

**MINUTES OF REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE
VILLAGE OF BRONXVILLE HELD NOVEMBER 14, 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

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REGULAR MEETING

At 7:03pm, on a motion by Trustee Behrens, seconded by Deputy Mayor Underhill, the Village Board convened the Regular Meeting.

PUBLIC HEARING

Mayor Marvin re-opened the public hearing for proposed local Law 5-2022 at 7:03pm on a motion by Trustee Knapp, seconded by Trustee Behrens.

Mayor Marvin briefly explained this proposed local law. Prior to this year, no Village in the State of New York could have a speed limit below 30mph except for school zones. A new law was passed that provides each Village the option to adopt a lower speed limit to 25mph after a traffic engineer certifies that the Village streets can handle it.

Public Comments: A large number of residents spoke in tremendous support of the speed limit reduction and shared their own personal reasons for it but also supported enforcement of the speed limit.

Mayor Marvin appreciates all the comments in support of the speed limit reduction, the public hearing will remain open until the engineer completes an analysis which qualifies the village streets for a reduction of the maximum speed limit. A petition was also received from several residents on Parkway Road. Trustee Behrens also mentioned that the Trustees have received numerous emails and voice messages regarding this proposed local law, that mostly were for reducing the speed limit, and will be taken into account as well. Trustee Fredericks encouraged emails from anyone who would like to have their voices heard.

At 7:51pm Mayor Marvin adjourned the public hearing to December 14, 2022 on a motion by Trustee Behrens, seconded by Trustee Knapp.

a. Proposed Local Law 5 – 2022 – Amend Chapter 290-14.A 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.

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Mayor Marvin opened the public hearing for proposed local laws 6, 7 and 8 - 2022 at 7:54pm on a motion by Deputy Mayor Underhill, seconded by Trustee Knapp.

Village Administrator, James Palmer, gave a brief description of each proposed local law and they have also been reviewed and vetted by the police department.

Public Comments – None

At 7:58pm Mayor Marvin closed the public hearing on a motion by Trustee Behrens, seconded by Trustee Fredericks.

b. Proposed Local Law 6 – 2022 – to Amend the Vehicles and Traffic Law of the Village of Bronxville, Chapter 290, by Amending Stop Intersections

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>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

c. Proposed Local Law 7 – 2022 – to Amend the Vehicles and Traffic Law of the Village of Bronxville, Chapter 290, by Amending Yield Intersections

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.

d. Proposed Local Law 8 – 2022 – to Amend the Vehicles and Traffic Law of the Village of Bronxville, Chapter 290, by Amending Parking Prohibited in Designated Locations

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 Avon Road to the Village line

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

J. RESOLUTION – Adopting Local Laws #6, #7, #8 of 2022

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

WHEREAS, the Board of Trustees (the “Board”) of the Village of Bronxville (the “Village”) asked the Village Administrator to draft local laws to Amend Chapter 290 of the Code of the Village of Bronxville; and

WHEREAS, having received proposed Local Laws #6, #7, #8 - 2022, the Board is prepared to approve such proposed law; and

WHEREAS, a public hearing on Proposed Local Laws #6, #7, #8 - 2022 was held and closed on November 14, 2022.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

The Board of Trustees of the Village of Bronxville hereby adopts Proposed Local Laws #6, #7, #8 - 2022.

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MAYOR’S REPORT

Mayor Marvin gave a brief update on what she has been working on. Mayor Marvin congratulated all that were re-elected last week, including Senator Shelley Mayer, Congresswoman Amy Paulin and Congressman Jamaal Bowman. We look forward to continuing to work with them all. Gramatan Village will be holding a lecture on dementia and Alzheimer’s at the Bronxville School this Wednesday night at 7pm. Many residents were happy to see the flags put back up on the corner of Midland and Pondfield in honor of Veterans Day. Mayor Marvin was happy to announce the Village storefronts are at almost 100% capacity. Two new merchants opened in the Village recently please remember to shop local.

ADMINISTRATOR’S REPORT

None

TRUSTEE COMMENTS

Trustee Behrens, together with Mayor Marvin and Village Administrator Jim Palmer have been working with Village resident, Ashley Sharpe, to design and build a playground at Maltby Park. Currently, Sagamore Park is the only playground in the Village and a need for an additional playground exists. Anyone who would like to provide some input and ideas please feel free to reach out to either Trustee Behrens, Mayor Marvin or Jim Palmer. Mayor Marvin also mentioned that new playground equipment would replace some equipment in Sagamore Park.

APPROVAL OF MINUTES

On motion of Trustee Fredericks, seconded by Trustee Behrens, the Village Board unanimously approved the minutes of the following meetings:

- 1. Executive/Work Session October 11, 2022
- 2. Regular Meeting October 11, 2022
- 3. Executive Meeting October 31, 2022

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NEW BUSINESS

A. RESOLUTION – Designating Village Election Polling Locations

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

BE IT RESOLVED the hours for Village Election Day, Tuesday, March 21, 2023 be set from 6:00am to 9:00pm, and that the polling places shall be as follows:

- Village Hall - Districts 16 & 17 - 200 Pondfield Rd
- Fire House - Districts 18, 19 & 21 - Corner of Midland Ave and Palumbo Place
- Christ Church - District 20 & 22 - 18 Kensington Road

BE IT RESOLVED that March 10, 2023 is the LAST day a voter may register with Board of Elections to vote in a Village election.

B. RESOLUTION – Authorizing Winch Purchase and Use of Unassigned Fund Balance

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

WHEREAS, the DPW needs a new winch for the purposes of lifting and emptying large trash receptacles; and

WHEREAS, the Village received an estimate from Sanitation Equipment Corp for a new winch including installation; and

WHEREAS, the total estimated cost for this unit is \$11,518.40

NOW, THEREFORE, BE IT

RESOLVED that the Board of Trustees hereby authorizes this purchase, 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.

C. RESOLUTION – Authorizing SCAR Settlement

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

WHEREAS, Small Claims Assessment Review petitions having been filed by each property owner identified on the annexed schedules to this resolution, challenging real property tax assessments on the Village's 2020 Final Assessment Rolls.

WHEREAS, petitioner's court challenges are now pending in the Supreme Court, Arbitration Division, Westchester County,

WHEREAS, the Village and the property owners have reached a mutually agreeable resolution;

NOW THEREFORE BE IT RESOLVED, that the Village Board hereby authorizes the Village Assessor to execute those proceedings marked “Settled” on behalf of the Village and School reducing the assessments to no less than the amounts shown on a schedule of decisions identified herein:

2022 SMALL CLAIMS PROCEEDINGS								
Type	Address	Owner	Orig AV	Reduced AV	Reduction	Refund Village	Refund School	Total
Stipulation	25 Studio Lane	Withana	\$2,411,000	\$2,200,000	\$211,000	\$739.56	\$2,972.29	\$3,711.85

D. RESOLUTION – Approving Environmental Compliance Resolution (Construction of Wood End Lane Sewer Extension)

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

WHEREAS, on October 11, 2022, the Board of Trustees authorized and awarded a contract for sewer improvements at Wood End Lane, and

WHEREAS, the Board of Trustees authorized funding for this project, and

WHEREAS, in order to consider financing this projects 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 approve the attached environmental compliance resolution:

**ENVIRONMENTAL COMPLIANCE RESOLUTION TO MAKE FINDINGS
AND DETERMINATIONS
(Construction of Improvements to Sanitary Sewer System)**

WHEREAS various Village department heads and where applicable, competent architectural and engineering firms, duly licensed by the State of New York have, at the instance of the Board of Trustees (the “Board”), prepared plans, estimates, and where applicable, engineering and architectural studies and an estimate of the costs of the construction of improvements to the sanitary sewer system of the Village, authorized by the Board pursuant to a bond resolution, dated November 14, 2022, including rights-in-land, original furnishings, equipment, machinery, apparatus required for such purpose, and preliminary and incidental costs related thereto (collectively the “Project”) and said plans, estimates and engineering and architectural studies have been filed in the office of the Village Clerk and are on file for public inspection; and

WHEREAS, the Board of Trustees has determined, each component of the Project is a “Type II action”, as that term is defined in 6 NYCRR §617.2(ak), and therefore there is no requirement that the Village prepare or file an Environmental Assessment Form (“EAF”); and

WHEREAS, it is proposed that the maximum amount estimated to be expended for the Project is \$202,100 and that the costs of the Project are to be financed in part by the issuance of serial bonds of the Village in the aggregate principal amount of \$202,100 pursuant to the Local Finance Law of New York (the “LFL”) and if deemed advisable by the issuance of bond anticipation notes in anticipation of the issuance of said bonds; and

WHEREAS, it is proposed that the costs of the Project are to be paid from a tax levied upon all the taxable property in the Village in annual installments determined by the Board of Trustees in amounts sufficient to pay the principal of and interest on said bonds to be authorized in a bond resolution to be adopted by the Board; and

WHEREAS, the evidence contained in such plans, estimates and engineering and architectural studies with respect to the Project permits the Board to make the determinations hereinafter in connection with actions to be made for the purpose of authorizing the financing of the Project;

NOW THEREFORE, pursuant to proceedings prescribed in 6 NYCRR at §617 of the State Environmental Quality Review Act (“SEQRA”) regulations, BE IT RESOLVED, BY THE BOARD OF TRUSTEES OF THE VILLAGE OF BRONXVILLE, NEW YORK, as follows:

Section 1. The Village, by and through the Board, hereby declares and designates itself to be the “lead agency” as that term is defined in 6 NYCRR §617.2(v), with respect to the environmental review of the Project.

Section 2. It is hereby determined that the Project is a Type II action, as that term is defined in §617.2(ak).

Section 3. No other agency other than the Village is involved in said environmental review and no coordinated review, segmentation or scoping of such review is necessary or required with respect to the Project.

Section 4. The Village hereby determines that no environmental impact statement or any other determination or procedure is required under the Regulations and no hearing as set forth in 6 NYCRR §617.10(e) is required in making the determinations contained herein with respect to the Project.

Section 5. The Village shall maintain a file, readily accessible to the public, in the office of the Village Clerk, containing this resolution.

Section 6. This resolution shall take effect immediately upon its adoption.

E. RESOLUTION – Authorizing Bond Sale to Fund Sanitary Sewer Improvements at Wood End Lane

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

On roll call: Deputy Mayor Underhill, Mayor Marvin, Trustee Knapp, Trustee Fredericks, and Trustee Behrens.

WHEREAS, on October 11, 2022, the Board of Trustees adopted a board resolution authorizing the common force main sewer extension on Wood End Lane, and

WHEREAS, the estimated cost of this project is \$202,100, net of resident sewer fee connections,

NOW, THEREFORE, BE IT

RESOLVED that the Board of Trustees hereby approves the following bond resolution funding \$202,100

Description	Period of Probable Usefulness (PPU)	Resolution	Amount
Sanitary Sewer Reconstruction	40 Years	A	\$202,100

BE IT FURTHER RESOLVED that the Board of Trustees authorize, 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.

F. RESOLUTION – Approving Environmental Compliance Resolution for DPW Equipment Purchases

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

WHEREAS, the Village of Bronxville is planning to purchase DPW equipment to replace aging equipment, and

WHEREAS, in order to consider financing this acquisition 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 approve the following environmental compliance resolution.

ENVIRONMENTAL COMPLIANCE RESOLUTION TO MAKE FINDINGS AND DETERMINATIONS

WHEREAS various Village department heads and where applicable, competent architectural and engineering firms, duly licensed by the State of New York have, at the instance of the Board of Trustees (the “Board”), prepared plans, estimates, and where applicable, engineering and architectural studies and an estimate of the costs of the acquisition of machinery and apparatus for construction and maintenance, authorized by the Board pursuant to a bond resolution, dated _____, 2022, including preliminary and incidental costs related thereto (collectively the “Project”) and said plans, estimates and engineering and architectural studies have been filed in the office of the Village Clerk and are on file for public inspection; and

WHEREAS, the Board of Trustees has determined, each component of the Project is a “Type II action”, as that term is defined in 6 NYCRR §617.2(ak), and therefore there is no requirement that the Village prepare or file an Environmental Assessment Form (“EAF”); and

WHEREAS, it is proposed that the maximum amount estimated to be expended for the Project is \$400,000 and that the costs of the Project are to be financed in part by the issuance of serial bonds of the

Village in the aggregate principal amount of \$400,000 pursuant to the Local Finance Law of New York (the “LFL”) and if deemed advisable by the issuance of bond anticipation notes in anticipation of the issuance of said bonds; and

WHEREAS, it is proposed that the costs of the Project are to be paid from a tax levied upon all the taxable property in the Village in annual installments determined by the Board of Trustees in amounts sufficient to pay the principal of and interest on said bonds to be authorized in a bond resolution to be adopted by the Board; and

WHEREAS, the evidence contained in such plans, estimates and engineering and architectural studies with respect to the Project permits the Board to make the determinations hereinafter in connection with actions to be made for the purpose of authorizing the financing of the Project;

NOW THEREFORE, pursuant to proceedings prescribed in 6 NYCRR at §617 of the State Environmental Quality Review Act (“SEQRA”) regulations, BE IT RESOLVED, BY THE BOARD OF TRUSTEES OF THE VILLAGE OF BRONXVILLE, NEW YORK, as follows:

Section 1. The Village, by and through the Board, hereby declares and designates itself to be the “lead agency” as that term is defined in 6 NYCRR §617.2(v), with respect to the environmental review of the Project.

Section 2. It is hereby determined that the Project is a Type II action, as that term is defined in §617.2(ak).

Section 3. No other agency other than the Village is involved in said environmental review and no coordinated review, segmentation or scoping of such review is necessary or required with respect to the Project.

Section 4. The Village hereby determines that no environmental impact statement or any other determination or procedure is required under the Regulations and no hearing as set forth in 6 NYCRR §617.10(e) is required in making the determinations contained herein with respect to the Project.

Section 5. The Village shall maintain a file, readily accessible to the public, in the office of the Village Clerk, containing this resolution.

Section 6. This resolution shall take effect immediately upon its adoption.

G. RESOLUTION – Authorizing DPW Equipment Purchases, Funding Through Debt Service, Grants and Unassigned Fund Balance

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

On roll call: Trustee Behrens, Trustee Fredericks, Mayor Marvin, Deputy Mayor Underhill and Trustee Knapp.

WHEREAS, the Village has aging DPW vehicles, and

WHEREAS, the Village needs to replace these vehicles with new equipment, and

WHEREAS, the total expenditures related to the purchase of this equipment can cost up to \$815,000, and

WHEREAS, grant monies may be available to partially fund this equipment, and

WHEREAS, it is prudent to finance \$400,000 from debt service,

NOW, THEREFORE, BE IT

RESOLVED that the Board of Trustees hereby authorizes the acquisition of this equipment, and

BE IT FURTHER RESOLVED that the Board of Trustees authorizes partial funding for this project by the issuance of \$400,000 debt service, and

BE IT FURTHER RESOLVED that the Board of Trustees authorizes partial funding for this project by eligible grants, and

BE IT FURTHER RESOLVED that the Board of Trustees authorizes remaining 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.

H. RESOLUTION – Approving Environmental Compliance Resolution for Street Resurfacing

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

ENVIRONMENTAL COMPLIANCE RESOLUTION TO MAKE FINDINGS AND DETERMINATIONS

WHEREAS various Village department heads and where applicable, competent architectural and engineering firms, duly licensed by the State of New York have, at the instance of the Board of Trustees (the “Board”), prepared plans, estimates, and where applicable, engineering and architectural studies and an estimate of the costs of the construction and reconstruction of roads and streets, authorized by the Board pursuant to a bond resolution, dated _____, 2022, including preliminary and incidental costs related thereto (collectively the “Project”) and said plans, estimates and engineering and architectural studies have been filed in the office of the Village Clerk and are on file for public inspection; and

WHEREAS, the Board of Trustees has determined, each component of the Project is a “Type II action”, as that term is defined in 6 NYCRR §617.2(ak), and therefore there is no requirement that the Village prepare or file an Environmental Assessment Form (“EAF”); and

WHEREAS, it is proposed that the maximum amount estimated to be expended for the Project is \$150,000 and that the costs of the Project are to be financed in part by the issuance of serial bonds of the Village in the aggregate principal amount of \$150,000 pursuant to the Local Finance Law of New York (the “LFL”) and if deemed advisable by the issuance of bond anticipation notes in anticipation of the issuance of said bonds; and

WHEREAS, it is proposed that the costs of the Project are to be paid from a tax levied upon all the taxable property in the Village in annual installments determined by the Board of Trustees in amounts sufficient to pay the principal of and interest on said bonds to be authorized in a bond resolution to be adopted by the Board; and

WHEREAS, the evidence contained in such plans, estimates and engineering and architectural studies with respect to the Project permits the Board to make the determinations hereinafter in connection with actions to be made for the purpose of authorizing the financing of the Project;

NOW THEREFORE, pursuant to proceedings prescribed in 6 NYCRR at §617 of the State Environmental Quality Review Act (“SEQRA”) regulations, **BE IT RESOLVED, BY THE BOARD OF TRUSTEES OF THE VILLAGE OF BRONXVILLE, NEW YORK**, as follows:

Section 1. The Village, by and through the Board, hereby declares and designates itself to be the “lead agency” as that term is defined in 6 NYCRR §617.2(v), with respect to the environmental review of the Project.

Section 2. It is hereby determined that the Project is a Type II action, as that term is defined in §617.2(ak).

Section 3. No other agency other than the Village is involved in said environmental review and no coordinated review, segmentation or scoping of such review is necessary or required with respect to the Project.

Section 4. The Village hereby determines that no environmental impact statement or any other determination or procedure is required under the Regulations and no hearing as set forth in 6 NYCRR §617.10(e) is required in making the determinations contained herein with respect to the Project.

Section 5. The Village shall maintain a file, readily accessible to the public, in the office of the Village Clerk, containing this resolution.

Section 6. This resolution shall take effect immediately upon its adoption.

I. RESOLUTION – Authorizing Use of CHIPS, Issuance of Debt for Street Resurfacing

On a motion by Mayor Marvin, seconded by Trustee Knapp, the following resolution

WHEREAS, on June 13, 2022, the Board of Trustees adopted a board resolution approving a customary IMA with the Town of Eastchester for street repaving, and

WHEREAS, the IMA was awarded to Petrillo Inc., and,

WHEREAS, the contract was transferred to Westchester Hills Landscaping 2, and

WHEREAS, the Village has determined that necessary street resurfacing projects will cost roughly \$500,000, and

WHEREAS, anticipated CHIPS funding from NYS DOT will provide \$230,000, and

WHEREAS, the Village has roughly \$120,000 available from prior year debt service,

NOW, THEREFORE, BE IT

RESOLVED that the Board of Trustees hereby approves street resurfacing projects for \$500,000, and

BE IT FURTHER RESOLVED that the Board of Trustees authorizes \$150,000 from debt service, and

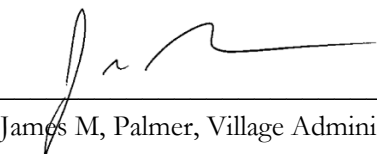
BE IT FURTHER RESOLVED that the Board of Trustees authorize the use of \$230,000 of CHIPS funding from NYS DOT.

TRUSTEE COMMENTS – NONE

PUBLIC COMMENTS – NONE

The next regularly scheduled Village Board of Trustees meeting will be Monday, December 12, 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 Fredericks, seconded by Trustee Knapp.



James M. Palmer, Village Administrator/Clerk