

MINUTES OF REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF BRONXVILLE HELD ON NOVEMBER 19, 2007 AT THE VILLAGE HALL, 200 PONDFIELD ROAD, BRONXVILLE, N.Y.

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PRESENT:	Mary C. Marvin	Mayor
	Glenn D. Bellitto	Deputy Mayor
	William H. Barton, Jr.	
	Anne W. Poorman	
	Robert S. Underhill	Trustees
ALSO PRESENT:	Lino J. Sciarretta	Village Attorney
	Harold Porr III	Village Administrator

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WORK & EXECUTIVE SESSION

The meeting opened at 6:30PM. In attendance were Mayor Marvin, Trustee Bellitto, Trustee Underhill, Trustee Poorman and Trustee Barton. Also, Village Administrator, Harold Porr, Attorneys Jim Staudt and Lino Sciarretta. Board members commented on the agenda.

At 6:38PM, on motion of Trustee Poorman and seconded by Trustee Bellitto, the Board went into Executive Session to discuss contract negotiations with WCI.

At 7:25PM, on motion of Trustee Bellitto and seconded by Trustee Underhill, the Board exited Executive Session.

The Board then took up the topic of the 2008 revaluation update and the so-called "Homestead Option". Trustee Underhill addressed the topic first stating that adopting the option last year when the 2007 reassessment was completed would have significantly mitigated the tax impact on the Homestead class and that since we did not adopt the Homestead Option last year that doing so this year would have a less beneficial effect but that we should adopt it now anyway.

Trustee Barton stated that there are three impacts as he sees it - two negative and one positive. The first negative impact is what the Homestead Option would do to the Gramatan Condominiums. Possibly a \$6-\$7 thousand dollar tax increase on each unit owner. The second negative impact is the impact the Homestead Option would have on the pending Wellington Square project. The third, and positive, impact of the Homestead Option is that any certiorari activity would stay within the appropriate property class.

Trustee Underhill responded that the cost of the units show that owners have the wherewithal to pay the higher tax. He also stated that it is unfair that a \$1million condo pays half in taxes what a single family home valued at \$1million would have to pay. Trustee Underhill reiterated that the ability to keep property in separate classes may be a compelling argument for adopting the Homestead Option.

Mayor Marvin observed that property values in Bronxville have not been impacted by last year's decision to forego the Homestead Option. Homeowners did not take a hit value-wise and in fact not adopting the Homestead Option may have helped the business district. To adopt Homestead now would not have the impact on either class as it would have last year. Mayor Marvin stated further that the Homestead Option would have a negative effect on the Gramatan Hill townhomes. Mayor Marvin also noted that many co-ops were now doing much needed communal repairs such as facades, sidewalks, etc.

Trustee Underhill replied that the business class and the co-ops enjoyed the benefits by last year's decision. Now may be the time to adopt the Homestead to bring more fairness into the process.

Trustee Bellitto stated that he is against the two classes of property taxation and feels more so this year about it than he did last year and that as a Village policy matter he is against establishing the Homestead Option.

Trustee Barton stated that the idea of keeping certiorari activity in the appropriate classes is an argument that could sway him to adopt the Homestead Option this year despite the lesser impact.

Trustee Poorman stated that her feelings from last year have not changed. She noted that industrial based communities use the Homestead Option to help residential owners but that Bronxville is not that kind of community. She stated further that she does not believe that this is the proper tool to use in seeking tax fairness.

At 7:40PM, on motion of Trustee Poorman and seconded by Trustee Bellitto, the Board adjourned as Trustees and re- grouped as the Village of Bronxville Board of Police Commissioners.

The meeting was opened at 7:40PM by a motion made by Commissioner Barton and seconded by Commissioner Poorman.

In attendance were Mayor Marvin, Trustee Bellitto, Trustee Poorman and Trustee Barton. Also, Attorney John O'Reilly, and Village Administrator, Harold Porr.

The Board reviewed the minutes of the October 11, 2007 meeting. On motion made by Commissioner Bellitto and seconded by Commissioner Poorman, the minutes of the October 11, 2007 meeting were unanimously approved by the Board.

Mayor Marvin asked the Board for a motion to enter Executive Session to deliberate on issues concerning the Kempkes disciplinary proceeding.

At 7:42PM, a motion was made by Commissioner Barton and seconded by Commissioner Underhill to enter Executive Session, which was unanimously approved.

At 7:50PM, upon motion by Commissioner Underhill and seconded by Commissioner Bellitto, the Board closed Executive Session and re-opened the public meeting.

The following statement was entered into the record of the meeting. The Village Board of the Village of Bronxville sitting as the Board of Police Commissioners has completed the disciplinary proceeding on disciplinary charges preferred against Village Police Officer Thomas Kempkes. At the election of Officer Kempkes, the disciplinary

hearings on the charges were open to the public. The Board by unanimous vote rendered a decision on the disciplinary charges based on careful consideration of the testimony and evidence presented at the hearings.

As a result of the Board's decision, Officer Kempkes' employment with the Village has been terminated.

The Board instructed Mr. O'Reilly to communicate the decision to counsel for the parties, to the Police Department and to Officer Kempkes, and to take the other necessary ministerial actions to complete the disciplinary proceeding.

By motion of Commissioner Poorman, seconded by Commissioner Underhill and with unanimous concurrence the Board closed the Board of Police Commissioners meeting at 7:53PM.

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Mayor Marvin called the meeting to order at 8:00PM.

Mayor Marvin welcomed Mr. K. Tanaka, who is the Assistant Director of the Japan Local Government Center in New York City. He spent most of this past week in Bronxville examining the professional managers and small government model. He also visited the School and was given a tour. This is his last night with us and we would like to welcome him. It is an honor to have him with us.

The Community Fund made their annual presentation. They helped over 40 organizations last year. This year's campaign was recently kicked off and they are already one-third of the way to their goal. This year they will fund an ambulance for EVAC; provide flu vaccines for seniors and many other projects. President, Travis Epes, encouraged everyone to please contribute.

MAYOR'S REPORT

First, a thank you to retiring Chief Brian Downey for his over 21 years of service to the Village – six as chief and most recently acting as President of the Police Chiefs' Association for the entire County. This Village was an extremely safe place under his watch. We wish him enormous success in the next chapter of his life.

And it is by unanimous agreement of the Trustees that I announce the appointment of Lt. Christopher Satriale as our new provisional chief. And, I want to welcome his family who came to share in this special moment tonight, his wife, Nicole, and sons, Christopher, Nicholas and Matthew. We all share the pride you have in your dad.

Lt. Satriale, over his 20 year career with the Village, will now have the distinction of holding every rank in the department – so we are counting on him not only to know the job at every level, but to be empathetic to those who hold those positions currently. In the last month, the Lieutenant has taken the reigns of the department and the Trustees and I have seen him in action and based on his energy and willingness to effect change, the future bodes very well for the department. Congratulations and I am very proud to be your colleague.

Village Hall will partner with the Chamber of Commerce and have an open house on December 2nd from 3PM to 5PM to coincide with the Chamber's annual "Light Up The Town" events when the stores are open on Sunday and we kick off the Holiday Season. So, come by Village Hall, see the renovated home of your government and the day will end with the lighting of the tree on the Village lawn at 5PM. We are all very proud of our efforts here so please come visit.

On a less pleasant note, the Village is currently involved in two lawsuits. The Guardian News Corporation, which has placed the numerous blue newspaper boxes throughout town, is suing the Village along with dozens of other Westchester municipalities on first amendment grounds – citing that our Village statute dealing with such items is unconstitutional on its face. Communities who have removed the boxes are also being sued on additional grounds. We are working with counsel to draft a statute that meets constitutional muster, but in the interim, counsel has advised us to leave the boxes in place.

And just last week, the Village was served with a subpoena requesting documents dating back to 1990 pertaining to a lawsuit against Westchester County brought by the Anti-Discrimination Center of New York. The lawsuit is related to the availability of affordable housing in Westchester County and many communities have received similar subpoenas. We will keep you updated as the suit goes forward.

We also have a resolution tonight further extending WCI's outside closing date while we continue to work with them to move this process forward.

The Chairman of WCI flew up to Bronxville last week to reaffirm their commitment to our project and discuss possible modifications to the contract which the Trustees are reviewing. Their other projects in Boston and Haverstraw, NY are moving forward despite the problems in their Florida market.

WCI has spent 4 years and over \$4 million dollars working with the village in good faith on this project as well as the commitment of \$10 million dollars just to remediate the contamination so we are trying to reciprocate and be patient partners, resulting in a project that will have great long term benefit to the Village.

Tony Cannetta, an engineer from Dvirka & Bartolucci flood mitigation consultations, toured the Village last week visiting areas around the school including Meadow and Garden Avenues, Field Court and the entire area adjacent to the Bronx River. His task is to help us find affordable mitigation measures that can be implemented on a short timetable without triggering extensive reviews and approvals by outside government agencies.

In response to neighboring residents' requests, we are sprucing up the Village owned property in the area of Palumbo Place. The trailers that served Village staff during renovation are now being utilized by Bronxville School staff during their flood reconstruction efforts. By sharing facilities, the School was able to free up 9 additional classroom spaces for our students. Palumbo Place will re-open when the School no longer needs the space.

As a new project for spring, we are instituting a tree donation program. Traditionally, residents had an opportunity to honor a loved one with the purchase of a commemorative bench. We are expanding the program to street trees, first concentrating in the business district. We are in the process of compiling a list of appropriate trees with

the help of local arborists and landscape architects. It is imperative that as our street trees age or become diseased, we have a coordinated effort of replacement and renewal.

In response to neighbors' concerns especially residents of Midland Gardens and Parkway Road, we have asked Assemblywoman Paulin, who has been a very good friend to the Village, to secure some State monies to help us undertake a vibration study on the impact of the so-called third track. In a nutshell, the MTA claims that the vibration levels are within the allowable ranges and no community can dispute this unless they undertake a study. Based on the volume and persistence of residents' complaints, we think it is time to check the MTA's assertions.

We have received overwhelmingly positive feedback so far on the traffic flow changes at the Pondfield Road/Midland Avenue intersection, but we have noticed that the flow improvement also increases traffic speed so we are carefully monitoring it for pedestrian safety. If you have any thoughts on the changes, just let us know.

Two final things:

In response to citizens' concerns, we are reviewing the lighting in the Village. Many of you have commented how dark it is to walk home in these winter months. All of our current fixtures have the maximum capacity bulb/illumination so any changes would result in either adding fixtures or changing fixtures. We are in the early stages of reviewing our options.

And finally, I have gotten a few calls because of the signage disappearing at the old Try N Buy Store. The new Running Store is indeed coming to Bronxville. They removed their signs in readiness to do the minor renovations needed to open for the holiday season.

And in probably one of the most important nights in our Village police department, I leave it to Deputy Mayor Bellitto who has worked so hard as liaison to the department to announce all of the different changes.

TRUSTEE REPORTS

Trustee Bellitto announced that we have major news on two fronts in the Police Department. Chief Brian Downey has officially retired today. The Board will appoint a provisional chief until the civil service exam results are known – sometime after the March testing. He wished Brian well and thanked him for his years of service.

Lt. Christopher Satriale has held every position on the force and has been with us for 19 years providing impressive, dedicated service. He will begin the process of getting the police department accredited. He will be a visible leader and be extremely hands on.

The Board will appoint five new police officers tonight that will begin work on November 26, 2007 contingent upon their successful completion of the required medical exam. All of the new officers are from the New York City Police Department. This is the first time we will have a female officer.

A lot of things that we have wanted to see will now happen – better training, more manpower, more use of the bike patrol and more promotional opportunities.

We wish the department all the best. We have three sergeants here tonight to share the night with Lt. Christopher Satriale, Sergeants Bunyan, DeLeo and Gallo.

As far as the department is concerned, October was very quiet. There was one burglary and three minor thefts.

Parking Office – we had a three hour wrap-up meeting with the parking consultants. We will hire a parking office head who will focus on all of the parking issues. This person will be totally dedicated to parking solutions. They will be responsible for both the micro and macro views of the parking office. We still need to determine if this office will report to the parking manager or to the police department.

Trustee Barton gave the Treasurer's report. He reviewed the general fund budget status and stated that things are in good shape.

Public Works – Trustee Barton discussed Route 22 and how it is the only State road in the Village. It is a mess compared to the other streets in the Village. The Village has been trying to get the State to pave it for the last year and will continue to do so until it is done.

Trustee Barton also reminded everyone that they can send in any and all requests for the Department of Public Works via e-mail.

Trustee Poorman began her report with the Bronxville Beautification Council. She and Mayor Marvin met with them to discuss the appearance of the Village in general. Some projects for next year are fixing the tree wells in the downtown area and covering the tree wells with attractive grating. The trees and grating can be donated in memorium. A tree of appropriate size and grating with a small plaque is between \$750 and \$800. If you are interested, please communicate with Mr. Rocco Circosta, Superintendent of Public Works.

Other projects the Bronxville Beautification Council would like to have happen are:

1. replacing the broken and worn sidewalks some time next summer. The stumbling block here is finding someone to manage the project so they are contemplating hiring an expert for this.
2. Paving busier crosswalks with bricks. This is known to have a calming effect on cars driving past. This would be undertaken when it is time to re-do the streets.
3. Looking for low maintenance but attractive plants for the Village as well as the Midland Avenue median strips.

All projects are financially manageable by the Village.

Library – We will be voting tonight on an HVAC contract and we hope to solve the perennial hot and cold issues, as well as the humidity issues. She thanked Village Engineer, Vincent Pici, for working with the library.

Chamber of Commerce – The “Annual Light up the Town” event will be on December 2nd from 12Noon to 5PM.

Senior Citizens' Council – They recently had their semi-annual meeting. They are as robust as ever. Their revenues are decreased due to Eastchester cutting the recreation

budget from \$20K to \$5K; the annual solicitation letter generating only \$16K as opposed to \$21K from last year; and, the parking space raffle also making less money than previous years. They do have a healthy endowment. There will be a brunch on April 6, 2008 at Siwanoy Country Club honoring Mayor Marvin.

Trustee Underhill congratulated Lt. Christopher Satriale and stated that he was impressed with his energy and composure when answering questions. It is an incredibly exciting time for the Village, the police department and for Chris Satriale.

Trustee Underhill gave the Building Department report and stated that there have been \$48 million of projects this year. This is up substantially from last year.

Mayor Marvin read a letter from Lt. Chris Satriale about his taking over as Provisional Police Chief.

Lt. Satriale thanked the Mayor and the Board and renewed his commitment to be a communicative and inclusive leader. He will present a management team that has yet to be tapped. He is confident that the department will move forward. This is the first time that three sergeants have been involved in the interview process and they came tonight to support him. He thanked them for doing a tremendous job and for showing such a great team effort.

Lt. Satriale then introduced his family members in attendance.

RESOLUTION – Appointment of Provisional Police Chief

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

BE IT RESOLVED that the Board of Trustees of the Village of Bronxville appoints Christopher Satriale as the provisional police chief of the Village of Bronxville Police Department effective immediately at an annual salary of \$124,551.15.

RESOLUTION - Police Officer Appointments

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

BE IT RESOLVED that the Board of Trustees of the Village of Bronxville appoints Donald R. Gannon, Watson E. Morgan, William Carroll, Nicholas Deyoung and Lauralee Ulrich to the position of second year Police Officer at the second year Police Officer's salary of forty-nine thousand seven hundred seventy-three dollars (\$49,773.00) effective at the earliest date following successful completion of all medical requirements.

Provisional Chief Satriale stated that 147 applicants were canvassed. He then reviewed the process of hiring police officers. The Village brought in 50 of the 147 candidates which was a tremendous amount of work. He was able to bare it down to 10 with the help of Village Administrator, Harold Porr. The Mayor joined in the final 10 interviews and helped make the final decision. The sergeants were then assigned to do background checks. All of the new officers will be assigned to a sergeant who will interview them and their families and develop a rapport with them. In early December,

Chief Satriale will call for the civil service list to fill the remaining spots. The new officers will complete their field training by the first of the year. Residents can plan on additional coverage then. When applicable, he will make sure that every member of the department is included in decision making.

APPROVAL OF MINUTES

On motion of Trustee Bellitto, seconded by Trustee Poorman, the Board approved the minutes of the Regular Meeting on October 15, 2007, as drafted.

NEW BUSINESS

RESOLUTION - Extended Closing Date of Kensington Project

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

WHEREAS, on or about June 21, 2004 the Village of Bronxville (the "Village") entered into a Purchase, Sale and Development Agreement (the "PSDA") with Spectrum Kensington, LLC, as Purchaser and WCI Communities, Inc., as Guarantor regarding property located on Kensington Road in the Village of Bronxville (Tax Map Section 11, Block 5, Lots 1, 6 and 16); and

WHEREAS, the parties to the PSDA wish to extend the Outside Closing Date, as that term is defined in Section 15 of the PSDA, until January 31, 2008.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of the Village of Bronxville, that the Board of Trustees consents and agrees to the extension of the Outside Closing Date set forth in Section 15 of the PSDA until January 31, 2008.

RESOLUTION - MS4 Stormwater Phase II Implementation

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

BE IT RESOLVED that the Board of Trustees authorizes Mayor Mary C. Marvin to sign a municipal resolution for water quality improvement projects and non-agricultural non-point source projects.

WHEREAS, the Village of Bronxville herein called the "Municipality", after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that certain work, as described in its application and attachments, herein called the "Project", is desirable, is in the public interest, and is required in order to implement the Project; and

WHEREAS, the Environmental Conservation Law ("ECL") authorizes State assistance to municipalities for water quality improvement projects by means of a contract

and the Municipality deems it to be in the public interest and benefit under this law to enter into a contract therewith;

NOW, THEREFORE, BE IT RESOLVED BY the Village of Bronxville

1. That Superintendent of Public Works, Rocco Circosta, or such person's successor in office, is the representative authorized to act in behalf of the Municipality's governing body in all matters related to State assistance under ECL Articles 17, 51, and 56 and/or any applicable federal grant provisions. The representative is also authorized to work with and through the County of Westchester as the lead party to make application, execute the State Assistance Contract, submit Project documentation, and otherwise act for the Municipality's governing body in all matters related to the Project and to State assistance;
2. That the Municipality agrees that it will fund its portion of the cost of the Project through allowable in-kind services and that the funds will be available to initiate the Project's field work within twelve (12) months of written approval of its application by the Department of Environmental Conservation;
3. That one (1) certified copy of this Resolution be prepared and sent to the Westchester County Department of Planning;
4. That this Resolution take effect immediately.

RESOLUTION – Authorizing Corrections to Current Assessment/Tax Roll

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

WHEREAS, clerical and factual corrections to the Final Roll and Tax Roll are permissible under certain legal guidelines; and

WHEREAS, the Real Property Tax Law Sec 550 provides for procedures allowing taxpayers and municipal officials to apply for corrections; and

WHEREAS, the Assessor and his designee have reviewed and investigated each application; and

WHEREAS, the Assessor and his designee have prepared the following list of recommendations; and

WHEREAS, the Village Board of Trustees is empowered to dispose of each application as it deems appropriate (see attached).

NOW THEREFORE BE IT RESOLVED that the Village Board hereby authorizes the Honorable Mayor, Mary C. Marvin, acting within her role as Chief Executive Officer for the Village of Bronxville, to execute each application in accordance with the following schedule. (Schedule is attached and made part of the official minutes).

RESOLUTION – Authorizing Small Claims Assessment Review Settlements (SCAR)

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

BE IT RESOLVED that the Board of Trustees authorizes Mayor Mary C. Marvin to authorize the small claims assessment review settlements as outlined below:

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 2007 Final Assessment Roll.

WHEREAS, petitioner's 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 (see attached).

RESOLUTION - Folchetti Study

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

BE IT RESOLVED that the Board of Trustees authorizes the Mayor to enter into a contract with J. Robert Folchetti & Associates, LLC of Somers, NY for professional engineering services required to analyze the potential flooding impacts of a proposed storm water detention and pumping system in the Village of Bronxville. The contract amount is outlined in the attached schedule. The Village of Bronxville is to pay an amount not to exceed \$12,500.00 and the School is to pay the remaining half.

RESOLUTION – Environmental Compliance

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

WHEREAS, the Superintendent of Public Works and the Superintendent of Buildings for the Village of Bronxville submitted requests for capital projects to the Board of Trustees (the "Board"); and

WHEREAS, and the cost of the various capital projects authorized by the Board pursuant to six (6) bond resolutions, totaling \$1,287,000, including rights-in-land, original furnishings, equipment, machinery, apparatus required for such purpose, and preliminary and incidental costs related thereto (the "Project") and said list of capital projects have been filed in the office of the Village Clerk and are on file for public inspection; and

WHEREAS, the Board of Trustees has determined that upon the examination of an environmental assessment form ("EAF") prepared by the Village, each component of the

Project is an “unlisted action”, as that term is defined in 6 NYCRR §617.2(ak), or a “Type II action”, as that term is defined in 6 NYCRR §617.2(aj), and therefore the Village has caused the EAF to be prepared and promptly filed with the Village Clerk; and

WHEREAS, it is proposed that the maximum amount estimated to be expended for the Project is \$1,287,000 and that the costs of the Project are to be financed by the issuance of serial bonds of the Village in the aggregate principal amount of \$1,287,000 pursuant to the Local Finance Law of New York (the “LFL”) and if deemed advisable by the issuance of bond anticipation notes in anticipation of the issuance of said bonds; and

WHEREAS, it is proposed that the costs of the Project are to be paid from a tax levied upon all the taxable property in the Village in annual installments determined by the Board of Trustees in amounts sufficient to pay the principal of and interest on said bonds to be authorized in a bond resolution to be adopted by the Board; and

WHEREAS, the evidence contained in the EAF with respect to the Project permits the Board to make the determinations hereinafter in connection with actions to be made for the purpose of authorizing the financing of the Project;

NOW THEREFORE, pursuant to proceedings prescribed in 6 NYCRR at §617 of the State Environmental Quality Review Act (“SEQRA”) regulations, **BE IT RESOLVED, BY THE BOARD OF TRUSTEES OF THE VILLAGE OF BRONXVILLE, NEW YORK**, as follows:

Section 1. The Village, by and through the Board, hereby declares and designates itself to be the “lead agency” as that term is defined in 6 NYCRR §617.2(u), with respect to the environmental review of the Project.

Section 2. Upon receipt and examination of the EAF it is hereby determined that the Project is an unlisted action or a Type II action, as those terms are defined in 6 NYCRR §617.2(ak) and §617.2(aj), respectively.

Section 3. No other agency other than the Village is involved in said environmental review and no coordinated review or segmentation of such review is necessary or required with respect to the Project.

Section 4. No hearing as set forth in 6 NYCRR §617.10(e) is required in making the determinations contained herein with respect to the Project.

Section 5. Taking into account the criteria set forth in 6 NYCRR §617.7 for determining significance of actions, upon review of all pertinent information, including taking a hard look at all the facts and circumstances, it is determined that the Project will not have a significant effect on the environment and no unidentified adverse effects are anticipated with respect thereto.

Section 7. The Village shall maintain a file, readily accessible to the public, in the office of the Village Clerk, containing this resolution, and the EAF.

Section 8. This resolution shall take effect immediately upon its adoption.

RESOLUTION – Bond Resolution for the Acquisition of Vehicles (\$48,000.00)

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

BE IT RESOLVED that the Board of Trustees authorizes Mayor Mary C. Marvin to approve the following bond resolution:

Bond resolution, dated November 19, 2007, authorizing the issuance of up to \$48,000 aggregate principal amount serial bonds of the Village of Bronxville, County of Westchester, State of New York, pursuant to the local finance law, to finance the costs of the acquisition of vehicles in and for the Village.

RESOLUTION – Bond Resolution for the Acquisition of Equipment (\$90,000.00)

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

BE IT RESOLVED that the Board of Trustees authorizes Mayor Mary C. Marvin to approve the following bond resolution:

Bond resolution, dated November 19, 2007, authorizing the issuance of up to \$90,000 aggregate principal amount serial bonds of the Village of Bronxville, Westchester County, State of New York, pursuant to the local finance law, to finance the costs of the acquisition of equipment, machinery, apparatus and furnishings in and for the Village.

RESOLUTION – Bond Resolution for the Acquisition, Construction & Reconstruction of Sanitary and Storm Sewer Improvements (\$80,000.00)

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

BE IT RESOLVED that the Board of Trustees authorizes Mayor Mary C. Marvin to approve the following bond resolution:

Bond resolution, dated November 19, 2007, authorizing the issuance of up to \$80,000 aggregate principal amount serial bonds of the Village of Bronxville, Westchester County, State of New York, pursuant to the local finance law, to finance the costs of the acquisition, construction, and reconstruction of sanitary and storm sewer improvements in and for the Village.

RESOLUTION – Bond Resolution for the Acquisition, Construction and Reconstruction of Improvements to Public Buildings (\$147,500)

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

BE IT RESOLVED that the Board of Trustees authorizes Mayor Mary C. Marvin to approve the following bond resolution:

Bond resolution, dated November 19, 2007, authorizing the issuance of up to \$147,500 aggregate principal amount serial bonds of the Village of Bronxville, Westchester County, State of New York, pursuant to the local finance law, to finance the costs of the acquisition, construction and reconstruction of improvements to public buildings in and for the Village.

RESOLUTION – Bond Resolution for the Acquisition of Machinery (\$361,400)

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

BE IT RESOLVED that the Board of Trustees authorizes Mayor Mary C. Marvin to approve the following bond resolution:

Bond resolution, dated November 19, 2007, authorizing the issuance of up to \$361,400 aggregate principal amount serial bonds of the Village of Bronxville, County of Westchester, State of New York, pursuant to the local finance law, to finance the costs of the acquisition of machinery and apparatus for construction and maintenance in and for the Village.

RESOLUTION – Bond Resolution for the Acquisition, Construction and Reconstruction of Street and Road Improvements (\$560,100)

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

BE IT RESOLVED that the Board of Trustees authorizes Mayor Mary C. Marvin to approve the following bond resolution:

Bond resolution, dated November 19, 2007, authorizing the issuance of up to \$560,100 aggregate principal amount serial bonds of the Village of Bronxville, County of Westchester, State of New York, pursuant to the local finance law, to finance the costs of the acquisition, construction and reconstruction of street and road improvements in and for the Village.

RESOLUTION - D.P. Wolff Inc. HVAC Award for Village Hall & Library

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

BE IT RESOLVED that the Board of Trustees authorizes the Mayor to sign an agreement with D.P. Wolff, Inc., 50 Broadway, Hawthorne, NY 10532, for services that will include an annual base bid price of \$37,556.00 for contract items 1 and 4 for both the Library and Village Hall. Additional service work will be billed at the wage rates indicated in the proposal and are subject to the review of the Village Attorney.

RESOLUTION – Surplus Equipment

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

BE IT RESOLVED that the Board of Trustees authorizes Mayor Mary C. Marvin to approve the following:

WHEREAS, the Superintendent of Public Works has reviewed the attached list of equipment, and

WHEREAS, the Superintendent has requested that the Village Board of Trustees declare this equipment as “ SURPLUS “ in order to properly dispose of at Public Auction,

NOW THEREFORE, BE IT RESOLVED: That the Board of Trustees of the Village of Bronxville, hereby declares this list of equipment as “ SURPLUS “ and authorizes the Superintendent to dispose.

RESOLUTION – Announcement of Public Hearing - Records and FOILS

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

BE IT RESOLVED that the Board of Trustees has scheduled a Public Hearing for Monday, December 10, 2007 at the regularly scheduled Board of Trustees meeting at 8PM to discuss the enactment of a local law regarding records and FOILs.

PUBLIC COMMENTS

Mr. Dennis Winter, 16 Edgewood Lane, congratulated Chief Satriale. He discussed his view of the WCI extension. He hopes that the contract will be modified and that it will include a change in control clause if someone should come in and buy WCI. He questioned rolling over the contract with a company that is having such financial difficulty.

Mayor Marvin responded that WCI has been a good partner for the last four years and that this is a quality project.

Trustee Underhill stated that he follows WCI every day and that he shares Mr. Winter concerns. He said that this project is very important for the Village and the community at large. The Board is very aware of what is going on. WCI has been a good partner and we owe it to them without taking any incremental risk to the Village.

Mr. Winter said that the current financial and real estate situation is not good and he is afraid this will go into Chapter 11.

Trustee Underhill stated that the Board has spent a lot of time on protecting the interests of the Village.

Trustee Underhill replied that it is age targeted and not age marketed. It is a combination of price and design that make this attractive.

Trustee Barton stated that the Trustees have been spending a lot of time with attorney Jim Staudt on this matter and that all of the Trustees are aware of the issues.

Mayor Marvin stated that the property still belongs to the Village.

Mr. James Kroulas, 70A Parkway Road, asked if the Village has rented the Mobil lot.

Mayor Marvin replied that the lease is being reviewed by the attorneys.

Village Attorney, Lino Sciarretta, stated he is in touch with the Avalon's attorneys and is waiting to hear from them.

Mr. Kroulis said that residents are concerned about the demolition status during the winter months.

Village Administrator, Harold Porr, replied that there will be no demolition of the Mobil lot.

Mr. Kroulis asked if this will cut the rental cost to the Village.

Mr. Porr responded that we are in negotiations and cannot discuss this.

Ms. Stephanie Harrington, reporter for myhometownbronxville.com, stated that she is at a loss on how to tell her readers about what is holding up the WCI closing. She asked the Board what they want the residents to know.

Trustee Underhill replied that the contract envisioned the developer providing a 100% completion bond for the entire project. This is a very tall order as the credit markets are seized up and the company's shares are down so the cost of bonding is astronomical.

Ms. Harrington asked if WCI could walk away.

Trustee Underhill stated that WCI has asked the Village for more time to see if we can reach a mutually agreeable term. The worst case scenario is we cannot reach this and we walk away.

Mayor Marvin said if this were to happen we would have to start all over again and leave the property looking like it does presently. She feels that three more months to work out an accommodation is time well spent.

Ms. Harrington asked if WCI is allowed to sell apartments.

Trustee Underhill responded that they cannot because they are going through the registration process with the Attorney General's office. He repeated that the Village is exploring all possibilities and that there will be no risk of lack of completion of the project.

Mr. Thomas Wolff, 230 Pondfield Road, asked Village Administrator, Harold Porr, what the total dollar amount of the SCAR settlements were tonight.

Mayor Marvin responded that they totaled \$26K.

Mr. Wolff asked Village Administrator, Harold Porr, when General Code would have available the local laws enacted since July 2007 on their website.

Village Administrator, Harold Porr, stated that this is beyond the control of the Village.

Village Attorney, Lino Sciarretta, said the laws are valid even though they are not printed.

Mr. Wolff then asked Mayor Marvin if the Board of Police Commissioners had made a decision on the personnel matter that they had voted on earlier in the evening.

Mayor Marvin replied that they had made a decision.

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Mayor Marvin wished everyone a Happy Thanksgiving!

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

Harold Porr III
Village Administrator