

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

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**Board of Trustees Announcements**

**Village Managers Report – 8 Month FY 12-13 Budget Report**

**Public Comments**

1. Award of Bid
  - a) Traffic Signal Upgrade
  - b) Phase 1 SCADA Upgrades
2. Authorize Village Manager to Execute Agreement – NYSDOH Snow and Ice Agreement 2014-2015
3. Scheduling Annual Organizational Meeting & Tentative Budget Public Hearing
  - a) Annual Organizational Meeting
  - b) 2013-2014 Tentative Budget Public Hearing
4. Minutes
  - March 6, 2013 – Regular Meeting

**NEXT REGULAR BOARD OF TRUSTEES MEETING – APRIL 3, 2013**

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

**1A. AWARD OF BID – TRAFFIC SIGNAL UPGRADES PROJECT**

WHEREAS the Village received 3 bids for the Traffic Signal Upgrades Project (VM-1112-4); and

BE IT RESOLVED that the bid for the Traffic Signal Upgrades Project (VM-1112-4) is hereby awarded to Power Line Constructors, Inc. with their bid proposal of \$76,870 and a 5% contingency component of \$3,843 for a total project cost not to exceed \$80,713.

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



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**MEMORANDUM**

March 5, 2013

To: Philip E. Zegarelli – Village Manager

From: David J. Turiano, P.E. *DAVID*

Re: **VM-1112-4 Re-Bid 2013 – Traffic Signal Upgrades -  
North State Road & Chappaqua Road**

Dear Philip:

Bids were opened on Wednesday, February 20, 2013 at 11:00 a.m. for the above referenced project. Present at the bid opening were David J. Turiano, P.E. Village Engineer, and Robin Rizzo, Treasurer.

Three bids were received ranging from \$76,870.00 to \$78,785.00 as shown below. The bids are lump sum.

Vendor	Total
Power Line Constructors, Inc.	\$76,870.00
Syracuse Signal Systems, Inc.	\$77,446.82
Verde Electric Maintenance Corp.	\$78,785.00

The bids were reviewed by Jose Matos of TRC Engineers, Inc.; his review letter is attached. As indicated above, Power Line Constructors, Inc. provided the lowest responsible bid for the project.

Joe Lomonico was contacted as a reference check for Power Line Constructors, Inc. Mr. Lomonico's firm was hired by the City of Utica for Contract D031570 – Traffic Signal Upgrade Phase 1, a \$1.5 million job. He advised that Power Line is very knowledgeable and has a skilled work force. He did not encounter any problems with their work which was started and completed in a timely manner. Their project included the upgrading of 20 intersections including GPS control cabinets, signal buttons, poles, etc.

Chris Smith of Fisher Associates was also contacted as a reference check. Fisher Associates was the engineer which designed the specifications for the City of Elmira for

Contract D030151 – Elmira Signal Upgrade Corridor 2 Phase 2, a \$1.5 million job. Mr. Smith advised that Power Line Constructors did a good job and the project was completed in a satisfactory manner.

The following is a summary of what my department believes is a conservative project budget given the scope of work proposed and the compressed timeframe for completion:

<b>Remaining Project Cost</b>	<b>Project Bid</b>
Construction Cost	\$ 76,870.00
5% Contingency	3,843.00
Engineering Inspection	Encumbered
<b>Total Project Cost</b>	<b>\$ 80,713.00</b>

Based on the above, it is my recommendation that the VBM award the contract to Power Line Constructors, Inc. at a cost of \$76,870.00 and the complete project construction cost be capped at \$80,713.00.

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

Attachments



7 Skyline Drive  
Hawthorne, NY 10532

914.592.4040 PHONE  
914.592.5046 FAX

[www.TRCSolutions.com](http://www.TRCSolutions.com)

March 5, 2013

David Turiano, P.E.  
Village Engineer  
Village of Briarcliff Manor  
111 Pleasantville Road  
Briarcliff Manor, NY 10510

Re: Bid Review  
Traffic Signal Installation  
North State Road/Chappaqua Road  
Village of Briarcliff Manor, New York

Dear Mr. Turiano:

As requested, TRC Engineers, Inc. (TRC) has reviewed the Bids received by the Village including the Bid from Power Line Constructors, Inc. for the installation of a new traffic signal for the intersection of North State Road and Chappaqua Road. Power Line Constructors, Inc. has the lowest Bid. The Bid, including the estimate, are reasonable. Based upon a review of the submitted documents and a verification of the references provided, including the NYSDOT, we recommend that the Village award the project to Power Line Constructors, Inc.

If you have any questions on the attached, please call.

Very truly yours,

**TRC Engineers, Inc.**

A handwritten signature in black ink, appearing to read "Jose Matos", with a long horizontal line extending to the right.

Jose Matos, P.E.  
Senior Project Manager

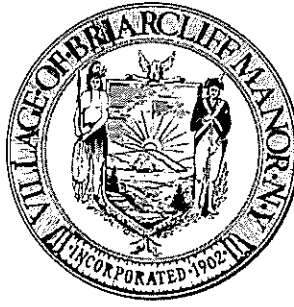
VILLAGE OF BRIARCLIFF MANOR  
BOARD OF TRUSTEES AGENDA  
MARCH 20, 2013

**1B. AWARD OF BID – PHASE 1 SCADA UPGRADES PROJECT**

WHEREAS the Village received 4 bids for the Phase 1 SCADA Upgrades Project (VM-1213-5); and

BE IT RESOLVED that the bid for the Phase 1 SCADA Upgrades Project (VM-1213-5) is hereby awarded to Talt Electric with their bid proposal of \$24,000.

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



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MEMORANDUM

March 5, 2013

To: Philip E. Zegarelli – Village Manager  
From: David J. Turiano, P.E. *DAVID*  
Re: **Phase 1 SCADA Upgrades – Electrical Installation  
VM-1213-5**

Bids were opened on Wednesday, February 27, 2013 at 11:00 a.m. for the above referenced project. Present at the bid opening was David J. Turiano, P.E. and Gerald Quartuccio. Four bids were received with the bid tabulation below.

The scope of work includes electrical work and related installations to facilitate the installation of the SCADA control panels and antennae located at four (4) sites throughout the Village.

The bids were reviewed by the Village of Briarcliff Manor. The low bidder is Talt Electric with a bid cost of \$24,400.00. Talt Electric has successfully performed several projects for the Village, including the electrical work at the Full Water Supply Project (FWSP).

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

<b>Bidder</b>	<b>Bid Amount</b>
J & J Sass Electric, Inc.	\$29,333.00
FA Burchetta Co., Inc.	47,723.00
Talt Electric	24,400.00
PRM Electric	28,000.00

Funds are available under Install Radio Remotes & Auto Dialer System Code H.8397-201.12581 in the amount of \$±150,000.00.

Based on the above, I recommend that the Village award the contract to Talt Electric in the amount of \$24,400.00.

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

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

**2. AUTHORIZE VILLAGE MANAGER TO EXECUTE AGREEMENT WITH  
NEW YORK STATE DEPARTMENT OF TRANSPORTATION TO  
EXTEND THE SNOW AND ICE AGREEMENT 2014-2015**

BE IT RESOLVED that the Village Manager is hereby authorized and directed to execute an agreement with the New York State Department of Transportation to amend the Indexed Lump Sum Municipal Snow and Ice Agreement for the period from July 1, 2014 through June 30, 2015.



Contract #	Municipality	Ext. Season	Region #
D014708	Village of Briarcliff Manor / Westchester North County	2014/15	8

**AGREEMENT TO EXTEND INDEXED LUMP SUM MUNICIPAL SNOW AND ICE AGREEMENT**

This Agreement made this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ by and between THE PEOPLE OF THE STATE OF NEW YORK (hereinafter referred to as "STATE"), acting by and through the Commissioner of Transportation of the State of New York (hereinafter referred to as "COMMISSIONER"), and the \_\_\_\_\_ of the Village of Briarcliff Manor of Westchester North County (hereinafter referred to as "MUNICIPALITY") as follows:

WHEREAS, the COMMISSIONER and the MUNICIPALITY have entered into an Agreement No. D014708 entitled "Indexed Lump Sum Snow and Ice Agreement between the New York State Department of Transportation and the Municipality of Village of Briarcliff Manor" dated November 16, 2001; and

WHEREAS, the term of the said Agreement is for a period of three years commencing July 1, 2001 and said Agreement provides that the parties may at the end of each year of the term of the Agreement extend such term for an additional year; and

WHEREAS, the present term of the Agreement, as extended, expires June 30, 2014; and

WHEREAS, Section 7 of the said Agreement provides that the COMMISSIONER shall furnish the MUNICIPALITY with a suitable map for each term of the Agreement, or for any extended term thereof, modified to show the changes, if any, to the State Highways affected by the Agreement.

WHEREAS, Section 9 of the said Agreement provides for an annual update of the estimated expenditure to be determined by the COMMISSIONER subject to the provisions of Section 9 at the time for extension of the Agreement;

WHEREAS, Section 9 of the said Agreement also provides for an adjustment to the actual payment amount based on the intensity and severity of the winter season;

NOW, THEREFORE, in consideration of the mutual covenants and benefits between the parties,

WITNESSTH:

1. The aforementioned "Indexed Lump Sum Snow and Ice Agreement Between New York State Department of Transportation and the MUNICIPALITY" is hereby extended for a period of one year; now to expire on June 30, 2015, unless further extended.
2. The State Highways or parts thereof affected by the Agreement are as delineated on the attached map, agreed upon by the COMMISSIONER and the MUNICIPALITY, which shall be effective for the remainder of the term of the Agreement commencing July 1, 2014, unless changed by future agreement between the COMMISSIONER and the MUNICIPALITY.
3. All the terms and conditions of the original contract remain in effect except as follows. The indexed lump sum estimated expenditure specified in Section 9 of the aforementioned Agreement shall be \$2,079.12 per lane mile for 2.5 lane miles for a total of \$5,197.80 for the 2012/13 season and for the remainder of the term of the Agreement commencing July 1, 2012, unless changed by future update.

IN WITNESS WHEREOF, this Agreement has been executed by the State, acting by and through the duly authorized representative of the COMMISSIONER, and the MUNICIPALITY, which has caused this Agreement to be executed by its duly authorized officer on the date and year first above written.

MAP SHOWING

VILLAGE OF BRIARCLIFF MANOR

RESPONSIBILITY FOR SNOW & ICE CONTROL ON STATE HIGHWAYS FOR THE SEASONS

OF 2012/13 - 2014/15

CENTER LANE MILES	CONTRACT LANE MILES
<b>0.83</b>	2.50

SNOW AND ICE CONTROL

SIGNED

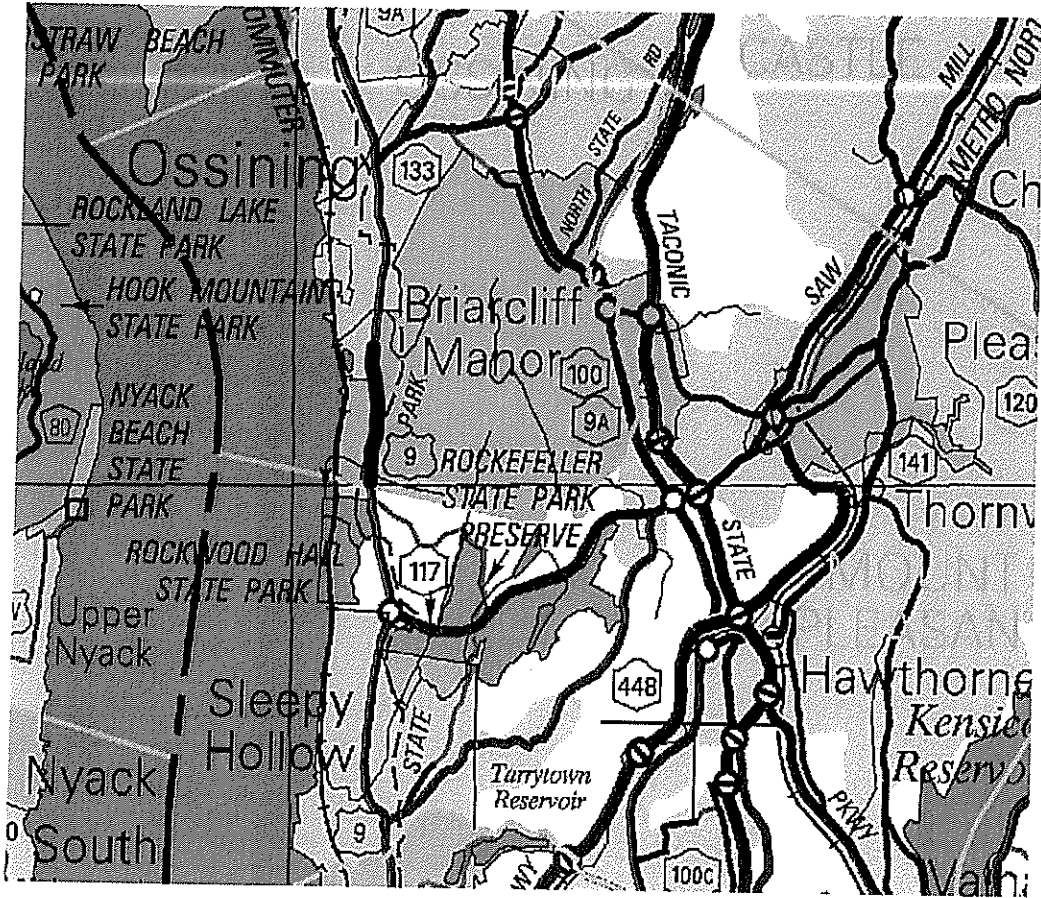
*Peter M. Telesko*  
REGIONAL DIRECTOR OF OPERATIONS

*1/29/13*  
DATE

SIGNED

\_\_\_\_\_  
FOR MUNICIPALITY

\_\_\_\_\_  
DATE



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

**3. SCHEDULING OF ANNUAL ORGANIZATIONAL MEETING AND  
TENTATIVE BUDGET PUBLIC HEARING**

**A. ANNUAL ORGANIZATIONAL MEETING**

BE IT RESOLVED, that the Annual Organizational Meeting of the Board of Trustees is hereby scheduled for **Monday, April 1, 2013 at 7:00 pm OR  
Wednesday, April 3, 2013 at 7:00pm.**

**B. 2013-2014 TENTATIVE BUDGET PUBLIC HEARING**

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

BE IT RESOLVED, that a Public Hearing for the 2013-2014 Tentative Budget is hereby scheduled for **Monday, April 1, 2013 at 7:30 pm OR  
Wednesday, April 3, 2013 at 7:30pm.**

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 6<sup>th</sup> of March, 2013 commencing at 7:30 p.m.

**Present**

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

**Also Present**

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

**Absent**

Robert Murray, Trustee

**Board of Trustees Report by Trustee Sullivan**

- The Library and Community Center has several upcoming programs. Visit their website for more information.
- The Recreation Department is planning their Spring/Summer programs and the Brochure will be available online on March 8<sup>th</sup>.
- Registration for Summer Camp and other programs will begin on March 18<sup>th</sup>. The 2013 Summer Camp season will span 5 ½ weeks.
- The Annual Village Election will be on March 19<sup>th</sup> at the Youth Center and all Village registered voters are urged to go out and vote.
- Summercliff Players presents Seussical the Musical. Mark your calendars for the open house meeting on April 22<sup>nd</sup>. Visit their website [www.summercliffplayers.com](http://www.summercliffplayers.com) for more information.
- The Annual Egg Hunt will be on Thursday, March 28<sup>th</sup> at 10am. It is a rain or shine event.

**Village Managers Report by Village Manager Zegarelli**

- The Ice Skating Rink is done for the season.
- There is an uptick in building permit requests. Chilmark will begin construction in April.
- Staff is preparing the FY 2013-2014 tentative budget which will be filed on March 20<sup>th</sup>.

- Unwanted medication may be dropped off in the medication drop box located in the Police Department lobby. Please don't flush them down the drain.
- The Westchester County Mobile Shredder will be behind Village Hall on Saturday, April 6<sup>th</sup> from 10am-1pm.

Village Manager Zegarelli explained the work being done at the Youth Center.

### **Public Comments**

There were no public comments.

### **Tax Certioraris**

The Board had general discussion regarding the impacts of the tax certioraris and requested the Village Manager come up with a plan for regaining control of the Village Assessment Roll.

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

WHEREAS, Kapson Briarcliff Manor, LLC (Atria 1025 Pleasantville Road) 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 years 2006-2011; and

WHEREAS, the tax certiorari filings relate to Village of Briarcliff Manor fiscal years 2007-2008, 2008-2009, 2009-2010, 2010-2011, 2011-2012 and 2012-2013; and

WHEREAS, a Consent Order of the Supreme Court of the State of New York, County of Westchester, was entered on August 20, 2012 and received by the Village via email on February 21, 2013;

WHEREAS, the Consent Order was received after the finalization of the approval of the Village budget for Fiscal Years 2007-2008, 2008-2009, 2009-2010, 2010-2011, 2011-2012 and 2012-2013;

WHEREAS, the Consent Order reduced the tax assessment for the subject property for the Fiscal Years 2007-2008, 2008-2009, 2009-2010, 2010-2011, 2011-2012 and 2012-2013 assessment roll; and

NOW THEREFORE, BE IT RESOLVED that the Board of Trustees does hereby authorize the refund of the tax bill for Fiscal Years 2007-2008, 2008-2009, 2009-2010, 2010-2011, 2011-2012 and 2012-2013 in the amount of \$226,292.52 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
2006	1025 Pleasantville Rd.	\$1,322,200	\$801,125	\$521,075	\$107,158.49	\$64,927.66	\$42,230.84
2007	1025 Pleasantville Rd.	\$1,322,200	\$788,125	\$534,075	\$112,247.24	\$66,907.08	\$45,340.16
2008	1025 Pleasantville Rd.	\$1,322,200	\$845,875	\$476,325	\$114,476.34	\$73,235.86	\$41,240.48
2009	1025 Pleasantville Rd.	\$1,322,200	\$870,400	\$451,800	\$115,439.82	\$75,993.58	\$39,446.24
2010	1025 Pleasantville Rd.	\$1,322,200	\$973,000	\$349,200	\$117,675.80	\$86,597.00	\$31,078.80
2011	1025 Pleasantville Rd.	\$1,322,200	\$1,023,750	\$298,450	\$119,421.10	\$92,465.10	\$26,956.00
				<b>\$2,630,935</b>			<b>\$226,292.52</b>
				<b>TOTAL AV REDUCTION</b>			<b>TOTAL REVENUE REDUCTION</b>

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

WHEREAS, Elant at Brandywine Inc. F/K/A 620 Sleepy Hollow Corporation (620 Sleepy Hollow Road) 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 years 2004-2005; and

WHEREAS, the tax certiorari filings relate to Village of Briarcliff Manor fiscal years 2005-2006 and 2006-2007; and

WHEREAS, a Consent Order of the Supreme Court of the State of New York, County of Westchester, was entered on January 17, 2013;

WHEREAS, the Consent Order was received after the finalization of the approval of the Village budget for Fiscal Years 2005-2006 and 2006-2007;

WHEREAS, the Consent Order reduced the tax assessment for the subject property for the Fiscal Years 2005-2006 and 2006-2007 assessment roll; and

NOW THEREFORE, BE IT RESOLVED that the Board of Trustees does hereby authorize the refund of the tax bill for Fiscal Years 2005-2006 and 2006-2007 in the amount of \$15,683.04 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
2004	620 Sleepy Hollow Rd.	\$903,650	\$775,000	\$128,650	\$64,630.22	\$59,096.85	\$5,533.37
2005	620 Sleepy Hollow Rd.	\$903,650	\$692,125	\$211,525	\$68,902.93	\$58,757.26	\$10,149.67
				<b>\$340,175</b>			<b>\$15,683.04</b>

TOTAL AV  
REDUCTION

TOTAL  
REVENUE  
REDUCTION

**Bond Resolution**

Village Manager Zegarelli explained the proposed resolution and stated the funds would be used to pay large tax certioraris.

The Board had general discussion regarding the proposed borrowing and requested Village Manager Zegarelli find out the impacts on the Village's reserves and bond rating if they used fund balance instead of borrowing.

Upon motion by Deputy Mayor Venditti, seconded by Trustee Pohar, the Board voted unanimously to table the matter to a future meeting.

**Budget Amendment – Non Budgeted Line Items - Insurance Recovery**

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

BE IT RESOLVED that the budget for Fiscal Year 2012-2013 is hereby amended as follows:

Increase Revenue – Insurance Recovery  
(A0101.2680) by \$112,270.58

Increase Expenses (Trees)  
(A5110.101) by \$649.26

Increase Expenses (Trees)  
(A5110.102) by \$13,068.33

Increase Expenses (Ramos)  
(A5110.460) by \$3,150

Increase Expenses (Social Security/Medicare)  
(A5110.850) by \$913.77

Increase Expenses (Replacement Trees)  
(A5110.101) by \$94,489.22

TOTAL \$112,270.58

**Minutes**

Upon motion by Trustee Sullivan, seconded by Trustee Pohar, with one abstention by Mayor Vescio, the Board voted to approve the minutes of February 20, 2013 as amended.

**Adjournment**

Upon motion by Trustee Pohar, seconded by Trustee Sullivan, the Board voted unanimously to adjourn the meeting at 8:20pm.

Respectfully Submitted By,

Christine Dennett  
Village Clerk