing with the Secretary of State.

NEW BUSINESS

A. RESOLUTION – Adopting Local Law 1-2017

On motion of Trustee Mayer, seconded by Trustee Longobardo, the following resolution was unanimously approved:

WHEREAS, the Village is desirous of passing a responsible budget that continues to provide essential municipal services to Village residents; and

WHEREAS, to remain compliant with the allowable levy growth factor of 1.15%, the Village would be required to make significant cuts to public safety; and

WHEREAS, the Village would benefit by adopting a public law authorizing a property tax levy in excess of the limit established in General Municipal Law Section 3-C;

NOW, THEREFORE, BE IT RESOLVED A public hearing on proposed Local Law 1-2017 was held at 8:00pm on Monday, March 13, 2017 at Village Hall located at 200 Pondfield Road, Bronxville, New York

NOW, THEREFORE, BE IT FUTHER RESOLVED:

That the Board of Trustees adopts Local Law # 1-2017, authorizing a property tax levy in excess of the limit established in General Municipal Law Section 3-C.

B. RESOLUTION – Retaining Dolph Rotfeld Engineering for MS4 Compliance

On motion of Deputy Mayor Underhill, seconded by Trustee Mayer, the following resolution was unanimously approved:

WHEREAS, the Village is required to annually report its compliance with the NYS Department of Environmental Conservation’s municipal separate storm sewer system (MS4) requirements; and

WHEREAS, these requirements include a comprehensive reporting of certain minimum measures as identified by the NYSDEC and the filing of an annual stormwater report; and

WHEREAS, Dolph Rotfeld, P.C. has expertise in this area and assists communities throughout Westchester County with this reporting:

NOW THEREFORE, BE IT RESOLVED: that the Village Board of Trustees authorize the Village Administrator to retain Dolph Rotfeld, P.C. for the amount of \$2,500 to complete the Village’s annual reporting requirements to the NYSDEC and to ensure continued compliance with the MS4 rules and regulations.

C. RESOLUTION – Scheduling a Public Hearing for 2017/2018 Village Budget

On motion of Trustee Mayer, seconded by Deputy Mayor Underhill, the following resolution was unanimously approved:

BE IT RESOLVED that the Board of Trustees of the Village of Bronxville will hold a public hearing on the proposed 2017/2018 Budget on April 10, 2017 at 8PM at Village Hall located at 200 Pondfield Road, Bronxville, NY.

The Village Board directs that all requisite notices be published in accordance with applicable laws and regulations.

D. RESOLUTION – 2017 Annual Meeting

On motion of Trustee Mayer, seconded by Deputy Mayor Underhill, the following resolution was unanimously approved:

BE IT RESOLVED that the Board of Trustees will conduct its Annual Meeting and April monthly meeting on Monday, April 10, 2017 with the work session beginning at 6:30PM and the Annual Meeting/April Monthly Meeting beginning at 8PM. Newly elected Trustees and Village Mayor will be installed that evening. The meeting will be located at Village Hall, 200 Pondfield Road, Bronxville, NY. This will be posted in Village Hall and on the Village website

E. RESOLUTION – Retaining Lynstaar Engineering for Phase II of Downtown Street Lighting

On motion of Deputy Mayor Underhill, seconded by Trustee Mayer, the following resolution was unanimously approved:

WHEREAS, the Village has been utilizing the services of Lynstaar Engineering for the purposes of assisting the Village with the replacement of lighting in the downtown; and

WHEREAS, the Village has selected poles and fixtures for replacement for Phase II of its lighting project in the downtown and is now desirous of finalizing a design layout and going out to bid on the project:

NOW THEREFORE, BE IT RESOLVED:

That the Village Board of Trustees authorize the Village Administrator to execute a professional services agreement with Lynstaar Engineering for the purposes of assisting the Village with the development of contract documents, bidding of the project and construction management services for Phase II of its downtown lighting project.

F. RESOLUTION – Tax Certiorari Settlement – Urstadt Biddle Properties

On motion of Deputy Mayor Underhill, seconded by Trustee Mayer, the following resolution was unanimously approved:

WHEREAS, petitions having been filed by the property owner below, challenging real property tax assessments on the Village's Final Assessment Roll with respect to the following parcel:

<u>Property Owner</u>	<u>Address Description</u>	<u>Year(s)</u>
Urstadt Biddle Properties	109 Kraft Ave Section 4 –4 -1	2012 -2015

WHEREAS, petitioner's court challenges are now pending in the Supreme Court, Westchester County; and

WHEREAS, the Village and the property owners have reached a mutually agreeable resolution:

NOW THEREFORE BE IT RESOLVED that the Village Board hereby authorizes the Village Attorney to execute the following settlement on behalf of the Village and School reducing the assessments to no less than the following amounts:

Section 4 Block 4 Lot 1			
<u>Year</u>	<u>Original Assessment</u>	<u>Revised Assessment</u>	<u>Reduction</u>
2012	3,568,000	3,400,000	168,000
2013	3,568,000	3,400,000	168,000
2014	3,491,000	3,491,000	NONE
2015	3,491,000	3,491,000	NONE

TRUSTEE COMMENTS

No Trustee Comments.

PUBLIC COMMENT

Betsy Harding, Bronxville resident, recommended that the Ecosystems letter together with the school report, be posted on the Village website.

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There being no further comments, the Board of Trustees adjourned the Regular Meeting at 8:53pm by motion of Trustee Mayer, seconded by Deputy Mayor Underhill.

Next Village Board of Trustee’s Meeting is scheduled for April 10, 2017 at 8:00pm.



James M. Palmer
Village Administrator/Village Clerk