

MINUTES OF REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF
BRONXVILLE HELD ON FEBRUARY 8, 2010 AT THE VILLAGE HALL, 200 PONDFIELD
ROAD, BRONXVILLE, N.Y.

* * * * *

PRESENT: Mary C. Marvin Mayor
Glenn D. Bellitto Trustees
William H. Barton, Jr.
Anne W. Poorman
Robert S. Underhill

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

* * * * *

WORK SESSION & EXECUTIVE SESSION

The meeting was called to order at 6:31PM and in attendance were Mayor Marvin, Trustees Bellitto, Barton, Poorman and Underhill; Village Administrator, Harold Porr; and, Village Attorney, James Staudt.

Sheryl Donner, Chairwoman of Village Cable Committee, gave a report on the equipment plan to help improve the operations of the Village cable system.

The Trustees reviewed the agenda for the regular meeting.

The Board agreed that Anne Poorman would serve as the Board liaison to the Village Court.

There was discussion about enforcing parking meters for hours expressed in the Village Code as opposed to the abbreviated enforcement hours enforced presently.

At 7:23PM, on motion of Trustee Underhill, second by Trustee Poorman, the Trustees entered Executive Session to discuss personnel matters in Village Court and to seek legal advice on the Kensington Project and to discuss labor negotiations with the CSEA/Library.

On motion of Trustee Bellitto, second by Trustee Barton, the Trustees re-opened the work session and entered into the public session at 8:05PM.

* * * * *

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

Mayor Marvin introduced Allan Kassay of O'Connor, Davies, Munns & Dobbins who gave the Annual Audit Report for 2008/2009. Mr. Kassay reported that the independent auditors report showed that the financial statements were presented properly. He stated that it was a very good year considering the economic climate.

Trustee Underhill asked Mr. Kassay to explain the standard ranges for the undesignated fund balance.

Mr. Kassay responded that the average range is between 5 – 25%. The Village maintained an 11% which is very good and that the Village is in good financial shape.

Trustee Underhill explained that the undesignated fund is very important and is used for unforeseen circumstances. He then asked Mr. Kassay to review GASB45.

Mr. Kassay said all current employees and retired employees are accrue benefits for each year they work for the municipality. Actuaries come in every year to evaluate this. This does not appear on the statement as government funds. The Village is not required to fund this liability.

Trustee Underhill asked Mr. Kassay to benchmark our GASB45 obligation against other municipalities. He then thanked Mr. Kassay for his work and his commitment to the Village.

MAYOR'S REPORT

The year started out extremely busy and continues at a fast pace.

Some of the major issues we dealt with this month include the influx of teenagers from other communities on weekend evenings. We were a bit surprised because traditionally these kinds of gatherings happen in the warm weather not during subfreezing temperatures. We have greatly increased our police presence on the weekends including unmarked cars and a walking beat incurring a great deal of overtime but it is worth it and we will continue to do so until our teen visitors change their patterns. They were arriving by train or incredibly dropped off by their parents and bottom line they are not welcome here if they do not behave and harass our own residents.

Our tentative tax roll was published as required on February 1st in hard copy at Village Hall and on our Village website. Should you want to challenge your assessment, you must fill out a complaint form by February 16th. Forms are available at Village Hall or can be downloaded from the Village website.

In addition to a written complaint, if you would like to appear in person to discuss your valuation, the night of the meeting is February 23rd. Please call Village Hall and ask for Janet Grosso to receive an appointment time.

To contest the valuation, you must bring some evidence of a different value either through an appraisal or comparative rates.

The Village continues to fight the potential water rate increase of 55% and hydrant maintenance increase of 125% by United Water. These are big numbers 500 to over 1,000 – 93 hydrants – no small number.

Quite incredibly, we have received no documentation as to why they think these exorbitant rates are warranted and we are joining with our neighboring communities to fight the increase.

The High School Global Studies class in partnership with the Village had a hugely successful electronic waste collection day in January. Congratulations to the students, faculty and staff who worked so hard to make it a success. Four huge truck loads of equipment were properly recycled with the County. Based on this success, we are having another County run day on May 15th so mark your calendars.

We have enlisted the help of Senator Klein in our efforts for accountability by Metro North and he has been extremely responsive. I met with him and his staffers last week.

Our Finance Committee met last Wednesday to review the results of our most recent audit. Thank you to Village Treasurer, Bob Fels.

Village elections for two trustees and one Village Justice are on March 16th. Voting is from 6AM to 9PM at Village Hall. My two colleagues are graciously and thankfully running for re-election – Anne Poorman and Bill Barton. They give incredible time and service to our Village and thank you.

We have begun the budget process and in an effort to find some additional cost savings from last year's budget we are looking at changing our healthcare provider. Because revenues from building permits, mortgage tax and sales tax were significantly down last year and continue to be so in this budget, we actually had to make spending cuts of 3.5% to achieve the 0% tax increase so we need to find savings again in expenditures. This is very hard and we trimmed the budget to the bone last year. My column this week will speak about the budget in detail.

In the past month, we filmed another edition of our cable show, sent out the quarterly newsletter and created a new cable show called "Teen Talk" where student leaders from our high school talked very frankly about underage drinking and driving. I urge you to watch it. The students are great.

Village Administrator Porr and I are headed to Albany in a week or so to the Conference of Mayors and Municipal Officials frankly to see how much damage the State budget is going to do to Bronxville and lobby our legislators.

Trustee Poorman and I have been working really hard with our merchants and landlords to get our vacant stores filled.

We do suffer from having some very large conglomerates as our landlords who can afford to leave some of their inventory vacant. And, despite the homestead provision, they still pay at the very top of the commercial real estate taxes per square foot so rents are not cheap.

Chief Satriale and I will be speaking to our seniors who live on the west side of the Village this coming Thursday.

The Eastchester Irish American Social Club is proud to sponsor Eastchester's 6th Annual St. Patrick's Day Parade on Sunday, March 14th, 2010 at 3PM.

The 2010 parade will begin at Immaculate Conception Church in Tuckahoe, march north on Route 22 and end at the Lake Isle Country Club.

And finally, I want to thank Michelle Pinto who has recently retired from the Village after 15+ years as our Village Court Clerk. I want to thank her for her service and dedication to our Village and we will be having an event soon to give her a proper send-off.

Now, Deputy Mayor Bellitto who did a great job last month.

TRUSTEE REPORTS

Trustee Bellitto reported on the police department. He stated that there were several arrests made this past month including one for a felony.

Parking – revenues were on budget for 2010 and are going up monthly.

Green Committee – the third meeting was held recently; the next meeting will be on March 1st at 7:15PM at Village Hall; and, they will be assisting Eastchester with their Green Day.

Trustee Barton reported on the financials for the Village. He stated that revenues are holding okay and expenses are below budget.

Trustee Poorman reported on the Library. She said that the Friends of the Library made a donation allowing the Library to maintain Saturday hours. The generous donations have funded the staffing and the purchase of new books and audio-visual materials.

Labor negotiations with the Library are moving forward in a friendly fashion and will continue over the next few months.

Chamber of Commerce – Trustee Poorman reported that the number of visitors to the Village has decreased. She encouraged people to please shop locally. Three of the empty store spaces are in the final stages of negotiations and once everything is signed the Chamber will announce who the new stores will be.

Lawrence Hospital will be giving out free H1N1 vaccinations at the Reformed Church next week and it is open to all.

Trustee Underhill reported that the Kensington Project Request for Proposals were due last week and that the Village is in the process of reviewing all submissions.

Finance Committee – Trustee Underhill said that this committee met last week and that he was in awe at the level of attention and focus the committee brings. They focused on the management letter and the issue that the staff here is small in size which is negligible. The committee also looked at the unrestricted fund balance and would like to preserve this on an on-going basis. Trustee Underhill said it is important to maintain a healthy fund balance and the committee asked for Village Treasurer Fels to prepare a five year budget projection.

Trustee Underhill commented that the GASB45 implications are so new and it is hard to tell what it all really means. He would like the Village Treasurer to benchmark our obligations so that it is easier to see what it really will mean for the Village in the future.

APPROVAL OF MINUTES

On motion of Trustee Bellitto, second by Trustee Poorman, the Board approved the minutes of the Regular Meeting on January 11, 2010 as drafted.

PUBLIC HEARING

RESOLUTION – Setting a Public Hearing on the Proposed Local Law #1 - 2010 to Amend the Traffic & Vehicle Law by Modifying Parking Time Limits at Parking Meters in Specific Areas

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

WHEREAS, the Board of Trustees (the “Board”) of the Village of Bronxville (the “Village”) requested Village Counsel to draft a local law amending the Traffic and Vehicle Law of the Village, Chapter 290, by modifying parking time limits at parking meters in specific areas on Kensington Road; and

WHEREAS, having received proposed Local Law # 1 - 2010, the Board is prepared to hold a public hearing on such proposed law,

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. A public hearing on proposed Local Law # 1 - 2010 will be held on Monday, March 8, 2010 at 8PM at Village Hall located at 200 Pondfield Road, Bronxville, NY.
2. The Village Board directs that all requisite notices be published in accordance applicable laws and regulations.

RESOLUTION - Set a Public Hearing on Proposed Local Law #2 - 2010 to amend the Traffic and Vehicle Law of the Village of Bronxville, NY, Chapter 290, by removing and adding the designation of certain streets as one-way

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

WHEREAS, the Board of Trustees (the “Board”) of the Village of Bronxville (the “Village”) requested Village Counsel to draft a local law amending the Traffic and Vehicle Law of the Village, Chapter 290, by removing and adding the designation of certain streets as one-way; and

WHEREAS, having received proposed Local Law # 2 - 2010, the Board is prepared to hold a public hearing on such proposed law,

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. A public hearing on proposed Local Law #2 - 2010 will be held on Monday, March 8, 2010 at 8PM at Village Hall located at 200 Pondfield Road, Bronxville, NY.
2. The Village Board directs that all requisite notices be published in accordance applicable laws and regulations.

NEW BUSINESS

RESOLUTION – Tax Certiorari Settlement – Worth-Ponfield LLC (Section 4/Block 1/Lot 4)

On motion of Trustee Underhill, 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>
Worth-Pondfield LLC 2006-2009	Section 4 Block 1 Lot 4	

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>
2006	167,160	135,500	31,660
2007	4,320,100	4,200,000	120,100
2008	4,320,100	4,320,100	None
2009	4,000,092	4,000,092	None

RESOLUTION – Appointment of Village Court Clerk

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

BE IT RESOLVED that the Board of Trustees confirms the appointment made by Mayor Mary C. Marvin of Maryann Palermo to the position of Bronxville Village Court Clerk effective February 22, 2010.

RESOLUTION – Providing Funds for a Challenge of Proposed Water Rate Increases

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

WHEREAS, United Water Company has proposed to increase water rates and hydrant rental rates by 55% and 125% respectively, and

WHEREAS, the Village of Bronxville has joined with several other Westchester communities including New Rochelle, Eastchester, Dobbs Ferry, Hastings-on-Hudson, Pelham, Tuckahoe, Ardsley and others also serviced by United Water to oppose these rate increases , and

WHEREAS, the consortium of communities would like to hire attorney David M. Wise to represent the mutual interests of the above-mentioned communities,

NOW BE IT RESOLVED that the Village of Bronxville Board of Trustees authorizes the Mayor to sign a contract that would allow up to \$2,100 of Village funds to be expended as a pro-rated share of the consortium costs to hire Mr. Wise to undertake the necessary work related to the challenge of the proposed United Water Company rate increases.

RESOLUTION – Telephone Maintenance Contract

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

BE IT RESOLVED that the Village of Bronxville Board of Trustees authorizes the Mayor to enter into a contract with Telecom Management Inc. of East Meadow, NY for a telephone maintenance service for a one year period effective March 1, 2010 at a cost of \$3,500.00.

RESOLUTION: Reconciliation Tax, Warrant & Collections

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

BE IT RESOLVED that the Board of Trustees accepts the Reconciliation of Uncollected Taxes as of January 31, 2010 as prepared by the Village Treasurer.

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 2009-2010 on Tuesday, March 16, 2010 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 Journal News, 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 9th day of March 2010.

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 2009-2010 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 2009-2010 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 2009-2010, as of January 31, 2010.

PUBLIC COMMENTS –

Mrs. Betsy Harding, 39 Homesdale Road, asked the Mayor what the Village's plans are for updating the assessment roll and the mechanisms for updating the roll. Mrs. Harding hopes that the model does not only use horizontal equity but vertical equity.

Mayor Marvin replied that Assessing Consultant, Gerry Iagallo, is coming on March 8th to discuss exactly that.

Mrs. Harding then asked about Mr. Iagallo's salary and if this will continue into the next budget cycle. She feels that if the Village does not need to pay his salary it would be a huge savings and would be able to assist with Library hours and not raising taxes. She also asked about Mr. DeBellis as the "official" assessor and if he is paid to just sign the assessment roll.

Mayor Marvin responded that Mr. Iagallo makes about \$125,000 annually (or a little below) and that he is doing a terrific job capturing improvements. He is doing a lot of work formerly done by appraisers and attorneys which would be very costly to the Village. She feels his salary is the best bargain in the Village.

Mayor Marvin then commented that between Mr. Iagallo and Mr. DeBellis there is 65 years of assessment experience. And, Mr. DeBellis does more than just sign the assessment roll.

Trustee Poorman said that there is a lot of negotiation involved and that every month the Trustees are voting on tax cert settlements.

Village Administrator, Harold Porr, said that the ways things are currently set up with a part-time Assessor and an Assessing Consultant, the Village is saving on both health and retirement costs.

Mrs. Harding asked about having someone from Syracuse University review the Bronxville assessment roll.

Mayor Marvin responded that the original person became ill and had to step down. Dr. Eckert took over and worked with Mr. Iagallo in reviewing the numbers.

* * * * *

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

Harold Porr III
Village Administrator/Village
Clerk