



**AMENDED 10/4/17**

**AGENDA**

**OCTOBER 4, 2017**

**BOARD OF TRUSTEES**

**VILLAGE OF BRIARCLIFF MANOR, NEW YORK  
REGULAR MEETING – 8:00 PM**

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**Pledge of Allegiance**

**Board of Trustees Announcements**

**Village Managers Report**

**Public Comments**

1. Adopt Proposed Amendments to the Village of Briarcliff Manor Comprehensive Plan as set forth in Draft Comprehensive Plan Addendum
2. Authorize Village Manager to Execute a Master Municipal Multi-Modal (MM) Capital Project Agreement with the New York State Department of Transportation
3. Award of Bid – Safe Routes to School
4. Budget Transfers
5. Budget Amendments
6. **Agreement to Pay Village Counsel for the Engagement of a Forensic Accountant to Audit Village of Briarcliff Manor Fire Department**
7. **Authorize Village Manager to Execute Water Service and Related Agreements for 762 Sleepy Hollow Road**
8. Minutes

**NEXT REGULAR BOARD OF TRUSTEES MEETING – WEDNESDAY,  
OCTOBER 18, 2017**

VILLAGE OF BRIARCLIFF MANOR  
BOARD OF TRUSTEES AGENDA  
OCTOBER 4, 2017

**1. ADOPTION OF PROPOSED AMENDMENTS TO THE VILLAGE OF  
BRIARCLIFF MANOR COMPREHENSIVE PLAN AS SET FORTH IN  
DRAFT COMPREHENSIVE PLAN ADDENDUM**

**RESOLUTION**

VILLAGE OF BRIARCLIFF MANOR BOARD OF TRUSTEES  
Adopted October 4, 2017

**ADOPTING THE VILLAGE OF BRIARCLIFF MANOR COMPREHENSIVE  
PLAN ADDENDUM – B/BT DISTRICT RECOMMENDATIONS**

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**WHEREAS**, the Village of Briarcliff Manor Village Board of Trustees (“Village Board”) is responsible for the preparation, adoption and amendment of the Village’s Comprehensive Plan, pursuant to New York State Village Law § 7-722; and

**WHEREAS**, the Village’s Comprehensive Plan was last updated in 2007 and since then, there have been major changes in the Westchester County office market; suburban style, single tenant office buildings in a campus like setting are outdated for many reasons and accordingly several of the Village’s properties located in the Village’s B “Planned Office Building and Laboratories” District and BT “Business Transitional” District, have been vacant or underperforming for many years and subject to deterioration, vandalism, and tax assessment challenges; and

**WHEREAS**, accordingly, the Village Board has authorized preparation of a Comprehensive Plan Addendum (the “Addendum”) in accordance with NYS Village Law which provides a guide for future land use and redevelopment decisions specifically related to reuse of properties located in the Village’s B and BT Districts, in particular, 320 Old Briarcliff Road, 345 Scarborough Road, 555 Albany Post Road, 555 Pleasantville Road, and 333 Albany Post Road, some of which are underutilized or vacant; and

**WHEREAS**, through the current addendum process, the Village Board recognizes that market conditions for office uses have changed and reuse of such B and BT District properties under the current Village regulations is inconsistent with market and land use trends; and

**WHEREAS**, in October 2016, the Village Board established the Comprehensive Plan B Zone Advisory Committee, which met five times between November 2016 and April 2017, to study the B and BT District properties, to make recommendations as to a framework for approaching future reuse of said properties; and

**WHEREAS**, the B Zone Advisory Committee issued its recommendations to the Village Board in a report dated May 5, 2017 and the Village Board considered said report in preparing the Addendum; and

**WHEREAS**, the adoption of the Addendum will not result in any changes to the Village's existing rules and regulations including the Zoning Code (Village Code Chapter 220); and

**WHEREAS**, in accordance with Article 8 of the State Environmental Conservation Law and 6 NYCRR Part 617, the Planning Board has determined that Project constitutes a Type I Action under the New York State Environmental Quality Review Act ("SEQR"); and

**WHEREAS**, the Village Board directed its planning consultants, BFJ Planning, to complete a full Environmental Assessment Form ("EAF") Part 1 pursuant to SEQR with respect to the Addendum, which was submitted to the Village Board dated June 30, 2017; and

**WHEREAS**, the Village Board declared itself lead agency for preparation and adoption of the Addendum and authorized the referral of the EAF and a draft Addendum to the Westchester County Department of Planning in accordance with Section 239-m of the New York State General Municipal Law; and

**WHEREAS**, the Village Board referred the EAF and draft Addendum to the Village Planning Board for review and recommendation and by letter dated July 12, 2017, the Planning Board issued a general recommendation of support with minor comments to the Addenda; and

**WHEREAS**, in response to the Planning Board's said comments, the Addendum was revised and re-issued on July 20, 2017; and

**WHEREAS**, the Village Board directed BFJ Planning to prepare an EAF Parts 2 and 3 on the Addendum, pursuant to SEQR which were submitted to the Village Board on July 17, 2017; and

**WHEREAS**, the Village Board held a public hearing on the Addendum on July 19, 2017, and September 6, 2017 at the latter of which the public hearing was duly closed except that the public record was held open until September 15, 2017 for written comments; and

**NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. In accordance with Article 8 of the State Environmental Conservation Law and 6 NYCRR Part 617, and based upon the review of the EAF Parts 1, 2, and 3, the Village Board adopts a Negative Declaration with respect to the adoption of the Comprehensive Plan Addendum (“Proposed Action”), and finds that the Proposed Action will not have any significant adverse impacts on the environment, and that no environmental impact statement (EIS) needs to be prepared and the SEQRA process is complete.
2. The Village Board hereby adopts the proposed Village of Briarcliff Manor Comprehensive Plan Addendum – B/BT District Recommendations, dated September 29, 2017, as a critical planning tool needed to guide any future reuse of the B and BT District properties in an orderly and environmentally sensitive manner.

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

Moved by: Trustee

Seconded by: Trustee

Vote: Ayes: Trustee

Trustee

Trustee

Mayor

Vote: Nays:

Absent: Trustee

BOARD OF TRUSTEES  
Village of Briarcliff Manor

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Lori A. Sullivan, Mayor

VILLAGE OF BRIARCLIFF MANOR  
BOARD OF TRUSTEES AGENDA  
OCTOBER 4, 2017

**2. AUTHORIZE VILLAGE MANAGER TO EXECUTE A MASTER MUNICIPAL MULTI-MODAL (MM) CAPITAL PROJECT AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION**

Authorizing the implementation, and funding in the first instance of the State Multi-Modal Program-aid (and State administered federal program-aid) eligible costs, of a capital project, and appropriating funds therefore.

WHEREAS, a Project for the Road Reconstruction to ease traffic transiting east/west through the Route 9A/North State Road Intersection, P.I.N. 8M569.30A (the Project") is eligible for funding (under Title 23 U.S. Code, as amended, and) New York States Multi-Modal Program administered by the NYS Department of Transportation (NYSDOT); and

WHEREAS, the Village of Briarcliff Manor desires to advance the Project by making a commitment of advance funding of the non-local share and funding of the full local share of the costs of the Project; and

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

RESOLVE, that the Village of Briarcliff Manor Board hereby approves the above-subject project; and it is hereby further

RESOLVED, that the sum of \$80,000 is hereby appropriated from State Grant revenue budget line H0101.3097 and made available to cover the cost of participation in the above phase of the Project; and it is further

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

RESOLVED, that the Village Manager of The Village of Briarcliff Manor be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Multi-Modal Program Funding on behalf of the Village of Briarcliff Manor with NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and all project costs that are not so eligible, and it is further

RESOLVED, that a Certified Copy of this Resolution be filed with the Commissioner of Transportation of the State of New York by attaching it to any required and/or appropriate Agreements executed in connection with the project between Village of Briarcliff and the State of New York; and it is further

RESOLVED, that this Resolution shall take effect immediately.

VILLAGE OF BRIARCLIFF MANOR  
BOARD OF TRUSTEES AGENDA  
OCTOBER 4, 2017

**3. AWARD OF BID – SAFE ROUTES TO SCHOOL**

WHEREAS the Village received 4 bids for the Safe Routes to School Project (VM-1516-6); and

NOW, THEREFORE, BE IT RESOLVED that the bid for the Safe Routes to School Project (VM-1516-6) is hereby awarded to Con-Tech Construction Technology, Inc. the lowest responsible bidder, with their bid proposal of \$445,675.12 with inspection services to be awarded separately from the grant funding; and

BE IT FURTHER RESOLVED that the Village Manager is hereby authorized and directed to execute a contract with Con-Tech Construction Technology, Inc. for said project.



**MEMORANDUM**

*Copy to M/BOT  
ET + DT.*

September 18, 2017

To: Philip E. Zegarelli – Village Manager *PZ*

From: David J. Turiano, P.E.

Re: **VM 1516-6- Safe Routes to School** *SRTS*

Bids were opened on June 27, 2017, at 11:00 a.m. for the above referenced project. Present at the bid opening were David J. Turiano, P.E., Village Engineer, Philip E. Zegarelli, Village Manager, and Ed Torhan, Superintendent of Public Works.

As a condition of the grant, it was required that all contract award documentation be submitted to the NYSDOT Local Projects Unit for review and approval prior to the Village's award of the project. Included in the contract award documentation was the required Disadvantaged Business Enterprise (DBE) utilization plan and the Disadvantaged Business Enterprise (DBE) goals. While all information was submitted to the department in a timely manner, only recently on September 14, 2017 (attached) did the Village receive notification that it may award the project.

This project includes the construction of sidewalks, pavement markings, and a pedestrian signal system at the intersection of Ingham Road and Pleasantville Road. In addition, new sidewalks will be constructed on the north side of Pleasantville Road as well as the west side of Horsechestnut Road.

Four (4) bids were received ranging from \$445,675.12 to \$709,806.00 as shown below. The bids were competitive with the two lowest bidders and the two highest bidders being clustered, respectively.

Vendor	Bid
Con-Tech Construction Technology, Inc.	\$445,675.12
Paladino Concrete Creations Corp.	\$507,941.00
Gianfia Corp.	\$576,341.00
MVM Construction LLC	\$709,806.00

The bids were reviewed by my office and by Provident Design Engineering (PDE) for completeness and it was determined that the lowest bid was complete, responsible, and



acceptable. Attached please find a copy of Provident Design Engineering's bid evaluation letter.

Con-Tech Construction Technology, Inc. has performed several projects for the Village in the past, each of which were successful. Two of these projects included the excavation and regrading of Village Stormwater retention areas. A third project that is more similar to the current project included the construction of the existing curbing, paving, and landscaping at the Village's Library/Pool facility. In each instance Con-Tech Construction Technology, Inc. performed satisfactory work and completed the projects in a timely manner and as agreed to pricing.

Below find a Use of Funds and Source of Funds chart for the completion of the project.

Use of Funds	Amount	Source
		<b>Safe Routes to School Grant \$500,000</b>
Construction Services	\$445,675.12	
Construction Contingency 5%	\$22,280	
Inspection Services, Estimate	[50,000]	Not eligible under Grant
Non Infrastructure Enhancements	\$10,000	
<b>Total</b>	<b>\$477,955.12</b>	<b>\$500,000</b>

Inspection services for this project are not eligible under the project grant. Further, the grant requires that a third party NYS Professional Engineer perform all inspection services. Per the direction of the Village Board of Trustees, additional funds will need to be appropriated from the General Fund Balance for the additional \$50,000 estimated expenditure for the construction inspections.

*discuss  
at next  
w/s*

My office hereby recommends awarding the above referenced Safe Routes to School project to Con-Tech Construction Technology, Inc. for a total bid amount of \$445,675.12 as the lowest responsible bidder.

Please feel free to contact me if you have any questions relating to the above.



September 14, 2017

Mr. David Turiano, Village Engineer  
Project Manager  
1111 Pleasantville Road  
Briarcliff Manor, NY 10510-1603

**RE: PIN 8761.12, BRIARCLIFF MANOR UNION FREE SCHOOL DISTRICT  
PEDESTRIAN IMPROVEMENTS SAFE ROUTES TO SCHOOL  
PROGRAM, VILLAGE OF BRIARCLIFF MANOR, WESTCHESTER  
COUNTY**

Dear Mr. Turiano:

We have reviewed the contract award documentation package submitted by your letter of September 5, 2017 and the Certification of Bidding and Award submitted to the Local Projects Unit. Documentation of the construction contract bidding and award process is complete and satisfactory. The Department concurs with your recommendation to award.

Please be reminded of the emphasis placed on Disadvantaged Business Enterprise (DBE) utilization and the documentation thereof. Although this federal aid project has a Disadvantaged Business Enterprise (DBE) goal of 0% the contractor shall promote the objectives outlined in section 102-12 of the NYSDOT Standard Specifications, D/M/WBE Utilization.

Also during construction, oversight, management and inspection should be performed in accordance with the contract documents and approved Construction Management Plan and Chapter 15 of the manual. Special note should be made of Section 15.4.2 regarding change orders. The Local Projects Unit and/or FHWA may visit the project site during construction to monitor progress and compliance with key federal requirements.

Once available, please forward a copy of the official project award letter to the Local Projects Unit.

Prior to commencing work a pre-construction meeting must be held to discuss Federal requirements which must be met during the construction phase. Attendees at this meeting should include representatives from the contractor, inspection team, Local Projects Unit and your office. Please contact Noel Harris at (845) 431-5717 to schedule this pre-construction meeting.

Sincerely,

Doreen Holsopple  
Acting Regional Local Projects Liaison

August 28, 2017

Ms. Barbara Knisell  
Regional Local Projects Unit, Region 8  
New York State Department of Transportation  
4 Burnett Boulevard  
Poughkeepsie, NY 12603

Re: Bid Comparison  
PIN 8761.12; Safe Routes to School (Contract No. VM-1516-6)  
Pleasantville Road and Ingham Road  
Village of Briarcliff Manor, Westchester County

Dear Ms. Knisell:

We have evaluated the bids received on June 27, 2017 for the Safe Routes to School, PIN 8761.12

Contract No. VM-1516-6. A total of four (4) bids were received as shown in the Bid Comparison Chart. The Bid Comparison Chart ranks the bidders by the total bid amount from the lowest to highest and indicates the percent differential between the bid amount and the Engineers Estimate.

<b>Bid Comparison Chart</b>			
Ranking (low to high)	Contractor	Bid Amount	% Difference
1	Con-Tech Construction Technology, Inc.	\$ 445,675.12	15%
2	Paladino Concrete Creations Corp.	\$ 507,941.00	31%
3	Gianfia Corp.	\$ 576,341.00	49%
4	MVM Construction LLC	\$ 709,806.00	79%
	Engineers Estimate	\$ 383,081.00	

We also prepared a Bid Evaluation and Comparison Matrix showing a comparison of each bidder's unit prices versus the unit prices in the Engineers Estimate. A copy of the Bid Evaluation and Comparison Matrix has been attached for your review and use. The low bid was submitted by Con-Tech Construction Technology, Inc. in the amount of \$ 445,675.12.

Our evaluation of the Bid Proposal Documents submitted indicates that they are capable of completing the work required. Therefore, we recommend the award of a contract for construction of Contract No. VM-1516-6 to Con-Tech Construction Technology, Inc. in the amount of \$445,675.12. If you have any questions or would like to discuss the bid analysis in more detail, please do not hesitate to contact us.

Very truly yours,

**Provident Design Engineering, PLLC**



Ralph P. Peragine, P.E.  
Senior Project Manager

Encs.

Q:\PROJECTS200\207478-9\LT\VM-1516-6 BidResults.docx

VILLAGE OF BRIARCLIFF MANOR  
BOARD OF TRUSTEES AGENDA  
OCTOBER 4, 2017

**4. BUDGET TRANSFERS– 2017-2018**

BE IT RESOLVED that the Board of Trustees does hereby authorize the following budget transfers for FY 2017-2018:

**WATER FUND**

<b>From:</b>	F8320.451	Water Purchases	\$25,000
<b>To:</b>	F8120.211	Repair and Maintenance	\$25,000

# BUDGET TRANSFER (FY 17-18) REQUEST FORM

<b>Amount from:</b>	<b>Muni Code</b>	<b>Budget Line</b>
\$ 25,000.00	F8320.451	Water Purchases
<b>Amount to:</b>	<b>Muni Code</b>	<b>Budget Line</b>
\$ 25,000.00	F8120.211	Repair & Maintenance

Water Funds

Reason for Transfer Request: **Emergency pump replacement for Pine, Lewisiton, Brookwood, Holly & Cottonwood**

Signature of Requesting Department Head

P. Segura

Date Signed

22 Sept

Village Manager Approval

E. Pitt

Date Signed

9/22/17

Village Treasurer Approval

Date Signed

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

VILLAGE OF BRIARCLIFF MANOR  
BOARD OF TRUSTEES AGENDA  
OCTOBER 4, 2017

**5. BUDGET AMENDMENTS**

BE IT RESOLVED that the budget for fiscal year 2017-2018 is hereby amended as follows:

**CHIPS/PAVING**

Increase Revenue	A0105.3501	State Aid CHIPS	\$35,490
Increase Expense	A5112.465	Street Paving - CHIPS	\$35,490

**FRIENDS OF THE LIBRARY GIFT**

Increase Revenue	L0108.2705	Special Revenue (Gifts/Donations)	\$455
Increase Expense	L7410.206	Matching Expenses	\$455

## BUDGET AMENDMENT REQUEST FORM 2017/2018

<b>Increase Expense</b>	<b>Muni Code</b>	<b>Budget Line</b>
\$ <b>455.00</b>	<b>L7410.206</b>	<b>Special Matching Expenses</b>
<b>Increase Revenue</b>	<b>Muni Code</b>	<b>Budget Line</b>
\$ <b>455.00</b>	<b>L0108.2705</b>	<b>Special Revenue, gifts, donations</b>

Reason for Amendment Request: To account for a gift/donation from the Friends of the Library

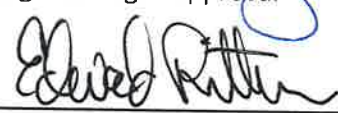
Signature of Requesting Department Head



Date Signed

22 Sept.

Village Manager Approval



Date Signed

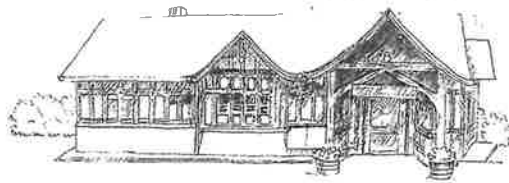
9/22/17

Village Treasurer Approval

Date Signed

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





THE BRIARCLIFF MANOR PUBLIC LIBRARY · Library Road · Briarcliff Manor, NY 10510

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To: Ed Ritter, Treasurer

From: Shelley Glick, Library Director

Re: Friends of Briarcliff Manor Public Library check for plaque and program

Date: September 19, 2017

Please accept this check for \$455.00 from The Friends of the Briarcliff Manor Library to be used for the following:

1. \$55.00 for a plaque honoring Caroline Pennacchio
2. \$400.00 for an upcoming theater program by M&M Performing Arts Company on October 21.

The Library Board has approved the use of these funds for these purposes.

Please deposit the check into L0108.2705 Special Revenue, Gifts, and Donations. We will pay the invoices for the plaque and for the program out of Special Matching Expenses L7410.206.

Thank you,

Shelley Glick



[www.briarcliffmanorlibrary.org](http://www.briarcliffmanorlibrary.org)

PHONE: 914-941-7072

FAX: 914-941-7091

## BUDGET AMENDMENT REQUEST FORM 2017/2018

<b>Increase Expense</b>	<b>Muni Code</b>	<b>Budget Line</b>
\$ 35,490.00	A5112.465	Street Paving - CHIPS
<b>Increase Revenue</b>	<b>Muni Code</b>	<b>Budget Line</b>
\$ 35,490.00	A0105.3501	State Aid - CHIPS

Reason for Amendment Request: *new \$* To account for additional funds from NYS CHIPS fund

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Signature of Requesting Department Head Date Signed

*R. DeGennaro* *22 Sept.*

Village Manager Approval Date Signed

*Edward Alt* *9/22/17*

Village Treasurer Approval Date Signed

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



July 14, 2017

EDWARD TORHAN  
COMMISSIONER OF PUBLIC  
VILLAGE OF BRIARCLIFF MANOR  
10 BUCKHOUT RD  
BRIARCLIFF MANOR NY 10510

Dear Mr. Torhan:

The next SFY 2017-18 CHIPS, PAVE NY, and Extreme Winter Recovery (EWR) Appropriation reimbursements are scheduled to be made on September 15, 2017. The reimbursement request forms and revised July 2017 Program Guidelines are available at <https://www.dot.ny.gov/programs/chips>. Requests from the SFY 17-18 CHIPS, PAVE NY, and EWR apportionments for the September payment must be for expenditures made on or after April 1, 2017 and through July 31, 2017.

The Village of Briarcliff Manor has the following funding amounts available for the September payment:

Program	Total Balance	17-18 Apportionment	Cumulative Rollover Balance
CHIPS	\$196,700.76	\$196,700.76	\$0.00
PAVE NY	\$44,898.91	\$44,898.91	\$0.00
EWR	\$35,294.51	\$35,294.51	\$0.00

*\$ 276,894.18 ✓*

The submissions for the CHIPS, PAVE NY, and EWR reimbursements will require supporting documentation, including proof of payment and photos of ADA-compliant curb ramps. Failure to submit the required documentation may delay the processing of your reimbursement requests.

The rules for applying under the September CHIPS reimbursements are included on the back of this letter, while the rules for the PAVE NY and EWR reimbursements are available as links under Forms on the CHIPS website. In order to ensure September timely reimbursement, the NYSDOT Regional Office listed below must receive the original signed payment requests no later than **August 7, 2017**.

Please be sure to sign the certification on each page of the reimbursement request forms, photocopy the completed forms for your files, and mail the originals to:

Doreen Holsopple  
NYSDOT Regional CHIPS Representative  
New York State Department of Transportation  
4 Burnett Boulevard  
Poughkeepsie, NY 12603

Your NYSDOT municipal code for entry on the forms is 871052. If you have any questions, please contact Doreen Holsopple at 845-431-5977.

Respectfully yours,

*add \$ 35,490.00 to 2017/18 Budget*

Peter J. Ryan  
Director  
Local Programs Bureau

VILLAGE OF BRIARCLIFF MANOR  
BOARD OF TRUSTEES AGENDA  
OCTOBER 4, 2017

**6. AGREEMENT TO PAY VILLAGE COUNSEL FOR ENGAGEMENT OF  
ACCOUNTING CONSULTANT PERTAINING TO THE VILLAGE OF  
BRIARCLIFF MANOR VOLUNTEER FIRE DEPARTMENT**

WHEREAS, Village Counsel, McCarthy Fingar, LLP, will engage the firm of Goldstein, Karlewicz & Goldstein, LLP, Certified Public Accountants and Business Consultants, as an accounting consultant pertaining to the Village of Briarcliff Manor Volunteer Fire Department; and

BE IT RESOLVED that the Board of Trustees does hereby agree to reimburse Village Counsel for its costs in connection with such engagement.

VILLAGE OF BRIARCLIFF MANOR  
BOARD OF TRUSTEES AGENDA  
OCTOBER 4, 2017

**7. APPROVAL OF WATER SERVICE AND RELATED AGREEMENTS  
FOR 762 SLEEPY HOLLOW ROAD**

WHEREAS, 762 Sleepy Hollow Road, which is located outside the Village within the Town of Mount Pleasant (the "Property") had, in the past, been served by municipal water service provided by Village and is expressly listed on the latest water taking agreement with the New York City Department of Environmental Protection; and

WHEREAS, some years ago, the house located at the Property was demolished and water service discontinued; and

WHEREAS, the Village has received a request from the current owner of the Property, Peter J. Landi, Inc. to re-establish water service at the Property to serve a new house thereon; and now therefore

BE IT RESOLVED that the Board of Trustees does hereby agree to provide water service to the Property in accordance with its regulations concerning outside water users; and

BE IT FURTHER RESOLVED that the Village Manager is hereby authorized to execute such documents in further of such service, including but not limited to a Water Easement Agreement in form and substance satisfactory to Village Counsel and the Village Engineer.

The Regular Meeting of the Board of Trustees of the Village of Briarcliff Manor, New York was held in the Village of Briarcliff Manor at the William J. Vescio Community Center, at 1 Library Road, Briarcliff Manor, New York on the 6<sup>th</sup> of September, 2017 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  
Anna Georgiou, Village Counsel  
Sarah Yackel, Village Planning Consultant

**Absent**

Mark Pohar, Deputy Mayor

**Pledge of Allegiance**

Mayor Sullivan swore in Officer Chavez.

**Continuation of a Public Hearing to Hear and Discuss Proposed Amendments to the Village of Briarcliff Manor Comprehensive Plan as set forth in Draft Comprehensive Plan Addendum**

Mayor Sullivan explained amending the Comprehensive Plan allowed the ability to discuss zoning amendments but did not change the Village's Zoning Laws.

Village Planning Consultant Yackel explained the proposed addendum.

Mr. Roger Battacharia of 16 Holbrook Road stated the new changes would affect the character of the Village and have an adverse impact on the quality of life. He urged the Board to reject the amendment.

Upon motion by Trustee DeRose, seconded by Trustee Wilson, the Board voted unanimously to close the Public Hearing and keep the record open for written comment until the close of business on September 15, 2017.

**Board of Trustees Announcements by Trustee Zirman**

- The Library and Community Center have many programs going on throughout the summer. Visit the website for information.
- Community Day will be on September 9<sup>th</sup>.

- The Fire Department will be hosting the 111<sup>th</sup> Westchester County Fireman's association convention in September.
- The Recreation Brochure is available on the website.
- Sign up for the weekly Village Manager's Report.
- The Mobile Shredder will be at the Youth Center on October 7<sup>th</sup> from 10am-1pm.

### **Village Managers Report by Village Manager Zegarelli**

- A phone scam targeting water customers has been discovered. Residents should not pay any bill related to water over the phone.
- The Law Park Parking Lot Project will be done next year.
- The Holbrook Lift Station project is nearing completion.
- SCADA work continues.
- The Annual Village Audit is complete.
- The next Board meeting will be on Tuesday, September 19<sup>th</sup>.

### **Public Comments**

Mr. William Wetzel of 2 Central Drive stated he came the prior month and urged the Board to modify the Village Code related to noise. He urged the Board to take action.

Mr. Bruce Yeager of 450 Central Drive stated he'd spoken before the Board several times and that they were suffering a devaluation of their properties and the noise ordinance needed to be amended.

Mr. Marty Leitzes of 247 Central Drive stated the construction noise was unbearable and they should be given a tax break.

Mr. Ryan Kane of 100 Lodge Road stated he was direct neighbors with the site and offered to amend the noise ordinance. He requested the environmental impacts be monitored daily.

Mayor Sullivan stated there was a process with amended the Village Code and the Board would work together with the residents and move forward as quickly as possible.

Mrs. Maureen Yeager of 450 Central Drive stated they'd been suffering for months and the issues should have been addressed much sooner.

### **Authorize Village Manager to Execute Agreements**

#### **Amendment to an Agreement with New York State Department of Transportation to Adjust the Snow and Ice Agreement for 2016-2017**

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

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, 2016 through June 30, 2017.

**Extension to an Agreement with New York State Department of Transportation to Adjust the Snow and Ice Agreement for 2017-2018**

Upon motion by Trustee Zirman, 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 an agreement with the New York State Department of Transportation to extend the Indexed Lump Sum Municipal Snow and Ice Agreement for the period from July 1, 2017 through June 30, 2018 in the amount of \$4,270.93.

**Budget Transfers**

Upon motion by Trustee Zirman, seconded by Trustee DeRose, with one abstention from Mayor Sullivan, the Board voted to approve the following resolution:

BE IT RESOLVED that the Board of Trustees does hereby authorize the following budget transfers for FY 2017-2018:

**GENERAL FUND**

<b>From:</b>	A.3120.205	Police Contractual	\$58,700
<b>To:</b>	A9785.600	Lease Payments - Principal	\$58,700
<b>From:</b>	A.7110.460	Contractual Services	\$25,870.44
<b>To:</b>	A9785.600	Lease Payments - Principal	\$25,870.44

**Adjournment**

Upon motion by Trustee DeRose, seconded by Trustee Wilson, the Board voted unanimously to adjourn the regular meeting at 9:28pm.

Respectfully Submitted By,

Christine Dennett  
Village Clerk