

**MINUTES OF REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE
OF BRONXVILLE HELD ON SEPTEMBER 9, 2013 AT THE VILLAGE HALL, 200
PONDFIELD ROAD, BRONXVILLE, N.Y.**

PRESENT:	Mary C. Marvin Robert S. Underhill Anne W. Poorman Guy Longobardo	Mayor Deputy Mayor Trustees
EXCUSED:	Donald M. Gray	Trustee
ALSO PRESENT:	Harold Porr III James Staudt Robert Fels	Village Administrator Village Attorney Village Treasurer

WORK SESSION & EXECUTIVE SESSION (*Trustee Gray was in attendance for the Work Session/Executive Session)

The meeting was called to order at 6:01PM on the motion of Trustee Gray, second by Trustee Poorman.

Village Administrator, Harold Porr, reviewed the meeting agenda and discussed the October and November meeting date changes to accommodate national holidays.

On motion of Trustee Underhill, second by Trustee Longobardo, the Board entered into Executive Session at 6:12PM to discuss labor relations, personnel issues, real estate issues and legal matters.

On motion of Trustee Poorman, second by Trustee Underhill, the Board adopted the following resolution unanimously:

BE IT RESOLVED that McCullough, Goldberger and Staudt is directed to take all appropriate legal action to cause the Town of Eastchester and the City of Yonkers to perform such repairs to the Parkway Road Bridge as will enable it to be reopened by the New York State DOT.

On motion of Trustee Gray, second by Trustee Longobardo, the Board closed Executive Session at 8:08PM and re-entered the public session.

Mayor Marvin called the meeting to order at 8:11PM.

MAYOR'S REPORT

The Police Department has undertaken a "Back to School" enforcement initiative concentrating on monitoring speeding especially in the 20 mph school zones, cell phone usage and texting while driving as well as the persistent problem of u-turning in the business district.

Over the summer, the Village Trustees engaged a consultant specializing in small business district revitalization with experience in communities similar to Bronxville. In conjunction, we also formed a focus group of resident of all ages, landlords and shopkeepers. The experts are focusing on our parking and its distribution, zoning and changes of use procedures and approval timetables, rental costs, lease requirements, landlord behaviors, marketing and regional competitiveness. Their work will continue into the fall.

The FEMA flood mitigation grant/project has finally been approved and is now in the Facility Planning Phase with the architectural firm. As a refresher, the Village was awarded \$5.16 million in grant monies which represents 75% of the cost of the project.

As a result of another grant the Village was able to procure from New York State, the Garden Avenue parking lot will be reconfigured to add permeable surfaces and drains to further mitigate flooding in the school environs.

New York State has revamped the procedure for receiving the Star tax exemption. As the date for filing draws nearer, I will elaborate and share more specific details. In essence, the onus is now on the taxpayer, not the taxing entity. Our assessment department will have applications and information during October.

Due to renewed requests from residents, the no parking zone on Midland Avenue adjacent to the school track is in full force. Quite honestly, perhaps to our detriment in terms of liability, we have often turned a blind eye to vigorous enforcement here due to the needs of the school for athletes and visiting fan parking. However, parking vehicles curbside along this stretch does not leave the required road width for safe passage of vehicles traveling southbound. Also drivers exit vehicles directly into a lane of traffic creating an extremely dangerous situation. Emergency vehicles have also been detoured when vehicles are parked curbside on Midland Avenue.

The Bronxville Chamber of Commerce is partnering with the OSilas Gallery of Concordia College on a "Rodin in Bronxville" community-wide celebration in honor of the special exhibition of Rodin sculptures on loan from the Gerald Cantor Foundation and the Metropolitan Museum. Running from September 12th through November 27th, more than 40 businesses and organizations will partake in the celebration by offering performances, classes and discounted French themed meals, merchandise and promotions.

The Village has hired a traffic engineer to evaluate the intersection of Pondfield Road and Midland Avenue with an eye towards improved walkability.

The Federal Monitor appointed by HUD to oversee the Affordable Housing Settlement reviewed the Village's land use laws and deemed them non-discriminatory. We continue to work with all parties on both the Federal and County level to understand our role and obligations in the Settlement Agreement.

Finally, the entire staff at Village Hall and all our elected officials past and present mourned the loss of former Mayor Sheila Stein this August. She was a lady of great warmth, intellect, grace and courage and the finest example of a public servant this Village could ever have.

TRUSTEE REPORTS

Trustee Poorman – reported on the Department of Public Works. Most of the summer paving project is completed. Pondfield Road will be done soon and will be done at night. Kensington Road, Leonard Morange Square and Studio Lane will be done together. Leaf season will be upon us soon. They will begin collecting the leaves around October 21st.

Trustee Underhill – no report.

Trustee Longobardo – reported that paddle tennis season is coming up. The Trustees are reviewing the fees and are looking at possibly having the courts used only for residents. He asked that anyone interested in joining the Paddle Tennis Committee to contact Village Hall.

APPROVAL OF MINUTES

On motion of Trustee Underhill, second by Trustee Poorman, the Board approved the minutes of the Regular Meeting on July 8, 2013.

NEW BUSINESS

RESOLUTION – TAX CERT SETTLEMENT – 2 FORDAL ROAD

On motion of Trustee Longobardo, seconded by Trustee Poorman, 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>
Louise Pepe	Section 7.C Block 2 Lot 3 2 Fordal Road	2013

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:

<u>Year</u>	<u>Assessment</u>	<u>Revised Assessment</u>	<u>Reduction</u>
2013	1,591,389	476,700	(1,114,689)

RESOLUTION – BOARD OF TRUSTEES OCTOBER AND NOVEMBER MEETING DATE CHANGE

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

WHEREAS the regularly scheduled meetings of the Board of Trustees for the Village of Bronxville for October 2013 and November 2013 occur on national holidays, Columbus Day and Veterans Day.

NOW THEREFORE BE IT RESOLVED that the Board of Trustees is officially now moving the date of the meetings from Monday, October 14, 2013 to Monday, October 7, 2013 and from Monday, November 11, 2013 to Monday, November 4, 2013 with the work sessions beginning at 6:30PM and the regular meetings beginning at 8PM. They will be located at Village Hall, 200 Pondfield Road, Bronxville, NY. This change will be posted in Village Hall and on the Village website.

RESOLUTION – DESIGNATING NEW YORK SECRETARY OF STATE AS AGENT FOR SERVICE OF NOTICES OF CLAIM

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

WHEREAS pursuant to Section 53 of the New York General Municipal Law which became effective on June 15, 2013, New York Municipalities, including the Village of Bronxville, are required to file with the New York Secretary of State a Certificate designating the Secretary of State as Agent for the Service of Notices of Claim; and

WHEREAS the New York Secretary of State has promulgated an on-line form to be electronically filed in connection with its designation as Agent of New York Municipalities for Service of Notices of Claim.

NOW, THEREFORE BE IT RESOLVED that the Village of Bronxville Board of Trustees hereby directs the Bronxville Village Clerk to file with the New York Secretary of State a “Certificate of Designation of Service of Notice of Claim” in the form attached hereto.

Village Attorney, James Staudt, gave some background on this resolution. He explained that if someone was to sue the Village for negligence they would serve a Notice of Claim with the Village Clerk. New York State Legislature has passed this law so that now Notice of Claims can be filed with New York State instead of with the individual municipality. They will then in turn notify the municipality. If they file the Notice of Claim originally with the State, there is a fee involved. But if they file the claim directly with the municipality, there is no fee involved.

RESOLUTION – DISPOSITION OF OLD EQUIPMENT POLICY

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

WHEREAS from time to time the Village needs to dispose of property which is surplus and/or beyond its useful life (Surplus Property). Examples of such property are scrap metal, computers, other old office equipment, old motor vehicles, etc.; and

WHEREAS such Surplus Property is often of minimal or no value; and

WHEREAS the Board of Trustees of the Village of Bronxville desires to establish a procedure for proper disposal of such property.

NOW THEREFORE BE IT RESOLVED that with respect to Surplus Property having an estimated value of not more than \$5,000.00:

1. The Village Administrator is hereby granted the authority to declare such property to be surplus and/or beyond its useful life, and to dispose of such property.
2. Prior to the Village Administrator making the declaration that the property is surplus and/or beyond its useful life, and prior to disposal of such property, the appropriate Department Head shall have certified in writing that the property is of no further use or need to the Village, and shall have provided an estimate of the value of the property which is not more than \$5,000.00.
3. The Village Administrator is hereby granted the authority to utilize a method of disposal of such property that he deems to be in the Village's best financial interests, including, but not limited to, outright sale, public bid, auction or discard.

AND BE IT FURTHER RESOLVED that any Surplus Property having an estimated value of more than \$5,000.00 shall only be disposed after sealed bids or a public auction have occurred and the Board of Trustees has approved the sale by resolution.

RESOLUTION – CAPITAL PROJECT AUTHORIZATION – ISSUANCE COST

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 Village Treasurer to establish capital project #20122013-0076-1325 Cost of BAN Issuance in the amount of \$41,714.

RESOLUTION – SERIAL BONDS

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 issuance of up to \$701,964 aggregate principal amount serial bonds of the Village of Bronxville, County of Westchester, State of New York,

pursuant to the local Finance Law, to finance the costs of (I) the acquisition of various equipment and furnishings, (II) the acquisition of vehicles and (III) the acquisition of parking meters all in and for the Village having periods of probable usefulness (PPU's) of 5 years.

BE IT RESOLVED that the Board of Trustees authorizes the issuance of up to \$986,850 aggregate principal amount serial bonds of the Village of Bronxville, County of Westchester, State of New York, pursuant to the local Finance Law, to finance the costs of (I) the original improvement or embellishment of a recreational area (II) the acquisition, construction and reconstruction of Village streets or improvements in connection therewith and (III) the acquisition of machinery and apparatus for construction and maintenance in and for the Village having periods of probable usefulness of 15 years.

BE IT RESOLVED that the Board of Trustees authorizes the issuance of up to \$183,600 aggregate principal amount serial bonds of the Village of Bronxville, County of Westchester, State of New York, pursuant to the local Finance Law, to finance the costs of the acquisition, construction and reconstruction of improvements to public buildings in and for the Village having periods of probable usefulness of 25 years.

BE IT RESOLVED that the Board of Trustees authorizes the issuance of up to \$76,500 aggregate principal amount serial bonds of the Village of Bronxville, County of Westchester, State of New York, pursuant to the local Finance Law, to finance the costs of reconstruction of sanitary and storm sewer improvements in and for the Village having periods of probable usefulness of 30 years.

BE IT RESOLVED that the Board of Trustees authorizes the issuance of up to \$178,500 aggregate principal amount serial bonds of the Village of Bronxville, County of Westchester, State of New York, pursuant to the local Finance Law, to finance the costs of reconstruction of water system improvements in and for the Village having periods of probable usefulness of 40 years.

Roll call taken: Mayor Marvin – “aye”; Trustee Underhill – “aye”; Trustee Poorman – “aye”; Trustee Longobardo – “aye”

RESOLUTION – COURT AUDIT FOR JUNE 1, 2011 THROUGH MAY 31, 2012 and COURT AUDIT FOR JUNE 1, 2012 THROUGH MAY 31, 2013

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

WHEREAS the Uniform Justice Court Act requires that the Village Board of Trustees, as the Auditing Board of the Village, examine the records of the Justice Court, at least once per year, and

WHEREAS the Board has delegated that responsibility to the Village Treasurer, as Accountant for the Justice Court, and

WHEREAS the Treasurer has completed such examinations for the fiscal year ended May 31, 2012 and provided a copy of the report to the Trustees (attached), and

WHEREAS the Board has examined this report and has determined that the fines therein collected have been turned over to the proper Village officials,

NOW THEREFORE BE IT RESOLVED that the Village of Bronxville Board of Trustees acknowledges that the required examination was conducted, and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded along with a copy of the report to the NYS Office of Court Administration.

And,

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RESOLUTION – LIBRARY BUDGET

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

BE IT RESOLVED that the Board of Trustees authorizes the Village Treasurer to amend the Library's 2012/2013 operating budget to utilize \$1,283.72 in surplus operating revenues and to increase the Village's subsidy by \$19,687.46 as follows:

Increase	L.2082000	Library Charges	\$1,283.72
Increase	L.5031000	Operating Transfers – General Fund	<u>19,687.46</u>
Total Estimated Revenue Increase			<u>\$20,971.18</u>
Increase	L.7410110	Library Personal Services Clerical – Part time	<u>\$20,971.18</u>

RESOLUTION – CHIEF OF POLICE DENTAL BENEFITS

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

WHEREAS, Christopher Satriale is the Chief of Police for the Village of Bronxville ("Village"); and

WHEREAS, Chief Satriale has asserted that he is eligible for dental and optical insurance coverage through benefits plans independently obtained by the Bronxville Police Taylor Act Committee ("the PBA") for its bargaining unit members; and

WHEREAS, Chief Satriale has requested that he be removed from the Village's dental and optical insurance plans (as administered by POMCO) and, instead, be permitted to join the dental and optical insurance plans obtained by the PBA; and

WHEREAS, the Village is satisfied that Chief Satriale's removal from the POMCO dental and optical insurance plans and inclusion in the PBA's plan will result in an annual savings to the Village as compared to its current obligation; and

WHEREAS, Chief Satriale has agreed in writing to the terms of his withdrawal from the Village's dental and optical insurance plans and the Village's applicable prospective financial obligation regarding his inclusion in the PBA's dental and optical insurance plans,

NOW THEREFORE BE IT RESOLVED that the Village Board of Trustees ("Board") hereby authorizes Chief Satriale's removal from the Village's dental and optical insurance plans (as administered by POMCO), effective September 1, 2013.

BE IT FURTHER RESOLVED that the Board authorizes the Village Treasurer to make quarterly \$325 payments to the PBA (or its designated dental and optical insurance provider), on behalf of Chief Satriale for the purpose of providing Chief Satriale and any eligible dependents with dental and optical insurance coverage, effective September 1, 2013.

BE IT FURTHER RESOLVED that the Board ratifies the terms of the August 28, 2013 letter from Village labor counsel Christopher T. Kurtz, Esq. to Chief Satriale, as agreed to by Chief Satriale on that same date.

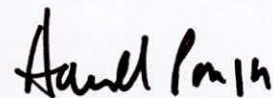
Village Administrator, Harold Porr, commented on the new audio/video system and asked residents watching the broadcast on television if they had any comments on program audio/video quality to contact Village Hall. This upgraded system was paid for through a Cable TV franchise grant program. He thanked Peter North and Tom Kennedy for their work on this project.

PUBLIC COMMENTS –

None.

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



Harold Porr III
Village Administrator/Village Clerk