

**MINUTES OF ANNUAL & REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE  
VILLAGE OF BRONXVILLE HELD ON APRIL 11, 2011 AT THE VILLAGE HALL, 200  
PONDFIELD ROAD, BRONXVILLE, N.Y.**

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<b>PRESENT:</b>	Mary C. Marvin	Mayor
	Robert S. Underhill	Trustees
	William H. Barton, Jr.	
	Anne W. Poorman	
	Donald M. Gray	
 <b>ALSO PRESENT:</b>	 Harold Porr III	 Village Administrator
	James Staudt	Village Attorney
	Robert Fels	Village Treasurer

**WORK SESSION & EXECUTIVE SESSION**

The meeting was called to order at 6:42PM on the motion of Trustee Poorman, second by Trustee Barton. In attendance were Mayor Marvin, Trustee Underhill, Trustee Poorman, Trustee Barton, Trustee Gray, Village Administrator Porr, and Village Attorney Staudt.

Village Administrator, Harold Porr, reviewed the meeting agenda with the Trustees. Budget workshops were discussed. There was also a briefing and discussion about the lease of Scout Field and the issues related to a renewal of the County Scout Field lease.

On motion of Trustee Underhill, second by Trustee Gray, the Board entered into Executive Session to discuss personnel matters in the Public Works Department; and to discuss preparations for PBA/Teamster labor contract negotiations; and, to discuss real estate matters.

On motion of Trustee Barton, second by Trustee Underhill, the Board closed Executive Session at 8PM and re-entered the public session.

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Mayor Marvin called the meeting to order at 8:03PM.

**SWEARING IN OF MAYOR AND TRUSTEES**

Judge McKinnis swore in Mayor Mary C. Marvin and Trustees Robert S. Underhill and Donald M. Gray.

Trustee Gray said he was happy to be here.

Trustee Underhill said he was thrilled and honored to be part of this Village.

Mayor Marvin thanked residents for the privilege to continue as their Mayor. She said it is a wonderful job, thought provoking, challenging and many times quite humbling.

She said that she believes to participate in government in our Village is a very noble profession. She views her role as a public servant in service to the finest people she knows, the citizens of Bronxville.

Mayor Marvin congratulated her colleagues Don and Bob on their election. She commented that there is a great team assembled here. Everyone is knowledgeable on all facets of Village government and most importantly dedicated to doing the right thing at all times for our Villagers.

**ANNUAL APPOINTMENTS**

Mayor Marvin announced the following appointments:

<b><u>Office</u></b>	<b><u>Term</u></b>	<b><u>Name</u></b>
Village Administrator	1 year term	(incumbent) Harold Porr III
Deputy Mayor	1 year term	(incumbent) Robert S. Underhill

Village Assessor DeBellis	1 year term	(incumbent) Anthony
Village Clerk	2 year term	(incumbent) Harold Porr III
Deputy Village Clerk	1 year term	(incumbent) MaryAnn Urrico
Deputy Treasurer/Tax Assessment	1 year term	(incumbent) Janet Grosso
Village Historian	1 year term	(incumbent) Eloise L. Morgan

**RESOLUTION REGARDING ANNUAL ACTIONS**

Mayor Marvin announced the following annual authorizations:

- Auditor to Board of Trustees** Village Administrator for a 1 year term - for the purpose of checking monthly abstracts of purchases as prepared by the Village Treasurer, Village Administrator/Clerk.
- Auditor to the Justice Court** Village Treasurer Robert J. Fels
- Village Auditor** Bennett, Kielson, Storch & DeSantis, the Government Services Division of O'Connor, Davies, Munns & Dobbins, LLP
- Signatures**
- Section 1. Checks drawn on the bank accounts of the Village of Bronxville may be signed by any two of the following: Mayor, Deputy Mayor, Village Administrator or Treasurer
- Section 2. Checks drawn on the account of Justice Court of the Village of Bronxville, established for deposit of fines, fees and forfeited bail, shall be signed by a Village Justice.
- Section 3. Bank transfers and Federal wire transfers to be signed by any two of the following: Mayor, Deputy Mayor, Village Administrator or Treasurer.
- Bank Depositories** Authorize depositories for Village funds with J.P. Morgan Chase Bank, Hudson Valley Bank and HSBC
- Surety Bonds** That surety bonds be filed in the following amounts:  
All employees \$200,000 per loss  
Premiums to be paid by Village
- Official Newspaper** Designate "The Journal News" as the official newspaper for the Village of Bronxville until such time as the Village Board of Trustees determines otherwise. Publication of legal notices will appear as required.
- Meeting Date** Resolve that the regular meeting date of the Board of Trustees will be held at 8:00 PM on the 2<sup>nd</sup> Monday of each month, excluding the month of August when there will be no meeting.

**BOARDS AND COMMITTEES**

Mayor Marvin announced the following appointments:

To the **Finance Committee** – Donald J. Gogel reappointed for a two year term to 2013.

To the **Design Review Committee** – Anna K. Longobardo, Jeffrey J. Faville and John Colquhoun reappointed for two year terms to 2013.

To the **Zoning Board of Appeals** – Maryann Bugas and John P. Browne reappointed for five year terms to 2016.

To the **Ethics Board** –Donald J. Kennedy reappointed for two year terms to 2013; and, William G. Primps reappointed as Counsel for a one year term to 2012.

To the **Board of Assessment Review** – Lisa Connors reappointed for a five year term to 2016.

To the **Library Board of Trustees** – Sean Abbott reappointed for a three year term to 2014; and, Sarah Underhill and Mary Mackintosh appointed for three year terms to 2014.

To the **Cable TV Committee** – Sheryl Donner, Mike Bishara, Thatcher Drew, Richard Duke, Tom Leahy, Peter Lucursi, Rick Pyle, Nancy Vittorini, John Kehoe, Tom Kennedy, Peter North, and Manny Foglio.

To the **Citizen's Advisory Committee** - Aisling DeSola, Barbara White, Bill Dowling, Bill Grealy, Carol Holley, Cindi Callahan, Florence Kooluris, Gary Finger, Kim Oliver, Liza Near, Maggie Marrone, Martin Palmeri, Robert Rabsey, Roddy MacFarquhar, Sondra Luger, Tom Troja and Steve Thomas.

## **MAYOR'S REPORT**

Much of my time this month was spent working on our preliminary budget with Mr. Fels and Mr. Porr, copies of which are available on the Village website or at the front desk at Village Hall.

I think this will prove to be our most difficult budget yet. After two straight years of zero percent tax increases, we had so little left to cut. In just the past three years, we have cut the Village work force by almost 10%, library hours were trimmed, positions have been left unfilled and our expenditure side of the budget is down again this year.

In spite of all of this, our preliminary budget projects a 4.2% tax increase on the 15% of your tax bill that goes to Village government. To put in concrete terms, if you currently are paying \$30,000 in Village property taxes, a 4.2% increase equates to approximately a \$350 increase in taxes.

But our current tentative budget that we will speak about tonight is by no means final. In addition to the opportunity to speak tonight at the public hearing, the public is welcome at our three additional public workshops on the budget scheduled for April 19<sup>th</sup>, April 20<sup>th</sup> and April 26<sup>th</sup>. All begin at 7PM.

Mr. Fels will go into more detail on the budget but essentially the increase is the result of additional unfunded mandates from the State that came our way this year, with pension costs the main driver in this budget. This year 13% of your tax bill will go towards paying the Village's State pension obligations. In addition, all fuel costs are rising exponentially. This is just a snapshot. You will hear about the budget later in the meeting.

The Village's Green Committee was extremely active this month. They sponsored a lecture by Village resident Pamela Lippe who leads Earth Day New York on simple ways to conserve our natural resources. It is a terrific lecture. I encourage you to watch it on our cable channel.

Also, the Green Committee co-sponsored a very successful eco-day this past Saturday at Concordia College.

We have been also working with the Bronxville School to make sure that the County's improvement project down near the Bronx River has no negative impact to the fields or exacerbate any flooding. Mr. Porr, Mr. Pici, myself, Superintendent Quattrone, John Kehoe, Rich Rugani and Karen Petersen met at the County Executive's office and we were assured that the project will actually have a flood mitigation effect.

We are also working with the School and the County to create a new inter-municipal agreement to assure the Village's and School's continuous use of the Scout Fields.

The Village's tennis program will begin very soon and you should have received information in the mail about programs and permits. If you have not received the materials, just call Village Hall and ask for Susan.

We continue to negotiate with our police and library unions but have no contracts as yet.

Our State Senator, Jeff Klein, invites our residents to an Easter Bunny Breakfast and Magic Show on Saturday, April 16<sup>th</sup> from 8:30AM – 10:30AM at Villa Barone in the Bronx. Please call 1-800-718-2039 if you would like to attend.

The senior class at the Bronxville School will again use Village Hall for their transition day activities and they have also volunteered to undertake a Village clean-up day in partnership with our Department of Public Works on April 30<sup>th</sup>. We love having the high school students involved here at Village Hall and thank them for donating their time to improve their Village.

Mr. Porr and I were asked to go on a local radio show to discuss the effect of State mandates on municipal budgets and I was recently selected as Treasurer of the County Mayor's Association.

I also attended a wonderful event at the Women's Club honoring Vicki Ford. Vicki and Si will also be the deserved honorees at the upcoming League of Women Voter's luncheon on April 21<sup>st</sup>.

I would like to say goodbye and good luck to Meredith Matthews, a long time local reporter and current reporter for [myhometownbronxville.com](http://myhometownbronxville.com). Meredith is moving to Chicago to take a job writing for one of the national medical journals. Meredith was a thorough, conscientious reporter who reported the stories so clearly and most importantly fairly. She is also a friendly person who will be missed around Village Hall. We wish her much success in her new endeavor.

I finally want to mention that a former member of the Village staff, Dorothy Adolph, passed away at age 90. Dorothy worked doing our recreation permits and she was a wonderful co-worker and lovely lady. She will be missed.

I just want to make a clarification. Our codification of parking rules along Midland Avenue did not result in the loss of any spaces for teachers or general parkers. We merely codified what had been the parking rules for years.

## **TRUSTEE REPORTS**

**Trustee Underhill** announced that Concordia College will be offering a Master's program in Special Education and that the first chair was endowed by Vicki and Si Ford. He said the Fords are incredible examples of selfless giving.

**Trustee Barton** reported for the Department of Public Works and that the Village of Bronxville won the Earth Day 2011 Award for having the highest overall recycling rate (71%). There will be continued pothole repair and more curbing done in the Village.

**Trustee Poorman** reported on the Police Department. There were two felonies and six misdemeanors.

Library – Trustee Poorman told residents that the survey will be coming in the next few weeks and she encouraged everyone to complete one.

## **PUBLIC HEARING**

### **2011/2012 BUDGET – ROBERT FELS**

At 8:25PM, on motion by Trustee Underhill, second by Trustee Poorman, the public hearing was opened for the 2011/2012 Budget.

Village Treasurer, Robert Fels, gave an overview of the proposed budget for 2011/2012. He told residents that every 1% of a tax increase represents an increase of \$76K in operating expenses. The operating budget reflects salaries, benefits and debt service. He is required to present a balanced budget by law.

Village Treasurer, Robert Fels, said that every 1% is equal to \$76K.

Mayor Marvin stated that the Trustees started out with a 14% tax levy increase.

Mr. Fels said that the current proposed budget is the result of a lot of belt tightening.

Trustee Underhill commented that the Trustees are very aware of the challenges and that it is very hard to address the non-discretionary aspects of the budget.

Mayor Marvin said that the 2% tax cap idea is great in theory but that the Village received an extra 4% mandate bill so this is not possible.

Trustee Underhill explained that the Village did have a couple of one-time events that seemed like the right thing to do. Also, the Trustees are aware of the fund balance situation and that the financial health of the community will not be put at risk.

Mr. Fels responded that the one shots are great lifesavers but we need to try and wean off of them.

Mr. Thomas Wolff, 230 Pondfield Road, asked about the Library fund estimated revenues and what the abbreviation PYE meant.

Mr. Fels answered that the PYE means prior year encumbrance. Also the current operating budget reflects the rollover of encumbrances from the prior year.

Mr. Fels reported that there was a contribution from the general fund to the debt service to finance long term payments in 2011/2012 fiscal year. Funding has dropped even greater so the general fund makes up for the shortfall.

There being no further comment, on motion by Trustee Barton, second by Trustee Gray, the public hearing was closed at 8:34PM.

#### **APPROVAL OF MINUTES**

On motion of Trustee Poorman, second by Trustee Barton, the Board approved the minutes of the Regular Meeting on March 14, 2011.

#### **PUBLIC HEARING**

#### **PROPOSED LOCAL LAW #3-2011**

At 8:39PM, on motion of Trustee Underhill, second by Trustee Gray, the Board opened the public hearing for Proposed Local Law #3-2011.

Mayor Marvin gave a background on this local law. She said that the changes were put into effect a few years ago to increase the flow of commuter traffic. The Chief of Police strongly recommends this law as it will open a few parking spaces, help merchants and impede commuter traffic flow.

At 8:41PM, on motion of Trustee Gray, second by Trustee Poorman, the Board closed the public hearing.

**THEREFORE** on motion of Trustee Barton, second by Trustee Poorman, this was unanimously approved.

#### **LOCAL LAW # 3 – 2011 TO AMEND THE TRAFFIC AND VEHICLE LAW OF THE VILLAGE OF BRONXVILLE, CHAPTER 290, BY REPEALING PARKING PROHIBITIONS ON PORTIONS OF PARKWAY ROAD AND STUDIO ARCADE**

**BE IT ENACTED** by the Board of Trustees of the Village of Bronxville as follows:

**Section One.** The parking prohibition set forth in section 290-28.D of Chapter 290 of the Code of the Village of Bronxville, which prohibits parking during certain times at the metered spaces on the west side of Parkway Road between Palmer Avenue and Upper Milburn Street, is hereby repealed in its entirety. Section 290-29.D shall hereinafter read as follows: [*Intentionally left blank*].

**Section Two.** The parking prohibition set forth in section 290-28.E of Chapter 290 of the Code of the Village of Bronxville, which prohibits parking during certain times at the metered spaces on the north side of Studio Arcade between Lake Avenue and the southbound lane of

Studio Arcade, is hereby repealed in its entirety. Section 290-29.E shall hereinafter read as follows: *[Intentionally left blank]*.

**Section Three.** If any section, subsection, clause, phrase or other portion of this Local Law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, such portion shall be deemed a separate distinct and independent portion. Such declaration shall not affect the validity of the remaining portions hereof, which other portions shall continue in full force and effect.

**Section Four.** This local law shall take effect immediately upon filing with the Secretary of State.

**NEW BUSINESS**

**RESOLUTION - TENNIS PROFESSIONAL CONTRACT**

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

**BE IT RESOLVED** the Board of Trustees authorizes the Village Administrator to sign an agreement with Michael Virgilio for services as the Tennis Professional for the 2011 season (copy attached).

**RESOLUTION - CAPITAL PROJECT AUTHORIZATION**

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

**BE IT RESOLVED** that the Board of Trustees authorizes the Treasurer to establish a capital project to account for the award of a grant to the Bronxville Justice Court in the amount of \$6,237.99, as follows:

Justice Court Improvements/Equipment Acquisition	
Project #20102011-0004-1110	\$6,237.99

**RESOLUTION - DOLPH ROTFELD ENGINEERING – WATER QUALITY IMPROVEMENTS – DPW GARAGE**

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

**WHEREAS**, the Village of Bronxville has received an Engineering Proposal from Dolph Rotfeld Engineering, PC, 200 White Plains Road, Tarrytown, NY, 10591 for the purposes of designing a storm water interceptor at the Village of Bronxville’s DPW Maintenance Garage, and

**WHEREAS**, such proposal includes the project description, the scope of work, the fee schedules, additional services, the terms and conditions and the exclusions and termination sections, and

**WHEREAS**, such costs are part of a grant received from the National Fish and Wildlife Association in conjunction with the Bronx River Watershed Initiative;

**NOW THEREFORE BE IT RESOLVED** that the Village of Bronxville Board of Trustees authorizes the Mayor to enter into an agreement with Dolph Rotfeld Engineering, PC, 200 White Plains Road, Tarrytown, NY 10591 for Professional Services related to the design of a storm water quality improvement structure at a contract amount of \$9,700 and in accordance with their proposal dated January 18, 2011.

**RESOLUTION - STOP DWI PATROL/DATAMASTER PROJECT 2011-2015 AGREEMENT**

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

**BE IT RESOLVED** that the Board of Trustees authorizes the Mayor to enter into a contract with Westchester County to allow the Village to participate in the Westchester County STOP-DWI Patrol/Datamaster Project. This agreement will allow for up to \$8,400 per year in County grant monies to be expended by the Bronxville Police Department for STOP-DWI/Datamaster programs. This agreement commences January 1, 2011 and continues through December 31, 2015.

Mayor Marvin commented that this is primarily for overtime and to add an extra car on Friday and Saturday night.

**RESOLUTION - SETTING PUBLIC HEARING ON PROPOSED LOCAL LAW #4 - 2011 TO AMEND THE ZONING LAW TO PROVIDE FOR ALTERNATE ADVISORS OF THE DESIGN REVIEW COMMITTEE**

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 Zoning Law of the Village, Chapter 310, to provide for alternate advisors of the Design Review Committee; and

**WHEREAS**, having received proposed Local Law # 4 - 2011, 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 #4-2011 will be held on May 9, 2011 at 8:00 p.m. 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.

Trustee Gray said this will allow the Committee to be more responsive to applicants.

Mayor Marvin commented that this law will essentially guarantee three members at all times.

**PUBLIC COMMENTS –**

No public comment.

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There being no further comments, the meeting was adjourned at 8:58PM by motion of Trustee Gray, second by Trustee Poorman.

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Harold Porr III  
Village Administrator/Village Clerk