



P2

AGENDA
FEBRUARY 5, 2014
BOARD OF TRUSTEES
VILLAGE OF BRIARCLIFF MANOR, NEW YORK
REGULAR MEETING – 7:30 PM

Board of Trustees Announcements

Village Managers Report

Public Comments

1. Tax Certiorari – OK Café
2. Election Inspectors for the Village Election on March 18, 2014
3. Minutes
 - January 9, 2014 – Regular Meeting
 - January 22, 2014 – Special Meeting

NEXT REGULAR BOARD OF TRUSTEES MEETING – FEBRUARY 19, 2014

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
FEBRUARY 5, 2014

1. TAX CERTIORARI, OK CAFÉ

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

1/2/2014
Rate - Town of Ossining
Bill Year VBM
Assessment

2007
81.0456

2008
84.8943

2009
86.5802

2010
\$ 87.30

2011
\$ 89.00

2012
90.32

2013
93.99

Year	Owner on Bill	Bill #	Parcel Address	Parcel	Assessed Value	Current Tax Bill	New Assessed	Reduction	New Tax Amount	Change In Tax	Refund Yrs	Refund Current Yr	Abate 2nd
2007	Ok Café			97.15-4-10	\$ 76,600.00	\$ 6,502.90	\$ 53,350.00	\$ 23,250.00	\$ 4,529.11	\$ 1,973.79	\$ 1,973.79		
2008	Ok Café			97.15-4-10	\$ 76,600.00	\$ 6,632.04	\$ 55,500.00	\$ 21,100.00	\$ 4,805.20	\$ 1,826.84	\$ 1,826.84		
2009	Ok Café			97.15-4-10	\$ 76,600.00	\$ 6,687.86	\$ 53,000.00	\$ 23,600.00	\$ 4,626.94	\$ 2,060.92	\$ 2,060.92		
2010	Ok Café			97.15-4-10	\$ 76,600.00	\$ 6,817.40	\$ 57,500.00	\$ 19,100.00	\$ 5,117.50	\$ 1,699.90	\$ 1,699.90		
2011	Ok Café			97.15-4-10	\$ 76,600.00	\$ 6,918.40	\$ 60,000.00	\$ 16,600.00	\$ 5,419.20	\$ 1,499.20	\$ 1,499.20		
2012	Ok Café			97.15-4-10	\$ 76,600.00	\$ 7,199.48	\$ 61,000.00	\$ 15,600.00	\$ 5,733.39	\$ 1,466.09	\$ 1,466.09		
2013	Ok Café			97.15-4-10	\$ 76,600.00							\$ (0.01)	\$ 1,466.24
												\$ (0.03)	\$ 1,466.21

A1964 Budget 13-14
Begoni \$ 9,321.66
Chase \$ 3,199.10
OK Café \$ 9,060.12
Remaining \$ 76,419.12

\$ 9,060.12
\$ 1,466.21
\$ 10,526.33

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WESTCHESTER

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

O.K. CAFÉ OF WESTCHESTER, INC.

Petitioner(s),

-against-

THE TOWN OF OSSINING, A MUNICIPAL
CORPORATION, ITS ASSESSOR AND BOARD OF
ASSESSMENT REVIEW,

Respondents,

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

**NOTICE OF
ENTRY &
APPLICATION
FOR REFUND**

Index No.

18380/07

21391/08

21106/09

24254/10

55893/11

64962/12

64852/13


SIRS:

PLEASE TAKE NOTICE that the within is a true copy of the Judgment entered in the above entitled proceeding filed and entered on January 2, 2014; and

PLEASE TAKE FURTHER NOTICE that the undersigned hereby demands that the refunds directed to be audited, allowed and paid to the petitioner in the above-entitled proceeding be allowed and paid according to the terms of said Judgment, and

PLEASE TAKE FURTHER NOTICE that this demand is made pursuant to §726 of the Real Property Tax Law of the State of New York, and that all tax refunds herein directed to be made by Respondents and/or any of the various taxing authorities, be made by check or draft payable to the order of **Wolper Law Firm, PLLC**, as attorneys for the Petitioner(s), who is to hold the proceeds as trust funds for appropriate distribution, and who is to remain subject to the further jurisdiction of this Court in regard to its attorney's lien, pursuant to Judiciary Law §475.

Dated: Valhalla, New York
January 6, 2014



Robert W. Wolper, Esq.
WOLPER LAW FIRM, PLLC
Attorneys for Petitioner(s)
400 Columbus Avenue, 2nd Floor
Valhalla, New York 10595
(914) 741-5050

TO: Susanne Donnelly, Town Supervisor
Town of Ossining
16 Croton Avenue, 2nd Floor
Ossining, NY 10562

Gloria Fried, Town Tax Receiver
Town of Ossining
16 Croton Avenue
Ossining, NY 10562

Robin L. Rizzo, Village Treasurer
Village of Briarcliff Manor
1111 Pleasantville Road
Briarcliff Manor, NY 10510

Jean Chen, Treasurer
Ossining Union Free School District
190 Croton Avenue
Ossining, NY 10562

County of Westchester
Ann Marie Berg, Commissioner
Westchester County Department of Finance
Attn: Elio Giuliani, Coordinator—Fiscal Operations
148 Martine Ave—7th Floor
White Plains NY 10601-3311

FILED
AND
ENTERED
ON 1/2 2014
WESTCHESTER
COUNTY CLERK

At an IAS Term of the Supreme Court of the State of New York held in and for the County of Westchester at the courthouse thereof located at White Plains, New York on the 2nd day of

January, 2014

TOWN OF OSSINING

OCT 28 2013

PRESENT:

HON. BRUCE E. TOLBERT,

ASSESSORS OFFICE

Justice.

In the Matter of the Application of

O.K. CAFE OF WESTCHESTER, INC.,

Petitioner(s),

-against-

THE TOWN OF OSSINING,

A MUNICIPAL CORPORATION, ITS ASSESSOR
AND BOARD OF ASSESSMENT REVIEW,

Respondents,

For Review Under Article 7 of the RPTL.

CONSENT
JUDGMENT

Index No.

18380/07 ✓

21391/08 ✓

21106/09 ✓

24254/10 ✓

55893/11 ✓

64962/12 ✓

64852/13 ✓

The above petitioner having heretofore served and filed a Notice of Petition and Petition to review the tax assessments fixed by the Town of Ossining for the assessment years 2007, 2008, 2009, 2010, 2011, 2012 and 2013 upon certain real property located at 265 South Highland Avenue, Village of Briarcliff Manor, Town of Ossining, and designated as Section 97.15, Block 4, Lot 10 on the Official Assessment Map of the Town of Ossining, and

The issues of these proceedings having duly come on for trial at an IAS Term of this Court, and the petitioner having appeared by **ROBERT W. WOLPER, ESQ.**, of Wolper Law Firm, PLLC, and the respondents having appeared by **WAYNE SPECTOR, ESQ.**, Town Attorney, and the parties having made their settlement, it is

ORDERED, that the assessments on Section 97.15, Block 4, Lot 10 be and the same are hereby reduced, corrected and fixed for the assessment years as follows:

<u>Assessment Year</u>	<u>Assessed Valuation</u>		<u>Amount of Reduction</u>
	<u>Reduced From</u>	<u>Reduced To</u>	
2007	\$76,600	\$53,350	\$23,250
2008	\$76,600	\$55,500	\$21,100
2009	\$76,600	\$53,000	\$23,600
2010	\$76,600	\$57,500	\$19,100
2011	\$76,600	\$60,000	\$16,600
2012	\$76,600	\$61,000	\$15,600
2013	\$76,600	\$61,000	\$15,600

and so reduced and confirmed, it is further

ORDERED, ADJUDGED AND DECREED, that the officer or officers having custody of the assessment rolls upon which the above-mentioned assessments and any taxes levied thereon are entered shall correct the said entries in conformity with this Order and shall note upon the margin of said rolls, opposite of said entries, that the same have been corrected by the authority of this order, and it is further

ORDERED, that there shall be audited, allowed and paid to the petitioner by the **TOWN OF OSSINING** the amount of Town taxes and any and all other special district taxes paid by the petitioner as taxes against the said erroneous assessments in excess of what the taxes would have been if the said assessments made in the aforesaid years had been determined by this Order, together with the proportionate share of any interest or penalty paid by reason of any delinquent payment of any excess taxes, paid by the petitioner as taxes against the said erroneous assessments in excess of what the taxes would have been if the said assessments made

in the aforesaid years had been determined by this Order, together with interest thereon from the date of payment thereof as provided by statute, and it is further

ORDERED, that there shall be audited, allowed and paid to the petitioner by the **OSSINING UNION FREE SCHOOL DISTRICT** the amount of School taxes paid by the petitioner as taxes against the said erroneous assessments in excess of what the taxes would have been if the said assessments made in the aforesaid years had been determined by this Order, together with interest thereon from the date of payment thereof as provided by statute, and it is further

ORDERED, that there shall be audited, allowed and paid to the petitioner by the **VILLAGE OF BRIARCLIFF MANOR** the amount of Village taxes paid by the petitioner as taxes against the said erroneous assessments in excess of what the taxes would have been if the said assessments made in the aforesaid years had been determined by this Order, together with interest thereon from the date of payment thereof as provided by statute, 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 the petitioner the amount, if any, of State, County, Judiciary and/or any and all other special district taxes paid by the petitioner as taxes against the erroneous assessment in excess of what the taxes would have been if the said assessment had been determined by this Order, together with interest thereon from the date of payment as provided by statute, and it is further

ORDERED AND DIRECTED, that all tax refunds are to be paid with interest pursuant to §726 of the Real Property Tax Law of the State of New York; provided, however, interest shall be waived in the event that payment is made within sixty (60) days from the date of service of this Order with notice of entry upon the respective taxing authorities, and it is further

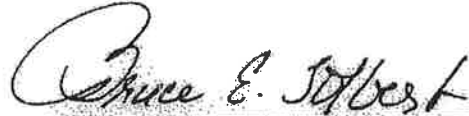
ORDERED AND DIRECTED, that the provisions of RPTL §720(1)(b) are specifically waived to the extent that each unit that received a STAR exemption in any of the assessment years in these proceedings shall be entitled to receive the same amount of the STAR exemption that such unit had before the reduction in the assessment ordered herein, and it is further

ORDERED AND DIRECTED; that the Commissioner of Finance of Westchester County be served with a copy of this judgment with notice of entry, together with proof of payment of State, County, Judiciary and/or any and all other special district taxes, and it is further

ORDERED AND DIRECTED, that all tax refunds 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 **WOLPER LAW FIRM, PLLC**, as attorneys for the petitioner(s), who are to hold the proceeds 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 §475 and it is further

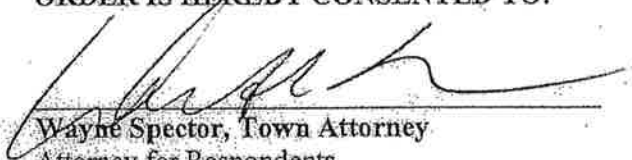
ORDERED, that this Order hereby constitutes and represents full settlement of each of the tax review proceedings herein, that there are no costs or allowances awarded to, by or against any of the parties, and that upon compliance with the terms of this Order and Judgment, the above-entitled proceedings be and the same are settled and discontinued.

ENTER,



HON. BRUCE E. TOLBERT, J.S.C.

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



Wayne Spector, Town Attorney
Attorney for Respondents
16 Croton Avenue
Ossining, NY 10562
(914) 762-8274



January 2, 2014



Robert W. Wolper, Esq.
Wolper Law Firm, PLLC
Attorneys for Petitioner
400 Columbus Avenue, Suite 124s
Valhalla, New York 10595
(914) 741-5050

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

DATED: December 24, 2013




WESTCHESTER COUNTY ATTORNEY
COUNTY OF WESTCHESTER

Westchester
gov.com

December 24, 2013

TO: HON. BRUCE E. TOLBERT
Richard J. Daronco Courthouse
111 Dr. Martin Luther King, Jr. Blvd., Rm. 1618
White Plains, New York 10601

Attn: Catherine Richey
Court Clerk

FROM: Jeffrey Goldman 
Assistant County Attorney

RE: **O.K. Café of Westchester Inc. v. Town of Ossining -
(CON95735)**
Index Nos. 18380/07; 21391/08; 21106/09; 24254/10;
55893/11; 64962/12 and 64852/13
Section 97.15, Block 4, Lot 10

The Office of the Westchester County Attorney has no
objection to the entering of the within order.

JG:ls

O.K. Café

Landmark Dinner @ 265 South Highland

3,532 SF

YEAR	Total AV	E-rate	Market Value	Reduced Market Value	Reduced AV	Reduction %
2007	76,600	0.0485	\$ 1,579,381	\$ 1,150,000	53,350	30.35%
2008	76,600	0.0505	\$ 1,516,832	\$ 1,100,000	55,550	27.48%
2009	76,600	0.0512	\$ 1,496,094	\$ 1,025,000	53,000	30.81%
2010	76,600	0.0556	\$ 1,377,698	\$ 1,025,000	57,500	24.93%
2011	76,600	0.0585	\$ 1,309,402	\$ 1,025,000	60,000	21.67%
2012	76,600	0.0610	\$1,255,738	\$ 1,000,000	61,000	20.37%

20.37% valuation at \$35.00 per S.F.



01/09/2014 11:22
414rrlzz

VILLAGE OF BRIARCLIFF MANOR
OPEN ABATEMENTS (LIST ONLY)

PG 1
txabtent

REF NO	CAT	YEAR	PROPERTY	BILL	OWNER	NAME	REASON	RESOLUTION	EFFEC	ASSMT	CHANGE	CHARGE	ABATEMENT
								CLERK	DATE	POSTS	LIABL		AMOUNT
1381	20	2013	20130072		5628	AIFA-TAF, LLC	TxCert Tax Certiorari	011514 Tax Cer 414rrlzz	01/09/2014 01/09/2014		-15,600	TAXOSS	-1,466.21
1382	20	2012	20120495		210489	AIFA-TAF, LLC	TxCert Tax Certiorari	011514 Tax Cer 414rrlzz	01/09/2014 01/09/2014		-16,600	TAXOSS	-1,499.31
1383	20	2011	20112017		201907	LAMEROU PROPERTIES, LLC	TxCert Tax Certiorari	011514 Tax Cer 414rrlzz	01/09/2014 01/09/2014		-19,100	TAXOSS	-1,699.90
1384	20	2010	20100738		97724	VOURLIOTIS & LAMEROU REALTY	TxCert Tax Certiorari	011514 Tax Cer 414rrlzz	01/09/2014 01/09/2014		-23,600	TAXOSS	-2,060.28
1385	20	2009	20090739		94723	VOURLIOTIS & LAMEROU REALTY	TxCert Tax Certiorari	011514 Tax Cer 414rrlzz	01/09/2014 01/09/2014		-21,100	TAXOSS	-1,826.84
1387	20	2008	20080739		90723	VOURLIOTIS & LAMEROU REALTY	TxCert Tax Certiorari	011514 Tax Cer 414rrlzz	01/09/2014 01/09/2014		-23,250	TAXOSS	-1,973.79
6 ABATEMENTS													
ABATEMENT TOTAL												-10,526.33	

VILLAGE OF BRIARCLIFF MANOR
OPEN ABATEMENTS (LIST ONLY) - CHARGE SUMMARY

YEAR	CAT	CHARGE	ABATEMENT AMOUNT
2008	20	TAXOSS Real Property Tax (OSSI)	-1,973.79
		* LIABILITY ACCOUNT *	-1,973.79
2009	20	TAXOSS Real Property Tax (OSSI)	-1,826.84
			-1,826.84
2010	20	TAXOSS Real Property Tax (OSSI)	-2,060.28
		* LIABILITY ACCOUNT *	-2,060.28
2011	20	TAXOSS Real Property Tax (OSSI)	-1,699.90
			-1,699.90
2012	20	TAXOSS Real Property Tax (OSSI)	-1,499.31
			-1,499.31
2013	20	TAXOSS Village Taxes	-1,466.21
			-1,466.21
		ABATEMENT TOTAL	-10,526.33

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
FEBRUARY 5, 2014

2. ELECTION INSPECTORS FOR VILLAGE ELECTION MARCH 18, 2014

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.

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
FEBRUARY 5, 2014

3. MINUTES

- January 9, 2014 – Regular Meeting
- January 22, 2014 – Special Meeting

Village Board of Trustees
Regular Meeting
January 9, 2014
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 9th of January, 2014 commencing at 7:30 p.m.

Present

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

Also Present

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

Absent

Robert Murray, Trustee

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

Upon motion by Trustee Pohar, seconded by Deputy Mayor Sullivan, the Board voted unanimously to open the Public Hearing.

Ms. Krista Yacovone, Attorney for the Applicant, explained the proposed request to amend the Special Use Permit to allow for the installation of a solar collection system.

Mr. Zach Pearson of InSite Engineering, explained the proposed site plan.

Mr. Doug Hertz of Sunrise Solar Solutions explained the proposed solar array.

Ms. Yacovone stated a fourth building was also getting a solar array but it fell under Mount Pleasant's jurisdiction and they approved the application.

The Board had general discussion regarding any visual impacts on the surrounding properties. The Board thanked them for their presentation and congratulated the Club for going "green".

Upon motion by Deputy Mayor Sullivan, seconded by Trustee Wilson, the Board voted unanimously to adjourn the Public Hearing to February 19, 2014 at 7:30pm in Village Hall.

Village Managers Report by Village Manager Zegarelli

- The Youth Center Field work has been put on hold until the spring.
- 600 tons of salt have been used thus far this winter during the storms.
- The Ice Skating Rink is open.
- There are Sunday hours at the Library from 1pm-5pm.
- Platform Tennis Courts are open and permits are required.

Village Manager Zegarelli gave a presentation on the 6 month status of the Fiscal Year 2013-2014 budget.

Public Comments

There were no public comments.

Election Resolution for Annual Village Election 2014

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

BE IT RESOLVED that the annual Village Election will be held in the Village of Briarcliff Manor at the Youth Center (5 Van Lu Van Road) in said Village on Tuesday, March 18, 2014 between the hours of 6:00am and 9:00pm during which the polls will be open.

BE IT FURTHER RESOLVED that the polling places for the Village of Briarcliff Manor, will be designated as follows, the Village's Single Election District (Town Voting districts #15, #16, #17, #19, #26, #27 and #29) will vote in the Briarcliff Manor Youth Center located at 5 Van Lu Van Road.

Tax Certiorari – Pace University

The Board had general discussion regarding the lack of notice from the Town of Ossining of the tax certiorari and the drastic reduction in assessed value.

The Board voted unanimously to reject the resolution listed below:

WHEREAS, Pace University 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 2009 through 2013; and

WHEREAS, the tax certiorari filings relate to Village of Briarcliff Manor fiscal years 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 October 21, 2013;

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

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

BE IT FURTHER RESOLVED, upon receipt of the 2013 assessment roll the 2014-2015 fiscal year will reflect the adjusted assessment in accordance with the Consent Judgment.

Year	Address	Original Assessed Value	New Assessed Value	Assessment Reduction	Original Tax Amount	Reduced Tax Amount	Refund	Abatement
2009	235 Elm Road	\$3,864,198	\$2,304,000	\$1,560,198	n/a	n/a	n/a	n/a
2010	235 Elm Road	\$3,864,198	\$2,502,000	\$1,362,198	n/a	n/a	n/a	n/a
2011	235 Elm Road	\$3,864,198	\$2,340,000	\$1,524,198	n/a	n/a	n/a	n/a
2012	235 Elm Road	\$3,864,198	\$2,440,198	\$1,424,198	n/a	n/a	n/a	n/a
				\$5,870,792		Total	\$0	\$0
				TOTAL AV REDUCTION			TOTAL REVENUE REDUCTION	\$0

Change of Meeting Date

Upon motion by Trustee Pohar, seconded by Deputy Mayor Sullivan, the Board voted unanimously to change the meeting originally scheduled for January 15, 2014 to January 21, 2014 at 7:30pm with a Work Session to begin at 6:30pm.

Board Appointment

Upon motion by Deputy Mayor Sullivan, seconded by Trustee Wilson, the Board voted unanimously to appoint John O’Leary to the Zoning Board of Appeals to fill a vacancy to expire on April 1, 2016.

The Board thanked Ron Alenstein for his many years of service and thanked John O’Leary for volunteering to help.

Minutes

Upon motion by Trustee Wilson, seconded by Trustee Pohar, the Board voted unanimously to approve the minutes of December 4, 2013.

Upon motion by Trustee Pohar, seconded by Deputy Mayor Sullivan, the Board voted unanimously to approve the minutes of December 18, 2013.

Adjournment

Upon motion by Deputy Mayor Sullivan, seconded by Trustee Wilson, the Board voted unanimously to adjourn the regular meeting and enter into Executive Session to receive advice of Counsel at 8:15pm.

Respectfully Submitted By,

Christine Dennett
Village Clerk

A Special 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 22nd of January, 2014 commencing at 6:55 p.m.

Present

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

Also Present

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

Absent

- Robert Murray, Trustee

Authorize Village Manager to Execute a Stipulated Settlement Agreement with Police Officer A

Upon motion by Trustee Pohar, seconded by Deputy Mayor Sullivan, the Board voted unanimously to open the meeting at 6:55pm.

Upon motion by Deputy Mayor Sullivan, seconded by Trustee Wilson, the Board voted unanimously to convene as the Board of Police Commissioners.

Upon motion by Trustee Pohar, seconded by Trustee Wilson, the Board voted unanimously with a 4-0 vote to approve the following resolution as amended:

- Trustee Pohar – Aye
- Deputy Mayor Sullivan – Aye
- Trustee Wilson – Aye
- Mayor Vescio - Aye

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

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

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 that agreement with Police Officer A in the form 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 ratifies any such execution and delivery of the same that already has been done; 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.

Upon motion by Trustee Wilson, seconded by Trustee Pohar, the Board voted unanimously to reconvene as the Board of Trustees.

Adjournment

Mayor Vescio asked that drivers obey the traffic laws and overnight parking restrictions in the Village. He cautioned drivers to drive safely and watch for black ice with the extremely low temperatures.

Upon motion by Trustee Pohar, seconded by Deputy Mayor Sullivan, the Board voted unanimously to adjourn the Special Meeting at 7:00pm.

Respectfully Submitted By,

Christine Dennett
Village Clerk