

**MINUTES OF SPECIAL MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF
BRONXVILLE HELD ON WEDNESDAY, FEBRUARY 19, 2014 AT THE VILLAGE HALL, 200
PONDFIELD ROAD, BRONXVILLE, N.Y.**

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PRESENT:	Mary C. Marvin Robert S. Underhill Guy Longobardo	Mayor Trustees
ALSO PRESENT:	Harold Porr III James Staudt Gabriella Radujko Rocco Circosta Christopher Satriale Peggy Conway Kelly DeSimone Vincent Pici Robert Fels George McKinnis George Mayer Donald Marra	Village Administrator Village Attorney Library Director Superintendent of Public Works Chief of Police Deputy Village Treasurer – Parking Court Clerk Village Engineer Village Treasurer Village Justice Village Justice Consultant
EXCUSED:	Anne W. Poorman Donald M. Gray	Trustees

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The meeting was called to order by Mayor Marvin at 5:05PM on the motion of Trustee Underhill, second by Trustee Longobardo.

NEW BUSINESS

RESOLUTION – AUTHORIZING RETENTION OF REAL ESTATE APPRAISER

On motion of Trustee Longobardo, second by Trustee Underhill, and unanimously carried, the following resolution was adopted:

WHEREAS, petitions having been filed by the property owner below, challenging real property tax assessments on the Village's Final Assessment Roll with respect to the following parcel:

<u>Property Owner</u>	<u>Address Description</u>	<u>Year(s)</u>
Pondfield Apartments (Co-op)	133 Pondfield Rd	2007-2013

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

WHEREAS, the rules of the court require the Petitioner and Respondent to submit evidence of the Fair Market Value of the contested property, and

WHEREAS, Special Counsel – Huff/Wilkes and the Assessor have completed their search for a qualified expert,

NOW THEREFORE BE IT RESOLVED, that the Village Board hereby authorizes Special Counsel, Huff/Wilkes to engage the services of Sterling Appraisals, Inc. of Eastchester New York to prepare the required real estate appraisal and provide expert testimony in conjunction with the aforesaid Tax Certiorari Proceedings. All services will be provided in accordance with a fee proposal, more specifically described in the attached memorandum dated November 22, 2013 from Assessment Consultant Gerry Iagallo.

At 5:08PM, on the motion of Trustee Longobardo, second by Trustee Underhill, the Board entered into Executive Session to seek advice on real estate issues with legal counsel

At 5:11PM, on the motion of Trustee Longobardo, second by Trustee Underhill, the Board re-opened the meeting.

Village Attorney James Staudt reviewed various aspects of the contract with Ferari Associates for the Kensington Road project.

RESOLUTION - AUTHORIZING EXECUTION OF PURCHASE SALE AND DEVELOPMENT AGREEMENT FOR KENSINGTON ROAD PROPERTY

On motion of Trustee Underhill, second by Trustee Longobardo, and unanimously carried, the following resolution was adopted:

WHEREAS, on June 21, 2004 the Village of Bronxville (the “Village”) entered into a Purchase Sale and Development Agreement with Spectrum Kensington, LLC and WCI Communities, Inc. (the “Previous Developer”) which provided for the sale and development of the Village’s Kensington Road Parking Lot which is designated on the Village’s Tax Map as Section 11, Block 5, Lots 1, 6 & 16 (the “Property”), and

WHEREAS, between June 21, 2004 and January 10, 2007 the proposed development underwent a detailed and thorough planning and environmental review before the Village Planning Board, including the preparation of a full EIS and issuance of detailed environmental findings and conditions by the Planning Board, and

WHEREAS, on June 10, 2007 the Village Planning Board approved a development of the Property which would include the environmental remediation of the Property, the construction of fifty-four (54) residential condominium units with attendant parking, and the construction of 203 additional parking spaces for use by the Village in perpetuity (the “Project”), and

WHEREAS, as a result of the ensuing severe economic recession the Previous Developer did not proceed with the closing on the Property and construction of the Project, and

WHEREAS, on June 7, 2013 the Village issued an RFP for proposals to proceed with the purchase and development of the Property in accordance with the previously approved design and Planning Board approvals, and

WHEREAS, the Village has selected Fareri Associates, LP of Greenwich Connecticut as the developer to proceed with acquisition of the Property and construction of the Project, and

WHEREAS, the New York State Legislature has heretofore authorized the sale of the Property,

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Village Board hereby ratifies its previous determination that the Property, with the exception of the perpetual easement for Village parking which will be retained, is surplus property and is no longer needed for municipal purposes,
2. The Village Board hereby finds that the approximately three (3) year environmental review of the Project was thorough and protective of the environment and that no further environmental review is required at this time,
3. The Village Board hereby agrees to enter into the Purchase Sale and Development Agreement ("PSDA") for the Property, including any exhibits and addenda thereto, (which the Board has before it) with Fareri Associates, LP (John Fareri, Guarantor), it being understood that there will be no binding agreement on the part of the Village until the PSDA has been fully executed with the required down payment and security delivered to the Village, and
4. The Mayor of the Village is hereby authorized to sign the PSDA, and any agreement(s) related thereto, once the PSDA has been signed by the Purchaser and Guarantor and delivered to the Village with the required down payment and security.
5. The Village Attorney is hereby authorized to make and agree to such changes as to form with respect to the above-referenced documentation as he deems to be in the best interests of the Village prior to the execution thereof.

At 5:27PM, on motion of Trustees Longobardo, second by Trustee Underhill, the Board entered into Executive Session with consultant Don Marra to discuss personnel issues in the Treasurer's office and the Village Administrator's office.

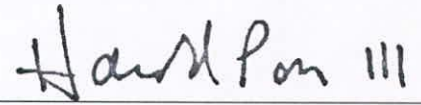
At 6:10PM, on the motion of Trustee Longobardo, second by Trustee Underhill, the Board re-opened the meeting.

Capital Improvement Program review work sessions begin. Presentations were made by the following:

- Library – Gabriella Radujko, Library Director
- Public Works – Rocco Circosta, Superintendent of Public Works
- Police – Christopher Satriale, Chief of Police
- Parking – Peggy Conway, Deputy Village Treasurer – Parking
- Court – George McKinnis, Village Justice; George Mayer, Village Justice; and Kelly DeSimone, Court Clerk
- Buildings – Vincent Pici, Village Engineer
- Administration & Treasury – Robert Fels, Village Treasurer

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There being no further business, on the motion of Trustee Longobardo, second by Trustee Underhill, the special meeting of the Board was adjourned at 9:05PM.

A handwritten signature in black ink, reading "Harold Porr III". The signature is written in a cursive style with a horizontal line underneath it.

Harold Porr III
Village Administrator/Village Clerk