

DRAFT OF MINUTES OF REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF BRONXVILLE HELD ON JUNE 13, 2005 AT VILLAGE HALL, 200 PONDFIELD ROAD, BRONXVILLE, N.Y.

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| PRESENT: | Mary C. Marvin | Mayor |
| | Frank V. Sica | |
| | Glenn D. Bellitto | |
| | Robert S. Underhill | |
| | Anne W. Poorman | Trustees |
| ALSO PRESENT: | Harold Porr III | Village Administrator |
| | Rocco Circosta | Superintendent of Public Works |
| | Brian M. Downey | Chief of Police |
| | Vincent Pici, P.E. | Superintendent of Buildings |
| | William J. Murphy | Parking Commissioner |

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Mayor Marvin called the meeting to order at 7:00 p.m. A motion was made by Trustee Sica and seconded by Trustee Poorman to enter executive session to discuss personnel and litigation. Approved unanimously.

EXECUTIVE SESSION

(In attendance: Mayor Marvin, Trustees Sica, Bellitto, Poorman, Underhill, Administrator Porr. Also, alternately, Julie Cagliostro and Attorney David Wilkes.)

At 8:15 p.m. a motion was made by Trustee Underhill and seconded by Trustee Bellitto to return to the open meeting. Approved unanimously.

Mayor Marvin opened the regular monthly meeting of the Village Board of Trustees at 8:20 p.m.

LAWRENCE HOSPITAL

Mayor Marvin welcomed Edward Dinan, President of Lawrence Hospital.

Mr. Dinan thanked the Board for the opportunity to share with them the hospital's plans for the future. He spoke about the many services the hospital provides, the quality of care, and their excellent physicians and nursing staff. Lawrence Hospital is also affiliated with New York Columbia University Hospital. Mr. Dinan spoke about the hospital's plans including expanding to accommodate patients, updating the air conditioning, and modernizing the operating rooms. He thanked the Board and the residents for their support.

Mayor Marvin thanked Mr. Dinan for sharing his vision for Lawrence Hospital with the Board and assured him that the Village is committed to working with the hospital.

APPROVAL OF MINUTES

On motion of Trustee Poorman, seconded by Trustee Bellitto, the Board approved the minutes of the Regular Meeting of May 9, 2005, and the Public Hearing of May 9, 2005, as drafted.

DEPARTMENT REPORTS

Department reports were presented by Chief of Police Downey, Superintendent of Buildings Pici, Superintendent of Public Works Circosta, Parking Commissioner Murphy and Village Administrator Porr. Village Administrator Porr also gave the Treasurer's report for Robert Fels, who was absent.

RESOLUTION – Renewal of Lease with Bams Service Station

Village Administrator Porr said that last year the Village went to a year-to-year lease with Bams Service Station. Mr. Porr said the owner of Bams Service Station had approached the Village and asked for a two year lease agreement so he can make repairs to the gas pumps. Mr. Porr met with the owner of Bams and they agreed to the same rent as last year of \$5,000 per month, and the same provisions.

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

BE IT RESOLVED that the Board of Trustees of the Village of Bronxville authorizes the Mayor to sign a lease with Bams Service Station, Inc. for two years beginning the 1st day of June, 2005 to May 31, 2007, at a rent of \$5,000.00 per month, with all other provisions of the existing lease to remain in place.

RESOLUTION – Lease with Eastchester Fire District

On motion of Trustee Sica, seconded by Trustee Poorman, and unanimously carried, the following resolution was adopted:

BE IT RESOLVED that the Board of Trustees of the Village of Bronxville authorizes the Mayor to sign a Lease Agreement with the Eastchester Fire District for the use of the Bronxville Fire Station as a temporary Village Hall during the renovation of the Bronxville Village Hall.

RESOLUTION – Disaster Mitigation IMA Amendment

On motion of Trustee Bellitto, seconded by Trustee Sica, and unanimously carried, the following resolution was adopted:

BE IT RESOLVED that the Board of Trustees of the Village of Bronxville authorizes the Mayor to sign an Amendment to an Intermunicipal Agreement between the Town of Eastchester, Village of Tuckahoe and Village of Bronxville, dated September 22, 2004, Hazard Assessment/Hazard Mitigation Plan, which would allow for an additional payment to the consultant of \$1,500.00.

RESOLUTION – Bronxville Beautification Council – Nature Preserve Proposal

On motion of Trustee Poorman, seconded by Trustee Bellitto, and unanimously carried, the following resolution was adopted:

BE IT RESOLVED that the Board of Trustees of the Village of Bronxville endorses the concept and plan proposed by the Bronxville Beautification Council for the development of a Nature Preserve on the parcel of land known as “the Alfredo Property”.

MAYOR'S REPORT

Mayor Marvin reported that our expert on assessments, Joseph Eckert, is currently analyzing our assessment data and has been reviewing the assessments with the Eastchester assessor. Mr. Eckert is also looking at some raw assessment data that was submitted to him for review by one of the members of the Non-Partisan Committee for Fair Bronxville Tax Assessments.

Mayor Marvin disclosed that Village Assessor Robert Balog has tendered his resignation and the Village has accepted it. Mr. Balog's annual appointment terminates on June 30, 2005.

Mayor Marvin said plans are under way for the Village Hall renovation project and village officials have been attending weekly meetings with the architect. The bid specifications will be going out June 22nd with a return date of July 20th. She said only if the numbers come in with what we planned to spend will we proceed.

Mayor Marvin thanked everyone for a wonderful Memorial Day in Bronxville. She said the American Legion Post 464 sponsored their 84th and final parade.

The mayor reported on events and meetings she attended during the past month, including the Policemen's Annual Dinner Dance, meetings with the presidents of Concordia Collage and Sarah Lawrence, and the Firemen's Annual Inspection.

Mayor Marvin reported that she accepted Howard Pollack's resignation today as a member of the Zoning Board of Appeals, as he is moving from Bronxville.

Mayor Marvin said she and Rocco Circosta have been working on plans for upgrading Bicentennial Park. She said it needs some refurbishing and Rocco's men in the Department of Public Works said they would do the work for us. The mayor thanked all the members of the Beautification Committee for all the wonderful work they do, with a special thank you to Maureen Hackett.

TRUSTEE REPORTS

Trustee Bellitto said he was at his college reunion this past weekend and he compared an incident that happened earlier this year at Harvard over which the people were shocked about what occurred and demanded an immediate response, with the feelings expressed about the tax assessment issue by residents of Bronxville. Trustee Bellitto said he's certain that after this Board of Trustees gets all the information it needs it will be quite clear what to do. Like Harvard, Bronxville is a community rich in history, and after all is said and done Bronxville will come out of this controversy all the better for it.

Trustee Bellitto noted the recent passing of former State Assemblywoman Audrey Hochberg, who had represented Bronxville, and said she would be deeply missed.

Trustee Poorman reported that the Bronxville Public Library will be celebrating its centennial anniversary in 2006 and the Library Board is planning events throughout the year.

Trustee Poorman announced some upcoming events sponsored by the Chamber of Commerce. She said they will be holding their 31st Summer Band Concert Series on July 7th, 14th, 21st and 28th on the Bronxville High School lawn at 7:30 p.m. On September 17th there will be a children's concert in the Yeager Room at the Library. The Chamber will hold the Antiques Show again this year on September 25th. Trustee Poorman thanked the merchants for all their support for Memorial Day weekend. She said we need to be proactive in keeping our downtown community viable and asked the residents to support the local merchants.

Trustee Poorman reported that the Chamber of Commerce is contemplating forming a retail committee comprised of residents, merchants and landlords. It will probably take formation by the fall of this year.

PUBLIC COMMENTS

Dorothy Brennan, 59 Sagamore Road, said she has lived in the Village for 42 years, that she has been a Village Trustee and has been a Town Councilwoman. She has been taking care of the Bronxville Cabin, formerly the Girl Scout Cabin, for the past 20 years. She said the cabin needs more than she can do for it. The money that came in for contributions has dried up because people said the money is not being used. She asked the Board if they really seriously want the cabin to continue. She said she personally feels that it is a wonderful facility for the Village.

Mrs. Brennan thanked the Bronxville Police for their quick response during her last illness. She said she hopes the sergeant's desk is not completely closed in when Village Hall is renovated.

Mrs. Brennan asked the Board why the Village stopped adjusting the assessments for properties that underwent renovations since 1996, except for 36 properties. She said she knew Bob Balog was the assessor for two different villages and he never stopped assessing at those villages.

June 13, 2005

Page 5

Mayor Marvin replied that we didn't stop reassessing, but relied on the judgement of our assessor. She said we are going back to see what went on – we are relying on our expert to look at those properties.

Thomas Wolff asked why the village and school tax bill for fiscal year 2005/2006 didn't show the total tax levy for the school. He asked why the school district was not notified of the change in the presentation. Mayor Marvin explained that in the past we had presented the school tax levy as a gross number and on this year's bill we presented it net of the STAR state aid.

Steve Howard, 23 Homesdale Road, said he was one of the 36 property owners who was reassessed, however he thought the amount was appropriate for the size of the project. He thanked Mayor Marvin for the continued dialogue on assessments. Mr. Howard spoke about four fundamental issues concerning assessments: first, regarding capital improvements – that there have been assertions that the properties that had improvements weren't reassessed because they had been over-assessed; second, the large number of over and under-assessed houses on the tax roll. He noted that over-assessed home owners can file grievances. He said that homeowners in under-assessed houses just aren't paying their fair share. Third, was the issue of the impact of village revaluation, if that's the decision that is made, on town and county taxes. Fourth was the issue of co-ops being treated as commercial properties and the possible shift in the ratio for assessments on residential and commercial properties. Mr. Howard said he thought that it has been the experience in towns that have reassessed that the number of residential certioraris go to zero and the number of commercial certioraris are reduced.

Trustee Bellitto asked Mr. Howard how he felt about a shift in the tax burden between commercial and residential properties. He said, for instance, if residences are now paying 65% of the total tax burden and commercial properties are paying 35%, and after a reassessment, because of New York State law, if residences weren't going to pay 65% but 80% of the tax bill, are you saying that's okay?

Mr. Howard said there's nothing you can do because of State law to stop the shift between residential and commercial assessments. He said the effect of the Homestead Act is to slow it down.

Mayor Marvin said that she and Mr. Howard discussed these points and these are things we discussed with our experts.

Vandy Walker, 12 Meadow Avenue, said the point was not so much that some homes are over-assessed or under-assessed, but that they are "mis-assessed." She said she didn't care what the balance ends up, what exists is wrong.

Betsy Harding, 39 Homesdale Road, asked if the Board had made a decision about hiring an appraiser or an assessor – there are different levels. She said given the fact that the Village collects the school taxes it may be time to get an assessor.

Mayor Marvin said the Board just received the letter from Mr. Balog. Clearly part of going forward we have to look at what the Village needs and what would best serve the Village.

Trustee Underhill said, as we move forward what we do has to be first in class.

Betsy Harding asked if the Village had filed the annual assessor's report with the State. Mayor Marvin responded affirmatively.

Betsy Harding asked about the questions left over from the informational hearing. Mayor Marvin said she compiled all the questions for Mr. Eckert.

Ms. Harding said she would like Mr. Eckert to review some of her questions that didn't get answered. She asked if members of the public would be able to ask questions of Mr. Eckert. Mayor Marvin said she anticipated a question period when he gives his report.

Ms. Harding asked if Mr. Eckert was doing an in-depth study of the effects of reassessment in Bronxville. Mayor Marvin said that's not something that was in the original contract.

Ms. Harding asked if Mr. Eckert was looking at all the 600 properties that were reassessed in Eastchester. Mayor Marvin said he is looking at some of those properties and also at the larger picture of inequities in assessments.

Ms. Harding asked if the public would get an opportunity to look at the report from Mr. Eckert and Mr. Wilkes. She also asked several other questions concerning the assessment issue.

Mayor Marvin said that we're looking at what we have, what our issues are, what we need to fix, revalue – we're doing things in sequence.

Trustee Sica said we're taking a step-wise approach with the assistance of the world's experts on assessment matters. We are also simultaneously working with legal counsel to make sure that we are addressing the issues that were brought up. He said that once we get their report we will proceed with what are the alternatives. He said it appears that there is some disparity on the assessment roll, but an outcome that categorically increases the taxes paid by the single family homes is a bad outcome for the village. We have to get at what the facts are and not the presumptions or the opinions. The report is going to be an analysis of where we are now.

Dr. Dan de la Torre, 32 Edgewood Lane, said he had the good fortune of living in Bronxville for 18 years. He said it was upsetting to him and his neighbors that there are gross inequities in the current tax rolls and that some people are paying premium taxes. He said he would like to see more open discussion on the subject.

Mayor Marvin assured Dr. de la Torre that this Board has been committed an open process. She said the only preconceived decision is to do the absolute best for the community.

Trustee Underhill said, as a new Trustee, he takes his role as trustee very seriously. He said he was not going to be a part of any decision without having the facts from experts.

June 13, 2005
Page 7

There being no further comments, on motion of Trustee Sica, seconded by Trustee Bellitto, and unanimously carried the meeting was adjourned at 10:00 p.m.

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