

**MINUTES OF REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE  
VILLAGE OF BRONXVILLE HELD SEPTEMBER 9, 2019  
AT THE VILLAGE HALL, 200 PONDFIELD ROAD, BRONXVILLE, N.Y.**

|                          |                     |                           |
|--------------------------|---------------------|---------------------------|
| <b>PRESENT:</b>          | Mary C. Marvin      | Mayor                     |
|                          | Robert S. Underhill | Deputy Mayor              |
|                          | Randolph Mayer      | Trustee                   |
|                          | William H. Barton   | Trustee                   |
|                          | Mark Wood           | Trustee                   |
| <br><b>ALSO PRESENT:</b> | <br>James Palmer    | <br>Village Administrator |
|                          | Amanda Brosy        | Village Attorney          |
|                          | Lori Voss           | Village Treasurer         |

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**WORK SESSION & EXECUTIVE SESSION**

At 6:40pm on motion by Trustee Mayer, seconded by Trustee Wood, the Village Board convened the Work Session. Frank Fish and Ariana Branchini of BFJ, took the Village Board through an updated timeline for the Comprehensive Plan and circulated Part 3 of the EAF.

The Village Board met with members of the Library Board and their consulting engineer to discuss the status of the HVAC Bid. The Library Board further agreed to review use of trust monies and report back to the Village Board.

At 7:45pm, on a motion by Trustee Wood, seconded by Trustee Barton, the Village Board closed the Work Session and entered into an Executive session to discuss a personnel matter.

At 7:55pm on a motion by Deputy Mayor Underhill, seconded by Trustee Barton, the Village Board closed the Executive Session

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At 8:03pm, 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. Her most recent column highlights all the projects that were completed this past summer in the Village. Mayor Marvin also announced that the 2<sup>nd</sup> annual NYP-Lawrence Hospital Be Well Bash will be held this Sunday, September 15 from 12pm to 3pm on the school lawn. Sadly, this past weekend, graffiti was found on Metro North property on the stairway leading from the underpass to the tracks. There are no cameras on the MTA property so the likelihood of the vandals being caught are slim. The Bronxville Police are working to find those responsible.

**VILLAGE ADMINISTRATOR**

James Palmer, Village Administrator, gave a brief report on what he has been working on. Mr. Palmer also reminded residents that the resident/commuter permit renewals will be mailed out this week. The Parkway Road Lot is officially open and Phase I - Demolition of the DPW building, is out to bid.

**APPROVAL OF MINUTES**

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

- Work Session and Executive Session of July 8, 2019
- Regular Meeting of July 8, 2019

**NEW BUSINESS**

**A. RESOLUTION – Awarding Contract VA-1903, Purchase and Installation of Downtown Street Lighting**

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

**WHEREAS**, the Village issued a bid for the purchase and installation of additional tear drop lighting fixtures for various locations in the Village including around the west side circle; and

**WHEREAS**, two electrical contractors submitted proposals for the work and both proposals were carefully reviewed;

**NOW THEREFORE, BE IT RESOLVED:**

That the Village Board of Trustees awards the bid to the low bidder, D&M Electrical Contractors of Elmsford NY in the amount of \$96,112.20 and authorize the Administrator to execute a contract for same.

**B. RESOLUTION – Rejecting Bids for the Refurbishment of Garden Avenue Tennis Courts**

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

**WHEREAS**, bid documents for the refurbishment of tennis courts 4 and 5 along Garden Avenue were prepared and issued; and

**WHEREAS**, only one bid with a base bid of \$130,530 was received;

**NOW THEREFORE, BE IT RESOLVED:**

That the Village Board of Trustees hereby reject the one bid and authorize the Village Administrator to review the scope of work and rebid the project.

**C. RESOLUTION – To Schedule a Public Hearing for Proposed Local Law No. 3-2019, A Local Law to Amend the Vehicles and Traffic Law of the Village of Bronxville, Chapter 290, by Amending Off Street Parking Areas & Parking Permits Areas**

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

**WHEREAS**, the Board of Trustees (the “Board”) of the Village of Bronxville (the “Village”) requested Village Counsel to draft a local law revising the Section 290-38.B of the Village Code.

**WHEREAS**, having received proposed Local Law, the Board is prepared to hold a public hearing on such proposed law,

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. A public hearing on proposed Local Law 3-2019 will be held on the 15<sup>th</sup> of October, 2019 at 8:00pm at Village Hall located at 200 Pondfield Road, Bronxville, N.Y.
2. The Village Board directs that all requisite notices be published in accordance with applicable laws and regulations.

**PROPOSED LOCAL LAW NO. 3 - 2019**

**A LOCAL LAW TO AMEND THE VEHICLES AND TRAFFIC LAW  
OF THE VILLAGE OF BRONXVILLE, CHAPTER 290,  
BY AMENDING OFF STREET PARKING AREAS & PARKING PERMIT AREAS**

Be it enacted by the Board of Trustees of the Village of Bronxville as follows:

**Section 290-38.B** of Chapter 290 of the Code of the Village of Bronxville is hereby revised by adding the following:

§ 290-38.B Off-street parking areas.

Parkway Road Lot, except where designated reserved resident permit parking

**Section 290-47.E(1)** of Chapter 290 of the Code of the Village of Bronxville is hereby revised by removing/adding the following:

§ 290-47.E(1) Avalon Lot.

- (1) ~~Avalon Lot~~ Parkway Road Lot
- (2)

**D. RESOLUTION – To Schedule a Public Hearing for the Adoption of the Comprehensive Plan**

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

**WHEREAS**, the Board of Trustees has undertaken an update to its existing Comprehensive Plan; and

**WHEREAS**, copies of the draft Comprehensive Plan are available for review on the Village’s website; and

**WHEREAS**, on June 4, 2019, the Board of Trustees held its first public hearing on the Comprehensive Plan and now wishes to hold an additional public hearing thereon.

**NOW THEREFORE BE IT RESOLVED** that the Board of Trustees will hold a public hearing on the Comprehensive Plan update on October 15, 2019 at 8:00PM in the Trustees Room of Village Hall, located at 200 Pondfield Road, Bronxville NY 10708.

**E. RESOLUTION – Authorizing Submission of NYSDEF Grant Application for Phase III Sanitary Sewer Improvements**

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

**WHEREAS**, The Village has determined that certain sanitary sewer lines are in need of cleaning and lining; and

**WHEREAS**, the Village is desirous of making repairs through lining to the sanitary sewer and is in need of other funding sources to help offset the significant expenses associated with such repairs; and

**WHEREAS**, the cost of the project is anticipated to be \$1,134,500; and

**WHEREAS**, the Village’s sanitary sewer lining project(s) is eligible for funding through the New York Water Infrastructure Improvement Act (WIIA) grant and the Intermunicipal Water Infrastructure Grants Program (IMG) administered by the State Environmental Facilities Corporation;

**NOW THEREFORE, BE IT RESOLVED:**

That the Village Board of Trustees authorize the Village Administrator to submit an application for funding through these programs and any other State programs that the Village may be eligible to receive funding to repair our sewers and further authorizes the establishment of a capital project for these sanitary sewer improvements.

**F. RESOLUTION – Authorizing Submission of NYSDEF Grant Application of Phase IV Sanitary Sewer Improvements**

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

**WHEREAS**, The Village has determined that certain sanitary sewer lines are in need of replacement; and

**WHEREAS**, the Village is desirous of relocating sewers from private property and extending new sanitary sewers down certain streets and is in need of other funding sources to help offset the significant expenses associated with such replacement; and

**WHEREAS**, the cost of the project is anticipated to be \$894,000; and

**WHEREAS**, the Village's sanitary sewer extension project is eligible for funding through the New York Water Infrastructure Improvement Act (WIIA) grant and the Intermunicipal Water Infrastructure Grants Program (IMG) administered by the State Environmental Facilities Corporation;

**NOW THEREFORE, BE IT RESOLVED:**

That the Village Board of Trustees authorize the Village Administrator to submit an application for funding through these programs and any other State programs that the Village may be eligible to receive funding to extend our sewers and further authorizes the establishment of a capital project for these sanitary sewer improvements.

**G. RESOLUTION – Declaration of SEQRA Determination Regarding Sanitary Sewer Improvements – Phase III**

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

1. The State Environmental Quality Review Act (SEQRA) regulations, found at 6NYCRR Part 617, require that no agency may undertake, fund or approve an action until it has complied with the requirements of State Environmental Quality Review (SEQR); and,
2. The SEQRA regulations, found at 6NYCRR Part 617, require that as soon as possible in an agency's formulation of an action it proposes to undertake, it shall: (a) determine whether the action is subject to SEQR; and,
3. SEQRA requirement 6NYCRR Part 617 indicates that when a single agency is involved with respect to an action, that agency shall be the lead agency and determine the significance of the action; and,
4. The proposed sanitary sewer rehabilitation project qualifies as a replacement, rehabilitation, or reconstruction of the facility, in kind, on the same site (NYCRR Part 617.5 C-2). Project description, location map, Environmental Resource Mapper, and the list of SEQR qualified Type II actions as per NYCRR Part 617-5 are attached; and,
5. The Village of Bronxville, NY (Village) as the lead agency has determined that the Village sanitary sewer rehabilitation project, "Phase 3 - Sanitary Sewer Cleaning, Lining, and Manhole Rehabilitation", does not have any significant impact on the environment and the project constitutes as a Type II action, as defined in SEQRA and the regulations of the Department of Environmental Conservation of the State of New York (6 NYCRR Part 617, as amended, promulgated thereunder SEQR) and therefore, is not subject to any further review by the Village under SEQR; and,
6. A copy of this resolution shall be recorded on file and be available for public review during business hours.
7. This resolution takes effect immediately.
8. This motion was adopted in the Village Board meeting dated September 9, 2019.

**H. RESOLUTION – Declaration of SEQRA Determination Regarding Sanitary Sewer Improvements – Phase IV**

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

1. The State Environmental Quality Review Act (SEQRA) regulations, found at 6NYCRR Part 617, require that no agency may undertake, fund or approve an action until it has complied with the requirements of State Environmental Quality Review (SEQR); and,
2. The SEQRA regulations, found at 6NYCRR Part 617, require that as soon as possible in an agency's formulation of an action it proposes to undertake, it shall: (a) determine whether the action is subject to SEQR; and,
3. SEQRA requirement 6NYCRR Part 617 indicates that when a single agency is involved with respect to an action, that agency shall be the lead agency and determine the significance of the action; and,
4. The proposed sanitary sewer rehabilitation project qualifies as extension of sewer utility in approved subdivisions (right-of-ways) (NYCRR Part 617.5 C-13). Project description, location map, Environmental Resource Mapper, and the list of SEQR qualified Type II actions as per NYCRR Part 617-5 are attached; and,

5. The Village of Bronxville, NY (Village) as the lead agency has determined that the Village sanitary sewer rehabilitation project, “Phase 4 - Sanitary Sewer Main Extension”, does not have any significant impact on the environment and the project constitutes as a Type II action, as defined in SEQRA and the regulations of the Department of Environmental Conservation of the State of New York (6 NYCRR Part 617, as amended, promulgated thereunder SEQR) and therefore, is not subject to any further review by the Village under SEQR; and,
6. A copy of this resolution shall be recorded on file and be available for public review during business hours.
7. This resolution takes effect immediately.
8. This motion was adopted in the Village Board meeting dated September 9, 2019.

**I. RESOLUTION – Confirming Environmental Findings and Determination Regarding Sanitary Sewer Improvements**

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

**WHEREAS**, on September 9, 2019, the Board of Trustees approved a sewer repair and relining project for the 2019-2020 fiscal year, and

**WHEREAS**, the Board of Trustees authorized funding through debt service, and

**WHEREAS**, in order to consider financing the variance through debt issuance, the Village is first required by law to adopt an environmental compliance resolution,

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees hereby approves the following environmental compliance resolution.

**J. RESOLUTION – Authorizing the Issuance of Debt Service for Sanitary Sewer Improvements**

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

**WHEREAS**, on September 9, 2019, the Board of Trustees adopted a board resolution authorizing a sewer rehabilitation and relining project to be done in two phases, and

**WHEREAS**, the total project is expected to cost \$2,050,000 to be funded through debt service,

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Board of Trustees hereby approves the following bond resolutions funding \$2,050,000:

| Period of Probable Usefulness (PPU) | Resolution | Amount             |
|-------------------------------------|------------|--------------------|
| Thirty (30) Years                   | A          | \$2,050,000        |
| <b>Total</b>                        |            | <b>\$2,050,000</b> |

**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.

On roll call, voting was as follows:

Ayes: Deputy Mayor Underhill, Trustee Wood, Trustee Barton, Mayor Marvin, Trustee Mayer

Nayes: None

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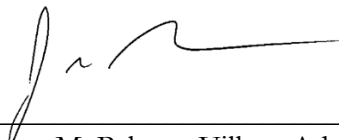
**PUBLIC COMMENT**

Mary ----- Bronxville resident, thanked the Board for the completion of the former Avalon Lot now Parkway Road Lot.

Sean Abbott, of the Bronxville Surrealist, made a few comments. The meeting was abruptly adjourned at 8:35PM on motion by Trustee Wood, seconded by Trustee Barton 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 Meeting is scheduled for October 15, 2019.



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James M. Palmer, Village Administrator