

**MINUTES OF REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE
OF BRONXVILLE HELD ON JULY 8, 2013 AT THE VILLAGE HALL, 200 PONDFIELD
ROAD, BRONXVILLE, N.Y.**

PRESENT:

Mary C. Marvin
Robert S. Underhill
Anne W. Poorman
Donald M. Gray
Guy Longobardo

Mayor
Deputy Mayor
Trustees

ALSO PRESENT:

Harold Porr III
Vincent Pici
Rocco Circosta
Robert Fels

Village Administrator
Superintendent of Buildings
Superintendent of Public Works
Village Treasurer

WORK SESSION & EXECUTIVE SESSION

The meeting was called to order at 6:30PM on the motion of Trustee Poorman, second by Trustee Longobardo.

Village Administrator, Harold Porr, reviewed the meeting agenda and discussed various projects – paving, flood mitigation and the Garden Avenue lot.

On motion of Trustee Gray, second by Trustee Underhill, the Board entered into Executive Session at 7:55PM to discuss labor negotiations, personnel matters and real estate issues.

At 8:00PM on motion of Trustee Poorman, second by Trustee Underhill, the Trustees entered into the public session.

Mayor Marvin called the meeting to order at 8:05PM.

MAYOR'S REPORT

None.

TRUSTEE REPORTS

None.

Mayor Marvin announced that the New York State Department of Transportation will be closing the Parkway Road bridge immediately due to needed repairs. The Village position is that per State law the

responsible parties (the City of Yonkers and the Town of Eastchester) should take care of the necessary repairs.

Trustee Longobardo stated that vehicles can drive from Midland Avenue to Parkway Road to enter the Sprain Brook Parkway but they cannot go up Parkway Road to Lawrence Hospital.

Mayor Marvin said that the Village will send out an e-alert to residents.

Trustee Underhill commented that the bridge will be open for pedestrian and bicycle traffic only.

APPROVAL OF MINUTES

On motion of Trustee Gray, second by Trustee Poorman, the Board approved the minutes of the Regular Meeting on May 13, 2013.

NEW BUSINESS

RESOLUTION – TO PROMOTE ERIK T. VANDERLEEUEW TO THE POSITION OF SERGEANT IN THE VILLAGE OF BRONXVILLE POLICE DEPARTMENT

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

BE IT RESOLVED that the Board of Trustees does hereby promote Police Officer Erik T. vanderLeeuw to the position of Police Sergeant from Westchester County Civil Service list #71-197 at a salary of \$116,441.00, effective Monday, July 8, 2013.

RESOLUTION – TO PROMOTE NICHOLAS DEYOUNG TO THE POSITION OF SERGEANT IN THE VILLAGE OF BRONXVILLE POLICE DEPARTMENT

On motion of Trustee Underhill, seconded by Trustee Gray, the following resolution was unanimously approved:

BE IT RESOLVED that the Board of Trustees does hereby promote Detective Nicholas DeYoung to the position of Police Sergeant from Westchester County Civil Service list #71-197 at a salary of \$116,441.00, effective Tuesday, July 9, 2013.

Trustee Poorman commented that promotions are infrequent in the police department.

Trustee Underhill said that this was a difficult decision for the Chief to make as the department members are very strong.

Trustee Poorman agreed that this was indeed a tough choice for the Chief and these are quality officers.

Mayor Marvin reported that in September the Police Department staff will be attending the Board meeting so that residents can meet the new officers and congratulate the newly promoted officers.

RESOLUTION – J. ROBERT FOLCHETTI & ASSOCIATES – MIDLAND VALLEY DRAINAGE BASIN FLOOD MITIGATION PROJECT

On motion of Trustee Longobardo, second by Trustee Gray, the following resolution was unanimously approved:

BE IT RESOLVED that the Board of Trustees authorizes the Mayor to enter into an agreement with J. Robert Folchetti & Associates, LLC of Somers, NY for services related to the FEMA Flood Mitigation Grant and Project as per the attached agreement.

RESOLUTION – AUTHORIZATION OF ACCEPTANCE OF DONATIONS TO THE VILLAGE'S GREEN COMMITTEE

On motion of Trustee Underhill, second by Trustee Gray, the following resolution was unanimously approved:

BE IT RESOLVED that the Board of Trustees authorizes the Village Treasurer to establish the account TA 011003 Bronxville Green Committee to account for funds donated to and used by the Committee for related disbursements.

RESOLUTION – CAPITAL PROJECT AUTHORIZATION – JCAP GRANT

On motion of Trustee Longobardo, second by Trustee Poorman, the following resolution was unanimously approved:

BE IT RESOLVED that the Board of Trustees authorizes the Village Treasurer to establish Capital Project #20122013-0075-1110 NYS-JCAP Grant in the amount of \$7,966.98.

RESOLUTION – YEAR END BUDGET TRANSFERS

On motion of Trustee Underhill, second by Trustee Poorman, the following resolution was unanimously approved:

WHEREAS pursuant to the provisions of Village Law (Section 5-520), the Board of Trustees of the Village of Bronxville, by resolution, may increase existing appropriations by transferring funds from the unexpended balance of another appropriation, from the contingent account, from available cash surplus or unanticipated revenues within a fund, or by borrowing, and

WHEREAS, at the end of the fiscal year, it is necessary to make modifications to the areas in the budget that had insufficient appropriations based on actual results of operations, and

WHEREAS, in all cases, there are sufficient unexpended balances in other appropriations accounts, excess revenues, or fund balances available to cover the transfers,

NOW THEREFORE BE IT RESOLVED that pursuant to Village Law (Section 5-520), the Village Board of Trustees hereby authorizes and directs the Village Treasurer to make necessary year end transfers in the 2012/2013 budget.

RESOLUTION – CHIPS STATE AID 2013/2014

On motion of Trustee Longobardo, second by Trustee Gray, the following resolution was unanimously approved:

BE IT RESOLVED that the Board of Trustees authorizes the Village Treasurer to establish a capital project to account for the NY State Department of Transportation CHIPS State Aid in the amount of \$95,116.26 and to establish Capital Project # 20132014-0001-5110.

RESOLUTION – AUDITING SERVICES – O’CONNOR DAVIES, LLP

On motion of Trustee Underhill, second by Trustee Poorman, the following resolution was unanimously approved:

BE IT RESOLVED that the Board of Trustees approve the appointment of O’Connor Davies, LLP as the Village’s external auditors and authorizes the Mayor to sign a five year agreement to provide auditing services (effective June 1, 2013 through May 31, 2018) at an annual fee of \$34,000.00.

Mayor Marvin commented that the Village is constantly looking at its professional services.

Trustee Underhill said that the Village looked at the incumbent in light of the field and were impressed with them. This exercise validated past practice.

Village Administrator Harold Porr reported that there is an intern this summer working at Village Hall on a study to benchmark criteria across the County. The first draft is due this week and will be shared with the Trustees.

RESOLUTION – PROFESSIONAL SERVICES AGREEMENT WITH HENNINGSON, DURHAM & RICHARDSON ARCHITECTURE AND ENGINEERING, P.C. - GARDEN AVE. PARKING LOT - GREEN/GREY INFRASTRUCTURE RETROFIT

On motion of Trustee Gray, second by Trustee Longobardo, the following resolution was unanimously approved:

WHEREAS, the Village of Bronxville has received an Engineering Proposal from Henningson, Durham & Richardson Architecture and Engineering, P.C., 711 Westchester Ave., White Plains, New York 10604 for the purposes of providing design, construction and monitoring services along with a targeted educational/outreach program for the Green/Grey Infrastructure Retrofit of the Garden Ave Municipal Parking Lot for the Village of Bronxville., and

WHEREAS, such proposal includes the project description, the scope of work, the fee schedules and a rate schedule for additional services, and

WHEREAS, such costs will be funded through Capital Project # 5110-2012/2013-0065 entitled "Garden Ave. Parking Lot Improvements";

NOW, THEREFORE BE IT RESOLVED, that the Village of Bronxville Board of Trustees authorizes the Mayor to enter into agreement with Henningson, Durham & Richardson Architecture and Engineering, P.C., 711 Westchester Ave., White Plains, New York 10604 for Professional Services related to this project and in accordance with their proposal dated April 5, 2103

RESOLUTION – PROFESSIONAL SERVICES AGREEMENT WITH HENNINGSON, DURHAM & RICHARDSON ARCHITECTURE AND ENGINEERING, P.C. -GARDEN AVE. PARKING LOT - TRAFFIC CIRCULATION ANALYSIS

On motion of Trustee Poorman, second by Trustee Longobardo, the following resolution was unanimously approved:

WHEREAS, the Village of Bronxville has received an Engineering Proposal from Henningson, Durham & Richardson Architecture and Engineering, P.C., 711 Westchester Ave., White Plains, New York 10604 for the purposes of performing a traffic circulation analysis of the Garden Ave Municipal Parking Lot for the Village of Bronxville., and

WHEREAS, such proposal includes the project description, the scope of work, the fee schedules and a rate schedule for additional services, and

WHEREAS, such costs will be funded through Capital Project # 5110-2012/2013-0065 entitled "Garden Ave. Parking Lot Improvements";

NOW, THEREFORE BE IT RESOLVED, that the Village of Bronxville Board of Trustees authorizes the Mayor to enter into agreement with Henningson, Durham & Richardson Architecture and Engineering, P.C., 711 Westchester Ave., White Plains, New York 10604 for Professional Services related to this project and in accordance with their proposal dated April 3, 2013.

RESOLUTION – PROFESSIONAL SERVICES WITH PHILLIPS PREISS GRYGIEL LLC – BUSINESS DISTRICT

On motion of Trustee Underhill, second by Trustee Longobardo, the following resolution was unanimously approved:

BE IT RESOLVED that the Board of Trustees authorizes the Mayor to enter into an agreement with Phillips Preiss Grygiel LLC of Hoboken, NJ for services related to the Downtown Bronxville Planning Investigation as per the attached agreement.

Mayor Marvin reported that she has been working with residents, the Chamber of Commerce, merchants and landlords about the empty stores. This company will take a fresh look at our Village zoning laws which seem to be stricter than other municipalities.

Trustee Poorman inquired if this was separate and unrelated to the Affordable Housing issue.

Mayor Marvin replied that it is completely separate and that the Village is waiting for a report from Frank Fish on zoning for the Affordable Housing.

RESOLUTION – TAX CERT SETTLEMENT FOR 4 VALLEY ROAD LLC (4 Valley Road, Section 12/Block 3/ Lot 16)

On motion of Trustee Underhill, second by Trustee Poorman, the following resolution was unanimously approved:

WHEREAS petitions have 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>
4 Valley Road LLC	Section 12 /Block 3 /Lot 16	2006 - 2012

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 of Bronxville 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:

<u>Year</u>	<u>Combined Assessment</u>	<u>Revised Assessment</u>	<u>Reduction</u>
2006	89,500	65,170	(24,330)
2007	2,317,200	1,900,000	(417,200)
2008	2,317,200	1,900,000	(417,200)
2009	2,145,555	1,825,000	(320,555)
2010	2,145,555	1,850,000	(295,555)
2011	2,034,000	1,850,000	(184,000)
2012	2,034,000	1,850,000	(184,000)

RESOLUTION – TICKET MANAGEMENT MAINTENANCE AND UPGRADE

On motion of Trustee Poorman, second by Trustee Gray, the following resolution was unanimously approved:

BE IT RESOLVED that the Mayor is hereby authorized by the Village Board of Trustees to enter into a contract with Professional Account Management, LLC of Milwaukee, Wisconsin for the purpose of establishing a ticket management maintenance system as per the attached agreement. This agreement is subject to further review by legal counsel.

RESOLUTION – INTER-MUNICIPAL STREET RESURFACING AGREEMENT

On motion of Trustee Poorman, second by Trustee Longobardo, the following resolution was unanimously approved:

WHEREAS, the Village of Bronxville, Village of Tuckahoe and the Town of Eastchester have jointly released bids for Street Resurfacing, and

WHEREAS, the Town of Eastchester has publicly advertised and received bids for said Contract, and

WHEREAS, P.C.I. Industries Corporation of 550 Franklin Avenue, Mount Vernon, NY 10550 was the low bidder for this Contract at the unit prices described below:

Item # 1	Asphalt Concrete Top	\$82.00 per ton
Item # 2	Key Cut Castings	\$250.00 each
Item # 3	Adjust Manholes	\$400.00 each
Item # 4	Roto Milling	\$2.72 per square yard
Item # 5	Line Striping	\$0.60 per linear foot
Item # 6	Asphalt Surcharge for night resurfacing	\$5.00 per ton
Item # 6A	Roto Milling Surcharge for night work	\$0.60 per square yard
Option:	Warm Mix Asphalt	\$85.00 per ton

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees hereby authorizes the Mayor to execute an Inter-Municipal Agreement with the Town of Eastchester and the Village of Tuckahoe for resurfacing and repairing of various streets located within the Town and Villages in accordance with the attached document.

Village Administrator Harold Porr reported that the goal is to have paving done before Labor Day.

RESOLUTION – NYS SNOW & ICE AGREEMENT AMENDMENT 2012/2013 SNOW SEASON

On motion of Trustee Longobardo, second by Trustee Underhill, the following resolution was unanimously approved:

WHEREAS, the Village of Bronxville has entered into Agreement # D010765 with the New York State Department of Transportation entitled “ Indexed Lump Sum Snow and Ice Agreement “.

WHEREAS, the original agreement allowed for increased funding due to the severity of the winter and fuel costs; and

WHEREAS, the present agreement provides funding in the amount of \$4,370.30;

NOW, THEREFORE BE IT RESOLVED that the Village of Bronxville Board of Trustees authorizes the Mayor to sign the 2012/2013 NYSDOT Snow & Ice Agreement Amendment that allows for the additional funding of \$2,342.48.

RESOLUTION – APPLICATION FOR A STATE GRANT-IN-AID FOR MUNICIPAL WASTE REDUCTION 25 CY HYBRID COLLECTION TRUCK (ORGANICS/RECYCLING) – PROJECT # 3-MSWSS-242

On motion of Trustee Gray, second by Trustee Longobardo, the following resolution was unanimously approved:

WHEREAS the State of New York provides financial aid for municipal waste reduction and municipal recycling projects; and

WHEREAS the Village of Bronxville herein called the MUNICIPALITY has examined and duly considered the applicable laws of the State of New York and the MUNICIPALITY deems it to be in the public interest and benefit to file an application under these laws; and

WHEREAS it is necessary that a Contract by and between THE PEOPLE OF THE STATE OF NEW YORK, herein called the STATE and the MUNICIPALITY be executed for such STATE Aid;

NOW THEREFORE BE IT RESOLVED by the Village of Bronxville Board of Trustees

1. That the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized.
2. That the Mayor is directed and authorized as the official representative of the MUNICIPALITY to act in connection with the application and to provide such additional information as may be required and to sign the resulting contract if said application is approved by the STATE.
3. That the MUNICIPALITY agrees that it will fund its portion of the cost of said Municipal Waste Reduction and/or Recycling Project
4. That the MUNICIPALITY or MUNICIPALITIES set forth their respective responsibilities by attached joint resolution relative to a joint Municipal Waste Reduction and/or Recycling Project
5. That this resolution shall take effect immediately.

RESOLUTION – APPLICATION FOR A STATE GRANT-IN-AID FOR MUNICIPAL WASTE REDUCTION 25 CY MOUNTED LEAF VACUUM VEHICLE – PROJECT # 3-MSWSS-243

On motion of Trustee Poorman, second by Trustee Longobardo, the following resolution was unanimously approved:

WHEREAS the State of New York provides financial aid for municipal waste reduction and municipal recycling projects; and

WHEREAS the Village of Bronxville herein called the MUNICIPALITY has examined and duly considered the applicable laws of the State of New York and the MUNICIPALITY deems it to be in the public interest and benefit to file an application under these laws; and

WHEREAS it is necessary that a Contract by and between THE PEOPLE OF THE STATE OF NEW YORK, herein called the STATE and the MUNICIPALITY be executed for such STATE Aid;

NOW THEREFORE BE IT RESOLVED by the Village of Bronxville Board of Trustees

6. That the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized.
7. That the Mayor is directed and authorized as the official representative of the MUNICIPALITY to act in connection with the application and to provide such additional information as may be required and to sign the resulting contract if said application is approved by the STATE.
8. That the MUNICIPALITY agrees that it will fund its portion of the cost of said Municipal Waste Reduction and/or Recycling Project
9. That the MUNICIPALITY or MUNICIPALITIES set forth their respective responsibilities by attached joint resolution relative to a joint Municipal Waste Reduction and/or Recycling Project
10. That this resolution shall take effect immediately.

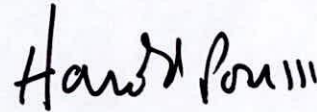
PUBLIC COMMENTS –

None.

Mayor Marvin announced that the next meeting will be on Monday, September 9th.

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There being no further comments, the meeting was adjourned at 8:38PM by motion of Trustee Longobardo, second by Trustee Poorman.



Harold Porr III
Village Administrator/Village Clerk