

MINUTES OF REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF BRONXVILLE HELD ON JANUARY 17, 2012 AT THE VILLAGE HALL, 200 PONDFIELD ROAD, BRONXVILLE, N.Y.

PRESENT: Mary C. Marvin Mayor
Robert S. Underhill Trustees
William H. Barton, Jr.
Anne W. Poorman
Donald M. Gray

ALSO PRESENT: Harold Porr III Village Administrator
James Staudt Village Attorney

WORK SESSION & EXECUTIVE SESSION

The meeting was called to order at 6:35PM on the motion of Trustee Gray, second by Trustee Underhill.

Village Administrator, Harold Porr, reviewed the meeting agenda.

On motion of Trustee Barton, second by Trustee Poorman, the Board entered into Executive Session at 6:50PM to discuss on-going negotiations with Bronxville PBA, Eckley v. Village of Bronxville & Bronxville Library and other personnel matters.

At 8:08PM on motion of Trustee Barton, second by Trustee Gray, the Trustees entered into the public session.

Mayor Marvin called the meeting to order at 8:12PM.

PRESENTATION – GLENN BELLITTO

Glenn Bellitto, former Trustee and now Eastchester Town Council member, reported that the Eastchester tax increase this year will be 2.36% - it was 16% last year. He reviewed the services received by the Village – election services, veteran services, recreation services. The Village needs to think through what services Bronxville can use more of – such as the senior services, youth services, tax assessment office and the Justice Court. He is eager to work on all of these issues to make sure the Village gets widespread value for its tax dollars.

Trustee Underhill thanked Glenn for representing Bronxville on the Town Council.

Mayor Marvin asked Mr. Bellitto to schedule a Town meeting here in the Village.

MAYOR'S REPORT

I must admit that the past month has been the quietest in recent memory, partly because the phones were relatively silent. I guess folks were just enjoying their families.

However, from the meeting schedule, it was business as usual. Our Green Committee, which has been one of our most active, met last week and will be helping us on our flood mitigation initiatives. Thanks to the Green Committee, the Village is also becoming an active member in Southern Westchester Energy Action Consortium and many of us will be attending a Sustainability Forum on the 28th at Sarah Lawrence College. We are very proud of our leadership role as environmental stewards.

We continue to negotiate with the Police Union and I believe I can say both sides want to avoid arbitration if at all possible. So we negotiate in earnest and I believe resolution by staying at the Village level is quite possible which I believe is to the benefit of everyone, save perhaps for the labor lawyers.

We are also making progress, however slow, with the CSEA union which represents our library staff and we continue to meet on a regular basis.

Speaking of the library, our director has sued me personally as well as the Village Board and the Library Board. Village Counsel, Jim Staudt, has advised me that in the best interests of the Village, which has to be my number one priority, it is best to reserve comment until the issue is fully vetted in the proper venue in the judiciary. To be candid, it has not been easy to hold my tongue given the personal attacks. But I ask all of you to reserve judgment until all the facts are unveiled in the proper forum. I will tell you the Village is prepared to mount a vigorous defense and I am confident justice will prevail. At that time, and only then, I will have much to say.

On a much more positive note, our incredibly talented Finance Committee met last week and their guidance has been invaluable in managing the Village's finances.

On the same topic, the main focus of this Board in the coming weeks will be the 2012-2013 budget. Given that the State Legislature and the Governor will send us a bill for unfunded State mandates well over the much ballyhooed 2% tax cap, it will be a challenge to say the least.

In the past four years, the Village has had the smallest tax increases, years with none at all, of any Westchester community and we will continue to be as diligent and frugal as this Board has been.

Finally, some important announcements:

The tentative tax roll will be published on February 1st. If you disagree with the value of your home on the tentative roll you can file a grievance. Applications are available at Village Hall or call us and we will mail you one. You can also go to the Village of Bronxville website and find the direct link to the New York State Department of Taxation and Finance and click on the forms section.

It is important the grievance application is received by February 21st which is when the Board of Assessment Review will convene. Otherwise, you cannot grieve your taxes. If you wish to be at this meeting in person on February 21st, call Village Hall and ask for extension 122 for an appointment.

Supporting documents in addition to the grievance application may be sent to the Board of Assessment Review after the 21st as the Board of Assessment Review will be reviewing all documents sometime in March.

You will then receive a letter as to the Board's decision in the first week of April as the final tax roll will be published on April 1st.

I am pleased to say that thanks to major efforts by everyone in the Village, we continue to have one of the most equitable tax rolls in the County. We are also assisting fellow communities such as Scarsdale and Mamaroneck as they embark on their own revaluations.

Joe Panzarino has worked on the police force for 20+ years and has served as the animal control officer and head of the union for 12+ years. He is going to take time to enjoy his three children.

Luigi Mignardi has been working in the Village for 38 years. He started as a laborer and will retire as a motor equipment operator. He is a magical gardener and will be busy tending his garden and enjoying his family.

Both men gave great service to the Village and they will be missed.

TRUSTEE REPORTS

Trustee Underhill – reported that the Finance Committee met on January 13, 2012. They reviewed the audit in detail. The fund balance was the main topic of the meeting. 2011 fiscal year ended with a positive variance. The fund balance is a rainy day fund and is the principal basis on which rating agencies determine ratings. A low fund balance gets a low rating and a high fund balance results in a high rating. Bronxville is one of a few municipalities with a AAA rating. To receive a AAA rating you have to have a fund balance in the 10-12% range of total appropriations. Bronxville is currently at 14%. Looking ahead, the Village needs to diminish the amount of money borrowed from the fund balance. In other words, we will have to wean off of the fund balance to balance the budget.

Trustee Barton – reported on the Chamber of Commerce. There are three new board members for the Chamber. There is a new store coming into town. And, Chamber Director Peggy Conway is stepping down but will stay on until a replacement is found.

Trustee Gray – commented on the Finance Committee meeting and that in their Executive Session they asked for an assessment of how the financial and administrative staff are doing. The response from the auditors was that our people are a pleasure, the most professional group to deal with, the Village is at a high caliber and they are impressed with our staff and the systems.

Trustee Poorman – reported on the Police Department. There were two felonies and the misdemeanors doubled from last year. Also, parking summonses increased slightly.

APPROVAL OF MINUTES

On motion of Trustee Poorman, second by Trustee Barton, the Board approved the minutes of the Regular Meeting on December 12, 2011.

NEW BUSINESS

RESOLUTION – VILLAGE ELECTION

On motion of Trustee Gray, second by Trustee Underhill, the following resolution was unanimously approved:

BE IT RESOLVED the hours for Village Election Day, Tuesday, March 20, 2012 be set from 6:00AM to 9:00PM, and that the polling place shall be Village Hall, 200 Pondfield Road, Bronxville, N.Y.

BE IT RESOLVED the Village Clerk is authorized to contact the County Board of Elections requesting the use of up to four voting machines.

BE IT RESOLVED the Village Clerk is authorized to appoint up to four inspectors each from the Democratic and Republican parties to serve on Election Day, as needed, at a rate of \$10.00 per hour.

BE IT RESOLVED that there will be no Village registration day.

RESOLUTION – DVIRKA & BARTILUCCI ENGINEERING – STORMWATER MANAGEMENT SERVICES PROPOSAL

On motion of Trustee Barton, second by Trustee Poorman, the following resolution was unanimously approved:

Dvirka and Bartilucci Consulting Engineers, 4 West Red Oak Lane, Suite 315, White Plains, N.Y. 10604 for the purposes of developing and initiating a Village-wide Stormwater Management Plan for the Village of Bronxville., and

WHEREAS, such proposal includes the project description, the scope of work at a cost of \$9,800 and a rate schedule for additional services as needed.

WHEREAS, such costs will be funded through Capital Project # 3620-2011/2012-0009-3620 entitled “Flood Mitigation Project”;

NOW, THEREFORE BE IT RESOLVED, that the Village of Bronxville Board of Trustees authorizes the Mayor to enter into agreement with Dvirka and Bartilucci Consultant Engineers, 4 West Red Oak Lane, Suite 315, White Plains, N.Y. 10604 for Professional Services related to this project and in accordance with their proposal dated January 10, 2012.

RESOLUTION – 2012 SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP) GRANT

On motion of Trustee Underhill, second by Trustee Gray, the following resolution was unanimously approved:

BE IT RESOLVED the Board of Trustees authorizes the Mayor to sign the Selective Enforcement for Traffic Safety Agreement with the County of Westchester for the period October 1, 2011 to September 30, 2016.

RESOLUTION – BUDGET RESOLUTION – LGRMIF (SARA) Grant

On motion of Trustee Underhill, second by Trustee Gray, the following resolution was unanimously approved:

BE IT RESOLVED that the Board of Trustees authorizes the Village Treasurer to establish capital project #20112012-0050-1355 NYS-SARA Grant in the amount of \$50,417.

Village Administrator, Harold Porr, stated that the Village will be using all of the State money and then utilizing the money that was allotted from the Capital Improvement Plan.

Mayor Marvin said that the Village has to keep all documents for a building as long as it is in existence.

Village Administrator Porr commented that this will be a much quicker way to get data.

Trustee Underhill thanked staff member Julie Cagliostro for her great work in obtaining this grant.

Village Administrator Porr said that our receiving this grant has a lot to do with how Ms. Cagliostro packages the grant.

RESOLUTION – GENERAL CODE (scanning, imaging, indexing)

On motion of Trustee Underhill, second by Trustee Poorman, the following resolution was unanimously approved:

WHEREAS in conjunction with the grant funding received from New York State Education Department \$41,670 has been allocated for General Code to provide document scanning, imaging, microfilm and indexing in the Building Department.

BE IT RESOLVED that the Board of Trustees authorizes the Mayor to sign a contract with General Code for these services related to the purposes set forth in the grant.

RESOLUTION – GENERAL CODE (software upgrades & desktop scanner)

On motion of Trustee Poorman, second by Trustee Gray, the following resolution was unanimously approved:

WHEREAS, the Village of Bronxville Capital Improvement Program has allocated funds for the purpose of upgrading the existing Laserfische document management system;

AND WHEREAS, General Code has been selected from the State vendor list to do the upgrade;

WHEREAS, the Laserfische upgrade contract with General Code is priced at \$29,260;

AND WHEREAS, a portable desktop scanner at \$3,465 is also needed to implement the Laserfische upgrade; therefore

BE IT RESOLVED that the Board of Trustees authorizes the Mayor to sign a contract with General Code to purchase software upgrades and equipment as defined in the capital project.

RESOLUTION – LOCKWOOD, KESSLER & BARTLETT, INC.

On motion of Trustee Poorman, second by Trustee Barton, the following resolution was unanimously approved:

BE IT RESOLVED, that the Village of Bronxville Board of Trustees authorizes the Mayor to enter into agreement with Lockwood, Kessler & Bartlett, Inc., One Aerial Way, Syosset, NY for professional services related to review the 2011 Biennial Inspection report and perform an inspection of the two noted locations. Such proposal includes the project description, the scope of work at a cost of \$6,000 and a rate schedule for additional services as needed and in accordance with their proposal dated January 17, 2012.

Trustee Poorman inquired if this bridge has been determined to be in the City of Yonkers and if the Village is certain it is in our jurisdiction.

Village Administrator Porr replied that the bridge feeds into a State highway from the City of Yonkers over a County river. Preliminary research suggests that Village law determines a Village bridge belongs to the Town it is in. It looks like we need to take action.

Trustee Poorman asked that in terms of safety the Village needs to do this investigation.

Village Administrator Porr answered that the State Department of Transportation could close the bridge if the Village does not do an inspection. The Village will vigorously work on this.

Trustee Poorman spoke about the March 20, 2012 Village elections and that there will be two Trustees running. After serving for seven years as a Trustee and five as a Zoning Board member, it is time for her to step aside. She will not run for re-election. It has been a huge honor to represent the people of Bronxville. She feels the Village is in good shape and in good hands.

Mayor Marvin said Trustee Poorman has been an amazing colleague and she is very sad to see her leave. She has done this job with a high professional standard and it has been an honor to be her colleague.

Trustee Barton spoke about his not running for re-election. He feels it is time to pass the torch. He will miss this service.

Mayor Marvin said this is a sad night. The Trustees worked as a great team and with a variety of skills. They truly are stewards of the citizens of Bronxville.

PUBLIC COMMENTS –

Sean Abbott, resident of Kensington Road and Trustee of the Library Board, spoke as a resident and not as a Village official. He has studied the compensation of the Village officials and feels that he is getting the run around. He was told to FOIL the information he is seeking to find out the bottom line of Village Administrator Porr's compensation. He has documented all dates, times, etc. to the responses he has received. Whatever information he has to date, he has received from Village Treasurer, Robert Fels.

Mayor Marvin asked the relevance of a 30 year veteran compared to a one year library director. She feels it is unfair to the public and sees no relationship to anything. Seniority and experience is relevant and she sees no parallel.

Mr. Abbott continued by inquiring if Village Administrator Porr participates in the health insurance plan or if he receives a cash buy out, when this is paid and how much he has received over the years. He also would like to know what other perks Mr. Porr receives contractually. He requested that Mayor Marvin provide only the number that he seeks of actual compensation by the Village taxpayers. He is not interested in the why. He said that the Mayor can measure and define talent however she likes. He feels there is a significant disparity in the numbers that benefits a Village employee and not the taxpayers. The facts matter

and they are missing. He asked the Mayor and the Trustees to ask the Village Treasurer to supply him with this information.

Mayor Marvin responded that the Village prides itself on giving information and treating everyone equally. We ask for a FOIL because this is the proper way to do business. She asked Mr. Abbott to follow procedures that we ask all of our residents. She said that the money spent to pay Village Administrator Porr is the finest money spent because he does a fine job. This is not the level of care and civility accepted by this Board and she apologized to Village Administrator Porr for Mr. Abbott's comments.

Village Administrator Porr said that no apology is needed and that he knows where the comments are coming from.

Mr. Thomas Wolff, 230 Pondfield Road, thanked Trustee Poorman for her dedicated service to the Village. He thanked Trustee Barton for the financial reports that were very precise and for his caring a great deal about the finances of the Village. Mr. Wolff expressed appreciation to Village Administrator Porr for all the service he has given.

Mr. Wolff commented that he feels more attention should be paid to the appointment of local officials.

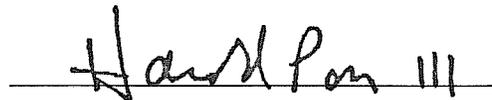
Mr. Steve Lipkin, reporter from the Bronxville Bulletin, asked if any nominees for Trustee have been announced.

Mayor Marvin responded that there have not.

Village Administrator Porr advised residents that there will be political caucuses for two Trustee positions and one Village Justice position held on January 26th and January 27th.

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There being no further comments, the meeting was adjourned at 9:08PM by motion of Trustee Barton, second by Trustee Poorman.

A handwritten signature in black ink that reads "Harold Porr III". The signature is written in a cursive style and is positioned above a horizontal line.

Harold Porr III
Village Administrator/Village Clerk