

**MINUTES OF REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE  
VILLAGE OF BRONXVILLE HELD FEBRUARY 10, 2020  
AT THE VILLAGE HALL, 200 PONDFIELD ROAD, BRONXVILLE, N.Y.**

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

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**WORK SESSION & EXECUTIVE SESSION**

At 6:35pm on a motion by Trustee Wood, seconded by Trustee Knapp, the Village Board convened a Work Session.

The Village Administrator introduced Consulting Engineer Paul Pelusio and asked him to take the Village Board through the final DPW design for the Phase II improvements.

The Engineer took the Village Board through a project construction schedule and explained that it’s our intention to put the project out to bid this month.

At 7:05pm on a motion by Trustee Barton, seconded by Trustee Wood, the Village Board convened an Executive Session for the purposes of discussing PBA negotiations.

At 7:55pm on a motion by Trustee Wood, seconded by Trustee Knapp, the Executive Session was adjourned.

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

**MAYOR’S REPORT**

No Mayor’s Report.

**SPECIAL PRESENTATION – William Brady, Chief Planner, Westchester County**

There was a special presentation from William Brady, Chief Planner of Westchester County, to discuss the importance of participating in Census 2020. This year the Census may be completed online. A general number has been set up and dedicated for Census 2020 questions. The public is encouraged to call 211 if they have an issues with the questionnaire when they receive it in March. Census 2020 employees will also be canvassing some areas to assist anyone with questions – they will have identification with them and will not be asking any personal questions.

**SPECIAL PRESENTATION – Recognition of First Responders**

Chief Christopher Satriale recognized a room full of first responders. Mr. Pagliaroli was found by two passersby lying in the street unresponsive. They immediately called 911 and began lifesaving measures. He proudly announced the quick response of Sergeant Bart Sandarciero, Officer LauraLee Ulrich and Officer Cheryl Jarosz, including Eastchester Volunteer Ambulance Corp and Eastchester Fire Department took to save the life of Steven Pagliaroli. He was rushed to NYP Lawrence Hospital where chest compressions continued and Mr. Pagliaroli was successfully revived. Mr. Pagliaroli together with his family was present to personally thank everyone for saving his life.

After a short recess, the Regular Meeting resumed at 8:44pm.

**VILLAGE ADMINISTRATOR**

No Village Administrator’s Report

**APPROVAL OF MINUTES**

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

- Work Session and Executive Session of January 13, 2020
- Regular Meeting of January 13, 2020

## **NEW BUSINESS**

### **A. RESOLUTION – Adoption of the Comprehensive Plan**

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

**WHEREAS**, the Village of Bronxville Board of Trustees (Board) began an update of its existing Comprehensive Plan (Plan) in July 2018; and

**WHEREAS**, the Board, with the assistance of BFJ Planning, has worked to develop the Plan; and

**WHEREAS**, throughout the summer of 2018, the Board conducted joint meetings with the Planning Board and Zoning Board of Appeals and a number of stakeholders regarding preparation of the Plan; and

**WHEREAS**, the Board determined that adoption of the Comprehensive Plan was subject to the State Environmental Quality Review Act (SEQRA) as a Type I action pursuant to 6 NYCRR § 617.4(b)(1) and declared itself Lead Agency at its June 10, 2019 meeting; and

**WHEREAS**, the Board circulated Part I of the Environmental Assessment Form (EAF) to the appropriate agencies under SEQRA, including the Westchester County Planning Board; and

**WHEREAS**, a public survey in connection with the preparation of the Comprehensive Plan was conducted from March 24, 2019 to April 30, 2019; and

**WHEREAS**, the Board conducted one joint public hearing with members of the Planning Board, Zoning Board of Appeals, Design Review Committee, and the public on June 4th, 2019; and

**WHEREAS**, the Board conducted additional public hearing sessions on October 15th and November 12th, 2019; and

**WHEREAS**, at the direction of the Board, BFJ has made revisions to the Plan throughout this process to account for public comments and Board discussions, and the Board has reviewed and approved these revisions; and

**WHEREAS**, the Board examined the potential for significant adverse environmental impacts to result from the Plan's adoption and found that there was no such potential; therefore, the Board adopted a SEQRA Negative Declaration on November 12th, 2019.

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

In accordance with N.Y. Village Law § 7-722 and the Village Code, the Board of Trustees hereby adopts the Village of Bronxville Comprehensive Plan dated February 10, 2020.

### **B. RESOLUTION – Health Insurance “Opt – Out” For Paid Part-Time Elected Officials**

On motion of Trustee Barton, seconded by Trustee Knapp, the following resolution was unanimously approved;

**WHEREAS**, in or about January 2015, the Board of Trustees of the Village of Bronxville (“Village Board”) established a policy (“Policy”) via resolution that addressed non-salary compensation for part-time elected Justices of the Village of Bronxville (“Village”); and

**WHEREAS**, the Policy provided health/medical insurance coverage through the Village's health/medical insurance plan (“Plan”) only to then-active elected Justices; and

**WHEREAS**, the Village Board desires to modify the Policy to provide an “opt-out” payment to any eligible elected Justice who was, or is, receiving health/medical insurance through the Plan and who elects to withdraw from such coverage; and

**WHEREAS**, the establishment of an “opt-out” payment in the Policy permits eligible elected Justices to receive the health/medical insurance of their own choosing and who provides the Village with cost-savings under the Plan;

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

1. The Village Board hereby modifies the January 2015 Policy so that the Village shall make an annual payment of \$6,500.00 to any eligible elected Justice who is receiving health/medical insurance under the Village's Plan, and who elects to withdraw from the Village's Plan entirely, and who remains outside of the Village's Plan for a period of twelve (12) months.
2. The Village Board hereby authorizes payment to Justice Mayer in the amount of \$6,500.00 for his withdrawal from the Village's Plan for the period June 1, 2018 through May 31, 2019, and further recognizes that Justice Mayer shall be: a.) eligible for such "opt-out" payment again for the period June 1, 2019 through May 31, 2020 provided he continues to remain outside of the Village's Plan; and b.) eligible for such "opt-out" payment going forward in accordance with this Resolution and the Policy.
3. All other provisions of the Policy adopted by the Village Board in or about January 2015 remain in full force and effect.

**C. RESOLUTION – Village Election Polling Places**

Village Administrator, James Palmer, explained the following resolution in detail.

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

**BE IT RESOLVED** the hours for Village Election Day, Wednesday, March 18, 2020 be set from 6:00am to 9:00pm, and that the polling places shall be as follows:

- Village Hall - Districts 16 & 17 – 200 Pondfield Road
- Fire House - Districts 18, 19, 20 & 21 – Corner of Midland Avenue and Palumbo Place
- Lawrence Hospital - District 22 – Palmer Road

**BE IT RESOLVED** that March 6, 2020 is the LAST day a voter may register with BOE to vote in a Village election.

**D. RESOLUTION – Requesting Amendments to NYS Criminal Justice Reforms**

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

**WHEREAS** while there was a need to reform New York's criminal justice statutes during the 2019 state legislative session, it is widely recognized that several of the drastic changes in the laws pertaining to discovery are overly broad and vague and are having unintended consequences at the municipal level; and

**WHEREAS** the dramatically shortened time period in which prosecutors must disclose evidence to defendants and the broad expansion of the matters to which such discovery mandates apply will have significant cost, tax and justice implications for cities and villages with police departments, local justice courts or code/parking enforcement departments; and

**WHEREAS** the discovery reforms mandate prosecutors disclose evidence to the defense within 15 days of arraignment for criminal charges (even if the defendant is not in custody); and

**WHEREAS** drastically enlarging the scope of material that a prosecutor must review and deliver within 15 days will overwhelm the ability of city and village officials and employees to prosecute cases while managing their misdemeanor and felony caseloads, and will make it impossible to prosecute vehicle and traffic and local code infractions and violations in compliance with the new discovery mandates; and

**WHEREAS** arraignment must now take place within 20 days of desk appearance ticket issuance, thereby requiring justice courts, many of which convene monthly, to meet more frequently; and

**WHEREAS** cities and villages will not reap savings from the bail reform's reduction of the burden on county jails; and

**WHEREAS** municipalities are already challenged with operating within the now-permanent 2% tax cap and have not received an increase in general purpose state aid in 11 years.

**NOW THEREFORE BE IT RESOLVED THAT** the Village of Bronxville supports the following set of

amendments proposed by the New York State Conference of Mayors that are consistent with the intent of the criminal justice reforms but which will allow for more effective and affordable implementation:

- Ensure that cities and villages are provided with additional financial and operational support to offset the cost of these mandated measures;
- Allow 60 days for prosecutors to disclose evidence to the defense for criminal charges;
- Exclude from the accelerated discovery requirements any charge not involving a misdemeanor or felony;
- Adjust the 20-day arraignment requirement to accommodate local courts that meet on a monthly basis;
- Allow prosecutors to withhold sensitive information, such as victim contact information, without having to obtain a court order.
- Bail Reform – danger to society; allow judicial discretion on bail and pre-arraignment detention for violent offenders, repeat offenders and those with history of non-appearances

**AND BE IT FURTHER RESOLVED** that this duly adopted resolution of the Village of Bronxville be forwarded to Governor Andrew Cuomo, Senate Majority Leader Andrea Stewart- Cousins, Assembly Speaker Carl Heastie, Senator Shelley Mayer and Assembly Member Amy Paulin, and the New York State Conference of Mayors.

E. **RESOLUTION – Reconciliation, Tax Warrant and Collection**

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

| Statement of Real Estate Upon Which<br>Taxes for the Year 2019-2020 are Unpaid and<br>NOTICE OF TAX SALE                                                                                                                                                                                                                              |               |               |               |               |              |             |               |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|---------------|---------------|--------------|-------------|---------------|
| Pursuant to the provisions of Article 14, Title 3 of the Real Property Tax Law (Section 1455)                                                                                                                                                                                                                                         |               |               |               |               |              |             |               |
| NOTICE IS HEREBY GIVEN that the taxes for the year 2019-2020 of the Village of Bronxville are unpaid on the real estate described as shown on a tax list filed with the Village Clerk.                                                                                                                                                |               |               |               |               |              |             |               |
| The description of each parcel of said real estate is designated by Section, Block and Lot numbers as shown on the Assessment Map of the Village of Bronxville, Town of Eastchester, Westchester County, New York, which roll and map are on the file in the office of the Village Clerk at 200 Pondfield Road, Bronxville, New York. |               |               |               |               |              |             |               |
| The following is the list of parcels of real estate on which the taxes remain unpaid for 2019-2020.                                                                                                                                                                                                                                   |               |               |               |               |              |             |               |
|                                                                                                                                                                                                                                                                                                                                       | Sec           | First Half    | Second Half   | Principal     | Interest     | Charges     | Total         |
| 1                                                                                                                                                                                                                                                                                                                                     | 3./1/1.3D     |               | 1,959.40      | 1,959.40      | 117.56       | 50.00       | 2,126.96      |
| 2                                                                                                                                                                                                                                                                                                                                     | 3./1/19.3A    |               | 2,646.07      | 2,646.07      | 158.76       | 50.00       | 2,854.83      |
| 3                                                                                                                                                                                                                                                                                                                                     | 3./1/19.3E    | 2,869.24      | 2,869.24      | 5,738.48      | 516.46       | 50.00       | 6,304.94      |
| 4                                                                                                                                                                                                                                                                                                                                     | 3./1/20.0002  |               | 2,332.34      | 2,332.34      | 139.94       | 50.00       | 2,522.28      |
| 5                                                                                                                                                                                                                                                                                                                                     | 4./1/5.A1-2B  |               | 2,100.38      | 2,100.38      | 126.02       | 50.00       | 2,276.40      |
| 6                                                                                                                                                                                                                                                                                                                                     | 4./1/5.A2-3A  |               | 2,375.52      | 2,375.52      | 142.53       | 50.00       | 2,568.05      |
| 7                                                                                                                                                                                                                                                                                                                                     | 4./1/5.A2-4   |               | 4,388.97      | 4,388.97      | 263.34       | 50.00       | 4,702.31      |
| 8                                                                                                                                                                                                                                                                                                                                     | 5./555/9      |               | 738.93        | 738.93        | 44.34        | 50.00       | 833.27        |
| 9                                                                                                                                                                                                                                                                                                                                     | 6./666/6      |               | 2,573.37      | 2,573.37      | 154.40       | 50.00       | 2,777.77      |
| 10                                                                                                                                                                                                                                                                                                                                    | 6.E/3/38      |               | 12,316.74     | 12,316.74     | 739.00       | 50.00       | 13,105.74     |
| 11                                                                                                                                                                                                                                                                                                                                    | 6.K/1/17      |               | 7,750.80      | 7,750.80      | 465.05       | 50.00       | 8,265.85      |
| 12                                                                                                                                                                                                                                                                                                                                    | 6.K/1/2       | 6,048.96      | 6,048.95      | 12,097.91     | 1,088.82     | 50.00       | 13,236.73     |
| 13                                                                                                                                                                                                                                                                                                                                    | 7.B/2/1       |               | 12,732.67     | 12,732.67     | 763.96       | 50.00       | 13,546.63     |
| 14                                                                                                                                                                                                                                                                                                                                    | 7.E/1/8       | 314.92        | 314.92        | 629.84        | 56.69        | 50.00       | 736.53        |
| 15                                                                                                                                                                                                                                                                                                                                    | 7.G/4/11      | 14,718.12     | 14,718.12     | 29,436.24     | 2,649.26     | 50.00       | 32,135.50     |
| 16                                                                                                                                                                                                                                                                                                                                    | 7.H/4/11      | 24,303.29     | 24,303.28     | 48,606.57     | 4,374.59     | 50.00       | 53,031.16     |
| 17                                                                                                                                                                                                                                                                                                                                    | 7.H/4/5       |               | 36,907.78     | 36,907.78     | 2,214.47     | 50.00       | 39,172.25     |
| 18                                                                                                                                                                                                                                                                                                                                    | 9./3/11.A     | 12,179.75     | 12,179.75     | 24,359.50     | 2,192.36     | 50.00       | 26,601.86     |
| 19                                                                                                                                                                                                                                                                                                                                    | 12./3/16      |               | 17,443.76     | 17,443.76     | 1,046.63     | 50.00       | 18,540.39     |
| 20                                                                                                                                                                                                                                                                                                                                    | 12./3/4       |               | 23,428.12     | 23,428.12     | 1,405.69     | 50.00       | 24,883.81     |
| 21                                                                                                                                                                                                                                                                                                                                    | 12./3/5       |               | 24,346.57     | 24,346.57     | 1,460.79     | 50.00       | 25,857.36     |
| 22                                                                                                                                                                                                                                                                                                                                    | 12./4/1.0026  |               | 5,014.43      | 5,014.43      | 300.87       | 50.00       | 5,365.30      |
| 23                                                                                                                                                                                                                                                                                                                                    | 13./2/9       |               | 10,610.56     | 10,610.56     | 636.63       | 50.00       | 11,297.19     |
| 24                                                                                                                                                                                                                                                                                                                                    | 13./5/16      | 29,182.45     | 29,182.44     | 58,364.89     | 5,252.84     | 50.00       | 63,667.73     |
| 25                                                                                                                                                                                                                                                                                                                                    | 13./6/3       | 28,011.89     | 28,011.88     | 56,023.77     | 5,042.14     | 50.00       | 61,115.91     |
| 26                                                                                                                                                                                                                                                                                                                                    | 14./7/1       |               | 18,629.60     | 18,629.60     | 1,117.78     | 50.00       | 19,797.38     |
| 27                                                                                                                                                                                                                                                                                                                                    | 14.A/4/18.B   |               | 10,441.64     | 10,441.64     | 626.50       | 50.00       | 11,118.14     |
| 28                                                                                                                                                                                                                                                                                                                                    | 17./1/13      |               | 22,830.53     | 22,830.53     | 1,369.83     | 50.00       | 24,250.36     |
| 29                                                                                                                                                                                                                                                                                                                                    | 17./3/5       |               | 18,880.01     | 18,880.01     | 1,132.80     | 50.00       | 20,062.81     |
| 30                                                                                                                                                                                                                                                                                                                                    | 19./2/9       |               | 20,032.74     | 20,032.74     | 1,201.96     | 50.00       | 21,284.70     |
| 31                                                                                                                                                                                                                                                                                                                                    | 20./2/1.4B    |               | 1,571.90      | 1,571.90      | 94.31        | 50.00       | 1,716.21      |
| 32                                                                                                                                                                                                                                                                                                                                    | 20./2/1.7D    | 1,571.90      | 1,571.90      | 3,143.80      | 282.94       | 50.00       | 3,476.74      |
| 33                                                                                                                                                                                                                                                                                                                                    | 20./2/60.A10A |               | 6,482.46      | 6,482.46      | 388.95       | 50.00       | 6,921.41      |
| 34                                                                                                                                                                                                                                                                                                                                    | 20./2/60.A7A  | 9,646.80      | 9,646.80      | 19,293.60     | 1,736.43     | 50.00       | 21,080.03     |
| 35                                                                                                                                                                                                                                                                                                                                    | 30./5/9       |               | 14,005.94     | 14,005.94     | 840.36       | 50.00       | 14,896.30     |
|                                                                                                                                                                                                                                                                                                                                       |               | \$ 128,847.32 | \$ 411,388.51 | \$ 540,235.83 | \$ 40,145.00 | \$ 1,750.00 | \$ 582,130.83 |
| Each of the above tax liens of said real estate will be sold at a public auction March 12th, 2020 at 10 am in Village Hall, 200 Pondfield Road, Bronxville, NY.                                                                                                                                                                       |               |               |               |               |              |             |               |

F. **RESOLUTION – Tax Lien Sale 2019-2020**

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

**BE IT RESOLVED** by the Board of Trustees of the Village of Bronxville, that the Village Treasurer be authorized to advertise and sell tax liens for the fiscal year 2019-2020 on March 12, 2020, at 10:00 a.m. in the Village Hall conference room, as shown in the account of unpaid taxes and in accordance with Article 14, Title 3 of the Real Property Tax Law (Section 1455), and that the advertisement of the notice required by law be inserted in

The Journal News, the official newspaper of the Village, and that said notice shall be published once a week for three consecutive weeks and the last date for publication shall be made on or before the 12th day of March 2020.

**BE IT FURTHER RESOLVED** that said notice shall be substantially the following

**VILLAGE OF BRONXVILLE**

Statement of Real Estate upon which taxes for the year 2019-2020 are unpaid, and

**NOTICE OF TAX SALE**

Pursuant to the provisions of Article 14, Title 3 of the Real Property Tax Law (Section 1455).

**NOTICE IS HEREBY GIVEN** that the taxes for the year 2019-2020 of the Village of Bronxville are unpaid on the real estate described as shown on a tax list filed with the Village Clerk.

The description of each parcel of said real estate is designated by Section, Block and Lot numbers as shown on the Assessment Map of the Village of Bronxville, Town of Eastchester, Westchester County, New York, which roll and map are on file in the office of the Village Clerk at 200 Pondfield Road, Bronxville, New York.

A list of parcels of real estate on which the taxes remain unpaid for 2019-2020, as of January 31, 2020, will be available in the Treasurer's office.

**G. RESOLUTION – Additional Funding for Street Lighting**

On motion of Trustee Knapp, seconded by Trustee Barton, the following resolution was unanimously approved;

**WHEREAS**, on September 9, 2019, the Board of Trustees adopted a board resolution awarding D&M Bid VA-1903 for tear drop lighting fixtures , and

**WHEREAS**, the total project was awarded for \$96,112.20 to be funded by debt service, and

**WHEREAS**, 3 additional lighting fixtures are needed at Pondfield and Midland Avenues, and additional lighting fixtures need to be transferred to different locations, and

**WHEREAS**, these additional improvements are expected to cost roughly \$50,000,

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Board of Trustees hereby approves the purchase of additional lighting fixtures, and

**BE IT FURTHER RESOLVED** that the Board of Trustees authorizes funding from unappropriated general fund balance.

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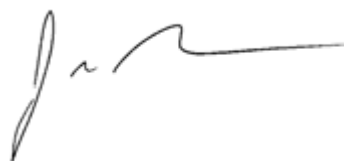
**PARTIES WHO WISH TO ADDRESS THE BOARD**

Betsy Harding, Village Resident, suggested painting zebra stripes on Cedar Street across from Acme to the Cedar St Parking Lot to hopefully slow vehicles down. Mayor Marvin responded that she will discuss with Chief Satriale.

Sean Abbott, of the Bronxville Surrealist, made a few comments. The meeting was abruptly adjourned at 9:13pm on motion by Deputy Mayor Underhill, seconded by Trustee Wood, 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 March 9, 2020.

  
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James M. Palmer, Village Administrator