

MINUTES OF REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF BRONXVILLE HELD ON NOVEMBER 17, 2008 AT THE VILLAGE HALL, 200 PONDFIELD ROAD, BRONXVILLE, N.Y.

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

ALSO PRESENT: Harold Porr III Village Administrator

EXCUSED: Lino Sciarretta Village Attorney

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WORK SESSION & EXECUTIVE SESSION

The meeting was called to order at 6:35PM and in attendance were Mayor Marvin, Trustee Bellitto, Trustee Barton, Trustee Poorman, Trustee Underhill, Village Administrator, Harold Porr and Attorney, Terry O'Neill.

The Trustees reviewed the regular monthly meeting agenda, discussed periodic revaluations and the re-opening of Palumbo Place.

At 7:15PM, on motion of Trustee Barton, second by Trustee Poorman, the Trustees entered Executive Session to discuss labor contract negotiations and personnel matters.

On motion of Trustee Bellitto, second by Trustee Underhill, the Trustees re-opened the work session and entered into the public session at 8:02PM.

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Village Audit Report from May 31, 2008 presented by Allan Kassay of ODMD

Village Treasurer, Robert Fels, introduced the auditors, Susan Barosi, Allan Kassay, and Jeff Shaver, to review the audit report from May 31, 2008. He then reported that once the audit is accepted by the Board tonight, it will become a public document. The opinion letter is the most important because it states that there are no areas of non-compliance. Mr. Fels said he was very pleased that the general fund ended at a good level.

Susan Barosi, partner, reviewed the financial statement and said that all amendments were Board approved.

Allan Kassay, partner, said that the original budget is the adopted budget voted on by the Board of Trustees. He reported that the Village is in very good financial shape.

Jeff Shaver spoke about the variances of the fund budget and the actual expenditures.

Ms. Barosi said the Village needs to budget reserves conservatively which in turn builds up the fund balance.

Trustee Barton asked Village Treasurer, Robert Fels, about discrepancies in the revenues and if there were any other positive line items for this year.

Village Treasurer, Robert Fels, responded that the Village received several one-time payments that will be used in the future and that he didn't foresee that happening again.

Trustee Underhill asked about State aid and if there were any other categories at risk.

Village Treasurer, Robert Fels, answered that sales tax could be at risk.

Mayor Marvin said the Village needs to keep a watchful eye on reserves and to continue to budget conservatively.

Mayor Marvin thanked Village Treasurer, Robert Fels, and his team for a doing a great job and for keeping the Village in such good condition.

Trustee Underhill mentioned that there was great success with the floating of municipal bonds recently.

Village Treasurer, Robert Fels, stated that we were lucky to keep our bond rating at Aa1. He also mentioned that he will review this report with the Village Finance Committee in the next few weeks. In conclusion, Mr. Fels said that the auditors drafted an IT study and that he will be reviewing it with the Village Administrator before presenting it to the Board at a later date.

MAYOR'S REPORT

I would like to catch you up on events since the October meeting.

We had a very productive meeting with Metro North, wrote a lengthy column about it last week – dealt with vibration and noise – also issue of whistle blowing – representatives getting back to us in 2 to 3 weeks with written responses. Promise to pursue this until we get some measure of remediation.

Thanks to donations from Villagers to our new tree program we planted 5 sizable street trees in the past few weeks. This is a great start! We plan to plant more and keep this program going.

We have cleaned 90% of the pipes leading all the way from the tennis courts through the school property down to the Bronx River. Fair amount of silt and residue was found so we know that the cleaned pipes will function better in any storm event going forward.

We continue to work on flood mitigation at all levels. Village and School officials met with County officials to discuss the viability of the major mitigation ideas for the school area proposed by our consultants and we met with Garden Avenue residents discussing what we can jointly do to alleviate their localized flooding issues. We did all the paperwork necessary and applied to the county for mitigation grants for our various projects large and small.

We met with representatives of the PBA in our continued efforts to hammer out a contract.

We are in the process of notifying commuters to use the Avalon parking lot on the New York bound side of the station for over flow parking instead of metered spaces in the Kraft lot thereby freeing up the metered areas in the Kraft lot for customer parking especially now during the holiday season. We discussed with the Chamber also how to effectively end the meter feeding on Pondfield Road and Park Place which takes away much need spaces for customers to the stores.

We had a very successful sale of serial bonds in the amount of \$4.8 million to finance capital projects undertaken in the past four years. By converting from bond anticipation notes into longer term financing, we saved \$300,000 in the year's budget alone.

Very pleased to continue to have our Aa1 bond rating even in this difficult time. Moody's gave us this very favorable rating due to our healthy reserves, our fund balance and our very low direct debt burden of 0.4% of valuation, so we received a very favorable interest rate of 3.95%. Thanks to our Treasurer, Bob Fels, and our very capable Finance Committee who budgeted very conservatively this year. Thankfully the Village is in very good shape.

I spoke with Superintendent of Public Works, Rocco Circosta, about leaf collection and we completed two rounds of the Village and are working on our third. Trustee Barton will talk more about this.

Members of our Village Hall staff including myself went to a day-long training session to brush up our skills as they relate to proper customer service – helpful attitude, fielding questions, so we can better serve the residents.

Just a reminder, we have been getting some calls about the condition of sidewalks in the Village. The condition and maintenance of the sidewalks are the responsibility of the homeowner or store owners, throughout the village – norm in most towns and villages.

Finally, on a very sad note, one of our former mayors, George Shively, passed away on October 23rd. George was a graduate of Yale College and Harvard Law School. He was

Mayor from 1967 to 1969. We send our condolences to his wife, Cynthia, and his 4 children and grandchildren.

And just this past week, Stephanie Harrington, who covered Village government for our local newspapers and our new on-line paper and sat many a Monday night with us covering this meeting, died of colon cancer. We extend our sympathies to her two sons.

TRUSTEE REPORTS

Trustee Bellitto mentioned the death of Stephanie Harrington this past month.

He spoke about green initiatives and how excited residents are about participating.

Police – the Village was very quiet on Halloween. There have been no further burglaries.

Parking – Trustee Bellitto reported that revenues were down compared to this time last year. However, to date, the numbers are in good shape.

Trustee Barton gave the financial report and stated that all is favorable.

Public Works – Trustee Barton urged residents to please keep leaves separated from other items.

Trustee Underhill – gave no report

Trustee Poorman reported that the new director of the seniors program, Sue Tozzi, is implementing some new programs and is urging residents to join.

Chamber of Commerce – there are some staffing changes taking place at the Chamber. Michelle McMillan will step down due to a move to California. A new executive director has been selected and will begin as of January 2009. She is resident Ruth Wood who is an accomplished multi-tasker and has held numerous leadership positions. Trustee Poorman also reported that the President of the Board, Tim McGrath, is stepping down after serving for 3 years. His replacement is John Byrne of Scarborough Fair. The Chamber will be hosting the “Light up the Town” on December 6th and it will begin at 3PM with Santa strolling through the Village. Details are still being worked out.

Library – all is running smoothly programmatically. However, the mold in the lower level is back. They are bringing in experts to assess the situation and hope that the solution for this will last longer and be cheaper than previously.

APPROVAL OF MINUTES

On motion of Trustee Bellitto, second by Trustee Poorman, the Board approved the minutes of the Regular Meeting on October 20, 2008, as drafted.

NEW BUSINESS

RESOLUTION - Computel Consultants

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

BE IT RESOLVED that the Board of Trustees of the Village of Bronxville authorizes the Mayor to enter into an agreement with Computel Consultants of Earlville, NY for the purpose of examining Village of Bronxville utility accounts including telephone, electric, natural gas and cable tv to identify prior and present overcharges and to identify underpayment of franchise fees. This service will be for no cost to the Village but will allow Computel Consultants to receive a fee of 33% of all recovered refunds and/or credits. Consultant agreement is attached.

RESOLUTION – Establish Date of Village Election

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

WHEREAS, Village Elections are held on the 3rd Tuesday of March as per New York State Election Law, and

WHEREAS, the 3rd Tuesday of March 2009 falls on the St. Patrick's Day holiday (Tuesday, March 17, 2009), and

WHEREAS, New York State Board of Elections requires that Village's holding March elections change the date of the Village Election to Wednesday, March 18, 2009 as per Election Law 15-104,

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Bronxville will hold the 2009 Village Election on Wednesday, March 18, 2009 to comply with New York State election Law 15-104, and

FURTHER RESOLVED that the polling location for the Village Election shall be Village Hall, 200 Pondfield Road, Bronxville, NY and the polls shall be open from 7AM to 9PM.

RESOLUTION – Site Design Proposal for Maltby Park and Sagamore Road

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

WHEREAS, the Village of Bronxville has received a proposal for Landscape Architectural Services from Studer Design Associates, 27 Governor Street, Ridgefield, CT for the purpose of park improvements at Maltby Field and Sagamore Park; 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;

NOW, THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Bronxville authorizes the Mayor to enter into an agreement with Studer Design Associates, 27 Governors Road, Ridgefield, CT for professional services related to park improvements at Maltby Field and Sagamore Park at the hourly rates as defined in Section II, entitled "Fee Schedule", and that all payments for such services will be processed as work is completed.

Mayor Marvin stated that this is a result of the Cabin Committee findings for Maltby Field as well as suggestions from Sagamore Road residents. She also said that this will be done in stages.

RESOLUTION – Environmental Assessment Form for Community Plan 2008

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

WHEREAS, the Community Plan Update Committee of the Village of Bronxville has submitted a draft of the 2008 Village of Bronxville Community Plan to the Village Board of Trustees for review, consideration and approval; and

WHEREAS, on December 8, 2008, the Board of Trustees of the Village of Bronxville shall conduct a public hearing to consider whether the 2008 Village of Bronxville Community Plan shall be adopted as submitted by the Community Plan Update Committee to the Board of Trustees of the Village of Bronxville; and

WHEREAS, the Village's planning consultant has recommended that the Board of Trustees of the Village of Bronxville declare itself lead agency for purposes of SEQRA for the action described herein;

NOW THEREFORE BE IT RESOLVED

Section 1. Based on the information included in the Full Environmental Assessment Form and/or the criteria contained in 6 NYCRR § 617.7, the Board of Trustees of the Village of Bronxville is hereby declared to be the Lead Agency for SEQRA review of the proposed action, and copies of the SEQRA material will be provided to the Interested Agencies and the public during the review of whether the 2008 Village of Bronxville Community Plan, as submitted by the Community Plan Update Committee, shall be adopted by the Board of Trustees of the Village of Bronxville.

Section 2. This resolution shall take effect immediately.

RESOLUTION – Receipt of Grant Award from NYS Parks & Recreation Dept.

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

WHEREAS, the Village of Bronxville is the recipient of a Special Grant in the amount of \$25,000.00 in the 2008 – 2009 New York State Budget; and

WHEREAS, there are specific requirements and regulations governing the expenditure of these funds;

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees resolves the following:

1. Administration of all funds under this grant will be in accordance with all terms and conditions contained in “ Guidelines to prepare Grant Agreements for Non-construction projects of \$ 50,000 and under – Fiscal Year 2008 – 2009,” provided by the New York State Office of Parks, Recreation and Historic Preservation
2. That Mary C. Marvin, as Mayor of the Village of Bronxville is hereby authorized to sign legal documents on behalf of the Village of Bronxville and that such signature is acknowledgement of the acceptance by this body of compliance with all terms and conditions of the grant agreement, to be executed for the grant

Mayor Marvin thanked Assemblywoman Paulin for assisting the Village in obtaining this grant.

RESOLUTION – Schedule Public Hearing

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

BE IT RESOLVED that a public hearing to consider the 2008 Bronxville Community Plan Update is scheduled for Monday, December 8, 2008 at 8PM in the Trustees Room at Village Hall located at 200 Pondfield Road, Bronxville, NY.

PUBLIC COMMENTS –

Meredith Matthews, reporter for myhometownbronxville.com, asked if there were any developments on WCI.

Mayor Marvin responded that we are in a holding pattern.

Village Administrator, Harold Porr, commented that there are several companies still showing interest and that the Village will send out an RFP some time soon.

Betsy Harding, 39 Homesdale Road, spoke about the site design for parks and said that there are some ADA issues that need to be addressed so that the parks are more compliant. She also reminded residents to get their STAR applications in by December 31st. She asked if there was a way to apply every year by allowing the assessor to do this directly without the resident having to apply for it every year.

Mrs. Harding then asked where the Trustees are with regard to a time frame for reassessment.

Mayor Marvin responded that this was discussed in the Trustees work session. The Trustees asked the Mayor to get more information and professional advice before making any decisions.

Mrs. Harding said that the reassessment should take into consideration the sales assessment ratio which gets at the vertical equity not just the horizontal equity.

Mayor Marvin talked to ORPS about vertical equity and that the standard used in New York State is the coefficient of dispersion. And, if we tie our reassessment to something it should be the coefficient of dispersion.

Mrs. Harding disputed this and said there are many measures of equity and that the coefficient of dispersion is not the best practice.

Mayor Marvin said that the best practices have been used by this Board and that they are doing way more than the minimum.

Thomas Wolff, 230 Pondfield Road, asked the Mayor to make an announcement about reopening Palumbo Place.

Mayor Marvin reported that the school has moved out of the trailers and that hopefully by December 1st the trailers will be gone and Palumbo Place will be reopened. The Trustees discussed that it may be a one way street (going from Gramatan Avenue to Midland Avenue). She did mention that the Board reserves the right to shut it down in the future in order to assist the Department of Public Works.

Mayor Marvin wished everyone a Happy Thanksgiving!

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There being no further comments, the meeting was adjourned at 9:15PM by motion of Trustee Bellitto, second by Trustee Poorman.

Harold Porr III
Village Administrator/Village
Clerk