

**MINUTES OF REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF
BRONXVILLE HELD ON MAY 11, 2009 AT THE VILLAGE HALL, 200 PONDFIELD ROAD,
BRONXVILLE, NY**

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

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WORK SESSION & EXECUTIVE SESSION

The meeting was called to order at 6:39PM and in attendance were Mayor Marvin, Trustee Bellitto, Trustee Barton, Trustee Poorman, Trustee Underhill, Village Administrator, Harold Porr, and Village Attorney, James Staudt.

The Trustees reviewed the regular monthly meeting agenda.

At 6:46PM, on motion of Trustee Barton, second by Trustee Bellitto, the Trustees entered Executive Session to discuss personnel issues in Village Court, potential litigation regarding certiorari matters and the Kensington Project legal contract.

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

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Mayor Marvin called the meeting to order at 8:09PM.

Mayor Marvin introduced a Bronxville high school senior, Christian Yoo, the head of the Environmental Club, who spoke about an initiative the Village and the club are working on together, the walk-to-school day on May 21st.

Bronxville will be joining eight other high schools throughout Westchester County in a walk-to-school day. This walk-to-school day was organized by Environmental Club members from nine different high schools starting in March.

This past March a new group called WSAFE, standing for Westchester Student Association for the Environment, was created specifically to sponsor a May 21st walk-to-school day this year and hopefully continue in the upcoming years as well. The eight schools besides Bronxville include Ardsley High School, Eastchester High School, Edgemont High School, Irvington, Mamaroneck, Rye, Scarsdale and White Plains High Schools.

Since Bronxville is a very small community it was decided to include the elementary school and the middle school as well in this effort.

On May 21st, we hope that students throughout the schools will, for the sake of spirit, wear green T-shirts to school to show a group effort and a way of making a valuable contribution to the well-being of our environment.

We hope that this process will continue past May 21st and that students of all ages will find this an easy way of helping the environment and maybe realize sometimes that walking to school is easy and they do not need to drive to school, and through that, they can prevent many CO2 emissions from being released into the atmosphere.

This effort has been helped by local government and Mayor Marvin specifically who has generously decided to name May 21st an official walk-to-school day.

Mayor Marvin thanked Mr. Yoo. She commented that she has been doing a little homework and that there are walking programs that are pretty regular at the Chappaqua, Larchmont and Pleasantville schools, and it would be nice if the 21st of May started a trend in Bronxville.

Mayor Marvin then introduced, Mr. Katzenstein from the attorney general's office who gave an overview of the services that the attorney general's office would offer residents.

Mr. Katzenstein works for the Consumer Fraud Protection Bureau of the New York State Attorney General's Office in the White Plains regional office and covers Westchester, Rockland and Putnam Counties.

His main function in running the Consumer Fraud Protection Bureau is to answer about 7,500 calls every year. He has seven senior citizen volunteers who of great help. They know how to empathize and sympathize with people. Oftentimes they get people calling who are at their wits end and they do not know where else to turn, or maybe just need a question answered or maybe even where do I go from here and these volunteers can help.

Mr. Katzenstein believes in buyer beware, so people must know what their rights are, know a little bit about the law and the regulations and then what kind of questions to ask when they engage in a business transaction so they will not have to come to us after the problem has occurred and ask us to help them.

We have attorneys in our office that will legally go after bad businesses, businesses that are conducting fraudulent activities. But resources are limited. So what we try to do is, if we can, is get a business to reform. They may have to pay penalties and fines and change their ways, their modus operandi, in order not to defraud people in the future. It takes an awful long time to litigate, takes a lot of our resources and at the end of the day when all is said and done after many years, the case could be lost. So we find it more efficient and effective to get an order of discontinuance and an order of assurance to get a business to stop their bad practices.

Probably most of our time is spent in mediation, consumer mediation.

His advice was first, try to get your problem resolved on your own. The Attorney General's office does not want to be the first line of defense for you. We will try to resolve that complaint for you if you are unsuccessful. To lodge a complaint, use the Attorney General's office form because there is certain information we ask for on that form that we would like to have. We would ask you to send in copies of invoices, bills and contracts that would help us determine what your complaint is all about.

Besides consumer fraud, we have other organizations. For example, the Environmental Protection Bureau investigates and takes care of complaints regarding pollution in the air, the water or land: an Internet Bureau, which is becoming busier and busier these days and a Health Care Bureau that looks at complaints, particularly complaints against insurance organizations. They will also look at complaints against hospitals and sometimes against doctors.

Knowledge is key. Know what your rights are, know what kinds of questions to ask, know about the Lemon Law, know about your telemarketing rights and your debt collecting rights.

The Attorney General's office number is 1-800-771-7755, so give them a call if you have any problem. Our website is oag.state.ny.us. And if you want to come and visit us, we are located at 101 East Post Road in White Plains.

Mayor Marvin thanked Mr. Katzenstein for all of his good information.

Mayor Marvin then welcomed three new police officers (Cavallo, Cooper and Stancarone) and their colleagues Officers DeLeo, Sandarciero, Panzarino, Bunyan and Murray.

Police Chief Satriale reported that these three hires tonight will bring us to nine new hires in 18 months, an unprecedented number of officers to try to assimilate into the department.

Chief Satriale introduced each of the new hires individually, had them introduce their family members and then they were sworn in by Mayor Marvin.

Chief Satriale then gave an update on the status of the police department. He reported that this brings a complement of 22 full-time officers. He has applied to the federal government under a police grant and hopes to receive word that a 23rd officer will be funded by the federal government. This would permit us to put an extra officer on each shift.

The E-alert is fully functional and operational. He sent out an alert last Saturday about a burglary that occurred in the village and some of the feedback we received is that the text messaging is limited in the number of characters permitted to input.

There was a luncheon provided by the Westchester County PBA that honored several members of our police department for acts of bravery and arrests made while in the line of duty.

The PBA dance is Friday, May 22nd, 8PM at the Women's Club and every resident is invited. He asked that residents support the PBA. The officers of the department do a tremendous job for the residents and the visitors to the village and this is their only fundraiser.

Mayor Marvin welcomed the new officers and thanked their families for coming. She also thanked all of the other officers who came to support their colleagues.

RESOLUTION – Appointment of Police Officer

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

BE IT RESOLVED that the Board of Trustees of the Village of Bronxville appoints Joseph J. Stancarone to the position of second-year police officer at the second-year police officer's salary, effective at the earliest date following successful completion of all medical requirements.

Mayor Marvin asked Rocco Circosta, Superintendent of Public Works Department, to give an update on our storm water management.

Mr. Circosta reported that by law the Village is required to hold an annual meeting on a draft of a storm water management report. This is a report that has to be filed with the New York State DEC on an annual basis.

We continue to train our employees to sample and identify illicit discharge. We have various outfalls where our storm waters go and they are inspected annually and if it needs to be tested, we test the water coming from those outfalls.

We continue with the outfall mapping with the assistance of our consultant engineer and Westchester County area photography. Information on a list of discharge will be available on our Village website in the upcoming months.

The construction site and post construction regulations are being handled by our building inspector. The pollution prevention and good housekeeping program, street sweeping/catch basin cleaning and litter control are continuing. Our storm water pollution prevention plan has been developed. We continue to train our employees for these measures and we have continued to file grants for future projects.

Trustee Barton asked if all of the storm basins in the Village empty into the Bronx River.

Mr. Circosta replied that for the most part our water shed is the Bronx River run-off from Route 22 west would go into the Bronx River, Route 22 east goes into the Hutchinson River water shed.

Trustee Barton then asked if the EPA, from time to time does any testing of the water.

Mr. Circosta replied that the waterways are tested occasionally.

MAYOR'S REPORT

Last month I read some poetry at the library event, as did Trustee Barton. I spoke at the USO event at Concordia College where three of our high school students raised over \$60,000 which translated into over a million phone minutes for our troops in Iraq and Afghanistan. Village Administrator, Harold Porr, and I attended the League of Women Voters annual event.

I also attended the "pick up for parks" at Scout Field which was organized by our Junior League and I am happy to say there was a lot less debris than we have ever had in the past.

Also I attended the birthday anniversary fundraiser for Gramatan Village.

Inside Village Hall, we finalized the spring newsletter and that will be in mailboxes next week. With our department heads and working with our Assemblywoman Paulin and our State Senator Klein, we continue to apply for every kind of stimulus program that we could perhaps qualify for - green initiatives, flood abatement, money for parks and open spaces, and police department monies that the chief alluded to earlier.

Last week we did receive some frustratingly, misleading press in The Journal News with a headline stating that Village taxes were up by eight percent when, in fact, I can assure you on every resident's bill their taxes will not go up by one penny next year. We did get a fair number of calls from residents who were justifiably confused.

The paper frankly did not understand the difference between a tax rate and a tax levy. We did receive a miniscule retraction in the next day's paper, but I have to tell you the article only served to confuse, and, again, there is no tax increase in the village budget for next year.

Just to update, the new settlement to bail out the MTA by increasing payroll taxes will cost the Village of Bronxville \$20,000. Luckily for us, Village Treasurer, Mr. Fels, had budgeted for this in anticipation.

I also want to announce that Anna Longobardo, a member of the Village's Planning Board and chairman of our Design Review Committee and a volunteer for Village government for 20 years was chosen by the Westchester Municipal Planning Federation for their award of excellence. Anna is going to be honored at a dinner in June and I cannot think of anybody more deserving.

Village Administrator, Harold Porr, and I are meeting next week with people from Lawrence Hospital to talk about their new cancer treatment center, which is something they are trying to get off the ground and it will be a wonderful addition to the Village.

We will be enforcing our "no meter feeding" law on Pondfield Road, Park Place and Paxton Ave. beginning on June 1st. The law is in place frankly to help our merchants so they have parking turnover in front of the stores.

And I have to say, of course, when we think May in Bronxville, we think Memorial Day. The first event is going to be the Memorial Celebration on Sunday, May 17th from 2PM to 5PM at the Women's Club. Exhibits will include local veterans' photos, memorabilia, collection of stories from MIAs and diaries from people that were killed in action and our scroll of honor which started last year with 100 veterans in the village is now up to 1575.

Finally, Memorial Day, the parade starts 9AM on the 25th and this year it is going to be led by Grand Marshal Chris Eldridge. Chris, I think, is so deserving of this honor because she has given her time and talents to just about every organization I can think of in the Village, as well as her church and the school.

I just wanted to announce that on the Design Review Board Jeffrey Faville and Anna Longobardo have agreed to continue. These are volunteers whose terms expired and we gave them the option of continuing or ending their volunteer service, and I am happy to say so many of them have said yes to us.

On the Ethics Board, Bill Primps will continue as counsel, Donald Kennedy, John Priesing and Bill Slattery will continue as members.

On the Finance Committee, Don Gogel and Michael Minter will continue.

Planning Board, Eric Blessing and Adrienne Smith will take another term.

And on the Zoning Board, John Browne will continue.

So we thank all our residents for their incredible volunteer service and I am happy to say these people enjoy the board because when given an opportunity to leave us, they thankfully stay on and help us and we have a terrific group of residents. So thank you to them all.

TRUSTEE REPORTS

Trustee Bellitto reported on the Police Department. The police report shows both felonies and misdemeanors are down significantly from last year. Year to date, there have been four felonies compared to ten last year.

Parking - revenues are higher than budgeted.

Green Initiatives – Green Day is scheduled for Saturday June 13th on the lawn of Eastchester Town Hall featuring a multitude of speakers and green organizations. Our keynote speaker will be the United Nations Economist who's also the author of Building a Green Economy. Organizations will include both Girl Scouts and Boy Scouts, the Greenburgh Nature Center and the Audubon Society as well as students from Bronxville, Tuckahoe and Eastchester. We are now looking for volunteers to help the day run smoothly and man exhibit tables. If anyone is interested in volunteering, please call Village Hall at 337-6500 or e-mail the mayor at Bronxvillemayor@optonline.net. Green Day Summit is a collaborative effort of individuals from Eastchester, Bronxville, Tuckahoe, Sarah Lawrence and Concordia Colleges.

Trustee Barton reported on the state of the Village's finances. The revenues are slightly below our year-to-date percentages; however, on the other side of it, great efforts of the Village in general to control spending. Village Treasurer, Bob Fels, reported that our expenses are only 77.65%, as opposed to last year when they were over 79% at this date.

Trustee Poorman reported on the Chamber of Commerce. The annual sidewalk sale will be held on Saturday, June 6th. Once again Park Place will be closed to vehicular traffic all day. There will be bands playing great music, activities for the kids as well as the wonderful usual bargains. So please come show the merchants you support them and have a great time visiting with neighbors.

The Farmers Market opens on May 30th and there you can find great produce and a large variety of prepared food too. The market is open every Saturday on Paxton Place from 8:30AM until 1PM and runs through the summer into November.

I wanted to mention that I participated in a wonderful Rotary Club luncheon today honoring John Priesing for all his community service. We want to thank John again for his contributions to our government and the school and the community at large. He has been a resident and active volunteer for 36 years.

Trustee Underhill reported that the Village has been working on a request for proposal for the Kensington Road project with Village Counsel, Jim Staudt. The Village has checked with all the parties that have expressed interest in the project in recent years to determine their level of interest, and have found that their level of interest remains quite high despite what is going on in the economic environment and we have decided to issue a request for proposal. It should go out within a two week period and we will be soliciting responses from prospective developers shortly after Labor Day.

APPROVAL OF MINUTES

On motion of Trustee Barton, seconded by Trustee Poorman, the Board approved the minutes of the Regular Meeting on April 13, 2009.

NEW BUSINESS

RESOLUTION - IMA – Enhanced 911 Services

Village Administrator, Harold Porr, reported that this is an agreement, actually a renewal of an agreement, with Westchester County government for enhanced 911 services. This is a five-year agreement which is up in 2013. It was paid for by all of the people who pay telephone bills in Westchester County. It is a county sponsored emergency services function.

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

BE IT RESOLVED that the Board of Trustees of the Village of Bronxville authorizes the Mayor to sign an agreement with Westchester County Government for the enhanced 911 service, as attached, for an agreement set to terminate July 10, 2013.

RESOLUTION - Tax Certiorari Settlement – Normandy Homeowners Association

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

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>
Normandy Homeowners Assoc.	Section 6.H Block 4 Lot 29 Pondfield Road	2007-2008

WHEREAS, petitioner's court challenges are now pending in the Supreme Court, Westchester County; and

WHEREAS, the Village and the property owners have reached a mutually agreeable resolution;

NOW, THEREFORE BE IT RESOLVED, that the Village Board hereby authorizes the Village Attorney to execute the following settlement on behalf of the Village and School reducing the assessments to no less than the following amounts:

<u>Year</u>	<u>Assessment</u>	<u>Revised Assessment</u>	<u>Reduction</u>
2007	452,200	50,000	402,200
2008	452,200	50,000	402,200

RESOLUTION – Year End Budget Transfers

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

BE IT RESOLVED that the Board of Trustees of the Village of Bronxville authorizes the Village Treasurer to make necessary year-end budget transfers at the close of the Village's 2008/2009 fiscal year.

RESOLUTION - Appointment of Registrar of Vital Statistics

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

BE IT RESOLVED that the Board of Trustees of the Village of Bronxville that Angela Faiella is hereby appointed to serve as Registrar of Vital Statistics for the Village for a term beginning immediately and expiring June 1, 2013, and further that Karen Buccheri is hereby appointed as Deputy Registrar of Vital Statistics for same term of office as above.

RESOLUTION - J.C. Broderick & Associates

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

BE IT RESOLVED that the Board of Trustees authorizes J.C. Broderick & Associates, St. James, NY to perform air monitoring during the asbestos removal project if necessary prior to the demolition of the former BAM's Service Station building located at 49 Kraft Avenue in accordance with the terms and conditions of the previously accepted proposal dated February 23, 2009 for a cost not to exceed \$1,500.

RESOLUTION - I.E.S. USA

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

BE IT RESOLVED that the Board of Trustees of the Village of Bronxville authorizes I.E.S. USA Inc., 3815 Rombouts Avenue, Bronx, NY, to perform asbestos removal and disposal services as required for the demolition of the former BAM's Service Station building located at 49 Kraft Avenue in accordance with the attached proposal dated April 15, 2009 for a cost not to exceed \$15,000.

Trustee Underhill asked Village Administrator, Harold Porr, about the timing of these projects, when they will be completed and when can we expect demolition of the station to commence.

Village Administrator, Harold Porr, responded that he expects the removal would be relatively quick and demolition would follow thereafter.

PUBLIC COMMENTS

No public comments.

There being no further comments, the meeting was adjourned at 9:230PM by motion of Trustee Underhill, seconded by Trustee Bellitto.

Harold Porr III
Village Administrator

