

**MINUTES OF REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE
VILLAGE OF BRONXVILLE HELD JANUARY 13, 2020
AT THE VILLAGE HALL, 200 PONDFIELD ROAD, BRONXVILLE, N.Y.**

PRESENT:	Mary C. Marvin	Mayor
	Robert S. Underhill	Deputy Mayor
	William H. Barton	Trustee
	Mark Wood	Trustee
	Helen Knapp	Trustee
 ALSO PRESENT:	 James Palmer	 Village Administrator
	James Staudt	Village Attorney

WORK SESSION & EXECUTIVE SESSION

At 6:30pm on motion by Trustee Wood, seconded by Deputy Mayor Underhill, the Village Board convened the Work Session. The Mayor announced the appointment of Helen Knapp as Trustee to fill the seat vacated by Randolph Mayer. Alan Kassay, Partner of O'Connor Davies took the Village Board through the 2018-2019 Audited Financial Statements. The Village Administrator went through the agenda.

At 7:30pm on a motion by Deputy Mayor Underhill, seconded by Trustee Wood, the Village Board convened an Executive Session for the purposes of discussing the PBA Contract with Labor Counsel.

At 7:55pm on a motion of Trustee Barton, seconded by Trustee Wood, the Village Board closed the Executive Session.

At 8:03pm, Mayor Marvin re-opened the Regular Meeting of the Board of Trustees.

MAYOR'S REPORT

Mayor Mary Marvin gave a brief report on what she has been working on. Mayor Marvin introduced and welcomed the newest member to the Village Board, Trustee Helen Knapp. Trustee Knapp was sworn in during the Work Session. Mayor Marvin also announced that the Village was granted an award of \$400,000 from the DEC for ongoing sewer relining and cleaning projects. Gerry Iagallo, Village Assessor has reviewed all Village properties and most properties have dropped in assessed value.

Glenn Belitto, Eastchester Councilman, stopped by to present a check to the Bronxville Senior Citizens Council on behalf of the Town of Eastchester. Councilman Belitto also reminded Bronxville residents that senior services are available to them through the Town of Eastchester as well.

The Senior Citizens Council will be celebrating 50 years on April 23, 2019 honoring Chief Christopher Satriale.

VILLAGE ADMINISTRATOR

James Palmer, Village Administrator, gave a brief report on what he has been working on. As a reminder, Village Hall will be closed Monday, January 20, 2020 in observance of Martin Luther King, Jr. Day. Census 2020 is underway and surveys will be going out in March.

APPROVAL OF MINUTES

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

- Work Session and Executive Session of November 12, 2019
- Regular Meeting of November 12, 2019

Before moving on to new business, Mayor Marvin introduced newly elected County Legislator, Ruth Walter. Ms. Walter is happy to be working with Bronxville, she also shared her email address if anyone would like to reach her, walter@westchesterlegislators.com.

NEW BUSINESS

A. RESOLUTION – Amending Rules of Procedure

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

I. REGULAR MEETINGS

- a. Unless otherwise determined by resolution, the regular meeting of the Village of Bronxville Board of Trustees (hereinafter referred to as the “Board”) will be on the second Monday of each month (except August) at 8:00 P.M. in the Trustees Room at Village Hall. If the meeting date falls on a holiday, it will be held on the following day (Tuesday).
- b. Generally, the Board conducts work sessions at 6:30 P.M. on the same day as its regular meetings in the Trustees Room at Village Hall.

II. SPECIAL MEETINGS

- a. Special meetings of the Board are all those Board meetings other than regular meetings.
- b. A special meeting may be called by the Mayor upon notice to the entire Board.

III. QUORUM

- a. A quorum of the Board must be present to conduct business.
- b. A quorum of the five-member Board is three members, regardless of vacancies.

IV. EXECUTIVE SESSIONS

- a. Executive sessions will be held in accordance with New York State Public Officers Law § 105.
- b. All executive sessions will be entered into by a motion made from a properly noticed and convened public meeting.

V. AGENDA

- a. The agenda of every Board meeting will be prepared by the Clerk at the direction of the Mayor.
- b. The Village will publish agendas for both regular meetings and work sessions as notice to the public on the Village website before the meeting. However, the Mayor, the Village Administrator, or a majority of the Board may add items at any time.

VI. VOTING

- a. Pursuant to New York State Village Law and General Construction Law, each member of the Board (including the Mayor) has one vote.
- b. A vote upon any question will be taken by “yes” and “no.”
- c. When taking votes, the Clerk must record in the minutes for each Trustee whether they voted yes, voted no, abstained from voting, or were absent.
- d. For the purposes of determining whether a matter passed, the Clerk must tally the number of “yes” votes.
- e. Unless otherwise specified by State law, a majority of the totally authorized voting power of the Board (3 or more) must vote “yes” for any matter to pass.

VII. GENERAL RULES OF PROCEDURE

- a. The Mayor chairs and presides at the meeting. In the Mayor’s absence, the Deputy Mayor shall chair and preside at the meeting. The presiding officer may debate, make motions, and take any other action that other Board members may take.
- b. Each Board member must be given the opportunity to speak on every issue.
- c. All motions require a second.

VIII. GUIDELINES FOR PUBLIC COMMENT

- a. Public comment during Village Board meetings will be taken only in the following two instances:
 - i. On agenda items upon which a noticed public hearing is being held; and
 - ii. From parties who observe the rules and protocol set forth below, under the agenda item “Parties who wish to address the Board”.

Note: Particular speakers may also be invited by the Board in advance of the meeting to speak on specified agenda item topics.

- b. Speakers must be recognized by the Mayor or presiding officer.
- c. Speakers must step to the microphone podium and speak into the microphone.
- d. Speakers must begin by giving their name, and the identity of their organization, if applicable.
- e. Speakers must limit their remarks to three minutes per public comment period. Depending on the number of people who wish to speak on a specific subject, at the discretion of the Mayor or presiding officer, time limits of two minutes per person, or another similar time frame, may be applied to each speaker.
- f. Speakers may not yield any remaining time they may have to another speaker.
- g. Board members may interrupt a speaker during their remarks for the purpose of clarification or information.
- h. All remarks must be addressed to the Board as a body and not to specific members thereof or the audience.
- i. Speakers must observe the commonly accepted rules of courtesy, decorum, dignity, and civility. This shall include, but not be limited to: no yelling or hostile raising of voice; no ad hominem (personal) attacks.

IX. GUIDELINES FOR USE OF RECORDING EQUIPMENT

- a. All regular meetings of the Board are televised to the extent reasonably possible.
- b. All members of the public and all public officials are allowed to tape or video record public meetings.
- c. Recording is not allowed during executive sessions.
- d. Recording must be done in a manner that does not interfere with the meeting.
- e. The Mayor or presiding officer may determine whether the recording is being done in a distracting or intrusive manner which interferes with the meeting, taking into consideration, but not limited to: brightness of lights, distance from the Board, size of the equipment, the amount of noise generated by the activity, the blocking of audience view, distraction of Board member(s) or audience member(s) by movement or sound, and the ability of the public to observe the meeting.
- f. If the recording is determined to be intrusive and interferes with the meeting, the Mayor or presiding officer may request the individual alter their behavior to eliminate the interference. If the Mayor's request is not complied with, the Mayor may have the individual removed from the meeting room.
- g. Recording may only be conducted from locations in the room designated by the Village Administrator to avoid distracting the Board and public.

X. ADJOURNMENT: Meetings must be adjourned by motion.

XI. AMENDMENTS TO THE RULES OF PROCEDURE: The Board may amend the foregoing procedures by a majority vote.

B. RESOLUTION – Board of Trustees Meeting Calendar for 2020

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

2020 Board of Trustees - Meeting Calendar

Monday, January 13, 2020

Monday, February 10, 2020

Monday, March 9, 2020

Monday, April 13, 2020

Monday, May 11, 2020

Monday, June 8, 2020

Monday July 13, 2020

Monday, September 14, 2020

Tuesday, October 13, 2020

Monday, November 9, 2020

Monday, December 14, 2020

C. RESOLUTION – Authorizing Execution of Water Usage and Data Sharing and Security Agreement

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

WHEREAS, many communities utilize a sewer fee based on water consumption data to accurately and equitably charge property owners for the cost of sewer infrastructure improvements; and

WHEREAS, the Village has been working with our neighboring communities to petition the State to authorize the release of water consumption data maintained by the private utility provider serving much of lower Westchester; and

WHEREAS, in 2018, the Legislature and Governor approved legislation allowing communities to access the consumption data; and

WHEREAS, the legislation requires that each participating municipality enter in to a data sharing and security agreement;

NOW THEREFORE, BE IT RESOLVED:

That the Village Board of Trustees authorizes the Village Administrator to execute a data sharing agreement with Suez Water Westchester for the purposes of obtaining the water consumption data.

D. RESOLUTION – Authorizing Creation of Capital Project for the Installation of Two Dual Port Charging Stations for Garage

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

WHEREAS, the Board of Trustees has authorized the installation and use of electric vehicle charging stations within the Village;

WHEREAS, electric vehicles benefit the Village through the reduction of greenhouse gases and air pollutants;

WHEREAS, the Village Administrator has engaged Plugin Stations Online, LLC based in Albany, NY and received an estimate for the purchase and installation of two dual-output electric vehicle charging stations totaling \$21,414.00;

WHEREAS, the Village will submit a rebate request to pay for a portion of the installation through New York State Energy Research & Development (NYSERDA) ChargeReady NY program;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees approves a Capital Fund be set up for the purpose of payments to the vendor for the purchase and installation of two dual-output wall mounted electric vehicle charging stations.

BE IT FURTHER RESOLVED the Board of Trustees authorizes the Village Administrator to enter into a contract with Plugin Stations Online, LLC for the work.

E. RESOLUTION – Authorizing Submittal of Rebate Application to NYSERDA

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

WHEREAS, the Board of Trustees has authorized the installation and use of electric vehicle charging stations within the Village;

WHEREAS, the New York State Energy & Development Authority (hereafter referred to as NYSERDA), through their ChargeReady NY program, has offered municipalities rebates of \$4,000 per electric vehicle charging port installed in public parking lots;

WHEREAS, the Village Administrator has engaged Plugin Stations Online, LLC based in Albany, NY for the purchase and installation of two dual-output electric vehicle charging stations;

WHEREAS, a rebate request will be submitted to NYSERDA ChargeReady NY program to pay for a majority of the installation of electric vehicle charging stations;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees approves the submittal of rebate applications to NYSERDA for the purpose of refunding the Village for the purchase and installation of two dual-output wall mounted electric vehicle charging stations.

F. RESOLUTION – Appointing Budget Officer for 2020-21 Budget Season

On motion of Deputy Mayor Underhill, seconded by Trustee Knapp, the following resolution was approved;

WHEREAS, pursuant to Village Law, the Village of Bronxville is required to prepare an annual operating budget for the purposes of detailing the annual financial plan of the Village; and

WHEREAS, also pursuant to Village Law, the Budget Officer is responsible for preparing the budget document and to work closely with the chief fiscal officer and department heads to develop a realistic tentative budget and to present it to the Village Board of Trustees; and

WHEREAS, consistent with Village Law, Chapter 61 of the Code of the Village of Bronxville authorizes the Mayor and Village Board of Trustees to designate the Village Administrator as Budget Officer;

NOW THEREFORE, BE IT RESOLVED:

That the Mayor and Village Board of Trustees hereby designate the Village Administrator as Budget Officer for the 2020-21 fiscal year responsible for preparing the operating budget of the Village of Bronxville in accordance with Village Law.

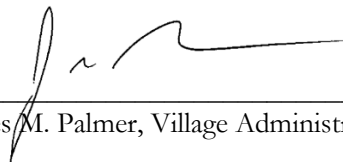
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PUBLIC COMMENT

Sean Abbott, of the Bronxville Surrealist, made a few comments. The meeting was abruptly adjourned at 8:41pm on motion by Trustee Barton, seconded by Deputy Mayor Underhill, 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 February 10, 2020.



James M. Palmer, Village Administrator