



**AGENDA**  
**JANUARY 9, 2014**  
**BOARD OF TRUSTEES**  
**VILLAGE OF BRIARCLIFF MANOR, NEW YORK**  
**REGULAR MEETING – 7:30 PM**

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

**Board of Trustees Announcements**

**Village Managers Report – 6 Month FY13-14 Presentation**

**Public Comments**

2. Election Resolution for Annual Village Election 2014
3. Tax Certiorari – Pace University
4. Minutes
  - December 4, 2013 – Regular Meeting
  - December 18, 2013 – Regular Meeting

**NEXT REGULAR BOARD OF TRUSTEES MEETING – JANUARY 15, 2014**

P2

VILLAGE OF BRIARCLIFF MANOR  
BOARD OF TRUSTEES AGENDA  
JANUARY 9, 2014

**2. ELECTION RESOLUTION FOR ANNUAL VILLAGE ELECTION 2014**

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.

VILLAGE OF BRIARCLIFF MANOR  
BOARD OF TRUSTEES AGENDA  
JANUARY 9, 2014

**3. TAX CERTIORARI, PACE UNIVERSITY**

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
				<b>\$5,870,792</b>		Total	<b>\$0</b>	<b>\$0</b>
				<b>TOTAL AV REDUCTION</b>			<b>TOTAL REVENUE REDUCTION</b>	<b>\$0</b>

Jul. 10. 2013 12:59PM

DOC. NO. 4

INDEX NO. 26952/2011  
No. 6043

RECEIVED NYSCEF: 10/21/2013

810  
04-13

**FILED  
AND  
ENTERED**  
ON 10/21/2013  
WESTCHESTER  
COUNTY CLERK

**TOWN OF OSSINING**

JUL 10 2013

**ASSESSORS OFFICE**

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF WESTCHESTER

In the Matter of

**TOWN OF OSSINING**

Index Numbers

09-24379 ✓

10-23632 ✓

11-56952 ✓

12-67204 ✓

FACE UNIVERSITY,

NOV 18 2013

**ASSESSORS OFFICE**

Petitioner,

**ORDER**

-against-

THE ASSESSOR AND THE BOARD OF ASSESS-  
MENT REVIEW OF THE TOWN OF OSSINING  
AND THE TOWN OF OSSINING, COUNTY OF  
WESTCHESTER, NEW YORK,

RECEIVED  
IN CHAMBERS

OCT. 18 2013

Respondents.

HON BRUCE E. TOLBERT  
J.S.C.

Petitioner, having commenced tax assessment review proceedings against respondents pursuant to Article 7 of the Real Property Tax Law relating to TOWN OF OSSINING tax map parcels 98.19-2-011 (235 ELM RD) for assessment years 2009 through 2012, and the parties having reached a stipulation in settlement of these proceedings;

NOW, THEREFORE, based upon the terms of said stipulation, it is

ORDERED, that said proceedings be and the same hereby are discontinued with prejudice, on the merits; and it is further

ORDERED, that respondents' assessments of petitioner's real property identified above are hereby corrected and reduced as follows:

**TOWN OF OSSINING**

NOV 18 2013

**ASSESSORS OFFICE**

As to Parcel 98.19-2-011:

Assessment <u>Year</u>	Original <u>AV</u>	<u>Revised AV</u>	<u>AV</u> <u>Diff</u>
2009	\$3,864,198	\$2,304,000	\$1,560,198
2010	\$3,864,198	\$2,502,000	\$1,362,198
2011	\$3,864,198	\$2,340,000	\$1,524,198
2012	\$3,864,198	\$2,440,198	\$1,424,198
2013	\$3,864,198	\$2,440,198	\$1,424,198

and it is further

ORDERED, that the officer or officers having custody of the assessment rolls upon which the above-mentioned assessments and any taxes levied hereon 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 the County Legislature 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 Sewer 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, without interest thereon so long as payment is made within Thirty (30) days of service of a copy of this Order with Notice of Entry, as provided by Statute, and that the Commissioner of Finance of Westchester County be served with a copy of this Order, together with proof of payment of State, County, Judiciary, Sewer and any other Westchester County Special District taxes; and it is further

ORDERED, that there shall be audited, allowed and paid to the petitioner by the TOWN OF OSSINING the amount, if any, of Town and Town 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, without interest thereon so long as payment is made within Thirty (30) days of service of a copy of this Order with Notice of Entry as provided by Statute; and it is further

ORDERED, that there shall be audited, allowed and paid to the petitioner by the BRIARCLIFF MANOR SCHOOL DISTRICT the amount, if any, of school and school 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, without interest thereon so long as payment is made within Thirty (30) days of service of a copy of this Order with Notice of Entry, as provided by Statute; and it is further

5. ORDERED, that any and all refund checks due to petitioner as a result of this Order shall be made payable to "Janata, Lacap & Associates, P.C., As Attorneys" and shall be mailed to "Janata, Lacap & Associates, 155 North Main St., New City, New York 10956" Accompanying said checks shall be a written statement setting forth the manner in which said refunds were calculated.

Dated: *October 21*, 2013

At: *White Plains*, New York

*Bruce E. Sobel*

Justice of the Supreme Court

E N T E R

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

DATED: *October 16, 2013*

*David L. Zuttera*  
S. Atty. COUNTY ATTORNEY  
THE COUNTY OF WESTCHESTER

**TOWN OF OSSINING**

NOV 18 2013


**ASSESSORS OFFICE**

Westchester  
gov.com

October 18, 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: David L. Vutera   
Senior Assistant County Attorney

RE: **Pace University v. Town of Ossining - (CON94938)**  
Index Nos. 09-24379; 10-23632; 11-56952 and 12-67204  
Parcels 98.19-2-011

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

DLV:ls  
Encl.

NOV 18 2013

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF WESTCHESTER

**ASSESSORS OFFICE**

\_\_\_\_\_  
In the Matter of

PACE UNIVERSITY,

Petitioner,

Index Numbers

09-24379

10-23632

11-56952

12-67204

**STIPULATION OF  
SETTLEMENT**

-against-

THE ASSESSOR AND THE BOARD OF ASSESS-  
MENT REVIEW OF THE TOWN OF OSSINING  
AND THE TOWN OF OSSINING, COUNTY OF  
WESTCHESTER, NEW YORK,

Respondents.  
\_\_\_\_\_

These matters having been commenced by Notice of Petition and Petition for Review of Tax Assessment for assessment years 2009 through 2012, and the parties having reached a stipulation in settlement of these proceedings;

NOW, THEREFORE, it is hereby stipulated and agreed by and between the parties hereto and their respective attorneys that these proceedings be and hereby are settled upon the following terms and conditions:

1. The proceedings pursuant to Article 7 of the Real Property Tax Law by petitioner against respondents and currently pending in this Court, namely those relating to TOWN OF OSSINING tax map parcel 98.19-2-011 (235 ELM RD) are hereby discontinued with prejudice, on the merits.



2. The parties stipulate and agree to the entry of an Order reducing the tax assessments for the above referenced parcels as follows:

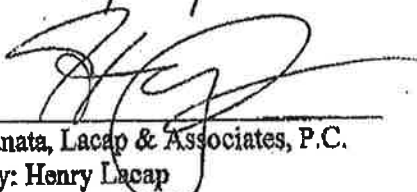
As to Parcel 98.19-2-011:

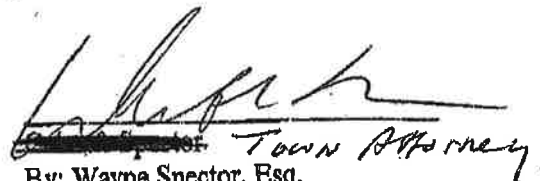
Assessment Year	Original AV	Revised AV	AV Diff
2009	\$3,864,198	\$2,304,000	\$1,560,198
2010	\$3,864,198	\$2,502,000	\$1,362,198
2011	\$3,864,198	\$2,340,000	\$1,524,198
2012	\$3,864,198	\$2,440,198	\$1,424,198
2013	\$3,864,198	\$2,440,198	\$1,424,198

3. These revised and corrected assessments shall be administered in accordance with the provisions of Section 726 of the Real Property Tax Law, provided that any refunds due to the petitioner shall be without interest so long as payment is made within Thirty (30) days of service by mail of a copy of this Stipulation and accompanying Order with Notice of Entry and no refund shall be made of any interest paid by petitioner.

4. Any and all refund checks due to petitioner as a result of this Stipulation shall be made payable to "Janata, Lacap & Associates, P.C., As Attorneys" and shall be mailed to "Janata, Lacap & Associates, P.C. 155 North Main St., New City, New York 10956."

Dated: 9/30/2013

  
 Janata, Lacap & Associates, P.C.  
 By: Henry Lacap  
 Attorneys for Petitioner  
 155 North Main Street  
 New City, New York 10956

  
~~Wayne Spector~~ TOWN ATTORNEY  
 By: Wayne Spector, Esq.  
 Attorneys for Town of Ossining  
 200 East Post Rd,  
 White Plains, New York 10601

VILLAGE OF BRIARCLIFF MANOR  
BOARD OF TRUSTEES AGENDA  
JANUARY 9, 2014

**4. MINUTES**

- December 4, 2013 – Regular Meeting
- December 18, 2013 – 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 4<sup>th</sup> of December, 2013 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

**Board of Trustees Announcements by Trustee Pohar**

- The Library has had great attendance at their programs.
- The platform tennis courts are open and permits are required.
- 2013 Letters to Santa are being accepted through December 16<sup>th</sup>. There is a special mailbox in the post office.
- Registration for a number of Winter Recreation Programs is underway.
- The Winter Recreation Brochure will be available online before Thanksgiving.
- The Community Bonfire and Sing-A-Long will be on December 8<sup>th</sup>.
- Registration is open for the Ski/Snowboard program.

**Village Managers Report by Village Manager Zegarelli**

- The Joint Hearing with the Town of Ossining regarding the Annexation will be on December 12<sup>th</sup> at 7pm at the Anne M. Dorner School.
- The Community Center design is 95% complete.
- The Youth Center field project is progressing well.
- The drainage work on Juniper Place has been completed.
- The water leak on South State Road was repaired.
- The holiday lights and decorations are up throughout the Village.

**Public Comments**

There were no public comments.

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

Mayor Vescio explained the order of events and steps that would be taken by the various Boards regarding the application.

Village Attorney Smith stated the Board would have to make a SEQRA determination and requested the matter be referred to the Westchester County Planning Board as well.

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

Referral to the Planning Board

BE IT RESOLVED that the request for the amendment of a Special Use Permit issued to the Sleepy Hollow Country Club located at 777 Albany Post Road is hereby directed to the Village Planning Board and Westchester County Planning Board for review and recommendation.

Schedule Public Hearing

BE IT RESOLVED that a Public Hearing is hereby scheduled for January 9, 2013 at 7:30pm or soon thereafter in Village Hall located at 1111 Pleasantville Road, Briarcliff Manor, NY to hear and consider an application to amend a Special Use Permit issued to the Sleepy Hollow Country Club.

**Safe Routes to School Grant Resolutions**

The Board requested amendments to the resolution.

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

- A. Authorizing the implementation, and funding in the first instance 100% of the federal-aid [[[and State "Marchiselli" Program-aid]]] eligible costs, of a transportation federal-aid project, and appropriating funds therefore.**

WHEREAS, a Project for **Pedestrian Improvements in the School Districts within the Village of Briarcliff Manor, Westchester County, PIN 8761.12** (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 0% Federal funds and 100% non-federal funds; and

WHEREAS, the Village of Briarcliff Manor desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of preliminary engineering.

NOW, THEREFORE, the Village of Briarcliff Manor, duly convened does hereby

RESOLVE, that the Briarcliff Manor Village Trustees hereby approve the above-subject project; and it is hereby further

RESOLVED, that the Briarcliff Manor Village Trustees hereby authorizes the Village of Briarcliff Manor to pay in the first instance 100% of the federal and non-federal share of the cost of preliminary engineering work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$59,000 is hereby appropriated from A0909 General Fund Fund Balance and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Briarcliff Manor Village Trustees shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Village Manager, thereof, and it is further

RESOLVED, that the Village Manager be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or applicable Marchiselli Aid on behalf of the Village of Briarcliff Manor with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that in addition to the Village Manager, the following municipal titles: Mayor, Village Engineer, Village Treasurer are also hereby authorized to execute any necessary Agreements or certifications on behalf of the Municipality/Sponsor, with NYSDOT in connection with the advancement or approval of the project identified in the State/Local Agreement;

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED, this Resolution shall take effect immediately.

**B. Authorizing the implementation, and funding in the first instance 100% of the federal-aid [[[and State "Marchiselli" Program-aid]]]**

**eligible costs, of a transportation federal-aid project, and appropriating funds therefore.**

WHEREAS, a Project for **Pedestrian Improvements in the School Districts within the Village of Briarcliff Manor, Westchester County, PIN 8761.12** (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 100% Federal funds and 0% non-federal funds; and

WHEREAS, the Village of Briarcliff Manor desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of the non-infrastructure construction work.

NOW, THEREFORE, the Village of Briarcliff Manor, duly convened does hereby

RESOLVE, that the Briarcliff Manor Village Trustees hereby approve the above-subject project; and it is hereby further

RESOLVED, that the Briarcliff Manor Village Trustees hereby authorizes the Village of Briarcliff Manor to pay in the first instance 100% of the federal and non-federal share of the cost of the non-infrastructure work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$10,000 is hereby appropriated from A0909 General Fund Fund Balance and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Briarcliff Manor Village Trustees shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Village Manager, thereof, and it is further

RESOLVED, that the Village Manager of the Village of Briarcliff Manor be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or applicable Marchiselli Aid on behalf of the Village of Briarcliff Manor with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that in addition to the Village Manager, the following municipal titles: Mayor, Village Engineer, Village Treasurer are also hereby authorized to execute any necessary Agreements or certifications on behalf of the Municipality/Sponsor, with NYSDOT in connection with the advancement or approval of the project identified in the State/Local Agreement;

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED, this Resolution shall take effect immediately.

**Reschedule January 1, 2014 Meeting**

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

BE IT RESOLVED, that the Regular Meeting of the Board of Trustees originally scheduled for Wednesday, January 1, 2014 at 7:30pm is hereby rescheduled to Thursday, January 9, 2014 at 7:30pm.

**Amendment to Capital Budget for FY 2013-2014 (to address Public Purpose)**

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

BE IT RESOLVED, that the Board of Trustees does hereby amend the Capital Budget for Fiscal Year 2013-2014 in the amount of \$10,453,720 as follows and authorizes the future borrowing for the added projects:

**Village of Briarcliff Manor**

**2013-14 Capital Projects**

BOT approved July 10, 2013	Departmental Budget Requested	Funding w/ 2% Costs	PPU (Years)
<b>PROJECT</b>			
<b>Police Department:</b>			
Chief Vehicle	\$ 35,000	\$ 35,700	5
Total Requirements:	<u>\$ 35,000</u>	<u>\$ 35,700</u>	
 <b>Fire Department:</b>			
S.C.B.A.	\$ 150,000	\$ 153,000	20
Total Requirements:	<u>\$ 150,000</u>	<u>\$ 153,000</u>	

**Department of Public Works: (general)**

Annual Paving	\$ 100,000	\$ 102,000	15
Annual Sidewalk	\$ 60,000	\$ 61,200	10
Epoxy Paint Traffic Lines	\$ 50,000	\$ 51,000	15
Annual Street Light Replacement -1st year	\$ 40,000	\$ 40,800	20
Total Requirements:	\$ 250,000	\$ 255,000	

**Department of Public Works: (water)**

Cleaning & Cement Lining Round Hill Road	\$ 1,500,000	\$ 1,530,000	40
SCADA -Water Systems Priority 2	\$ 150,000	\$ 153,000	40
Village Wide Drainage	\$ 200,000	\$ 204,000	40
Infrastructure 25 Scarborough Rd – Water & Sewer Improvements	\$6,295,000	\$6,295,000	40
Total Requirements:	\$ 1,850,000	\$ 1,887,000	

**Department of Public Works: (vehicles)**

Walk Behind Mower	\$ 6,000	\$ 6,120	15
Total Requirements:	\$ 6,000	\$ 6,120	

**Department of Public Works: (Water Vehicles)**

Backhoe	\$ 100,000	\$ 102,000	15
Excavating Attachments	\$ 60,000	\$ 61,200	
	\$ 160,000	\$ 163,200	

**Facilities:**

Community Center Phase II	\$ 300,000	\$ 306,000	25
DPW Generator	\$ 150,000	\$ 153,000	10
DPW Boiler -Gas Line	\$ 100,000	\$ 102,000	10
Macy Road Demolition	\$ 135,000	\$ 137,700	10
Macy Road Comfort Station	\$ 250,000	\$ 255,000	25
Comfort Station – 25 Scarborough Rd	\$ 705,000	\$ 705,000	25
	\$ 935,000	\$ 953,700	

Total-General Fund	\$ 1,376,000	\$ 1,403,520	
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Total-Water Fund	\$ 2,010,000	\$ 2,050,200	
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<b>Total - All Projects</b>	<b>\$10,386,000</b>	<b>\$ 10,453,720</b>	
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**Authorize Mayor to Execute an Agreement with the Village Manager**

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

BE IT RESOLVED that the Mayor is authorized to execute an agreement with Philip Zegarelli for his service from April 1, 2013 through April 1, 2015 Village year as Village Manager, Deputy Village Clerk and Deputy Registrar.

**Fire Department Membership**

The Board thanked Mr. Sassano for volunteering.

Upon motion by Trustee Wilson, seconded by Trustee Pohar, 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 **Kenneth Sassano** to the Scarborough Engine Company.

**Minutes**

Upon motion by Trustee Wilson, seconded by Deputy Mayor Sullivan, with one abstention from Trustee Pohar, the Board voted to approve the minutes of November 20, 2013.

**Adjournment**

Upon motion by Trustee Wilson, seconded by Deputy Mayor Sullivan, the Board voted unanimously to adjourn the regular meeting at 8:05pm.

**Board of Police Commissioners**

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

Upon motion by Trustee Wilson, seconded by Trustee Pohar, the Board voted unanimously to adjourn the hearing to a future date uncertain.

Upon motion by Deputy Mayor Sullivan, seconded by Trustee Wilson, the Board voted unanimously to adjourn the Board of Police Commissioners meeting at 8:07pm.

Respectfully Submitted By,  
Christine Dennett  
Village Clerk

Village Board of Trustees  
Regular Meeting  
December 18, 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 18<sup>th</sup> of December, 2013 commencing at 7:30 p.m.

**Present**

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

**Also Present**

Philip Zegarelli, Village Manager  
Christine Dennett, Village Clerk  
Robin Rizzo, Village Treasurer  
Clinton Smith, Village Counsel

**Absent**

Mark L. Wilson, Trustee

**Public Comments**

There were no public comments.

**Amended Capital Project List FY 13-14 Bond Resolutions**

Village Treasurer Rizzo gave a brief description of the Public Purpose Project.

Village Attorney Smith stated an environmental analysis was done when the project's Special Use Permit and Site Plan were reviewed.

The Board had general discussion regarding the financing of the project.

Deputy Mayor Sullivan requested the summary sheet be included in the minutes.

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

**A. BOND RESOLUTION, DATED DECEMBER 18, 2013,  
AUTHORIZING THE ISSUANCE OF UP TO \$6,295,000  
AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE  
VILLAGE OF BRIARCLIFF MANOR, COUNTY OF  
WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE**

**LOCAL FINANCE LAW, TO FINANCE THE COSTS OF (I) THE ACQUISITION AND CONSTRUCTION OF WATER IMPROVEMENTS AND (II) THE ACQUISITION AND CONSTRUCTION OF SEWER IMPROVEMENTS, IN AND FOR THE VILLAGE.**

**WHEREAS**, the Board of Trustees of the Village of Briarcliff Manor (the "Village"), located in the County of Westchester, in the State of New York (the "State"), hereby determines that it is in the public interest of the Village to authorize the financing of the costs of (i) the acquisition and construction of water improvements (\$4,615,000) and (ii) the acquisition and construction of sewer improvements (\$1,680,000), in and for the Village, including any applicable equipment, machinery, apparatus, land and rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at a total cost not to exceed \$6,295,000, all in accordance with the Local Finance Law;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of the Village of Briarcliff Manor, County of Westchester, State of New York, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the Village in the aggregate principal amount of up to \$6,295,000, pursuant to the Local Finance Law, in order to finance costs of the specific objects or purposes hereinafter described.

Section 2. The specific objects or purposes, or class of objects or purposes, to be financed pursuant to this bond resolution (collectively, the "Project"), the respective estimated maximum cost of such specific object or purpose, or class of object or purpose, the principal amount of serial bonds authorized herein for such specific object or purpose, or class of object or purpose, and the period of probable usefulness of such specific object or purpose, or class of object or purpose, thereof pursuant to the applicable subdivision of paragraph a of Section 11.00 of the Local Finance law, are as follows:

- (a) The acquisition and construction of water improvements in and for the Village, including any applicable equipment, machinery, apparatus, land and rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at an estimated maximum cost of \$4,615,000, for which \$4,615,000 principal amount of serial bonds, or bond anticipation notes issued in anticipation of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of forty (40) years pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of forty (40) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds; and

- (b) The acquisition and construction of sewer improvements in and for the Village, including any applicable equipment, machinery, apparatus, land and rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at an estimated maximum cost of \$1,680,000, for which \$1,680,000 principal amount of serial bonds, or bond anticipation notes issued in anticipation of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of forty (40) years pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of forty (40) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 3. The Board of Trustees of the Village has ascertained and hereby states that (a) the estimated maximum cost of the Project is \$6,295,000; (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) the Board of Trustees of the Village plans to finance the costs of the Project from the proceeds of the serial bonds authorized herein, or from the proceeds of bond anticipation notes issued in anticipation of such serial bonds; (d) the maturity of the obligations authorized herein may be in excess of five (5) years; and (e) on or before the expenditure of moneys to pay for any costs of the Project for which proceeds of such obligations are to be applied to reimburse the Village, the Board of Trustees of the Village took "official action" for federal income tax purposes to authorize capital financing of such item.

Section 4. Subject to the terms and conditions of this bond resolution and the Local Finance Law, including the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 60.00, inclusive, the power to authorize the serial bonds authorized herein, and bond anticipation notes in anticipation of the issuance of such serial bonds, including renewals thereof, the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes, and the power to issue, sell and deliver such serial bonds and such bond anticipation notes, are hereby delegated to the Village Treasurer, as the chief fiscal officer of the Village. The Village Treasurer is hereby authorized to execute, on behalf of the Village, all serial bonds authorized herein and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the Village Clerk is hereby authorized to affix the seal of the Village (or attach a facsimile thereof) on all such serial bonds and bond anticipation notes and to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds shall be authenticated by the manual or facsimile signature of the Village Treasurer.

Section 5. Each of the serial bonds authorized by this bond resolution and any bond anticipation notes issued in anticipation of the issuance of such serial bonds shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law. The faith and credit of the Village is hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on

all obligations authorized and issued pursuant to this bond resolution as the same shall become due.

Section 6. When this bond resolution takes effect, the Village Clerk shall cause the same, or a summary thereof, to be published together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law in           The Gazette          , a newspaper having a general circulation in the Village. The validity of the serial bonds authorized by this bond resolution, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if such obligations are authorized for an object or purpose, or class of object or purpose, for which the Village is not authorized to expend money, or the provisions of law which should be complied with as of the date of the publication of this bond resolution, or such summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or if such obligations are authorized in violation of the provisions of the Constitution of the State.

Section 7. Prior to the issuance of the obligations authorized herein, the Board of Trustees of the Village shall comply with all applicable provisions prescribed in Article 8 of the Environmental Conservation Law, all regulations promulgated thereunder by the New York State Department of Environmental Conservation, and all applicable Federal laws and regulations in connection with environmental quality review relating to the Project (collectively, the "environmental compliance proceedings"). In the event that any of the environmental compliance proceedings are not completed, or require amendment or modification subsequent to the date of adoption of this bond resolution, the Board of Trustees of the Village will re-adopt, amend or modify this bond resolution prior to the issuance of the obligations authorized herein upon the advice of bond counsel. It is hereby determined by the Board of Trustees of the Village that the Project will not have a significant effect on the environment.

Section 8. The Village hereby declares its intention to issue the obligations authorized herein to finance the costs of the Project. The proceeds of any obligations authorized herein may be applied to reimburse expenditures or commitments of the Village made with respect to the Project on or after a date which is not more than sixty (60) days prior to the date of adoption of this bond resolution by the Village.

Section 9. For the benefit of the holders and beneficial owners from time to time of the obligations authorized herein, the Village agrees in accordance with and as an obligated person with respect to the obligations under Rule 15c2-12 promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934 (the "Rule"), to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner, as may be required for purposes of the Rule. In order to describe and specify certain terms of the Village's continuing disclosure

agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Village Treasurer is authorized and directed to sign and deliver, in the name and on behalf of the Village, the commitment authorized by subsection 6(c) of the Rule (the "Commitment") to be placed on file with the Village Clerk, which shall constitute the continuing disclosure agreement made by the Village for the benefit of holders and beneficial owners of the obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond resolution and not substantially adverse to the Village and that are approved by the Village Treasurer on behalf of the Village, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed collectively by this paragraph and the Commitment, shall be the Village's continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the Village would be required to incur to perform thereunder. The Village Treasurer is further authorized and directed to establish procedures in order to ensure compliance by the Village with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the Village Treasurer shall consult with, as appropriate, the Village Attorney and bond counsel or other qualified independent special counsel to the Village and shall be entitled to rely upon any legal advice provided by the Village Attorney or such bond counsel or other qualified independent special counsel in determining whether a filing should be made.

Section 10. This bond resolution is subject to a permissive referendum and will take effect upon its adoption by the Board of Trustees of the Village and the expiration of the period prescribed in the Village Law during which petitions for a permissive referendum may be submitted and filed with the Village Clerk.

Upon motion by Trustee Murray, seconded by Deputy Mayor Sullivan, the Board voted unanimously to approve the following resolution with a 4-0 vote:

**B. BOND RESOLUTION, DATED DECEMBER 18, 2013, AUTHORIZING THE ISSUANCE OF UP TO \$705,000 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE VILLAGE OF BRIARCLIFF MANOR, COUNTY OF WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE COSTS OF THE ACQUISITION, CONSTRUCTION AND RECONSTRUCTION OF A COMFORT STATION FOR THE VILLAGE.**

**WHEREAS**, the Board of Trustees of the Village of Briarcliff Manor (the "Village"), located in the County of Westchester, in the State of New York (the "State"), hereby determines that it is in the public interest of the Village to authorize the financing of the costs of the acquisition, construction and reconstruction of a

comfort station, including any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at a total cost not to exceed \$705,000, all in accordance with the Local Finance Law;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of the Village of Briarcliff Manor, County of Westchester, State of New York, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the Village in the aggregate principal amount of up to \$705,000, pursuant to the Local Finance Law, in order to finance the acquisition, construction and reconstruction of a comfort station for the Village, including any applicable equipment, machinery, apparatus, land and rights-in-land necessary therefor and any preliminary and incidental costs related thereto (the "Project").

Section 2. It is hereby determined that the Project is a specific object or purpose, or of a class of object or purpose, described in subdivision 11(b) of paragraph a of Section 11.00 of the Local Finance Law and that the period of probable usefulness of the Project is twenty-five (25) years. The serial bonds authorized herein shall have a maximum maturity of twenty-five (25) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 3. The Board of Trustees of the Village has ascertained and hereby states that (a) the estimated maximum cost of the Project is \$705,000; (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) the Board of Trustees of the Village plans to finance the costs of the Project from the proceeds of the serial bonds authorized herein, or from the proceeds of bond anticipation notes issued in anticipation of such serial bonds; (d) the maturity of the obligations authorized herein may be in excess of five (5) years; and (e) on or before the expenditure of moneys to pay for any costs of the Project for which proceeds of such obligations are to be applied to reimburse the Village, the Board of Trustees of the Village took "official action" for federal income tax purposes to authorize capital financing of such item.

Section 4. Subject to the terms and conditions of this bond resolution and the Local Finance Law, including the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 60.00, inclusive, the power to authorize the serial bonds authorized herein, and bond anticipation notes in anticipation of the issuance of such serial bonds, including renewals thereof, the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes, and the power to issue, sell and deliver such serial bonds and such bond anticipation notes, are hereby delegated to the Village Treasurer, as the chief fiscal officer of the Village. The Village Treasurer is hereby authorized to execute, on behalf of the Village, all serial bonds authorized herein and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the Village Clerk is hereby authorized to affix the seal of the Village (or attach a

facsimile thereof) on all such serial bonds and bond anticipation notes and to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds shall be authenticated by the manual or facsimile signature of the Village Treasurer.

Section 5. Each of the serial bonds authorized by this bond resolution and any bond anticipation notes issued in anticipation of the issuance of such serial bonds shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law. The faith and credit of the Village is hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized and issued pursuant to this bond resolution as the same shall become due.

Section 6. When this bond resolution takes effect, the Village Clerk shall cause the same, or a summary thereof, to be published together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law in           The Gazette          , a newspaper having a general circulation in the Village. The validity of the serial bonds authorized by this bond resolution, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if such obligations are authorized for an object or purpose, or class of object or purpose, for which the Village is not authorized to expend money, or the provisions of law which should be complied with as of the date of the publication of this bond resolution, or such summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or if such obligations are authorized in violation of the provisions of the Constitution of the State.

Section 7. Prior to the issuance of the obligations authorized herein, the Board of Trustees of the Village shall comply with all applicable provisions prescribed in Article 8 of the Environmental Conservation Law, all regulations promulgated thereunder by the New York State Department of Environmental Conservation, and all applicable Federal laws and regulations in connection with environmental quality review relating to the Project (collectively, the "environmental compliance proceedings"). In the event that any of the environmental compliance proceedings are not completed, or require amendment or modification subsequent to the date of adoption of this bond resolution, the Board of Trustees of the Village will re-adopt, amend or modify this bond resolution prior to the issuance of the obligations authorized herein upon the advice of bond counsel. It is hereby determined by the Board of Trustees of the Village that the Project will not have a significant effect on the environment.

Section 8. The Village hereby declares its intention to issue the obligations authorized herein to finance the costs of the Project. The proceeds of any obligations authorized herein may be applied to reimburse expenditures or commitments of the Village made with respect to the Project on or after a date



which is not more than sixty (60) days prior to the date of adoption of this bond resolution by the Village.

Section 9. For the benefit of the holders and beneficial owners from time to time of the obligations authorized herein, the Village agrees in accordance with and as an obligated person with respect to the obligations under Rule 15c2-12 promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934 (the "Rule"), to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner, as may be required for purposes of the Rule. In order to describe and specify certain terms of the Village's continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Village Treasurer is authorized and directed to sign and deliver, in the name and on behalf of the Village, the commitment authorized by subsection 6(c) of the Rule (the "Commitment") to be placed on file with the Village Clerk, which shall constitute the continuing disclosure agreement made by the Village for the benefit of holders and beneficial owners of the obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond resolution and not substantially adverse to the Village and that are approved by the Village Treasurer on behalf of the Village, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed collectively by this paragraph and the Commitment, shall be the Village's continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the Village would be required to incur to perform thereunder. The Village Treasurer is further authorized and directed to establish procedures in order to ensure compliance by the Village with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the Village Treasurer shall consult with, as appropriate, the Village Attorney and bond counsel or other qualified independent special counsel to the Village and shall be entitled to rely upon any legal advice provided by the Village Attorney or such bond counsel or other qualified independent special counsel in determining whether a filing should be made.

Section 10. This bond resolution is subject to a permissive referendum and will take effect upon its adoption by the Board of Trustees of the Village and the expiration of the period prescribed in the Village Law during which petitions for a permissive referendum may be submitted and filed with the Village Clerk.

Upon motion by Trustee Murray, seconded by Deputy Mayor Sullivan, the Board voted unanimously to incorporate the bond summary chart into the minutes.

<u>Project Number</u>	<u>Project Description</u>	<u>Water Fund Allocation (A)</u>	<u>General Fund Allocation (B)</u>	<u>Total Project Cost (A+B)</u>	<u>Authorize Total Bond (A+B+contingency)</u>
Project 1.0 - Phase 1 Utility Improvements VM 1314-3 H8397.201.PPVM3	Installation of public water mains, check valves, valving reconfiguration, and water and sewer mains to public park comfort station	\$1,139,442.00	N/A	\$1,139,442.00	
Contingency Expenses (@ 6.23%) Sub-Totals		\$76,560.85			\$ 1,216,002.85
Project 2.0 - Water Pump Station and Comfort Station within the Club Easement Area VM 1314- 4 A. H8397.201.PPVM4 / B.H1440.201.PPCom	Apre-packaged Village pump station installation with building surround, Bcomfort station construction complete	\$1,787,847.00	\$665,012.00	\$2,452,859.00	
Contingency Expenses (@ 6.23%) Sub-Totals		\$120,128.18	\$39,988.00		\$2,612,975.18
Project 3.0 Offsite Sanitary Sewer Including Holbrook Road Lift Station VM 1314-5 H8397.201.PPVM5	Construction of Village sewage lift station and public sewer force main	\$1,575,991.00	N/A	\$1,575,991.00	
Contingency Expenses (@ 6.23%) Sub-Totals		\$105,893.25			\$1,681,884.25
Project 4.0A Water and Sewer Extensions	Construction of approximately 2,750 l.f. public water main creating the loop system, 1,130 l.f. of public sewer main, and fire department dry fire line.	\$1,395,380.00	N/A	\$1,395,380.00	
Contingency Expenses (@ 6.23%) Sub-Totals		\$93,757.72			\$1,489,137.72
Contingency Expenses <b>Sub-Totals</b>	Legal, bond, soft costs/monitoring	\$396,340.00	\$39,988.00	\$436,328.00	
Grand Total Allocation by Fund		\$6,295,000.00	\$705,000.00	\$7,000,000.00	
Authorized 2013-14 Capital Projects (at 4 December)		\$6,295,000.00	\$705,000.00		\$7,000,000.00
		Resolution A	Resolution B		

### Appropriation of Full Supply Capital Project Reserve – Edith Macy Tank

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

BE IT RESOLVED that the Board of Trustees does hereby authorize the appropriation of the Full Supply Capital Project Reserve as follows:

From: F0878            Full Supply Capital Project Reserve  
To:    F0909            Water Fund Fund Balance

Increase budgets in the following accounts:

F9901.912            Transfer Reserve to Capital Fund  
H0102.5031          Interfund Transfer In  
H8397.201.13570    Edith Macy Water Tank Maintenance Capital Project

**Award of Bid – Edith Macy Water Tank Rehabilitation Project**

The board had general discussion regarding the timing of the project.

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

WHEREAS the Village received 6 bids to rehabilitate, paint and service the Edith Macy Water Storage Tank Project; and

WHEREAS the lowest bidder, Benjamin Construction, requested that their bid be withdrawn; and

WHEREAS upon review and background analysis, including but not limited to work endorsements that Alpine Painting and Sandblasting was thereafter found to be the lowest responsible bidder for this project; now

BE IT RESOLVED that the bid for the Edith Macy Water Storage Tank Project is hereby awarded to the lowest responsible bidder, Alpine Painting & Sandblasting, with their bid proposal of \$379,200 plus a contingency of \$18,960 (4.7%) for a total project cost of \$398,160 to be charged to H8397.201.13570; and

BE IT FURTHER RESOLVED that due to the lowest responsible bidder's pricing is higher than the previously approved Capital Project allocation, that the \$398,160.00 all-in bid proposal (bid of \$379,200 plus contingency financing of \$18,960 (4.7%)) for this project be financed by the approved Capital Project amount of \$250,000.00 together with a \$148,160.00 transfer from the Water Fund's FWSP Reserve into the Capital Project Fund for the total of \$398,160.00 as outlined.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Village Manager is hereby authorized and directed to execute a contract with Alpine Painting & Sandblasting for said project.

**Budget Transfers**

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

BE IT RESOLVED that the Board of Trustees does hereby authorize the following transfers for FY 2013-2014:

<b>From:</b> A1990.499	General Fund Contingency	\$17,335.00
<b>To:</b> A8090.402	Equipment Rental	\$17,335.00
<b>From:</b> A7989.460	Community Room Contractual	\$10,000.00
<b>To:</b> A1990.499	General Fund Contingency	\$10,000.00
<b>TOTAL General Fund</b>		<b>\$27,335.00</b>
<b>From:</b> F1990.499	Water Fund Contingency	\$12,621.96
<b>To:</b> F1980.498	MTA Tax	\$42.16
<b>To:</b> F8310.101	Salary	\$4,650.00
<b>To:</b> F8310.850	Social Security	\$179.80
<b>To:</b> F8310.107	Comp/Vacation Buyout	\$7,750.00
<b>TOTAL Water Fund</b>		<b>\$12,621.96</b>

#### **Acceptance of Portions of Roadways**

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

BE IT RESOLVED that the Board of Trustees does hereby accept portions designated as being within the Village Boundary of Morningside Drive, Chappaqua Road, Tappan Terrace and No Name Road into the Village's Highway Inventory to receive CHIPS monies

#### **Acceptance of Donation from the Scheir Family**

The Board thanked the Scheir Family for their donation and stated the trees had already been planted.

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

BE IT RESOLVED, that the Board of Trustees hereby accepts a donation in the amount of \$8,600 from the Scheir Family for the purposes of planting trees at the Club Field.

Increase Revenue – Gifts  
(A0101.2705) by \$8,600

Increase Expenses – Parks Contractual  
(A7110.460) by \$8,600

**Fire Department Membership – Flihan**

The Board thanked Mr. Flihan for volunteering.

Upon motion by Trustee Murray, seconded by Deputy Mayor 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 under 18 membership of **Joseph Flihan** to the Briarcliff Manor Hook and Ladder Company.

**Appropriation of Fund Balance/Budget Transfer – Library Fund**

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

BE IT RESOLVED that the Board of Trustees does hereby authorize the appropriation of the Library Fund Fund Balance in the amount \$10,261.13 as follows:

From: L0909            Library Fund Fund Balance  
To:    L7410.101      Salary

BE IT FURTHER RESOLVED that the Board of Trustees does hereby authorize the following transfers for FY 2013-2014:

<b>From:</b>	L1990.499	Library Fund Contingency	\$1,655.31
<b>To:</b>	L7410.101	Salary	\$597.66
<b>To:</b>	L7410.850	Social Security	\$830.70
<b>To:</b>	L1980.498	MTA Tax	\$36.92
<b>To:</b>	L7410.850	Retirement & Pension	\$190.03
<b>TOTAL Library Fund Transfers/Appropriations</b>			<b>\$11,916.44</b>

**Minutes**

The December 4, 2013 minutes were tabled to the next meeting.

**Village Managers Report by Village Manager Zegarelli**

- The Joint Hearing with the Town of Ossining regarding the Annexation was held on December 12<sup>th</sup> and the comment period would remain open through January 15<sup>th</sup>.
- DPW did a great job with snow removal.

- DPW and Recreation are working to get the ice rink put up but the inclement weather has stymied it temporarily.
- The 2<sup>nd</sup> half of Village Taxes are due by December 31<sup>st</sup>.
- Deadlines to register for the Winter Recreation Programs are approaching.
- A new mailing listing the Senior Recreation Programs is in the mail.
- Scarborough Station Parking Permits are available for purchase for 2014.
- The next Board of Trustees meeting will be on January 9<sup>th</sup>.
- Merry Christmas and Happy New Year!

### **Adjournment**

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

Respectfully Submitted By,

Christine Dennett  
Village Clerk