

## AMENDED 3-6-12 AGENDA

# MARCH 7, 2012 BOARD OF TRUSTEES

## VILLAGE OF BRIARCLIFF MANOR, NEW YORK REGULAR MEETING – 7:30 PM

- Public Hearing for the Issuance of a Special Use Permit, Urstadt Biddle Properties, Inc – Chilmark Shopping Center
- 2. FY 2011-2012 Six Month Budget Presentation with 2% Tax Cap Analysis

## **Board of Trustees Announcements**

#### **Village Managers Report**

## **Public Comments**

- 3. Appropriation of Fund Balance EFC Principle Payment
- 4. Tax Certiorari 430-450 North State Road
- 5. Authorize Village Manager to Execute Change Orders FWSP
  - a) Jett
  - b) Talt
- 6. Budget Amendment Scarborough Road Restoration Project Con Edison
- 7. Award of Bid
  - a) Municipal Building Exterior Site Lighting Upgrades
  - b) Sidewalk Improvements North State Road
  - c) Guide Rail Project North State Road
- 8. Amend Master Fee Schedule Recreation
- 9. Minutes
- February 1, 2012 Regular Meeting

NEXT REGULAR BOARD OF TRUSTEES MEETING - MARCH 21, 2012

1. PUBLIC HEARING FOR THE ISSUANCE OF A SPECIAL USE PERMIT, URSTADT BIDDLE PROPERTIES, INC – CHILMARK SHOPPING CENTER



February 24, 2012

BY HAND

Hon. William Vescio, Mayor, and Members of the Board of Trustees Village of Briarcliff Manor 1111 Pleasantville Road Briarcliff Manor, New York 10510 445 Hamilton Avenue, 14th Floor White Plains, New York 10601 Tel 914.761.1300 Fax 914.761.5372 www.cuddyfeder.com



Re: Application of Urstadt Biddle Properties Inc. (Premises: Chilmark Shopping Center)

Dear Mayor Vescio and Members of the Board of Trustees:

On behalf of Urstadt Biddle Properties Inc. ("UBP"), we respectfully submit this letter and accompanying enclosures in further support of its Application for a Special Permit for parking for this shopping center in accordance with Section 220-6.K(4) of the Zoning Ordinance to authorize the proposed enhancement and expansion of the existing Chilmark Shopping Center, situated on the southerly side of Pleasantville Road, westerly of Orchard Road, subject to Site Plan Approval by the Planning Board.

As you know, the Planning Board has reviewed this Application and forwarded to this Board recommendations, as follows:

- 1) November 12, 2010 recommending support of the granting of the Special Permit herein; and
- 2) January 10, 2012 recommending to this Board that it grant the requested Special Permit subject to certain conditions referenced in its communication.

The Special Permit would approve a parking ratio of 4.5 per 1,000 square feet of floor area (or less, if land-banking were approved by this Board in accordance with Section 220-6.K(4)(b)[2] of the Zoning Ordinance).

In response to comments at this Board's Work Session held on February 1, 2012, we have prepared two (2) alternate plans for this Board's consideration:

- A. One alternative (A-2) provides a new circulation aisle in the southwesterly portion of the Premises, as recommended by Mayor Vescio, which alternative would require that this Board approve a Special Permit herein, including permission for land-banking of two (2) parking spaces (as shown) in accordance with Section 220-6.K(4)(b)[2] of the Zoning Ordinance; and
- B. The second alternative (A-3) is submitted for your *conceptual* consideration, only, respecting the fact that the owner of the adjacent land (i.e., the A&P Parcel) has not consented to approve any work shown thereon and that it has full and unbridled discretion regarding same. We are taking the unusual step of showing this alternative to you to avoid the need to return to this Board for amendment of the Special Permit should the owner consent to the plan in the near future.



In furtherance of this Application, we respectfully enclose ten (10) sets of the following plans prepared by John Meyer Consulting, PC, entitled, "Chilmark Shopping Center, Pleasantville Road & Orchard Road, Village of Briarcliff Manor" last revised February 23, 2012and numbered and identified as follows:

- a. SP-3 Overall Site Plan" (A-1), which is the plan recommended by the Planning Board in its January 10, 2012 Memorandum;
- b. SP-3 Overall Site Plan" (A-2), which is the plan suggested by Mayor Vescio adding the aisle and requiring land-banking of two (2) parking spaces in accordance with Section 220-6.K(4)(b)[2] of the Zoning Ordinance; and
- c. SP-3 Overall Site Plan" (A-3), which is the plan requiring the future consent and authorization by the owner of the A&P Parcel.

We are respectfully submitting these three (3) alternative plans to the Board, but only alternative A-1 and A-2 are currently proposed by UBP. We are submitting all three alternatives so that this Board may consider adopting conditions to the Special Permit confirming that any of the three alternatives would satisfactorily provide parking for the Premises, subject to the Planning Board's approval of a conforming Site Plan Application.

We respectfully request that these submissions be considered at the Public Hearing scheduled to be held by the Board of Trustees on March 7, 2012.

Thank you for your consideration herein.

Respectfully yours

William'S. Kjull

WSN:yp Enclosures

cc: (w/enclosures): Mr. Philip Zegarelli; Mr. David Turiano; Clinton Smith, Esq.; Daniel Pozin, Esq.; Mr. Patrick Gillespie; Craig H. Feldman, Esq.; Messrs. Willing Biddle and Daniel B. Logue; Messrs. Norman DiChiara and Chris Raffaelli; and Messrs. James Ryan, Robert Aiello and Richard Pearson

# VILLAGE OF BRIARCLIFF MANOR www.briarcliffmanor.org



1111 PLEASANTVILLE ROAD BRIARCLIFF MANOR, N.Y. 10510 TELEPHONE: (914) 941-4800

FAX: (914) 941-4837

# **PUBLIC NOTICE**

NOTICE IS HEREBY GIVEN that the Board of Trustees of the Village of Briarcliff Manor will hold a public hearing at 7:30 p.m. on the 7<sup>th</sup> day of March, 2012 in Village Hall, 1111 Pleasantville Road, Briarcliff Manor, New York to hear and consider a request from Urstadt Biddle Properties Inc. (Chilmark Shopping Center) for the issuance of a Special Use Permit pursuant to Chapter 220, Zoning, Section 6J Special Uses in Retail Districts, Subsection 6.

Christine Dennett,

Village Clerk

Dated: February 16, 2012

2. FY 2011-2012 SIX MONTH BUDGET PRESENTATION

# 3. APPROPRIATION OF FUND BALANCE- EFC PRINCIPLE PAYMENT

BE IT RESOLVED that the Board of Trustees does hereby authorize the the appropriation of fund balance as follows:

From: F0909

Fund Balance

\$404,089

To:

F9901.910

Transfer Capital Loan EFC

\$404,089

And the increase of indebt service

V0102 5033

Transfer in from water

\$404,089

V9790 625

Loan Principle EFC

\$404,089

Village of Briarcliff Manor

Estimated EFC Payment for September 1, 2012 LEVEL DEBT CALCULATION \$15,756,089 (EFC asked for

May payment-(before

Closing)

Part 1 of 2

# **Debt Service Schedule**

Date	Principal	Coupon	Total P+I
09/01/2011			-
09/01/2012	404,089.00		404,089,00
09/01/2013	404,000.00	-	404,000.00
09/01/2014	404,000.00		404,000.00
09/01/2015	404,000.00		404,000.00
09/01/2016	404,000.00	-	404,000.00
09/01/2017	404,000.00		404,000.00
09/01/2018	404,000.00		404,000.00
09/01/2019	404,000.00	-	404,000.00
09/01/2020	404,000.00	<b>4</b>	404,000.00
09/01/2021	404,000.00	-	404,000.00
09/01/2022	404,000.00	<b>~</b>	404,000.00
09/01/2023	404,000.00	-	404,000.00
09/01/2024	404,000.00	·	404,000.00
09/01/2025	404,000.00	•	404,000.00
09/01/2026	404,000.00	-	404,000.00
09/01/2027	404,000.00	•	404,000.00
09/01/2028	404,000.00		404,000.00
09/01/2029	404,000.00	<del>-</del> :	404,000.00
09/01/2030	404,000.00	¥-	404,000.00
09/01/2031	404,000.00	•	404,000.00
09/01/2032	404,000.00		404,000.00
09/01/2033	404,000.00	-	404,000.00
09/01/2034	404,000.00	*	404,000.00
09/01/2035	404,000.00	·	404,000.00
09/01/2036	404,000.00	-	404,000.00
09/01/2037	404,000.00	<del>-</del> :	404,000.00
09/01/2038	404,000.00		404,000.00
09/01/2039	404,000.00	<del>-</del> -	404,000.00
09/01/2040	404,000.00	*	404,000.00
09/01/2041	404,000.00	-	404,000.00
09/01/2042	404,000.00	S 121	404,000.00
09/01/2043	404,000.00	-	404,000.00
09/01/2044	404,000.00		404,000.00
09/01/2045	404,000.00	_	404,000.00
09/01/2046	404,000.00	_	404,000.00
09/01/2047	404,000.00	_	404,000.00
09/01/2048	404,000.00	<u> </u>	404,000.00
09/01/2049	404,000.00	-	404,000.00
09/01/2049	404,000.00	-	404,000.00
Total	\$15,756,089.00	-	\$15,756,089.00

File | EFC Payment (08.09.11).sf | EFC Payment Estimate - Le | SINGLE PURPOSE | 8/17/2011 | 4:32 PM

# 4. TAX CERTIORARI - 430- 450 NORTH STATE ROAD

WHEREAS, Edward E. Alany and Tital Properties, instituted tax certiorari proceedings pursuant to Article 7 of the Real Property Tax Law of the State of New York for 430-450 North State Road (Parcel ID 90.18-1-66); and

WHEREAS, the tax certiorari filings were for Town of Ossining assessment years 2007, 2008 and 2009; and

WHEREAS, the tax certiorari filings relate to Village of Briarcliff Manor fiscal years 2008-2009, 2009-2010 and 2010-2011; and

WHEREAS, a Consent Judgment of the Supreme Court of the State of New York, County of Westchester, was entered on December 20, 2011;

WHEREAS, the Consent Judgment was received after the finalization of the approval of the Village budget for Fiscal Years 2008-2009, 2009-2010, 2010-2011;

WHEREAS, the Village received payment in the amount of \$19,780.37 for the total 2008-2009 Village taxes due on the properties based on the assessed value prior to any adjustment under the Consent Judgment;

WHEREAS, the Village received payment in the amount of \$20,173.14 for the total 2009-2010 Village taxes due on the properties based on the assessed value prior to any adjustment under the Consent Judgment;

WHEREAS, the Village received payment in the amount of \$20,343.23 for the total 2010-2011 Village taxes due on the properties based on the assessed value prior to any adjustment under the Consent Judgment;

NOW THEREFORE, BE IT RESOLVED, that the Board of Trustees does hereby authorize the payment of tax refunds for Fiscal Year 2008-2009, Fiscal Year 2009-2010 and Fiscal Year 2010-2011 in the amounts set forth below based upon assessment values reduced in accordance with the Consent Judgment:

BE IT FURTHER RESOLVED, that the assessment for the Fiscal Years 2008-2009, 2009-2010 and 2010-2011 and shall be adjusted in accordance with the Consent Judgment.

Assessment Year	Address	Original Assessed Value	New Assessed Value	Assessment Reduction	Original Tax Amount	Reduced Tax Amount	Total Abatement
2007	430-450 North State Rd	\$233,000	\$198,000	\$35,000	\$19,780.37	\$16,809.01	\$2971.36
2008	430-450 North State Rd	\$233,000	\$198,000	\$35,000	\$20,173.14	\$17,142.84	\$3030.30
2009	430-450 North State Rd	\$233,000	\$169,000	\$64,000	\$20,343.23	\$14,755.39	\$5587.82
	Total			\$134,000			\$11,589.48

Reduce Expense Account A1964.423 for the refund of Real Property Tax.

#### **BRANDT, STEINBERG & LEWIS LLP**

#### COUNSELORS AT LAW

386 PARK AVENUE SOUTH SUITE 600 NEW YORK, NY 10016-8804

HUBERT J. BRANDT RICHARD A. STEINBERG WILLA I. LEWIS PETER E. BLOND

KATHRYN WEG BRANDT MICHAELLE FRANCOIS (212) 563-2200 FAX (212) 629-4272 EMAIL: BRANDT@BSL-TAXCERT.COM

WWW.BSL-TAXCERT.COM

PETER H. BRANDT (1896-1990)

PATRICK F. BURKE\*
DIRECTOR OF APPRAISAL
\*NOT ADMITTED TO THE BAR

January 20, 2012

Receiver of Taxes Village of Briarcliff Manor 1111 Pleasantville Road Briarcliff Manor, New York 10510

RE:

Edward E. Alany - Trustee (Assessment Years 2007 and 2008)

Titan Properties LLC (Assessment Year 2009)

vs. Town of Ossining, Et Al. Sec: 90.18 Block: 1 Lot: 66

Prem: 430-450 North State Road, Briarcliff, New York

#### Dear Sir Madam:

Enclosed herewith please find a Filed and Entered copy of the Final Judgment on Consent directing refund of overpaid Village real estate taxes pertinent to the above property.

Application is herewith made for refund of overpaid taxes, which pursuant to this Judgment is to be made by check(s) payable to BRANDT, STEINBERG & LEWIS LLP, attorneys for the Petitioner.

Should you have any questions please feel free to contact the undersigned.

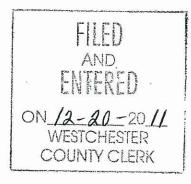
Thank you for your cooperation in this matter.

Very truly yours.

BRANDT, STEINBERG & LEWIS LLP

Hubert J. Brand

HJB:Ir enclosure



At a Special Term, Part IV of the Supreme Court of the State of New York, held in and for the County of Westchester, at the Courthouse, 111 Martin Luther King Blvd., White Plains, New York, on the 6th day of Meanth 1, 2010.

PRESENT:

#### HON. JOHN R. LA CAVA

	Justice.	FINAL JUDGMEN	NT ON CONSENT
In the Matter of	Justico, X	Assessment Year	Index No.
EDWARD E. ALANY – TRUSTEE (Assessment Years 2007 and 2008) TITAN PROPERTIES LLC (Assessment Year 2009),		2007 2008 2009	19775/07 20870/08 21831/09
	Petitioner(s),	Section: 90.18 Blo	ock: 1 Lot: 66
-against-			
THE BOARD OF ASSESSORS AND BO	OARD OF	Prem.: 430-450 No Briarcliff, N	

THE BOARD OF ASSESSORS AND BOARD OF ASSESSMENT REVIEW OF THE TOWN OF OSSINING AND THE BRIARCLIFF MANOR UNION FREE SCHOOL DISTRICT AND THE VILLAGE OF BRIARCLIFF MANOR,

Respondent(s).

The above Petitioner(s) having heretofore served and filed petitions and notices to review the assessments for taxes for the assessment years 2007, 2008 and 2009 of certain real property owned by them in the Town of Ossining, County of Westchester, State of New York, and being the real property named and described by the Petitioner(s) herein, and the issues of these proceedings having duly come on at I.A.S. Part, of the Supreme Court, Westchester County, and after hearing SONNENSCHEIN, SHERMAN & DEUTSCH, LLP, attorneys for the Petitioner(s), by BRANDT, STEINBERG & LEWIS LLP, HUBERT J. BRANDT, ESQ., Of Counsel, and WAYNE SPECTOR, ESQ., Town of Ossining Attorney, attorney for the Respondents, and due deliberation having been had.

NOW upon reading the petitions, all heretofore duly filed herein and upon the subjoined consent of counsel for the respective parties to the entry of this Judgment, it is

ORDERED, ADJUDGED AND DECREED that the assessments for the assessment years 2007, 2008 and 2009 on the following property of the Petitioner(s) be and the same are reduced to and fixed in the following correct amounts:

Assessment	Total	Amount of	Reduced
Year	Assessment	Reduction	Assessment
2007	\$233,000	\$35,000	\$198,000
2008	233,000	35,000	198,000
2009	233,000	64,000	169,000

and it is further

ORDERED, ADJUDGED AND DECREED, that the officer or officers of the Town of Ossining and Board of Education of the Briarcliff Manor Union Free School District and the Village of Briarcliff Manor, having custody of the assessment rolls or the tax rolls upon which the above mentioned assessment and any taxes levied thereon have been entered shall forthwith correct the said entries in conformity to this judgment, and shall note upon the margin of the said rolls, opposite the said entries, that the same have been corrected by the authority of this judgment; and it is further

ORDERED, ADJUDGED AND DECREED, that unless sooner paid, there shall be audited by the Town of Ossining and Board of Education of the Briarcliff Manor Union Free School District and the Village of Briarcliff Manor, and allowed to Petitioner(s), the amounts, if any, paid by the said Petitioner(s), as taxes against the said erroneous assessment in excess of what the taxes would have been if the assessment had been made as ordered, adjudged or determined by this judgment, in accordance with the provisions of law applicable thereto, and also, the proportionate amount of penalties or interest, if any, paid on such excess taxes by reason of delinquent payment; and it is further

ORDERED, ADJUDGED AND DECREED, that the Board of Legislators of the County of Westchester, New York, unless sooner paid, shall audit, allow and pay to the Petitioner(s) the amount, if any, of State, County, and Sewer District taxes for the assessment years 2007, 2008 and 2009 paid by the Petitioner(s) and being in excess of what such taxes would have been if the assessments complained of had been as herein ordered and determined; upon

submission to the Westchester County Commissioner of Finance of a copy of this Final Judgment with Notice of Entry, together with proof of payment of the taxes which are to be refunded; and it is further

ORDERED, ADJUDGED AND DECREED that the above refunds shall be without interest, providing that payment is made within sixty (60) days after service of a copy of this Final Judgment with Notice of Entry, upon the attorney for Respondents, herein, otherwise refunds are to be with interest as provided by Law, and it is further

ORDERED, ADJUDGED AND DECREED that all refunds of overpaid real estate taxes which are paid pursuant to this Final Judgment shall be paid by check or checks to the order of BRANDT, STEINBERG & LEWIS LLP as attorneys for the Petitioner(s).

ENTER
HON, JOHN R. LACAVA
J.S.C.
I.S.C.
HON, JOHN R. LACAVA

J.S.C.

We consent to entry of the above and waive Notice of Settlement.

By: BRANDT, STEINBERG & LEWIS LLP, Of Counsel

By:
HUBERT J. BRANDT, ESC.
Attorneys for Petitioner(s)

WAYNE SPECTOR, ESQ.,
Fown of Ossining Attorney

SONNENSCHEIN, SHERMAN & DEUTSCH, LLP

By: MARC B. SHARFF, ESQ.

Attorneys for Briarcliff Manor Union Free School District

THE OFFICE OF THE WESTCHESTER COUNTY ATTORNEY HAS NO OBJECTION TO THE ENTERING OF THE WITHIN ORDER.

By:\_\_\_\_\_\_COUNTY ATTORNEY
THE COUNTY OF WESTCHESTER

THE OFFICE OF THE WESTCHESTER COUNTY ATTORNEY HAS NO OBJECTION TO THE ENTERING OF THE WITHIN ORDER.

DATED: 12/1/11

THE COUNTY OF WESTCHESTER

= NOTICE OF ENTRY = Sir:-Please take notice that the within is a (certified) true copy of a duly entered in the office of the clerk of the within named court on Dated: Yours, etc., BRANDT, STEINBERG & LEWIS LLP Office and Post Office Address 386 PARK AVENUE SOUTH - SUITE 600 BOROUGH OF MANHATTAN NEW YORK, NY 10016 To Attorney(s) for - NOTICE OF BETTLEMENT

Sir:-Please take notice that an order

M.

of which the within is a true copy will be presented for settlement to the Hon.

one of the judges of the within named Court, at

on at

20

Dated.

Yours, etc.,

#### BRANDT, STEINBERG & LEWIS LLP

Attorneys for

Office and Post Office Address

386 PARK AVENUE SOUTH - SUITE 600

BOROUGH OF MANHATTAN

NEW YORK, NY 10016

To

Attorney(s) for

19775/2007 20870/2008 21831/2009

Index No.

Year '20

Supreme Court: WESTCHESTER COUNTY, NEW YORK

EDWARD E. ALANY - TRUSTEE (Assessment Years 2007 and 2008) TITAN PROPERTIES LLC

(Assessment Year 2009) -againstPetitioner(s),

THE BOARD OF ASSESSORS AND THE BOARD OF ASSESSMENT REVIEW OF THE TOWN OF OSSINING AND THE BRIARCLIFF MANOR UNION FREE SCHOOL DISTRICT AND THE VILLAGE OF

BRIARCLIFF MANOR,

Respondent(s).

#### FINAL JUDGMENT ON CONSENT

#### SONNENSCHEIN, SHERMAN & DEUTSCH, LLP Of Counse BRANDT, STEINBERG & LEWIS LLP.

Attorneys for

Office and Post Office Address, Telephone

386 PARK AVENUE SOUTH - SUITE 600

NEW YORK, NY 10016 BOROUGH OF MANHATTAN (212) 563-2200

To

WAYNE SPECTOR, ESQ.

Attorney(s) for

Attorney for Respondent(s)

Service of a copy of the within

is hereby admitted.

Dated,

Attorney(s) for

1500-JULIUS BLUMBERG, INC., LAW BLANK PUBLISHERS, N.Y.C. 10013

# 5A. AUTHORIZE VILLAGE MANAGER TO APPROVE CHANGE ORDERS – JETT (GENERAL CONSTRUCTION) VBM FWSP

BE IT RESOLVED that the Board of Trustees hereby approves the following change orders as recommended by the Village Manager for a net project increase of \$16,973.51 and a total contract cost of \$5,943,885.34:

Change order Jett-CO23 in the amount of an **INCREASE** of \$7,824.00 for modifications to the outfall structure and new weir plate design;

Change order Jett-CO24 in the amount of an **INCREASE** of \$1,779.00 for the relocation of fencing to allow for pump monument near parking lot;

Change order Jett-CO25 in the amount of an **INCREASE** of \$4,599.00 to furnish and install plywood facing and paint;

Change order Jett-CO26 in the amount of a **DECREASE** of \$1,307.59 for a credit for the Village's payment of electrical costs;

Change order Jett-CO27 in the amount of an **INCREASE** of \$27,985.00 for a modification to the landscaping on the north slope:

Change order Jett-CO28 in the amount of an **INCREASE** of \$3,765.00 for chemical feedback mode programming;

Change order Jett-CO29 in the amount of an **INCREASE** of \$12,242.87 for guiderail installation on Neperan Road;

Change order Jett-CO30 in the amount of an **INCREASE** of \$2,017.86 for the installation of additional underdrain around the Pump Station;

Change order Jett-CO31in the amount of an **INCREASE** of \$778.37 for piping modification for caustic soda "NaOH" transfer;

Change order Jett-CO32 in the amount of a **DECREASE** of \$42,710.00 for modifications to the contract not performed or not required; NOW

NOW THEREFORE BE IT FURTHER RESOLVED, the funds will be drawn from contingency in account H8397.201.10PGC for change order approval from the New York State Environmental Facilities Corporation for the Full Water Supply Project and that the VM is hereby authorized and directed to pay Jett Industries the amount so approved.

# 5B. AUTHORIZE VILLAGE MANAGER TO APPROVE CHANGE ORDERS (TALT ELECTRICAL CONTRACTOR) – FWSP

BE IT RESOLVED that the Board of Trustees hereby approves the following change orders as recommended by the Village Manager for a net project **INCREASE** of \$11,584.75 for a total contract cost of \$1,574,038.36:

Change order Talt-CO15 in the amount of an **INCREASE** of \$1,541.47 for the wiring of two fire dampers;

Change order Talt-CO16 in the amount of an **INCREASE** of \$1,602.35 for conduit and wiring for new temperature and pressure sensors;

Change order Talt-CO17 in the amount of an **INCREASE** of \$3,053.07 for conduit and wiring for new backflow preventer;

Change order Talt-CO18 in the amount of an **INCREASE** of \$1,752.38 for an additional alarm in the electrical room;

Change order Talt-CO19 in the amount of an INCREASE of \$3,635.48 for additional conduit and wiring for a three phase Power to Booster pump and electric valve; NOW

BE IT FURTHER RESOLVED, the funds will be drawn from contingency in account H8397.201.10PEL for change order approval from the New York State Environmental Facilities Corporation for the Full Water Supply Project and that the VM is hereby authorized and directed to pay Talt Electrical the amount so approved.

# 6. BUDGET AMENDMENT – SCARBOROUGH ROAD RESTORATION

BE IT RESOLVED that the Capital budget for fiscal year 2011-2012 is hereby amended to accept monies from Consolidated Edison for a project to restore Scarborough Road as follows:

Increase Expense Budget - Paving 10-11 (H5110.201.11590) by \$ 63,000

Increase Revenue Budget - Unclassified Revenue (H0101.2770) by \$63,000

# VILLAGE OF BRIARCLIFF MANOR 1111 PLEASANTVILLE ROAD BRIARCLIFF MANOR, N.Y. 10510



WWW.BRIARCLIFFMANOR.ORG

TELEPHONE: (914) 941-4800

FAX: (914) 941-4837

SOLD TO:

Consolidated Edison

315 Old Saw Mill River Road

Valhalla, NY 10595

INVOICE #

012012 01/22/12

QNTY	DESCRIPTION	PRICE	AMOUNT
1.0	Scarborough Road Restoration	A CONTRACTOR OF THE CONTRACTOR	\$ 63,000.00
* 3			
	· _	*	
		TOTAL AMOUNT OF THIS INVOICE	\$63,000.00



4 Irving Place, New York, NY 10003

CHECK NUMBER 0000325818

PAYEE CODE V2306

PLEASE INDICATE CONSPICUOUSLY THIS

UNIQUE CODE ON FUTURE INVOICES

02/07/2012

Pick-Up Employee: RI

RIVERA.CH

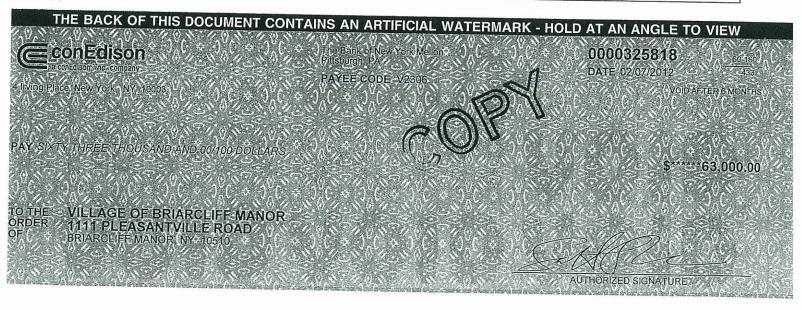
Pick-Up Location:

315 SAWMILL RIVER RD - GREENBURGH W010

Check Number:

0000325818

ACCOUNTS PAY	YABLE				
Vendor Invoice Number	Vendor Invoice Date	Invoice Reference Number	Invoice Amount	Discount/Deductions	Total
012012	01/22/2011	6909339	\$63,000.00	ioodiiabeddelions	
		ar bears	750,550.55		\$63,000.00
					* *
					a)
NAME OF THE OWNER OWNER OF THE OWNER		TOTAL ♦	\$63,000.00		\$63,000.00



# **Memorandum for the Record**

6 March 2012

The following is provided as a summary reconciliation regarding sources and uses of available, pre-approved capital to be utilized for the following three (3) bid awards:

- 1. Exterior Lighting (Village Hall Complex);
- 2. Sidewalks at North State Road
- 3. Guiderail (North State Road reconstruction)



# **Sources of Capital:**

H21440.201.11265	Opening Balance:	\$42,365.00
Less Exterior Lighting		\$42,365.00
<b>Closing Balance:</b>		-0-

	201.08484 Opening Balance: ate Road Improvements:	\$198,375.00
Less:	Net for Exterior Lighting:	\$30,085.00
Less:	Sidewalks at North State Road:	\$25,877.00
Less:	Guiderail at North State Road	\$18,556.00
Closing	Balance:	\$123,857,00

# **Uses of Capital:**

Exterior Lighting (Talt Electric) VM-1112-05:  Total:	Base: Alternate: 5% Contingency:	\$53,500.00 15,500.00 <u>3,450.00</u> \$72,450.00
Sidewalks (Paladino Concrete) VM-1112-07:	Base: Alternate: 5% Contingency:	\$22,740.00 1,137.00 2,000.00
Total:		\$25,877.00
Guiderail ChemungSupply Corp) VM1112-08: Total:	Base: Alternate: 10% Contingency:	\$15,960.00 1,596.00 1,000.00 \$18,556.00
. 5 56.7		Ψ10,000.00

Total Costs of 3 Projects:	\$116,883.00
Total Available Capital:	<u>\$240,740.00</u>
Net Available (open/unused):	\$123,857.00

# VILLAGE OF BRIARCLIFF MANOR www.briarcliffmanor.org



1111 PLEASANTVILLE ROAD BRIARCLIFF MANOR, N.Y. 10510 TELEPHONE: (914) 944-2770

FAX: (914) 941-4837

#### **MEMORANDUM**

March 6, 2012

To: Philip E. Zegarelli, Village Manager

From: David J. Turiano, P.E. WAVD

Re: Municipal Building Exterior Site Lighting Upgrades VM-1112-05

Sidewalk Improvements North State Road VM-1112-07 Guide Rail Project North State Road – VM-1112-08

Dear Phil:

With regard to the above projects, in each instance the vendor has successfully worked for the Village in the past and completed their respective work in a timely and workmanlike manner without any issues. Particular details are as follows:

## Municipal Building Exterior Site Lighting Upgrades VM-1112-05 – Talt Electric

Talt Electric performed the electrical work for the Full Water Supply Project, which was a large scale project. As far as a smaller scale project similar to that proposed, Talt performed the new interior lighting in the Village offices as well as in the Fire Department apparatus bays. All of the work performed by them, both large and small scale, were satisfactory and without issues.

# Sidewalk Improvements North State Road VM-1112-08 - Paladino Concrete Creations Corp.

Palladino was awarded several projects by the Village for plain and stamped concrete sidewalks. The first project performed was the sidewalks on Pleasantville Road from the Mount Pleasant border north to the Taconic State Parkway exit ramp. Subsequent project included all of the sidewalk curbs and light bole bases at the Scarborough Train Station. The last project performed that included stamped concrete similar to that proposed is the sidewalk and curb ramps along the front and side of the municipal building. There were no problems with any of this work.

# Guide Rail Project North State Road VM-1112-08 - Chemung Supply Corp.

Chemung has been awarded two separate guide rail projects over the past several years having a combined value of approximately \$50,000. The work that they provided is similar to the work proposed on North State Road. All work has been completed in a satisfactory manner.

I hereby recommend that each of the above vendors be awarded the respective contracts.

# 7A. AWARD OF BID – MUNICIPAL BUILDING EXTERIOR SITE LIGHTING UPGRADES

WHEREAS the Village received 4 bids for the Municipal Building Exterior Site Lighting Upgrades Project (VM-1112-5); and

WHEREAS, the Village of Briarcliff Manor Capital Fund has designated \$42,365 from H.1440.201.11265 for the 2011-2012 Municipal Building Exterior Site Lighting Upgrades Project and additional monies will be drawn from H5110.201.08484; and

BE IT RESOLVED that the bid for the Municipal Building Exterior Site Lighting Upgrades (VM-1112-5) is hereby awarded to Talt Electric with their base bid proposal of \$53,500 and Alternate #2 for Antique style lighting of \$15,500; a 5% contingency component of \$3,450 for a total project cost not to exceed \$72,450.

THEREFORE, BE IT FURTHER RESOLVED that the Village Manager is hereby authorized and directed to execute a contract with Talt Electric for said project.

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FAX: (914) 941-4837

#### MEMORANDUM

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February 9, 2012

To:

Philip E. Zegarelli - Village Manager

From:

David J. Turiano, P.E. () AND

Re:

Municipal Building Exterior Site Lighting Upgrades

VM-1112-05

Dear Phil:

Bids were opened on Friday, February 3, 2012 at 11:00 a.m. for the above referenced project. Present at the bid opening was David J. Turiano, P.E. and Gerald Quartucio. Four bids were received with the bid tabulation below.

The scope of work is the installation of new and upgraded exterior lighting for the Municipal Building. Specific improvements include replacement of existing building mounted and site lighting with new fixtures, utilizing the same controls. New parking lot lighting is also planned whereby three new fixtures, *Antique steel lamps* (see drawing attached), identical to the new fixtures installed at the Scarborough Train Station will be installed in the existing center island. Removal and replacement of the existing trees, which are in very poor state of repair, is also planned.

Bid together with this project was the installation of new street lighting on the south side of North State Road between NYS 9A and Pleasantville Road. This work was bid as Alternate #1 and #2, with Alternate #1 being the *Spring City heavy cast iron fixtures* (see drawing attached), that line Pleasantville Road and Alternate #2 being the *Antique street lamps*.

Lynstarr Engineering P.C. prepared the contract documents for this work and the necessary lighting studies to design fixtures that would provide for uniform lighting without spilling over into neighboring properties.

The bids were reviewed by the Village of Briarcliff Manor. The low bidder is Talt Electric with a base bid cost of \$53,500.00. Talt Electric has successfully performed several projects for the Village, including the electrical work at the Full Water Supply Project (FWSP).

Total project costs and available monies are indicated in the below tabulations:

Bidder	Price	Alt. #1 Spring City	Alt. #2 Antique	Base bid & Alt. #2
Talt Electric	\$53,500.00	\$23,500.00	\$15,500.00	\$69,000.00
D&M Electrical Contracting, Inc.	64,620.00	28,377.00	18,890.00	83,510.00
Verde Electric Maintenance Corp.	54,900.00	32,300.00	25,050.00	79,950.00
PRM Electric, Inc.	70,000.00	31,500.00	23,000.00	93,000.00

Remaining Project Cost	Project
Construction	\$69,000.00
Contingency 10%	6,900.00
Inspection	Funded
<b>Total Project Cost</b>	\$75,900.00

Available Funding		
Title	Code	Amount
<b>Exterior Lighting Improvements</b>	H.1440.201.11265	\$ 42,365.00
North State Road/Pleasantville Road		
Streetscape Improvements	H.5110.201.08484	198,375.00
<b>Total Funding Available</b>		\$240,740.00

Based on the above, I recommend (1) that the Village install the *Antique street lamps* as they provide for the most uniform lighting, and (2) that the Village award the base contract and Alternate #2 to Talt Electric in the amount of \$69,000.00.

Please feel free to contact me if you have any questions with the above.

Attachments

Catalog Number EPAX 12 S4 ANVG EAJ4/1 ANVG EH16RT 150M MED GCF SR3 TB1 1DS ANVG Notes Type

> Hanover Series Small Luminaire

> > EAJ4 Series Arm

**Eurotique Aluminum Pole** 

#### **SPECIFICATIONS**

Eurotique Series Aluminum Pole, 4" diameter, 10.5" diameter Base

- . 12'-0" post height
- · #EPAX 12 S4 ANVG

#### ARM

EAJ4 Aluminum Arm

- mounts to 3-3/8T11 post tenon
- . #EAJ4/1 ANVG

#### LUMINAIRE

Hanover Series Small Luminaire, 16" wide x 16" high with Clear Glass Flat Lens

- . Star Nights: Full Cut-off
- . #EH16RT 150M MED GCF SR2 TB1 1DS ANVG

#### ACCESSORIES

None.

#### INSTALLATION

The top of the luminaire mounts to a Eurotique arm plumbmizer. A handhole with cover is provided in the lower shaft for wining access. A two-piece aluminum cover conceals the pole anchor boils. The arm slip-fits the post tenon with stainless steel socket set screws.

- 7'Ø bolt circle.
- 0.75" x 18" L-type, hot-dip galvanized anchor boits. 36000 psi.

#### FINISH

All metal parts are finished with a Werde Green polyaster powder coat, brushed highlights

. #ANVG

#### **Dimensions**

- . Light Center Height: 13'-5.5"
- . Overall Post Height: 16'-3"

#### Anchorage/Orientation Plan

Street Side

date



Wind Loads
Windloading for this post and accessories has been checked for the 90 mph winds where the post will be installed and has passed.

Customer Approval:

DAVID TREIAN signature

Job Name: SIZIAIC VILLAGE Client Name:

Created By, Vernon Whitehouse

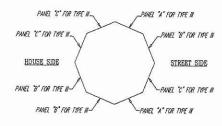
Date: 01-Nov-10

www.AntiqueStreetLamps.com

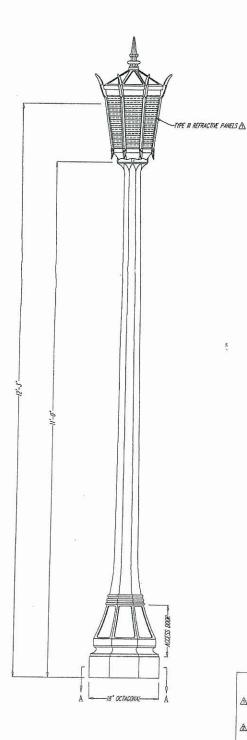
Dwg. # ASL-20003584

Page: 2 of 2

This drawing is property of Spring City Elect. Mig. and is issued to the recipient with the understanding that it shall not be copied, displicated, passed on to unauthorized parties, nor used for any purpose other than that or which it is specifically furnished except with Spring City's written permission.



PANEL LAYOUT FOR TYPE III DISTRIBUTION



LUMINAIRE SPECIFICATIONS

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32 L/4\*
MOTH.
20\*
MATERIL.
CAST ALUMENA
PARELS.
REFRACINE POLICABBONATE
PRINSE:
PRINSE PRINC PRINT SHERIM MILLIAUS 2 PART RECOATABLE
EFFORT PRINER (BISTNS — PART G AND BOTTS — PART H]

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120 VOLT.
SOCIET.
MOCIL BASE
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176 MI — ASTAMETRIC DISTRIBUTION

LAMP POST SPECIFICATIONS

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12'-3'

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GROUND STUD PROVISIONS

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AND ARE DESCRIBED

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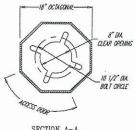
1' GU MANAZED MIT AND 1' CALVANIZED MASHER FER BOLT)

BULL PROJECTION:

3' REQUEED

7' DAY X 3/4' MICH

AQUANTITY ...... 4 REQUIRED POST MATERIAL: 1 PIECE CAST IRON PER S.O. #: 110584



SECTION A-A

A REVISED BY: B.K.R.	DATE: 08-31-01
A REVISED BY: T.C.L.	DATE: 05-16-00
A REVISED BY: T.C.L.	DATE: 02-16-00
⚠ REVISED BY: B. REINERT	DATE: 09-27-92



Spring City Electrical Mfg. Co.

HALL AND MAIN STREETS - P.O. DRAWER IS - SPRING CITY, PA. 18475 - FAX (610) 948-1020 FAX (610) 948-5577

PROJECT HISTORY	
A CUNTITY 5 REQUIRED WATERIAL: CAST ALUMINIAN PER S.O. R. 95-375	-
A COUNTRY I RECURRED MATERIAL: CAST ALLAMANI PER S.A. A. 100078	-

DESCRIPTION				
CUSTOMER				
JOB	VILLAGE OF BRIARCLIFF MANOR, NY			
SCALE	DRAWN BY:	DATE	DRAWNC NO.	
N. T.S.	B. REINERT	09-13-95	LP-22277	

# 7B. AWARD OF BID - SIDEWALK IMPROVEMENTS NORTH STATE ROAD

WHEREAS the Village received 4 bids for the Sidewalk Improvements North State Road Project (VM-1112-7); and

WHEREAS, the Village of Briarcliff Manor Capital Fund has designated \$198,375 from H.5110.201.08484 for the 2011-2012 Sidewalk Improvements North State Road Project; and

NOW THEREFORE BE IT RESOLVED that the bid for the Sidewalk Improvements North State Road Project (VM-1112-7) is hereby awarded to Paladino Concrete Creations Corp. for their alternate bid proposal of \$22,740, a 5% contingency component of \$1,137and other miscellaneous costs totaling \$2,000 for a total project cost not to exceed \$25,877.

THEREFORE, BE IT FURTHER RESOLVED that the Village Manager is hereby authorized and directed to execute a contract with Paladino Concrete Creations Corp. for said project.

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FAX: (914) 941-4837

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OK to go based on thushold \$

#### MEMORANDUM

February 9, 2012

To:

Philip Zegarelli – Village Manager

From:

David J. Turiano, P.E. PAND

Re:

Sidewalk Improvements North State Road

VM-1112-07

Dear Phil:

Bids were opened on Friday, January 27, 2012 at 11:00 a.m. for the above referenced project. Present at the bid opening was Gerald Quartucio and Georgina Gauldino. Four bids were received with the bid tabulation below.

The scope of work is to remove and replace concrete sidewalks and related work including complete site restoration on North State Road. On North State Road, between NYS 9A and Pleasantville Road, an agreement was made with the DOT whereby it replaced the entire curb line rather than selective replacement at the damaged area. In return, the Village is obligated to replace the sidewalk although the DOT did prepare and provide the sub-base. Stamped concrete, similar to in front of the Village offices, was bid as the alternate and is recommended by this office.

The bids were reviewed by the Village of Briarcliff Manor. The low bidder is Paladino Concrete Creations Corp. at a cost of \$22,740.00.

Total project costs and available monies are indicated in the below tabulations:

Bidder	Price	Alternate
Landi Contracting, Inc.	\$19,370.00	\$37,410.00
Paladino Concrete Creations Corp.	16,443.50	22,740.00
Accocella Contracting, Inc.	19,502.50	29,910.00
Northeast Landscape & Masonry Associates	24,711.00	33,436.00

Remaining Project Cost	Project
Construction	\$ 22,740.00
Contingency 10%	2,274.00
Inspection	2,000.00
As-Built	N/A
Total Project Cost	\$ 27,014.00

Paladino Concrete Creations has successfully completed several sidewalk projects for the Village including stamped concrete sidewalks.

Available Funding		
Title	Code	Amount
*North State Road/Pleasantville Road	H5110.201.08484	\$198,375.00
<b>Total Funding Available</b>		\$198,375.00

<sup>\*\*</sup>Project complete – remaining funds.

Based on the above, I recommend that the Village award the contract to Paladino Concrete Creations Corp. in the amount of \$22,740.00.

Please feel free to contact me if you have any questions with the above.

Attachments

# 7C. AWARD OF BID - GUIDE RAIL PROJECT - NORTH STATE ROAD

WHEREAS the Village received 3 bids for the Guide Rail Project North State Road Project (VM-1112-8); and

WHEREAS, the Village of Briarcliff Manor Capital Fund has designated \$198,375 from H.5110.201.08484 for the 2011-2012 Guide Rail Project North State Road; and

NOW THEREFORE BE IT RESOLVED that the bid for the Guide Rail Project North State Road (VM-1112-8) is hereby awarded to Chemung Supply Corp. for their alternate bid proposal of \$15,960, a 10% contingency component of \$1,596 and other miscellaneous costs totaling \$1,000 for a total project cost not to exceed \$18,556.

THEREFORE, BE IT FURTHER RESOLVED that the Village Manager is hereby authorized and directed to execute a contract with Chemung Supply Corp. for said project.

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MEMORANDUM

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OK to go based on threshold &

February 9, 2012

To:

Philip E. Zegarelli – Village Manager

From:

David J. Turiano, P.E. DAV

Re:

Guide Rail Project- North State Road

VM 1112-08

Dear Phil:

Bids were opened on Friday, February 3, 2012 at 11:00 am for the above referenced project. Present at the bid opening was David J. Turiano, P.E., Building Inspector, and Gerald Quartucio. Three bids were received with the bid tabulation below.

The scope of work is to install approximately 240 l.f. of Guide Rail with End Sections at the south side of North State Road between NYS 9A and Pleasantville Road. At this location, the DOT recently replaced the box culvert and reinstalled the existing guide rail. As part of a comprehensive plan to restore and renew the sidewalks, lighting and guide rails, the Village bid the box beam type guide rail together with other alternative types of guide rail. My office recently spoke to the DOT regarding the pros and cons of various guide rail types. Based on this discussion, my office is not recommending the use of *Corten Finished Products*, leaving either Powder Coated Brown or Galvanized Box Beam type. For aesthetic reasons, my office is recommending Alternate #1, Powder Coated Box Beam.

The low bidder for Alternate #1 was Chemung Supply Corp. who has performed several satisfactory projects for the Village in the past and is hereby recommended.

Total project costs and available monies are indicated in the below tabulations:

Bidder	Total Bid	Alt. #1	Alt. #2	Alt. #3
Chemung Supply Corp.	\$ 9,268.00	\$15,960.00	\$12,076.75	\$17,401.75
Mohegan Associates, Inc.	13,240.00	18,440.00	12,680.00	12,340.00
Yaboo Fence Co., Inc.	13,480.00	20,800.00	11,120.00	12,920.00

Remaining Project Cost	Project		
Construction	\$ 15,960.00		
Contingency 15%	2,394.00		
Inspection	1,000.00		
As-Built	N/A		
Total Project Cost	\$ 19,354.00		

Available Funding		
Title	Code	Amount
*North State Road/Pleasantville Road	H5110.201.08484	\$198,375.00
Total Funding Available		\$198,375.00

Based on the above, I recommend that the Village award the contract to Chemung Supply Corp. in the amount of \$15,960.00.

Please feel free to contact me if you have any questions with the above.

Attachments

# 8. AMEND MASTER FEE SCHEDULE

BE IT RESOLVED that the Board of Trustees does hereby amend the Master Fee Schedule for the Village of Briarcliff Manor as follows:

Adult Group Tennis Lessons 120 3/2/2011 150 n/a Youth Group Tennis Lessons 105 3/2/2011 120 n/a  Summer Day Camp				PREVIOUS DATE	PROPOSED	BMSD
Adult Group Tennis Lessons 120 3/2/2011 150 n/a Youth Group Tennis Lessons 105 3/2/2011 120 n/a  Summer Day Camp	RECREATION	LICENSE OR PERMIT	EXISTING	AMENDED	FYE 2013 FEES	CAMP
Adult Group Tennis Lessons 120 3/2/2011 150 n/a Youth Group Tennis Lessons 105 3/2/2011 120 n/a  Summer Day Camp		and the second s				THE RESERVE AND PERSONS ASSESSED.
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Summer Day Camp		Adult Group Tennis Lessons	120	3/2/2011	150	n/a
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E-II D						
Full Day - any 4 weeks NEW 700 875 Extended Day Option –				INEVV	700	0/5
Seasonal Rate - 5 weeks NEW 275 345				NEW	275	345
Super Camp		Super Camp				
Half Day - entire 5 weeks NEW 510 640		Half Day - entire 5 weeks		NEW	510	640
Half Day - any 4 weeks NEW 460 575		Half Day - any 4 weeks		NEW	460	575
Full Day - entire 5 weeks NEW 800 1000		Full Day - entire 5 weeks		NEW	800	1000
Full Day - any 4 weeks NEW 700 875				NEW	700	875
Extended Day Option – Seasonal Rate - 5 weeks NFW 275 345				NIENA		
Seasonal Rate - 5 weeks NEW 275 345		Seasonal Rate - 5 weeks		NEW	275	345
Camp Adventure		Camp Adventure				
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Camp Horizon		Camp Horizon				
Half Day Plus - entire 5						
weeks NEW 800 1000				NEW	800	1000
Half Day Plus - any 4 weeks NEW 700 875		Half Day Plus - any 4 weeks		NEW		

# Pool & Tennis Permit Fees

School District -	Child Tennis	165	3/2/2011	150
Seasonal Permits	Adult Tennis	255	3/2/2011	205
	Family Tennis	620	3/2/2011	<b>ELIMINATE</b>
	Senior Tennis	165	3/2/2011	150
Other Pool & Tennis				
Fees	Tennis Guests - Daily	5		10
	Tennis 10-Guest Pass	40		80
	Swim Team 2/15/07	125	2/15/2007	140
	3rd Child Discounted Fee	65	2/15/2007	70
	Learn to Swim Week School / PTA Pool Parties	20		50
	3hrs School / PTA Pool Parties		NEW	220
	4hrs		NEW	300