

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE
VILLAGE OF BRONXVILLE HELD NOVEMBER 13, 2023 AT 7:00PM
AT VILLAGE HALL, 200 PONDFIELD ROAD, BRONXVILLE, N.Y.**

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

WORK SESSION

At 6:15pm, on a motion by Trustee Knapp, seconded by Deputy Mayor Underhill, the Village Board unanimously convened a Work Session.

The Village Board discussed sidewalk maintenance and the code changes that were made a few years ago to clarify the responsibility of abutting homeowners. The Board also discussed the Town of Greenburgh’s tree preservation ordinance which was circulated by the County as a possible model law and directed the Village Attorney to review the ordinance in conjunction with other local ordinances that the Village was considering drafting a local law after. The Board also discussed some follow-up issues to their November work session on the outdoor dining program. The Board agreed to charge on-street dining establishments a prorated fee for the winter months to reflect the shortened season of December 1 to April 15th. The Village Administrator agreed to notify all on street dining establishments that they would have the opportunity to maintain their existing structures through April 15th provided they pay the appropriate fee and comply with the other Building Department requirements. The Village Board agreed to finalize the 2024 seasonal dining program in the coming weeks and meet with merchants.

At 7:01pm, Mayor Marvin re-opened the Regular Meeting of the Board of Trustees on motion by Trustee Knapp, seconded by Trustee Fredericks.

MAYOR’S REPORT

Mayor Marvin gave a brief update on what she has been working on. The Junior League of Bronxville is doing a Thanksgiving Sides Food Drive through November 15th. Collection boxes will be located outside Village Hall. Mayor Marvin congratulated County Legislator James Nolan on his re-election to a second term and congratulated our first female detective, Cheryl Jarosz. She also mentioned that Bronxville Girl’s Tennis Team won the NYS Division 2 Championship and were greeted with a special police escort back to school on their return.

ADMINISTRATOR’S REPORT

James Palmer, Village Administrator, gave a brief update on what he has been working on. Mr. Palmer reminded all that the use of gas powered leaf blowers are allowed until December 15th. DPW’s principle focus is leaf collection; please refrain from placing leaves in the street, sidewalk or near catch basins. Mr. Palmer also updated the public on the ongoing stormwater improvements design in the neighborhood of Hamilton, Sussex, Sherman and residents of Elm Rock, Lee and Masterton. A Zoom meeting will be scheduled for some time next week with consultants from PCI to update the residents of that area.

Deputy Mayor Underhill asked Village Administrator, James Palmer, about status of the Metro-North underpass. The Village Administrator explained that work is progressing but slowly due to the limited daytime hours restriction currently in place by Metro-North.

Trustee Fredericks announced that this past Veterans Day a group of residents gathered to help clean up the Nature Preserve. He thanked everyone for showing up and for their community spirit. Trustee Fredericks also thanked veterans Police Officer Danso-Faried and Lieutenant William Carroll for their service.

October minutes tabled.

PUBLIC HEARING

1. PROPOSED LOCAL LAW 6 – 2023, a Local Law to Amend Chapter 231 – Sanitary Sewers – Wood End - of the Code of the Village of Bronxville

At 7:16pm, on a motion by Trustee Behrens, seconded by Trustee Fredericks, Mayor Marvin opened the public hearing for proposed local law 6-2023.

James Palmer, Village Administrator, explained the purpose of this local law.

No Trustee comments.

No public comments.

At 7:18pm, on a motion by Trustee Fredericks, seconded by Trustee Behrens, Mayor Marvin closed the public hearing for proposed local law 6-2023.

NEW BUSINESS

A. RESOLUTION – Adopting Local Law 6 - 2023

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

WHEREAS, Village Counsel has drafted a local law to Amend Section 231 – Sanitary Sewers – Wood End - of the Code of the Village of Bronxville; and

WHEREAS, having received proposed Local Law # 6-2023, the Board of Trustees is prepared to approve such proposed law; and

WHEREAS, a public hearing on Proposed Local Law 6-2023 was held and closed on November 13, 2023; and

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

The Board of Trustees of the Village of Bronxville hereby adopts Local Law 6-2023.

LOCAL LAW # 6 - 2023

A Local Law to add a new Chapter 231 of the Code of the Village of Bronxville

Section One: The Code of the Village of Bronxville is hereby amended by deleting Section 231 in its entirety and adding thereto a new Chapter 231 entitled “Sewers” to read as follows:

Chapter 231 Sewers

§ 231-1 Wood End Lane Connections

All future direct connections to the Wood End Lane Common Force Main shall be constructed strictly in accordance with the house service connection/overflow tank details as per the approved plans and specifications of Peder W. Scott, P.E., dated June 15, 2021, last revised September 7, 2022, and approved by the Westchester County Department of Health on November 7, 2022.

Notwithstanding the foregoing, the Building Inspector may waive the 500-gallon sanitary sewer emergency storage tank requirement if a permanently mounted generator is installed on the property that provides automatic auxiliary power to the sanitary sewer duplex-pumps.

Section Two: 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, 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 Three: Effective Date.

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

B. RESOLUTION - Adopting Climate Action Plan for Municipal Operations

Trustee Knapp introduced Carol Upshur and Ellen Edwards, both of whom had presented the Climate Action Plan at last month's meeting and mentioned that public comments on the Climate Action Plan have remained open until the it is officially adopted. One comment from the October Board of Trustees meeting regarding costs associated with this plan was clarified. Mayor Marvin also thanked the Green Committee for another successful Take Back Day.

Trustee Knapp made a motion to adopt the Climate Action Plan for municipal operations to help the Village make meaningful reductions in our use of fossil fuels and protect our community and the planet from harm associated to climate change, the motion was seconded by Mayor Marvin. The following resolution was unanimously approved:

WHEREAS, the Village currently participates in New York State's Climate Smart Communities Program; and

WHEREAS, the Village has completed a number of climate-oriented actions as part of the program including, but not limited to, installing geo-thermal heating/cooling system in Village Hall, food scrap recycling program, and electric vehicle charging stations; and

WHEREAS, the Climate Action Plan will further the Village's goals of reducing Greenhouse Gases associated with municipal operations and serve as a guide for the actions which can be taken; and

WHEREAS, these reductions will improve the overall health and wellbeing of our community; and

WHEREAS, the Village has held public meetings to discuss the benefits of the plan in June 2023 and October 2023;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees adopts the Climate Action Plan to help the Village make meaningful reductions in our use of fossil fuels and protect our community and the planet from harm associated to climate change.

Trustee Fredericks also mentioned that the Climate Plan is available on the Village's website.

C. RESOLUTION – Authorizing Sam Grant Application Submittal and Acceptance Bronxville Public Library Outdoor Reading Garden

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

WHEREAS, the Library Board of Trustees and the Village Board of Trustees, in collaboration with the Friends of the Bronxville Public Library have finalized a design for an outdoor reading garden for the Bronxville Public Library; and

WHEREAS, the improvements will consist of a patio with seating for small and large group gatherings and library programming, improved entrance and pathway access, lighting, drainage and landscaping; and

WHEREAS, the expected budget for this project is \$775,000; and

WHEREAS, the Village of Bronxville is eligible for a \$125,000 SAM Grant from the New York State Dormitory Authority to offset some of the costs; and

NOW, THEREFORE, BE IT

RESOLVED that the Board of Trustees hereby authorize the submittal of the SAM grant application and acceptance of funds for these improvements.

D. RESOLUTION – Awarding the Bid for the Library Outdoor Reading Garden Improvements

Trustee Knapp explained this resolution and mentioned that Library Trustee Christina Krettecoc was in the audience. Trustee Knapp thanked the Library Trustees and the Friends of the Library for all their work in helping spearhead this project. Christina Krettecoc gave an update on the Library Reading Garden project. She also updated the Board on the money they have collected and also mentioned that the Library is seeking \$250,000 in donations from community members to help with the costs of the project.

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

WHEREAS, the Library Board of Trustees and the Village Board of Trustees, in collaboration with the Friends of the Bronxville Public Library finalized a design for an outdoor reading garden for the Bronxville Public Library; and

WHEREAS, the total cost for the project is expected to be \$775,000 (inclusive of soft costs, Phase I, Phase II); and

WHEREAS, the design was publicly bid, bids received and reviewed and the low bidder was Tony Casale Inc with a base bid of \$794,000; and

WHEREAS, following recommendations by the Project Architect Ronen Wilk of Peter Gisolfi Associates LLP and the removal of certain items from the base bid (Phase I of the project) the low bid was further reduced to \$646,000; 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 SEQRA;

WHEREAS, the Project Architect and Library Board of Trustees recommend that the bid (Phase I) be awarded to the low bidder, Tony Casale Inc. in the amount of \$646,000; and

WHEREAS, Phase I and the anticipated Phase II improvements (consisting of furniture and landscaping) shall be funded through a State Grant, Village Contribution and funding from the Friends of the Bronxville Library (FOBPL);

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees hereby authorize the Village Administrator to execute a contract with Tony Casale Inc. for the amount of \$646,000 to complete the Phase I work.

E. RESOLUTION – Designating Village Election Polling Locations

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

BE IT RESOLVED the hours for Village Election Day, Tuesday, March 19, 2024 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 8, 2024 is the LAST day a voter may register with Board of Elections to vote in a Village election.

Note: In the event that the Eastchester Fire House is unavailable due to construction then the polling location for Districts 18, 19, 21 shall be the Reformed Church of Bronxville at 180 Pondfield Road.

F. RESOLUTION – Authorizing ARPA Funding for Traffic Signal Improvements

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

WHEREAS, on May 9, 2022, the Village BOT awarded Contract VA-2022-01 for Signal and Pedestrian Improvements to the Intersections of Pondfield and Midland and Pondfield and Gramatan Avenues, to Verde Electric Maintenance Corp, of Mount Vernon, and

WHEREAS, on September 12, 2022, the Village BOT authorized ARPA Funding of \$330,000 to fund this project, and

WHEREAS, additional funding of \$45,833.21 will be required to complete this project,

NOW THEREFORE BE IT

RESOLVED that the Village of Bronxville Board of Trustees approves the use of \$45,833.21 in ARPA funding and authorizes the Village Administrator and Village Treasurer to transfer \$45,833.21 from the general fund ARPA liability account A.0000.6880.0000 to the general fund revenue account A.0400.4980.0000, and transfer \$45,833.21 in unassigned general fund Balance to the capital fund, and

BE IT FURTHER RESOLVED that the Village authorizes that the balance of project costs will be financed by a transfer of General Fund unassigned fund balance to the Capital Fund.

Trustee Fredericks complimented all who procured the design of the traffic lights in the intersection of Gramatan Ave & Pondfield Rd and Midland Ave & Pondfield Rd.

G. RESOLUTION – SCAR Settlements

On a motion by Deputy Mayor Underhill, seconded by Mayor Marvin, 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.

2023 SMALL CLAIMS PROCEEDINGS							
TYPE	ADDRESS	ORIG AV	REDUCED AV	REDUCTION	REFUND VILLAGE	REFUND SCHOOL	TOTAL
Settled	29 Prescott Ave.	\$5,515,100	\$5,000,000	\$515,100	\$1,847.87	\$7,258.74	\$9,106.61
Settled	3 Westway	\$4,400,000	\$4,300,000	\$100,000	\$358.74	\$1,409.19	\$1,767.93
Settled	6 Courseview Rd	\$4,700,000	\$4,600,000	\$100,000	\$358.74	\$1,409.19	\$1,767.93
Settled	11 Westway	\$4,150,500	\$4,100,000	\$50,500	\$181.16	\$711.64	\$892.80
Settled	27 Masterton Rd	\$7,014,900	\$6,200,000	\$814,900	\$2,923.37	\$11,483.49	\$14,406.86
Withdrawn	111 Midland Ave.	\$1,497,400	\$0	\$0	\$0.00	\$0.00	\$0.00
Withdrawn	31 Homedale Rd	\$2,498,000	\$0	\$0	\$0.00	\$0.00	\$0.00
Withdrawn	6 Legget Rd	\$1,850,000	\$0	\$0	\$0.00	\$0.00	\$0.00
Withdrawn	2 Village Lane	\$1,476,650	\$0	\$0	\$0.00	\$0.00	\$0.00
Totals				\$1,580,500	\$5,669.88	\$22,272.25	\$27,942.13

H. RESOLUTION – Authorizing Purchase and Installation of Ductless H/P and AC Unit in Police Dept. IT Room

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

WHEREAS, the police department IT room cannot adequately maintain the temperature and humidity levels necessary to ensure the safe operation of computer hardware, and

WHEREAS, Innovative Air Solutions was the lowest responsible bidder with a quote for \$10,702, to supply and install a ductless h/p and a/c unit in the police IT room, and

WHEREAS, the Village received a quote of \$3,950 from Naber Electric to install the necessary electrical upgrades for this unit,

NOW THEREFORE BE IT

RESOLVED that the Village of Bronxville Board of Trustees approves the purchase of a ductless ac unit for the police department IT room, and

BE IT FURTHER RESOLVED that the Village of Bronxville Board of Trustees awards the electrical work to Naber Electric for \$3,950, and

BE IT FURTHER RESOLVED that the Village of Bronxville Board of Trustees awards the purchase and installation of the ductless a/c unit to Innovative Air Solutions Inc., for \$10,702, and

BE IT FURTHER RESOLVED that the Village authorizes the project costs to be financed by a transfer of General Fund unassigned fund balance to the Capital Fund.

I. RESOLUTION – Authorizing Purchase and Installation of LED Lighting for the Police Department

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

WHEREAS, the Village is continuing efforts to improve energy efficiency throughout Village Hall, and

WHEREAS, the second floor of the Police Department has lighting which can be replaced by energy efficient LED lighting, and

WHEREAS, the Village received a competitive quote of \$5,650.00 from Naber Electric,

NOW THEREFORE BE IT

RESOLVED that the Village of Bronxville Board of Trustees approves the LED replacement project, and

BE IT FURTHER RESOLVED that the Village of Bronxville Board of Trustees awards the project to Naber Electric for \$5,650.00, and

BE IT FURTHER RESOLVED that the Village authorizes the project costs to be financed by a transfer of General Fund unassigned fund balance to the Capital Fund.

J. RESOLUTION – Authorizing Bond Sale to Fund Police Car and Coin Sorter

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

On Roll Call – Trustee Knapp, Trustee Behrens, Trustee Fredericks, Deputy Mayor Underhill and Mayor Marvin.

WHEREAS, on May 8, 2023 the Board of Trustees adopted a board resolution authorizing the acquisition of a police car, and

WHEREAS, on September 11, 2023 the Board of Trustees adopted a board resolution authorizing the acquisition of a coin sorter, and

WHEREAS, the combined cost of these items are \$67,800.92,

NOW, THEREFORE, BE IT

RESOLVED that the Board of Trustees hereby approves the following bond resolutions funding \$67,800.92:

Description	Period of Probable Usefulness (PPU)	Resolution	Amount
Police Car	Three(3) Years	A	\$56,800.92
Coin Sorter	Five (5) Years	A	\$11,000.00
	Total		\$67,800.92

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.

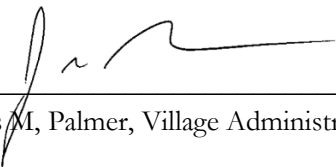
TRUSTEE COMMENTS – Trustee Behrens mentioned that she witnessed several cars crossing the double white line into parking spaces on Pondfield Rd and reminded the public that it is illegal and hazardous to pedestrians.

Mayor Marvin reminded the public to shop local this holiday season. Mr. Palmer also mentioned that there will be free on-street parking from Noon on this Saturday compliments of Jon Gordon of Admiral Realty and free parking in the Kensington Garage, Kraft Lot and Garden Lot compliments of the Village.

PUBLIC COMMENTS – None

There being no further comments, Mayor Marvin closed the Board of Trustees meeting at 7:57pm on a motion by Trustee Behrens, seconded by Trustee Knapp.

The next Village Board of Trustees meeting will be Monday, December 11, 2023 at 7:00pm. There is also a tentative Work Session scheduled for December 10th.



James M, Palmer, Village Administrator/Clerk