

MINUTES OF REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF BRONXVILLE HELD ON APRIL 17, 2006 AT THE BRONXVILLE LIBRARY, 201 PONDFIELD ROAD, BRONXVILLE, N.Y.

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PRESENT:	Mary C. Marvin	Mayor
	Glenn D. Bellitto	
	Anne W. Poorman	
	William H. Barton, Jr.	Trustees
ABSENT:	Robert S. Underhill	Trustee
ALSO PRESENT:	James F. Hayden	Deputy Village Counsel
	Harold Porr III	Village Administrator
	Rocco Circosta	Superintendent of Public Works
	Brian M. Downey	Chief of Police
	Vincent Pici, P.E.	Superintendent of Buildings
	Robert J. Fels	Village Treasurer
	William J. Murphy	Parking Commissioner
	Gerry Iagallo	Village Assessor

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The meeting was called to order by Mayor Marvin at 7:05 p.m. on motion of Trustee Poorman, seconded by Trustee Bellitto and approved unanimously.

WORK SESSION

(In attendance: Mayor Marvin and Trustees Bellitto, Poorman and Barton; Village Administrator Porr, Village Treasurer Fels and Deputy Village Counsel Hayden.)

Village Administrator reviewed agenda with the Board members. There was additional discussion regarding the revaluation program.

EXECUTIVE SESSION

On motion of Trustee Barton and second of Trustee Poorman the public meeting was closed to discuss personnel issues in the Public Works Department and the Police Department.

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On motion of Trustee Barton and second by Trustee Bellitto the following resolution was offered:

BE IT RESOLVED, that after review of the Step 3 grievance of Police Officer Joseph Murray dated March 27, 2006, the Board of Trustees of the Village of Bronxville does hereby deny the grievance. The Board hereby authorizes the Mayor to issue the Step 3 denial dated April 17, 2006 on the Board's behalf.

Motion approved unanimously by all present.

Executive session ended at 8:05 p.m. by motion of Trustee Barton and second by Trustee Poorman approved unanimously.

Mayor Marvin re-opened the meeting at 8:05 p.m. with the Pledge of Allegiance.

LIBRARY REPORT

Jane Marino, Library Director, gave a report on the Bronxville Library. The Bronxville Library is celebrating their Centennial Year and they have many events scheduled throughout the year. Jane Marino took this opportunity to pay tribute to retiring Library Board President Mary Anne Maher and retiring Library Trustees Patricia McAndrew, Mary Freeman and John Kenney, who were all integral to the operation of the Library.

Ms. Marino said they started the year off with wonderful author visits. On Saturday, May 13th, Art Historian, Jayne Warman, will give a talk on Bronxville artist, Herman T. Schladermundt, who lived here in Bronxville. Ms. Marino talked about other exciting programs the Library will be having during the year as part of the Centennial celebration. She said a lot of people worked hard on the Centennial. She also reported on the many other programs at the Library including the third grade "read aloud" program, the Bronxville Library Book Club, and Wednesday Matinees.

Mayor Marvin thanked Jane Marino for keeping us up to date on what's happening at the Library. She praised Ms. Marino for her leadership and dedication as Library Director.

Mayor's Opening Remarks

Mayor Marvin welcomed new board member Bill Barton and acknowledged newly elected board member Anne Poorman, who has performed so ably for us during the past year. As we start a new government year, Mayor Marvin said it is important to open by reaffirming our commitment to the Village Code of Ethics which requires us as members of the Board of Trustees to be independent, impartial and responsible to the residents of the Village and make decisions in the proper channels of government in an open and non-secretive manner.

The regular meeting was recessed to go to a public hearing, and reopened at 8:20 p.m.

RESOLUTION - ADOPTION OF BUDGET FOR 2006/2007

On motion of Trustee Bellitto, seconded by Trustee Barton, the Board of Trustees adopted the following resolution:

BE IT RESOLVED the Board of Trustees adopts the budget of the Village of Bronxville for the year 2006/2007 as drafted.

MAYOR'S REPORT

Mayor Marvin reported on revaluation and said we hit the ground running. She thanked Village Assessor Iagallo who helped us find a location for office space. She said we will have an office on Pondfield Road which will be occupied by CLT, our revaluation company, and our assessor's office. Beginning next Monday, April 24th, CLT will begin taking photographs of the homes. The police will be fully briefed regarding the photographers and their locations.

Mayor Marvin said we just finalized a draft of our first informational brochure jointly prepared by CLT and the Village to give residents an idea of the process of revaluation in the coming months and we have included a calendar or timetable. She said we also received a DVD from CLT that gives a general overview of the revaluation process and will be aired on the Bronxville cable channel.

The Mayor said she and Trustee Poorman spoke at a special meeting of the Chamber of Commerce solely dedicated to explaining revaluation vis a vis the commercial sector. She said many people in the business district were concerned about the projected large tax increase to the commercial section as described in the Eckert report. She said this was based on a very small sample (all we had available to give Dr. Eckert) of 6 sales. The sample size was extremely small and using sales as a measure of value in the commercial sector will produce the highest possible values or worst case scenario of tax increases. We could not use the income stream or expense approach for the study because it would have taken months to accumulate this data and do building appraisals. The Mayor wanted to assure the commercial owners that the income stream and expense approaches traditionally produce lower values and consequently lower tax increases and will be the methodologies used during the lengthy revaluation process.

Mayor Marvin said there was also another misconception out there that deserves clarification. Co-op and condo owners are not in any way manipulating the tax system to get a more favorable tax value. They are simply adhering to the current law of the State of New York which provides a built-in legal discount for that type of housing. By state law, co-ops and condos have to be reassessed under the assumption that the entire complex is generating income as opposed to individual units and their distinct values - this is similar to the methodology used to assess apartment buildings. Consequently, co-ops and condos will always legally enjoy a significant tax break since owners do not pay on individual unit values.

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So, unless the state law is changed, a million dollar co-op will never be valued the same as a million dollar residential home.

Concerning the renovation project, Mayor Marvin reported that we are moving along in pace with projections and we have weekly staff meetings with the construction team which are attended by Mr. Porr, our Building Superintendent Mr. Pici, Head of Public Works Mr. Circosta, and often herself.

Mayor Marvin reported that the Kensington project is moving forward in the Planning Board process and the developer continues to make changes based on neighbors' input. For example, more landscaping was added to both ends of the project to make a more gentle buffer and transition in the neighborhood and the side facing our West Side neighbor was modified to add interior gardens facing the train tracks to break up the monolith of the wall and help further attenuate noise. She said WCI has tried to be receptive to our residents' concerns and she firmly believes this is the best project and best developer for our Village and when all is completed will truly enhance the neighborhood.

Mayor Marvin reported that we have begun a series of neighborhood meetings and Trustee Poorman and she met with the officers of the Parkway Road Association and are working with them to address issues unique to their neighborhood. Maltby Park is now being graded, seeded and enhanced this week and we are working on upgrading the triangle near the Girl Scout Cabin. She said we plan on meeting with representatives from all neighborhoods in the coming months because we recognize that even though we are only one square mile, every section of Bronxville has concerns unique to them. Our goal is to listen, catalog the concerns and chip away at the to-do list in a fair and equitable allocation of resources. She said we are really dedicated to taking notice of the small, but important quality of life issues.

Also in response to informal talks with about half a dozen residents of Kensington and Sagamore Roads, Mayor Marvin said we are making improvements in that neighborhood. We are more vigilant about debris pickup in the open spaces near the Kensington Road parking lot. Sadly, the derelict quality of the garage environs has invited unwanted dumping. The police are enforcing the no double parking rule in front of the Blue Moon restaurant which created a dangerous situation as one headed up Sagamore Road at that turn. We have ordered new school crossing signs to alert drivers traveling in both directions on Sagamore Road to the crosswalk near the Eliza Corwin Frost Nursery School. And we are replacing the Playground signs near the Sagamore Play Park and repainting the crosswalk there. The Mayor is coordinating with Cindi Callahan to get the names of all the co-op and neighborhood association presidents in the Kensington/Sagamore Road area to have at their next meeting.

Mayor Marvin reported that she and Trustee Bellitto, who is Deputy Mayor and liaison to the Police Department, will be attending a PBA meeting to introduce Trustee Bellitto to members of the department.

Mayor Marvin announced that the report we commissioned from the Michaelian Institute of the Pace University Law Center is now available in hard copy at Village Hall and

will be posted on the Village WEB site. It discusses in detail the optimal ways of operating an assessing office going forward as well as an in-depth review of the pros and cons of adopting Article 19 or the Homestead provision after a full revaluation.

Mayor Marvin reported that we are working on plans for the Memorial Day Parade. Howard Lenard, our veteran from the Leonard Morange Post of the American Legion, who previously ran the parade, has enthusiastically responded to our invitation to be the Grand Marshall this year. She said we are trying to add some more music; inviting more school and community groups to give more citizens an opportunity to march; the Historical Conservancy, under the leadership of Don Gray, is adding an antique car display; and on the suggestion of a resident, Susie Secundo, we are adding a Pooch Parade after the big wheels. The Mayor said we are open to anything that gets more citizens involved.

Mayor Marvin thanked all the residents who are sprucing up all the triangles and open spaces around the Village.

TRUSTEE REPORTS

Trustee Bellitto, as liaison on tax assessment, urged residents to be as flexible as possible in letting CLT employees inspect their homes so we can have the work completed as soon as possible.

Reporting on parking, Trustee Bellitto, said he believes it's useful to analyze the parking office operation and that it needs a thorough review. He said that he, Parking Commissioner Murphy, Village Administrator Porr and Village Treasurer Fels had a meeting and they decided they want to hire a parking consultant firm to analyze the work flow and structure and make suggestions for improvements. Trustee Bellitto reported that he is looking at ways to improve the quality of life in the village and we are taking small steps to improve the parking enforcement problem by being less aggressive in ticketing in the central business district.

Trustee Bellitto said he had asked Mayor Marvin to consider appointing him liaison to the police department. He noted that there is no current contract with the police department since last June. Trustee Bellitto said he had a very productive meeting with Chief Downey going over some of the issues in the police department.

Trustee Bellitto spoke about diversity and inclusion, where we are, what we are doing about it and where he would like to see us headed. He said he would like to see in the future more Village Board members who live in condos or co-ops and on the west side.

Trustee Poorman reported that the neighborhood meeting went well and she hopes to continue to be involved with these meetings. On the quality of life issues that arose and were discussed during the campaign, she said we hope to chip away at some of

those things, and she will be working on the parking issues with the Board.

As liaison to the Chamber of Commerce, Trustee Poorman reported that the Chamber will be holding the annual sidewalk sale on June 9th and 10th. On Saturday Park Place will be closed to traffic for this event.

Trustee Barton thanked the citizens for electing him and said he looks forward to getting more involved. Trustee Barton said he was appointed as liaison to the Zoning Board, Department of Public Works/Quality of Life Issues, Eastchester Fire Department and Cable.

APPROVAL OF MINUTES

On motion of Trustee Poorman, seconded by Trustee Bellitto, the Board approved the minutes of the Regular Meeting of March 13, 2006, the Special Meetings of March 20 and March 27, 2006 and the Annual Meeting of April 3, 2006, as drafted.

DEPARTMENT REPORTS

Department reports were presented by Chief of Police Downey, Superintendent of Buildings Pici, Superintendent of Public Works Circosta, Village Treasurer Fels, Parking Commissioner Murphy, Village Assessor Gerry Iagallo, and Village Administrator Porr.

RESOLUTION - Declaring Arbor Day as Friday, April 28

On motion of Trustee Poorman, seconded by Trustee Barton, the Board of Trustees adopted the following resolution:

WHEREAS, in 1872 Arbor Day was first observed with the planting of more than a million trees in Nebraska, and

WHEREAS, Arbor Day is now observed throughout the Nation and World, and

WHEREAS, trees in our Village beautify our community and are a renewable resource and provide many environmental benefits;

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees hereby proclaims Friday, April 28, 2006 as Arbor Day in the Village of Bronxville and urges all its citizens to celebrate Arbor Day and to support every effort to protect our trees and woodlands.

RESOLUTION - Setting Public Meeting - Annual Storm Water Management Plan

On motion of Trustee Bellitto, seconded by Trustee Poorman, the Board of

Trustees adopted the following resolution:

WHEREAS, in accordance with the regulations of the New York State Department of Environmental Conservation the Village of Bronxville has filed a Storm Water Management Plan in 2003, and

WHEREAS, the Village is required to hold an annual meeting with regards to this plan;

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees hereby sets a public meeting on this matter for Monday, May 8, 2006 at 8:00 p.m.

RESOLUTION - Public Works Appointment

Superintendent of Public Works Rocco Circosta said that approximately a year ago there were two vacancies in Public Works due to retirement. One of the positions was filled in June 2005. He said he received many applications for the position of laborer, interviewed six candidates, and he recommended the appointment of the most qualified candidate, Victor Lema.

On motion of Trustee Barton, seconded by Trustee Poorman, the Board of Trustees adopted the following resolution:

WHEREAS, The Superintendent of Public Works, Rocco Circosta recommends the appointment of Victor Lema as a laborer to fill a vacancy in the Department of Public Works,

NOW THEREFORE, BE IT RESOLVED:

That the Board of Trustees of the Village of Bronxville appoints Mr. Victor Lema, 4 Jenkins Court, Ossining, N.Y. to the position of Laborer in the Department of Public Works on a probationary basis effective Monday, April 24, 2006, at the starting salary of \$46,040.00.

RESOLUTION - Capital Project Authorization

Village Treasurer Fels stated that in February 2006 the Bronxville Police Department received notification that a grant in the amount of \$5,000 was approved by the New York State Division of Criminal Justice Services. The purpose of this grant is to provide funds for the purchase of two laptops and related computer equipment. As such, Mr. Fels requested that the following resolution establishing a capital project to account for this grant be approved.

On motion of Trustee Bellitto, seconded by Trustee Poorman, the Board of

Trustees adopted the following resolution:

BE IT RESOLVED that the Board of Trustees authorize the Village Treasurer to establish the following capital project to account for the proceeds of a \$5,000 grant from the State of New York, Division of Criminal Justice Services:

#20052006-0040-3120 Acquisition of Laptop Computers and related equipment \$5,000.00, to be funded from a grant in the same amount from the State of New York.

PUBLIC HEARING - 2006/2007 Capital Improvement Program

On motion of Trustee Bellitto, seconded by Trustee Barton, the Board of Trustees adopted the following resolution:

BE IT RESOLVED the Board of Trustees schedules a public hearing on the 2006/2007 Capital Improvement Plan for Monday, May 8, 2006, at 8:00 p.m .in the Yeager Room at the Bronxville Public Library.

RESOLUTION - Tennis Professional Contract

On motion of Trustee Poorman, seconded by Trustee Bellitto, the Board of Trustees adopted the following resolution:

BE IT RESOLVED the Board of Trustees authorizes the Village Administrator to sign an agreement with Michael Virgilio for services as the Tennis Professional for the 2006 season (copy attached).

RESOLUTION - Supporting continued funding of Community Development Block Grant Program

On motion of Trustee Bellitto, seconded by Trustee Barton, the Board of Trustees adopted the following resolution:

WHEREAS, the Community Development Block Grant (CDBG) program was enacted as the centerpiece of the Housing and Community Development Act of 1974 with the primary objective to develop viable urban communities in partnership among the federal, state and local governments, business, and the nonprofit sector, “by providing decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low and moderate income;” and

WHEREAS, CDBG funded activities must fall under three national objectives, the elimination of slums and blight; addressing urgent needs that pose an immediate threat to the health, safety, and public welfare of a community; and

addressing the needs of low and moderate income persons with at least 70 percent of CDBG funding; and

WHEREAS, under these guidelines, Westchester County uses CDBG funds to eliminate slums and blight; conserve and expand housing stock; conserve energy; preserve properties of historic value; reduce isolation of income groups within communities; revitalize deteriorating neighborhoods; improve the provision of community services; promote economic development; and encourage more rational use of land and natural resources; and

WHEREAS, a 2001 report published by the Brookings Institution notes that suburban communities house much of the nation's working families and don't have the funding they need to manage older infrastructure and the cost of rebuilding and depend heavily on residential taxes to fund basic services. Further, high-cost counties like Westchester have extreme gaps between rich and poor. Workers such as teachers, firefighters, hotel workers and other service personnel - the core people each community needs - can't find affordable housing. Neither can immigrants who are attracted to thriving areas where the jobs are; and

WHEREAS, CDBG program funds have been used to help provide relief in disasters such as the Katrina, Rita and Wilma Hurricanes when Congress appropriated \$11.5 billion in CDBG funds for the recovery of Louisiana, Mississippi, Alabama, and Texas. The \$3,483 billion in CDBG funds appropriated to help New York City recover from the September 11th tragedy continues to play a critical role in the City's restoration; and

WHEREAS, the success of the CDBG program has been well documented as a stabilizing force in our cities, towns and villages and the need for funding has increased as our municipalities face rising federal and state costs and taxes and a shortage in housing stock considered "affordable," yet, since 2001, CDBG funding has declined steadily from \$4.41 billion nationally to \$3.71 billion and is threatened with a further reduction of 25 to 33 percent in the FY2007 budget; and

WHEREAS, a national survey on the impact of prior reductions in CDBG funding reports a substantial negative effect on home ownership, local economy growth and the strength of the nation's infrastructure. It is alarming to contemplate the projections; fewer jobs retained and created; fewer households assisted with home buyer assistance; fewer services for elderly persons, children and youth, persons with special needs and low-and-moderate-income persons; reductions in housing rehabilitation; canceled or delayed public improvements including street and sidewalk improvements, community and neighborhood centers and health and recreational facilities; now therefore be it

RESOLVED, that the Village of Bronxville joins such CDBG Coalition members

as the United States Conference of Mayors, the National League of Cities, the National Association of Counties, and many others, in strongly urging Congress to fund the CDBG program to at least the \$4.5 billion level in the FY2007 budget; and be it further

RESOLVED, that the Village of Bronxville strongly urges that funding of CDBG not have a negative impact on other HUD programs that critically impact our communities.

RESOLUTION – Justice Court Grant

On motion of Trustee Barton, seconded by Trustee Poorman, the Board of Trustees adopted the following resolution:

BE IT RESOLVED the Board of Trustees of the Village of Bronxville authorizes a grant application for monies from the Justice Court Assistance Program in the amount of \$2,992 for a laptop and mobile printers.

RESOLUTION - Croton Point Landfill Legal Defense Contract

On motion of Trustee Bellitto, seconded by Trustee Poorman, the Board of Trustees adopted the following resolution:

BE IT RESOLVED the Board of Trustees of the Village of Bronxville authorizes the Mayor to sign a contract with Periconi, LLC, a New York City based law firm, for the defense of the Village of Bronxville, in conjunction with numerous other Westchester County local governments, in the Croton Landfill Industry Group lawsuit. The contract is attached.

RESOLUTION - Community Development Block Grant

Village Administrator Porr stated that when we were planning our Village Hall renovation there was a definite need to provide handicapped accessibility. He said the Village, as a member of the Community Development Block Grant Program, completed an application, had a public hearing, solicited support in the community, solicited letters from Lawrence Hospital and other organizations in the Village, and we applied for \$300,000 in assistance.

On motion of Trustee Bellitto, seconded by Trustee Poorman, the Board of Trustees adopted the following resolution:

BE IT RESOLVED the Board of Trustees authorizes the Mayor to accept a Community Development Block Grant for \$300,000.00.

Mayor Marvin extended thanks to County Legislator Gordon Burrows and Bill Ryan, Head of the County Board of Legislators for their support in obtaining the grant.

PUBLIC COMMENTS

Dorothy Brennan commented that we received \$50,000 with the help of Assemblywoman Amy Paulin for the Girl Scout Cabin.

Mrs. Brennan said there were two things left over from the last Board Meeting that she would like to close the books on. She said the Board kindly turned over the problem of embezzling she had spoke about at the last meeting to the district attorney. She said she will call a close to this issue and she knows it will never happen again.

Mrs. Brennan said we have a 16 year veteran police officer who was assaulted and lost several weeks pay. She said she thinks this money should be replaced for him since the special prosecutor found him innocent. She asked the Board to please consider it and do the right thing.

Mayor Marvin said there is still an ongoing legal investigation, with everyone's rights involved. She said the Board has a legal obligation not to speak about the matter until it's all resolved.

Antoine Broustra, 73 Kensington Road, wished good luck to Trustees Barton and Poorman. He said two of his tennis partners had told him about their kids being mugged on Saturday evening. He asked if it would be possible to have increased security on Saturday evenings.

Chief Downey said he was not aware of the incident. He encouraged anyone who is the victim of a crime to report it to the police.

Betsy Harding, 39 Homesdale Road, said she had a few questions about how apartments will be assessed under the reassessment. She asked if the method for assessing the Kensington project is the same method used for other apartment buildings. Ms. Harding asked Mr. Iagallo about working with CLT on the revaluation and he said they will work together. She said she was concerned about over-assessing apartment buildings.

Jim Kroulas, Parkway Road, asked Mr. Iagallo about using the cost approach for assessing the Kensington Road project.

Thomas Wolff, Pondfield Road, asked Mayor Marvin if the Village received a response from the PSC about the quality of electrical service. He said he noticed for about 1 ½ hours recently that the power was out.

On motion of Trustee Bellitto, seconded by Trustee Barton, the meeting was

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adjourned at 10:25 p.m.

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