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AGENDA
FEBRUARY 19, 2014
BOARD OF TRUSTEES
VILLAGE OF BRIARCLIFF MANOR, NEW YORK
REGULAR MEETING – 7:30 PM

1. Public Hearing to Amend a Special Use Permit – Sleepy Hollow Country Club

Board of Trustees Announcements

Village Managers Report

Public Comments

2. Amend Master Fee Schedule – Building Department Fees
3. Acceptance of Donation from Steven Vescio
4. Minutes
 - January 22, 2014 – Special Meeting
 - February 6, 2014 – Regular Meeting

NEXT REGULAR BOARD OF TRUSTEES MEETING – MARCH 6, 2014

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
FEBRUARY 19, 2014

- 1. PUBLIC HEARING, AMENDMENT TO SPECIAL USE PERMIT, SLEEPY HOLLOW COUNTRY CLUB**



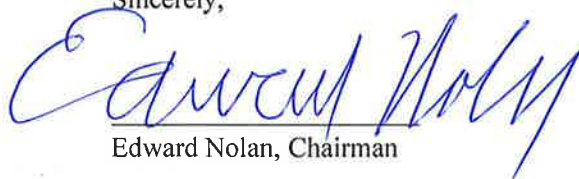
VILLAGE OF BRIARCLIFF MANOR PLANNING BOARD

To: Mayor William Vescio and the Village Board of Trustees
From: Village Planning Board
Date: January 14, 2014
Subject: Sleepy Hollow Country Club – Recommendation to the
Village Board of Trustees Regarding Amended Special Permit Approval

Pursuant to Village Code Section 220-6(C), the above application for Amended Special Permit Approval has been referred to the Planning Board by the Village Board of Trustees (“BOT”). The Planning Board has preliminarily reviewed the matter in detail at its meetings of December 10, 2013, and January 14, 2014, in conjunction with the Applicant’s application for Amended Site Plan and Freshwater Wetlands Permit approval. The Planning Board has not yet made a determination on same and will do so after once the Zoning Board of Appeals approves the requisite variances, and conditions upon the BOT’s approval of the Amended Special Permit.

Accordingly, the Planning Board hereby recommends that the BOT approve the Application for Amended Special Permit approval. We also suggest that each Board perform its own SEQRA review as an uncoordinated review.

Sincerely,



Edward Nolan, Chairman

cc: Philip Zegarelli, Village Manager
David Turiano, Building Inspector
Clinton Smith, Esq.
Daniel Pozin, Esq.
Sarah Yackel, BFJ

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
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2. AMEND MASTER FEE SCHEDULE

BE IT RESOLVED that effective June 1, 2014 the Board of Trustees does hereby amend the Master Fee Schedule for the Village of Briarcliff Manor as follows:

BUILDING PERMIT FEES	
CONSTRUCTION COST	PER \$1000 OF CONSTRUCTION COST
FIRST \$100,000	\$ 27.50
NEXT \$150,000	\$ 25.00
NEXT \$250,000	\$ 22.50
NEXT \$500,000	\$ 20.00
NEXT \$500,000	\$ 17.50
NEXT \$3,500,000	\$ 15.00
NEXT \$5,000,000	\$ 12.50
\$10,000,000 AND THEREAFTER	\$ 10.00

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
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3. ACCEPTANCE OF DONATIONS FROM STEVEN VESCIO

BE IT RESOLVED, that the Board of Trustees hereby accepts the donation of a construction trailer valued at \$1,000 from Steven Vescio to be used as a warming facility at the Village's Paddle Tennis Courts in Law Park.

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



WWW.BRIARCLIFFMANOR.ORG

TELEPHONE: (914) 941-4801

FAX: (914) 941-4837

January 9, 2014

19 Feb

LAWS Construction
34 Irvington Street
Pleasantville, NY 10570

Attention: Steve Vescio

RE: Donation of Used Construction Trailer

Add to 19 Feb
Agenda: Acceptance
of Gift.

Dear Steve:

This letter is to acknowledge the donation of the used LAWS Construction trailer to the Village of Briarcliff Manor. Upon review and assessment, the donation of this facility has been established at a \$1,000.00 value.

The construction trailer has been transported to the Village's DPW facility where it will be remodeled for future placement at the Village's paddle tennis courts in Law Park.

Once again, thank you for your generous donation to the Village. We believe this will be an enhancement to the park and our paddle tennis teams during the winter months to come.

Sincerely,

Philip E. Zegarelli
Village Manager

Cc: Mayor and Board of Trustees

Gift
Need resolution for
BOB to accept

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
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4. MINUTES

- January 22, 2014 – Special Meeting – Reviewing DVD
- February 6, 2014 – Regular Meeting

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, 2014 commencing at 7:30 p.m.

Present

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

Also Present

Philip Zegarelli, Village Manager
Christine Dennett, Village Clerk

Absent

Robert Murray, Trustee
Mark L. Wilson, Trustee
Clinton Smith, Village Counsel

Board of Trustees Report by Mayor Vescio

- Happy Birthday to Village Manager Zegarelli!

Village Managers Report by Village Manager Zegarelli

- An analysis of the annexation recommendation is due by March 12th.
- 1100 tons of salt have been used thus far this winter during the storms.
- Moody's reaffirmed the Village's Aa2 rating.
- Tax Collection is at 98.5%.
- The Ice Skating Rink will be reopened tomorrow.

Public Comments

There were no public comments.

Tax Certiorari – OK Café

The Board had general discussion regarding the lack of input the Village had during the negotiation process and stated all impacted players should be present. They further stated they were looking into securing the Village's Assessment via another means.

Ms. Kim Jeffrey, Ossining Town Board Member, stated she wanted to find a better way to keep the Village involved and would reach out to the Assessor to contact the Board to be included in the process.

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

WHEREAS, OK Café 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 2007 through 2013; and

WHEREAS, the tax certiorari filings relate to Village of Briarcliff Manor fiscal years 2008-2009, 2009-2010, 2010-2011, 2011-2012, 2012-2013 and 2013-2014; and

WHEREAS, a Consent Judgment of the Supreme Court of the State of New York, County of Westchester, was entered on January 2, 2014;

WHEREAS, the Consent Judgment was received after the finalization of the approval of the Village budget for Fiscal Year 2013-2014;

WHEREAS, the Village received payment in the amounts set forth below for the total 2008-2009, 2009-2010, 2010-2011, 2011-2012, 2012-2013 and 2013-2014 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 for Fiscal Years 2008-2009, 2009-2010, 2010-2011, 2011-2012, 2012-2013 and 2013-2014 in the amounts set forth below based upon assessment values reduced in accordance with the Consent Judgment:

BE IT FURTHER RESOLVED, that the assessment for the Fiscal Years 2008-2009, 2009-2010, 2010-2011, 2011-2012, 2012-2013 and 2013-2014 shall be adjusted in accordance with the Consent Judgment.

Year	Address	Original Assessed Value	New Assessed Value	Assessment Reduction	Original Tax Amount	Reduced Tax Amount	Refund	Abatement
2007	265 S. Highland Ave.	\$76,600	\$53,350	\$23,250	\$6,502.90	\$4,529.11	\$1,973.79	
2008	265 S. Highland Ave.	\$76,600	\$55,500	\$21,200	\$6,632.04	\$4,805.20	\$1,826.84	

2009	265 S. Highland Ave.	\$76,600	\$53,000	\$23,600	\$6,687.86	\$4,626.94	\$2,060.30	
2010	265 S. Highland Ave.	\$76,600	\$57,500	\$19,100	\$6,817.40	\$5,117.50	\$1,699.90	
2011	265 S. Highland Ave.	\$76,600	\$60,000	\$16,600	\$6,918.51	\$5,419.20	\$1,499.31	
2012	265 S. Highland Ave.	\$76,600	\$61,000	\$15,600	\$7,199.63	\$5,733.39	\$1,466.24	
				\$119,250				
				TOTAL AV REDUCTION			TOTAL REVENUE REDUCTION	\$10,526.33

Authorize the Village Manager to ratify an agreement with Police Officer A

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

WHEREAS, a certain person is employed by the Village of Briarcliff Manor as a police officer ("Police Officer A"); and

WHEREAS, on or about November 22, 2013, the Village preferred disciplinary charges against Police Officer A pursuant to NYS Unconsolidated Laws §5711-q; and

WHEREAS, by letter dated November 22, 2013, Police Officer A denied the disciplinary charges; and

WHEREAS, the Village and Police Officer A have agreed upon the terms of a negotiated resolution of the disciplinary charges to avoid the cost, time, and risk of hearings and potential litigation between them;

NOW, THEREFORE, BE IT

RESOLVED, that the Village of Briarcliff Manor Board of Trustees, acting as Trustees and/or as the Board of Police Commissioners, does hereby approve settlement of the disciplinary charges against Police Officer A on the terms set for in the form of agreement circulated to the Board by electronic message of the Village Manager dated January 6, 2014, and presently on the dais before the Board, including but not limited to Police Officer A's voluntary resignation and separation from service with the Village ("Stipulated Settlement"); and be it further

RESOLVED, that Board of Trustees authorizes and directs the Village Manager to execute and deliver the Stipulated Settlement on behalf of the Village; and be it further

RESOLVED, that the Village Manager is further authorized to make or accept any change to the Stipulated Settlement so long as the change is not material and adverse to the Village's interests and is acceptable to Village Counsel in form and substance.

Schedule a Public Hearing to Amend Chapter 220-2, Zoning, Definitions, Continuing Care Retirement Community

The Board requested the draft legislation allow for both a CCRC and an SLRC and ask that they both be defined.

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

BE IT RESOLVED that a Public Hearing is hereby scheduled for the March 19, 2014 Board of Trustees meeting to hear and discuss a Local Law to amend Section 220-2 of the Zoning Ordinance of the Village of Briarcliff Manor, New York relative to the definition of a Continuing Care Retirement Community.

BE IT RESOLVED FURTHER that the proposed local law to amend Section 220-2 of the Zoning Ordinance of the Village of Briarcliff Manor, New York relative to the definition of a Continuing Care Retirement Community is hereby directed to the Village Planning Board and to the Westchester County Planning Board for review and recommendation and to the Town of Ossining, Town of Mount Pleasant, and Village of Ossining for review and comment as they see fit.

Election Inspectors for the Village Election on March 18, 2014

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

BE IT RESOLVED that, Janet Wagner, Susan Cabral, Karen St. Vil, and Susan Zetkov-Lubin are hereby appointed Inspectors of Election for the March 18, 2014 Village Election.

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

BE IT FURTHER RESOLVED that Jessie Swisher Spiers, Lynn Kenner, Francisco Montano and Pamela Newman 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 or prorated to \$14 per hour worked.

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.

Minutes

Upon motion by Deputy Mayor Sullivan, seconded by Trustee Pohar, the Board voted unanimously to approve the minutes of January 9, 2014.

The Board requested Village Clerk Dennett review the minutes of January 22, 2014.

Adjournment

Mayor Vescio reminded residents to clear their sidewalks within 24 hours of a snow event and not to plow snow into the roadways.

Upon motion by Trustee Pohar, seconded by Deputy Mayor Sullivan, the Board voted unanimously to adjourn the regular meeting at 8:00pm.

Respectfully Submitted By,

Christine Dennett
Village Clerk