



AGENDA
AUGUST 19, 2015
BOARD OF TRUSTEES
VILLAGE OF BRIARCLIFF MANOR, NEW YORK
REGULAR MEETING – 8:00 PM

1. Public Hearing to Amend a Special Use Permit– Scarborough Presbyterian Church

Board of Trustees Announcements

Village Managers Report – Flash FYE 2014-2015 Report

Public Comments

2. Authorize Village Manager to Execute an Amendment to Agreement with NYSDOT to Adjust the Snow and Ice Agreement for 2014-2015
3. Budget Transfers – FY 2014-2015
4. Fire Department Membership - Carpentieri
5. Minutes
 - July 15, 2015
 - July 27, 2015

The Board will adjourn the regular meeting and reconvene as the Board of Police Commissioners.

1. Resolution to Suspend a Police Officer
2. Authorize Village Manager to Execute a Stipulated Settlement Agreement with Police Officer A

**THE NEXT REGULAR BOARD OF TRUSTEES MEETING WILL BE
SEPTEMBER 2, 2015 AT 8:00PM**

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
AUGUST 19, 2015

1. **PUBLIC HEARING, AMENDMENT TO SPECIAL USE PERMIT,
SCARBOROUGH PRESBYTERIAN CHURCH**

**RESOLUTION
OF THE
VILLAGE OF BRIARCLIFF MANOR BOARD OF TRUSTEES
SPECIAL USE PERMIT RENEWAL AND AMENDMENT
SCARBOROUGH PRESBYTERIAN CHURCH**

WHEREAS, by Resolution adopted June 27, 1985, the Board of Trustees of the Village of Briarcliff Manor issued a Special Use Permit to the Scarborough Presbyterian Church ("Church") to operate a nursery school facility for young children with their instructors (the "Nursery School"), subject to the conditions set forth therein, for a period of five (5) years at 671 Scarborough Road, Briarcliff Manor, New York (the "Premises"); and

WHEREAS, by Resolution adopted March 11, 2003 the Village of Briarcliff Manor Planning Board granted Site Plan Approval for the Church; and

WHEREAS, the said Special Permit, has been renewed from time to time by the Village Board, most recently on June 17, 2015; and

WHEREAS, by separate letters both dated July 20, 2015, the Church has applied to the Board of Trustees to amend the Special Use Permit, and to the Planning Board to amend the said Site Plan Approval, relative to changing the Nursery School to a Day Care Center to be licensed through the New York State Office of Children and Family services, which requires certain renovations and upgrades to the Premises; and

WHEREAS, pursuant to Village Code Section 220-6(C), the Board of Trustees referred the application for amendment of the Special Use Permit to the Planning Board for report and recommendation; and

WHEREAS, at its meeting of August 11, 2015, the Planning Board reviewed the applications for Special Permit approval as referred and for Site Plan Approval, and issued a recommendation that the Board of Trustees approve the amendment to the Special Permit, and thereafter granted Amended Site Plan approval for the Project, conditioned up approval by the Board of Trustees of the

Amended Special Use Permit including a SEQRA determination, relative to the Project; and

WHEREAS, pursuant to Village Code Section 220-6(C), the Board of Trustees held a duly notice public hearing on August 19 , 2015, at 7:30pm at which time the public was invited to provide comments on the Special Use Permit; and

WHEREAS, the Board of Trustees has reviewed a Short Environmental Assessment Form submitted by the Applicant and has determined that the Project is an Unlisted action in accordance with the New York State Environmental Quality Review Act ("SEQRA").

NOW THEREFORE, BE IT RESOLVED THAT, in accordance with SEQRA, the Board of Trustees hereby determines that the proposed action will not have a significant impact upon the environment as it will not significantly alter the existing use of the Premises and it will not have an adverse impact upon the character of the area; and

BE IT FURTHER RESOLVED THAT the Special Use Permit for the Church is hereby renewed subject to the same conditions included in the original Special Use Permit approval dated June 27, 1985, as renewed from time to time, and further amended by this Resolution, said renewal herein to extend retroactively to June 27, 2020; and

BE IT FURTHER RESOLVED THAT should the Church desire to renew this Special Use Permit for another five year period, commencing in 2020, the Church shall be responsible for requesting the renewal at least sixty (60) days prior to the expiration of the Special Use Permit; and

BE IT FURTHER RESOLVED THAT said Special Use Permit for the Church, is hereby further amended to reflect the aforementioned renovations and upgrades including (a) renovation of three classrooms identified on Project plans as Classrooms #1, #2 and #3 to include new handicap accessible exits, which doors will lead to a landing and then a ramp leading to a new walkway where the existing walkway is currently located, (b) upgrade of the fire safety equipment to include Central Station Monitoring with pull boxes at each egress door, sirens/strobes, hard wired smoke detectors, heat sensors, and carbon monoxide detectors, (c) enclosure of the boiler room in a one hour fire rated enclosure which will include (i) installing a 2 hour fire rated metal door on the boiler room, (ii) installing 5/8 inch fire rated GWB sheathing over 6 inch O.C. metal studs, and (iii) replacing the ceiling board with 5/8 inch fire rate GWB sheathing, and (d) addition of a bi-fold door between classroom #1 and #3 for ease of movement between the two rooms for staff and children; and

BE IT FURTHER RESOLVED THAT the Special Use Permit also reflects and approves certain operational changes proposed by the Church which are limited to (a) decreasing the number of children in the program from 70 to 60 per day, and (b) changing the hours of operation from 9:00am to 3:00pm to an extended day with the option of 8:00am to 4:00pm; and

BE IT FURTHER RESOLVED THAT, the violation of any term or condition of this Resolution or the Special Use Permit as renewed and amended, shall place the Special Use Permit and any associated Certificate of Occupancy in jeopardy and subject to revocation by the Village; and

BE IT FURTHER RESOLVED THAT except as otherwise provided herein, all other terms and conditions of the Special Use Permit as amended and renewed from time to time shall remain in full force and effect.

**Submission Form to the Westchester County Planning Board
For Planning and Zoning Referrals
REQUIRING NOTIFICATION ONLY**

County Ref. No. **BMR N15-001**

The Westchester County Planning Board has predetermined that certain categories of planning and zoning applications are matters for local determination only. For any application listed below, submission of this completed form will satisfy the requirements of NYS General Municipal Law and the Westchester County Administrative Code that the local board provided adequate notification to the County Planning Board in accordance with Planning Board procedures. No other material need be sent. Upon receipt, the County Planning Board will complete the bottom section of this form and return it to you to for your records to indicate compliance with referral requirements.

When completed save this form and e-mail to: muniref@westchestergov.com or print and fax to 914-995-3780.

Municipality: **Briarcliff Manor**

Referring Agency (check one): Planning Board or Commission
 Zoning Board of Appeals
 City or Common Council/Town Board/Village Board of Trustees

Application Name and Local Case Number: **Scarborough Presbyterian Church Day Care Center**

Address: **671 Scarborough Road**

Section: **104.7** Block: **1** Lot: **62**

Submitted by (name and title): **Christine Dennett, Village Clerk**

E-mail address (or fax number): **cdennett@briarcliffmanor.org**

The above referenced application qualifies for the notification only procedure to the County Planning Board because it falls within the category of action checked below:

- Zoning Area Variance** to decrease front yard setback, decrease minimum street frontage or decrease average lot width for property abutting a State or County road or park
- Special Use Permit or Use Variance** to allow less than 5,000 square feet of new or renovated floor area and less than 10,000 square feet of land disturbance.

Site Plan to allow less than 5,000 square feet of new or renovated floor area and less than 10,000 square feet of land disturbance on property within 500 feet of:

- The boundary of a city, town or village
- The boundary of an existing or proposed state or county park, recreation area or road right-of-way
- An existing or proposed county drainage channel line
- The boundary of state- or county-owned land on which a public building/institution is located or
- The boundary of a farm located in an agricultural district.

(Please note: All applications given a Positive Declaration pursuant to SEQR must be referred as a complete application. Do not use this form.)

Do not write below this line.

Date received by the Westchester County Planning Board: **8/4/15**

Notification acknowledged by (name and title): **Kay Eisenman, Planner**

EXCERPT FROM THE MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES
OF THE VILLAGE BRIARCLIFF MANOR, NEW YORK, HELD JUNE 27, 1985

Upon motion made by Trustee Wetzel, seconded by Trustee Pacchiana, the following resolution was unanimously approved:

WHEREAS, Richard A. Leins, Esq., agent for the Scarborough Presbyterian Church, has requested a Special Permit to operate a nursery school in existing facilities on the Church property; and

WHEREAS, the proposal is further set forth in a letter dated April 17, 1985, from Attorney Leins, and is shown on a site plan entitled: Church School Addition to Scarborough Presbyterian Church, Scarborough, New York, prepared by A. M. Kinney Associates, Architects and Engineers, New York, dated October 5, 1960, last revised December 14, 1960, as follows:

Site Plan, Sheet No. 01
Plans & Details, Sheet No. 101
Elevations & Details, Sheet No. 102
Sections & Details, Sheet No. 103
Schedules & Details, Sheet No. 104; and

WHEREAS, the proposed nursery school facility and Scarborough Presbyterian Church are located on Scarborough Road, Briarcliff Manor, as shown on Village tax maps designated Section 4, Plate 11, Block 9, Lots 10 and 11; and

WHEREAS, said application was duly referred to the Village Planning Board by the Village Board of Trustees for review and report thereon in accordance with the procedures established in the Village Zoning Ordinance; and

WHEREAS, the Board of Trustees, upon recommendation of the Planning Board did request the applicant to complete an environmental assessment form and after review of said form the Board of Trustees has determined that the proposed development will not have a significant impact on the environment; and

WHEREAS, the Board of Trustees pursuant to the requirements of SEQR/VEQR, hereby issues a Negative Declaration, determination of non-significance, on the basis that the proposed special permit approval is an unlisted action, not requiring lead agency determination or circulation, and hereby directs such negative declaration to be filed with the Village Clerk's records as part of this action; and

WHEREAS, the Planning Board directed the Village Engineer and Village Planner to review said application with the applicant's engineer, and as a result thereof, the Planning Board discussed the applicant's proposal at a regularly scheduled public meeting on June 11, 1985, and did report its written recommendation to the Board of Trustees by memorandum dated June 20, 1985; and

WHEREAS, the Planning Board has recommended to the Board of Trustees that a Special Permit be granted with conditions as set forth in the above-stated memorandum, which conditions, among others, recognize the nature of the proposed nursery school facility and therefore recommends conditions related to safety of the occupants of the proposed structure as well as protection of the health, welfare and benefit of the general Village residents and property owners; and

WHEREAS, the Planning Board has noted that it has caused the referral of the proposed Special Permit application to the Westchester County Planning Board for review and recommendation, and has conducted a site plan review and is prepared to issue its site plan approval upon the granting of a Special Permit by the Village Board of Trustees; and

WHEREAS, the Village Board of Trustees has carefully considered said application in relation to Section 4(B) of the Village Zoning Ordinance and finds that the applicant's proposal in relation to the particular site on which it would be located is, upon the basis of the uniqueness

of the site and its circumstances, appropriate for the granting of a Special Permit and finds that the conditions and standards of Section 4(B)C of the Zoning Ordinance may be met by a special permit granted with the conditions as set forth below.

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of Trustees in a meeting held on June 27, 1985, does hereby grant a special permit, to run for a period of five (5) years from the date of this resolution, issued to the Scarborough Presbyterian Church to operate a nursery school facility for young children with their instructors, subject to the following conditions, the violation of any of which shall place the Special Permit and its Certificate of Occupancy in jeopardy and subject to revocation by the Village:

1. The principal use of the nursery school facility shall be for the education of young children within Briarcliff Manor and its environs. Any accessory uses shall be as noted on the site plan submitted, as revised and noted above, and as may be approved by the Planning Board.
2. The intensity of use shall be limited to the maximum pupil enrollment which has occurred since the existence of the school. This enrollment figure shall be submitted to the Village to become a part of this Special Permit. Intensity of use of the nursery school facility shall be as permitted by the Village Building Code. Faculty and staff shall be limited to the approximate present ratios of same to students, also to be submitted as part of this Special Permit. Off-street parking, bus loading (if any), building coverage and floor space shall be as shown on the submitted site plans except that the Planning Board shall have the authority to modify the parking, landscaping, drainage, building shape and other matters normally considered in site plan review in accordance with the spirit and intent of the Zoning Ordinance and the Special Permit standards therein and this resolution.
3. The nursery school shall operate generally in accordance with normal school operating hours or its current operation, whichever is greater.
4. The nursery school facilities shall be used as a day school primarily. In general, there shall be no use of the school facilities for other than directly related educational and recreational activities.

5. Every effort shall be made to maintain the nursery school grounds and activities conditioned thereon in a manner which preserves and protects the environment, character and land use and property of surrounding Village property owners.
6. The Church shall maintain the existing landscaping and drainage so as to provide continued protection, peace and quiet for abutting property owners.
7. No parking, recreation or other outdoor activities shall be permitted on the site other than in designated areas shown on the site plan and as approved by the Planning Board.
8. The Church shall obtain site plan approval from the Planning Board, including the conditions noted and recommended in the Planning Board's memorandum of June 20, 1985.
9. The information and documents noted above including any site plan which may be approved by the Planning Board shall be filed with the Village Clerk. The applicant shall comply with all future requirements instituted by the Village Planning Board in connection with its final and detailed site plan review and approval.
10. Compliance with the above conditions shall be a requirement for the continued validity of any Certificate of Occupancy which may be issued by the Village Building Inspector in accordance herewith.
11. Prior to the expiration of this special permit, the applicant may request renewal of same, which shall be subject to review of the then prevailing zoning regulations as well as the above conditons. The Board of Trustees may reestablish this special permit with or without the above conditions and any others it deems appropriate and lawful.

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
AUGUST 19, 2015

2. AUTHORIZE VILLAGE MANAGER TO EXECUTE AN AMENDMENT TO AN AGREEMENT WITH NEW YORK STATE DEPARTMENT OF TRANSPORTATION TO ADJUST THE SNOW AND ICE AGREEMENT FOR 2014-2015

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

AMENDMENT B

Contract #	Municipality	Current Ext. Season	Region #
D014708	VILLAGE OF BRIARCLIFF MANOR/Westchester	2014/15	8
Beginning Date of Contract Period	7/1/1994	Ending Contract Period	6/30/2015

AMENDMENT TO CHANGE THE ESTIMATED EXPENDITURE FOR SNOW & ICE AGREEMENT

Due to the severity of the winter during 2014/15 the MUNICIPALITY requests that the Municipal Snow and Ice Agreement estimated expenditure be revised to reflect the additional lane miles of state roads that were plowed/treated during the winter season. All the terms and conditions of the original contract extension remain in effect except as follows:

ADDITIONAL S&I OPERATIONS						
J-Mile Base	14/15 JMiles	S&I LM Base	14/15 LM	Pay ¹ Factor	Original Estimated Expenditure	Index Adjustment ²
50,634	150,917	590	659	2.668	\$5,197.80	\$8,669.93
Pay Factor ¹ = (14/15 J-Miles/(14/15 LM))/(J-Mile Base/S&I LM Base)						
Index Adjustment ² = (Original Estimated Expenditure * Pay Factor ¹) - Original Estimated Expenditure						
TOTAL REVISED ESTIMATED EXPENDITURE						
Original Estimated Expenditure			Index Adjustment ²		Rev. Est. Expenditure ³	
\$5,197.80			\$8,669.93		\$13,867.73	
Revised Estimated Expenditure ³ = Original Estimated Expenditure + Index Adjustment ²						

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

was \$ 11,518.32
 = ± \$ 2,349.41
 = + 20.4% increase

Agency Certification Contract No. D014708

“In addition to the acceptance of this contract, I also certify that original copies of this signature page will be attached to all other exact copies of this contract.”

THE PEOPLE OF THE STATE OF NEW YORK

MUNICIPALITY

BY _____
For Commissioner of Transportation

BY _____

ATTORNEY GENERAL'S SIGNATURE

COMPTROLLER'S SIGNATURE

Dated _____

Dated _____

STATE OF NEW YORK)

) SS:

COUNTY OF Westchester)

On the _____ day of _____ in the year _____ before me personally came _____ to me known who, being by me duly sworn, did depose and say that (s)he resides in _____, New York; that (s)he is the _____ of _____ the municipality described in and which executed the above instrument; that (s)he executed said instrument by order of the Governing Body of said municipality pursuant to a resolution which was duly adopted on _____; a certified copy of such resolution attached hereto and made a part hereof.

Notary Public

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
JULY 15, 2015

3. BUDGET TRANSFERS– 2014-2015 MISCELLANEOUS

BE IT RESOLVED that the Board of Trustees does hereby authorize the following budget transfers for FY 2014-2015 totaling \$143,776.47 in the General Fund and \$58,350.00 in the Water Fund for a grand total of \$202,126.47:

GENERAL FUND

FIRE/AMBULANCE

From:	A1640.219	Heavy Equipment	\$3,744.53
	A5110.420	Materials & Supplies	\$2,101.12
	A3410.250	Uniforms	\$23.66
	A3410.401	Advertising	\$934.50
	A3410.407	Software Maintenance	\$20.87
	A3410.440	Utilities	\$300.28
	A7020.815	Dental Insurance	\$637.96
	A8989.420	Materials & Supplies	\$3,779.49
	A8090.435	Disposal – Recyclables	\$3,660.22
	A7110.420	Materials & Supplies	\$2,519.56
	A1620.420	Materials & Supplies	\$1,451.54
To:	A3410.226	Fire & Ambulance	\$19,173.73

LEGAL SERVICES

From:	A8510.103	Part Time	\$2,436.39
	A1110.460	Contractual Services	\$1,627.94
	A1230.463	Contractual Services	\$1,230.463
	A1410.477	Professional Development	\$1,025.00
	A1410.460	Contractual Services	\$2,130.00
	A1410.460	Contractual Services	\$5.00
	A1460.460	Contractual Services	\$660.00
	A1620.460	Contractual Services	\$637.89
	A1680.460	Contractual Services	\$5,157.10
	A1990.499	Contingency	\$20,409.59

A3510.461	Contractual Services	\$98.72
A3620.460	Contractual Services	\$3,875.00
A4540.460	Contractual Services	\$628.25
A7110.460	Contractual Services	\$1,732.94
A7181.460	Contractual Services	\$828.98
A7312.460	Contractual Services	\$189.00
A7610.460	Contractual Services	\$70.00
A7621.460	Contractual Services	\$2,100.00
A7622.460	Contractual Services	\$931.00
A8010.460	Contractual Services	\$45.50

To: A1420.460 Contractual Services Law \$45,490.30

DPW - SALT

From: A1640.218 Light Equipment Repair \$1,283.61
A1964.423 Refund Real Property Tax \$53,397.95

To: A5142.420 Materials & Supplies - Salt \$54,681.56

WORKERS COMPENSATION

From: A8090.101 Personnel \$24,430.88

To: A8090.890 Workers Compensation \$24,430.88

WATER FUND




THREE VILLAGES AGREEMENT

From: F1420.460 Contractual Services \$12,207.34
F1950.422 Taxes & Assessments \$1,054.35
F1990.499 Contingency \$9,248.99
F8120.460 Contractual Services \$813.27
F8340.420 Materials & Supplies \$8,796.48
F8310.430 Stationary & Printing \$2,864.20
F8340.460 Contractual Supplies \$23,365.37

To: F8320.460 (3 Village) Contractual Services \$58,350.00

BUDGET TRANSFER REQUEST FORM




Amount from:	Muni Code	Budget Line
\$ 3,744.53	A1640.219	Heavy Equip/Veh Repair & Maint.
\$ 2,101.12	A5110.420	Materials & Supplies
\$ 23.66	A3410.250	Uniforms
\$ 934.50	A3410.401	Advertising
\$ 20.87	A3410.407	Software Maintenance & Support
\$ 300.28	A3410.440	Utilities-Electricity
\$ 637.96	A7020.815	Dental Insurance
\$ 3,779.49	A8989.420	Materials & Supplies
\$ 3,660.22	A8090.435	Disposal - Recyclable Material
\$ 2,519.56	A7110.420	Materials & Supplies
\$ 1,451.54	A1620.420	Materials & Supplies
Total: \$19,173.73		
Amount to:	Muni Code	Budget Line
\$ 19,173.73	A3410.226	Fire & Ambulance

	6/30/15
Signature of Requesting Department Head	Date Signed
	1 July
Village Manager Approval	Date Signed
	6/30/15
Village Treasurer Approval	Date Signed

If over \$10,000, Board of Trustees Approval Date:

BUDGET TRANSFER REQUEST FORM


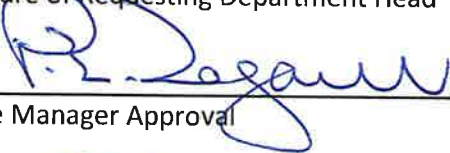

\$ Amount from:	Muni Code	Budget Line
\$ 2,436.39	A8510.103	Part-time
\$ 1,627.94	A1110.460	Contractual Services
\$ 902.00	A1230.463	Contractual Services
\$ 1,025.00	A1410.477	Professional Development
\$ 2,130.00	A1410.460	Contractual Services
\$ 5.00	A1410.460 (Valet)	Contractual Services
\$ 660.00	A1460.460	Contractual Services
\$ 637.89	A1620.460	Contractual Services
\$ 5,157.10	A1680.460	Contractual Services
\$ 20,409.59	A1990.499	Contingency
\$ 98.72	A3510.461	Contractual Services
\$ 3,875.00	A3620.460	Contractual Services
\$ 628.25	A4540.460	Contractual Services
\$ 1,732.94	A7110.460	Contractual Services
\$ 828.98	A7181.460	Contractual Services
\$ 189.00	A7312.460	Contractual Services
\$ 70.00	A7610.460	Contractual Services
\$ 2,100.00	A7621.460	Contractual Services
\$ 931.00	A7622.460	Contractual Services
\$ 45.50	A8010.460	Contractual Services
Total: \$ 45,490.30		
\$ Amount to:	Muni Code	Budget Line
\$ 45,490.30	A1420.460	Contractual Services - Law

 Signature of Requesting Department Head	6/30/15 Date Signed
 Village Manager Approval	1 July 2015 Date Signed
 Village Treasurer Approval	6/30/15 Date Signed

If over \$10,000, Board of Trustees Approval Date:

BUDGET TRANSFER REQUEST FORM

Amount from:	Muni Code	Budget Line
\$ 1,283.61	A1640.218	Light Equipment Repair & Maint.
\$ 53,397.95	A1964.423	Refund of Real Property Tax
Total: \$ 54,681.56		
Amount to:	Muni Code	Budget Line
\$ 54,681.56	A5142.420	Materials & Supplies - Salt

 Signature of Requesting Department Head	6/30/15 Date Signed
 Village Manager Approval	1 July 2015 Date Signed
 Village Treasurer Approval	6/30/15 Date Signed

If over \$10,000, Board of Trustees Approval Date:

BUDGET TRANSFER REQUEST FORM

Amount from:	Muni Code	Budget Line
\$ 24,430.88	A8090.101	Environment Control (Full Time Salary)
Amount to:	Muni Code	Budget Line
\$ 24,430.88	A8090.890	Workers compensation

(DG.)

Signature of Requesting Department Head

R. Logan

Date Signed

12 Aug.

Village Manager Approval

Date Signed

Robin Fries

Village Treasurer Approval

8/12/15

Date Signed

If over \$10,000, Board of Trustees Approval Date:

BUDGET TRANSFER REQUEST FORM

Amount from:	Muni Code	Budget Line
\$ 12,207.34	F1420.460	Contractual Services
\$ 1,054.35	F1950.422	Taxes And Assessments On Prop
\$ 9,248.99	F1990.499	Contingency
\$ 813.27	F8120.460	Contractual Services
\$ 8,796.48	F8340.420	Materials & Supplies
\$ 2,864.20	F8310.430	Stationery & Printing
\$ 23,365.37	F8340.460	Contractual Services
Total: \$58,350.00		
Amount to:	Muni Code	Budget Line
\$ 58,350.00	F8320.460 .3VILL	Contractual Services - 3 Village

Robin R. H...
6/30/15

 Signature of Requesting Department Head Date Signed

R. J...
1 July 2015

 Village Manager Approval Date Signed

R. H...
6/30/15

 Village Treasurer Approval Date Signed

If over \$10,000, Board of Trustees Approval Date:

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
AUGUST 19, 2015

4. FIRE DEPARTMENT MEMBERSHIP

BE IT RESOLVED, that the Board of Trustees of the Village of Briarcliff Manor hereby approves the membership of **Matthew B. Carpentieri** to the Briarcliff Manor Fire Company.

Briarcliff Manor Fire Department

1111 Pleasantville Road
Briarcliff Manor, NY 10510

Office of the Chief



DENNIS L. REILLY, CHIEF
ROBERT M. GARCIA, 1st Asst. Chief
PETER J. FULFREE, 2nd Asst. Chief

Emergency 911
Chief's Office (914) 941-0879
Fax (914) 944-2758

E-mail: fdchief@briarcliffmanor.org

DATE: July 27, 2015

TO: Christine Dennett, Village Clerk
Briarcliff Manor Board of Trustee's

FROM: Chief Dennis Reilly – Briarcliff Manor Fire Department

SUBJECT: NEW MEMBER – Request for Village Approval

Honorable Mayor and Trustees;

Matthew B. Carpentieri, born 12/29/1987 and residing at 145 Pythian Avenue, Hawthorne, New York, has applied for membership in the Briarcliff Manor Fire Department

The applicant listed above, has been vetted by the Briarcliff Fire Company Membership Committee and determined to meet the criteria set forth by the Briarcliff Manor Fire Department.

FURTHERMORE, the Chief of Department has performed an Arson Background Check on said member who has been found to have NO record of Arson Conviction.

FURTHERMORE, the Chief of Department has met with the Parent(s) of the applicant, who has signed and certified the Consent and Release Form for the Applicant. The Chief of Department Requests that the Village of Briarcliff Board of Trustee's approve the application set before you and send such confirmation to **Chief's Office** at your earliest convenience.

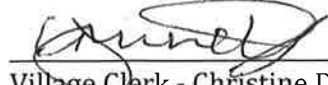
Thank you for your assistance.


Dennis L. Reilly
Chief of Department

Dated: July 27, 2015


Secretary – Briarcliff Fire Company


Dated


Village Clerk - Christine Dennett


Dated

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 15th of July, 2015 commencing at 8:00 p.m.

Present

Lori A. Sullivan, Mayor
Mark Pohar, Deputy Mayor
Cesare DeRose, Jr. Trustee
Mark L. Wilson, Trustee
Bryan Zirman, Trustee

Also Present

Philip Zegarelli, Village Manager
Christine Dennett, Village Clerk
Clinton Smith, Village Counsel
David Turiano, Village Engineer

Public Hearing to Amend Chapter 168 – Sewers

Village Attorney Smith stated the version that was before the Board was dated June 17, 2015 and was revised on June 19, 2015 to clean up some language after the hearing was called. He further stated the version that was circulated by the Village Clerk was the June 17th version and none of the changes would affect the notice of the hearing.

Village Engineer Turiano stated the changes were not substantive and the intent of the law remained the same.

Upon motion by Deputy Mayor Pohar, seconded by Trustee Wilson the Board voted unanimously to open the public hearing.

Upon motion by Trustee Wilson, seconded by Trustee DeRose, the Board voted unanimously to substitute the June 19th version in place of the June 17th version.

A representative from Urstadt Biddle properties asked for confirmation that the changes were just grammatical in nature.

Village Attorney Smith stated the June 19th effort combined some paragraphs and deleted some extraneous language.

Village Engineer Turiano gave a synopsis of the proposed amendment.

Mayor Sullivan stated the new law was much more environmentally friendly and encouraged the use of the GRD system.

Upon motion by Trustee Zirman, seconded by Deputy Mayor Pohar, the Board voted unanimously to close the public hearing.

Upon motion by Trustee DeRose, seconded by Trustee Wilson, the Board voted unanimously to adopt the following resolution as amended with the June 19, 2015 version as amended in the public hearing:

BE IT RESOLVED that the proposed local law to amend Chapter 168, Sewers of the Code of the Village of Briarcliff Manor is hereby adopted.

Board of Trustees Announcements by Mayor Sullivan

Mayor Sullivan stated a letter was being sent on behalf of the Village to the Town of Ossining, State of New York and County of Westchester to ask for a collaborative effort to provide funding to address concerns and fix the intersection at Route 9A and North State Road. She stated the Board would report back after they heard from the other entities and the plans were available at Village Hall for review.

Village Managers Report by Village Manager Zegarelli

- There was a spike in water usage in the month of May.
- Con Edison and Verizon want to replace aged poles throughout the Village. A meeting is being set up to discuss the project.
- The footings were poured for the Comfort Station at the Club Field.
- The first half of Village Tax is at a 98% collection rate. Letters will be mailed to remind residents to pay.
- Summer Camp is underway.
- Space is still available in some of the Specialty Camps.
- Community Day is scheduled for September 12th.

Mayor Sullivan thanked everyone that attended Family Fun Night and thanked the Recreation Department for their efforts.

Public Comments

Ms. Kim Jeffrey, Town of Ossining Council Member, stated a Town Hall meeting would be held on July 21st at 7:30pm at the Ossining Public Library to discuss the status of the town wide reassessment. She stated if anyone had concerns or questions they should contact Fernando Gonzalez. She further stated she worked for Senator Carlucci and he was hosting a training event open to the public on August 5th on how to administer naloxone to someone that overdosed on opioids.

Budget Transfer – Non Budgeted Line Items

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

BE IT RESOLVED that the budget for Fiscal Year 2014-2015 is hereby amended as follows:

Increase Expenses – Police Off-Duty
(A3120.112) by \$3,004.65

Increase Revenue – Police Off-Duty
(A0103.1521) by \$3,004.65

Increase Expenses – COBRA
(A1410.821) by \$25,110.39

Increase Revenue – COBRA
(A0109.2775) by \$25,110.39

Increase Expenses – Recreation Credit Card Fees
(A7020.400) by \$4,756.07

Increase Revenue – Recreation Credit Card Fees
(A0107.2025) by \$4,756.07

Budget Transfer – Surplus in Round Hill Road Project

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

BE IT RESOLVED that the Board of Trustees does hereby authorize the following budget transfers for FY 2014-2015 totaling \$125,000:

POLICE

From: H.8397.201.15570	Round Hill Road Project	\$69,788.68
From: H.8397.201.14570	Round Hill Road Project	\$55,211.32
To: F0102.5034	FWSP Capital Reserve	\$125,000

Declaration, Designation and Authorization of the Sale of Surplus Vehicles and Equipment

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

BE IT RESOLVED, that the Board of Trustees does hereby declare the Village owned vehicles and equipment listed below as surplus and further authorizes their sale pursuant to a public bid.

1. 2004 Ford Explorer
2. 2008 Ford Crown Victoria
3. 2010 Ford Crown Victoria
4. 2001 Smart Radar Trailer (radar removed)
5. 2003 International 7400 Sanitation Truck

Budget Amendment – Readers Digest Grant

Upon motion by Trustee DeRose, seconded by Trustee Zirman, the Board voted unanimously to approve the following resolution:

BE IT RESOLVED that the Library Fund for fiscal year 2015-2016 is hereby amended as follows to purchase print books for adults, teens and children:

Increase Revenue – L0108.2705 Special Gifts	\$4,000
Increase Expense - L7410.206 Special Matching Expenses	\$4,000

Authorize Village Manager to Execute Fire Protection Agreements with Mt. Pleasant

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

BE IT RESOLVED that the Village Manager is hereby authorized and directed to execute a Fire Protection Agreement with the Town of Mt. Pleasant for fire protection services to the Briarcliff East Fire Protection Districts in the amount of \$14,595 to expire on December 31, 2015.

BE IT FURTHER RESOLVED that the Village Manager is hereby authorized and directed to execute a Fire Protection Agreement with the Town of Mt. Pleasant for fire protection services to the Northeast Briarcliff Fire Protection District in the amount of \$29,115 to expire on December 31, 2015.

Minutes

Upon motion by Trustee Zirman, seconded by Deputy Mayor Pohar, the Board voted unanimously to approve the minutes of June 17, 2015.

Adjournment

The next regular meeting of the Board of Trustees will be on Wednesday, August 19, 2015 at 8:00pm.

Upon motion by Deputy Mayor Pohar, seconded by Trustee Wilson, the Board voted unanimously to adjourn the meeting at 9:15pm.

Respectfully Submitted By,

Christine Dennett
Village Clerk

Village Board of Trustees
Special Meeting
July 27, 2015
6:00 p.m.

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 27th of July, 2015 commencing at 6:00 p.m.

Present

Lori A. Sullivan, Mayor
Mark Pohar, Deputy Mayor
Cesare DeRose, Jr. Trustee
Mark L. Wilson, Trustee
Bryan Zirman, Trustee

Also Present

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

Authorize Village Manager to Execute a Settlement of Impasse with the Policemen's Benevolent Association

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

BE IT RESOLVED that the Board of Trustees does hereby authorize the Village Manager to execute a Settlement of Impasse with the Policemen's Benevolent Association for contract years June 1, 2011 through May 31, 2017.

Schedule a Public Hearing and Refer an Amendment to a Special Use Permit to the Planning Board- Scarborough Presbyterian Church

Ms. Katya Montalbano stated the Nursery School had been operating for over 20 years and stated the State changed their regulations prompting the amendment request.

The Board had general discussion regarding the operations and hours of the school.

Trustee Wilson stated both of his children attended the program in the past.

Village Manager Zegarelli stated his granddaughter was enrolled in the Fall program.

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

BE IT RESOLVED that the request for the amendment of a Special Use Permit issued to Scarborough Presbyterian Church located at 671 Scarborough Road is hereby directed to the Village Planning Board and Westchester County Planning Board and the Village of Ossining, Town of Ossining and Town of Mount Pleasant for review and recommendation.

BE IT RESOLVED that a Public Hearing is hereby scheduled for August 19, 2015 at 8:00pm 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 Scarborough Presbyterian Church.

Adoption of Capital Budget for FY 2015-2016

The Board requested an inventory of projects that were approved but not funded.

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

BE IT RESOLVED, that the Board of Trustees does hereby adopt the Capital Budget for Fiscal Year 2015-2016 in the amount of \$1,014,000 as follows:

Village of Briarcliff Manor 15-16 Capital Project List

BOT approved _____		Bond #	Departmental	Funding w/	
		A-C	Budget	2%	
PROJECT			Requested	Costs if Bonded	
				Projects	
<i>Building Department:</i>					
North State and Pleasantville Road Traffic Light		C	\$ 100,000	\$ 102,000	
North State & Pleasantville Rd Pedestrian Improvement		A	\$ 100,000	\$ 102,000	
Total Requirements:			\$ 200,000	\$ 204,000	
<i>Fire Department:</i>					
Engine 93 Replacement		C	\$ 725,000	\$ 739,500	
Total Requirements:			\$ 725,000	\$ 739,500	
<i>Department of Public Works: (general)</i>					
Organic Waste Station		B	\$ 30,000	\$ 30,600	
Total Requirements:			\$ 30,000	\$ 30,600	
<i>Facilities and Parks:</i>					
Electric Upgrades Municipal Building		A	\$ 40,000	\$ 40,800	
Village Emergency Communications Facility			\$ 58,400	\$ 58,400	\$21,000.00
					\$37,400.00
			\$ 98,400	\$ 99,200	
	\$ 142,800				
	\$ 30,600		\$ 1,053,400	\$ 1,073,300	
	\$ 841,500			\$ (58,400.00)	
	\$ 1,014,900			\$ 1,014,900	

Trustee Wilson – Aye
 Trustee DeRose – Aye
 Deputy Mayor Pohar - Aye
 Trustee Zirman – Aye
 Mayor Sullivan – Aye

Capital Project List 2015-2016 Bond Resolutions

Village Attorney Smith noted that all items were type 2 and no SEQRA action was necessary.

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

A. BOND RESOLUTION, DATED JULY 27, 2015, AUTHORIZING THE ISSUANCE OF UP TO \$142,800 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 RECONSTRUCTION OF SIDEWALKS AND CURBS AND (II) THE ACQUISITION AND INSTALLATION OF A FIRE COMMUNICATION SYSTEM, ALL 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 reconstruction of sidewalks and curbs (\$102,000) and (ii) the acquisition and installation of a fire communication system (\$40,800), all in and for the Village, 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 \$142,800, 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 \$142,800, 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 reconstruction of Village sidewalks and curbs, including any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at an estimated maximum cost of \$102,000, for which \$102,000 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 ten (10) years pursuant to subdivision 24 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of ten (10) 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 installation of a fire communication system for the Village, including any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at an estimated maximum cost of \$40,800, for which \$40,800 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 ten (10) years pursuant to subdivision 25 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of ten (10) 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 \$142,800; (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.

Trustee Wilson – Aye
Trustee DeRose – Aye
Deputy Mayor Pohar - Aye
Trustee Zirman – Aye
Mayor Sullivan – Aye

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

B. BOND RESOLUTION, DATED JULY 27, 2015, AUTHORIZING THE ISSUANCE OF UP TO \$30,600 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 OF MACHINERY AND APPARATUS FOR CONSTRUCTION AND MAINTENANCE 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 of machinery and apparatus for construction and maintenance for

the Village, including any preliminary and incidental costs related thereto, at a total cost not to exceed \$30,600, 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 \$30,600, pursuant to the Local Finance Law, in order to finance the acquisition of machinery and apparatus for construction and maintenance for the Village, including 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 28 of paragraph a of Section 11.00 of the Local Finance Law and that the period of probable usefulness of the Project is fifteen (15) years. The serial bonds authorized herein shall have a maximum maturity of fifteen (15) 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 \$30,600; (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.

Trustee Wilson – Aye
Trustee DeRose – Aye
Deputy Mayor Pohar - Aye
Trustee Zirman – Aye
Mayor Sullivan – Aye

Upon motion by Trustee Zirman, seconded by Trustee DeRose, the Board voted unanimously to approve the following resolution:

C. BOND RESOLUTION, DATED JULY 27, 2015, AUTHORIZING THE ISSUANCE OF UP TO \$841,500 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 OF A FIRE-FIGHTING VEHICLE AND APPARATUS AND (II) THE ACQUISITION OF TRAFFIC SIGNALS, 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 of a fire-fighting vehicle and apparatus (\$739,500) and (ii) the acquisition of traffic signals (\$102,000), for the Village, including any preliminary and incidental costs related thereto, at a total cost not to exceed \$841,500, 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 \$841,500, 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 of a fire-fighting vehicle and apparatus for the Village, including preliminary and incidental costs related thereto, at an estimated maximum cost of \$739,500, for which \$739,500 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 twenty (20) years pursuant to subdivision 27 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of twenty (20) 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 of traffic signals for the Village, including any preliminary and incidental costs related thereto, at an estimated maximum cost of \$102,000, for which \$102,000 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 twenty (20) years pursuant to subdivision 72(a) of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of twenty (20) 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 \$841,500; (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.

Trustee Wilson – Aye
Trustee DeRose – Aye
Deputy Mayor Pohar - Aye
Trustee Zirman – Aye
Mayor Sullivan – Aye

Adoption of Capital Budget Plan for FY 2015-2021

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

BE IT RESOLVED, that the Board of Trustees does hereby adopt the Capital Budget Plan for Fiscal Year 2015-2021 as outlined below:

Department	2015 / 2016	2016 / 2017	2017 / 2018	2018 / 2019	2019/2020	2020/2021	2021/2022
Police	\$58,400	\$50,000	\$35,000	\$0	\$400,000	\$0	\$0
Fire	\$740,000	\$365,000	\$760,000	\$65,000	\$45,000	\$0	\$0
DPW (General)	\$370,000	\$1,210,000	\$1,160,000	\$1,540,000	\$160,000	\$160,000	\$160,000
DPW Vehicles	\$335,000	\$275,000	\$410,000	\$550,000	\$310,000	\$420,000	\$0
DPW Equipment	\$200,000	\$545,000	\$245,000	\$10,000	\$55,000	\$320,000	\$0
Facilities	\$428,000	\$872,000	\$660,000	\$100,000	\$100,000	\$0	\$0
Parks	\$30,000	\$795,889	\$837,122	\$0	\$0	\$0	\$0
General Fund Sub-Total:	\$2,161,400	\$4,112,889	\$4,107,122	\$2,265,000	\$1,070,000	\$900,000	\$160,000
Water	\$75,000	\$455,000	\$1,395,000	\$1,160,000	\$0	\$0	\$0
Water Vehicles	\$120,000	\$230,000	\$0	\$0	\$0	\$0	\$0
Water Fund Sub-Total:	\$195,000	\$685,000	\$1,395,000	\$1,160,000	\$0	\$0	\$0
Gross Total:	\$2,356,400	\$4,797,889	\$5,502,122	\$3,425,000	\$1,070,000	\$900,000	\$160,000

Adjournment

Upon motion by Deputy Mayor Pohar, seconded by Trustee Zirman, the Board voted unanimously to adjourn into Executive Session to discuss a personnel matter at 7:40p.m.

Respectfully Submitted By,

Christine Dennett
Village Clerk

VILLAGE OF BRIARCLIFF MANOR
BOARD OF POLICE COMMISSIONERS AGENDA
AUGUST 19, 2015

1. RESOLUTION TO SUSPEND A POLICE OFFICER

BE IT RESOLVED, that the Board of Trustees and/or Board of Police Commissioners hereby suspends a Police Officer without pay, following the service of disciplinary charges, pending the determination of the disciplinary charges.

VILLAGE OF BRIARCLIFF MANOR
BOARD OF POLICE COMMISSIONERS AGENDA
AUGUST 19, 2015

**2. AUTHORIZE VILLAGE MANAGER TO EXECUTE A STIPULATION AGREEMENT
WITH A POLICE OFFICER**

WHEREAS, the Village of Briarcliff Manor Board of Trustees, acting as Trustees and/or as the Board of Police Commissioners, does hereby authorize a Stipulation Agreement with a Police Officer .