

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE
VILLAGE OF BRONXVILLE HELD MAY 13, 2024 AT 7:00PM
AT VILLAGE HALL, 200 PONDFIELD ROAD, BRONXVILLE, N.Y.**

PRESENT:	Mary C. Marvin	Mayor
	Helen Knapp	Trustee
	Mary Taylor Behrens	Trustee
ALSO PRESENT:	James Staudt	Village Attorney
	James Palmer	Village Administrator
	Lori Voss	Treasurer
	Christopher Satriale	Chief of Police
	Nicholas DeYoung	Police Lieutenant
EXCUSED:	William Fredericks	Trustee
	Robert S. Underhill	Deputy Mayor

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EXECUTIVE SESSION/WORK SESSION

At 6:00pm, on a motion by Trustee Behrens, seconded by Trustee Knapp, the Village Board convened a Work Session. Chief Satriale and Lt. DeYoung updated the Village Board on several quality of life enforcement initiatives being updated in and around the downtown. Chief Satriale informed the Board that the police department was awarded a law enforcement technology grant.

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At 7:03pm, Mayor Marvin opened the Regular Meeting of the Board of Trustees

MAYOR’S REPORT

Mayor Marvin gave a brief update on what she has been working on. She made several announcements which included Mary Mackintosh honored by the Counseling Center and John Priesing honored by the Rotary Club. Mr. Priesing will also be our Grand Marshal for our 102nd Memorial Day Parade and Ceremony on May 27th. John is a 50+ year Bronxville resident and Korean War Veteran. Mayor Marvin also reminded residents that the Bronxville School Budget Vote and Election is May 21st. The Farmers Market officially opened this past Saturday, May 11th from 8:30am to 1:00pm and will run through Thanksgiving weekend and the Village’s Sidewalk sale is May 31st and June 1st from 10am to 5pm.

Trustee Knapp reminded residents that the leaf blower ban will be in effect May 15th through October 15th. She also mentioned Take Back Day is June 1st from 10am to 1pm.

Trustee Behrens mentioned Maltby Park is open from dusk ‘til dawn and designated one hour parking is available in the Maltby lot.

ADMINISTRATOR’S REPORT

Village Administrator, James Palmer, gave a brief update on what he has been working on. Mr. Palmer reminded the public that outdoor dining standards have been approved and are on the Village’s website under Trustees page. He also mentioned there are several stormwater projects underway including a review of possible mitigation measures to reduce flooding for the Bronx River from Paxton Ave all the way up to the Town of Greenburgh. A complete draft report should be made available soon. Other projects include Midland Valley Drainage Basin, Crawford Drainage Basin and a review of Hamilton/Sussex/Homesdale drainage improvements.

APPROVAL OF MINUTES

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

- 1. Executive/Work Session of April 8, 2024
- 2. Annual/Regular Meeting of April 8, 2024
- 3. Work Session of April 25, 2024

PUBLIC HEARING - Continuation

1. Proposed Local Law Regarding Sanitary Sewer Laterals - Inspections, Repairs, Replacement and Ongoing Maintenance

At 7:25pm, on motion by Mayor Marvin, seconded by Trustee Behrens, the Board reopened the public hearing for Proposed Local Law 2024 - Regarding Sanitary Sewer Laterals - Inspections, Repairs, Replacement and Ongoing Maintenance.

Mr. Palmer explained this proposed local law.

Public Comments: None

Trustee Comments: None

The public hearing will remain open for additional written comments through 5:00pm June 10, 2024.

At 7:35pm, there being no further comments the public hearing was adjourned for written comments on a motion by Mayor Marvin, seconded by Trustee Behrens.

NEW BUSINESS

- A. **RESOLUTION – Authorizing Funding for Streetscape Improvements along Pondfield Road in Front of the Bronxville School**

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

WHEREAS, the Bronxville Union Free School District (BUFSD) is re-landscaping the courtyard facing Pondfield Road; and

WHEREAS, the trees along Pondfield Road and Midland Avenue are part of the Village's property; and

WHEREAS, new indigenous trees and their installation in front of 177 Pondfield Road and Midland Ave between Pondfield Road and the school parking lot, according to the proposal provided to the BUFSD, will cost \$64,100;

NOW, THEREFORE, BE IT

RESOLVED that the Board of Trustees hereby authorizes the reimbursement to the Bronxville School for the purchase and installation of indigenous trees and irrigation on Pondfield Road and along Midland Avenue in front of the BUFSD, and

BE IT FURTHER RESOLVED that to fund this purchase, the Board of Trustees authorizes the use of \$64,100 of prior year debt service formerly earmarked for the Bacon Woods Park Improvement Project, and

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

- B. **RESOLUTION – Authorizing the Sale of Surplus Equipment**

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

WHEREAS, the DPW vehicle has exceeded their useful life and purpose; and

WHEREAS, the Village would benefit by selling this piece of equipment at public auction;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees hereby declare the following equipment as surplus Village property and authorizes the disposal of the following equipment by public sale:

Lot	Year	Make/Model/Type	Unit No.	VIN/Description	Assigned to
01	2015	Chevrolet	Tahoe	1GNSK2EC1FR685560	PD

BE IT FURTHER RESOLVED that the disposal of this equipment is authorized in compliance with the requirements of law, and the Village Administrator and all appropriate officials are authorized to take the actions necessary to dispose of this equipment.

C. RESOLUTION – Authorizing Appointment of Michael Romano to the DPW

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

WHEREAS, there exists an opening for the full time position of Laborer with the Department of Public Works;

NOW THEREFORE, BE IT RESOLVED: That the Village Board of Trustees authorize the appointment of Michael Romano to the position of Laborer with the Department of Public Works at a starting salary of \$72,180 in accordance with the current agreement between the Village of Bronxville and the International Brotherhood of Teamsters, Local 456, I.B.T.

D. RESOLUTION - Amending the Vehicles and Traffic Law of the Village of Bronxville, Chapter 290, Parking Prohibited

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

WHEREAS, the Village of Bronxville uses traffic and parking fines as a deterrent for illegal and unsafe parking in the community; and

WHEREAS, the Village of Bronxville has experienced an increase in non-compliance with traffic and parking rules; and

WHEREAS, the safety of motorists and pedestrians is important within the Village and promotes a walkable community; and

WHEREAS, the Village Board of Trustees has reviewed traffic and parking fine amounts in several communities within Westchester County; and

WHEREAS, the Village of Bronxville wishes to increase certain traffic and parking fines to create more of a deterrent for illegal and unsafe parking;

NOW, THEREFORE, effective immediately, the Village Board of Trustees authorizes the following increases in penalties for violations of traffic regulations:

Section 290-48. of Chapter 290 of the Code of the Village of Bronxville is hereby revised by amending the following:

§ 290-48 Violations and Penalties

(1) Maximum penalties for violations of traffic regulations

Violation	Penalty	
No parking 2:00 a.m. to 6:00 a.m.	\$30	\$50
No parking bus stop	\$35	\$50
No parking	\$35	\$50
No resident permit Village lot	\$35	\$50
No merchant permit Village lot	\$35	\$50
No parking permit	\$35	\$50
Failure to properly affix parking permit sticker	\$35	\$50
Double Parking	\$70	\$100
Fire Hydrant Parking	\$70	\$100
Expired Inspection	\$35	\$50
Handicap parking		
Street	\$110	\$130
Off-street	\$110	\$130
Improper parking		
Parking across line	\$35	\$50
Failing to obey sign		

E. RESOLUTION – Authorizing the Establishment of an Energy Benchmarking Policy for Municipal Buildings

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

WHEREAS, buildings are the single largest user of energy in the State of New York. The poorest performing buildings typically use several times the energy of the highest performing buildings—for the exact same building use; and

WHEREAS, collecting, reporting, and sharing building energy data on a regular basis allows municipal officials and the public to understand the energy performance of municipal buildings relative to similar buildings nationwide, and equipped with this information the Village is able to make smarter, more cost-effective operational and capital investment decisions, reward efficiency, and drive widespread, continuous improvement; and

WHEREAS, the Village desires to use Building Energy Benchmarking - a process of measuring a building's energy use, tracking that use over time, and comparing performance to similar buildings - to promote the public health, safety, and welfare by making available good, actionable information on municipal building energy use to help identify opportunities to cut costs and reduce pollution in the Village; and

WHEREAS, the Village desires to establish procedures or guideline for Village staff to conduct such Building Energy Benchmarking; and

NOW THEREFORE, IT IS HEREBY RESOLVED AND DETERMINED, that the following specific policies and procedures are hereby adopted;

BUILDING ENERGY BENCHMARKING POLICY/PROCEDURES

§1. DEFINITIONS

(A) “Benchmarking Information” shall mean information generated by Portfolio Manager, as herein defined including descriptive information about the physical building and its operational characteristics.

(B) “Building Energy Benchmarking” shall mean the process of measuring a building’s Energy use, tracking that use over time, and comparing performance to similar buildings.

“Covered Municipal Building” shall mean a building or facility that is owned or occupied by the Village that is 1,000 square feet or larger in size.

“Energy” shall mean electricity, natural gas, steam, hot or chilled water, fuel oil, or other product for use in a building, or renewable on-site electricity generation, for purposes of providing heating, cooling, lighting, water heating, or for powering or fueling other end-uses in the building and related facilities, as reflected in Utility bills or other documentation of actual Energy use.

“Energy Performance Score” shall mean the numeric rating generated by Portfolio Manager that compares the Energy usage of the building to that of similar buildings.

“Energy Use Intensity (EUI)” shall mean the kBtUs (1,000 British Thermal Units) used per square foot of gross floor area.

“Gross Floor Area” shall mean the total number of enclosed square feet measured between the exterior surfaces of the fixed walls within any structure used or intended for supporting or sheltering any use or occupancy.

“Portfolio Manager” shall mean ENERGY STAR Portfolio Manager, the internet-based tool developed and maintained by the United States Environmental Protection Agency to track and assess the relative Energy performance of buildings nationwide, or successor.

“Utility” shall mean an entity that distributes and sells Energy to Covered Municipal Buildings.

“Weather Normalized Site EUI” shall mean the amount of Energy that would have been used by a property under 30-year average temperatures, accounting for the difference between average temperatures and yearly fluctuations.

§2. APPLICABILITY

(1) This policy is applicable to all Covered Municipal Buildings as defined in Section 2 of this policy.

(2) The Village Administrator may exempt a particular Covered Municipal Building from the benchmarking requirement if the Village Administrator determines that it has characteristics that make benchmarking impractical.

§3. BENCHMARKING REQUIRED FOR COVERED MUNICIPAL BUILDINGS

(1) No later than May 31, 2024, and no later than May 31 every year thereafter, the Village Administrator or his or her designee from the Department shall enter into Portfolio Manager the total Energy consumed by each Covered Municipal Building, along with all other descriptive information required by Portfolio Manager for the previous calendar year.

(2) For new Covered Municipal Buildings that have not accumulated 12 months of Energy use data by the first applicable date following occupancy for inputting Energy use into Portfolio Manager, the Village Administrator or his or her designee shall begin inputting data in the following year.

§4. DISCLOSURE AND PUBLICATION OF BENCHMARKING INFORMATION

(1) The Village Administrator shall make available to the public on the internet Benchmarking Information for the previous calendar year:

(a) no later than September 1, 2024 and by September 1 of each year thereafter for Covered Municipal Buildings; and

(2) The Village Administrator shall make available to the public on the internet and update at least annually, the following Benchmarking Information:

(a) Summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information; and

(b) For each Covered Municipal Building individually:

(i) The status of compliance with the requirements of this Policy; and

(ii) The building address, primary use type, and gross floor area; and

(iii) Annual summary statistics, including site EUI, Weather Normalized Source EUI, annual GHG emissions, and an Energy Performance Score where available; and

(iv) A comparison of the annual summary statistics (as required by Section 5(2)(b)(iii) of this Policy) across calendar years for all years since annual reporting under this Policy has been required for said building.

§5. MAINTENANCE OF RECORDS

The Village Administrator shall maintain records as necessary for carrying out the purposes of this Policy, including but not limited to Energy bills and other documents received from tenants and/or Utilities. Such records shall be preserved by the Department for a period of three (3) years.

§6. ENFORCEMENT AND ADMINISTRATION

(1) The Village Administrator or his or her designee shall be the Chief Enforcement Officer of this Policy.

(2) The Chief Enforcement Officer of this Policy may promulgate regulations necessary for the administration of the requirements of this Policy.

(3) Within thirty days after each anniversary date of the effective date of this Policy, the Chief Enforcement Officer shall submit a report to the Board Of Trustees including but not limited to summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information, a list of all Covered Municipal Buildings identifying each Covered Municipal Building that the Village Administrator determined to be exempt from the benchmarking requirement and the reason for the exemption, and the status of compliance with the requirements of this Policy.

§7. EFFECTIVE DATE

This policy shall be effective immediately upon passage.

§8. SEVERABILITY

The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision, or phrase of the aforementioned sections, as declared by the valid judgment of any court of competent jurisdiction to be unconstitutional, shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision, or phrase, which shall remain in full force and effect.

F. RESOLUTION – Authorizing Funding For Website Upgrade

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

WHEREAS, the Village’s website was upgraded in 2019, and

WHEREAS, website design and functionality have greatly improved since then, and

WHEREAS, Civic Plus quoted the Village \$21,584.05 to upgrade and host the Village’s website, and

WHEREAS, the annual maintenance cost for each of the next four years would be \$7,155.00, and

WHEREAS, this cost is consistent with similar product fees for comparable municipalities,

NOW, THEREFORE, BE IT

RESOLVED that the Board of Trustees hereby authorizes the Village website upgrades by Civic Plus, and

BE IT FURTHER RESOLVED that these funds will be paid from unassigned General Fund balance, and

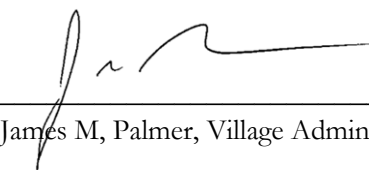
BE IT FURTHER RESOLVED that the Village Administrator and Village Treasurer record all necessary transactions as required.

TRUSTEE COMMENTS – NONE

PUBLIC COMMENTS – NONE

The next regularly scheduled Village Board of Trustees meeting will be Monday, June 10, 2024, at 7:00pm.

There being no further comments, Mayor Marvin closed the Regular Meeting of the Board of Trustees at 8:04pm on a motion by Trustee Knapp, seconded by Trustee Behrens.



James M, Palmer, Village Administrator/Clerk