

MINUTES OF REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF BRONXVILLE HELD ON FEBRUARY 9, 2009 AT THE VILLAGE HALL, 200 PONDFIELD ROAD, BRONXVILLE, N.Y.

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PRESENT:	Mary C. Marvin	Mayor
	Glenn D. Bellitto	Trustees
	William H. Barton, Jr.	
	Anne W. Poorman	
ALSO PRESENT:	Harold Porr III	Village Administrator
	James Staudt	Village Attorney
EXCUSED:	Robert S. Underhill	Trustee

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WORK SESSION & EXECUTIVE SESSION

The meeting was called to order at 6:33PM by the Mayor. In attendance were Mayor Marvin, Trustee Bellitto, Trustee Barton, Trustee Poorman, Village Administrator, Harold Porr, and Village Attorney, James Staudt. The agenda was reviewed and discussed. On the motion of Barton and second by Poorman the Board entered executive session to discuss personnel in the Village Court and Police Department at 7:15PM.

On motion of Trustee Bellitto and second by Trustee Poorman the Board reopened the meeting at 8:00PM.

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Mayor Marvin called the meeting to order at 8:02PM. She announced that Trustee Underhill is travelling.

Mayor Marvin introduced Gerry Iagallo, Assessing Consultant.

ASSESSING CONSULTANT, MR. GERRY IAGALLO

Mr. Iagallo apologized for giving the Mayor incorrect information and for his lack of understanding of the law on the levels of assessment on properties. He was not aware of the caveat that assessment cannot exceed 100% in New York State. All of the assessments have been reformatted to reflect the true value of 100% and the assessment roll is in compliance. These actions do not have any impact on the taxpayers in any way.

Mayor Marvin thanked Mr. Iagallo for his hard work and said it was an honest and harmless mistake.

Mr. Iagallo said he hopes that other communities learn from what we have done here in Bronxville in terms of charting new territory.

Mayor Marvin asked Mr. Iagallo to explain how he arrived at 7% diminution of market value for 2009 and how someone can determine if they are fairly assessed.

If residents feel their assessment is too high they need to demonstrate how via an appraisal and how it compares to similar homes in the neighborhood.

Mayor Marvin said the entire community dropped together and that residents have to show a significant disparity with your neighbor in terms of the percentage of valuation.

Mr. Iagallo said if you have a wide range of samples then you have a basis to challenge the assessment. The burden is on the property owner and then it is shifted to the community to support the Village position.

Mayor Marvin asked if everyone got the same percentage of reduction from last year.

Mr. Iagallo responded that there were some exceptions to this but that was due to capital improvements done on these properties. He restated that disproportion between neighbors is important here.

Mayor Marvin urged residents to contact Mr. Iagallo directly if they had questions.

Mr. Iagallo said that there is not a lot of time for the grievance period. The grievance committee gives residents time to gather information. The applications are due by February 17, 2009 and should be filed with the Village Clerk. There is a link to the application on the Village website. Key information for this application are: name, location and your opinion of the value of your home.

Trustee Bellitto asked how much time residents have once the application is received.

Mr. Iagallo answered three weeks once the application is received and before it is reviewed.

Betsy Harding, 39 Homesdale Road, asked the length of time the Board of Assessment Review meets. She would like clarification on the time so that people can get their applications in per New York State Law. And finally, she inquired as to how many properties got reductions last year through this informal process.

Mr. Iagallo responded that there is a minimum number of hours the Board must meet. There is also an informal process that can be used throughout the course of the year. He commented that it does not serve anyone to have the incorrect numbers.

Ms. Harding elaborated on overall value. She asked what data was used by Mr. Iagallo.

Mr. Iagallo stated that in looking at the coefficient of dispersion, we look at the property itself through the course of the year, and, statistically run numbers to see what appreciation/depreciation levels are throughout the year. He concentrated on the last 1/3 of 2008 as these numbers are a living statistic and will change as data comes in. There were about 16 sales since September. He supports his valuations with actual appraisals. A 10% COD is considered ideal as this is not a perfect science.

Mayor Marvin reminded residents that February 17th is an important date for the grievance applications and to bring them to Village Hall.

CHIEF OF POLICE, CHRISTOPHER SATRIALE

Chief Satriale updated residents on initiatives and progress in the police department.

- e-mail blasts have proven very successful
- The Village is not experiencing a spike in crime. As a matter of fact, major crimes have been reduced and arrests have increased.
- Palumbo Place – one way traffic has been monitored and it has eased traffic flow at main intersections; Department of Public Works winter operations have been done in a safe manner with the one way traffic; marking and measuring of parking spaces will take place as the weather cooperates.
- Kensington Road – eleven spaces marked for 10 hour parking have been changed to 3 hour parking as there is no legislation supporting the 10 hour designation; It is an effect to work closely with the Chamber of Commerce to find spots closer to shops; these 10 hour spots were used by non-residents.
- He thanked resident commuter holders who moved to new spots at the Avalon lot which freed up spots in the Kraft Avenue lot for customers.
- The department has been active in applying for grants and was successful in obtaining about \$45K to date. This is for state of the art equipment, for example, a license plate reader.
- The Village Hall meeting regarding on-going alcohol/drug abuse by teens in the Village will be held in the Multi-Purpose Room at the School on February 24th at 7PM. He urged all residents to attend.
- Staffing levels in the department are being worked on. They currently are 4 officers from Ideal Staffing but are actively looking. They have several prospects. They are trying to implement creative budgeting – delaying hiring or bringing in rookie candidates. Chief Satriale is committed to getting back to a full complement of 23.

Mayor Marvin mentioned that the ideal number is 23 officers but made sure residents were aware of the fact that police coverage is the same as if there were 23.

Chief Satriale said that the full complement of 23 would allow for specific coverage – bike patrols, walking patrols, etc.

Thanked the Board for their support and for allowing he and his officers to do their job.

Trustee Bellitto mentioned that the e-mail blasts have been extremely popular with residents.

Mayor Marvin asked the Chief to explain to residents about locating their children via their cellphones and the limitations of the “pinging” accessibility.

Chief Satriale said that the department suffers from the CSI type TV shows. Technology is not at our fingertips. A formal request has to be made to phone companies before a ping can go out and all cell carriers do not do so freely.

MAYOR'S REPORT

- Lion's share of our time spent on our budget
- \$13.4 million budget - \$5.8 income
- \$7.6 raise through property tax dollars
- Looking at our capital projects; user fees and operating expenses to find some tax relief – will be working on it over the next two months
- Continue our efforts with Metro North – just received a report today – I have not had time to review it
- Citizens' Advisory Committee met – Deputy Mayor Bellitto will discuss
- Working with the Police Chief and School on a community forum on underage drinking
- Applied for County and Federal funds for flood mitigation; survived the first round for County funding so we will submit further documentation to stay in the running
- Walking with our Chamber of Commerce officers door-to-door each Wednesday to meet with our merchants, see how they are doing; what we can do for them
- Attended the MLK breakfast in Eastchester with Chief Satriale and members of our Seniors group and students from the Bronxville School
- Met with Mr. Rugani, head of the School Board, we keep each other current on all our activities
- Palumbo Place one way seems to be working for all concerned, the Chief will speak about the additional parking spaces
- Finishing our revisions of the Community Plan – the next step is to institute recommendations; working with Mr. Staudt on beginning recommendations for code changes relating to house tear down regulations, generator, solar panels, many hearings this spring.
- Meeting with representatives of the garden clubs this week to coordinate all our efforts toward beautiful but economical spring planting.
- Finally, Trustee Poorman and I attended a beautiful benefit for the Counseling Center honoring one of our Board of Assessment Review members, Christina Eldridge.

TRUSTEE REPORTS

Trustee Bellitto reported that the Citizen's Advisory Committee met on January 27th. There was a guest speaker from the Audobon Society. They are looking to create a steering committee to do collaborative green projects with Eastchester and Tuckahoe.

Parking – Trustee Bellitto reported that there was a small negative difference in the revenues from last year.

Trustee Barton gave the report on Finance. Revenues are above budget and expenses are below budget.

Trustee Poorman gave no report.

APPROVAL OF MINUTES

On motion of Trustee Poorman, second by Trustee Barton, the Board approved the minutes of the Regular Meeting on January 12, 2009, as drafted.

NEW BUSINESS

RESOLUTION – Tax Certiorari Settlement - Bronxville Realty - 112-120 Kraft Avenue (SBL 4./2/1); 52-70 Pondfield Road (SBL 4./2/2); 90-110 Kraft Avenue (SBL 4./2/9)

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

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>
Bronxville Realty	Section 4 Block 2, Lot 1	2001 -
2006	Section 4 Block 2, Lot 2 Section 4 Block 2, Lot 9	

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

WHEREAS, the Village and the property owner have reached a mutually agreeable resolution;

NOW THEREFORE BE IT RESOLVED, that the Village Board hereby authorizes the Village attorney to execute the following settlement on behalf of the Village and School reducing the assessments to no less than the following amounts:

Section 4 Block 2, Lot 1

<u>Year</u>	<u>Assessment</u>	<u>Revised Assessment</u>	<u>Reduction</u>
2001	255,000	255,000	-
2002	255,000	236,400	18,600
2003	255,000	226,720	28,280
2004	255,000	211,680	43,320
2005	255,000	216,490	38,510
2006	255,000	211,290	43,710

Section 4 Block 2, Lot 2

<u>Year</u>	<u>Assessment</u>	<u>Revised Assessment</u>	<u>Reduction</u>
2001	155,000	155,000	-
2002	155,000	155,000	-
2003	155,000	155,000	-
2004	155,000	149,200	5,800
2005	155,000	153,720	1,280
2006	155,000	152,635	2,365

Section 4 Block 2, Lot 9

<u>Year</u>	<u>Assessment</u>	<u>Revised Assessment</u>	<u>Reduction</u>
2001	175,000	175,000	-
2002	175,000	175,000	-
2003	175,000	169,520	5,480
2004	175,000	160,390	14,610
2005	175,000	165,250	9,750
2006	175,000	162,925	12,075

RESOLUTION – Tax Certiorari Settlement – Stanley M. Stern et al. - 80 Kraft Avenue (SBL 4./2/18.A)

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

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>
Stanley M. Stern et al. 2002 - 2006	Section 4 Block 2, Lot 18.A 80 Kraft Ave.	

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

WHEREAS, the Village and the property owner have reached a mutually agreeable resolution;

NOW THEREFORE BE IT RESOLVED, that the Village Board hereby authorizes the Village attorney to execute the following settlement on behalf of the Village and School reducing the assessments to no less than the following amounts:

<u>Year</u>	<u>Assessment</u>	<u>Revised Assessment</u>	<u>Reduction</u>
2002	55,000	53,335	1,665
2003	55,000	51,580	3,420
2004	55,000	48,500	6,500
2005	55,000	50,870	4,130
2006	55,000	50,420	4,580

RESOLUTION – Tax Certiorari Settlement – Riverhouse (Section 11 Block 2, Lot 1 – 72 Pondfield Road West)

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

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>
Riverhouse - Bronxville 2005 - 2008	Section 11 Block 2, Lot 1 72 Pondfield Road West	

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

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 Attorney to execute the following settlement on behalf of the Village and School reducing the assessments to no less than the following amounts:

<u>Year</u>	<u>Assessment</u>	<u>Revised Assessment</u>	<u>Reduction</u>
2005	527,450	470,000	57,450
2006	527,450	450,000	77,450
2007	15,503,300	15,503,300	-
2008	15,503,300	15,503,300	-

RESOLUTION – Tax Certiorari Settlement – Gramatan Townhouse Condos

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

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>
Gramatan Townhouse Condos 2004-2008	Section 12 Block 4, Lots 1-36 Gramatan Court	

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

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 attorney to execute the following settlement on behalf of the Village and School reducing the assessments to no less than the following amounts:

<u>Year</u>	<u>Assessment</u>	<u>Revised Assessment</u>	<u>Reduction</u>
2004	813,880	700,000	113,880
2005	813,880	675,000	138,880
2006	813,880	675,000	138,880
2007	20,999,700	20,999,700	-
2008	20,999,700	20,999,700	-

RESOLUTION – Salary for Election Inspectors

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

BE IT RESOLVED the Board of Trustees approves the rate of \$10.00 per hour for election inspectors.

RESOLUTION – Contract for Bond, Schoeneck & King, PLLC

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

BE IT RESOLVED that the Board of Trustees authorizes the Mayor to enter into a retainer renewal agreement with Bond, Schoeneck & King, PLLC of Garden City, NY for legal services related to labor issues in the Village of Bronxville.

RESOLUTION – Folchetti Contract Extension

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

BE IT RESOLVED that the Board of Trustees authorizes the Mayor to sign an agreement with the engineering firm of J. Robert Folchetti & Associates. LLC, Somers New York for professional engineering services to assist in the preparation of the Westchester County Flood Action Program Funding Application for the Midland Valley Drainage Basin Flood Mitigation Project, as described in the attached proposal and fee schedule dated February 5, 2009.

RESOLUTION – Justice Court Grant

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

BE IT RESOLVED that the Board of Trustees authorizes the Village Treasurer to establish project #20082009-0043-1110 Court Room Improvements, in the amount of \$18,371.00 to account for the acquisition of office equipment and furniture to be funded from the NYS JCAP grant award.

Increase:	A.8140413 Storm Sewer Repairs	\$91,101.68
Increase:	A.4989000 Federal Disaster Aid	\$91,101.68

RESOLUTION – General Fund Budget Resolution 2008/2009

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

BE IT RESOLVED that the Board of Trustees authorizes the Village Treasurer to amend the Village of Bronxville General Fund's 2008/2009 operating budget by \$91,101.68 and to adjust the following line items:

Increase:	A.8140413	Storm Sewer Repairs	\$91,101.68
Increase:	A.4989000	Federal Disaster Aid	\$91,101.68

RESOLUTION – Capital Project Amendment

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

BE IT RESOLVED that the Board of Trustees authorizes the Village Treasurer to increase the following capital project to include the NYS Division of Criminal Justice grant awarded in the amount of \$20,375.

Acquisition of Police Department Computers (Project #20082009-0024-3120)

Original project budget:	\$22,200.00
Amendment:	<u>\$20,375.00</u>
Revised project budget:	<u>\$42,575.00</u>

RESOLUTION – Crickett Staffing Contract

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

WHEREAS, the Village of Bronxville is in need of securing Administrative Assistant services on a temporary basis during the maternity leave of Karen Buccheri; and

WHEREAS, the Village has determined that the needed services can be provided at the required skill level and at a fair and reasonable cost from Crickett Staffing Services, Inc.

NOW, THEREFORE, BE IT RESOLVED that the Village of Bronxville shall enter into an agreement with Crickett Staffing Services, Inc. to provide temporary Administrative Assistant services to the Village of Bronxville at a total cost of \$28.64 per hour as described in the proposed agreement with Crickett Staffing Services, Inc. dated January 29, 2009; and

BE IT FURTHER RESOLVED that the Village Administrator is hereby authorized to execute the proposed agreement with Crickett Staffing Services, Inc. dated January 29, 2009.

RESOLUTION: Reconciliation Tax, Warrant & Collections

Village Treasurer and Tax Collector Fels furnished information concerning unpaid taxes in the amount of \$513,708.44 as of January 31, 2009. (Recap of Taxes, Warrants and Collections as of January 31, 2008 is attached to the official minutes.)

On motion of Trustee Poorman, second by Trustee Barton, the Board accepted the information presented by Treasurer Fels as set forth above.

Village Treasurer, Robert Fels, explained that residents can come into Village Hall until 9AM on March 10, 2009 to pay their taxes. The penalties are 5% for January, 6% in February and 7% through March 10, 2009. There will be no payments allowed after 9AM on March 10, 2009. The Tax lien sale can be sold at a pre-set interest rate. If the lien is not satisfied or subsequent taxes not paid, a foreclosure proceeding can take place and the Village then has nothing to do with it. Over the last nine years, every lien has been sold. Village Treasurer Fels stated that next week, arrears notices will be sent out.

RESOLUTION: Tax Lien Sale

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

BE IT RESOLVED by the Board of Trustees of the Village of Bronxville, that the Village Treasurer be authorized to advertise and sell tax liens for the fiscal year 2008-2009 on Tuesday, March 10, 2009 as shown in the account of unpaid taxes and in accordance with Article 14, Title 3 of the Real Property Tax Law (Section 1455), and that the advertisement of the notice required by law be inserted in the Review Press, the official newspaper of the Village, and that said notice shall be published once a week for three consecutive weeks and the last date for publication shall be made on or before the 5th day of March 2009.

BE IT FURTHER RESOLVED that said notice shall be substantially the following:

VILLAGE OF BRONXVILLE
Statement of Real Estate upon which
taxes for the year 2008-2009 are unpaid, and
NOTICE OF TAX SALE

Pursuant to the provisions of Article 14, Title 3 of the Real Property Tax Law (Section 1455).

NOTICE IS HEREBY GIVEN that the taxes for the year 2008-2009 of the Village of Bronxville are unpaid on the real estate described as shown on a tax list filed with the Village Clerk.

The description of each parcel of said real estate is designated by Section, Block and Lot numbers as shown on the Assessment Map of the Village of Bronxville, Town of Eastchester, Westchester County, New York, which roll and map are on file in the office of the Village Clerk at 200 Pondfield Road, Bronxville, New York.

Attached is a list of parcels of real estate on which the taxes remain unpaid for 2008-2009, as of January 31, 2009.

RESOLUTION – Approving Use of Parking Space – Senior Citizens Council

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

BE IT RESOLVED the Board of Trustees approves the use of a parking space in a Village owned parking lot by the Senior Citizens Council commencing July 1, 2009, as per the attached request.

PUBLIC COMMENTS –

Cindi Callahan, 25 Sagamore Road, commented that she and Jane Staunton have started to work on the veteran's memorial for this year. It will be held at the Women's Club on the Sunday and Monday before Memorial Day. They are combining efforts with the Hearts for Home organization, as well as collaborating with the Village Historian of Eastchester. They are on the lookout for more veterans and are starting with a list of 1,400 names. She urged residents to send in their names, pictures, stories and any special information they would like to share.

Mayor Marvin said last year's project turned out to be a wonderful success.

Mr. Thomas Wolff, 230 Pondfield Road, reported that in the past, all tax liens have been sold. He also thanked Village Historian, Eloise Morgan, and Deputy Treasurer, Janet Grosso, for their correction of Village information.

Ms. Betsy Harding, 39 Homesdale Road, asked if computers with tax inventory information will be in the Library.

Village Administrator, Harold Porr, said there has been no request for it.

Mayor Marvin commented that this was done during the reval but if residents need it they can always contact Assessing Consultant, Gerry Iagallo.

Ms. Harding said it was honorable of Mr. Iagallo to acknowledge his mistake and asked if Village Assessor, Anthony DeBellis, was involved in the correction of the tax roll. Mr. Porr stated that both Mr. DeBellis and Mr. Iagallo had met with Mr. Staudt at Village Hall last week to resolve any outstanding issues.

Mayor Marvin replied that both Mr. Iagallo and Mr. DeBellis were operating under the real property tax laws and that Mr. DeBellis signed the roll. She also reported that Mr. DeBellis has a dual approach with regard to when another reval should occur.

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There being no further comments, the meeting was adjourned at 9:20PM by motion of Trustee Bellitto, second by Trustee Poorman.

Harold Porr III
Village Administrator/Village
Clerk