

**MINUTES OF REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE
VILLAGE OF BRONXVILLE HELD OCTOBER 11, 2022 AT 7:00PM
AT VILLAGE HALL, 200 PONDFIELD ROAD, BRONXVILLE, N.Y.**

PRESENT:	Mary C. Marvin	Mayor
	Robert S. Underhill	Deputy Mayor
	William Fredericks	Trustee
	Helen Knapp	Trustee
	Mary Taylor Behrens	Trustee
ALSO PRESENT:	James Palmer	Village Administrator
	Stephen Shallo	Assistant Village Administrator
	Lori Voss	Village Treasurer

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WORK SESSION

At 6:30pm, on a motion by Trustee Behrens, seconded by Deputy Mayor Underhill, the Village Board convened the Work Session. The Village Administrator took the Village Board through items on the agenda.

The Village Board discussed the public hearing for reducing the maximum Village speed limit to 25 m.p.h. It was agreed that the Village Board would keep the Public Hearing open. Trustee Knapp explained the importance of educational outreach on the legislation. The Village Administrator stated that the Village’s consulting engineer would complete the necessary engineering services to ensure compliance with the law.

Trustee Fredericks suggested removing the no parking legislation for Woodland Avenue and Elm Rock Road at this point.

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At 7:06pm, Mayor Marvin opened the Regular Meeting.

Mayor Marvin introduced the Fire Board of Commissioners, Chief Brian Tween, Chairman Paul Carlo, and Commissioners Paul Ranellone and Anthony Lore. Brian Tween gave an update on the Eastchester Fire Department that included their budget, upcoming election and current and scheduled renovations to the firehouses. Chief Tween also shared that four additional firefighters will be joining the department in January after successful completion of training. He also shared the department’s call statistics to date which encompass five square miles, one hospital, one university and three school districts. For more information of the Eastchester Fire Department, please go to their website, www.eastchesterfd.com or call them directly at (914) 793-6400.

Mayor Marvin introduced County Legislator, James Nolan. Mr. Nolan gave an update on current County projects including the status of replacing the footbridge over the Bronx River Parkway that collapsed during Tropical Storm Ida in September 2021. Anyone interested in reaching out to Mr. Nolan can email him at nolan@westchesterlegislators.com.

MAYOR’S REPORT

Mayor Marvin gave a brief update on what she has been working on. Mayor Marvin mentioned that she and Trustee Knapp were at the Adult School earlier celebrating their 60th anniversary. A Roundtable was held last week with President Seamus Carey of Iona University; all in attendance were given a tour of the new campus, students will be shuttled from the main campus starting in January 2023. NewYork Presbyterian Westchester will be administering free flu shots this Friday, October 14th from 9am to 2pm right here at Village Hall. All are welcome.

Trustee Behrens mentioned that she and Mayor Marvin attended the installation of a new Rector at Christ Church. The Picture House is having a private fundraising event this Friday; the event has been sold out.

Trustee Knapp, Trustee Behrens and Mayor Marvin attended Bronxville School’s Centennial celebration a couple weeks ago. Trustee Knapp also mentioned that the Library will have an open house end of this month on October 29th.

Trustee Fredericks reminded all that if you notice a street light out please notify the Department of Public Works.

ADMINISTRATOR'S REPORT

Village Administrator, James Palmer, gave a brief update on what he has been working on. Mr. Palmer reminded the public that Election Day is November 8th and polls will be open from 6am to 9pm. He also reminded residents that the leaf blower ban is lifted between October 15th and December 15th and to not place leaves near catch basins, on street or cover fire hydrants.

APPROVAL OF MINUTES

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

1. Special Meeting of September 7, 2022 Via ZOOM
2. Executive/Work Session September 12, 2022
3. Regular Meeting September 12, 2022
4. Special Meeting September 20, 2022
5. Special Meeting October 4, 2022

PUBLIC HEARING

Proposed Local Law 5-2022 – Amend Chapter 290-14.A VI, Regarding the Setting of Speed Limits on Village Streets and Public Roadways

At 8:19pm, Mayor Marvin opened the public hearing on a motion by Trustee Fredericks, seconded by Trustee Behrens.

Mayor Marvin gave a brief description of this proposed local law to amend Chapter 290-14.A regarding setting the speed limit. The current speed limit throughout most of the Village is 30mph and this amendment would reduce the speed limit to 25mph. Trustee Fredericks also shared some comments in favor of this change. Trustee Behrens also shared some comments in favor of this change and added how NYC has benefitted from the reduced speed limit.

Mayor Marvin and the Board of Trustees welcome comments regarding this proposed local law until the November 14, 2022 Trustees Meeting. At 8:25pm, on a motion by Trustee Fredericks, seconded by Trustee Knapp, the public hearing was adjourned until November 14, 2022.

PROPOSED LOCAL LAW No. 5 - 2022 A LOCAL LAW TO AMEND CHAPTER 290, SECTION 290-14.A OF ARTICLE VI, REGARDING THE SETTING OF SPEED LIMITS ON VILLAGE STREETS AND PUBLIC ROADWAYS

Section 1. Section 290-14.A of Article VI of Chapter 290 of the Code of the Village of Bronxville, entitled “Maximum speed limits within the village”, is hereby revised in its entirety to read as follows:

- A. Twenty-five miles per hour. Except as provided in Subdivisions B and C hereof, 25 miles per hour is hereby designated as the maximum speed limit at which vehicles may proceed on highways within the village.

Section 2. Section 290-14.C of Article VI of Chapter 290 of the Code of the Village of Bronxville, entitled “Maximum speed limits within the village”, is hereby revised in its entirety to read as follows:

- C. Thirty miles per hour. Thirty miles per hour is hereby designated as the maximum speed limit at which vehicles may proceed on the portions of roadway within the village designated as State Route 22 (also commonly known as the White Plains Road).

Section 3. Severability. If any section, subsection, clause, phrase or other portion of this Local Law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, such portion shall be deemed a separate and distinct and independent portion. Such declaration shall not affect the validity of the remaining portions hereof, which other portions shall continue in full force and effect.

Section 4. This Local Law shall take effect immediately upon filing with the Secretary of State.

NEW BUSINESS

A. RESOLUTION – Awarding VA 2022-03 Construction of Force Main – Wood End Lane

On a motion by Trustee Knapp, seconded by Trustee Behrens, the following resolution was unanimously approved:

WHEREAS, the Village's public sanitary sewer main does not currently extend through the portion of Wood End Lane adjacent to the properties at 8, 11, 12, 16, 17 and 18 Wood End Lane; and

WHEREAS, with the exception of the property at 11 Wood End Lane, the properties listed above which have homes constructed thereon have individual septic systems not connected to the public sanitary sewer system; and

WHEREAS, the on-site septic system at one of the properties is currently in failure and the septic systems of the other properties are aging; and

WHEREAS, the Village's Consulting Engineers PCI Consulting (PCI) and the Westchester County Health Department recommended the construction of a sanitary sewer force main; and

WHEREAS, bid packages for the project were prepared and the bid publicly noticed; and

WHEREAS, several companies submitted complete and timely bids and those bids were thoroughly reviewed by the Village Administrator; and

WHEREAS, the Village Administrator recommends that the bid be awarded to the low bidder, Joken Development Corp., White Plains, NY in the amount of \$259,600.00; and

WHEREAS, engineering costs from Professional Consulting Inc. are estimated at \$25,000.00, and

WHEREAS, the Village has determined that this project is a Type II action under the State Environmental Quality Review Act (SEQR) and therefore no further review is required under SEQR;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees hereby authorizes the Village Administrator to execute a contract with Joken Development Corp. for the amount of \$259,600.00 to complete the work, and

BE IT FURTHER RESOLVED, that the Village will fund this project with a BAN for \$202,100, and remaining project costs to be funded by resident sewer connection fees.

B. RESOLUTION – Authorizing Connection Fees Associated With Wood End Sanitary Sewer Extension

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

WHEREAS, the Village's public sanitary sewer main does not currently extend through the portion of Wood End Lane adjacent to the properties at 8, 11, 12, 16, 17 and 18 Wood End Lane; and

WHEREAS, with the exception of the property at 11 Wood End Lane, the properties listed above which have homes constructed thereon have individual septic systems not connected to the public sanitary sewer system; and

WHEREAS, the on-site septic system at one of the properties is currently in failure; and

WHEREAS, the septic systems on the other properties are aging and, according to the Village's consulting engineers, will themselves eventually have failures; and

WHEREAS, compromised individual septic systems create a public health issue; and

WHEREAS, the Village has engaged its own consulting engineers, PCI Consulting (“PCI”) to assess this situation; and

WHEREAS, PCI has been in consultation with the Westchester County Health Department; and

WHEREAS, the Westchester County Health Department and PCI have recommended that the proper solution for this situation is to extend the Village sanitary sewer main into Wood End Lane adjacent to these properties so that they may be connected to the public system; and

WHEREAS, the extended main would be a “force main” through which the sewage would be pumped until it reaches the point where it would flow by gravity; and

WHEREAS, the cost of the work that will be required to be paid by the property owners for work on their private properties (including pumps) has been estimated to be \$30,000 - \$50,000 per property; and

WHEREAS, the Village Board has determined to follow the recommendation of the County Health Department and its consulting engineers and extend the Village main to be adjacent to the above referenced properties; and

WHEREAS, the Village Board believes that properties which are going to connect to the Village main should contribute to the cost of the project; and

WHEREAS, the Village Board has determined that the properties should pay for the cost of construction of the portion of their lateral line located in the public right of way (r-o-w) as recommended by the Village Engineer;

NOW, THEREFORE, BE IT RESOLVED

1. That the Village Board has determined to proceed with the installation of an extended sanitary sewer main in the bed of Wood End Lane adjacent to the above referenced properties.
2. With the exception of 11 Wood End Lane, each property connecting into the main will be required to pay to the Village a fee of \$16,500.00 (the cost of the lateral line improvements in the public r-o-w). The amount of the fee will increase by 7% per annum for properties that do not make payment as provided herein by January 1, 2023. The fee shall be paid by each property owner at the time the property’s sanitary sewer system is connected to the new main. Provided, however, property owners who pay the first installment by January 1, 2023 may elect to pay the fee in three equal installments: one installment at the time of connection; one installment 12 months from the date of connection; and the final installment 24 months from the date of connection.
3. Because the property at 11 Wood End Lane already has a sanitary sewer pipe running from its property through Wood End Lane connecting to the public system, the fee its owner will be required to pay upon connection to the Village main shall be determined by the Village Administrator and payable at the same time and manner as is provided for payment of the fee described in paragraph 2 above.
4. If a property owner elects to pay the fee in installments, the first installment will be due at the time of connection, and the connection will not be permitted to be activated until the installment is paid and an agreement providing for the payment of subsequent installments is signed. If any subsequent installment is not paid when due, its amount shall be added to the real property tax bill for the property, and payment shall be enforced in the same manner as provided for delinquent taxes.

C. RESOLUTION – Intermunicipal Agreement with Town of Eastchester and Village of Tuckahoe for 911 Emergency Services

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

BE IT RESOLVED that the Board of Trustees of the Village of Bronxville authorize the Mayor to sign an agreement with Town of Eastchester and Village of Tuckahoe to engage Rave Wireless, Inc. to provide 911 Emergency Alerting, Management and contact regarding emergencies and other time-sensitive events.

D. RESOLUTION – Approving Catch Basin Upgrades – Dusenberry Rd

On a motion by Trustee Behrens, seconded by Trustee Knapp, the following resolution was unanimously approved:

WHEREAS, a stormwater lateral lines on Dusenberry Road is in need of replacement, and

WHEREAS, the owner of 39 Dusenberry Road is relocating his driveway to the area next to our catch basin and stormwater lateral line, and

WHEREAS, it makes sense to coordinate the lateral line replacement with the work at 39 Dusenberry Road, and

WHEREAS, Peter J Landi estimated that the cost of new lateral lines and subsequent land restoration would cost \$28,000, and

WHEREAS, the Village engineer, Professional Consulting LLC, has advised that we proceed with this work, and

WHEREAS, additional engineering project management costs are expected to cost \$3,000,

NOW, THEREFORE, BE IT

RESOLVED that the Board of Trustees hereby authorizes Peter J Landi, Inc. to proceed with the lateral line upgrades, and

BE IT FURTHER RESOLVED that the Board of Trustees authorizes the transfer of unreimbursed project costs from general fund unassigned fund balance to the capital fund, and

BE IT FURTHER RESOLVED that the Village Administrator and Village Treasurer record all necessary transactions as required.

E. RESOLUTION – Authorizing the Use of ARPA Funds for LED Street Light Conversion

On a motion by Trustee Fredericks, seconded by Trustee Behrens, the following resolution was unanimously approved:

WHEREAS, the Board of Trustees approved the 2022-23 Five Year Capital Plan which included \$30,000 for LED street light conversion, and

WHEREAS, the use of ARPA funding can be applied to finance this project, and

WHEREAS, the Village of Bronxville received a quote from Lite Concepts for \$29,725.00 to supply 145 LED lights, and

WHEREAS, the Village of Bronxville purchased an additional 21 LED lights for \$4,158.00,

NOW, THEREFORE, BE IT

RESOLVED that the Board of Trustees hereby authorizes the use of ARPA funds to purchase LED lights from Lite Concepts for \$29,725, and

BE IT FURTHER RESOLVED that the Board of Trustees authorizes the transfer of ARPA funds from the General Fund to the Capital Fund and

BE IT FURTHER RESOLVED that the Board of Trustees authorizes the transfer of \$4,158.00 from general fund unassigned fund balance to the capital fund, and

BE IT FURTHER RESOLVED that the Village Administrator and Village Treasurer record all necessary transactions as required.

F. RESOLUTION – Approving Fencing for Upper Kensington Lot

On a motion by Trustee Knapp, seconded by Trustee Fredericks, the following resolution was unanimously approved:

WHEREAS, existing fencing on Upper Kensington Road is in need of replacement, and

WHEREAS, the lowest responsible bidder for this project was Mike Fence Corp., and

WHEREAS, the cost of the fencing and installation is \$25,500,

NOW, THEREFORE, BE IT

RESOLVED that the Board of Trustees hereby authorizes Mike Fence Corp. to proceed with the fence installation, and

BE IT FURTHER RESOLVED that the Board of Trustees authorizes funding for this project from prior year bond funds, with the remainder to be funded by the transfer of funds from general fund unassigned fund balance to the capital fund, and

BE IT FURTHER RESOLVED that the Village Administrator and Village Treasurer record all necessary transactions as required.

G. RESOLUTION – Assuming Maintenance Responsibilities for RRFB Units at Route 22 and Elm Rock Road Crosswalk

On a motion by Trustee Knapp, seconded by Trustee Behrens, the following resolution was unanimously approved:

WHEREAS, the New York State Department of Transportation (NYSDOT) has authorized the installation of a crosswalk, sidewalk and rectangular rapid flashing beacons (RRFB's) and related improvements along State Route 22 in the Village of Bronxville; and

WHEREAS, following the NYSDOT approval of the design and proposed improvements the Village publicly bid the scope of work and awarded the project to Peter Landi Contracting Inc. of Hawthorne NY; and

WHEREAS, the NYSDOT is requiring that the Village assume maintenance responsibilities for the RRFB units following their installation;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees hereby agree to assume the maintenance responsibilities of the RRFB units as requested by NYSDOT in an email to the Village Administrator dated 9-30-22.

H. RESOLUTION – to Schedule a Public Hearing to Amend the Vehicles and Traffic Law of the Village of Bronxville, Chapter 290

On a motion by Trustee Behrens, seconded by Trustee Fredericks, the following resolutions were unanimously approved:

**TO SCHEDULE A PUBLIC HEARING FOR
PROPOSED LOCAL LAW NO. 6 - 2022 - TO AMEND CHAPTER 290, OF THE
VEHICLE AND TRAFFIC LAW OF THE VILLAGE OF BRONXVILLE BY
AMENDING STOP INTERSECTIONS**

WHEREAS, the Board of Trustees (the "Board") of the Village of Bronxville (the "Village") asked the Village Administrator to draft a local law to Amend Chapter 290, of the Vehicle and Traffic Law of the Village of Bronxville by Amending Stop Intersections.

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 6 - 2022 will be held on the 14th day of November 2022 at 7:00p.m. at Village Hall located at 200 Pondfield Road, Bronxville, NY unless otherwise noticed.
2. The Village Board directs that all requisite notices be published in accordance applicable laws and regulations.

LOCAL LAW NO. 6- 2022
A LOCAL LAW TO AMEND THE VEHICLES AND TRAFFIC LAW
OF THE VILLAGE OF BRONXVILLE, CHAPTER 290,
BY AMENDING STOP INTERSECTIONS

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

Section 1: **Section 290-15.** of Chapter 290 of the Code of the Village of Bronxville is hereby amended by adding the following:

Stop Street	Through Street	Location of the Sign
<i>Beechwood Road</i>	<i>Studio Lane</i>	<i>On South Corner</i>
<i>Lookout Avenue</i>	<i>Park Avenue</i>	<i>On Southwest Corner</i>
<i>Sussex Avenue</i>	<i>Argyle Road</i>	<i>On North Corner</i>

Section 2: This local law shall take effect immediately upon filing with the Secretary of State.

TO SCHEDULE A PUBLIC HEARING FOR
PROPOSED LOCAL LAW NO. 7 - 2022 - TO AMEND CHAPTER 290,
OF THE VEHICLE AND TRAFFIC LAW OF THE VILLAGE OF BRONXVILLE BY
AMENDING YIELD INTERSECTIONS

WHEREAS, the Board of Trustees (the “Board”) of the Village of Bronxville (the “Village”) asked the Village Administrator to draft a local law to Amend Chapter 290, of the Vehicle and Traffic Law of the Village of Bronxville by Amending Yield Intersections.

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 7 - 2022 will be held on the 14th day of November 2022 at 7:00p.m. at Village Hall located at 200 Pondfield Road, Bronxville, NY unless otherwise noticed.
2. The Village Board directs that all requisite notices be published in accordance applicable laws and regulations.

LOCAL LAW NO. 7 - 2022
A LOCAL LAW TO AMEND THE VEHICLES AND TRAFFIC LAW
OF THE VILLAGE OF BRONXVILLE, CHAPTER 290,
BY AMENDING YIELD INTERSECTIONS

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

Section 1: **Section 290-16.** of Chapter 290 of the Code of the Village of Bronxville is hereby amended by adding the following:

Yield Street	Through Street	Location of the Sign
<i>Ridge Road</i>	<i>Governors Road</i>	<i>On North Corner</i>

Section 2: This local law shall take effect immediately upon filing with the Secretary of State.

TO SCHEDULE A PUBLIC HEARING FOR
PROPOSED LOCAL LAW NO. 8 - 2022 - TO AMEND CHAPTER 290,
OF THE VEHICLE AND TRAFFIC LAW OF THE VILLAGE OF BRONXVILLE BY
AMENDING PARKING PROHIBITED IN DESIGNATED LOCATIONS

WHEREAS, the Board of Trustees (the “Board”) of the Village of Bronxville (the “Village”) asked the Village Administrator to draft a local law to Amend Chapter 290, of the Vehicle and Traffic Law of the Village of Bronxville by Amending Parking Prohibited in Designated Locations.

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 8 - 2022 will be held on the 14th day of November

2022 at 7:00p.m. at Village Hall located at 200 Pondfield Road, Bronxville, NY unless otherwise noticed.

2. The Village Board directs that all requisite notices be published in accordance applicable laws and regulations.

LOCAL LAW NO. 8 - 2022
A LOCAL LAW TO AMEND THE VEHICLES AND TRAFFIC LAW
OF THE VILLAGE OF BRONXVILLE, CHAPTER 290,
BY AMENDING PARKING PROHIBITED IN DESIGNATED LOCATIONS

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

Section 1: Section 290-28(A)(14)(d). of Chapter 290 of the Code of the Village of Bronxville is hereby amended in its entirety to read as follows:

(d) On the east side of Midland Avenue, from the intersection of Aron Road to the Village line

Section 2: This local law shall take effect immediately upon filing with the Secretary of State.

I. RESOLUTION – Approving Funding for Tree Pit Widening

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

WHEREAS, several existing tree pits in the Village need to be widened to assure healthy tree growth,

WHEREAS, these projects will be undertaken from time to time in various locations, and

WHEREAS, the total estimated cost for these upgrades is \$30,000

NOW, THEREFORE, BE IT

RESOLVED that the Board of Trustees hereby authorizes tree pit widening throughout the Village, and

BE IT FURTHER RESOLVED that the Board of Trustees authorizes funding for this project by the transfer of funds from general fund unassigned fund balance to the capital fund, and

BE IT FURTHER RESOLVED that the Village Administrator and Village Treasurer record all necessary transactions as required.

J. RESOLUTION – Approving Funding for Sidewalk and Curbing Upgrades

On a motion by Mayor Marvin, seconded by Trustee Knapp, the following resolution was unanimously approved:

WHEREAS, from time to time the Village works with property owners to upgrade sidewalks and curbing in various locations, and

WHEREAS, the total estimated cost for these upgrades is \$50,000

NOW, THEREFORE, BE IT

RESOLVED that the Board of Trustees hereby authorizes sidewalk and curbing upgrades throughout the Village, and

BE IT FURTHER RESOLVED that the Board of Trustees authorizes funding for this project by the transfer of funds from general fund unassigned fund balance to the capital fund, and

BE IT FURTHER RESOLVED that the Village Administrator and Village Treasurer record all necessary transactions as required.

K. RESOLUTION – Approving Carpeting for Police Department – 2nd Floor

On a motion by Mayor Marvin, seconded by Deputy Mayor Underhill, the following resolution was unanimously approved:

WHEREAS, the carpeting on the 2nd floor of the Police Department is threadbare, and

WHEREAS, RVP Flooring Systems can provide carpeting under NYS Contract PC 69410, and

WHEREAS, the total estimated cost for this improvement will be \$11,690.48,

NOW, THEREFORE, BE IT

RESOLVED that the Board of Trustees hereby authorizes the procurement of carpeting from RVP Flooring Systems for the 2nd Floor of the Police Department in Village Hall, and

BE IT FURTHER RESOLVED that the Board of Trustees authorizes funding for this project by the transfer of funds from general fund unassigned fund balance to the capital fund, and

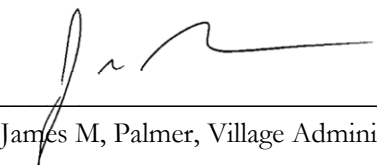
BE IT FURTHER RESOLVED that the Village Administrator and Village Treasurer record all necessary transactions as required.

PUBLIC COMMENTS – NONE

TRUSTEE COMMENTS – NONE

The next regularly scheduled Village Board of Trustees meeting will be Monday November 14, 2022, at 7:00pm.

There being no further comments, Mayor Marvin closed the Regular Meeting of the Board of Trustees at 8:52pm on a motion by Trustee Knapp, seconded by Trustee Behrens.



James M, Palmer, Village Administrator/Clerk