

MINUTES OF REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF
BRONXVILLE HELD ON MARCH 8, 2010 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
James Staudt Village Attorney

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WORK SESSION & EXECUTIVE SESSION

The meeting was called to order at 6:38PM and in attendance were Mayor Marvin, Trustee Bellitto, Trustee Underhill, Trustee Poorman, Trustee Barton, Village Administrator Porr, Village Attorney Staudt, Assessing Consultant Iagallo and Board of Assessment Review representative Steve Howard.

Board of Assessment Review member Steve Howard addressed the Board on the topic of assessment and revaluation.

Assessment Consultant Gerry Iagallo discussed revaluation issues.

The Board reviewed and discussed the meeting agenda. Village Attorney Staudt discussed technical amendments to two local laws.

The Board scheduled budget workshops.

At 7:50PM, on motion of Trustee Bellitto, second by Trustee Underhill, the Trustees entered Executive Session to discuss personnel matters in Village Court and to seek legal advice on labor negotiations with the CSEA and the Teamsters.

On motion of Trustee Barton, second by Trustee Poorman, the Trustees re-opened the work session and entered into the public session at 8:10PM.

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

John Collins and Steve Doherty were happy to announce the Eastchester Irish American Social Club 6th Annual St. Patrick's Day Parade to take place on Sunday, March 14th, 2010, at 3:00 P.M., at which the co-Grand Marshal will be the owners of Mickey Spillane's Restaurant, Mike and Steve. The parade will feature 10 Irish pipe bands, marching bands, school bands, a police motorcycle brigade, antique cars, Irish dancers and musicians from over fifty community groups. The parade route will start at Immaculate Conception Church, proceed north on Route 22, through Eastchester, and end at Lake Isle Country Club.

MAYOR'S REPORT

Of greatest importance since our last meeting, was the annual tax grievance night last week. In comparison to last year, the Village saw a 30% drop in the number of grievances filed.

This is in stark contrast to the experience in most Westchester communities. Larchmont and Mamaroneck experienced a doubling of grievances and many other municipalities increased between six and ten-fold. This was a result of their old, inaccurate valuation numbers being plugged into the State assessment formula during an economic downturn resulting in very skewed valuations.

Keeping the Village's assessment role as current and accurate as possible has been a high priority of our government and the numbers reflect that. Our COD (coefficient of dispersion) or error factor is below 10%, which is considered the gold standard in this

industry. We did an in-house comparison of assessed values to current fair market sales of homes and we also hired an outside expert to verify our results. We are the only community I am aware of that had its internal calculations independently checked. Both studies concluded that assessments in the Village by and large reflect fair market value.

Though the aggregate number of grievances were down appreciably, we still see many from our co-ops. Given that New York State law protects co-ops quite generously in how taxes are calculated vs. single family homes and that the Village revaluation resulted in very fair values, I believe the constant filing of grievances borders on greed and is a real detriment to our Village and fellow taxpayers. I ask co-op boards to reconsider signing on with some of these certiorari attorneys who ask for no money down but a split of the proceeds should they be able to convince a judge to tweak what are already very fair values.

February was also a month of meetings. I, along with other mayors in southern Westchester County, met with County Executive Astorino to discuss community priorities. On my agenda on behalf of the Village was:

- the need to greatly downsize the bloated County government
- lobby to require that County employees make healthcare contributions similar to those made by our Village employees
- institute a joint purchasing mechanism at the County level so individual municipalities can achieve volume discounts and economies of scale
- to assist us in dealing with the exorbitant rate increases proposed by United Water.

This was the first time in the five years I have been Mayor that the County Executive ever sought out an opinion from the Village so I take it as a good sign. Mr. Porr and I also attended the Mayors and Managers Conference in Albany and while it was very positive to share ideas and concerns with our Westchester colleagues and local elected officials, those in the top echelons of State government seem to be operating a rudderless ship with no State budget in the near future.

I also attended a breakfast meeting discussing the Affordable Housing Plan. The original implementation plan drafted by the County was rejected by the HUD appointed monitor so things continue to remain at a muddled standstill. Trustee Bellitto, our chair, will talk more about it.

Our Citizens' Advisory Committee met mid-month and neighborhood representatives continue to be a positive force for change. Some of the topics discussed included the impact of the school budget, the recent bank robbery, snow removal procedures, street maintenance and the quality of lighting throughout the Village.

Because of the large quantity of snow needing removal last week, our Department of Public Works employees had to work round the clock, ultimately disturbing some of our residents. We will attempt to come up with a less intrusive procedure going forward, though ours is the norm in the County. We do operate under a great deal of constraints and pleasing each constituency creates a constant balancing act.

For example:

- our nineteen man snow removal team is also the garbage and recycling staff who must be ready to do that second job early in the morning
- union rules affect hours and overtime; some of our streets are snow emergency routes that require immediate cleaning
- our business district must be cleaned while shops are not open so as not to hurt business and facilitate early morning deliveries
- many residents depend on our cleaning their on-street parking places and our commuter lots as quickly as possible so they can get to work

The County has finally commenced repair of the Palmer Avenue bridge damaged in a car accident almost one year ago. Neither the Village, nor Yonkers, were allowed to make interim repairs or even shovel causing a dangerous condition for pedestrians. Thankfully, the work is estimated to be completed in the next two to three weeks.

The Trustees and staff just finished devoting countless hours to a State audit that the Comptroller's Office said was prompted by a "taxpayer complaint" regarding the Village's Assessing Consultant's contract. I guess unbeknownst to the audit division this contract had been approved in another division of the very same Comptroller's Office.

It was probably the most wasteful and politicized exercise I have experienced since becoming Mayor. Sadly, thousands of Village tax dollars were wasted as well as your State tax monies to make recommendations such as the need to send out proposal letters to commence a public bidding process for exterminators if we see mice in the building and the recommendation that all professional services be put to bid, even though not required by State law, under the theory that the cheapest attorney will be the best. We strongly disagreed with much of the Comptroller's report and most importantly the motive for wasting all of our time and your money. I have requested a meeting with Comptroller DiNapoli to personally register my protest to what amounted to a fishing expedition.

I ask all residents to come to Village Hall directly if you have a problem with anything we are doing. By skirting the process and going behind the backs of the elected officials we lose the opportunity to solve the problem expeditiously and without such waste of time and taxpayer dollars.

Village elections will take place on March 16th from 6AM to 9PM at Village Hall. Two Trustees positions and one Village Justice slot will be determined. Absentee ballot requests that need to be mailed to you must be received by March 9th. If you come to Village Hall in person, ballots can be requested up until March 15th.

Finally, Monroe Hawkins passed away last week. He spoke 7 languages, was a wonderful gentleman who walked through town with his cane. He went to Lange's every day. Inspiration to me – loss of a very special resident.

TRUSTEE REPORTS

Trustee Bellitto reported on the police department. There were 3 felonies and three misdemeanors. One of the felonies was a bank robbery, the 5th in the last 35 years in Bronxville. The police believe it is linked to a White Plains robbery that occurred earlier in the day.

Parking – Trustee Bellitto reported that revenues are lower for the month than last year.

Green Committee – this committee had the best meeting yet last week. The goal of this committee is to increase membership and is crafting a mission statement.

Citizens' Advisory Committee –the winter meeting was held in February at the Fine Arts Gallery and the guest speaker was Chief Satriale.

Trustee Barton reported that the Department of Public Works did a great job during the last snow storm. They really are a hands on department.

Finances – the overall picture is sound for the Village.

Trustee Poorman reported on the Chamber of Commerce. There is a new store going on Cedar Street. Ruth Wood of the Chamber of Commerce is working with merchants to coordinate a spring event.

Library – the Library Director has put together a program with several museums in the area whereby you can borrow a free pass for 3 days to visit many area museums. Reservations can be made up to 6 weeks in advance. This program was made possible by the Friends of the Library. Also, Saturday hours have been restored thanks to the Friends of the Library.

Trustee Underhill reported that the Kensington Road project continues to move ahead. The Trustees are working with several developers to qualify their proposals so they can progress and avoid reapplication to the Planning Board.

APPROVAL OF MINUTES

On motion of Trustee Underhill, second by Trustee Bellitto, the Board approved the minutes of the Regular Meeting on February 8, 2010 as drafted.

PUBLIC HEARING #1

On motion of Trustee Underhill, second by Trustee Bellitto, the Board opened the public hearing.

Village Attorney, James Staudt, asked Mayor Marvin to table the proposed local law amending the Traffic and Vehicle Law of the Village of Bronxville, NY, Chapter 290, by modifying parking time limits at parking meters in specific areas. This proposed law requires changes be made to the limitations on the number of hours at parking meters on Kensington Road. Mr. Staudt said that work needs to be done on the 3 hour limitation at the Kraft Avenue lot and the Village needs to determine exactly what meters this applies to. He suggested that this be proposed at a future meeting.

On motion of Trustee Underhill, second by Trustee Barton, the Board closed the public hearing.

PUBLIC HEARING #2

On motion of Trustee Barton, second by Trustee Poorman, the Board opened the public hearing.

Village Attorney, James Staudt, gave some background on the local law. He stated that the one-way has been tested and this law will memorialize it in the statutes. He also mentioned that a change needs to be made to the proposed law as Palumbo Place is also known as Poplar Street.

Trustee Bellitto commented that the one way traffic seems to be working well.

Mayor Marvin said that the Village needed to do something about this street as the safety of our Department of Public Works employees was of great importance.

Megan McKinley, 6 Crampton Road, spoke about having the Village do a test with traffic going in both directions. She was disappointed that this was not done. She felt that with the increased volume of cars, two-way traffic makes sense.

Mayor Marvin responded that it really was a safety for our Public Works employees and that an analysis was done by a traffic consultant to see what made the most sense and this one way option offered the best movement of traffic.

Village Administrator, Harold Porr, added that this also allows for increased parking for the teachers.

Ms. McKinley then asked about putting in pedestrian walk signals at the intersection of Pondfield Road and Midland Avenue.

Mayor Marvin said that the Village looked into this but it would require overhead signals. The cost was too much and the aesthetics compromised.

On motion of Trustee Barton, second by Trustee Poorman, the Board closed the public hearing.

RESOLUTION - Local Law #1 to amend the Traffic & Vehicle Law of the Village of Bronxville, NY, Chapter 290, by removing and adding the designation of certain streets as one-way

On motion of Trustee Bellitto, second by Trustee Underhill, the following resolution was unanimously approved with the modified language as suggested by the Village Attorney:

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

Section One. Section 290-17(I) of Chapter 290 of the Code of the Village of Bronxville, designating streets and portions thereof as one-way streets, is hereby repealed in its entirety and replaced with new Section 290-17(I) that reads as follows:

Palumbo Place (also known as Poplar Street), north, from
Gramatan Avenue to Midland Avenue

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

NEW BUSINESS

RESOLUTION – Capital Project Amendment - Verizon FIOS

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

BE IT RESOLVED that the Board of Trustees authorizes the Village Treasurer to amend the previously authorized capital project #20092010-0021-1010 Village Cable Systems Upgrade to increase the project’s budget by \$40,000 from \$5,000 to \$45,000. The funding for this amendment to come from the balance of the payment received from Verizon FIOS as per their franchise agreement with the Village.

RESOLUTION – Furnishing & Delivering One 25 Cubic Yard Collection Vehicle

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

WHEREAS, the Superintendent of Public Works reports that he publicly advertised for the receipt of bids to Furnishing and Delivering One 25 Cubic Yard Collection Vehicle, pursuant to Contract VM#1001, and

WHEREAS, on the bid date, February 24, 2010 one bid was received,

WHEREAS, the bidder for equipment meeting the specifications was received from Gabrielli Truck Sales, 3333 Conner Street, Bronx, NY 10475 in the amount of \$177,050.00, and

NOW THEREFORE BE IT RESOLVED that the Contract VA #1001 – Furnishing and Delivering One 25 Cubic Yard Collection Vehicle be awarded to Gabrielli Truck Sales, 3333 Conner Street, Bronx, NY 10475 at the bid price of \$177,950.00, and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized and directed to execute Contract VA#1001 – Furnishing and Delivering One 25 Cubic Yard Collection Vehicle, with said Gabrielli Truck Sales, 3333 Conner Street, Bronx, NY 10475.

PUBLIC COMMENTS –

Megan McKinley, 6 Crampton Road, was concerned about the assessment roll and how the economic environment creates more inequities in the roll and thus unfair assessments. The assessment roll does not automatically lower the value of comparable homes when one home is sold. There are mitigating factors involved in home prices dropping and reducing assessments to all on the roll and this makes it fairer to everyone. She asked the Trustees to look at an overall percentage drop similar to last year and see how it is reflective of market conditions.

Ms. McKinley also attended the Board of Assessment Review meeting and noticed that many residents were not properly prepared. They did not know the requirements. She asked that the information from the New York State website be linked to the Village website. She also feels that it is confusing having a consultant. Most communities do not have this. She feels it would be better if we modeled ourselves after these communities. She also feels that having the assessor and the consultant sit down off of the dais with the residents allows the petitioners to have an equitable environment. The State is clear that the assessor not be included when the Board of Assessment Review meets. The Village needs to streamline the use of the consultant so it is as fair as it can be with residents.

Mayor Marvin responded that she wants to do the best for the residents and our coefficient of dispersion is one of the lowest in the State. She does not want to replicate what other communities are doing and our numbers show we are doing a good job.

Ms. McKinley replied that there is always room for improvement, that there should be a balance of power, and that the assessor and consultant have a proper role when the Board of Assessment Review meets and makes their decision.

Mayor Marvin said that the Village could link the NY State information to our website; that all information was given to residents prior to the meeting; and, that the Board of Assessment Review, the assessor and the consultant all view this meeting not as adversarial but as an effort to get to the best tax roll possible.

Ms. McKinley responded that if the Board of Assessment Review panel meets with the assessor and the consultant then the petitioner should be included.

Mayor Marvin said that the Board of Assessment Review is diligent in following rules and will mention this to the board chair.

Mr. Thomas Wolff, 230 Pondfield Road, asked Trustee Barton about the date for the tax lien sale.

Mayor Marvin responded that all involved received letters and a public notice was published in the local paper.

Mike Frittola of Senator Jeff Klein's office made several informational announcements regarding upcoming events involving the Senator.

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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