MINUTES OF REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF BRONXVILLE HELD NOVEMBER 13, 2018 AT THE VILLAGE HALL, 200 PONDFIELD ROAD, BRONXVILLE, N.Y.

PRESENT:	Mary C. Marvin	Mayor
	Randolph Mayer	Trustee
	William H. Barton	Trustee
	Mark Wood	Trustee
ALSO PRESENT:	James Palmer	Village Administrator
	Amanda Brosy	Village Attorney
EXCUSED:	Robert S. Underhill	Deputy Mayor

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WORK SESSION & EXECUTIVE SESSION

At 6:30pm on motion by Trustee Wood, seconded by Trustee Barton, the Village Board convened a Work Session. Frank Fish of BFJ updated the Village Board on the Comprehensive Plan meetings held to date. He took the Village Board through the transportation issues they have been reviewing with staff.

At 7:30pn on motion of Trustee Mayer, seconded by Trustee Barton, the Village Board closed the Work Session and entered into Executive Session.

At 8:05pm, on a motion of Trustee Barton, seconded by Trustee Wood the Executive Session was closed.

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At 8:06pm, Mayor Mary Marvin re-opened the Regular Meeting of the Board of Trustees.

MAYOR'S REPORT

Mayor Marvin gave a brief report on what she has been working on. In honor of Veteran's Day last week, Mayor Marvin thanked everyone who served and is currently serving in the military.

VILLAGE ADMINISTRATOR

James Palmer, Village Administrator, gave a brief report on what he has been working on. He also reminded Village residents to place leaves curbside and not in the street. Mr. Palmer also mentioned that there is an updated link on our website with regard to the Avalon lot closure and reminded parkers to use the Kensington garage.

APPROVAL OF MINUTES

On motion of Trustee Mayer, seconded by Trustee Wood, the Board approved the minutes of the following meetings:

- Work Session and Regular Meeting of October 9, 2018
- Special Meeting of October 30, 2018

NEW BUSINESS

A. RESOLUTION – Authorizing the Issuance of Debt Service to Fund Architectural Services for Library HVAC System

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

WHEREAS on October 9, 2018, the Board of Trustees approved funding up to $70,000 for expenses for an architectural firm to design a new Library HVAC system, and

WHEREAS it is in the Village of Bronxville's best interest to finance this cost with debt service,

THEREFORE, BE IT RESOLVED, that the Board of Trustees authorizes debt service to be issued to fund this expenditure.

B. RESOLUTION – Authorizing Additional Funds to Improve the Avalon Lot

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

WHEREAS, on September 7, 2018, the Board of Trustees approved the acquisition of and funding for the property located at 114-120 Parkway Road, and

WHEREAS, the Village is currently proceeding with the approved capital acquisition totaling $1,600,000, and additional related renovation and upgrades totaling an estimated $400,000, and

WHEREAS, the Board is desirous of better serving Village residents by renovating and upgrading the parking lot to increase parking capacity, and

WHEREAS, the improvements will cost an estimated $425,000,

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees hereby approves the additional parking lot improvements and,

BE IT FURTHER RESOLVED that the Board of Trustees authorizes debt service to pay for the improvements, and

BE IT FURTHER RESOLVED that the Board of Trustees authorizes, in compliance with the requirements of law, the Village Administrator and the Village Treasurer to take all actions necessary to effect and record this issuance.

C. RESOLUTION – Confirming Environmental Findings and Determination Regarding Avalon Lot

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

WHEREAS, various Village of Bronxville (the "Village") department heads and where applicable, competent architectural and engineering firms, duly licensed by the State of New York have, at the instance of the Board of Trustees (the "Board"), prepared plans, estimates, and where applicable, engineering and architectural studies and an estimate of the costs of the acquisition of a parcel of land at 114-120 Parkway Road for use as public automobile parking, authorized by the Board pursuant a resolution adopted on September 10, 2018 and a bond resolution adopted on November 13, 2018, including construction, acquisition, land, rights-in-land, equipment, machinery, apparatus required for such purpose, and preliminary and incidental costs related thereto (collectively the "Project") and said plans, estimates and engineering and architectural studies have been filed in the office of the Village Clerk and are on file for public inspection; and

WHEREAS, the Board of Trustees has determined that upon the examination of an environmental assessment form ("EAF") prepared by the appropriate Village official, the Project is an "unlisted action", as that term is defined in 6 NYCRR §617.2(ak), or a "Type II action", as that term is defined in 6 NYCRR §617.2(aj), and therefore the Village has caused the EAF to be prepared and promptly filed with the Village Clerk; and

WHEREAS, it is proposed that the maximum amount estimated to be expended for the Project is $2,025,000 and that the costs of the Project are to be financed by the issuance of serial bonds of the Village in the aggregate principal amount of not to exceed $2,025,000 pursuant to the Local Finance Law of New York (the "LFL") and if deemed advisable by the issuance of bond anticipation notes in anticipation of the issuance of said bonds; and

WHEREAS, it is proposed that the costs of the Project are to be paid from a tax levied upon all the taxable property in the Village in annual installments determined by the Board of Trustees in amounts sufficient to pay the principal of and interest on said bonds to be authorized in a bond resolution to be adopted by the Board; and

WHEREAS, the evidence contained in such plans, estimates and engineering and architectural studies and in the EAF with respect to the Project permits the Board to make the determinations hereinafter in connection with actions to be made for the purpose of authorizing the financing of the Project;

NOW THEREFORE, pursuant to proceedings prescribed in 6 NYCRR at §617 of the State Environmental Quality Review Act ("SEQRA") regulations, BE IT RESOLVED, BY THE BOARD OF TRUSTEES OF THE VILLAGE OF BRONXVILLE, NEW YORK, as follows:

Section 1. The Village, by and through the Board, hereby declares and designates itself to be the "lead agency" as that term is defined in 6 NYCRR §617.2(u), with respect to the environmental review of the Project.

Section 2. Upon receipt and examination of the EAF it is hereby determined that the Project is an unlisted action or a Type II action, as those terms are defined in 6 NYCRR §617.2(ak) and §617.2(aj), respectively.

Section 3. No other agency other than the Village is involved in said environmental review and no coordinated review, segmentation or scoping of such review is necessary or required with respect to the Project.

Section 4. No hearing as set forth in 6 NYCRR §617.10(e) is required in making the determinations contained herein with respect to the Project.

Section 5. Taking into account the criteria set forth in 6 NYCRR §617.7, upon review of all pertinent information, including taking a hard look at all the facts and circumstances, it will determine that the Projects (i) will not have a significant effect on the climate or climate change, and (ii) will not have a significant effect on the environment, and no unidentified adverse effects are anticipated with respect thereto and are precluded from further review under the Environmental Conservation Law.

Section 6. The Village shall maintain a file, readily accessible to the public, in the office of the Village Clerk, containing this resolution, and the EAF.

Section 7. This resolution shall take effect immediately upon its adoption.

D. **RESOLUTION –** Authorizing the Issuance of Debt Service to Fund Avalon Lot Acquisition and Related Improvements

On motion of Trustee Barton, seconded by Trustee Wood, the following resolution was unanimously approved:

WHEREAS, on September 7, the Board of Trustees approved the purchase of the Avalon Lot for $1,600,000, and

WHEREAS, on November 13, the Board of Trustees approved an additional $425,000 in parking lot improvements,

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees hereby approves the attached bond resolutions funding $2,025,000.

BE IT FURTHER RESOLVED that the Board of Trustees authorizes, in compliance with the requirements of law, the Village Administrator and the Village Treasurer to take all actions necessary to effect and record this issuance.

E. **RESOLUTION –** Retaining Capital Market Advisors, LLC (CMA) as Municipal Advisor

On motion of Trustee Wood, seconded by Trustee Barton, the following resolution was approved, Trustee Mayer recused himself:

WHEREAS, the Village has worked with Capital Markets Advisors since 2007, and

WHEREAS, the Village is satisfied with the high quality of their services at a competitive price, and

WHEREAS, the Village would like to retain the services of Capital Markets Advisors for another year,

THEREFORE BE IT RESOLVED that the Board of Trustees authorizes the Village Administrator to take administrative actions necessary to execute a one year contract with Capital Markets Advisors.

F. **RESOLUTION –** Authorizing Westchester County Board of Elections to Conduct Village Elections

On motion of Trustee Barton, seconded by Trustee Wood, the following resolution was unanimously approved:

WHEREAS, pursuant to New York State Election Law §15-104(c), the Board of Trustees may adopt a resolution, subject to permissive referendum, providing that Village of Bronxville ("Village") elections shall be conducted by the County of Westchester Board of Elections; and

WHEREAS, the 2020 Village elections are scheduled to be held on March 17, 2020; and

WHEREAS, the Board of Trustees believes it is in the best interest of the Village for the County of Westchester Board of Elections to conduct all Village elections for reasons of efficiency, cost-savings to the Village and its taxpayers, and greater opportunity for consistency with the intent of the Help America Vote Act ("HAVA").

NOW, THEREFORE, BE IT RESOLVED that the Village elections shall be conducted by the Westchester County Board of Elections; and

BE IT FURTHER RESOLVED that Village elections will continue to be conducted in March; and

BE IT FURTHER RESOLVED that the transfer of the conduct of Village elections to the County of Westchester Board of Elections is hereby subject to a permissive referendum pursuant to the provisions of Article 9 of the Village Law of the State of New York.

G. **RESOLUTION –** Retaining J. Robert Folchetti and Assoc. LLC to Design and Bid Improvements for the Avalon Lot

This resolution was put on hold.

H. **RESOLUTION –** Retaining Gerald L. Lynn for Village Survey Work

On motion of Trustee Wood, seconded by Trustee Barton, the following resolution was unanimously approved:

WHEREAS, Village capital projects require various land survey services from time to time, and

WHEREAS, Gerald L Lynn has been highly recommended by the Village's engineering contractor, J Robert Folchetti, and

WHEREAS, his rates are comparable to other land surveyors in Westchester County,

THEREFORE BE IT RESOLVED that the Board of Trustees authorizes the Village Administrator to take administrative actions necessary to approve Gerald L Lynn as a land surveyor vendor for the Village of Bronxville, and

FURTHER BE IT RESOLVED that the Board of Trustees authorize Gerald Lynn to perform survey work at the Maltby parking lot.

I. **RESOLUTION -** Establishing a Capital Project and Funding for Parking Structure Feasibility Study

On motion of Trustee Barton, seconded by Trustee Wood, the following resolution was unanimously approved:

WHEREAS, the Board of Trustees had approved preliminary parking studies, and

WHEREAS, it benefits the Village to conduct additional feasibility studies for a parking structure at the Maltby parking lot, and

WHEREAS, the estimated cost of these studies is less than $50,000, and

WHEREAS, the estimated cost will be shared with New York Presbyterian Lawrence Hospital,

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees hereby approves the additional feasibility studies and related costs, and

BE IT FURTHER RESOLVED that the Board of Trustees authorizes debt service to pay for the improvements, and

BE IT FURTHER RESOLVED that the Board of Trustees authorizes, in compliance with the requirements of law, the Village Administrator and the Village Treasurer to take all actions necessary to effect and record this issuance

TRUSTEE COMMENTS

No Trustee Comments

PUBLIC COMMENTS

Sharon Herst, a Village resident who resides at 15 Kensington Rd, shared some of her concerns regarding the drainage issue on the Kensington garage roof top. Mayor Marvin informed her that she will look into the matter and seek a resolution.

Sean Abbott, of the Bronxville Surrealist, made a few comments. The meeting was abruptly adjourned at 8:43pm on motion by Trustee Wood, seconded by Trustee Mayer due to the disruptive behavior of Mr. Abbott and the Village Board's inability to conduct their meeting as a lawful legislative body.

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The next Village Board of Trustees Regular Meeting is scheduled for December 10, 2018.

James M. Palmer, Village Administrator