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AGENDA
FEBRUARY 20, 2013
BOARD OF TRUSTEES
VILLAGE OF BRIARCLIFF MANOR, NEW YORK
REGULAR MEETING – 7:30 PM

Board of Trustees Announcements

Village Managers Report

Public Comments

1. Amend Master Fee Schedule – Recreation Fees
2. Tax Abatements
3. Minutes
 - February 6, 2013 – Regular Meeting

NEXT REGULAR BOARD OF TRUSTEES MEETING – MARCH 6, 2013

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
FEBRUARY 20, 2013

1. AMEND MASTER FEE SCHEDULE

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

MASTER FEE SCHEDULE

DEPARTMENT	TYPE OF APPLICATION LICENSE OR PERMIT	EXISTING	PROPOSED FYE 2014 FEES	Eligible Non- Residents + 25% 25% more
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ALL CAMP FEES FOR OUT OF VILLAGE, IN BMUFSD APPLICANTS, WILL BE AN ADDITIONAL 25% ON PROPOSED FEES

Summer Day Camp Programs

Tree Camp

Half Day - entire 5 weeks	510	600	750
Half Day - any 4 weeks	460	510	640
Half Day - any 3 weeks	375	415	520
Full Day - entire 5 weeks	800	915	1145
Full Day - any 4 weeks	700	770	965
Full Day - any 3 weeks	560	615	770
Extended Day Option - Daily Rate	25	30	38
Extended Day Option - Weekly Rate	90	110	138
Extended Day Option - Seasonal Rate - 5 weeks	275	330	410

Super Camp

Half Day - entire 5 weeks	510	600	750
Half Day - any 4 weeks	460	510	640
Half Day - any 3 weeks	375	415	520
Full Day - entire 5 weeks	800	915	1145
Full Day - any 4 weeks	700	770	965
Full Day - any 3 weeks	560	615	770
Extended Day Option - Daily Rate	25	30	38
Extended Day Option - Weekly Rate	90	110	138
Extended Day Option - Seasonal Rate - 5 weeks	275	330	410

Camp Adventure

Half Day - entire 5 weeks	665	770	965
Half Day - any 4 weeks	620	650	850
Half Day - any 3 weeks	465	510	640
Full Day - entire 5 weeks	800	945	1180
Full Day - any 4 weeks	700	800	1000
Full Day - any 3 weeks	585	645	810

Camp Horizon

Half Day Plus - entire 5 weeks	800	960	1200
Half Day Plus - any 4 weeks	700	840	1050
Half Day Plus - any 3 weeks	585	700	875

**Pool & Tennis Permit Fees
Resident - Seasonal Permits**

Child Pool	110	115	
Child Pool - Day Camp Only	85	90	
Adult Pool	195	205	
Family Pool	445	465	
Senior Pool	110	115	
Child Combo	155	165	
Adult Combo	250	265	
Family Combo	560	590	
Senior Combo	155	165	
Child Tennis	100	105	
Adult Tennis	155	165	
Family Tennis	365	385	
Senior Tennis	100	105	

**School District -
Seasonal Permits**

Child Pool	185	195	
Child Pool - Day Camp Only	130	135	
Adult Pool	315	330	
Family Pool	755	790	
Senior Pool	185	195	
Child Combo	250	265	
Adult Combo	415	435	
Family Combo	950	995	
Senior Combo	250	265	
Child Tennis	150	160	
Adult Tennis	205	215	
Senior Tennis	165	160	

Other Pool & Tennis Fees

Daily Use ID Permit - Residents	35	40	
Daily Use ID Permit - School District Residents	45	50	

VILLAGE OF BRIARCLIFF MANOR
 BOARD OF TRUSTEES AGENDA
 FEBRUARY 20, 2013

2. TAX CERTIORARI – 61 HIRST ROAD

WHEREAS, Eric & Patricia Lindeman instituted tax certiorari proceedings pursuant to Article 7 of the Real Property Tax Law of the State of New York; and

WHEREAS, the tax certiorari filings were for Town of Ossining assessment year 2007; and

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

WHEREAS, a Consent Order of the Supreme Court of the State of New York, County of Westchester, was entered on January 24, 2013;

WHEREAS, the Consent Order was received after the finalization of the approval of the Village budget for Fiscal Year 2008-2009;

WHEREAS, the Consent Order reduced the tax assessment for the subject property (61 Hirst Road) for the Fiscal Year 2008-2009 assessment roll by \$1,600 from \$51,300 to \$49,700; and

NOW THEREFORE, BE IT RESOLVED that the Board of Trustees does hereby authorize the refund of the tax bill for Fiscal Year 2008-2009 in the amount of \$135.83 based upon the reduced assessment values in the Consent Order.

Year	Address	Assessed Value	New Assessed Value	Assessment Reduction	Original Tax Amount	Reduced Tax Amount	Refund	Abatement
2007	61 Hirst Rd	\$ 51,300	\$ 49,700	\$1,600	\$ 4,355.07	\$4,219.24	\$135.83	
				TOTAL AV REDUCTION			TOTAL REVENUE REDUCTION	TOTAL ABATEMENT

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WESTCHESTER

-----X
In the Matter of the Application of

ERIC & PATRICIA LINDEMANN,

Petitioner,

Index No. 20837/07

-against-

THE ASSESSOR OF THE TOWN OF OSSINING
AND THE BOARD OF ASSESSMENT REVIEW
OF THE TOWN OF OSSINING,

**CONSENT
ORDER**

Respondents,

Section: 105.09

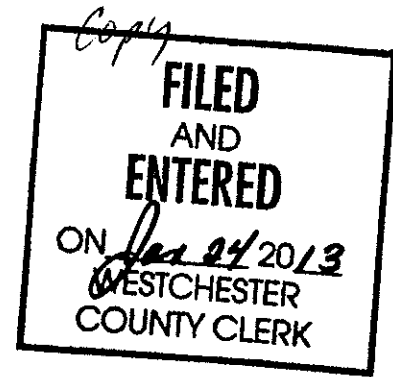
Block: 1

Lot: 43

For a Review under Article 7 of the RPTL.
-----X

The above petitioner, having duly filed and served the Petition and Notice to review property tax assessments fixed by the Town of Ossining for the assessment year 2007 as hereinabove indicated for the purposes of taxation upon certain real property located at 61 Hirst Road, Town of Ossining, Village of Briarcliff Manor and currently known as Section 105.09, Block 1, Lot 43 (formerly Section 4, Block 32, Lot 19) on the Official Assessment Map of the Town of Ossining, and

The issues of these proceedings having duly assigned and scheduled for trial at an IAS Term of this Court, and the petitioner having appeared by Eric Lindemann, Esq., and the respondents having appeared by the Town Attorney, and by Shaw, Perelson, May & Lambert, LLP for the Briarcliff Manor UFSD and the parties consenting as set forth in this Order, it is



ORDERED, ADJUDGED and DECREED that the assessment of the petitioner's property upon the assessment roll of the Town of Ossining, be and hereby is reduced, corrected and fixed as follows:

Assessed Valuation

61 Hirst Road
Briarcliff Manor
Section 105.09, Block 1, Lot 43
(Formerly Section 97.15, Block 3, Lot 28)

Year	Current AV	Reduced AV	AV Reduction
2007	\$51,300	\$49,700	\$1,600

and it is further

ORDERED, ADJUDGED and DECREED that the officer or officers having custody of the assessment roll upon which the above-mentioned assessment and any taxes levied thereon is entered shall correct said entry in conformity with this Order and Judgment and shall note upon the margin of said roll, opposite said entry, that the same has been corrected by the authorization of this Order and Judgment, and it is further

ORDERED, ADJUDGED and DECREED that there shall be audited, allowed and paid to Lindemann & Lindemann, P.C., attorney for the petitioner, by the Town of Ossining, the amounts paid by the petitioner as Town Taxes and taxes relating to any special taxing district for which the Town collects such taxes, as appropriate, against the original assessment in excess of what the taxes would have been if said assessment made in the aforesaid year had been made as determined by this Order and Judgment, together with the proportionate share of any interest or penalty paid by reason of delinquent payment of said excess taxes, and interest as provided by Section 726 of the Real Property Tax Law, and it is further

ORDERED, ADJUDGED and DECREED that there shall be audited, allowed and paid to Lindemann & Lindemann, P.C., attorney for the petitioner, by the Village of Briarcliff, the amounts paid by the petitioner as Village Taxes and taxes relating to any special taxing district for which the Village collects such taxes, as appropriate, against the original assessment in excess of what the taxes would have been if said assessment made in the aforesaid year had been made as determined by this Order and Judgment, together with the proportionate share of any interest or penalty paid by reason of delinquent payment of said excess taxes, and interest as provided by Section 726 of the Real Property Tax Law, and it is further

ORDERED, ADJUDGED and DECREED that there shall be audited, allowed and paid to Lindemann & Lindemann, P.C., attorney for the petitioner, by BRIARCLIFF MANOR UNION FREE SCHOOL DISTRICT, the amounts paid by the petitioner as School Taxes, against the original assessment in excess of what the taxes would have been if said assessment made in the aforesaid year had been made as determined by this Order and Judgment, together with the proportionate share of any interest or penalty paid by reason of delinquent payment of said excess taxes, and interest as provided by Section 726 of the Real Property Tax Law, and it is further

ORDERED, ADJUDGED and DECREED that the County Legislators of the County of Westchester, State of New York, be and are hereby directed and authorized to audit, allow and pay to Lindemann & Lindemann, P.C., attorney for the petitioner, the amounts, if any, of County, Judiciary, Sewer and other special district taxes for which the County collects such taxes, which were paid by the petitioner as taxes against the said original assessment in excess of what the taxes would have been if the said assessment

made in the aforesaid years had been made as determined by this Order and Judgment, together with interest as provided by Section 726 of the Real Property Tax Law, and it is further

ORDERED, ADJUDGED and DECREED that the Commission of Finance of the County of Westchester be served with a copy of this Order and Judgment with notice of entry, together with proof of payment of state, county, judiciary, sewer and any other Westchester County special district taxes, and it is further

ORDERED and DIRECTED, that all tax refund hereinabove directed to be made by respondent, the Town of Ossining and/or any of the various taxing authorities, be made by check or draft payable to the order of Lindemann & Lindemann, P.C., attorney for the petitioner, who are to hold the proceedings as trust funds for appropriate distribution, and who are to remain subject to the further jurisdiction of this Court in regard to their attorney's lien, pursuant to Judiciary Law Section 475 and it is further

ORDERED, ADJUDGED and DECREED that interest required to be paid hereby shall be waived in the event that payment is made within sixty (60) days from the date of service of this Order and Judgment with notice of entry upon the respective taxing districts and the Commissioner of Finance of the County of Westchester with proof of payment of taxes, and it is further

ORDERED, ADJUDGED and DECREED that this Order and Judgment hereby constitutes and represents full disposition of the tax review proceedings herein, and that there are no costs or allowance awarded to, by or against any party and that upon compliance with the terms of this Order and Judgment the above entitled proceedings be and the same are disposed and discontinued with prejudice.

Dated: January 24th, 2013
White Plains, New York

Bruce E. Tolbert
~~HON. JUDITH LA GAVA, JSC~~
HON BRUCE E. TOLBERT, JSC

SIGNING AND ENTRY OF THE WITHIN
ORDER IS HEREBY CONSENTED TO:

[Signature]
Town Attorney
Town of Ossining

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

DATED: January 15, 2013

[Signature]
Shaw, Perelson, May & Lambert, LLP
By:
Attorney for Briarcliff Manor Union Free School District

[Signature]
ASSN COUNTY ATTORNEY
THE COUNTY OF WESTCHESTER

[Signature]
Eric Lindemann, Esq.
Petitioner/Attorney for Petitioner

Account Inquiry - Munis [VILLAGE OF BRIARCLIFF MANOR]

My File Edit Tools Help

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

- Detail
- Months
- Seg Find
- Totals

Account

Fund: A Gen Fund: Acct: A -1-19-01-1964-423
 Org: A1964 Ref Prop Tax: Acct name: Refund Of Real Property Tax
 Object: 423 Ref Proptx: Type: Expense Status: Active
 Project: Military Fund

4 Year Comparison Current Year History

Yr/Per 2013/09	Fiscal Year 2013	Fiscal Year 2012	Fiscal Year 2011
Original Budget	50,000.00	40,000.00	40,000.00
Transfers In	00	12,179.74	
Transfers Out	00	-8,954.52	00
Revised Budget	50,000.00	43,225.17	40,000.00
Actual (Memo)	28,822.22	43,225.17	18,331.18
Encumbrances	00	00	00
Requisitions	00		
Available	21,077.78	00	21,668.82
Percent used	57.84	100.00	45.83

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Display detail information for current account.

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TAXES WITH EXEMPTIONS for 2008/20082369

W/D Exempt
Values
Property Info

Parcel ID: 105-09-1-43
 Alt Parcel: 4.36-032-19
 Legal Desc: [Empty]
 Lender: 1880 Corelogic
 3rd Party: [Empty]
 Juris: OSBR Ossining w/ Briarcliff Se
 Class: 210 One Family Yr-Round Resid
 Zone: [Empty]

Land Val: 13,300
 Building Val: 38,000
 Total Val: 51,300

STAR Exem: [Empty]
 Roll Sec: 1
 SWIS: 554201

Change Detail

Desc	Exempt	Ex. Amt	Adj Value	Rate/Amount	Tax Amount
HE Taxes			51,300	84.894250	4,355.07

Totals
 Rate: 000000 Tax Amount: 4,355.07

01/18

Village Board of Trustees
Regular Meeting
February 6, 2013
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 6th of February, 2013 commencing at 7:30 p.m.

Present

William J. Vescio, Mayor
David Venditti, Deputy Mayor
Robert Murray, Trustee
Mark Pohar, Trustee
Lori A. Sullivan, Trustee

Also Present

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

Board of Trustees Report by Mayor Vescio

- The Board wished a Happy Birthday to Village Manager Zegarelli.
- It's dark and dawn and dusk and joggers are encouraged to jog facing traffic. Pedestrians should use crosswalks for their own safety.
- The renovation of the Library and Community Center will go out to bid shortly.
- The Building Department has seen an uptick in permit requests.
- The Library held many successful programs. Please visit their website for information on upcoming programs and events.
- The new ice rink is very popular and permits are required. Please contact the Recreation Department for more information.
- The Recreation Spring/Summer Brochure will be available online in early March.
- Registration for Summer Camp and other programs will begin on March 18th.

Village Managers Report by Village Manager Zegarelli

- Scarborough Station Parking Permit sales are on target.
- The annual Alarm Permits renewals were sent out and are due.
- The 2nd half of Village tax collection went well and only \$110,000 remains unpaid.
- The cold snap caused some water main breaks and road heaving throughout the Village.

Village Manager Zegarelli gave a presentation on the FY12-13 Six Month Budget.

Public Comments

Mr. Ted LaStrange of Shen Yun Performing Arts explained the organization and stated they toured throughout the world.

Election Inspectors for the Village Election on March 19, 2013

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

BE IT RESOLVED that, Janet Wagner, Emily Sack, Sam Papa, and Susan Cabral are hereby appointed Inspectors of Election for the March 19, 2013 Village Election.

BE IT FURTHER RESOLVED that Janet Wagner is hereby designated as Inspector of Election and Chairperson.

BE IT FURTHER RESOLVED that Lauren Gualdino and Georgina Gualdino are hereby appointed as Alternate Inspectors of Election.

BE IT FURTHER RESOLVED that the compensation for each Inspector of Election other than the Inspector designated as Chairperson is hereby fixed at Two Hundred and Twenty Five (\$225) dollars per day.

BE IT FURTHER RESOLVED that the compensation for the Inspector of Election that is designated as Chairperson shall be Two Hundred Seventy-Five (\$275) dollars per day.

Authorize Village Manager to Execute an Agreement for Valet Parking Services

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

WHEREAS, the Village issued a Request for Proposals to provide valet parking services at the Scarborough Station ("RFP") for proposals to be submitted by December 10, 2012, found those proposals inadequate, rejected all five (5) offerings, and directed the Village Manager to solicit a second round of proposals; and

WHEREAS, the Village issued a revised RFP to provide valet parking services at the Scarborough Station which identified such selection criteria as previous experience, operational viability, and maintenance of the current level of service and interplay with clientele and called for proposals to be submitted by January

21, 2013, and received four (4) proposals ranging in cost from \$8,883.33 a month to \$9,219.17 per month; and

WHEREAS, the two lowest proposals met the revised RFP specifications and were from Advanced Parking Concepts, Verona, NJ and Pro Park America of Hastings-on-Hudson, NY at \$8,883.33 per month and \$106,600 per year versus \$8,999 per month and \$107,988 per year respectively; and

WHEREAS the proposed pricing difference equates to a differential of \$115.67 per month and \$1,388 per year respectively; and

WHEREAS, ProPark is currently providing valet parking service at the Scarborough Station under contract with the Village and is familiar with the job and facilities, has drawn compliments for its work, and can continue its work without any interruption or disruption in service, among other things;

NOW, THEREFORE, BE IT:

RESOLVED, that the Board of Trustees finds that (i) provision of valet parking at the Scarborough Train Station requires special expertise and technical skills, exercise of sound judgment in the context of changing demands on a daily basis, and a high degree of trust and confidence, (ii) ProPark has implemented and operated valet parking at the Scarborough Train Station without complaint over the course of its contract with the Village and has the confidence and trust of Village officials and the public; (iii) the difference in cost between ProPark's proposal and the lowest cost proposal is not material and is offset by the foregoing factors and by ProPark's ability to continue to provide valet parking at the Scarborough Train Station without interruption or disruption in service, and (iv) acceptance of ProPark's proposal for provision of valet parking at the Scarborough Train Station will optimize quality and efficiency, insure continued services of maximum quality at low cost, and further the prudent and economical use of public moneys in the best interests of the taxpayers of the Village; and further

RESOLVED that the proposal for valet parking services at Scarborough Station is hereby awarded to Pro Park America as per its proposal of \$8,999.00 per month for a period of two (2) years commencing retroactively to January 1, 2013, and expiring on December 31, 2014; and

BE IT FURTHER RESOLVED that the Village Manager is hereby authorized and directed to execute a contractual agreement with ProPark America for valet parking services at the Scarborough Station to cover such period of time with such terms and conditions in keeping with the revised RFP and the provisions of Pro Park's proposal, subject to Counsel's review.

Amendment to the Village of Briarcliff Manor Employee Handbook

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

WHEREAS, a review of the Village of Briarcliff Manor's ("VBM") Employee Handbook adopted by the Board of Trustees on March 17, 2005, revealed an inconsistency regarding the granting of full medical benefits to a "Part-Time Elected Official" as delineated in Section 806 "Medical Insurance" as it pertains to "Premium Payment (Elected Justices)"; and

WHEREAS, New York common law prohibits a reduction in compensation for village justices during the tenure of their elected terms; and

WHEREAS, the Board of Trustees directed the Village Manager to provide notice to the incumbent Village Justice that the medical benefits component for village justices would be eliminated at the end of the current term, that being the first Monday of April, 2013; and

WHEREAS, the Village Manager having duly notified the incumbent Village Justice on September 21, 2012 and then on November 21, 2012 of the Board of Trustees' intent to eliminate medical benefits for village justices as provided in the current VBM Employee Handbook, such correspondence conforming with written notice requirements set forth in Section 806 of said Employee Handbook.

NOW, THEREFORE, be it resolved that the Board of Trustees of the Village of Briarcliff Manor hereby amends VBM Employee Handbook Section 806 "Medical Insurance", to omit the subparagraph termed "Premium Payment (Elected Justices)", in its entirety.

AND BE IT FURTHER RESOLVED that the Village Clerk shall notify the incumbent and candidates currently seeking the office of Village Justice of this change to VBM's Employee Handbook.

Minutes

Upon motion by Trustee Pohar, seconded by Trustee Murray, the Board voted unanimously to approve the minutes of January 15, 2013 as amended.

Adjournment

Upon motion by Deputy Mayor Venditti, seconded by Trustee Sullivan, the Board voted unanimously to adjourn the meeting at 8:10pm.

Respectfully Submitted By,

Christine Dennett
Village Clerk