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AGENDA
JUNE 17, 2015
BOARD OF TRUSTEES
VILLAGE OF BRIARCLIFF MANOR, NEW YORK
REGULAR MEETING – 8:00 PM

1. Public Hearings:
 - a) Renewal of Special Use Permit – Briarcliff Congregational Church and Garden House School
 - b) Renewal of Special Use Permit – Scarborough Presbyterian Church

Board of Trustees Announcements

Village Managers Report

Public Comments

2. Schedule Public Hearing to Amend Chapter 168 – Sewers
3. Minutes
 - June 3, 2015

THE NEXT REGULAR BOARD OF TRUSTEES MEETING WILL BE JULY 15, 2015 AT 8:00PM

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
JUNE 17, 2015

**1A. PUBLIC HEARING: SPECIAL USE PERMIT, BRIARCLIFF
CONGREGATIONAL CHURCH AND THE GARDEN HOUSE SCHOOL**

BE IT RESOLVED that the Special Use Permit issued to Briarcliff Congregational Church and Garden House School is hereby renewed subject to the same conditions included in the original Special Use Permit approval dated July 13, 1995 and as amended on January 4, 2007.

BE IT FURTHER RESOLVED that the Special Use Permit renewal shall be renewed July 13, 2015 and shall extend to July 12, 2020.

BE IT FURTHER RESOLVED that should the Briarcliff Congregational Church and Garden House School desire to renew this Special Use Permit for another five year period, commencing in 2020, the Church/School shall be responsible for requesting the renewal at least sixty (60) days prior to the expiration of the Special Use Permit.

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
JULY 20, 2011

**1. PUBLIC HEARING: SPECIAL USE PERMIT, BRIARCLIFF
CONGREGATIONAL CHURCH**

BE IT RESOLVED that the Special Use Permit issued to Briarcliff Congregational Church is hereby renewed subject to the same conditions included in the original Special Use Permit approval dated July 13, 1995.

BE IT FURTHER RESOLVED that the Special Use Permit renewal shall be retroactive to July 13, 2010 and shall extend to July 12, 2015.

BE IT FURTHER RESOLVED that should the Briarcliff Congregational Church desire to renew this Special Use Permit for another five year period, commencing in 2015, the Church shall be responsible for requesting the renewal at least sixty (60) days prior to the expiration of the Special Use Permit.

**RESOLUTION
OF THE
VILLAGE OF BRIARCLIFF MANOR BOARD OF TRUSTEES**

SPECIAL USE PERMIT CLARIFICATION

**BRIARCLIFF CONGREGATIONAL CHURCH
(GARDEN HOUSE SCHOOL)**

WHEREAS, by Resolution adopted July 13, 1995 (“Original Resolution”), the Board of Trustees of the Village of Briarcliff Manor issued a Special Use Permit for operation of a nursery school to the Briarcliff Congregational Church (“Special Use Permit”), and by resolution adopted January 4, 2007, the Board of Trustees renewed the Special Use Permit subject to the same and additional conditions included in the Original Resolution for a period to expire on July 12, 2010; and

WHEREAS, the Original Resolution issued the Special Permit under Village Zoning Ordinance 4(B); and

WHEREAS, the current Village Code authorizes issuance of a Special Use Permit for operation of a nursery school under Section 220-6(J)(10) in the case of a privately operated day-nursery school not operated for profit and under Section 220-6(J)(10A) in the case of a privately operated for-profit nursery school;

NOW THEREFORE, BE IT RESOLVED THAT the Board of Trustees declares its understanding and intent that the Special Use Permit as issued under the Original Resolution and as renewed allows operation of a nursery school under either Village Code Section 220-6(J)(10) or Village Code Section 220-6(J)(10A) subject, in either case, to submission to the Village Building Department of documentation evidencing compliance with the applicable Village Code Section; and

BE IT FURTHER RESOLOVED THAT except as otherwise provided herein, all other terms and conditions of the Special Use Permit shall remain in full force and effect.

RESOLUTION
VILLAGE OF BRIARCLIFF MANOR PLANNING BOARD
Adopted: August 12, 2008

RE: **BRIARCLIFF CONGREGATIONAL CHURCH – Resolution of Amended Site Plan Approval**

WHEREAS, by Resolution dated June 21, 1995, (the “Original Resolution”) the Planning Board granted site plan approval to the Briarcliff Congregational Church (“Property Owner”) for the operation of a nursery school facility on its property at 30 South State Road, Briarcliff Manor New York, said property being located in the R20B zoning district, and designated on the tax map of the Village of Briarcliff Manor as Section 4, Plate 23, Block 17, Lots 7 and 19 (the “Property”); and

WHEREAS, by letter dated August 7, 2008, from Zarin & Steinmetz, counsel to Garden House School of Briarcliff Manor, LLC (the “Applicant”), the proposed operator of the nursery school at the Property, the Planning Board was requested to amend the Original Resolution for the sole purpose of eliminating condition number 3 thereof which provides as follows: “The nursery school shall obtain and maintain not-for-profit status”; and

WHEREAS, the Applicant has applications pending before the Village Board of Trustees to (i) amend the Village’s Zoning Code to permit private for-profit nursery schools in residential zoning districts pursuant to special use permit, and (ii) amend the existing special use permit for the operation of a nursery school on the Property to eliminate any requirement or reference to not-for-profit status of the nursery school operator; and

WHEREAS, at a meeting of the Planning Board on August 12, 2008, the Applicant, with the assent of the Owner whose representative was also present, represented that except as to the aforementioned condition number 3 of the Original Resolution, there would be no changes in the use of the Property for nursery school purposes, nor in the operation of the nursery school to be operated by the Applicant that would be inconsistent in any manner with the Original Resolution.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Planning Board hereby adopts and incorporates the recitations and statements set forth above as if fully set forth and resolved herein.
2. Based upon the Applicant’s foregoing representation, as assented to by the Owner, that there will be no changes in the use of the Property or the operation of the proposed nursery school that would be inconsistent with the Original Resolution except as to the nursery school’s operation as a for-profit nursery school, and subject to the conditions below, the Planning Board hereby amends the Original Resolution to delete condition number 3 in its entirety.
3. The amendment of the Original Resolution is hereby made subject to the following conditions:

BRIARCLIFF CONGREGATIONAL CHURCH
RESOLUTION OF AMENDED SITE PLAN APPROVAL

- a. Adoption by the Village Board of Trustees of pending legislation to amend Section 220-6 of the Village Code to permit for-profit nursery schools as special permit uses in the residential zoning district in which the Property is located.
 - b. Adoption by the Village Board of Trustees of such resolution, or such other action as the Village Board shall deem necessary, to amend the special permit previously granted to the Owner, to eliminate any requirement therein that the nursery school operate on a not- for-profit basis.
4. Except as amended herein, the Original Resolution shall remain in full force and effect.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the foregoing is hereby adopted.

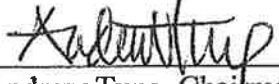
Moved by: Member Neveloff

Seconded by: Member Lotter

Vote: Ayes: Member Gorlin
Member Lotter
Member Neveloff
Member Nolan
Chairman Tung

Nays: None

PLANNING BOARD
Village of Briarcliff Manor



Andrew Tung, Chairman

To: Village of Briarcliff Manor Board of Trustees

From: Planning Board

Date: August 12, 2008

Subject: **Zoning Text Amendment Referral – Section 220-6 of the Village Code
re: Special Use Permits for Private For-Profit Nursery Schools**

This memo shall serve as the Planning Board's formal report in response to the request of the Village Board of Trustees for comment regarding the proposed amendment to Chapter 220-6 of the Village of Briarcliff Manor Code relative to establishment of Privately Operated For-Profit Nursery Schools as a special permit use in residential districts. A copy of the draft amendment reviewed by the Planning board is annexed hereto.

Overall, the Planning Board finds the proposed Zoning Text Amendment to be satisfactory and recommends its adoption by the Village Board subject to the following:

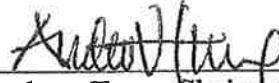
1. The preamble paragraph provides that a for-profit nursery school, as may be permitted by special permit, shall be "[a]ncillary to another special permit use in a residential district under [Section 220-6.J.]". The Planning Board suggests that the other special permit uses to which a for-profit nursery school may be ancillary should be limited to those set forth under Section 220-6.J.(1) and (2):

- (1) Places of worship. Includes parish houses and religious school buildings.
- (2) Institutions of higher learning. Includes preparatory schools, junior colleges, seminaries, convents, colleges and universities (not including private trade, technical, industrial or vocational schools), provided that no hall or place of assembly shall be used for a separate service or activity conducted primarily for gain.

It is the Planning Board's opinion that these are the special permit uses within a residential zone with which a nursery school would most appropriately be associated.

2. The Planning Board suggests that the Village Board consider further amending Section 220-6 such that sub-section J.(10), "Privately operated nursery schools" be amended to change the title to "Privately operated not-for-profit nursery schools." Additionally, the same safety-related conditions which are currently proposed for for-profit nursery schools should be added and made applicable to not-for-profit nursery schools. In particular, proposed subsections (i), (ii) and (vii) should be included. Alternatively, it may be clearer to have a single section J(10) that first lists the conditions for all privately operated nursery schools, and then adds additional requirements for for-profit schools.

PLANNING BOARD
Village of Briarcliff Manor



Andrew Tung, Chairman

To: Village of Briarcliff Manor Board of Trustees

From: Planning Board

Date: August 12, 2008

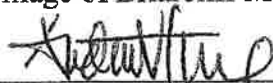
Subject: **Briarcliff Congregational Church (Garden House School of Briarcliff Manor LLC), 25 South State Road – Special Use Permit – Advisory Review and Recommendations**

This memo shall serve as the Planning Board's formal report in accordance with Section 220-6(C) of the Village of Briarcliff Manor Code. We are advised that the Garden House School of Briarcliff Manor LLC (the "Applicant") has requested an amendment to the existing special use permit granted in connection with the operation of a nursery school at the above premises. We are further advised that the only amendment sought would be to eliminate any requirement that such nursery school be operated on a not-for-profit basis.

The Applicant has petitioned the Village Board to amend the Zoning Code of the Village to permit privately operated for-profit nursery schools as a special use in residential districts. The Planning Board has concurrently herewith issued its report relative to this zoning text amendment. In addition, the Planning Board has simultaneously adopted a resolution conditionally granting Applicant's request to amend the existing resolution of site plan approval for the subject property dated June 21, 1995, to eliminate the condition that the permitted nursery school be operated on a not-for-profit basis. Said resolution of amendment is expressly conditioned on the adoption of the aforementioned zoning text amendment by the Village Board and on the grant by the Village Board of amendment of the special use permit which is the subject of this memorandum.

Upon the Applicant's representation that the only change in the use of the premises, and therefore, the only amendment in the special use permit, will be that the nursery school use approved therefor will be operated on a for-profit basis rather than on a not-for-profit basis, the Planning Board recommends that the special use permit be so amended.

PLANNING BOARD
Village of Briarcliff Manor



Andrew Tung, Chairman

EXCERPT FROM THE MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF BRIARCLIFF MANOR, NEW YORK, HELD JULY 13, 1995

Upon motion by Trustee Morrissy, seconded by Trustee Zucchi, the following resolution was approved:

WHEREAS, Theodore V. Buerger, Chairman of the Board of Trustees of the Briarcliff Congregational Church, has made application requesting a Special Permit and Site Plan approval to operate a nursery school in existing facilities on the Church property; and

WHEREAS, as further set forth in the above request for the Briarcliff Congregational Church, located at 30 South State Road, Briarcliff Manor, NY, the applicant has also requested a special permit pursuant to Section 4(B) of the Zoning Ordinance, to operate and use its facilities as a principal permitted use, specifically a place of worship, in a district zoned for residence use, specifically R20B, designated on Village tax maps as Section 4, Plate 23, Block 17, Lots 7 and 19 located on the both sides of South State Road and is shown on a site plan entitled:

1. Site plan for Christian Nursery School at Briarcliff Congregational Church, Sheet 1, prepared by William A. Sharman, Architect, dated March 2, 1995, last revised June 14, 1995;
2. Traffic Study, Nursery School Impacts, Parish Hall, submitted by T. V. Buerger, dated June 8, 1995; 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 pursuant to the requirements of SEQR/VEQR, hereby issues a Negative Declaration, determination of nonsignificance, on the basis that the proposed Special Permit approval to operate a Church and its attendant facilities 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 Planner to review said application with the applicant's architects, and as a result thereof, the Planning Board discussed the applicant's proposal to operate a nursery school at scheduled public hearings on May 9, 1995, and June 13, 1995, and did report its written recommendation to the Board of Trustees by memorandum dated July 7, 1995;

WHEREAS, by decision dated May 16, 1995, the Village Zoning Board of Appeals did grant a variance to operate a nursery school on a parcel less than the contiguous two-acre requirement in Section 4(B) of the Village Zoning Ordinance, said variance granted with certain conditions included in those set forth below;

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

WHEREAS, the Board of Trustees held a public hearing on the Special Permit request at the Municipal Building, 1111 Pleasantville Road, Briarcliff Manor, New York, on July 13, 1995, at which time all interested persons were given an opportunity to be heard; 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) 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 July 13, 1995, does hereby grant a Special Permit to run for a period of five (5) years from the date of this resolution, issued to the Briarcliff Congregational Church operate its current religious facilities and to operate a nursery school facility for young children in its Parish House, 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 Church shall obtain site plan approval of its entire holdings from the Planning Board. Information and documents noted above and any additional 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;

2. Building coverage and floor space shall be as shown on the submitted site plans and the Planning Board shall have the authority to modify the parking, landscaping, drainage, 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. 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, although permitted parking on South State Road is available for occasional larger activities;
4. The Church shall maintain the existing landscaping and other site conditions so as to provide continued protection, peace and quiet for abutting property owners;
5. 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;
6. Compliance with the above conditions shall be a requirement for the continued validity of all Certificates of Occupancy issued by the Building Inspector in accordance herewith;
7. The Planning Board is hereby authorized to make a field inspection of the site during the first six months of this Special Permit and to require any reasonable modifications to landscaping, lighting or other site details, which modifications shall become a condition of said Special Permit;
8. 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 conditions. The Board of Trustees may reestablish this Special Permit with or without the above conditions and any others it deems appropriate and lawful; and

BE IT FURTHER RESOLVED that the applicant is hereby commended for maintaining the Church and its grounds in a manner which reflects well upon the historic ambiance of the institution and the neighborhood. The Board of Trustees urges the continuation of this effort by the applicant.

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
JUNE 17, 2015

**1B. PUBLIC HEARING: SPECIAL USE PERMIT, SCARBOROUGH
PRESBYTERIAN CHURCH AND NURSERY SCHOOL**

BE IT RESOLVED that the Special Use Permit issued to Scarborough Presbyterian Church and Nursery School is hereby renewed subject to the same conditions included in the original Special Use Permit approval dated June 27, 1985 and as amended on May 1, 2003.

BE IT FURTHER RESOLVED that the Special Use Permit renewal shall be retroactive to October 4, 2006 and shall extend to October 5, 2016.

BE IT FURTHER RESOLVED that should the Scarborough Presbyterian Church and Nursery School desire to renew this Special Use Permit for another five year period, commencing in 2016, the Church/School shall be responsible for requesting the renewal at least sixty (60) days prior to the expiration of the Special Use Permit.

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
THURSDAY, MAY 1, 2003

2. (b) Special Use Permit, Scarborough Presbyterian Church

The current Special Use Permit for the operation of the church in a residential zone and the operation of the nursery school at the site expired on October 4, 2001. The church submitted a request to the Board of Trustees on October 3, 2002 to amend their Special Use Permit, to provide for site modifications. The Board directed the matter to the Planning Board for review and recommendation. The Planning Board has approved the site modifications and has recommended that the Board modify the Special Use Permit.

I have included the following information relating to this application:

1. Request for modification of Special Use Permit (3/24/03 and 3/19/03)
2. Resolution of Planning Board (3/11/03).
3. Memo from Building Department concerning review by Architectural Review Advisory Committee.
4. Information concerning enrollment in the Children's Center.

Should the Board want to approve the Special Use Permit for the church, I would recommend the following resolution:



WHEREAS, Scarborough Presbyterian Church (the applicant) previously has been issued a Special Permit by the Board of Trustees, in accordance with the Village Zoning Ordinance, to operate a place of worship and nursery school facility, from June 27, 1985, for periods not in excess of five years; and

WHEREAS, Scarborough Presbyterian Church and nursery school facilities 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, the Scarborough Presbyterian Church has requested a modification to the site plan including increased parking and an addition to the carriage house building that requires a modification of the Special Use Permit; and

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

WHEREAS, the Board of Trustees, as lead agency, did request the applicant to complete a Short Environmental Assessment form as part of the application 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 Planning Board has reviewed the application and approved a modification of the site plan for the church facility by resolution dated March 11, 2003; and

WHEREAS, the Planning Board has acted as lead agency pursuant to SEQRA, based upon the site plan modification; and

WHEREAS, the Planning Board has determined that the site plan modification and the issuance of a Special Use Permit relating thereto does not pose an adverse environmental impact and has issued a negative declaration; and

WHEREAS, the Board of Trustees does hereby concur with the environmental findings of the Planning Board; and

WHEREAS, the Village Board of Trustees has previously considered said application in relation to Section 4(B) of the Village Zoning Ordinance and finds that the applicant's operations since June 27, 1985, to comply with conditions cited in its original Special Permit resolution of approval, finds that the conditions and standards of Section 4(B), Subsection C of the Zoning Ordinance may continue to be met by a Special Permit granted under the conditions previously set;

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of Trustees, does hereby grant a Special Permit to Scarborough Presbyterian Church to continue operating a nonresidential institution, for a period of five years, subject to all previous conditions set in all previous Special Permit approvals, 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.

BE IT FURTHER RESOLVED, that the Board of Trustees does hereby adopt the findings and negative declaration of the Planning Board pursuant to SEQRA.

BE IT FURTHER RESOLVED, that this Special Permit is subject to the conditions established in the resolution adopted by the Planning Board dated March 11, 2003.

BE IT FURTHER RESOLVED, that the result and intent of this resolution is to continue the entire Scarborough Presbyterian Church under a single Special Permit review, irrespective of any previous claims to nonconformity status, all of which shall operate under the control of a single expiration date, to expire on October 4, 2006, which is five (5) years from the expiration date of the previous permit and the Scarborough Presbyterian Church may apply for a single Special Permit extension on or before this five (5) year increment and obtain the renewal of such permit to the extent deemed feasible by the Village Board of Trustees at the time of review.

EXCERPT FROM MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF BRIARCLIFF MANOR, NY, HELD AUGUST 15, 1996

Upon motion by Trustee Rittinger, seconded by Trustee Alemany, the following resolution was unanimously passed:

WHEREAS, Scarborough Presbyterian Church (the Applicant) previously has been issued a Special Permit by the Board of Trustees, in accordance with the Village Zoning Ordinance, to operate a place of worship and nursery school facility, from June 27, 1985, for periods not in excess of five years; and

WHEREAS, Ilene Pierz, Director of the Scarborough Presbyterian Children's Center, by letter dated July 19, 1996, has requested a renewal of a Special Permit to operate a nursery school in existing facilities on the Church property; and

WHEREAS, Scarborough Presbyterian Church and nursery school facilities 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 Planning Board for review and report thereon in accordance with the procedures established in the Village Zoning Ordinance; and

WHEREAS, the Board of Trustees, as lead agency, did request the applicant to complete a Short Environmental Assessment form as part of the application 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 nonsignificance, 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 discussed the applicant's proposal and the above information at a Public Meeting on August 13, 1996, and did report its written recommendation to the Board of Trustees by memorandum dated August 14, 1996; and

WHEREAS, Village Counsel has expressed the opinion that the application is in harmony with the intent and purposes of the Village Zoning Ordinance and Comprehensive Plan, that the proposal meets the use and intensity requirements of the Village Zoning Ordinance and that the project will have no significant environmental impact upon the Village, except as may be noted in the Planning Board's letter of recommendation; and

WHEREAS, the Village Board of Trustees has previously considered said application in relation to Section 4(B) of the Village Zoning Ordinance and finds that the applicant's operations since June 27, 1985, to comply with conditions cited in its original Special Permit resolution of approval, finds that the conditions and standards of Section 4(B), Subsection C of the Zoning Ordinance may continue to be met by a Special Permit granted under the conditions previously set;

NOW, THEREFORE, BE IT RESOLVED that the Village Board of Trustees, in a meeting held on the 15th day of August, 1996, does hereby grant a a Special Permit to Scarborough Presbyterian Church to continue operating a nonresidential institution, for a period of five years, subject to all previous conditions set in all previous Special Permit approvals, 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, and the following additional conditions:

1. The steps leading from the nursery school facility toward its playground area shall be repaired to the satisfaction of the Village Building Inspector;
2. The site plan condition imposed by the Village Planning Board shall be revised to a maximum of 63 pupils. Pupil occupancy shall not exceed this number by more than seven (7) pupils. Any expansion beyond 70 pupils, or proposed physical changes to the nursery school shall require further Special Permit and site plan review; and

BE IT FURTHER RESOLVED that the result and intent of this resolution is to continue the entire Scarborough Presbyterian Church under a single Special Permit review, irrespective of any previous claims to nonconformity status, all of which shall operate under the control of a single expiration date, which shall be five (5) years from the date of this resolution, and the Scarborough Presbyterian Church may apply for a single Special Permit extension on or before this five (5) year increment and obtain the renewal of such permit to the extent deemed feasible by the Village Board of Trustees at the time of review.

EXCERPT FROM MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF BRIARCLIFF MANOR, NEW YORK, HELD OCTOBER 3, 1991

Upon motion made by Trustee Delton, seconded by Trustee Morrissy, and unanimously carried, the following resolution was adopted:

WHEREAS, a Special Permit application (the application) has been submitted to the Village Board of Trustees by letter dated September 13, 1991, from the secretary of the Scarborough Presbyterian Church, applicants, in accordance with the Special Permit procedures and requirements of Section 4(B) of the Village Zoning Ordinance; and

WHEREAS, a public hearing has been held on this matter on October 4, 1991, at which time all interested persons were given an opportunity to be heard; and

WHEREAS, the Board of Trustees has:

- 1) Referred said application to the Village Planning Board for review and subsequently received the Planning Board's recommendations thereon;
2. Noted that the application is for permission to erect a six (6) foot high, black vinyl mesh fence with vinyl-coated posts and concrete footings in a location on the Church property as shown on a drawing entitled "Structural Site Plan, Church School Addition to Scarborough Presbyterian Church, Scarborough, New York," prepared by A.M. Kinney Associates, Architects and Engineers, last revised September 11, 1991;
3. Noted that a Special Permit to operate a nursery school in existing facilities on the church property (of which the current Special Permit is a part) was issued on June 27, 1985;
4. Noted that the application has been referred to the Westchester County Planning Board for that agency's comments pursuant to Sections 2391, m and n of the New York State General Municipal Law

- 5) Reviewed said request and Special Permit action in accordance with Article 8 of the New York State Environmental Conservation Law, hereinafter referred to as SEQR;
- 6) Acting as Lead Agency in this review, hereby finds the proposed Special Permit approval to be an Unlisted Action and herewith issues a Negative Declaration for the reason that the fence will be used for safety purposes in complete compliance with the Village Zoning Ordinance and will result in no adverse impact upon the environment;

NOW, THEREFORE, BE IT RESOLVED that said Special Permit application be and hereby is approved subject to the following conditions:

1. The entire fence and posts shall be black vinyl clad as recommended by the Planning Board;
2. The conditions, resolved, and requirements of the current Special Permit granted on June 27, 1985, shall remain in full force and effect to the extent deemed appropriate by the Village Board of Trustees; and

BE IT FURTHER RESOLVED that since it is the intent and desire of the Board of Trustees to simplify and coordinate the Special Permit and site plan review and approval for the entire Scarborough Presbyterian Church institution within the Village of Briarcliff Manor, whether presently regulated by Special Permit or otherwise, the Church and its related facilities and activities shall hereinafter be considered to be encompassed within one Special Permit approval; and

BE IT FURTHER RESOLVED that the result and intent of this resolution is to continue the entire Scarborough Presbyterian Church under a single Special Permit review, irrespective of any previous claims to nonconformity status, all of which shall operate under the control of a single expiration date, which shall be five (5) years from the date of this resolution, and the Scarborough Presbyterian Church may apply for a single Special Permit extension on or before this five (5) year increment and obtain the renewal of such permit to the extent deemed feasible by the Village Board of Trustees at the time of review.

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 conditions. 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
JUNE 17, 2015

2. SCHEDULE PUBLIC HEARING TO AMEND CHAPTER 168 - SEWERS

BE IT RESOLVED that a Public Hearing is hereby scheduled for the July 15, 2015 Board of Trustees meeting at 8:00pm or soon thereafter at Village Hall located at 1111 Pleasantville Road, Briarcliff Manor, NY to hear and discuss a proposed local to amend Chapter 168 of the Code of the Village of Briarcliff Manor with respect to sewers.

A LOCAL LAW TO AMEND
CHAPTER 168 OF THE CODE OF THE
VILLAGE OF BRIARCLIFF MANOR
WITH RESPECT TO SEWERS

**[Marked to show Revisions
From Current Law]
Turiano Revisions: 6-11-15**

Be it enacted by the Village Board of Trustees of the Village of Briarcliff Manor, as follows:

Section 1. Section 168-1 of the Village Code of the Village of Briarcliff Manor is amended to revise the definitions of the terms “Building Drain” and “Building Sewer” respectively, to read as follows:

“BUILDING DRAIN -- That part of the lowest ~~horizontal~~ piping of a drainage system that receives the discharge from soil, waste and other drainage pipes inside and that extends 30 inches (762 mm) in developed length of pipe beyond the exterior walls of the buildings and conveys it to the drainage to the building sewer beginning five feet outside the inner face of the building wall.

- A. Combined. A building drain that conveys both sewage and storm water or other drainage.
- B. Sanitary. A building drain that conveys sewage only.
- C. Storm. A building drain that conveys storm water or other drainage, but not sewage.

BUILDING SEWER – ~~The extension~~ That part of the drainage system that extends from the end of the building drain and conveys the discharge to thea public sewer, private sewer, individual sewage disposal system or other place of disposal.

- A. Combined. A building sewer that conveys both sewage and storm water or other drainage.
- B. Sanitary. A building sewer that conveys sewage only.
- C. Storm. A building sewer that conveys storm water or other drainage, but not sewage.

Section 2. Section 168-1 of the Village Code of the Village of Briarcliff Manor is amended to add the definitions of the terms “Grease Interceptor (sometimes termed Grease Trap)” and “Grease Removal Device, Automatic (GRD)” respectively, to read as follows:

GREASE INTERCEPTOR (sometimes termed GREASE TRAP) – A plumbing appurtenance that is installed in a sanitary drainage system to intercept oily and greasy wastes from a wastewater discharge. Such device has the ability to intercept free-floating fats and oils.

GREASE REMOVAL DEVICE, AUTOMATIC (GRD) – A plumbing appurtenance that is installed in the sanitary drainage system to intercept free-floating fats, oils and grease from wastewater discharge. Such a device operates on a time- or event-controlled basis and has the ability to remove free-floating fats, oils and grease automatically without intervention from the user except for maintenance.

Section 3. Section 168-2 of the Village Code of the Village of Briarcliff Manor is amended to read as follows:

It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within the Village of Briarcliff Manor, or in any area under the jurisdiction of said Village, any human or animal excrement, garbage or other objectionable waste.

Section 4. Section 168-16 of the Village Code of the Village of Briarcliff Manor is amended to read as follows:

- A. All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the Village from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.
- B. It shall be the responsibility of the property owner to install, maintain, repair or replace the building sewer, at the owner’s expense, to ensure said building sewer’s compliance with the New York State Uniform Fire Prevention and Building Code or other applicable rules and regulations.

Section 5. Section 168-19 of the Village Code of the Village of Briarcliff Manor is amended to read as follows:

- A. All work of installing building sewers and sewer connections and all materials used shall conform to the New York State Uniform Fire Prevention and Building Code, Village of Briarcliff Manor standard detail, and/or other applicable rules and regulations of the Village. Any deviation from the prescribed procedures and materials must be approved by the Plumbing Inspector before installation.
- ~~AB.~~ The size, slope, alignment, materials of construction of a building sewer and the methods to be used in excavating, placing of the pipe, bedding of the pipe, jointing, testing and backfilling the trench, shall conform to the requirements of the Plumbing Code or other applicable rules and regulations of the Village.
- ~~BC.~~ Building sewers must be constructed of extra-heavy cast-iron pipe, or other approved material as set forth in the Plumbing Code, be a minimum of four inches in inside diameter and be properly connected by one-inch forty-five-degree bend with a four-inch minimum diameter Y-branch on a public sewer.
- ~~CD.~~ All house sewers, drains and horizontal soil and waste pipes shall be laid as straight as possible, and any changes in directions shall be made with proper, approved fittings, and all such pipes shall have a fall of not less than 1/4 inch per foot and as much more as may be practicable in each case and as approved by the Plumbing Inspector.
- ~~DE.~~ No building sewer shall be covered until it has been examined and approved by the Plumbing Inspector.

Section 6. The heading of Section 168-26 of the Village Code of the Village of Briarcliff Manor is amended to read as follows:

§ 168-26. Discharge to combined sewers, storm sewers, and natural outlets.

Section 7. Section 168-30 of the Village Code of the Village of Briarcliff Manor is amended to read as follows:

§ 168-30. Grease interceptors for grease, oil and sand.

- A. Grease, oil and sand interceptors shall be provided when, in the opinion of the Plumbing Inspector, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All

interceptors shall be of a type and capacity approved by the Plumbing Inspector, and shall be located as to be readily and easily accessible for cleaning and inspection.

- B. It shall be the responsibility of the property owner to install, maintain, repair or replace a grease interceptor or GRD, as the case may be, at the owner's expense, to ensure said building plumbing system is in compliance with the New York State Uniform Fire Prevention and Building Code or other applicable rules and regulations
- C. Each and every food service establishment as defined in Chapter 873, Article V, Section 873.411 of the Westchester County Code and as licensed by the Westchester County Department of Health shall cause to be installed an operating grease interceptor, to which all grease and grease-containing liquids generated in the normal course of business shall be directed. Each and every food processing establishment and/or retail food store as identified and as licensed by the New York State Department of Agriculture and Markets shall cause to be installed an operating grease interceptor, to which all grease and grease-containing liquids generated in the normal course of business shall be directed.
- D. All grease interceptors shall be of a type and capacity approved by the Plumbing Inspector, and shall be located as to be readily and easily accessible for cleaning and inspection. All work must conform to the New York State Uniform Fire Prevention and Building Code or other applicable rules and regulations of the Village.
- E. Grease interceptors shall be cleaned regularly at the owner's expense and shall be performed by currently licensed waste disposal firms or such firm specializing in such work.
- F. Each grease interceptor, for the first year after the effective date of this article or the first year of operation in the case of a newly installed grease interceptor and every year thereafter unless notified otherwise by the Plumbing Inspector in writing, shall be cleaned and inspected by a licensed waste disposal firm or such firm specializing in such work on a quarterly basis, at the owner's expense. After one full year of quarterly cleaning and inspection by a licensed waste disposal firm, the Plumbing Inspector may, ~~at his discretion,~~ require more or less frequent cleaning and inspection by a licensed waste disposal firm for each grease interceptor. In making his determination, he shall consider the size of the grease interceptor, the type of establishment utilizing the grease interceptor, the log of manifests as required by Subsection G of this Section, the inspection reports from the licensed waste disposal firm as required by Subsection H of this Section, and any other considerations he sees fit; this

determination shall be made independently for each grease interceptor.

- G. For each grease interceptor cleaning or disposal in the case of a GRD performed by a licensed waste disposal firm or such firm specializing in such work, the owner shall maintain a log of manifests recording the name of the contractor, date of haulage and quantity of contents removed from the grease interceptor. The log shall be made available upon request of the Plumbing Inspector.
- H. Any and all cleaning or inspection reports provided by a licensed waste disposal firm or such firm specializing in such work shall be made available upon request of the Plumbing Inspector.
- I. Any property owner with a lawfully installed GRD, in lieu of a grease interceptor, shall be exempt from Subsections E and F above. In such case the property owner shall not be required to have their GRD inspected by a licensed waste disposal firm annually. In addition, the property owner shall maintain a log of manifests recording the date of haulage and quantity of contents removed from the GRD. This log shall be made available upon request of the Plumbing Inspector

Section 8. Section 168-34 of the Village Code of the Village of Briarcliff Manor is amended to read as follows:

No statement contained in this article shall be construed as preventing any special agreement or arrangement between the Village and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Village for treatment, subject to payment therefore, by the industrial concern.

Section 9. Severability. The invalidity of any word, section, clause, paragraph, sentence, part or provision of this local law shall not affect the validity of any part of this local law which can be given effect without such valid part or parts.

Section 10. Supersession. This local law is adopted pursuant to the authority granted by New York Municipal Home Rule Law Section 10(1)(e)(3) and shall supersede any provision New York Village Law Section 7-718 and any other section of Village Law which is inconsistent with it.

Section 11. Effective Date. This local law shall take effect immediately upon filing in the Office of the Secretary of State of New York.

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 3rd of June, 2015 commencing at 8:00 p.m.

Present

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

Also Present

Philip Zegarelli, Village Manager
Christine Dennett, Village Clerk
Daniel Pozin, Village Counsel

Absent

Mark Pohar, Deputy Mayor

Board of Trustees Announcements by Trustee Zirman

- The Library has had many successful and well attended programs. Visit their website for upcoming events.
- The Friends of the Library 5k Run/Walk raised over \$16,000.
- Pool and Tennis Permits are currently on sale.
- Registration continues for summer Recreation programs. The brochure available on the website.
- Day Camp is from July 6th through August 7th. There is still space available.
- There have been 382 fire calls so far this year. Thank you to the Fire Department Members for being there for the Village when they're needed.

Village Managers Report by Village Manager Zegarelli

- The Pool had over 600 people there on Memorial Day Weekend.
- Traffic Signal work is being done at Buckhout Road. It should be done by July.
- Summer Hours began and Village Hall will be open Monday through Thursday from 8am-5pm and Friday 8am-12:30pm.
- Tax Bills have been mailed out and are due by July 1st.

Public Comments

There were no public comments.

Award of Bid – Bus Transportation

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

BE IT RESOLVED that the bid for the furnishing of Bus Transportation Services for various Summer Camp programs operated by the Recreation and Parks Department (VM-1516-1) is hereby awarded to Briarcliff Bus Co., Inc. of Briarcliff Manor, New York as per the rates in the attached schedule.

BE IT FURTHER RESOLVED that the Village Manager is hereby authorized and directed to execute a contract with Briarcliff Bus Co., Inc. for the furnishing of Bus Transportation Services for the Recreation and Parks Department.

Budget Amendment – Unclaimed Bail Money

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

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

Increase Revenue
(A0101.2770) by \$100.00

Confirmation of Fire Department Election

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 confirm the results of the election of the Briarcliff Manor Fire Department conducted on April 9, 2015 as follows:

Chief Officers

Dennis L. Reilly	Chief
Robert M. Garcia	1st Assistant Chief
Peter Fulfree	2nd Assistant Chief

Briarcliff Fire Company

Vincent Caruso	Captain
Arie Uyterlinde	1st Lieutenant
Daniel Norwood	2nd Lieutenant
Matthew Gullo	3rd Lieutenant

Briarcliff Manor Hook & Ladder Company

Anthony Kaufman	Captain
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Stephen Fridakis 1st Lieutenant
Paul Torres 2nd Lieutenant

Scarborough Engine Company

Jeffrey Bassett Captain
Jonathan Muro 1st Lieutenant
Joan Lederman 2nd Lieutenant

Briarcliff Manor Fire Department Ambulance Corps

Kevin Hunt Captain
Ted Dengler 1st Lieutenant
Jason Crawford 2nd Lieutenant

Briarcliff Manor Fire Police

Peter Guilmette Captain
Robert Cerrone 1st Lieutenant
Linda Urban 2nd Lieutenant
Martin Engelhardt 3rd Lieutenant

Safety Officer

Alan Fleischman Lead
Michelle Kowack Assistant

BE IT FURTHER RESOLVED that the Board of Trustees does hereby certify the following appointments to the Briarcliff Manor Fire Department Deputy Chiefs Association:

Robert O’Hanlon 2054
Michael King 2055
Douglas Cacciola 2056
Carl Labruzzo 2057
Jay White 2058
Lawrence Reilly 205-10

Schedule Public Hearing to Amend Chapter 168 – Sewers

The matter was tabled to the next meeting to discuss additional changes to the proposed legislation.

Village Emergency Communications Facilities Upgrade

The Board had general discussion regarding concerns with the functionality of current equipment and potential failures.

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

BE IT RESOLVED that the Board of Trustees does hereby authorize the Village Manager to upgrade the Village's Emergency Communications Facilities with a budget of \$58,400 and charged to capital fund account H3120.201.15380 with funding as outlined below:

From:	A1990.499	Contingency	\$21,000
To:	A9901.910	Transfer to Capital	\$21,000
From:	F1990.499	Contingency	\$37,400
To:	F9901.910	Transfer to Capital	\$37,400
From:	A9901.910	Transfer to Capital	\$21,000
From:	F9901.910	Transfer to Capital	\$37,400
To:	H0102.5031	Communications Facility Upgrades – Water Tower	\$58,400

Payment to Tarrytown for Water System Improvements

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

RESOLVED, that the Board of Trustees hereby authorizes the Village Manager to pay the Village of Tarrytown the sum of \$530,000.00 in final settlement and payment in full of charges currently due and owing under the First Agreement Between the Villages of Briarcliff Manor and Tarrytown Concerning Water Supply dated July 16, 2004, the First Addendum to First Agreement Between the Villages of Briarcliff Manor and Tarrytown Concerning Water Supply dated November 7, 2008, and the Second Addendum to First Agreement Between Villages of Briarcliff Manor and Tarrytown Concerning Water Supply dated October 15, 2009, and to execute an Agreement on the same in form and substance as the draft circulated by counsel dated of June 2, 2015.

FURTHER RESOLVED, that the payments will be made from the following accounts:

FY 2014-2015

\$80,000	F0601 Accrued Liabilities
\$410,000	H8397.201.W3207 VTT Full Supply

FY 2015-2016

\$40,000	F8320.460 Contractual
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Trustee Wilson – Aye

Trustee DeRose – Aye
Trustee Zirman – Aye
Mayor Sullivan – Aye
Trustee Pohar - Absent

Fire Department Memberships

The Board thanked the new members for volunteering.

Upon motion by Trustee Wilson, seconded by Trustee DeRose, 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 **Patricia A. Morgan** to the Briarcliff Manor Hook & Ladder Company.

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

Minutes

Upon motion by Trustee DeRose, seconded by Trustee Zirman, with one recusal by Trustee Wilson, the Board voted to approve the minutes of May 20, 2015.

Adjournment

Upon motion by Trustee DeRose, seconded by Trustee Zirman, the Board voted unanimously to adjourn the regular meeting.

Board of Police Commissioners

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

Upon motion by Trustee DeRose, seconded by Trustee Wilson, the Board voted unanimously to go into executive session to discuss a personnel matter.

Upon motion by Trustee Wilson, seconded by Trustee DeRose, the Board voted unanimously to exit the executive session.

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

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

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

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Village of Briarcliff Manor Board of Trustees, acting as Trustees and/or as the Board of Police Commissioners, does hereby approve that agreement with Police Officer A in the form circulated to the Board by the Village Manager dated May 27, 2015, and presently on the dais before the Board, including but not limited to Police Officer A's voluntary resignation and separation from service with the Village ("Stipulated Settlement"); and be it further

RESOLVED, that Board of Trustees authorizes and directs the Village Manager to execute and deliver the Stipulated Settlement on behalf of the Village and ratifies any such execution and delivery of the same that already has been done; and be it further

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

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

Adjournment

Upon motion by Trustee DeRose, seconded by Trustee Zirman, the Board voted unanimously to adjourn the meeting at 9:01pm.

Respectfully Submitted By,

Christine Dennett
Village Clerk