

MINUTES OF REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF  
BRONXVILLE HELD ON JUNE 14, 2010 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

EXCUDED: Robert S. Underhill Trustee

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**WORK SESSION & EXECUTIVE SESSION**

The meeting was called to order at 6:35PM and in attendance were Mayor Marvin, Trustee Bellitto, Trustee Barton, Trustee Poorman, Village Administrator Harold Porr, Village Attorney James Staudt, Village Treasurer Robert Fels and Chief of Police Christopher Satriale.

Village Administrator, Harold Porr, reviewed the meeting agenda.

At 6:49PM, on motion of Trustee Barton, second by Trustee Poorman, the Trustees entered Executive Session to discuss personnel matters in the Police Department and the Department of Public Works.

On motion of Trustee Poorman, second by Trustee Bellitto, the Trustees re-opened the work session and entered into the public session at 7:59PM.

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Mayor Marvin called the meeting to order at 8:07PM.

Mayor Marvin welcomed Lawrence Hospital President Edward Dinan who spoke about the proposed new Cancer Center and operating rooms on the campus of Lawrence Hospital. The goal of this new facility is to have one cohesive unit where primary care physicians, oncologists, etc. work to develop the best care for the patient which includes paying attention to the individual (body/mind/spirit). This project will also include the renovation of existing operating rooms and the addition of six new operating rooms that will be state-of-the art.

Mr. Dinan reported that there is clearly a need in this community as the population of 65 and older is growing. 90% of cancers are treatable by local hospitals and Lawrence Hospital can provide an integrated, comprehensive approach. They did consider a number of locations but wanted the ability to tie the Center in with other hospital services.

The Hospital has commissioned a parking study and found that there currently is a surplus of spaces and in the foreseeable future.

The Cancer Center will be a three story building with two stories above ground and the third below – this is where the radiation will take place. The in-ground level will have concrete walls and will be completely safe. It will take 17 months to build and finish this project. The initial phase will be the most inconvenient and will last about 6 months. The Hospital is committed to not disturbing residents and to keeping noise levels low.

Mr. Dinan said he feels it is important to advance and provide patients with the most state-of-the-art medical care. This project will cost \$29 million in construction and \$5 million in equipment. The Hospital feels this is a good time to buy the project and to finance it with the low interest rates.

Trustee Barton commented that this is a terrific project for an unfortunate service. He mentioned that as the liaison he would be willing to field any questions or concerns of residents.

Trustee Poorman questioned the relationship with Columbia and Cornell in NYC and if this would change.

Mr. Dinan responded that this depends on appropriateness and that the hospital has not decided who will do the oncology but that if need be the use of NYC hospitals would be a seamless transfer for the patient.

Trustee Barton inquired about the funding for the project and if it was secure.

Mr. Dinan responded that there are three sources of funding: borrowing (all viable from banks and investors – no signed commitment at the present time); fundraising; and, hospital reserves.

Mayor Marvin then introduced Kevin Cunningham of EVAC who gave an update on recent activities. They have a new ambulance which is state-of-the-art with an enhanced patient care area in the back and upgraded telecommunications. This was all made possible by the Community Fund.

EVAC has renovated their building and emergency communication capabilities with a dedicated generator through a grant. They also have upgraded their fiber networks and have a new data recovery system.

Mr. Cunningham mentioned that the call volume has increased since last year. This is a result of demographics and an older population.

## **MAYOR'S REPORT**

This past month we spent our energies on a real variety of Village related activities.

Of course there was the very special Memorial Day Parade - I think it was the 89<sup>th</sup> annual. We had one of the largest crowds in recent memory and it was an honor to recognize Gordon Markle and his son. Four generations of Markles have served and are still serving in our nation's armed forces. I want to also thank Mr. Porr and Karen Buccheri for doing all the legwork and logistics to make the parade happen. Also, our summer intern, Susie Craig, was extremely helpful as well.

There were other wonderful veteran's exhibitions as well – one at the Women's Club and another at the O'Silas Gallery which is on display until July 5<sup>th</sup>. I urge you to go. It tells the individual stories of 70 of our local veterans. I also am proud to announce that our scroll of honor recognizing Village veterans now has over 1,500 names.

Our E-Waste Day was a huge success, collecting a record amount of computers and electrical equipment for recycling. We have also scheduled the County shredder to come to Bronxville in September. Speaking of recycling, we learned that the Village was tied for second with Scarsdale in the percentage of recycled tonnage. Bedford leads the County, but we recycled at the 65% level. By way of comparison, the nationwide average is 35% so we truly are living up to our award as one of the greenest communities in the County. In that vein, just a reminder that the seasonal ban on use of gas powered leaf blowers went into effect on June 1<sup>st</sup> and remains until September 30<sup>th</sup>. Please call the police desk to report any violators.

We hosted the high school senior class this past week as part of their senior week. They set up different workshops here at Village Hall - I know a nutritionist was here, they were learning how to deal with car trouble, there was a smoke house simulating fire conditions – essentially they were learning skills they may need in college and beyond – and it was fun for us to have so many young faces in the building.

I spent a good bit of time this month surveying our plantings, our Village landscape and consulting with our garden groups about what we can do to keep the Village as attractive as possible. This gives me an opportunity to thank all three of our garden groups – the Working Gardeners, Boulder Ledge and the Bronxville Beautification Council for all they do for the Village – and I want to congratulate the Beautification Council for a very successful third annual garden tour. They truly just willed the rain away on Saturday.

I also attended a Rotary event honoring two of Bronxville's most eminent citizens – Bob McGrath and Art Miller – for their 50 years of membership and service to the Rotary. They are terrific gentlemen – so worthy of the honor.

In an effort to showcase all the new stores in the Village and the expansion and relocation of others, Chamber of Commerce Executive Director, Ruth Wood, and I did a cable show touring all the new stores. I think it will be really informative and definitely entice folks to keep shopping in the Village.

Mr. Porr, Bill Murphy and I met with executives from a parking company called Street Smart which is a fully integrated parking space control and information management system with the goal to use our spaces more optimally and ultimately increase revenue. We will continue our discussion with them. Speaking of revenue, you can now pay parking tickets or any court violations by credit card either in person or by downloading a form on our website and mailing it in with a Visa or Mastercard number. We are part of a State program that allows us to do this without incurring the customary 2 or 3% credit card fee. We can only use it for violations, not parking space rental fees or commuter buyouts. We are constantly trying to improve and update our operations and we would love to be able to accept a credit card for property taxes but currently there is no program available, like the parking violations one that absorbs the fee and the Village cannot afford to lose 2, 3 or even 4% in fees off of every tax payment. That would be a large cumulative income loss.

I also spoke to the staff at Houlihan Lawrence to explain our tax assessment updating program. Again, a reminder you may see appraisers on your block doing exterior visual inspections of each home. If you have any concerns, you can call the police desk. The appraisers do carry Village ID and the police know their exact location each day.

Segueing from assessment to the resulting taxes, the tax bill was mailed out last week so everyone should have received one. Taxes are due on June 1<sup>st</sup> but if paid in person or postmarked by June 30<sup>th</sup>, there is no penalty. As a reminder in an effort to save money and paper, the second half tax stub is in the current bill so please save it. We will be sending out an e-alert reminder as the 30<sup>th</sup> deadline approaches.

I take this opportunity to encourage you to sign up for our e-alerts. We send out important and very topical information this way. You just need to go on the Village website and sign up.

A few folks have already called because despite a 0% tax increase in both the Village and School budgets, their taxes still went up. This is because the State Star Program decreased the Basic Star benefit by \$200 this year and decreased the Enhanced Star exemption by \$300 so the State subsidies are lower, hence the increase.

Finally, via our involvement on the Board of the Westchester Municipal Officials Association, Mr. Porr and I joined a subcommittee that seeks to align the Business Community, School Boards and Municipal Officers to seek common ground so we can combine our efforts on certain issues to better present a stronger and united front – the rationale being that every special interest group - the PACs, unions seem to have a more vocal, persuasive voice with State lawmakers than the most important group – the taxpayer.

## **TRUSTEE REPORTS**

**Trustee Bellitto** reported on the Police Department and that there were no felonies in May.

Parking – Revenues were greater than last year but less than budget.

Senior Citizens' – Trustee Bellitto attended the annual meeting and found it to be a great and informative day.

**Trustee Barton** reported on the finances of the Village and that they are right on target.

**Trustee Poorman** reported on the Library and urged residents to look at the Library website for a listing of activities for children and adults.

Chamber – there will be several summer concerts on Park Place on Thursday evenings. Music will be provided by local bands and the stores will be open late.

Trustee Poorman also reported that there are quite a few new stores and expansion of other stores. The downtown is looking active and vital.

Mayor Marvin reported for **Trustee Underhill** that the Building Department estimated alteration costs are over \$11 million which is up from the \$4 million last year.

**APPROVAL OF MINUTES**

On motion of Trustee Barton, second by Trustee Poorman, the Board approved the minutes of the Regular Meeting on May 10, 2010 as drafted.

**NEW BUSINESS**

**RESOLUTION – CHAMBER OF COMMERCE CONTRACT**

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

**WHEREAS**, the Bronxville Chamber of Commerce (the “Chamber”) is a New York State not-for-profit corporation organized for the purpose of advancing the commercial, civic and general interests of the Village of Bronxville (the “Village”); and

**WHEREAS**, the Board of Trustees believes that it is in the best interest of the Village to support the Chamber in its provision of services to the Village, including festivals, concerts, social events, and general promotion of the Village; and

**WHEREAS**, in exchange for the Chamber’s continued provision of such services to the Village, the Village has agreed for Village fiscal year 2010 – 2011 to make a payment to the Chamber of \$6,500,

**NOW THEREFORE BE IT RESOLVED** by the Board of Trustees of the Village of Bronxville, that the Mayor is authorized to execute an agreement with the Chamber covering Village fiscal year 2010 – 2011 for the provision of services described above in consideration of a payment from the Village to the Chamber of \$6,500.

Village Attorney, James Staudt, advised the Village that NYS municipalities cannot “donate” money to a not-for-profit organization without an agreement that includes services in return. If done without this, it would be deemed an unlawful gift.

**RESOLUTION – SENIOR CITIZENS’ COUNCIL CONTRACT**

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

**WHEREAS**, the Bronxville Senior Citizens’ Council (the “Council”) is a New York State not-for-profit corporation organized for the purpose of advancing the interests and necessary services of senior citizens in the Village of Bronxville (the “Village”); and

**WHEREAS**, the Board of Trustees believes that it is in the best interest of the Village to support the Council in its provision of services to seniors in the Village, including social work, home visits, health related programs, special assistance and social events which enhance the quality of life for seniors living in the Bronxville area; and

**WHEREAS**, in exchange for the Council’s continued provision of such services on behalf of the Village, the Village has agreed for Village fiscal year 2010 – 2011 to make a payment to the Council of \$12,500 and to provide office space for the Council in Village Hall,

**NOW THEREFORE BE IT RESOLVED** by the Board of Trustees of the Village of Bronxville, that the Mayor is authorized to execute an agreement with the Council covering Village fiscal year 2010 – 2011 for the provision of services described above in consideration of a payment from the Village to the Council of \$12,500.

Mayor Marvin said that with the trimming of the budget this year funds were cut to the seniors. She stated that the Village is extremely generous to the seniors and that the Village is looking into getting County funds for senior programs. She is frustrated that many members are from surrounding areas and the seniors receive no assistance from these municipalities. The Council is receiving a lot of private support which seems to be helpful.

**RESOLUTION – TAX CERT SETTLEMENT (81 PONDFIELD ROAD COMPANY)**

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>Year(s)</u>	<u>Address Description</u>
81 Pondfiled Rd. Company 2006-2009	Section 4 Block 1 Lots 5 & 8

**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:

<b>LOT 5</b>			
<b>YEARS</b>	<b>ASSESSMENT</b>	<b>REVISED ASSESSMENT</b>	<b>REDUCTION</b>
2006	52,757	42,900	9,857
2007	1,329,200	1,329,200	-
2008	1,329,200	1,329,200	-
2009	1,230,741	1,230,741	-

<b>LOT 8</b>			
<b>YEARS</b>	<b>ASSESSMENT</b>	<b>REVISED ASSESSMENT</b>	<b>REDUCTION</b>
2006	73,908	60,000	13,908
2007	1,877,100	1,877,100	-
2008	1,877,100	1,877,100	-
2009	1,738,055	1,738,055	-

**RESOLUTION – TAX CERT SETTLEMENT (Standish Cabot Co-op Apartments)**

On motion of Trustee Poorman, second by Trustee Bellitto, 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>
Standish Cabot Apartments	Section 6.G Block 3 Lots 25,25A &25B	2005-2010

**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:

<b>VACANT LOT 25</b>			
<b>YEARS</b>	<b>ASSESSMENT</b>	<b>REVISED ASSESSMENT</b>	<b>REDUCTION</b>

2005	24,000	16,320	7,680
2006	24,000	11,320	12,680
2007	954,200	307,200	647,000
2008	954,200	307,200	647,000
2009	883,518	352,964	530,554
2010	883,518	202,964	680,554

<b>LOT 25A</b>			
<b>YEARS</b>	<b>ASSESSMENT</b>	<b>REVISED ASSESSMENT</b>	<b>REDUCTION</b>
2005	94,600	94,600	-
2006	94,600	94,600	-
2007	3,159,600	3,159,600	-
2008	3,159,600	3,159,600	-
2009	2,925,555	2,925,555	-
2010	2,925,555	2,925,555	-

<b>LOT 25B</b>			
<b>YEARS</b>	<b>ASSESSMENT</b>	<b>REVISED ASSESSMENT</b>	<b>REDUCTION</b>
2005	106,040	106,040	-
2006	106,040	106,040	-
2007	3,533,200	3,533,200	-
2008	3,533,200	3,533,200	-
2009	3,271,481	3,271,481	-
2010	3,271,481	3,271,481	-

**RESOLUTION – FIRING RANGE IMA**

On motion of Trustee Bellitto, 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 an agreement with the Westchester County Department of Public Safety for use of their firing range. The terms of the agreement shall be in effect for 5 years and will begin immediately. The cost to the Village of Bronxville Police Department shall be a flat fee of \$630.00 per eight hour tour. If a firearms instructor is requested, the Village of Bronxville Police Department shall pay an additional fee equal to \$70.68 per hour or \$565.44 per eight hour tour.

**RESOLUTION – NYSDOT SNOW AND ICE AGREEMENTS 2009-2010 AMENDMENT**

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

**WHEREAS** the Village of Bronxville has entered into Agreement # D010765 with the New York State Department of Transportation entitled “Indexed Lump Sum Snow and Ice Agreement”.

**WHEREAS** the original agreement allowed for increased funding due to the severity of the winter and fuel costs; and

**WHEREAS** the present agreement provides funding in the amount of \$4,538.50;

**NOW THEREFORE BE IT RESOLVED** that the Village of Bronxville Board of Trustees authorizes the Mayor to sign the 2009/2010 NYSDOT Snow and Ice Agreement Amendment that allows for the additional funding of \$2,269.25 over the original funding of \$4,538.50. This increased funding was due to the severity of the winter season.

**RESOLUTION – POLICE OFFICER APPOINTMENTS**

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

**BE IT RESOLVED** that the Board of Trustees of the Village of Bronxville appoints Wilson Valentin, James Mazzucca and Thomas Roviezzo to the position of second year Police Officer at the second year Police Officer's salary of fifty-five thousand eight hundred twenty-six dollars (\$55,826.00) effective June 21, 2010.

**RESOLUTION – TERMINATION OF THE URBAN COOPERATION AGREEMENT BETWEEN THE COUNTY OF WESTCHESTER AND THE VILLAGE OF BRONXVILLE**

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

**WHEREAS**, in 2005, the Village entered into the Urban County Cooperation Agreement (the "Agreement") with the County of Westchester; and

**WHEREAS**, the Agreement automatically renews unless the County or the Village provides written notice that it elects not to participate; and

**NOW THEREFORE BE IT RESOLVED** by the Board of Trustees of the Village of Bronxville, that the Mayor is authorized to notify the County that the Village elects not to participate and that the Agreement shall terminate at the end of the current term.

**RESOLUTION – VILLAGE REVALUATION**

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 establish project #20092010-0024-1355 Village Revaluation in the amount of \$100,000. The funding for this project to be provided from the sale of bond anticipation notes (BANS).

**RESOLUTION – FINANCING THE CAPITAL BUDGET**

On motion of Trustee Poorman, 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 #20092010-0025-1325 BAN Sale Costs in the amount of \$7,500. The funding for this project to be included in the total BAN proceeds.

**RESOLUTION – Appointment of a new Foreman (Department of Public Works)**

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

**WHEREAS**, an interview panel was formed to interview interested parties for the position of General Foreman with the Department of Public Works; and

**WHEREAS**, the committee interviewed three parties and after due consideration and discussion with the Supt. of Public Works, the committee recommends the appointment of Victor Lema as General Foreman for the Department of Public Works,

**NOW THEREFORE BE IT RESOLVED** that the Board of Trustees of the Village of Bronxville appoints Mr. Victor Lema, 4 Jenkins Court, Ossining, N.Y. to the position of General Foreman effective Tuesday, June 15, 2010.

**PUBLIC COMMENTS –**

Mr. Thomas Wolff, 230 Pondfield Road, asked about Local Law #4 – Moratorium on Solar Panels and if the Village was aware that the time limit on this moratorium was running out (July 13, 2010).

Village Attorney, James Staudt, responded that the Village will have a proposed local law and a public hearing on this soon.

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There being no further comments, the meeting was adjourned at 9:27PM by motion of Trustee Bellitto, second by Trustee Poorman.

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Harold Porr III,  
Village Administrator/Village  
Clerk