

**MINUTES OF REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF
BRONXVILLE HELD ON SEPTEMBER 12, 2011 AT THE VILLAGE HALL, 200 PONDFIELD
ROAD, BRONXVILLE, N.Y.**

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

ALSO PRESENT: Harold Porr III Village Administrator
James Staudt Village Attorney
Robert Fels Village Treasurer
Terry O'Neil Labor Counsel

EXCUSED: Robert S. Underhill Trustee

WORK SESSION & EXECUTIVE SESSION

The meeting was called to order at 6:33PM on the motion of Trustee Barton, second by Trustee Gray.

Village Administrator, Harold Porr, reviewed the meeting agenda.

Village Administrator, Harold Porr and Village Treasurer, Robert Fels presented the Board with a draft of the Capital Improvement Program. There was a wide ranging discussion about the proposed projects. It was decided that the Board would meet again in a Special Meeting on September 26, 2011 to continue a studied review of the proposed Capital Improvement Program.

Mr. Fels then gave a review of the unaudited year end finances for fiscal year 2010-2011.

On motion of Trustee Poorman, second by Trustee Gray, the Board entered into Executive Session at 7:01PM to discuss PBA contract negotiations and to discuss real estate matters with legal counsel.

At 8:06PM on motion of Trustee Gray, second by Trustee Barton, the Trustees closed the Executive Session and re-entered into the public session.

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

MAYOR'S REPORT

I thought I would recap Village government summer activities in chronological order, unfortunately ending with our second 100 year storm in just four and a half years.

We managed to stretch our limited funds to do some improvement projects throughout the Village, most noticeably in the business district. Roads were resurfaced, new curbing installed and trees and plantings added. This coming week, we will be meeting with representatives of the Bronxville Beautification Committee to collaborate on finishing the replanting of the railroad station banks.

The light at Kraft Avenue and Cedar Street is now powered for use. It is temporarily on a fixed time schedule for a few days until the "loops" are installed which will make the light car-activated and decrease waiting time. Residents have commented on the number of heads on the traffic light. This multiple configuration is what is now required by New York State traffic law for new fixtures.

We continue to work with the County of Westchester to craft an agreement allowing the Village to be the leasee of Scout Field. We believe it advantageous to take over responsibilities of maintaining the fields so as to benefit our school baseball team, summer day camp and youth soccer league. However, we are balking at some County lease provisions, including the requirement to maintain all trees in the area which could cost tens of thousands of dollars for trimming and removal.

Negotiations with our police union continued throughout the summer, though no agreement has been reached.

The Village Green Committee worked with us all summer to launch the “Love’em and Leave’em” (‘LELE”) program for fall. Undertaken by several other Westchester communities, the initiative encourages homeowners and gardeners to purchase a mulching mower blade that chops leaves into fine dust that is then left on the lawn. Not only do the leaves then serve as mulch with nutrients returning to the soil but the decrease in leaf piles will save the Village thousands in removal costs and eliminate the clogging of sewer drains that result in back-ups.

The former Consignment Shop/Kensington Paper is in the process of renovation into an art gallery. The owner is maintaining the historical characteristics of the building as well as the parking and attractive set-backs. It promises to be a beautiful addition to that gateway corner.

And then the rains came, Village property itself came out unscathed, but the school and many homeowners were not so fortunate. In comparison to 2007, the school saw less damage due to the mitigation measures that were undertaken, but many more homeowners lost the entire contents of their basements. As I write, our Department of Public Works is still circling the Village collecting debris from homes. The only good news was the loss of only six trees in spite of the dangerous wind conditions.

If there was a bright spot in all of the destruction, it was the kindness and patience of the residents who suffered losses and the exemplary service of our Police and Public Works departments and the Eastchester Fire Department. They all worked 24/7 and their professionalism, dedication, and genuine concern for the Village residents were clearly demonstrated. As a resident who needed their help, I want to say thank you.

School Board President Dr. James Hudson and I are asking our State, County and Federal officials for a summit with professionals in the field to help solve the on-going flooding problem. Since 2007, the wheels have ground much too slowly when addressing this issue. In the wake of the 2007 flood, the Army Corps of Engineers issued a report recommending six feasibility studies for six flood prone rivers and streams in Westchester County, stating that, “In the absence of Federal action, it is likely the flood damages will occur again, possibly increasing in frequency and intensity.” The State Department of Environmental Conservation, which is required by law to be the non-Federal partner in flood management projects, has secured the 50% funding for only one study which does not include the Bronx River. As an additional example of the glacial pace on this issue, the Village is “still in the running” for grant monies we applied for right after the 2007 storm but which have yet to be awarded.

In the interim, the Village will be applying for FEMA monies to cover such costs as overtime and tree and rubbish removal. The school will do the same for damages incurred. We just recently learned that individual homeowners are now eligible for FEMA reimbursement by applying either by phone at 1-800-621-3362 or on line at www.disasterassistance.gov or by visiting the newly opened FEMA Disaster Relief Center at the County Center between 8AM to 8PM every day.

We look forward to a dry and uneventful fall.

TRUSTEE REPORTS

Trustee Barton - thanked the Department of Public Works for their hard work during the clean-up of Hurricane Irene.

Chamber of Commerce – Trustee Barton reported that the summer concert series was very successful. Also, there are some new establishments coming to the business district which is a good sign.

Trustee Gray – spoke about the Green Committee who has a major project “*Love’em and Leave’em*” which involves the mulching of leaves and leaving them in place. The Committee met with the gardeners in August and they are all for this. The Department of Public Works will be doing this as well. There will be a meeting for the public on September 14th at 7PM in the Yeager Room at the Library.

Trustee Poorman – thanked the Department of Public Works and the police department for their hard work during the latest flood.

Police - there was normal activity for the summer.

Parking – there were fewer summonses during the month of August.

Library – The Library Board of Trustees is looking at pricing options for either repairing or replacing the floor in the library. The composite that is currently there has not stood up to the wear and tear. There was no flood damage to the library. Trustee Poorman advised residents to be on the lookout for the Friends of the Library brochure in the mail. Also, Sean Abbott will be stepping down as President of the Library Board and Kathy Mullen will be taking over these responsibilities. Sean will remain as a Trustee.

APPROVAL OF MINUTES

On motion of Trustee Poorman, second by Trustee Barton, the Board approved the minutes of the Regular Meeting on July 11, 2011.

NEW BUSINESS

RESOLUTION - CERT SETTLEMENT – NULLA BONA REALTY

On motion of Trustee Gray, 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>
Nulla Bona Realty	Section 2- Block 2 Lot 24	2004-2011

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:

YEAR	ASSESSMENT	REVISED ASSESSMENT	REDUCTION
2004	52,720	43,270	9,450
2005	52,720	43,270	9,450
2006	52,720	42,290	10,430
2007	1,475,900	1,286,000	189,900
2008	1,475,900	1,320,000	155,900
2009	1,366,574	1,267,000	99,574
2010	1,366,574	1,242,000	124,574
2011	1,180,000	1,180,000	NONE

RESOLUTION - CERT SETTLEMENT – GRAMATAN COURT CO-OP

On motion of Trustee Poorman, second by Trustee Gray, 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 Court Co –Op	23-25 Sagamore Road Section 11/6/2, 3 & 4	2003-2010

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:

YEAR	ASSESSMENT	REVISED ASSESSMENT	REDUCTION
2007	9,340,200	7,900,000	1,440,200
2008	9,207,600	8,300,000	907,600
2009	8,525,555	8,300,000	225,555
2010	8,525,555	8,300,000	225,555
2011	8,680,000	8,300,000	380,000

RESOLUTION – 2011 SCAR SETTLEMENTS (Batch #1)

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

WHEREAS, Small Claims Assessment Review petitions having been filed by each property owner identified on the annexed schedules to this resolution challenging real property tax assessments on the Village's 2011 Final Assessment Roll.

WHEREAS, petitioners' court challenges are now pending in the Supreme Court, Arbitration Division, Westchester County,

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 Assessment Consultant to execute those proceedings marked "**Settled**" on behalf of the Village and School reducing the assessments to no less than the following amounts:

TYPE	ADDRESS	ORIGINAL AV	REDUCED AV	REDUCTION	REFUND (VILLAGE)	REFUND (SCHOOL)	TOTAL REFUND
Settled	15 Willow Rd	1,210,000	1,100,000	110,000	\$ 314.49	\$ 1,516.90	\$ 1,831.39
Settled	20 Argyle Place	4,626,500	4,150,000	476,500	\$ 1,362.31	\$ 6,570.94	\$ 7,933.25
Settled	17 Greenfield Avenue	2,025,000	2,025,000	-	-	-	-
Settled	8 Edgehill Close	1,700,000	1,700,000	-	-	-	-
Settled	57 Park Avenue	2,098,100	1,992,000	106,100	\$ 303.34	\$ 1,463.12	\$ 1,766.46
Settled	6 Beechwood Road	5,466,000	5,300,000	166,000	\$ 474.59	\$ 2,289.14	\$ 2,763.73
Settled	1 Library Lane	2,316,400	2,240,000	76,400	\$ 218.43	\$ 1,053.56	\$ 1,271.98
Settled	110 Tanglewylde Ave	3,298,700	3,000,000	298,700	\$ 853.98	\$ 4,119.07	\$ 4,973.06
Settled	10 Sunnybrae Place	2,871,100	2,750,000	121,100	\$ 346.22	\$ 1,669.97	\$ 2,016.19
Settled	1 Elm Lane	926,200	926,200	-	-	-	-
Settled	2 Northway	3,534,300	3,200,000	334,300	\$ 955.76	\$ 4,610.00	\$ 5,565.76
Settled	6 Paddington Road	2,540,000	2,325,000	215,000	\$ 614.69	\$ 2,964.85	\$ 3,579.54
Settled	345 Pondfield Road	1,800,000	1,750,000	50,000	\$ 142.95	\$ 689.50	\$ 832.45
Settled	60 Summit Avenue	2,133,900	1,750,000	383,900	\$ 1,097.57	\$ 5,293.98	\$ 6,391.55
Settled	47 Avon Road	3,315,000	2,700,000	615,000	\$ 1,758.29	\$ 8,480.85	\$ 10,239.14
Settled	47 Valley Road	5,604,000	5,300,000	304,000	\$ 869.14	\$ 4,192.16	\$ 5,061.30
Settled	28 Homesdale Road	2,317,000	2,250,000	67,000	\$ 191.55	\$ 923.93	\$ 1,115.48
				TOTAL	\$ 9,503.32	\$45,837.96	\$55,341.28

RESOLUTION – CHIPS STATE AID 2011/2012

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 establish a capital project to account for the NY State Department of Transportation CHIPS State Aid in the amount of \$72,017.20 and to establish capital project number 20112012-0002-5110.

RESOLUTION – APPOINTMENT OF VILLAGE PROSECUTOR

On motion of Trustee Gray, 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 Ronnie James Ritz to the position of Bronxville Village Prosecutor effective immediately at a rate of \$100 per hour.

RESOLUTION – PADDLE TENNIS PRO CONTRACT

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

WHEREAS, Rodrigo Schtscherbyna is a PPTA certified platform tennis professional who has many years of experience in paddle and tennis instruction; and

WHEREAS, the Village Board has determined that it is in the Village's best interest to engage Schtscherbyna as an independent contractor who will provide paddle tennis instruction at the Village's paddle tennis facilities to persons holding valid paddle tennis permits issued by the Village; and

WHEREAS, for each hour of instruction conducted, Schtscherbyna shall pay the Village \$10,

NOW THEREFORE BE IT RESOLVED that Board of Trustees of the Village of Bronxville authorizes the Mayor to sign an agreement with Rodrigo Schtscherbyna to provide paddle tennis instruction at the Village's paddle tennis facility as outlined in the attached contract for which Schtscherbyna shall pay the Village \$10 for each hour of instruction.

RESOLUTION – JCAP GRANT FOR VILLAGE COURT 2011/2012

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

WHEREAS, the Bronxville Justice Court wishes to apply for a grant of funds through the Justice Court Assistance Program; and

WHEREAS, the Office of Justice Court Support requires that all requests for funding by Justice Courts in New York be approved by the local legislative board; and

WHEREAS, the Board of Trustees of the Village of Bronxville wishes to approve the application of the Village of Bronxville Justice Court for a grant not to exceed Thirty Thousand and 00/100 Dollars (\$30,000.00) from the Justice Court Assistance Program;

NOW THEREFORE BE IT RESOLVED that the application of the Justice Court of the Village of Bronxville for grant monies pursuant to the Justice Court Assistance Program is hereby approved, and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded along with the Court's grant application to the Justice Court Assistance Program.

Trustee Barton commented that there are not enough residents signed up for the E-alerts and he would like to get 100% participation. He asked the other Trustees and the residents for some suggestions/ideas.

Village Administrator, Harold Porr, said that if there is a power outage people can still receive E-alerts on their cell phones.

Mayor Marvin replied that a lot of residents signed up for E-alerts after Hurricane Irene. She suggested that the reporters could help the Village and get the word out.

One of the reporters suggested that maybe a flyer could be made and put in the library and that there should be an announcement put in the local church bulletins.

PUBLIC COMMENTS –

None.

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There being no further comments, the meeting was adjourned at 8:41PM by motion of Trustee Poorman, second by Trustee Gray.

Harold Porr III
Village Administrator/Village Clerk