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AGENDA
APRIL 4, 2012
BOARD OF TRUSTEES
VILLAGE OF BRIARCLIFF MANOR, NEW YORK
REGULAR MEETING – 7:30 PM

1. Public Hearing Fiscal Year 2012-2013 Tentative Budget (to be continued to April 18th)

Board of Trustees Announcements

Village Managers Report

Public Comments

2. Fire Department Service Awards Program
3. Budget Amendment – Dare Merchandise
4. Award of Bid
 - a) Trailer Mounted Sewer Cleaner
 - b) Heavy Duty Full Size Garbage Truck *(Memo to Follow)*
5. Budget Amendment – Trust and Agency Accounts – Planning Board and Guarantee and Bid Deposits
6. Tax Certiorari
 - a) Wyndcrest Condominium
 - b) Tudor III Realty, LLC
 - c) Briarcliff Station
7. Authorize Village Manager to Execute an Agreement with New York City Department of Environmental Protection – Long Hill Road Pump Station
8. Minutes
 - March 21, 2012 – Regular Meeting
 - March 29, 2012 – Special Meeting

NEXT REGULAR BOARD OF TRUSTEES MEETING – APRIL 18, 2012

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
APRIL 4, 2012

1. PUBLIC HEARING – FISCAL YEAR 2012-2013 TENTATIVE BUDGET

Please remember to bring your budget binder with you to the meeting.

BE IT RESOLVED that the Public Hearing for the Fiscal Year 2012-2013 Tentative Budget is hereby continued to April 18, 2012 at 7:30pm.

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
APRIL 4, 2012

2. FIRE DEPARTMENT SERVICE AWARDS PROGRAM

BE IT RESOLVED, that the Volunteer Firefighter Service Award Program list for all 2011 active firefighters of the Briarcliff Manor Fire Company, the Briarcliff Manor Hook, Ladder & Fire Company and the Scarborough Engine Company is hereby approved.

BE IT FURTHER RESOLVED that the list shall be directed to the respective fire companies for posting for a period of thirty (30) days.

2011 SERVICE AWARD PROGRAM FIREFIGHTER RECORDS
VILLAGE OF BRIARCLIFF MANOR

Briarcliff Manor Fire Company

#	Last Name	First Name	MI	Date of Birth mm/dd/yy	Prior Service Credit	Service Credit 1993-2010	2011 Points Earned	Mailing Address	Program Status
1	Alecci	Dominick	J.		4	11	0	Briarcliff Manor, NY 10510	Active
2	Bennett	Shaun	D.		0	2	118	Briarcliff Manor, NY 10510	Active
3	Blevins	Jason			0	3	62	Briarcliff Manor, NY 10510	Active
4	Brandt	Matthew			0	1	14	Briarcliff Manor, NY 10510	Active
5	Brunner	Christopher	J.		0	7	0	Pfafftown, NC 27040	Active
6	Cacciola	Douglas	R.		0	13	94	Briarcliff Manor, NY 10510	Active
7	Caruso	Kate			0	2	8	Ossining, NY 10562	Active
8	Caruso	Vincent			0	4	119	Ossining, NY 10562	Active
9	Cascone	Jason			0	3	0	White Plains, NY 10606	Active
10	Caulfield	Cole			0	3	2	Briarcliff Manor, NY 10510	Active
11	Crawford	Jason	L.		0	9	76	Yorktown Heights, NY 10598	Active

2011 SERVICE AWARD PROGRAM FIREFIGHTER RECORDS
VILLAGE OF BRIARCLIFF MANOR

Briarcliff Manor Fire Company

#	Last Name	First Name	MI	Date of Birth mm/dd/yy	Prior Service Credit	Service Credit 1993-2010	2011 Points Earned	Mailing Address	Program Status
12	Crosswell	Rachel			0	1	0	Briarcliff Manor, NY 10510	Active
13	Dubac	Eric	S.		0	10	30	Briarcliff Manor, NY 10510	Active
14	Farrington	Thomas			5	15	79	Ossining, NY 10562	Active
15	Fleischman	Alan	M.		5	15	61	Ossining, NY 10562	Active
16	Friedel	Thomas	M.		0	1	53	Briarcliff Manor, NY 10510	Active
17	Fulfree	Gregory			0	4	0	Briarcliff Manor, NY 10510	Active
18	Fulfree	Peter	J.		0	5	143	Briarcliff Manor, NY 10510	Active
19	Gallagher	Martin	P.		5	18	98	Ossining, NY 10562	Active
20	Gallagher	Peter	J.		0	4	62	Briarcliff Manor, NY 10510	Active
21	Guilmette	David			0	1	116	Briarcliff Manor, NY 10510	Active
22	Gullo	Matthew	P.		0	7	13	Briarcliff Manor, NY 10510	Active

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VILLAGE OF BRIARCLIFF MANOR

Briarcliff Manor Fire Company

#	Last Name	First Name	MI	Date of Birth mm/dd/yy	Prior Service Credit	Service Credit 1993- 2010	2011 Points Earned	Mailing Address	Program Status
23	Harrison	Eric	J.		0	2	0	<u>Briarcliff Manor, NY 10510</u>	Active
24	Haxhia	Behar			0	2	50	<u>Briarcliff Manor, NY 10510</u>	Active
25	Johnson	Debra	A.		5	18	76	<u>Briarcliff Manor, NY 10510</u>	Active
26	Johnson	William	A.		5	15	50	<u>Briarcliff Manor, NY 10510</u>	Active
27	Kossow	William	T.		5	12	0	<u>Middleburgh, NY 12122</u>	Active
28	LaBruzzo	Carmelo			5	18	99	<u>Briarcliff Manor, NY 10510</u>	Active
29	Lehning	Robert	C.		5	7	64	<u>Peekskill, NY 10566</u>	Active
30	Leihbacher	Rachel	M.		5	18	133	<u>Briarcliff Manor, NY 10510</u>	Active
31	Lichter	Justin	S.		0	1	0	<u>Briarcliff Manor, NY 10510</u>	Active
32	Malarchuk	Alex	W.		0	9	0	<u>Briarcliff Manor, NY 10510</u>	Active
33	Marcel	John	J.		0	7	79	<u>Briarcliff Manor, NY 10510</u>	Active

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VILLAGE OF BRIARCLIFF MANOR

Briarcliff Manor Fire Company

#	Last Name	First Name	MI	Date of Birth mm/dd/yy	Prior Service Credit	Service Credit 1993-2010	2011 Points Earned	Mailing Address	Program Status
34	McVeigh	Trevor			0	1	120	Briarcliff Manor, NY 10510	Active
35	Mezzatesta	John	P.		0	5	12	Briarcliff Manor, NY 10510	Active
36	Miller	Joshua			0	4	4	Ossining, NY 10562	Active
37	Motta	Michael	A.		0	6	53	Briarcliff Manor, NY 10510	Active
38	Neski	Steven			3	16	50	Briarcliff Manor, NY 10510	Active
39	Pastore	Richard			0	1	50	Briarcliff Manor, NY 10510	Active
40	Pugliese	Catherine	S.		5	6	0	Briarcliff Manor, NY 10510	Active
41	Pugliese	Joseph	F.		5	6	0	Briarcliff Manor, NY 10510	Active
42	Reilly	Dennis	L.		0	9	130	Briarcliff Manor, NY 10510	Active
43	Reilly	Kyle	J.		0	3	0	Briarcliff Manor, NY 10510	Active
44	Reilly	Timothy	J.		5	9	0	Buchanan, NY 10511	Active

2011 SERVICE AWARD PROGRAM FIREFIGHTER RECORDS
VILLAGE OF BRIARCLIFF MANOR

Briarcliff Manor Fire Company

#	Last Name	First Name	MI	Date of Birth mm/dd/yy	Prior Service Credit	Service Credit 1993-2010	2011 Points Earned	Mailing Address	Program Status
45	Reilly, Jr.	Lawrence	I.		5	18	98	Briarcliff Manor, NY 10510	Active
46	Rice	Matthew			0	3	0	Ossining, NY 10562	Active
47	Sullivan	Paul	J.		0	12	62	Briarcliff Manor, NY 10510	Active
48	Tani	Masato	M.		0	1	57	Eastchester, NY 10709	Active
49	Urban	Linda	L.		0	14	59	Briarcliff Manor, NY 10510	Active
50	Uyterlinde	Aire			0	2	87	Ossining, NY 10562	Active
51	Weiner	Carl	M		5	13	36	Briarcliff Manor, NY 10510	Active
52	Welsh	William	J.		0	7	102	Briarcliff Manor, NY 10510	Active
53	White	Jay	C.		5	18	84	Ossining, NY 10562	Active
54	Ashar	Dhirendra	L.		0	7	113	Briarcliff Manor, NY 10510	Entitled 6/10
55	Catalfamo	Carmelo			3	2	14	Briarcliff Manor, NY 10510	Entitled 1/97

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Briarcliff Manor Fire Company

#	Last Name	First Name	MI	Date of Birth mm/dd/yy	Prior Service Credit	Service Credit 1993-2010	2011 Points Earned	Mailing Address	Program Status
56	DeAngelis	William	J.		5	4	8	Briarcliff Manor, NY 10510	Entitled 6/11
57	Dorsey	Edward	T.		5	1	0	Golden, CO 80403	Entitled 6/04
58	Engelhardt, Jr.	Martin			0	1	79	Briarcliff Manor, NY 10510	Entitled 6/11
59	Guilmette	Peter	D.		5	18	0	Briarcliff Manor, NY 10510	Entitled 6/06
60	Holowach	Aleck			0	5	0	Briarcliff Manor, NY 10510	Entitled 6/09
61	Johnson	Arthor			5	1	0	Briarcliff Manor, NY 10510	Entitled 1/94
62	Kossow	William	H.		5	1	0	Briarcliff Manor, NY 10510	Entitled 1/94
63	LePage	John	L		1	11	9	Briarcliff Manor, NY 10510	Entitled 6/11
64	Marell	James	K.		0	7	59	Ossining, NY 10562	Entitled 6/09
65	Seaman	Peter			5	1	0	Briarcliff Manor, NY 10510	Entitled 1/94
66	Sharman	William			5	1	13	Briarcliff Manor, NY 10510	Entitled 1/94

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VILLAGE OF BRIARCLIFF MANOR

Briarcliff Manor Fire Company

#	Last Name	First Name	MI	Date of Birth mm/dd/yy	Prior Service Credit	Service Credit 1993-2010	2011 Points Earned	Mailing Address	Program Status
67	Bakker	Joyce	E.		5	1	<u>0</u>	Harwich, MA 02645	Vested/Inactive 98
68	Bakker, Jr.	John	T.		4	2	<u>0</u>	Harwich, MA 02645	Vested/Inactive 98
69	Blevins	Jeanne	M.		3	3	<u>0</u>	Briarcliff Manor, NY 10510	Vested/Inactive 99
70	Blevins	Robert	W.		5	3	<u>0</u>	Briarcliff Manor, NY 10510	Vested/Inactive 99
71	Burns	John	L.		5	2	<u>0</u>	Briarcliff Manor, NY 10510	Vested/Inactive 96
72	Gallagher	Lisa			5	3	<u>0</u>	Stormville, NY 12582	Vested/Inactive 97
73	Kelly	Edward	J.		3	5	<u>0</u>	Briarcliff Manor, NY 10510	Vested/Inactive 98
74	Kelly	Jennifer	A.		2	4	<u>0</u>	Cortlandt Manor, NY 10567	Vested/Inactive 98
75	Milgiore	James			5	3	<u>0</u>	Briarcliff Manor, NY 10510	Vested/Inactive 99
76	Ozzello	Robert	J		5	3	<u>0</u>	Hopewell Junction, NY 12533	Vested/Inactive 99
77	Turco	Michael	S.		1	8	<u>0</u>	Ossining, NY 10562	Vested/Inactive 01

2011 SERVICE AWARD PROGRAM FIREFIGHTER RECORDS
VILLAGE OF BRIARCLIFF MANOR

Briarcliff Manor Fire Company

#	<u>Last Name</u>	<u>First Name</u>	<u>MI</u>	<u>Date of Birth</u> <u>mm/dd/yy</u>	<u>Prior Service Credit</u>	<u>Service Credit</u> <u>1993-2010</u>	<u>2011 Points Earned</u>	<u>Mailing Address</u>	<u>Program Status</u>
78	<u>Wright</u>	<u>John</u>	<u>R.</u>		<u>1</u>	<u>8</u>	<u>0</u>	<u>Pelham, NY 10803</u>	<u>Vested/Inactive 02</u>

2011 SERVICE AWARD PROGRAM FIREFIGHTER RECORDS
VILLAGE OF BRIARCLIFF MANOR

Scarborough Engine Company

#	Last Name	First Name	MI	Date of Birth mm/dd/yy	Prior Service Credit	Service Credit 1993-2010	2011 Points Earned	Mailing Address	Program Status
1	<u>Alleva</u>	<u>Alexander</u>	<u>I</u>		<u>0</u>	<u>6</u>	<u>95</u>	<u>Ossining, NY 10562</u>	<u>Active</u>
2	<u>Avinoam</u>	<u>Elan</u>			<u>0</u>	<u>3</u>	<u>53</u>	<u>Ossining, NY 10562</u>	<u>Active</u>
3	<u>Avinoam</u>	<u>Tzafrir</u>			<u>5</u>	<u>18</u>	<u>25</u>	<u>Ossining, NY 10562</u>	<u>Active</u>
4	<u>Bassett</u>	<u>Jeffrey</u>	<u>P.</u>		<u>0</u>	<u>5</u>	<u>90</u>	<u>Ossining, NY 10562</u>	<u>Active</u>
5	<u>Bassett</u>	<u>Michael</u>	<u>J.</u>		<u>5</u>	<u>18</u>	<u>50</u>	<u>Ossining, NY 10562</u>	<u>Active</u>
6	<u>Bassett</u>	<u>Thomas</u>	<u>M.</u>		<u>0</u>	<u>3</u>	<u>0</u>	<u>Wellington, FL 33414</u>	<u>Active</u>
7	<u>Bassett, III</u>	<u>William</u>	<u>A.</u>		<u>0</u>	<u>7</u>	<u>17</u>	<u>Mohegan Lake, NY 10547</u>	<u>Active</u>
8	<u>Bassett, Jr.</u>	<u>Michael</u>	<u>J.</u>		<u>0</u>	<u>4</u>	<u>1</u>	<u>Ossining, NY 10562</u>	<u>Active</u>
9	<u>Bassett, Jr.</u>	<u>William</u>	<u>A.</u>		<u>0</u>	<u>9</u>	<u>57</u>	<u>Briarcliff Manor, NY 10510</u>	<u>Active</u>
10	<u>Calman</u>	<u>Darren</u>			<u>0</u>	<u>2</u>	<u>71</u>	<u>Briarcliff Manor, NY 10510</u>	<u>Active</u>
11	<u>Cardoso</u>	<u>Matthew</u>	<u>M</u>		<u>0</u>	<u>1</u>	<u>0</u>	<u>Ossining, NY 10562</u>	<u>Active</u>

2011 SERVICE AWARD PROGRAM FIREFIGHTER RECORDS
VILLAGE OF BRIARCLIFF MANOR

Scarborough Engine Company

#	Last Name	First Name	MI	Date of Birth mm/dd/yy	Prior Service Credit	Service Credit 1993-2010	2011 Points Earned	Mailing Address	Program Status
12	Cardoso	Roger	M		0	3	0	Ossining, NY 10562	Active
13	D'Amato	Lori	M.		0	5	0	Ossining, NY 10562	Active
14	Davidson	Cheryl			0	2	52	Briarcliff Manor, NY 10510	Active
15	Dengler	Theobald			0	15	98	Ossining, NY 10562	Active
16	Esch	David	R.		0	1	43	Briarcliff Manor, NY 10510	Active
17	Fisher	Tim			5	15	65	Katonah, NY 10536	Active
18	Garcia	R. Michael			0	4	95	Ossining, NY 10562	Active
19	Gilbert	Frank	C.		0	1	14	Ossining, NY 10562	Active
20	Goldin	Bret	J.		0	0	0	Briarcliff Manor, NY 10510	Active
21	Goldman	Matthew	S.		0	5	74	Briarcliff Manor, NY 10510	Active
22	Gustin	Thomas	B.		5	11	0	Ossining, NY 10562	Active

2011 SERVICE AWARD PROGRAM FIREFIGHTER RECORDS
VILLAGE OF BRIARCLIFF MANOR

Scarborough Engine Company

#	Last Name	First Name	MI	Date of Birth mm/dd/yy	Prior Service Credit	Service Credit 1993-2010	2011 Points Earned	Mailing Address	Program Status
23	Harlow	Michael			0	0	0	Ossining, NY 10562	Active
24	Hautau	Lisette	M.		0	15	29	Ossining, NY 10562	Active
25	Karbon	Michael	J.		5	10	0	Bronx, NY 10461	Active
26	Kowack	Michelle			0	3	20	Nashville, NC 27856-7710	Active
27	Krebser	Nicholas	J.		0	1	79	Ossining, NY 10562	Active
28	Lederman	Joan			0	14	133	Briarcliff Manor, NY 10510	Active
29	Lederman	Mark			0	9	30	Briarcliff Manor, NY 10510	Active
30	Mackintosh	William	D.		5	11	0	Ossining, NY 10562	Active
31	McCabe, II	William	E.		3	13	5	Croton, NY 10520	Active
32	Meade	Peter	M.		5	10	0	Spring Lake, NJ 07762	Active
33	Muro	Jon			0	2	71	Briarcliff Manor, NY 10510	Active

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VILLAGE OF BRIARCLIFF MANOR

Scarborough Engine Company

#	Last Name	First Name	MI	Date of Birth mm/dd/yy	Prior Service Credit	Service Credit 1993-2010	2011 Points Earned	Mailing Address	Program Status
34	Muro	Matthew			0	2	0	Briarcliff Manor, NY 10510	Active
35	Muro	Nick			0	6	83	Briarcliff Manor, NY 10510	Active
36	Robson	Scott			0	3	50	Ossining, NY 10562	Active
37	Saffadi	Mark	A.		0	2	0	Briarcliff Manor, NY 10510	Active
38	Schaeffer	Rochelle			0	6	20	Ossining, NY 10562	Active
39	Smalley	Kevin			0	0	0	Briarcliff Manor, NY 10510	Military, Not Eligible
40	Smalley	Philomena	R.		5	17	37	Briarcliff Manor, NY 10510	Active
41	Smalley	Sean	H.		0	5	0	Harrisburg, PA 17109	Active
42	Smalley	Stephen	H.		3	17	52	Briarcliff Manor, NY 10510	Active
43	Smyth-Dengler	Joan	H.		0	12	50	Ossining, NY 10562	Active
44	Towbin	Mark			0	1	0	Briarcliff Manor, NY 10510	Active

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VILLAGE OF BRIARCLIFF MANOR

Scarborough Engine Company

#	Last Name	First Name	MI	Date of Birth mm/dd/yy	Prior Service Credit	Service Credit 1993-2010	2011 Points Earned	Mailing Address	Program Status
45	Truax	Marc			1	8	0	Ossining, NY 10562	Active
46	Vescio	Steven	A.		0	7	27	Briarcliff, NY 10510	Active
47	Bright	Edwin			5	1	5	Briarcliff Manor, NY 10510	Entitled 1/94
48	Geyer	Richard			5	1	0	Briarcliff Manor, NY 10510	Entitled 1/94
49	Rinaldo	Peter			5	1	0	Briarcliff Manor, NY 10510	Entitled 1/94
50	Wishnie	Richard	G.		5	2	22	Briarcliff Manor, NY 10510	Entitled 6/08
51	Bertino	Joe			3	2	0	Ossining, NY 10562	Vested/Inactive 96

2011 SERVICE AWARD PROGRAM FIREFIGHTER RECORDS
VILLAGE OF BRIARCLIFF MANOR

Briarcliff Manor Hook, Ladder & Fire Company

#	Last Name	First Name	MI	Date of Birth mm/dd/yy	Prior Service Credit	Service Credit 1993- 2010	2011 Points Earned	Mailing Address	Program Status
1	Allen	John	C.		0	3	20	Briarcliff Manor, NY 10510	Active
2	Assatly	Charles			0	3	0	Ossining, NY 10562	Active
3	Bishop	Nigel			0	2	0	Briarcliff Manor, NY 10510	Active
4	Caufield	Sean			0	1	0	Briarcliff Manor, NY 10510	Active
5	Cerrone	Frank			0	14	57	Briarcliff Manor, NY 10510	Active
6	Code	Howard	I.		2	18	69	Briarcliff Manor, NY 10510	Active
7	Cohen	David	A.		0	1	0	Briarcliff Manor, NY 10510	Active
8	Cohen	Steve			0	0	0	Briarcliff Manor, NY 10510	Active
9	Deem	Michael	A.		0	5	0	Briarcliff Manor, NY 10510	Active
10	DeRose, Jr.	Cesare			0	1	0	Briarcliff Manor, NY 10510	Active
11	DeRose, Sr.	Cesare			0	13	55	Briarcliff Manor, NY 10510	Active

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VILLAGE OF BRIARCLIFF MANOR

Briarcliff Manor Hook, Ladder & Fire Company

#	Last Name	First Name	MI	Date of Birth mm/dd/yy	Prior Service Credit	Service Credit 1993-2010	2011 Points Earned	Mailing Address	Program Status
12	<u>Donati</u>	<u>Daniel</u>	<u>J.</u>		<u>0</u>	<u>7</u>	<u>66</u>	<u>Briarcliff Manor, NY 10510</u>	<u>Active</u>
13	<u>Flihan</u>	<u>Peter</u>	<u>A.</u>		<u>0</u>	<u>6</u>	<u>103</u>	<u>Briarcliff Manor, NY 10510</u>	<u>Active</u>
14	<u>Goldheim</u>	<u>Jonathan</u>	<u>M.</u>		<u>0</u>	<u>1</u>	<u>0</u>	<u>Briarcliff Manor, NY 10510</u>	<u>Active</u>
15	<u>Goodkin</u>	<u>Alan</u>	<u>D.</u>		<u>0</u>	<u>1</u>	<u>66</u>	<u>Briarcliff Manor, NY 10510</u>	<u>Active</u>
16	<u>Hertz</u>	<u>Paul</u>			<u>0</u>	<u>6</u>	<u>24</u>	<u>Briarcliff Manor, NY 10510</u>	<u>Active</u>
17	<u>Holland</u>	<u>Timothy</u>	<u>B.</u>		<u>0</u>	<u>7</u>	<u>0</u>	<u>Briarcliff Manor, NY 10510</u>	<u>Active</u>
18	<u>Honnegger, Jr.</u>	<u>William</u>	<u>G.</u>		<u>0</u>	<u>1</u>	<u>0</u>	<u>Briarcliff Manor, NY 10510</u>	<u>Active</u>
19	<u>Hunt</u>	<u>Kevin</u>			<u>0</u>	<u>5</u>	<u>145</u>	<u>Briarcliff Manor, NY 10510</u>	<u>Active</u>
20	<u>Hunt</u>	<u>Lars</u>			<u>0</u>	<u>0</u>	<u>47</u>		<u>Active/Under 18</u>
21	<u>Jackson</u>	<u>Christopher</u>			<u>0</u>	<u>2</u>	<u>46</u>	<u>Briarcliff Manor, NY 10510</u>	<u>Active</u>
22	<u>Jackson</u>	<u>Edward</u>	<u>I.</u>		<u>0</u>	<u>18</u>	<u>70</u>	<u>Briarcliff Manor, NY 10510</u>	<u>Active</u>

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Briarcliff Manor Hook, Ladder & Fire Company

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23	<u>Karlik</u>	<u>Anthony</u>	<u>J.</u>		<u>0</u>	<u>5</u>	<u>61</u>	<u>Briarcliff Manor, NY 10510</u>	<u>Active</u>
24	<u>Kaufman</u>	<u>Anthony</u>			<u>0</u>	<u>9</u>	<u>71</u>	<u>Briarcliff Manor, NY 10510</u>	<u>Active</u>
25	<u>King</u>	<u>Michael</u>			<u>0</u>	<u>12</u>	<u>105</u>	<u>Briarcliff Manor, NY 10510</u>	<u>Active</u>
26	<u>Kowack</u>	<u>William</u>	<u>L.</u>		<u>5</u>	<u>12</u>	<u>0</u>	<u>Nashville, NC 27856-7710</u>	<u>Active</u>
27	<u>Lalak</u>	<u>Christopher</u>	<u>J.</u>		<u>4</u>	<u>3</u>	<u>0</u>	<u>Carmel, NY 10512</u>	<u>Active</u>
28	<u>Lane</u>	<u>Christopher</u>	<u>J.</u>		<u>0</u>	<u>6</u>	<u>0</u>	<u>Briarcliff Manor, NY 10510</u>	<u>Active</u>
29	<u>Martin</u>	<u>Robert</u>			<u>0</u>	<u>13</u>	<u>75</u>	<u>Briarcliff Manor, NY 10510</u>	<u>Active</u>
30	<u>Mason</u>	<u>Andrew</u>			<u>0</u>	<u>1</u>	<u>0</u>	<u>Briarcliff Manor, NY 10510</u>	<u>Active</u>
31	<u>Melnichuk, Jr.</u>	<u>Bill</u>			<u>0</u>	<u>2</u>	<u>63</u>	<u>Briarcliff Manor, NY 10510</u>	<u>Active</u>
32	<u>Minkoff</u>	<u>Robert</u>			<u>0</u>	<u>3</u>	<u>76</u>	<u>Briarcliff Manor, NY 10510</u>	<u>Active</u>
33	<u>Molinelli</u>	<u>Michael</u>			<u>0</u>	<u>10</u>	<u>74</u>	<u>Briarcliff Manor, NY 10510</u>	<u>Active</u>

2011 SERVICE AWARD PROGRAM FIREFIGHTER RECORDS
VILLAGE OF BRIARCLIFF MANOR

Briarcliff Manor Hook, Ladder & Fire Company

#	Last Name	First Name	MI	Date of Birth mm/dd/yy	Prior Service Credit	Service Credit 1993-2010	2011 Points Earned	Mailing Address	Program Status
34	O'Donnell	James	M.		0	5	74	Briarcliff Manor, NY 10510	Active
35	O'Hanlon, Jr.	Robert			0	10	112	Briarcliff Manor, NY 10510	Active
36	Schultz	Stephen	M.		0	9	35	Briarcliff Manor, NY 10510	Active
37	Ventura	Alexander	W.		4	10	50	Briarcliff Manor, NY 10510	Active
38	Waldock	Wade	C.		0	1	0	Briarcliff Manor, NY 10510	Active
39	Wickey	Andrew	P.		0	4	58	Briarcliff Manor, NY 10510	Active
40	Wolfson	David			0	6	89	Briarcliff Manor, NY 10510	Active
41	Bauer	William			5	15	71	Briarcliff Manor, NY 10510	Entitled 6/04
42	Bauso	John			5	11	0	Briarcliff Manor, NY 10510	Entitled 6/00
43	Bifano	Eugene	J.		5	3	0	Warren, VT 05674	Entitled 6/09
44	Boyle	Bernard	C.		0	1	54	Briarcliff Manor, NY 10510	Entitled 6/11

2011 SERVICE AWARD PROGRAM FIREFIGHTER RECORDS
VILLAGE OF BRIARCLIFF MANOR

Briarcliff Manor Hook, Ladder & Fire Company

#	Last Name	First Name	MI	Date of Birth mm/dd/yy	Prior Service Credit	Service Credit 1993-2010	2011 Points Earned	Mailing Address	Program Status
45	Cerrone	Robert	L.		5	16	<u>71</u>	<u>Briarcliff Manor, NY 10510</u>	<u>Entitled 6/08</u>
46	Colby	Fred	M.		5	18	<u>40</u>	<u>Briarcliff Manor, NY 10510</u>	<u>Entitled 6/08</u>
47	DeAngelis, Sr.	John			5	1	<u>0</u>	<u>Briarcliff Manor, NY 10510</u>	<u>Entitled 1/94</u>
48	DeCruise	James			5	1	<u>0</u>	<u>Ossining, NY 10562</u>	<u>Entitled 1/94</u>
49	Delton	David			0	1	<u>0</u>	<u>Briarcliff Manor, NY 10510</u>	<u>Entitled 1/94</u>
50	Donaldson	Eugene	J.		5	11	<u>0</u>	<u>Palm Beach Gardens, FL 33418</u>	<u>Entitled 6/05</u>
51	Jackson	C. Thomas			0	9	<u>0</u>	<u>Briarcliff Manor, NY 10510</u>	<u>Entitled 6/02</u>
52	Lalak	Joseph	J.		5	9	<u>125</u>	<u>Briarcliff Manor, NY 10510</u>	<u>Entitled 1/97</u>
53	Liapunov	Sviatoslav			5	2	<u>21</u>	<u>Briarcliff Manor, NY 10510</u>	<u>Entitled 6/02</u>
54	Oppenheimer	Martin			5	1	<u>0</u>	<u>Briarcliff Manor, NY 10510</u>	<u>Entitled 1/94</u>
55	Pankovic	Vincent	J.		5	2	<u>0</u>	<u>Briarcliff Manor, NY 10510</u>	<u>Entitled 1/94</u>

2011 SERVICE AWARD PROGRAM FIREFIGHTER RECORDS
VILLAGE OF BRIARCLIFF MANOR

Briarcliff Manor Hook, Ladder & Fire Company

#	Last Name	First Name	MI	Date of Birth mm/dd/yy	Prior Service Credit	Service Credit 1993-2010	2011 Points Earned	Mailing Address	Program Status
56	Rappe	Tom			0	1	0	Ossining, NY 10562	Entitled 6/98
57	Reyes	Hector	L		5	6	1	Briarcliff Manor, NY 10510	Entitled 6/11
58	Stark	Peter			5	1	0	Briarcliff Manor, NY 10510	Entitled 1/97
59	Sullivan	George			5	1	0	Briarcliff Manor, NY 10510	Entitled 1/94
60	Ventura	William	P.		2	18	85	Briarcliff Manor, NY 10510	Entitled 6/08
61	Wild	William			5	9	0	Briarcliff Manor, NY 10510	Entitled 6/02
62	Wolfe	Larry			5	1	15	Briarcliff Manor, NY 10510	Entitled 1/94

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
APRIL 4, 2012

3. BUDGET AMENDMENT – DARE MERCHANDISE

BE IT RESOLVED that the budget for fiscal year 2011-2012 is hereby amended to accept a gift from the Briarcliff Manor Rotary Club as follows:

Increase Appropriation – DARE Merchandise (A3120.1590) by \$1,000

Increase Revenue – Gifts (A0103.2705) by \$1,000

MEMORANDUM

Date: 3-26-12

To: Robin Rizzo, Treasurer

From: Norman Campion, Chief of Police



RE: Rotary DARE Gift

Please accept a gift for \$1,000.00 from the Briarcliff Manor Rotary Club to support the DARE program. The check is attached.

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
APRIL 4, 2012

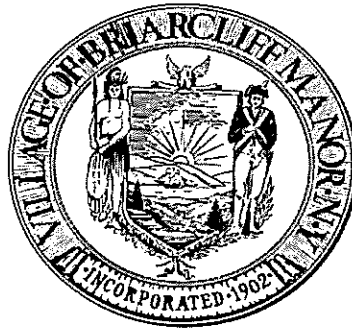
4A. AWARD OF BID – TRAILER MOUNTED SEWER CLEANER

WHEREAS the Village received 1 bid for a Trailer Mounted Sewer Cleaner; and

BE IT RESOLVED that the bid for a Trailer Mounted Sewer Cleaner (VM-1112-10) is hereby awarded to Bahr Sales Inc. of Wallingford, CT as per their bid of \$51,000.

BE IT FURTHER RESOLVED that the Village Manager is hereby authorized and directed to execute a contract with Bahr Sales Inc. for said equipment.


Village of Briarcliff Manor
Department of Public Works
10 Buckhout Road
Briarcliff Manor, NY 10510



Village of Briarcliff Manor
Main (914) 941-9105
Fax (914) 941-4747

MEMORANDUM

TO: Phil Zegarelli, Village Manager
Robin Rizzo, Treasurer

FROM: Edward C. Torhan, Superintendent of Public Works 

DATE: March 13, 2012

RE: Bid for a Trailer Mounted Sewer Cleaner
VM Contract 1112-10

The Village solicited bids for the above referenced equipment. The approved budget for this Sewer Cleaner was \$55,000.00. The low bidder and only bidder was:

Bahr Sales Inc.
1185 South Broad Street
Wallingford, CT 06492

With a bid of \$51,000.00 for a:

Model 747FR2000 Trailer Jet
by Sewer Equipment of America

I have reviewed the bid and find it acceptable in its specifications. As such I recommend the bid be awarded to Bahr Sales for \$51,000.00.

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
APRIL 4, 2012

4B. AWARD OF BID – HEAVY DUTY FULL SIZE GARBAGE TRUCK

WHEREAS the Village received 2 bids for a Heavy Duty Full Size Garbage Truck; and

BE IT RESOLVED that the bid for a Heavy Duty Full Size Garbage Truck (VM-1112-9) is hereby awarded to Sanitation Equipment Corp. of Paramus, NJ as per their bid of \$152,726.

BE IT FURTHER RESOLVED that the Village Manager is hereby authorized and directed to execute a contract with Sanitation Equipment Corp. for said equipment.

Village of Briarcliff Manor
Department of Public Works
10 Buckhout Road
Briarcliff Manor, NY 10510



Village of Briarcliff Manor
Main (914) 941-9105
Fax (914) 941-4747

MEMORANDUM

TO: Phil Zegarelli, Village Manager
Robin Rizzo, Treasurer

FROM: Edward C. Torhan, Superintendent of Public Works

DATE: March 16, 2012

RE: Bid for a Heavy Duty Full-Size Garbage Truck
with at 25 Yard Packing Capacity
VM Contract 1112-9

The Village solicited bids for the above referenced equipment. The approved budget for this Garbage Truck was \$185,000.00. The following is a summary of the bidders and bids:

Sanitation Equipment Corp.	\$152,726.00
Agar Truck Sales	\$162,173.00

Both bidders are reputable vendors who have supplied vehicles for numerous municipalities in Westchester County. The bidding was very aggressive due to the economy and resulted in bids lower than even the 2010 garbage truck purchased for \$179,000.

I have reviewed both bids and have concluded that both bids meet the specifications. I have also questioned the low bidder on their bid and they stand firm that they are fine with it and it is correct. As such I recommend the award of the bid to the lowest bidder.

Sanitation Equipment Corp.
S-122 Route 17 North
Paramus, NJ 07652

With a bid of \$152,726.00 for a:

Freightliner M2106 Chassis with a
twenty-five (25) cubic yard
Leach 2R111 rear loader body

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
APRIL 4, 2012

**5. BUDGET AMENDMENT – TRUST AND AGENCY ACCOUNTS –
PLANNING BOARD AND GUARANTEE AND BID DEPOSITS**

BE IT RESOLVED that the Board of Trustees does hereby authorize the following appropriations for fiscal year 2011-2012:

From: A0909 General Fund Fund Balance \$944.18

To: TA 0916 Manor Holding Site Plan \$944.18

From: A0909 General Fund Fund Balance \$1,329.68

To: TA 0897 Matra \$1,329.68

From: TA 30 Trust & Agency \$1,000

To: A0107.2012 Concession Revenue \$1,000

Accept Cancel Cut Copy Paste Find Browse Query Add Update Delete Print Display PDF Save Excel Word Email Exchange Attach MapLink Image

Detail
Months
Seg Find
Totals

Account: TA -0-00-00-0000-0897

Fund: TA TA Fund: TA Bal Acct name: Mata Realty, Inc. Escrow

Dir: TA Bal Mata Type: Balance Sheet Status: Active Budget Rollup Group

Object: 0897

Project: ...

MultiYr Fund Account Notes

	4 Year Comparison	Current Year	History	Fiscal Year 2012	Fiscal Year 2011	Fiscal Year 2010	Fiscal Year 2013
Yr/Per 2012/10							
Original Budget				.00	.00	.00	.00
Transfers In				.00	.00	.00	.00
Transfers Out				.00	.00	.00	.00
Revised Budget				.00	.00	.00	.00
Actual (Memo)				1,329.68	3,129.68	3,129.68	.00
Encumbrances				.00	.00	.00	.00
Requisitions				.00			.00
Inceptn To Date				1,329.68			.00
Available				.00	.00	.00	.00
Percent used				.00	.00	.00	.00

Display detail information for current account.

1 of 1 Attachments (0)

OVR



RECREATION and PARKS DEPARTMENT

Village of Briarcliff Manor

Henry A. Jamin, CPRP, *Superintendent*

MEMO TO: Phil Zegarelli, Village Manager
Robin Rizzo, Village Treasurer

FROM: Henry Jamin, Superintendent

DATE: March 26, 2012

RE: Concession Security Deposit – Apply as Partial Payment for 2011 Season

Donnie Alecci has indicated that he would like the Village to apply the \$1,000 security deposit he submitted to us back in 2009 toward his payment for the 2011 season. The deposit was received and deposited in the spring of 2009.

This payment should be applied to the Recreation Concessions Revenue line of our FYE2012 budget - A0107 2012.

Thanks and please let me know if you have any questions.



Receipt Inquiry - Munis [VILLAGE OF BRIARCLIFF MANOR]

My File Edit Tools Help



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Bill Information

Year/bill: 2010

Cat/type: 02 MS-

Activity: PAYMENT

Receipt: 162267

Amount: 1,000.00

Batch: 7680

Deposit no.: Misc Clear date:

External batch:

Source

Effective date: 08/21/2009

Entry date/time: 08/21/2009 11:10:22

Clerk: 414dcasa

Department: 1325 Treasurer

Misc department:

Source: Unknown

Customer/Property

Customer no.: 0 ...

Prop ID:

Tender

Paid by CID: 0 ...

Paid by reference: Donnie Alecci Ent

Payment method: 1 - CHECK

Check number: 1041

Journal Information

Post date: 08/21/2009

Year/period/journal: 2010 3 185

Cash account: TA 200TF1

Status

Released Posted Reversed

Reason:

Charge Allocation GL Allocation

Line	Chg Code	Chg Description	Interest	Principal	Adjusted
1	TA 3D	Bid Deposits		1,000.00	

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
APRIL 4, 2012

6A. TAX CERTIORARI, WYNDCREST CONDOMINIUMS

WHEREAS, Wyndcrest Condominiums instituted tax certiorari proceedings pursuant to Article 7 of the Real Property Tax Law of the State of New York;

WHEREAS, the tax certiorari filings were for Town of Ossining assessment years 2010 and 2011; and

WHEREAS, the tax certiorari filings relate to Village of Briarcliff Manor Fiscal Year 2011-2012; and

WHEREAS, an Order and Judgment of the Supreme Court of the State of New York, County of Westchester, was entered on March 19, 2012;

WHEREAS, the Consent Judgment was received after the finalization of the approval of the Village budget for Fiscal Year 2011-2012;

WHEREAS, the Village received payments totaling of \$165,962.98 for the total 2011-2012 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 totaling \$53,592.35 for Fiscal Year 2011-2012 in the amounts set forth below based upon assessment values reduced in accordance with the Consent Judgment;

NOW THEREFORE, BE IT FURTHER RESOLVED that the assessment for the Fiscal Year 2012-2013 shall be adjusted in accordance with the Order and Judgment.

Reduce Tax Revenue Account A0102.1001 and Tax Receivable Account A0250.

Year	Reference	Original Assessed Value	Exemptions	New Assessed Value	Assessment Reduction	Original Tax Amount	Reduced Tax Amount	Refund
2011	2 DEERTREE LN	\$ 26,300.00	\$ -	\$ 17,884.00	\$ 8,416.00	\$ 2,340.70	\$ 1,591.68	\$ 749.02
2011	4 DEERTREE LN	\$ 18,900.00	\$ -	\$ 12,852.00	\$ 6,048.00	\$ 1,682.10	\$ 1,143.83	\$ 538.27
2011	6 DEERTREE LN	\$ 12,483.00	\$ 4,517.00	\$ 11,560.00	\$ 5,440.00	\$ 1,110.98	\$ 626.83	\$ 485.16
2011	8 DEERTREE LN	\$ 14,900.00	\$ -	\$ 10,132.00	\$ 4,768.00	\$ 1,326.10	\$ 901.75	\$ 424.35
2011	10 DEERTREE LN	\$ 18,900.00	\$ -	\$ 12,852.00	\$ 6,048.00	\$ 1,682.10	\$ 1,143.83	\$ 538.27
2011	12 DEERTREE LN	\$ 27,160.00	\$ -	\$ 18,469.00	\$ 8,691.00	\$ 2,417.24	\$ 1,643.74	\$ 773.50
2011	1 DEERTREE LN	\$ 22,900.00	\$ -	\$ 15,572.00	\$ 7,328.00	\$ 2,038.10	\$ 1,385.91	\$ 652.19
2011	3 DEERTREE LN	\$ 22,900.00	\$ -	\$ 15,572.00	\$ 7,328.00	\$ 2,038.10	\$ 1,385.91	\$ 652.19
2011	5 DEERTREE LN	\$ 22,700.00	\$ -	\$ 15,436.00	\$ 7,264.00	\$ 2,020.30	\$ 1,373.80	\$ 646.50
2011	7 DEERTREE LN	\$ 27,000.00	\$ -	\$ 18,360.00	\$ 8,640.00	\$ 2,403.00	\$ 1,634.04	\$ 768.96
2011	14 DEERTREE LN	\$ 25,300.00	\$ -	\$ 17,204.00	\$ 8,096.00	\$ 2,251.70	\$ 1,531.16	\$ 720.54
2011	16 DEERTREE LN	\$ 19,000.00	\$ -	\$ 12,920.00	\$ 6,080.00	\$ 1,691.00	\$ 1,149.88	\$ 541.12
2011	18 DEERTREE LN	\$ 16,090.00	\$ -	\$ 10,941.00	\$ 5,149.00	\$ 1,432.01	\$ 973.75	\$ 458.26
2011	20 DEERTREE LN	\$ 14,735.00	\$ -	\$ 10,020.00	\$ 4,715.00	\$ 1,311.41	\$ 891.78	\$ 419.64
2011	22 DEERTREE LN	\$ 19,065.00	\$ -	\$ 12,964.00	\$ 6,101.00	\$ 1,696.78	\$ 1,153.80	\$ 542.99
2011	24 DEERTREE LN	\$ 25,520.00	\$ -	\$ 17,354.00	\$ 8,166.00	\$ 2,271.28	\$ 1,544.51	\$ 726.77
2011	9 DEERTREE LN	\$ 28,190.00	\$ -	\$ 19,169.00	\$ 9,021.00	\$ 2,508.91	\$ 1,706.04	\$ 802.87
2011	11 DEERTREE LN	\$ 22,400.00	\$ -	\$ 15,232.00	\$ 7,168.00	\$ 1,993.60	\$ 1,355.65	\$ 637.95
2011	13 DEERTREE LN	\$ 20,100.00	\$ -	\$ 13,668.00	\$ 6,432.00	\$ 1,788.90	\$ 1,216.45	\$ 572.45
2011	15 DEERTREE LN	\$ 27,500.00	\$ -	\$ 18,700.00	\$ 8,800.00	\$ 2,447.50	\$ 1,664.30	\$ 783.20
2011	26 DEERTREE LN	\$ 26,300.00	\$ -	\$ 17,884.00	\$ 8,416.00	\$ 2,340.70	\$ 1,591.68	\$ 749.02
2011	28 DEERTREE LN	\$ 19,035.00	\$ -	\$ 12,944.00	\$ 6,091.00	\$ 1,694.11	\$ 1,152.02	\$ 542.10
2011	30 DEERTREE LN	\$ 14,900.00	\$ -	\$ 10,132.00	\$ 4,768.00	\$ 1,326.10	\$ 901.75	\$ 424.35
2011	32 DEERTREE LN	\$ 14,000.00	\$ -	\$ 9,520.00	\$ 4,480.00	\$ 1,246.00	\$ 847.28	\$ 398.72
2011	34 DEERTREE LN	\$ 18,530.00	\$ -	\$ 12,600.00	\$ 5,930.00	\$ 1,649.17	\$ 1,121.40	\$ 527.77
2011	36 DEERTREE LN	\$ 28,100.00	\$ -	\$ 19,108.00	\$ 8,992.00	\$ 2,500.90	\$ 1,700.61	\$ 800.29
2011	17 DEERTREE LN	\$ 26,700.00	\$ -	\$ 18,156.00	\$ 8,544.00	\$ 2,376.30	\$ 1,615.88	\$ 760.42
2011	19 DEERTREE LN	\$ 26,500.00	\$ -	\$ 18,020.00	\$ 8,480.00	\$ 2,358.50	\$ 1,603.78	\$ 754.72
2011	21 DEERTREE LN	\$ 25,900.00	\$ -	\$ 17,612.00	\$ 8,288.00	\$ 2,305.10	\$ 1,567.47	\$ 737.63
2011	23 DEERTREE LN	\$ 26,500.00	\$ -	\$ 18,020.00	\$ 8,480.00	\$ 2,358.50	\$ 1,603.78	\$ 754.72
2011	38 DEERTREE LN	\$ 27,600.00	\$ -	\$ 18,768.00	\$ 8,832.00	\$ 2,456.40	\$ 1,670.35	\$ 786.05
2011	40 DEERTREE LN	\$ 18,400.00	\$ -	\$ 12,512.00	\$ 5,888.00	\$ 1,637.60	\$ 1,113.57	\$ 524.03
2011	42 DEERTREE LN	\$ 14,700.00	\$ -	\$ 9,996.00	\$ 4,704.00	\$ 1,308.30	\$ 889.64	\$ 418.66

2011	44 DEERTREE LN	\$	18,400.00	\$	-	\$	12,512.00	\$	5,888.00	\$	1,637.60	\$	1,113.57	\$	524.03
2011	46 DEERTREE LN	\$	14,700.00	\$	-	\$	9,996.00	\$	4,704.00	\$	1,308.30	\$	889.64	\$	418.66
2011	48 DEERTREE LN	\$	27,900.00	\$	-	\$	18,972.00	\$	8,928.00	\$	2,483.10	\$	1,688.51	\$	794.59
2011	25 DEERTREE LN	\$	27,900.00	\$	-	\$	18,972.00	\$	8,928.00	\$	2,483.10	\$	1,688.51	\$	794.59
2011	27 DEERTREE LN	\$	22,100.00	\$	-	\$	15,028.00	\$	7,072.00	\$	1,966.90	\$	1,337.49	\$	629.41
2011	29 DEERTREE LN	\$	20,900.00	\$	-	\$	14,212.00	\$	6,688.00	\$	1,860.10	\$	1,264.87	\$	595.23
2011	31 DEERTREE LN	\$	27,400.00	\$	-	\$	18,632.00	\$	8,768.00	\$	2,438.60	\$	1,658.25	\$	780.35
2011	50 DEERTREE LN	\$	27,800.00	\$	-	\$	18,904.00	\$	8,896.00	\$	2,474.20	\$	1,682.46	\$	791.74
2011	52 DEERTREE LN	\$	19,900.00	\$	-	\$	13,532.00	\$	6,368.00	\$	1,771.10	\$	1,204.35	\$	566.75
2011	54 DEERTREE LN	\$	14,300.00	\$	-	\$	9,724.00	\$	4,576.00	\$	1,272.70	\$	865.44	\$	407.26
2011	56 DEERTREE LN	\$	18,400.00	\$	-	\$	12,512.00	\$	5,888.00	\$	1,637.60	\$	1,113.57	\$	524.03
2011	58 DEERTREE LN	\$	14,900.00	\$	-	\$	10,132.00	\$	4,768.00	\$	1,326.10	\$	901.75	\$	424.35
2011	60 DEERTREE LN	\$	21,500.00	\$	-	\$	14,620.00	\$	6,880.00	\$	1,913.50	\$	1,301.18	\$	612.32
2011	33 DEERTREE LN	\$	29,500.00	\$	-	\$	20,060.00	\$	9,440.00	\$	2,625.50	\$	1,785.34	\$	840.16
2011	35 DEERTREE LN	\$	21,700.00	\$	-	\$	14,756.00	\$	6,944.00	\$	1,931.30	\$	1,313.28	\$	618.02
2011	37 DEERTREE LN	\$	22,200.00	\$	-	\$	15,096.00	\$	7,104.00	\$	1,975.80	\$	1,343.54	\$	632.26
2011	39 DEERTREE LN	\$	27,500.00	\$	-	\$	18,700.00	\$	8,800.00	\$	2,447.50	\$	1,664.30	\$	783.20
2011	41 DEERTREE LN	\$	28,500.00	\$	-	\$	19,380.00	\$	9,120.00	\$	2,536.50	\$	1,724.82	\$	811.68
2011	43 DEERTREE LN	\$	26,500.00	\$	-	\$	18,020.00	\$	8,480.00	\$	2,358.50	\$	1,603.78	\$	754.72
2011	1 WINTERBERRY LN	\$	27,500.00	\$	-	\$	18,700.00	\$	8,800.00	\$	2,447.50	\$	1,664.30	\$	783.20
2011	3 WINTERBERRY LN	\$	17,100.00	\$	-	\$	11,628.00	\$	5,472.00	\$	1,521.90	\$	1,034.89	\$	487.01
2011	5 WINTERBERRY LN	\$	17,015.00	\$	-	\$	11,570.00	\$	5,445.00	\$	1,514.33	\$	1,029.73	\$	484.61
2011	7 WINTERBERRY LN	\$	26,500.00	\$	-	\$	18,020.00	\$	8,480.00	\$	2,358.50	\$	1,603.78	\$	754.72
2011	2 WINTERBERRY LN	\$	15,900.00	\$	-	\$	10,812.00	\$	5,088.00	\$	1,415.10	\$	962.27	\$	452.83
2011	4 WINTERBERRY LN	\$	11,625.00	\$	-	\$	7,905.00	\$	3,720.00	\$	1,034.62	\$	703.55	\$	331.08
2011	6 WINTERBERRY LN	\$	23,100.00	\$	-	\$	15,708.00	\$	7,392.00	\$	2,055.90	\$	1,398.01	\$	657.89
2011	8 WINTERBERRY LN	\$	28,200.00	\$	-	\$	19,176.00	\$	9,024.00	\$	2,509.80	\$	1,706.66	\$	803.14
2011	9 WINTERBERRY LN	\$	28,070.00	\$	-	\$	19,088.00	\$	8,982.00	\$	2,498.23	\$	1,698.83	\$	799.40
2011	11 WINTERBERRY LN	\$	25,900.00	\$	-	\$	17,612.00	\$	8,288.00	\$	2,305.10	\$	1,567.47	\$	737.63
2011	13 WINTERBERRY LN	\$	28,620.00	\$	-	\$	19,462.00	\$	9,158.00	\$	2,547.18	\$	1,732.12	\$	815.06
2011	15 WINTERBERRY LN	\$	27,965.00	\$	-	\$	19,016.00	\$	8,949.00	\$	2,488.88	\$	1,692.42	\$	796.46
2011	10 WINTERBERRY LN	\$	30,700.00	\$	-	\$	20,876.00	\$	9,824.00	\$	2,732.30	\$	1,857.96	\$	874.34
2011	12 WINTERBERRY LN	\$	27,200.00	\$	-	\$	18,496.00	\$	8,704.00	\$	2,420.80	\$	1,646.14	\$	774.66
2011	14 WINTERBERRY LN	\$	22,400.00	\$	-	\$	15,232.00	\$	7,168.00	\$	1,993.60	\$	1,355.65	\$	637.95
2011	16 WINTERBERRY LN	\$	21,500.00	\$	-	\$	14,620.00	\$	6,880.00	\$	1,913.50	\$	1,301.18	\$	612.32

2011	18 WINTERBERRY LN	\$	25,400.00	\$	-	\$	17,272.00	\$	8,128.00	\$	2,260.60	\$	1,537.21	\$	723.39
2011	20 WINTERBERRY LN	\$	24,900.00	\$	-	\$	16,932.00	\$	7,968.00	\$	2,216.10	\$	1,506.95	\$	709.15
2011	17 WINTERBERRY LN	\$	28,500.00	\$	-	\$	19,380.00	\$	9,120.00	\$	2,536.50	\$	1,724.82	\$	811.68
2011	19 WINTERBERRY LN	\$	26,500.00	\$	-	\$	18,020.00	\$	8,480.00	\$	2,358.50	\$	1,603.78	\$	754.72
2011	21 WINTERBERRY LN	\$	26,500.00	\$	-	\$	18,020.00	\$	8,480.00	\$	2,358.50	\$	1,603.78	\$	754.72
2011	23 WINTERBERRY LN	\$	26,500.00	\$	-	\$	18,020.00	\$	8,480.00	\$	2,358.50	\$	1,603.78	\$	754.72
2011	22 WINTERBERRY LN	\$	25,100.00	\$	-	\$	17,068.00	\$	8,032.00	\$	2,233.90	\$	1,519.05	\$	714.85
2011	24 WINTERBERRY LN	\$	13,800.00	\$	-	\$	9,384.00	\$	4,416.00	\$	1,228.20	\$	835.18	\$	393.02
2011	26 WINTERBERRY LN	\$	14,900.00	\$	7,450.00	\$	2,682.00	\$	4,768.00	\$	663.05	\$	238.70	\$	424.35
2011	28 WINTERBERRY LN	\$	25,600.00	\$	-	\$	17,408.00	\$	8,192.00	\$	2,278.40	\$	1,549.31	\$	729.09
2011	25 WINTERBERRY LN	\$	22,500.00	\$	5,000.00	\$	13,700.00	\$	8,800.00	\$	2,002.50	\$	1,219.30	\$	783.20
2011	27 WINTERBERRY LN	\$	26,500.00	\$	-	\$	18,020.00	\$	8,480.00	\$	2,358.50	\$	1,603.78	\$	754.72
2011	29 WINTERBERRY LN	\$	26,500.00	\$	-	\$	18,020.00	\$	8,480.00	\$	2,358.50	\$	1,603.78	\$	754.72
2011	31 WINTERBERRY LN	\$	28,500.00	\$	-	\$	19,380.00	\$	9,120.00	\$	2,536.50	\$	1,724.82	\$	811.68

Total Assessed

Value Reduction	\$ 602,150.00	Total Refund	\$ 53,592.35
Total Exemptions	\$ 16,967.00		
Court Order	\$ 602,150.00		

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
APRIL 4, 2012

6B. TAX CERTIORARI, TUDOR III REALTY, LLC

WHEREAS, Tudor III Realty, LLC instituted tax certiorari proceedings for 81-109 North State Road pursuant to Article 7 of the Real Property Tax Law of the State of New York;

WHEREAS, the tax certiorari filings were for Town of Ossining assessment years 2006 through 2011; and

WHEREAS, the tax certiorari filings relate to Village of Briarcliff Manor Fiscal Years 2007-2008, 2008-2009, 2009-2010, 2010-2011 and 2011-2012; and

WHEREAS, an Order and Judgment of the Supreme Court of the State of New York, County of Westchester, was entered on March 27, 2012;

WHEREAS, the Consent Judgment was received after the finalization of the approval of the Village budget for Fiscal Years 2007-2008, 2008-2009, 2009-2010, 2010-2011 and 2011-2012;

WHEREAS, the Village received payments totaling of \$159,653.01 for the total 2007-2008, 2008-2009, 2009-2010, 2010-2011 and 2011-2012 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 totaling \$22,144.49 for Fiscal Years 2007-2008, 2008-2009, 2009-2010, 2010-2011 and 2011-2012 in the amounts set forth below based upon assessment values reduced in accordance with the Consent Judgment;

NOW THEREFORE, BE IT FURTHER RESOLVED that the assessment for the Fiscal Year 2012-2013 shall be adjusted in accordance with the Order and Judgment.

Reduce Tax Revenue Account A0102.1001 by \$6,434.70 and Reduce Refund of Property Tax Account A1964.423 by \$15,709.79 totaling \$22,144.49.

TUDOR III REALTY, LLC

Assessment Year	Address/Parcel ID	Original Assessed Value		Assessment Reduction	Original Tax Amount	Reduced Tax Amount	Total Refund
		Original Assessed Value	New Assessed Value				
2006	81-109 North State Road (98.10-2-34)	\$372,300.00	\$372,300.00	\$0.00	\$30,173.27	\$0.00	\$0.00
2007	81-109 North State Road (98.10-2-34)	\$372,300.00	\$320,000.00	\$52,300.00	\$31,606.14	\$27,166.08	\$4,439.96
2008	81-109 North State Road (98.10-2-34)	\$372,300.00	\$310,000.00	\$62,300.00	\$32,233.80	\$26,839.80	\$5,393.93
2009	81-109 North State Road (98.10-2-34)	\$372,300.00	\$305,000.00	\$67,300.00	\$32,505.10	\$26,629.25	\$5,875.90
2010	81-109 North State Road (98.10-2-34)	\$372,300.00	\$300,000.00	\$72,300.00	\$33,134.70	\$26,700.00	\$6,434.70
TOTAL				\$254,200.00	\$159,653.01	\$107,335.13	\$22,144.49

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
APRIL 4, 2012

6C. TAX CERTIORARI, BRIARCLIFF STATION

WHEREAS, Briarcliff Station instituted tax certiorari proceedings for 75 North State Road pursuant to Article 7 of the Real Property Tax Law of the State of New York;

WHEREAS, the tax certiorari filings were for Town of Ossining assessment years 2006 through 2011; and

WHEREAS, the tax certiorari filings relate to Village of Briarcliff Manor Fiscal Years 2007-2008, 2008-2009, 2009-2010, 2010-2011 and 2011-2012; and

WHEREAS, an Order and Judgment of the Supreme Court of the State of New York, County of Westchester, was entered on March 27, 2012;

WHEREAS, the Consent Judgment was received after the finalization of the approval of the Village budget for Fiscal Years 2007-2008, 2008-2009, 2009-2010, 2010-2011 and 2011-2012;

WHEREAS, the Village received payments totaling of \$18,829.89 for the total 2007-2008, 2008-2009, 2009-2010, 2010-2011 and 2011-2012 Village taxes due on the property 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 totaling \$2,713.24 for Fiscal Years 2007-2008, 2008-2009, 2009-2010, 2010-2011 and 2011-2012 in the amounts set forth below based upon assessment values reduced in accordance with the Consent Judgment;

NOW THEREFORE, BE IT FURTHER RESOLVED that the assessment for the Fiscal Year 2012-2013 shall be adjusted in accordance with the Order and Judgment.

Reduce Tax Revenue Account A0102.1001 by \$744.30 and Reduce Refund of Property Tax Account A1964.423 by \$1,938.94 totaling \$2,713.24.

BRIARCLIFF STATION									
Assessment Year	Address/Parcel ID	Original Assessed Value	New Assessed Value	Assessment Reduction	Original Tax Amount	Reduced Tax Amount	Total Refund		
2006	75 North State Road (98.10-2-32)	\$35,800.00	\$35,800.00	\$0.00	\$2,901.43	\$0.00	\$0.00		\$0.00
2007	75 North State Road (98.10-2-32)	\$45,800.00	\$39,400.00	\$6,400.00	\$3,888.15	\$3,344.82	\$543.32		\$543.32
2008	75 North State Road (98.10-2-32)	\$45,800.00	\$38,000.00	\$7,800.00	\$3,965.37	\$3,290.04	\$675.32		\$675.32
2009	75 North State Road (98.10-2-32)	\$45,800.00	\$37,550.00	\$8,250.00	\$3,998.74	\$3,278.45	\$720.30		\$720.30
2010	75 North State Road (98.10-2-32)	\$45,800.00	\$37,100.00	\$8,700.00	\$4,076.20	\$3,301.90	\$774.30		\$774.30
2006	0 North State Road (98.10-2-33)	\$4,400.00	\$4,400.00	\$0.00			\$0.00		\$0.00
2007	0 North State Road (98.10-2-33)	\$10,400.00	\$10,400.00	\$0.00			\$0.00		\$0.00
2008	0 North State Road (98.10-2-33)	\$10,400.00	\$10,400.00	\$0.00			\$0.00		\$0.00
2009	0 North State Road (98.10-2-33)	\$10,400.00	\$10,400.00	\$0.00			\$0.00		\$0.00
2010	0 North State Road (98.10-2-33)	\$10,400.00	\$10,400.00	\$0.00			\$0.00		\$0.00
TOTAL				\$31,150.00	\$18,829.89	\$13,215.22	\$2,713.24		

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
APRIL 4, 2012

**7. AUTHORIZE VILLAGE MANAGER TO EXECUTE AN AGREEMENT –
NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION
– LONG HILL ROAD PUMP STATION**

BE IT RESOLVED that the Village Manager is hereby authorized and directed to execute an agreement with the New York City Department of Environmental Protection “the City” for Land Use Permit 1834 to use New York City owned New Croton Aqueduct property located off of Long Hill Road to maintain chemical lines to the Long Hill Road Pump Station as required by New York State Department of Health and for continued use of the captioned facility connection presently covered under Permit 8068.

BE IT FURTHER RESOLVED that the Village Manager is authorized and directed to pay “the City” an annual permit fee of \$3,343.04.



Environmental
Protection

Carter H. Strickland, Jr.
Commissioner

Paul V. Rush, P.E.
Deputy Commissioner
Bureau of Water Supply
prush@dep.nyc.gov

465 Columbus Avenue
Valhalla, NY 10595

T: (845) 340-7800
F: (845) 334-7175

March 8, 2012

Philip Zegarelli
Village Manager
1111 Pleasantville Road
Briarcliff Manor, NY 10510

Re Land Use Project 1834 Long Hill Road Pump Station

Dear Mr. Zegarelli:

This refers to the application by former Interim Village Manager Ingrid Richards, processed June 5, 2008, for permission to use New York City (the "City")-owned New Croton Aqueduct property located off Long Hill Road, Briarcliff Manor, in the Town of Ossining, Westchester County, to add chemical lines to the Long Hill Road Pump Station as required by New York State Department of Health and for continued use of the captioned facility connection to New Croton Aqueduct Shaft 6, presently covered by Permit Number 8068.

A new Revocable Land Use Permit (the "Permit") now including the chemical lines, issued to the Village of Briarcliff Manor ("Village" or the "Permittee") for such further use of City property shall be subject to the Rules of the City of New York *15 RCNY §17* and shall impose an annual fee to be adjusted each year in accordance with the *Fees and Charges* contained therein.

This offering letter is not a permit. It is valid for and requires a response within 30 days and is contingent upon satisfaction of the requirements below for Permit issuance. The Permit shall be subject to the following **Special** and **Standard Conditions** (collectively the "Conditions"):

Special Conditions

1. This Permit is for the privilege of maintaining and using three (3) one hundred thirty-five (135') feet four (4") inch Schedule 40 PVC conduits, installed in April 2008; one each to convey chlorine, caustic soda and aquameg from the chemical feed station on adjacent Village property to the existing Long Hill Road Pump Station and for continued use of the Long Hill Road Pump Station connection and approximately three hundred forty

1834 Village of Briarcliff Manor chemical feed, Long Hill Road PS
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(340') feet of existing fence surrounding the facility. The former chlorine room, from which the existing chlorine gas system was removed, has been converted to an instrumentation room with original pipes remaining.

2. The use of City property under this Permit shall be subject to the terms and conditions of the Water Supply Agreement dated November 18, 2009, by and between the Village of Briarcliff Manor and the City of New York. The terms of the Agreement, shall supersede any inconsistent provisions of this Permit.
3. The Town Tax Map designates the property occupied under this Permit as Sheet 105.06 Block 1 Lot 12.
4. The New York City Department of Environmental Protection ("DEP") Contact for the operation, use and maintenance of this facility is Community Supplies Section Chief Paul Aggarwal, P. E. (914-773-4456 pagggarwal@dep.nyc.gov.) Address all notices and correspondence to **NYCDEP Land Use Permits, 465 Columbus Avenue, Valhalla, NY 10595-1336** (Judy Lapiner 914-742-2076, jlapiner@dep.nyc.gov).
5. The Permittee agrees to pay the City an **annual permit fee for 2012 of \$3,343.04**. For the duration of this Permit annual fees shall continue to include reimbursing the City each year the amount equal to the value of all property of taxes, assessments and special assessments payable on the Town tax rolls with respect to .52 acres real property occupied under this Permit. Annual permit fees are due on January 1 each year, payable upon receipt of invoice.
6. Occupation and use of City property shall be as shown on the drawing titled *Site Plan Long Hill Pump Station Water Treatment Chemical Feed System*, dated March 14, 2008, labeled As-Built July 7, 2008, and description from George W. Lackowitz, P. E., Lackowitz Engineering, dated May 5, 2008, submitted in support of the application, approved by DEP. No deviations from or changes to the facility as existing on the approved plan will be permitted without the prior review by and written approval from DEP.
7. Use of City property under this Permit is strictly subject to the Conditional Approval issued by letter dated July 31, 2008, to Interim Village Manager Ingrid Richards from Community Supplies Project Manager Mary Herje and Section Chief Paul Aggarwal, P. E. However, Special Condition 2 of the Conditional determination regarding removal of the temporary dosage arrangement for Sodium Hypochlorite within

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- 6 months of the new connection to the Catskill Aqueduct is not required. The temporary dosage point for Sodium Hypochlorite inside the long Hill Road Pump Station, consisting of only one (1) 55 gallon drum at any given time, must remain on a double containment pallet, as stated at Special Condition 1 of the Conditional Determination.
8. No trees shall be removed from City property under this Permit. Should the need arise for trimming or removal of trees or vegetation, DEP must approve such in advance in writing. If trimming or removal of trees or vegetation is necessary to remedy a hazardous situation posing an immediate risk to life, limb or property, verbal approval by DEP will suffice. Such approval may include restrictions to protect the City's interests, including compensation for removed trees, protection of remaining trees, and site restoration measures to mitigate the potential for water quality impairment. Any approved tree removal or trimming, including any restrictions imposed by DEP, shall be by and at the sole expense of the Permittee, and performed to the satisfaction of the DEP.
 9. The Permittee shall obtain written approval from DEP prior to bringing any other chemical or potentially hazardous materials onto City property.
 10. Appropriate spill containment equipment must be kept on site at all times whenever work is conducted on City property. No releasing, dumping, spilling or overnight storage of any petroleum-based oil, hydraulic fluid, fuels or chemicals shall be permitted on City property. Any accidental spill must be immediately reported to the DEP Police (888-H2O-SHED or 914-593-7500) and to Community Supplies.
 11. Any injuries or illnesses associated with work on City property under this Permit must be reported to DEP.
 12. The Permittee must register with DEP all contractors and subcontractors working on City property. Provide the names of all personnel who will access City property to DEP Police Lieutenant Robert Flynn (607-363-9003 rflynn@dep.nyc.gov) via e-mail to securityclearance@dep.nyc.gov at least two weeks prior to entry onto City property, and complete and return forms provided by DEP Police for background checks and security clearances. Contractors may not enter this site for construction, maintenance or repairs of the facility covered by this Permit until security clearance is obtained.
 13. For the duration of this Permit, the Permittee shall notify DEP 30 days before scheduling routine maintenance work. The Permittee must contact DEP 48 hours before other than routine maintenance or repairs are undertaken that involve use of special equipment,

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excavation and/or contractors. In emergency situations for which advance notice to DEP is not possible, the Permittee shall notify DEP within 48 hours of the emergency maintenance or repair. Following any repair or maintenance activities carried out under this Permit, the Permittee shall restore City land to a condition acceptable to the DEP.

14. A copy of the Permit must be available on site and presented upon request. The Permittee is responsible for Contractors' and employees' compliance with the terms of the Permit.
15. Should the need arise, prior to any excavation on City property the Permittee and its Contractors must contact the Underground Facilities Protection Organization Dig Safely New York ((800) 962-7962 www.digsafelyny.com) and follow its procedures. The Permittee shall solely absorb the cost for the utility mark out for all utilities on City property.
16. Chemical treatment of the lands covered by this Permit is specifically prohibited unless authorized in advance, in writing, by a separate Permit issued by DEP.

Standard Conditions

17. This Permit is nontransferable. It shall be valid for a term of 5 years from the date issued unless canceled sooner by the Commissioner of DEP upon no less than 30 days written notice. The Permit may be renewed for an additional term of 5 years by contacting DEP Land Use Permits at least 2 months but no longer than 6 months prior to its expiration date. If the Permit is not renewed, continued use of the property after the expiration of this Permit shall be considered a trespass.

Continued use of the property during the term of this Permit or any subsequent renewals shall be contingent upon compliance with the Conditions stated herein.

18. The Permittee shall comply with all Federal, State, City, County and local laws and regulations applicable to these activities. The Permittee must obtain and maintain all permits and/or approvals required by regulatory authorities having jurisdiction over the activities allowed by this Permit including without limitation New York State Department of Health and Westchester County Department of Health approval(s). The applicant must submit documentation to DEP indicating such approvals and permits have been obtained.

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19. The Permittee and/or any contractor(s) it hires to perform work under this Permit must conform to United States Department of Labor, Occupational Safety and Health Administration (OSHA) Regulations and any and all applicable Environmental and Health and Safety regulations, including Public Employees Safety and Health (PESH) Bureau standards. DEP reserves the right to stop work on City property if it determines that activities do not comply with applicable environmental and health and safety regulations.
20. The City reserves the right at all times to free and uninterrupted access to any portion of the Permit area for itself, its guests, agents, contractors, subcontractors, or assigns, including the right to disturb the surface or subsurface thereof without the necessity of replacing or paying for the replacing of any surface, pavement, structures, or other improvements so disturbed.
21. The Permittee must take care not to damage City-owned property and shall be held responsible for any damage caused to City property, structures and appurtenances related to this Permit. Any damage shall be immediately repaired to the satisfaction of DEP by and at the sole expense of the Permittee. Following repair or maintenance activities carried out under this Permit, the Permittee shall restore City property to a condition acceptable to DEP, including without limitation, backfill with clean fill approved by DEP, grade and seed/sod any disturbed areas, as necessary, and restore or replace any vegetation damaged or destroyed. The Permittee must at its sole expense restore City property to a condition acceptable to DEP should this Permit be terminated for any reason.
22. The Permittee shall maintain the Permit area in a safe, neat and clean condition at all times. All trash, rubbish and refuse deposited upon the Permit area shall be removed by and at the expense of the Permittee and disposed off site in conformance with all applicable regulations. Trees, branches, or other objects that fall or may threaten to fall onto the Permit area shall be removed by and at the expense of the Permittee under such conditions as set forth by the DEP. The Permittee is prohibited from mowing and/or beautifying adjacent City property. The Permittee shall be responsible for all necessary snow removal on the Permit area.
23. The Land Use Permit does not confer any right to, easement or interest in, over, under or across City-owned Land.

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24. The Permittee agrees to notify DEP in writing within 30 days of any name, address, or telephone number changes that may be relevant to the administration of this Permit.
25. Pursuant to Section 57 of the New York State Workers' Compensation Law, the Permittee must submit proof/documentation that any contractor hired for performing work on the Permit area maintains the required workers' compensation and disability benefits coverage. If the contractor is not required by law to maintain workers' compensation and disability coverage, proof/documentation indicating such must be submitted. Documents must be received by DEP prior to any contractor entering on City property at any time in connection with this Permit.
26. For the duration of this Permit the Permittee shall provide and maintain a Commercial General Liability insurance policy covering the area under Permit and naming the two entities as they appear below (A and B) as additional insureds:
 - A) The New York City Water Board
c/o The New York City Department of Environmental Protection
59-17 Junction Boulevard, 19th floor
Flushing, New York 11373
Attention: General Counsel
 - B) The City of New York
c/o NYCDEP
(address as above)

and endorsed to cover liability assumed by the Permittee under the indemnity provisions of this Permit as set forth below:

Commercial General Liability [CG 00 01 (ed.11/88)] or equivalent
Combined Single Limit - Bodily Injury and Property Damage
\$2,000,000 per occurrence
\$5,000,000 products/completed operations aggregate
\$5,000,000 general aggregate
\$25,000 claim maximum deductible.

This insurance policy shall protect the City, DEP, the Water Board, Permittee and its contractors and subcontractors performing work in connection with this Permit from claims for property damage and/or bodily injury which may arise from operations under

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this Permit, whether such operations are performed by the Permittee or anyone directly or indirectly employed by the Permittee.

The Commercial General Liability policy shall contain neither exclusions nor endorsements that are not acceptable to the City. The endorsement naming the City, DEP and the Water Board as additional insured shall incorporate the following provisions:

- a. Notice in writing and correspondence including the Certificate of Insurance shall be given to DEP, by first class mail, postage prepaid and addressed to the Commissioner of The New York City Department of Environmental Protection Bureau of Water Supply, Land Use Permits, 465 Columbus Avenue, Valhalla, NY 10595.
- b. Notice of Cancellation of Policy: The policy shall not be canceled, terminated, modified nor changed by the Permittee unless 30 days prior written notice is sent to the Commissioner of DEP at the address stated in a).

The Permittee shall provide DEP proof of continued compliance with these insurance requirements on an annual basis.

Besides the insurance coverage provided above, the Permittee shall indemnify and hold the City, DEP and the Water Board harmless from and defend against claims for any and all personal injury and property damage to persons or property arising from the use of City land or improvements under this Permit.

A Permit will be issued and sent upon receipt within 30 days and acceptance of all of the following, required:

- ▶ \$3343.04, check or money order payable to the City of New York;
- ▶ Documentation that all permits and/or approvals have been obtained as indicated in the Conditions;
- ▶ Certificate of Insurance as indicated in the Conditions;
- ▶ Proof of workers' compensation coverage or proof that coverage is not required as indicated in the Conditions; and
- ▶ Certificate of Acknowledgment enclosed herein, completed, signed and notarized.

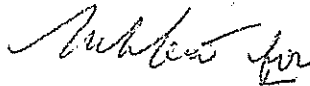
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The granting of this Permit does not interfere with the operation, maintenance and the collection of revenues from the system.

Please submit all requested documents within 30 days of the date of this letter to DEP Natural Resources Management at the address indicated in the Conditions. Please refer to Project 1834 on all correspondence relating to this Permit.

Please contact DEP Land Use Permits 914-742-2076 if there are any questions.

Very truly yours,



Paul Lenz
Section Chief, Natural Resources Management

Attachment

c: via e-mail
Edward Torhan
Briarcliff Manor Supervisor of Public Works

CERTIFICATE OF ACKNOWLEDGMENT

Project 1834

STATE OF NEW YORK, COUNTY OF _____)

_____, being duly sworn, deposes and says:
that he/she (*check one*) is the applicant herein or he/she is an agent or officer
acting on behalf of;

(include name, organization, street number, street, town, county and state) assents to, and is
authorized to agree to all the conditions, fees, rules and regulations governing the issuance of a
Revocable Permit, as specified in an offer dated _____, 20____
(month day year)

(Signature) Applicant

Sworn to before me this _____ day of _____, 20_____.

Notary Public

Village Board of Trustees
Regular Meeting
March 21, 2012
7:30 p.m.

The Regular Meeting of the Board of Trustees of the Village of Briarcliff Manor, New York was held in the Village of Briarcliff Manor Village Hall, at 1111 Pleasantville Road, Briarcliff Manor, New York on the 21st of March, 2012 commencing at 7:30 p.m.

Present

William J. Vescio, Mayor
David Venditti, Deputy Mayor
Anthony N. Capasso, Trustee
Robert Mayer, Trustee
Lori A. Sullivan, Trustee

Also Present

Philip Zegarelli, Village Manager
Christine Dennett, Village Clerk
Clinton Smith, Village Counsel

Public Hearing for the Issuance of a Special Use Permit, Urstadt Biddle Properties, Inc – Chilmark Shopping Center

Upon motion by Trustee Mayer, seconded by Deputy Mayor Venditti, the Board voted unanimously to reopen the public hearing.

There were no public comments.

Upon motion by Trustee Sullivan, seconded by Trustee Mayer, the Board voted unanimously to close the public hearing.

Upon motion by Deputy Mayor Venditti, seconded by Trustee Capasso, the Board voted unanimously to approve the following resolution as amended:

**RESOLUTION
VILLAGE OF BRIARCLIFF MANOR BOARD OF TRUSTEES
Adopted March21, 2012**

**State Environmental Quality Review Act Determination
Negative Declaration – Special Permit
Chilmark Shopping Center Rezoning & Expansion**

WHEREAS, the Board of Trustees (“Board of Trustees”) of the Village of Briarcliff Manor, New York (“Village”) received a Petition dated May 28, 2010, with Exhibit A, and accompanying Full Environmental Assessment Form, Part 1

dated May 28, 2010 ("EAF Part 1"), and other supporting material submitted on behalf of Urstadt Biddle Properties, Inc. ("Petitioner") seeking to change certain Village zoning code parking requirements for shopping centers in the Village ("Proposed Local Law Zoning Amendments") and a corresponding amendment of the Chilmark Shopping Center site plan ("Proposed Site Plan Amendment") and issuance to Chilmark Shopping Center of a special permit for shared parking ("Proposed Shared Parking Special Permit") if the zoning code parking requirements were changed ("Proposed Action"); and

WHEREAS, the Board of Trustees reviewed the EAF Part 1 for preliminary assessment of the environmental impacts of the Proposed Action under the State Environmental Quality Review Act ("SEQR"), determined that it is subject to SEQR, that it does not involve any federal agency, that it will involve other agencies, and that it is classified as an Unlisted Action under SEQR, and by Resolution adopted June 16, 2010, declared itself Lead Agency for the purpose of a coordinated review of the environmental impacts of the Proposed Action under SEQRA, directed the Village Clerk to transmit and file a notice of the Board of Trustees' intent to serve as Lead Agency pursuant to 6 N.Y.C.R.R. §617.6(b), and preliminarily classified the Proposed Action as an Unlisted Action under SEQR pursuant to 6 N.Y.C.R.R. §617.6(a).

WHEREAS, by resolution adopted September 1, 2010, the Board of Trustees set a Public Hearing on the Proposed Local Law Zoning Amendments as sought in the Proposed Action to be held at Village Hall, 1111 Pleasantville Road, Briarcliff Manor, New York, at 7:30 PM on October 6, 2011; and

WHEREAS, the Village Clerk gave notice of the Public Hearing and referred the Proposed Local Law Zoning Amendments to the Village Planning Board, the Westchester County Planning Board/Planning Department, the Town of Ossining, and the Village of Ossining; and

WHEREAS, the Westchester County Planning Department responded to the referral by letters dated July 30, 2010, and September 29, 2010; and

WHEREAS, the Village Planning Board responded to the referral by memoranda dated July 19, 2010; and

WHEREAS, the Board of Trustees received and reviewed a Full Environmental Assessment Form, Part 2 ("Zoning EAF Part 2") prepared on its behalf by the Village Planning Consultant BFJ Planning for assessment of the adoption of the Proposed Local Law Zoning Amendments sought in the Proposed Action; and

WHEREAS, the Board of Trustees held a duly advertised public hearing on adoption of the Proposed Local Law Zoning Amendments at Village Hall at 7:30 PM on October 6, 2010, gave all those wishing to be heard the opportunity to be heard, and closed the hearing on October 6, 2010; and

WHEREAS, the Board of Trustees considered the EAF, the Zoning EAF Part 2, comment letters from the Village Planning Board dated July 19, 2010, and from the Westchester County Department of Planning dated July 30, 2010, and September 29, 2010, and oral comments made at the Public Hearing; and

WHEREAS, by resolutions adopted October 20, 2010, the Board of Trustees (1) determined that the Proposed Action is an Unlisted Action pursuant to 6 N.Y.C.R.R. §612.4(b)(1), that the adoption of a Proposed Local Law Zoning Amendments as sought in the Proposed Action would not have any potentially large impact or any significant adverse impact on the environment, that the circumstances of the procedural sequencing of the zoning changes and site plan amendment and issuance of a special permit as sought in the Proposed Action warranted action on the Proposed Local Law Zoning Amendments prior to final review and action on the Proposed Site Plan Amendment and the Proposed Shared Parking Special Permit, that such review would not be less protective of the environment because the zoning changes do not permit or otherwise allow any physical change in the environment and among other things, any site plan amendment and/or special permit will be subject to review under SEQR, and that the Mayor or his designee was authorized to execute an EAF and, for the reasons set forth, to execute and file a Negative Declaration on adoption of such a Local Law and (2) enacted Local Law 4 of 2010 to adopt the Proposed Local Law Zoning Amendments as sought in the Proposed Action in accordance with the applicable provisions of law; and

WHEREAS, Village Planning Board commented on the Proposed Shared Parking Special Permit by memorandum dated November 12, 2010; and

WHEREAS, by resolution adopted December 15, 2010, the Board of Trustees set a Public Hearing on issuance of a Proposed Shared Parking Special Permit as sought in the Proposed Action to be held at Village Hall, 1111 Pleasantville Road, Briarcliff Manor, New York, at 7:30 PM on January 20, 2011, at which time all those wishing to be heard would be given the opportunity to be heard; and

WHEREAS, the Village Clerk gave notice of the Public Hearing and as directed by the Board of Trustees, referred the Proposed Shared Parking Special Permit to neighbors within 500 feet of the Chilmark Shopping Center; and

WHEREAS, the Board of Trustees held a duly advertised Public Hearing on issuance of the Proposed Shared Parking Special Permit at Village Hall at 7:30 PM on January 20, 2011, at which time the Board heard oral comments from Stephen Smalley, Ken Trabine, Rocco Circosta, Trisha Merkel, Anthony Myoki, Kay Gresard, Charles Bradley, Connie Kislack, Charles Mesello, Linda Edelstein, Jerry Morrissy, Sayid [illegible] from Prescriptions Plus in the Chilmark Shopping Center, and representatives of Petitioner, gave all those wishing to be heard the opportunity to be heard, and adjourned the Public Hearing to a date to be determined; and

WHEREAS, the Planning Board and the Village Manager received letters commenting on the Proposed Site Plan Amendment sought in the Proposed Action from Riker Danzig Scherer Hyland Perretti LLP on behalf of Shopwell, Inc. dated April 26, 2011, and from Jerry Gershner dated October 16, 2011; and

WHEREAS, the Board of Trustees received a memorandum from the Village Planning Board dated January 10, 2012, reporting on its review of the Proposed Site Plan Amendment and the need for the Board of Trustees to complete its review and make a determination under SEQR on the Proposed Action and act on the Proposed Shared Parking Special Permit before the Planning Board could proceed further; and

WHEREAS, by resolution adopted February 1, 2012, the Board of Trustees set resumption of the Public Hearing on issuance of the Proposed Shared Parking Special Permit for Village Hall, 1111 Pleasantville Road, Briarcliff Manor, New York, at 7:30 PM on March 7, 2012; and

WHEREAS, the Board of Trustees received letters dated January 30, 2012, and February 24, 2012, and other supporting material submitted on behalf of Petitioner to resume its application for the Proposed Shared Parking Special Permit; and

WHEREAS, the Village Clerk gave notice of the resumed Public Hearing; and

WHEREAS, the Board of Trustees held a duly advertised public hearing on issuance of the Proposed Shared Parking Special Permit at Village Hall at 7:30 PM on March 7, 2012, at which time the Board heard oral comments from Charles Bradley, Jenny Earl, Emily Sack, and representatives of Petitioner, and all those wishing to be heard were given the opportunity to be heard, and adjourned the hearing to March 21, 2012; and

WHEREAS, the Board of Trustees reviewed a Full Environmental Assessment Form Part 2 ("Shared Parking Special Permit EAF Part 2") prepared on its behalf by the Village Planning Consultant BFJ Planning for assessment of the issuance of the Proposed Shared Parking Special Permit sought in the Proposed Action; and

WHEREAS, the Board of Trustees resumed the adjourned public hearing on issuance of the Proposed Shared Parking Special Permit at Village Hall at 7:30 PM on March 21, 2012, at which time the Board gave all those wishing to be heard the opportunity to be heard, no one asked to be heard, and the Board closed the hearing on March 21, 2012; and

WHEREAS, the Board of Trustees considered the EAF, the Shared Parking Special Permit EAF Part 2, memoranda from the Village Planning Board dated July 19, 2010, November 12, 2010, and January 10, 2012, and from the Westchester County Department of Planning dated July 30, 2010, and

September 29, 2010, and other written submissions and oral comments made at the Public Hearing;

NOW THEREFORE, be it

RESOLVED, that the Board of Trustees hereby reaffirms its earlier determination that the Proposed Action is an Unlisted Action pursuant to 6 N.Y.C.R.R. §612.4(b)(1); and be it further

RESOLVED, that the Board of Trustees, having considered the facts and conclusions set forth in the Shared Parking Special Permit EAF Part 2 regarding the potential environmental impacts of issuance of the Proposed Shared Parking Special Permit, hereby determines that issuance of a Special Permit for shared parking at Chilmark Shopping Center under Village Code Section 220-6.K(4) will not have any potentially large impact or any significant adverse impact on the environment; and be it further

RESOLVED, that the Mayor or his designee is authorized to execute an EAF and, for the reasons set forth, to execute and file a Negative Declaration on issuance of a Special Permit for shared parking at Chilmark Shopping Center under Village Code Section 220-6.K(4) as sought in the Proposed Action in accordance with the applicable provisions of law.

The Board had general discussion regarding the resolution and which plans should be included for approval.

Village Attorney Smith stated the Planning Board approved the site plan and the Board of Trustees would issue the Special Use Permit contingent on the approval of one of the three variations of the plans.

Trustee Sullivan requested copies of the resolutions be available for public inspection.

Upon motion by Trustee Sullivan, seconded by Trustee Mayer, the Board voted unanimously to approve the following resolution:

RESOLUTION
VILLAGE OF BRIARCLIFF MANOR BOARD OF TRUSTEES
Adopted March 21, 2012
Chilmark Shopping Center
Resolution of Special Permit Approval

WHEREAS, the Board of Trustees ("Board of Trustees") of the Village of Briarcliff Manor, New York ("Village") received a Petition dated May 28, 2010, with Exhibit A, and accompanying (i) Full Environmental Assessment Form, Part 1 dated May 28, 2010 ("EAF Part 1"), (iii) Plans prepared by Norman DiChiara Architects, PC entitled, "Chilmark Shopping Center, Pleasantville Road &

Orchard Road, Village of Briarcliff Manor” dated May 27, 2010, and identified as {a} A1 - Architectural Plan, {b} A2 - Architectural Plan, {c} A3 - Architectural Plan, {d} A4 - Architectural Elevation, {e} A5 - Architectural Elevation, {f} A6 - Architectural Elevation, (iii) Plans prepared by John Meyer Consulting, PC entitled, “Chilmark Shopping Center, Pleasantville Road & Orchard Road, Village of Briarcliff Manor” dated May 27, 2010 and identified as {a} SP-1 - Cover Sheet, {b} SP-2 - Overall Site Plan - Existing Conditions, {c} SP-3 - Overall Site Plan - Proposed Conditions, {d} SP-4 - Site Layout Plan, {e} SP-5 - Site Grading Plan, {f} SP-6 - Site Utilities Plan, {g} SP-7 - Site Landscaping Plan, and (iv) “Parking & Traffic Study” prepared by John Meyer Consulting, PC submitted by and on behalf of Urstadt Biddle Properties, Inc. (“Petitioner”) seeking to change certain Village zoning code parking requirements for shopping centers in the Village (“Proposed Local Law Zoning Amendments”) and corresponding amendment of the Chilmark Shopping Center site plan (“Proposed Site Plan Amendment”) and issuance to Chilmark Shopping Center of a special permit for shared parking (“Proposed Shared Parking Special Permit”) if the proposed Local Law Zoning Amendments were changed (“Proposed Action”); and

WHEREAS, the Board of Trustees reviewed the EAF Part 1 for preliminary assessment of the environmental impacts of the Proposed Action under the State Environmental Quality Review Act (“SEQR”), determined that it is subject to SEQR, that it does not involve any federal agency, that it will involve other agencies, and that it is classified as an Unlisted Action under SEQR, and by Resolution adopted June 16, 2010, declared itself Lead Agency for the purpose of a coordinated review of the environmental impacts of the Proposed Action under SEQRA, directed the Village Clerk to transmit and file a notice of the Board of Trustees’ intent to serve as Lead Agency pursuant to 6 N.Y.C.R.R. §617.6(b), and preliminarily classified the Proposed Action as an Unlisted Action under SEQR pursuant to 6 N.Y.C.R.R. §617.6(a).

WHEREAS, by resolution adopted September 1, 2010, the Board of Trustees set a Public Hearing on the Proposed Local Law Zoning Amendments to be held at Village Hall, 111 Pleasantville Road, Briarcliff Manor, New York, at 7:30 PM on October 6, 2010; and

WHEREAS, pursuant to New York General Municipal Law Sec. 239-m and Westchester County Administrative Code Sec. 277.61 and 277.71, the Petition was referred to the Westchester County Planning Board/Department, the Town of Ossining, and the Village of Ossining; and

WHEREAS, the Westchester County Planning Department responded to the referral by letters dated July 30, 2010, and September 29, 2010; and

WHEREAS, pursuant to Village Code §220-6(C), the Petition was referred to the Village Planning Board for its review and recommendation; and

WHEREAS, the Village Planning Board responded to the referral by memorandum dated July 19, 2010; and

WHEREAS, the Board of Trustees received and reviewed a Full Environmental Assessment Form, Part 2 ("Zoning EAF Part 2") prepared on its behalf by the Village Planning Consultant BFJ Planning for assessment of the adoption of the Proposed Local Law Zoning Amendments; and

WHEREAS, the Board of Trustees held a duly advertised Public Hearing on adoption of the Proposed Local Law Zoning Amendments at Village Hall, 1111 Pleasantville Road, Briarcliff Manor, New York, at 7:30 PM on October 6, 2010, gave an opportunity to be heard to all those wishing to be heard, and closed the hearing on October 6, 2010; and

WHEREAS, the Board of Trustees considered the EAF, the Zoning EAF Part 2, comment letters from the Village Planning Board dated July 19, 2010, and from the Westchester County Department of Planning dated July 30, 2010, and September 29, 2010, and oral comments made at the public hearing; and

WHEREAS, on October 20, 2010, the Board of Trustees duly enacted Local Law 4 of 2010 to adopt the Proposed Local Law Zoning Amendments; and

WHEREAS, Petitioner applied for the Proposed Site Plan Amendment before the Village Planning Board, and the Village Planning Board review of the Proposed Site plan Amendment has been proceeding concurrently with the Board of Trustees review under SEQR and of the Proposed Shared Parking Special Permit; and

WHEREAS, Village Planning Board commented on the Proposed Shared Parking Special Permit by memorandum dated November 12, 2010; and

WHEREAS, by resolution adopted December 15, 2010, the Board of Trustees set a Public Hearing on issuance of the Proposed Shared Parking Special Permit to be held at Village Hall, 1111 Pleasantville Road, Briarcliff Manor, New York, at 7:30 PM on January 20, 2011; and

WHEREAS, the Village Clerk gave notice of the Public Hearing and as directed by the Board of Trustees, also referred the Proposed Shared Parking Special Permit to neighbors within 500 feet of the Chilmark Shopping Center; and

WHEREAS, the Board of Trustees held a duly advertised Public Hearing on issuance of the Proposed Shared Parking Special Permit at Village Hall at 7:30 PM on January 20, 2011, at which time the Board heard oral comments from Stephen Smalley, Ken Trabine, Rocco Circosta, Trisha Merkel, Anthony Myoki, Kay Gresard, Charles Bradley, Connie Kislack, Charles Mesello, Linda Edelstein, Jerry Morrissy, Sayid [illegible] from Prescriptions Plus in the Chilmark Shopping Center, and representatives of Petitioner, gave the opportunity to be heard to all those wishing to be heard, and adjourned the Public Hearing to a date to be determined; and

WHEREAS, the Village Planning Board and the Village Manager received letters commenting on the Proposed Site Plan Amendment from Riker Danzig Scherer Hyland Perretti LLP on behalf of Shopwell, Inc. dated April 26, 2011, and from Jerry Gershner dated October 16, 2011; and

WHEREAS, the Board of Trustees received a memorandum from the Village Planning Board dated January 10, 2012, reporting on its review of the Proposed Site Plan Amendment and the need for the Board of Trustees to complete its review, make a determination under SEQR on the Proposed Action, and act on the Proposed Shared Parking Special Permit before the Planning Board could proceed further; and

WHEREAS, by resolution adopted February 1, 2012, the Board of Trustees set resumption of the Public Hearing on issuance of the Proposed Shared Parking Special Permit for Village Hall, 1111 Pleasantville Road, Briarcliff Manor, New York, at 7:30 PM on March 7, 2012; and

WHEREAS, the Board of Trustees received a letter dated January 30, 2012, with accompanying Plans prepared by John Meyer Consulting, PC, entitled, "Chilmark Shopping Center, Pleasantville Road & Orchard Road, Village of Briarcliff Manor" identified as (i) SP-2 – Overall Site Plan – Existing Conditions, Revision 6, dated December 21, 2011, (ii) AST-2 – Alternative Site Plan, Revision 1, dated December 21, 2011, (iii) SP-4 – Site Layout Plan, Revision 8, dated December 21, 2011, (iv) SP - 7 - Site Landscaping Plan, Revision 7, dated December 13, 2011, (v) 11" x 17" Figure titled "Driveway Comparison Plan – Layout" dated December 28, 2011, (vi) 11" x 17" Figure titled "Driveway Comparison Plan – Grading" dated December 28, 2011, and (vii) 11" x 17" Figure titled "Site Cross Section" dated December 28, 2011, submitted by John Meyer Consulting, PC on behalf of Petitioner; and

WHEREAS, the Village Clerk gave notice of the resumed Public Hearing; and

WHEREAS, the Board of Trustees received a letter dated February 24, 2012, with accompanying plans prepared by John Meyer Consulting, PC entitled, "Chilmark Shopping Center, Pleasantville Road & Orchard Road, Village of Briarcliff Manor" last revised February 23, 2012, and identified as (i) SP-3 – Overall Site Plan (A-1), which was recommended by the Planning Board in its memorandum dated January 10, 2012, (ii) SP-3 - Overall Site Plan (A-2), which was suggested by the Board of Trustees to allow for an additional traffic aisle by land-banking two parking spaces in accordance with Village Code § 220-6.K(4)(b)[2], and (iii) SP-3 - Overall Site Plan (A-3), which will requiring future consent and authorization by an owner adjoining property but might be approved on condition of receiving that consent and authorization, submitted on behalf of Petitioner by Cuddy & Feder, LLP; and

WHEREAS, the Board of Trustees held a duly advertised Public Hearing on issuance of the Proposed Shared Parking Special Permit at Village Hall at 7:30 PM on March 7, 2012, at which time the Board heard oral comments from

Charles Bradley, Jenny Earl, Emily Sack, and representatives of Petitioner, gave an opportunity to be heard to all those wishing to be heard, and adjourned the hearing to March 21, 2012; and

WHEREAS, the Board of Trustees received and reviewed a Full Environmental Assessment Form, Part 2 ("Shared Parking Special Permit EAF Part 2") prepared on its behalf by the Village Planning Consultant BFJ Planning for assessment of the issuance of the Proposed Shared Parking Special Permit; and

WHEREAS, the Board of Trustees resumed the adjourned Public Hearing on issuance of the Proposed Shared Parking Special Permit at Village Hall at 7:30 PM on March 21, 2012, at which time the Board gave an opportunity to be heard to all those wishing to be heard, no one asked to be heard, and the Board closed the hearing; and

WHEREAS, the Board of Trustees considered the EAF Part 1, the Shared Parking Special Permit EAF Part 2, memoranda from the Village Planning Board July 19, 2010, November 12, 2010, and January 10, 2012, and from the Westchester County Department of Planning dated July 30, 2010, and September 29, 2010, other written submissions, and oral comments made at the Public Hearing; and

WHEREAS, Chilmark Shopping Center is comprised of the following parcels designated on the Village's Tax Map: (i) Section 90.17, Block 1, Lots 4 & 5 owned by Petitioner and consisting of approximately 3.33 acres of land and containing two single story brick buildings with 28,605 square feet of retail and personal service uses and 148 parking spaces ("Petitioner Lots 4 & 5"), (ii) Section 90.17, Block 1, Lot 2 owned by Petitioner and consisting of approximately .0784 acres of land and containing 8,845 square feet of retail and personal service and restaurant uses and 42 parking spaces ("Petitioner Lot 2"), (iii) Section 90.17, Block 1, Lot 57, owned by Petitioner and consisting of approximately 0.225 acres of land and being vacant and undeveloped ("Petitioner Lot 57"), and (iv) Section 90.17, Block 1, Lot 3 owned by Shopwell, Inc. and consisting of approximately 2.124 acres of land and containing 22,500 square feet of supermarket use and 104 parking spaces ("A&P Lot 3"), and

WHEREAS, Petitioner Lots 4 & 5, Petitioner Lot 2, and Petitioner Lot 57 are benefited and burdened by cross-easements for ingress and egress and for parking with A&P Lot 3 recorded at Liber 7784, Page 54 and Liber 7784, Page 62 in the Westchester County Clerk's Office (Division of Land Records); and

WHEREAS, Petitioner has acquired the parcel designated on the Village's Tax Map as Section 90.17, Block 1, Lot 6 consisting of approximately 0.49 acres of land adjacent to Chilmark Shopping Center and currently containing 2,426 square feet of banking use and 14 parking spaces and intends by its Proposed Site Plan Amendment to modify the same and incorporate it into the shopping center ("Petitioner Lot 6"); and

WHEREAS, the Chilmark Shopping Center is and has been operated as a “designed group of such retail establishments used for merchandising or personal service” ... “forming a single functional shopping center”; and

WHEREAS, Shopwell, Inc. and/or the owner of A&P Lot 3 has not appeared before the Board of Trustees or joined in Petitioner’s applications for the Proposed Shared Parking Special Permit or the Proposed Site Plan Amendment; and

WHEREAS, Petitioner intends to operate Petitioner Lots 4 & 5, Petitioner Lot 2, Petitioner Lot 57, and Petitioner Lot 6, with its cross-easement ingress, egress, and parking rights, as a “designed group of such retail establishments used for merchandising or personal service” ... “forming a single functional shopping center” in accordance with Village Code §220-6.K(4) under and its Proposed Site Plan Amendment (“Urstadt Biddle Chilmark Shopping Center”); and

WHEREAS, the nature and category of the Urstadt Biddle Chilmark Shopping Center’s use will not be changed by issuance of the Proposed Shared Parking Special Permit; and

WHEREAS, the Proposed Action has been subject to a coordinated review by the Board of Trustees as Lead Agency under SEQRA, and the Board of Trustees has concluded that issuance of the Proposed Shared Parking Special Permit to the Urstadt Biddle Chilmark Shopping Center will not result in any significant adverse environmental impact; and

WHEREAS, the Planning Board issued a general recommendation of support for the Proposed Shared Parking Special Permit in its memorandum of November 12, 2010, and also noted that it did not find that any of the project-related impacts would result in any potentially significant adverse environmental under SEQRA in its memorandum of January 10, 2012; and

WHEREAS, the Board is familiar with the Chilmark Shopping Center and the Urstadt Biddle Chilmark Shopping Center’s operations and use of the property; and

WHEREAS, issuance of the Proposed Shared Parking Special Permit will allow for better regulation and land use control of the Urstadt Biddle Chilmark Shopping Center; and

WHEREAS, the Urstadt Biddle Chilmark Shopping Center’s continuation of its current operations are consistent with the past use of its site and the Village’s Master Plan, surrounding land uses, and zoning; and

WHEREAS, other important benefits of issuing the Proposed Shared Parking Special Permit for Urstadt Biddle Chilmark Shopping Center include, but are not necessarily limited to, greater clarity of legal status and more efficient regulation and administration; and

WHEREAS, the Petitioner's has agreed before the Village Planning Board on its review of the Proposed Site Plan Amendment that Urstadt Biddle Chilmark Shopping Center and its tenants will not be operated or open on a 24-hour basis; and

WHEREAS, the Village Planning Board requested in its memorandum of January 10, 2012, that stricter standards than those included in the Village Sign Ordinance, Village Code Chapter 172, "Signs," should be applied with respect to the size, type, design, and lighting associated with any new sign posted or on the facade of any building along Pleasantville Road, and the Board of trustees encourages the Planning Board to pursue Petitioner's agreement to the same as it completes review of the Proposed Site Plan Amendment;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

RESOLVED, the Board of Trustees adopts and incorporates the recitations and statements set forth above as if fully set forth and resolved herein.

RESOLVED, in its consideration of the Urstadt Biddle Chilmark Shopping Center's application, the Board of Trustees has reviewed and relied on:

1. Petition dated May 18, 2010, with Exhibit A and accompanying Plans, Full Environmental Assessment Form, Part 1, and Parking & Traffic study.
2. Memorandum from Village Planning Board dated July 19, 2010.
3. Comment Letter from the Westchester County Department of Planning dated July 30, 2010.
4. Comment Letter from the Westchester County Department of Planning dated September 29, 2010.
5. Memorandum from Village Planning Board dated November 12, 2010.
6. Letter to the Village Planning Board from Riker Danzig Scherer Hyland Perretti LLP on behalf of Shopwell, Inc. dated April 26, 2011.
7. Letter to the Village Manager from Jerry Gershner dated October 16, 2011.
8. Memorandum from Village Planning Board dated January 10, 2012.
9. Letter to the Board of Trustees from John Meyer Consulting, PC dated January 13, 2012, with accompanying Plans.
10. Letter to the Board of Trustees from Cuddy & Feder, LLP dated January 30, 2012, with accompanying Plans.
11. Shared Parking Special Permit EAF, Part 2 prepared by Village Planning Consultants.
12. Presentations and statements made at the Public Hearing(s).

RESOLVED, the Board of Trustees finds that:

13. The Urstadt Biddle Chilmark Shopping Center presently has approximately 39,876 square feet of retail, personal service, and restaurant use, 204 parking spaces, and easement rights over 104 parking spaces.
14. Under the Proposed Site Plan Amendment's current three alternatives, the Urstadt Biddle Shopping Center will have (i) in one case, 46,790 square feet of retail, personal service, and restaurant use, 208 parking spaces, and easement rights over 104 parking spaces, (ii) in another case, 46,790 square feet of retail, personal service, and restaurant use, 206 parking spaces, 2 more land-banked parking spaces, and easement rights over 104 parking spaces, and (iii) in the last case, 47,290 square feet of retail, personal service, and restaurant use, 211 parking spaces, and easement rights over 104 parking spaces,.
15. The Urstadt Biddle Chilmark Shopping Center's use of its property and location(s) on the site, the nature and intensity of the operations and traffic in connection with it, the size of the site in relation to it, and the location of the site with respect to the type, arrangement, and capacity of streets giving access to it are in satisfactory harmony with the appropriate and orderly development of the B1 zoning district in which the shopping center is located.
16. The location, nature, and height of buildings, walls, and fences, and the nature and extent of the landscaping and screening existing on the site and to be developed under the Proposed Site Plan Amendment are such that the Urstadt Biddle Chilmark Shopping Center does not hinder or discourage the appropriate development and use of adjacent land and buildings.
17. The Urstadt Biddle Chilmark Shopping Center's operations are not more objectionable to nearby properties by reason of noise, fumes, vibrations, lighting, or flashing of lights, than would be the operations of any permitted use on the site not requiring a special permit.
18. Parking areas are of adequate size for the Urstadt Biddle Chilmark Shopping Center's use of the site, properly located, and suitably screened from any adjoining residential uses, and the entrance and exit drives are laid out so as to achieve maximum safety.
19. The character, intensity, size, and location of the Urstadt Biddle Chilmark Shopping Center is generally in harmony with the orderly development of the B1 zoning district in which the Property is located and will not be detrimental to the orderly development of adjacent districts.
20. The Urstadt Biddle Chilmark Shopping Center's operations and improvements on the site under the Proposed Site Plan Amendment will not impair the use, enjoyment, or value of adjacent residential properties.

21. The nature and intensity of the Urstadt Biddle Chilmark Shopping Center and the traffic generated by it is not especially hazardous, incongruous, or detrimental to the prevailing residential character of the neighborhood.
22. The Urstadt Biddle Chilmark Shopping Center and its operations and improvements on the site under the Proposed Site Plan Amendment is and will be harmonious with the B1 district in which it is located, does not and will not create undue pedestrian or vehicular traffic hazards, and does not and will not include any display of signs, noise, fumes, or lights that will hinder the normal development of the district or impair the use, enjoyment and value of adjacent land and buildings
23. The applicable conditions and standards for Special Permit Use set forth in Village Code §220–6(C)(1) through (8) have been met.
24. The Urstadt Biddle Chilmark Shopping Center is a designed group of establishments for sale of goods at retail or performance of customary personal service or services clearly incidental to retail sales, primarily for the convenience of the inhabitants of the Village and the immediate locality.
25. The Urstadt Biddle Chilmark Shopping Center forms a single functional shopping center.
26. The Urstadt Biddle Chilmark Shopping Center is situated on lots aggregating in excess of two acres.
27. Petitioner has presented a parking accumulation study prepared during peak hour utilization to demonstrate that sufficient parking spaces exist at The Urstadt Biddle Chilmark Shopping Center so that no overflow parking is likely to occur in any public street.
28. Each of the site plans identified as SP-3-Overall Site Plan (A-1) and SP-3 Overall Site Plan (A-3) submitted by letter of Cuddy & Feder, LLP dated January 30, 2012, and annexed to this Resolution will provide the Urstadt Biddle Chilmark Shopping Center with at least 4.5 parking spaces per 1,000 square feet of floor area.
29. The site plan identified as SP-3-Overall Site Plan (A-2) submitted by letter of Cuddy & Feder, LLP dated January 30, 2012, and annexed to this Resolution will provide the Urstadt Biddle Chilmark Shopping Center with at least 4.0 parking spaces per 1,000 square feet of floor area and provides and indicates additional land-banked parking spaces which, if made available, will provide the shopping center with at least 4.5 spaces per 1,000 square feet of floor area.
30. The parking spaces provided to the Urstadt Biddle Chilmark Shopping Center under the site plan identified as SP-3-Overall Site Plan (A-2) submitted by letter of Cuddy & Feder, LLP dated January 30, 2012, and annexed to this Resolution net of any land-banked spaces are sufficient to meet the demands of the shopping center by reason of the provision of nonreserved parking spaces and variation in the probable time of maximum use by visitors, patrons and employees of the shopping center and its occupants.

31. The applicable conditions and standards for shared parking Special Permit use set forth in Village Code §220–6.K(4) have been met.

RESOLVED, that the Board of Trustees imposes the following conditions on the issuance of a Special Permit for shared parking (“Shared Parking Special Permit”) to the Urstadt Biddle Chilmark Shopping Center:

32. Except as otherwise set forth in these conditions or approved by the Board of Trustees in an amendment to the Shared Parking Special Permit, the Urstadt Biddle Chilmark Shopping Center Shared Parking Special Permit is conditioned and contingent on the Village Planning Board approval of the Proposed Site Plan Amendment in the form set forth in any one of the SP-3-Overall Site Plan (A-1), SP-3-Overall Site Plan (A-2), or SP-3-Overall Site Plan (A-3) submitted by letter of Cuddy & Feder, LLP dated January 30, 2012, and annexed to this Resolution, with the Planning Board to exercise its judgment and selecting among those plans.
33. Except as otherwise set forth in these conditions, no change shall be made on the site to add an improvement or to change the footprint or location of any improvement shown on the Proposed Site Plan Amendment approved by the Village Planning Board (“Site Plan”) unless approval for the addition or change is obtained from the Village Planning Board under Village Code §220–14.
34. All applicable fees, charges, and reimbursements charged to Petitioner by the Village on the Village’s review and determination of the Petition, the Proposed Action, the Proposed Local Law Zoning Amendments, the Proposed Shared Parking Special Permit, the Proposed Site Plan Amendment, and any matter incidental to any of the same shall be paid the before the Shared Parking Special Permit takes effect.

RESOLVED, the Board of Trustees grants the Shared Parking Special Permit to Urstadt Biddle Chilmark Shopping Center in accordance with the provisions of Village Code §220–6 subject to the terms and conditions of this Resolution and to the Urstadt Biddle Chilmark Shopping Center’s:

35. Operation of the Urstadt Biddle Chilmark Shopping Center in conformity with the requirements of the Village Code with regular, repeated, or continued deviations therefrom constituting a violation of the Shared Parking Special Permit.
36. Use and improvement of the property in conformity with the requirements of the Village Code and as set forth in the Site Plan, with regular, repeated, or continued deviations from the maintenance and improvement of the property as set forth in the Site Plan constituting a violation of the Urstadt Biddle Chilmark Shopping Center’s Shared Parking Special Permit.

RESOLVED, the Shared Parking Special Permit shall not apply to any nonconformity other than the preexisting Urstadt Biddle Chilmark Shopping Center's parking deficiency.

RESOLVED, this Shared Parking Special Permit shall not approve, prohibit, or otherwise affect any other permit or approval that may apply to or be a required of or for the Urstadt Biddle Chilmark Shopping Center, the site, or the Urstadt Biddle Chilmark Shopping Center's operations.

RESOLVED, in accordance with Village Code §220–6(F) & (G), the Urstadt Biddle Chilmark Shopping Center's Shared Parking Special Permit approval shall expire and become void if the use of the site as a designed group of establishments for sale of goods at retail or performance of customary personal service or services clearly incidental to retail sales, primarily for the convenience of the inhabitants of the Village and the immediate locality, and forming a single functional shopping center ceases for more than 12 months for any reason.

Board of Trustees Announcements by Mayor Vescio

- Village Resident and Volunteer Firefighter John Mezzatesta passed away. The Board offered their deepest condolences to the family and have asked that Village flags be lowered to half-mast in his honor.
- Congratulations to Robert Murray and Mark Pohar for their recent election to the Board of Trustees.
- Village Hall windows and doors are finally installed.
- Library windows will be installed in early April.
- The Village Hall lighting project will begin next week.
- The Recreation Brochure is available online or at the Recreation Office.

Village Managers Report by Village Manager Zegarelli

- Punch list items are being closed out on the FWSP.
- The Westchester County Mobile Shredder will be at Village Hall on Saturday, April 21st from 10am-1pm.
- The Affordable Housing Project at 445 N. State Road was approved for funding by Westchester County.
- A walk through was done for architectural services at the Library.
- Hydrants are being flushed throughout the Village over the next few weeks.
- Residents are reminded to check their sprinkler systems.
- The Solar Array panels were installed at DPW and Village Hall.
- Warm weather brings out walkers, cyclists and joggers. Please be careful and wear reflective clothing.

Public Comments

The Board wished Deborah Capasso a Happy Birthday.

Acceptance of Gift: Battle of Monitor versus the Merrimack

The Board thanked Village Manager Zegarelli for his very thoughtful gift.

Upon motion by Trustee Sullivan, seconded by Trustee Mayer, the Board voted unanimously to approve the following resolution:

WHEREAS the 150th Anniversary of the Battle of the Ironclads, Monitor and Merrimack occurred on March 8th and 9th 1862; and

WHEREAS the Captain of the Monitor was Lt. John L. Warden who was born and raised in Sparta, Town of Mount Pleasant now known as Briarcliff Manor and who later became a Rear Admiral and Commandant of the Naval Academy for 5 years; and

WHEREAS, Philip E. Zegarelli, Village Manager of the Village of Briarcliff Manor purchased as a gift a limited edition (#15 of 500) fine art rendition of the "Monitor and Merrimac, First Fight Between Ironclads", from the Mariner's Museum;

NOW THEREFORE BE IT RESOLVED that the Board of Trustees of Village of Briarcliff Manor hereby accepts the gift of Philip E. Zegarelli with thanks.

Scheduling Annual Organizational Meeting & Tentative Budget Public Hearing

Annual Organizational Meeting

Upon motion by Deputy Mayor Venditti, seconded by Trustee Capasso, the Board voted unanimously to approve the following resolution:

BE IT RESOLVED, that the Annual Organizational Meeting of the Board of Trustees is hereby scheduled for Wednesday, April 4, 2012 at 7:00pm.

2012-2013 Tentative Budget Public Hearing

Upon motion by Trustee Mayer, seconded by Trustee Sullivan, the Board voted unanimously to approve the following resolution:

BE IT RESOLVED, that the 2012-2013 Tentative Budget was filed on Tuesday, March 20, 2012.

BE IT RESOLVED, that a Public Hearing for the 2012-2013 Tentative Budget is hereby scheduled for Wednesday, April 4, 2012 at 7:30pm.

Award of Bid - Guide Rail Project – North State Road

Upon motion by Deputy Mayor Venditti, seconded by Trustee Capasso, the Board voted unanimously to approve the following resolution:

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

WHEREAS the BOT has reviewed the various alternatives for enhanced guiderail features to compliment and complete the site enhancements; having reviewed NYSDOT engineering instructions; 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. at the base price of \$9,268.00 for galvanized box beam with a contingency of up to \$1,000.00 to secure Corten finished products, if available, together with other miscellaneous costs totaling \$1,000.00 for a total project cost not to exceed \$11,268.00.

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.

Fire Department Membership - Hase

The Board thanked Mr. Hase for volunteering.

Upon motion by Trustee Capasso, seconded by Trustee Sullivan, the Board voted unanimously to approve the following resolution:

BE IT RESOLVED, that the Board of Trustees of the Village of Briarcliff Manor hereby approves the membership of Mark Hase to the Scarborough Engine Company.

Minutes

Upon motion by Trustee Sullivan, seconded by Trustee Mayer, with one abstention from Deputy Mayor Venditti, the Board voted to approve the minutes of March 7, 2012.

Adjournment

The Mayor and Board thanked Trustee Mayer for his six years of service and stated his wisdom, humor, knack for calming things down and participation will be greatly missed.

The Mayor and Board thanked Trustee Capasso for his two years of service and stated his foresight and demeanor when dealing with tough issues is a talent.

Trustee Mayer stated he enjoyed his time on the Board and thanked Village Staff, especially Robin Rizzo, Christine Dennett, Al Trudeau and Phil Zegarelli. He thanked Village Attorney Smith for his concise legal advice and the current and former Trustees. He thanked Mayor Vescio for seeing the Village from the dark ages to the enlightenment and for keeping taxes low and bringing the Village laws to the 21st century. He stated it was a please to serve the Village.

Trustee Capasso stated he appreciated the faith that the Village residents placed on him and that serving as a Trustee was a truly rewarding experience. He stated he would have gladly served longer if work commitments didn't prevent it. He thanked the Mayor and the Board, Village Manager Zegarelli and Village Staff for their tireless efforts and stated it had been an honor to serve.

Upon motion by Trustee Mayer, seconded by Capasso, the Board voted unanimously to adjourn the meeting at 8:10pm.

Respectfully Submitted By,

Christine Dennett
Village Clerk