



AGENDA
WEDNESDAY DECEMBER 19, 2018
BOARD OF TRUSTEES
VILLAGE OF BRIARCLIFF MANOR, NEW YORK
REGULAR MEETING – 7:30 PM

Pledge of Allegiance

Board of Trustees Announcements

Village Managers Report – End of Year Report 2017-2018

Public Comments



1. Annual Audit Report for FY 2017-2018 – Cooper Arias, LLP
2. Ambulance (Demo Model) Rejection of Lowest Bidder
3. Town of Ossining and Town of Mount Pleasant Fire District Contracts:
NYS Village Law Section 209-D Distribution
4. Petition of Lincoln Properties – Zoning Text Amendment - 600 Albany Post
Road
5. Fire Department Membership - Constantinou
6. Minutes

**NEXT REGULAR BOARD OF TRUSTEES MEETING – WEDNESDAY,
JANUARY 2, 2019 AT 7:30PM**

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
DECEMBER 19, 2018

2. AMBULANCE (DEMO MODEL) BID, REJECTION OF LOWEST BIDDER

WHEREAS, the Village of Briarcliff Manor (“Village”) duly bid and opened bids on November 21, 2018, for “VM 1819-14 Ambulance (Demo Model)” for the purchase of an ambulance; and

WHEREAS, the Village Engineer has provided the Village Board with a memorandum dated December 12, 2018, a copy of which shall be annexed to this Resolution, detailing 9 deficiencies and non-conformities in the low bid submitted by North Eastern Rescue Vehicles, Inc.; and

WHEREAS, in addition to failing to submit a required bid bond and Non-Collusive Bidding Certification, NERVI provided a bid for a transport vehicle rather than an ambulance; and

WHEREAS, the Village Engineer has recommended that the Village Board reject the bid of North Eastern Rescue Vehicles, Inc.

NOW THEREFORE, BE IT

RESOLVED, the Village Board finds that the variances between the bid of North Eastern Rescue Vehicles, Inc. and the Village’s bid specifications are material and substantial, and be it further

RESOLVED, that the Village Board rejects the bid of North Eastern Rescue Vehicles, Inc.



MEMORANDUM

December 12, 2018

To: Philip E. Zegarelli – Village Manager

From: David J. Turiano, P.E. 

Re: **VM 1819-14 – Ambulance (Demo Model)**

Bid Opening: November 21, 2018, 11:00 a.m., Municipal Building

Staff Present: David J. Turiano and Allie Cirrincione

Bids Received: 2

Bid Range: \$172,942.00 - \$248,875.77

Type of Contract: Vehicle Purchase

Reference Checks: None performed

Recommendation to Award to low bidder: See below discussion

Description of Project: Purchase of demo model vehicle for Ambulance use

Summary of Bids

Vendor	Bid
North Eastern Rescue Vehicles, Inc.	\$172, 942.00*
VCI Emergency Vehicle Specialists	\$248,875.77**

*Bid price reflects credit, unspecified value, for trade-in of existing 2006 Ambulance.

** Bid price reflects credit, \$12,500.00 value, for trade-in of existing 2006 Ambulance

Discussion:

My office reviewed the two bids submitted in connection with the above referenced project. In addition, member Mike Costello from the Briarcliff Manor Fire Department also reviewed the bids and his comments are attached. The purpose of this discussion is to detail how the low bidder, North Eastern Rescue Vehicles Incorporated (NERVI), failed to comply with the bid specifications. The bid submitted by VCI Emergency Vehicle Specialist is fully compliant with the bid specifications. It is well recognized under NYS Law that a municipal entity may reject a low bid where their bid is non-forming (non-compliant) with the bid specifications.

The following are the non-compliant deviations of the NERVI bid with regard to the bid specifications:

1. By its own admission, NERVI took exception to the bid specifications as a whole in its November 14, 2018 Cover Letter. NERVI further noted that they were submitting a non-compliant bid in an effort to pass along savings to the Village and shorten the time frame for delivery.
2. The vehicle described in NERVI's bid is a wholly different vehicle than as provided in the bid specifications. In short, the Village sought bids for an ambulance, whereas NERVI provided a bid for a transport vehicle.
3. NERVI will install only the required Striker loading system. The Village will need to supply the unit at an additional cost of approximately \$32,000.00.
4. The NERVI chassis deviated in relation to safety and security items, in 12 instances from the bid specifications, having a total value of \$19,988.00.
5. NERVI ambulance body deviated in 16 instances from the bid specifications, having a total value of \$32,651.00.
6. NERVI overall vehicle deviated in 6 instances from the bid specifications, value undetermined.
7. Per testimony given by members of the Fire Department, the NERVI ambulance is for transportation only and is not equipped for emergency response.
8. NERVI did not supply the necessary bid bond required pursuant to Notice to Bidders and the Bid Proposal Form included in the bid documents.
9. NERVI did not provide a signed Non-Collusive Bidding Certification as required in the bid documents and as required by NYS General Municipal Law (GML).

Recommendation:

Pursuant to GML Sections 103 and 104.B, my office hereby recommends that the Board of Trustees reject the bid submitted by North Eastern Rescue Vehicles Incorporated dated November 14, 2018, in the amount of \$172,942.00, as it fails to comply with the bid specifications. The variances in the NERVI bid as compared to the bid specifications are material as they impair the needs of the Village.

Please feel free to contact me with any questions on above.

Attachment

P2

Cover letter from North Eastern Rescue Vehicles, Inc. states:

"The dealer shall install the following items:"

... **"2. Stryker PowerLoad System with Compatibility Kit."**

\$ L

This does NOT state that they will "furnish and install", only that they will install. Given the cost of these 2 options, I highly doubt they are included in the bid price. 32,000

Note: Finished total height of the ambulance NOT stated. Drawings supplied indicate total height ground to top of box stated as " 104" approx." with a note that the "TOTAL HEIGHT OF THE VEHICLE CAN BE DIFFERENT ACCORDING TO CHASSIS AND SUSPENSIONS".

Safety & Security Related Items Not included:

Truck chassis related:

- 1) OnSpots - automatic tire chains missing. 2,660
- 2) Standard GM radio installed - NO Navigation/backup camera/hands free cell phone radio head unit included. 2,460
- 3) Standard GM shock absorbers provided. (upgraded shock absorbers needed) 625
- 4) Standard front/rear GM sway bars provided. (upgraded sway bars needed) 965

Note: Given the weight and top heavy nature of the ambulance the upgrades are necessary for safety and for comfort of the patient.

- 5) Rear axle ratio not specified - (Bid spec 3.73:1). GM offers 4 different ratios.

Note: Very important given the hills in the Village and the fact that this is a gasoline engine model with significantly less torque than a diesel engine.

- 6) Diesel engine differential approximately \$12,000 12,000
- 7) Power adjustable outside review mirrors - no mention.
- 8) Heated outside review mirrors - no mention.
- 9) Fuel tank capacity - not specified.
- 10) Siren - Whelen Howler option not included 848
- 11) Security idle system - engine idle after ignition key removal not included. 430
- 12) No Chrome rear wheel fender flares - used for parking alignment in bay.

Ambulance unit related:

- 1) NO airbags in ambulance compartment.
- 2) No integrated child seat included (or not indicated). 1,240
- 3) No squad bench - additional EMT seat on adjustable track installed.

Note: in this case we loose seating for additional patient(s) and/or family members and under bench linen linen storage.

4) No curbside passenger compartment window included.	1,385
5) No privacy windows included.	2,166
6) Curbside door step and streetside body lowered 3" for easier access - this has not been included.	1,290
7) Desk countertop - solid surface with coved interior edges - not included.	1,442
8) Whelen Traffic Advisor - not included.	1,328
9) Optional LED safety warning lights - not included.	11,213
10) Additional brake/tail & backup lights (Whelen) - not included.	296
11) Amber turn signal arrow lights front/rear (Whelen) - not included.	774
12) Spectra LED scene (2) and flood (4) lights.	4,950
13) LED ground lights - not included.	1,886
14) Second read control panel on wall at head of bench - not included.	1,868
15) Patient optional LED & Fluorescent ceiling lights- not included.	2,061
16) Interior cabinet lighting - not included.	752

Other:

- 1) Prewired for 3 radios (2 front, 1 rear) but we need 4 (3 front, 1 rear).
- 2) Very limited exterior compartment storage - dedicated O2 and stair chair compartments, no room for other items such as Reeves, splint bag, fire extinguisher etc. Backboard compartment very narrow, not enough room. Where to keep back board straps, spare head blocks, etc? Where to keep KED bags, helmets, gloves, body bags, water, etc?
- 3) No exterior tool drawer for tools, halligan, reflectors, flares, jumper cables
- 4) Interior compartment space limited; IV warmer not useful but takes up space; lockable ALS compartments also not useful.
- 5) No crash test/safety information provided.

If we can find exterior storage space for everything it will be very different from 53B2 leading to much confusion.

- 6) Portable O2 storage 1 vs our 2.

Total  84,639

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
DECEMBER 19, 2018

3. TOWN OF OSSINING AND TOWN OF MOUNT PLEASANT FIRE DISTRICT CONTRACTS: NYS VILLAGE LAW SECTION 209-D DISTRIBUTION

Whereas, the Village of Briarcliff Manor (VBM) has historically provided fire services to and now renewed a series of Fire District Service Agreements (Fire Contracts) with the Town of Ossining (TOS) and the Town of Mount Pleasant (TMP) for 24/7 fire service to be provided for by the VBM Fire Department (VBMFD); and

Whereas, the fire services to be provided by the VBMFD are within specific VBM contiguous areas of the unincorporated areas of both the TOS and the TMP; and,

Whereas, NYS Village Law, Section 209-D, permits a village to distribute to its fire department up to 35% of such contract amounts to its fire department for performing such services; and

Whereas, the VBMFD Chief, the VBMFD Fire Council and separate VBMFD firemanic companies together with the M/BOT by separate resolution have approved these same fire contracts;

Now Therefore be it:

RESOLVED, that the VBM Board of Trustees hereby authorizes and approves the distribution of 35% of the contractual amounts of the Fire Contracts to the VBMFD Fire Council, and be it further

RESOLVED, that the Village Manager shall authorize the Village Treasurer to pay such amounts in a timely fashion upon receipt of good funds from the TOS and the TMP.

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
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**4. ACTION WITH REGARD TO THE PETITION OF LINCOLN
PROPERTIES FOR A ZONING TEXT AMENDMENT**

WHEREAS, by letter dated September 14, 2018, Zarin & Steinmetz submitted to the Village on behalf of its client T5@New York, LLC a/k/a Lincoln Properties ("Petitioner"), a Petition for Zoning (Text) Amendment; and

WHEREAS, by such Petition, the Petitioner seeks to amend the Village's Zoning Code to allow for self-storage facilities as a defined Special Permit Use in the Village's B/BT Zoning District (the "B Zone"); and

WHEREAS, the Petitioner has narrowly crafted the parameters of the proposed Zoning Text Amendment such that the proposed use would apply only to that certain B Zone property owned by Petitioner and located at 600 Albany Post Road (the "Property"); and

WHEREAS, the said Petition includes (i) proposed language for the subject Zoning Text Amendment, (ii) a Full Environmental Assessment Form Part 1 as amended, (iii) a Traffic Comparison Analysis prepared by Petitioner's engineer JMC, (iv) a set of renderings including a conceptual site plan relative to the proposed use of the said Property and (v) a copy of the Village of Briarcliff Manor Draft Comprehensive Plan Addendum adopted October 4, 2017; and

WHEREAS, an informal presentation of the Petition was made at a publicly noticed and televised work session of the Board of Trustees on October 3, 2018, whereupon Village Counsel and the Village's Planning Consultant prepared memoranda reviewing the submission for completeness; and

WHEREAS, a formal presentation of the Petition was made at a regular publicly noticed and televised meeting of the Village Board on November 7, 2018, at which time members of the public were afforded an opportunity to comment on and ask questions about the Petition; and

WHEREAS, at a regular publicly noticed and televised meeting of the Village Board on December 5, 2018, the Village Board heard additional comments from the public and Petitioner's Counsel with regard to the Petition; and

WHEREAS, each member of the Village Board has visited the Property and the surrounding area and is familiar with the quality and condition of same; and

NOW, THEREFORE, BE IT RESOLVED, that the Village Board in its legislative discretion hereby declines to entertain the said Petition, and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
DECEMBER 19, 2018

5. FIRE DEPARTMENT MEMBERSHIP - CONSTANTINOU

BE IT RESOLVED, that the Board of Trustees of the Village of Briarcliff Manor hereby approve the under 18 membership of **Nicholas Constantinou** to the Briarcliff Manor Fire Company.

Briarcliff Manor Fire Department

1111 Pleasantville Road
Briarcliff Manor, NY 10510

Office of the Chief



MICHAEL F. KING, CHIEF
PETER J. FULFREE, 1st Asst. Chief
VINCENT J. CARUSO, 2nd Asst. Chief

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

E-mail: fdchief@briarcliffmanor.org

DATE: December 4, 2018
TO: Christine Dennett, Village Clerk
Briarcliff Manor Board of Trustee's
FROM: Chief Michael F. King - Briarcliff Manor Fire Department
SUBJECT: NEW MEMBER - Request for Village Approval

Honorable Mayor and Trustees;

^{08/01/02 05}
Nicholas, date of birth ~~12/4/2018~~ and residing at 140 Route 9a, Ossining, New York, has applied for membership in the Briarcliff Manor Fire Department

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

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

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

Thank you for your assistance.



Michael F. King
Chief of Department

12/12/18
Dated



Debra Johnson
Secretary - Briarcliff Fire Company

12/13/18
Dated



Christine Dennett
Village Clerk - Briarcliff Manor

12-14-18
Dated



BRIARCLIFF MANOR FIRE DEPARTMENT
 1111 Pleasantville Rd, Briarcliff Manor, NY 10510
UNDER 18 NEW APPLICANT
PARENTAL CONSENT AND RELEASE FORM

FOR OFFICE USE
 MEMBER ID # _____

We, the parents or legal guardians of _____, (hereinafter known as the "applicant") are aware that the applicant wishes to join the Briarcliff Manor Fire Department (hereinafter known as the "Department"). We understand that this signed consent by the parents or legal guardians and the applicant is required as a prerequisite of the applicant's acceptance into membership in the Department because the applicant has not yet attained 18 years of age.

We understand that membership in the Department is an inherently hazardous undertaking.

We understand that the applicant will be required to attend such training courses as are required by the Chief of the Department, and will become familiar with, and adhere to, the bylaws of the department.

We understand that the applicant will be subject to the orders of the Departmental Chiefs and Officers of the company to which the applicant is assigned, both in the firehouse and at all alarms.

We have been provided with and have read and fully understand the Rules and Regulations governing activities permitted for members of the Department that are under 18 years of age.

By signing a copy of this consent and release form, we hereby acknowledge that, pursuant to section 19 of the volunteer firefighters benefit law, the benefits provided by the volunteer firefighters benefit law shall be the exclusive remedy of the applicant, or his or her spouse, parents, dependents, next of kin, executor or administrator, or anyone otherwise entitled to recover damages, at common law or otherwise, for or on account of an injury to the applicant in the line of duty or death resulting from an injury to the applicant in the line of duty, as against the Village of Briarcliff Manor, its employees or agents, and any person or agency acting under governmental or statutory authority in furtherance of the duties or activities in relation to which any such injury resulted.

This consent and release form must be signed by the applicant and parents or guardians of the applicant and all signatures must be notarized.

SIGNATURES MUST BE WITNESSED BY A NOTARY PUBLIC

Parent/Guardian 1 - PRINT NAME <u>Os Constantinou</u>	Parent/Guardian 1 - SIGN NAME <u>[Signature]</u>	<u>9, 4 / 2018</u>
Parent/Guardian 2 - PRINT NAME <u>KARLA CONSTANTINOU</u>	Parent/Guardian 2 - SIGN NAME <u>[Signature]</u>	<u>9, 4 / 2018</u>
Applicant - PRINT NAME <u>Nick Constantinou</u>	Applicant - SIGN NAME <u>[Signature]</u>	<u>9, 4 / 2018</u>

APPLICANT NAME: _____

MEMBER ID# _____

PARENT/GUARDIAN 1

(STATE OF NEW YORK)

(COUNTY OF WESTCHESTER)ss.:

On the 9 day of September in the year 20 18, before me the undersigned, personally appeared

Gos Constantinou, personally known to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s) or the person on behalf of which the individual(s) executed the instrument.

DAYNA J. KLEINER
Notary Public, State of New York
No. 01KL6045030
Qualified in Westchester County
Commission Expires Oct. 6, 2018

Dayna Kleiner
Notary Public

PARENT/GUARDIAN 2

(STATE OF NEW YORK)

(COUNTY OF WESTCHESTER)ss.:

On the 4 day of September in the year 20 18, before me the undersigned, personally appeared

Kata Constantinou, personally known to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s) or the person on behalf of which the individual(s) acted executed the instrument.

DAYNA J. KLEINER
Notary Public, State of New York
No. 01KL6045030
Qualified in Westchester County
Commission Expires Oct. 6, 2018

Dayna Kleiner
Notary Public

APPLICANT

(STATE OF NEW YORK)

(COUNTY OF WESTCHESTER)ss.:

On the 4 day of September in the year 20 18, before me the undersigned, personally appeared

Nicks Constantinou, personally known to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s) or the person on behalf of which the individual(s) executed the instrument.

DAYNA J. KLEINER
Notary Public, State of New York
No. 01KL6045030
Qualified in Westchester County
Commission Expires Oct. 6, 2018

Dayna Kleiner
Notary Public

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
DECEMBER 19, 2018

6. MINUTES

- November 7, 2018 Regular Meeting (pending revisions)
- November 28, 2018 Regular Meeting
- December 5, 2018 Regular Meeting

Village Board of Trustees
Regular Meeting
November 7, 2018
8:00 p.m.

The Regular Meeting of the Board of Trustees of the Village of Briarcliff Manor, New York was held in the Village of Briarcliff Manor at the William J. Vescio Community Center, at 1 Library Road, Briarcliff Manor, New York on the 7th of November, 2018 commencing at 8:00 p.m.

Present

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

Also Present

Philip Zegarelli, Village Manager
Daniel Pozin, Village Attorney
Christine Dennett, Village Clerk
David Turiano, Village Engineer
Sarah Yackel, Village Planning Consultant

Pledge of Allegiance

Board of Trustees Announcements by Trustee Zirman

- Visit the Village website and sign up for weekly updates from the Village Manager.
- The Library has many upcoming events and the Fall Brochure is available. Visit the website for more information.
- The Recreation Fall Brochure is online. Please sign up for Recreation News.
- Platform Tennis Season has begun. Get your permits.

Mayor Sullivan gave the upcoming meeting schedule and stated the regular meetings going forward would begin at 7:30pm.

Village Managers Report by Village Manager Zegarelli

- Veterans Day is next Monday. Village Offices and Valet will be closed. The Sanitation Schedule is unchanged.
- Con Edison should have their work completed over Route 9A.
- The Pocantico River Bridge work is furloughed until the Spring.
- The sidewalk by CSI was temporarily fixed and will be completed in the Spring.

- Leaf pickup has begun. Please keep leaves off the streets and sidewalks.
- Fall sports are winding down and the fields will be winterized.
- 2019 Parking Permits are on sale.
- The 2nd half of Village taxes are due in December.

Public Comments

There were no public comments.

Good Neighbor Initiative Presentation by the Westchester County Executive, George Latimer

Westchester County Executive Latimer gave a presentation to the Board and the Public and shared an Executive Order regarding the process in which the County can take action on any County owned property or facility within municipalities.

The Mayor and Board thanked him for his presentation and stated he had been very generous with his time in the Village.

Presentation of Petition of Lincoln Properties, owner of 600 Albany Post Road, for a Proposed Zoning Text Amendment to Permit "Self Storage Facility" as a special permit use in the Village's B/BT Zone

Village Attorney Pozin explained the process for the presentation.

Mr. David Steinmetz, explained the proposed Zoning Text Amendment.

A representative from Iron Point stated they acquired the property with the intent to use it as a data center but they were unable to secure a tenant. He stated they were looking to build a self-storage facility and that they believed it was a need of the community that was currently unmet.

Mr. Philip Fruchter, Architect for the Applicant, explained the proposed layout and showed renderings and elevations.

Mr. Mark Pretraro of John Meyer Consulting discussed the traffic study and ingress and egress from the site.

Village Attorney Pozin requested any updated renderings be submitted to the Village Clerk.

Mayor Sullivan stated the Board created an Advisory Committee over two years ago to review potential uses for the B-Zone.

Village Planning Consultant Yackel stated she prepared a review memorandum regarding the application.

Mr. Clark Shepard of 144 River Road stated he could see the property from his kitchen window and they listed their square footage incorrectly in their application. He stated the zone should not be amended to accommodate one property and he vehemently opposed the application moving forward.

Mr. Zach Collins of 106 River Road asked if there was a crime study on self-storage units done and if there would be a reduction of property values.

Mr. Aaron Stern of 40 Tamarack Place stated he was on the B-Zone Committee and they did indicate self-storage as a viable option but the proposal didn't have any characteristics of what they looked at and far exceeded the ground coverage.

Mr. Steinmetz stated they would take a look at all the numbers.

Mr. John Glascott of River Road stated he lived there for over 30 years and the proposal was not in keeping with the character of the neighborhood.

Mr. Tom O'Halohan of 122 River Road stated the area was comprised of wetlands and steep slopes and it had a horrendous traffic issue.

Ms. Kaitlyn Balog of 144 River Road stated the neighborhood was beautiful and peaceful and a self-storage facility was not the answer and was the wrong use for the site.

Ms. Liz Weinstein of 180 River Road stated the application was in violation of the existing zoning laws.

Ms. Lois Kroll of Creighton Lane stated she moved here because it was so beautiful and this would be a tremendous blight on the area.

Mr. Michael McCarville of 1 Woodlea Lane stated he wasn't even sure the expansion could be done because of the steep slopes.

Mayor Sullivan thanked everyone for participating in the meeting and the Board wanted to hear everyone's voices.

Mr. Ned Midgely of 1 Ivanhoe Place stated he lived directly next door and it was previously an office with use during the week. He stated this use would be seven days a week.

Ms. Liz Weinstein stated it did not fill a current need of the Village and asked what the Village's obligations were to address the application.

Village Attorney Pozin stated it required action by the Board and explained the process.

Resolution to Establish Briarcliff Manor Ambulance as a Department of the Village of Briarcliff Manor

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

WHEREAS, the Village Board believes that it is in the public interest to create an ambulance department to serve the Village of Briarcliff Manor; and

WHEREAS, the Village of Briarcliff Manor already has the authority to provide EMS services under the existing Ambulance Service Certificate issued by the New York State Department of Health.

NOW THEREFORE, BE IT RESOLVED, that the Village Board hereby establishes the Village of Briarcliff Manor Ambulance as a municipal department of the Village of Briarcliff Manor; and

BE IT FURTHER RESOLVED, that the initial department head of the Village of Briarcliff Manor Ambulance shall be the Village Manager of Briarcliff Manor, until such time as the appointment of an EMS Chief may be made; and

BE IT FURTHER RESOLVED, that the existing Standard Operating Procedures of the Village of Briarcliff Manor Fire Department as they pertain to the provision of EMS services shall be deemed adopted as the Village of Briarcliff Manor Ambulance SOPs; and

BE IT FURTHER RESOLVED, that the Village Manager is hereby authorized to take such further actions as may be necessary to effectuate the establishment and operation of the Village of Briarcliff Manor Ambulance, including without limitation, the staffing of the said department and providing notice to the New York State Department of Health of the restructuring of the Village of Briarcliff Manor Ambulance operating authority; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

Amend Meeting Rules and Procedures to Provide for the Commencement of Regular Meetings of the Board of Trustees at 7:30 PM

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

BE IT RESOLVED that the Village of Briarcliff Manor Board of Trustees Rules of Procedure adopted at the Organizational Meetings of April 4, 2018, Part A, Meetings, Section A1, Regular Meetings is hereby amended to read as follows:

PART A: MEETINGS

SECTION A1 - Regular Meetings

The Board of Trustees generally will hold regular meetings on the 1st and 3rd Wednesday of each month. Such regular meetings shall commence at 7:30PM and be conducted in the William J. Vescio Community Center. Any deviation from this schedule shall be determined by the Board of Trustees.

Tax Certioraris

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

WHEREAS, Lamissa Associates, LLC (1312 Pleasantville Road) instituted tax certiorari proceedings pursuant to Article 7 of the Real Property Tax Law of the State of New York; and

WHEREAS, the tax certiorari filings were for Town of Ossining assessment years 2012-2017; and

WHEREAS, the tax certiorari filings relate to Village of Briarcliff Manor fiscal years 2013-2014, 2014-2015, 2015-2016, 2016-2017, 2017-2018 and 2018-2019; and

WHEREAS, a Consent Order of the Supreme Court of the State of New York, County of Westchester, was entered on October 4, 2018;

WHEREAS, the Consent Order was received after the finalization of the approval of the Village budget for Fiscal Year 2018-2019;

WHEREAS, the Consent Order reduced the tax assessment for the subject property for the fiscal years 2013-2014, 2014-2015, 2015-2016, 2016-2017, 2017-2018 and 2018-2019; assessment rolls; and

NOW THEREFORE, BE IT RESOLVED that the Board of Trustees does hereby authorize the refund of the tax bill for fiscal years 2013-2014, 2014-2015, 2015-2016, 2016-2017, 2017-2018 and 2018-2019; in the amount of \$3,649.30 based upon the reduced assessment values in the Consent Order.

Year	Address	Assessed Value	New Assessed Value	Assessment Reduction	Original Tax Amount	Reduced Tax Amount	Refund	Abatement
2012	1312 Pleasantville Rd	\$49,400	\$49,400	\$0	\$4643.01	\$4643.01	\$0	
2013	1312 Pleasantville Rd	\$49,400	\$41,990	\$7,410	\$4,800	\$4,080.00	\$720	
2014	1312 Pleasantville Rd	\$49,400	\$41,490	\$7,910	\$4,899.89	\$4,115.31	\$784.58	
2015	1312 Pleasantville Rd	\$49,400	\$41,490	\$7,910	\$4,933.50	\$4,143.54	\$789.96	
2016	1312 Pleasantville Rd	\$819,200	\$696,320	\$122,880	\$4,530.18	\$3,850.65	\$679.53	
2017	1312 Pleasantville Rd	\$819,200	\$696,320	\$122,880	\$4,501.50	\$3,826.28	\$675.23	

TOTAL AV
REDUCTION

TOTAL
REVENUE
REDUCTION \$3,649.30

WHEREAS, Lamissa Associates, LLC (1326 Pleasantville Road) instituted tax certiorari proceedings pursuant to Article 7 of the Real Property Tax Law of the State of New York; and

WHEREAS, the tax certiorari filings were for Town of Ossining assessment years 2012-2017; and

WHEREAS, the tax certiorari filings relate to Village of Briarcliff Manor fiscal years 2013-2014, 2014-2015, 2015-2016, 2016-2017, 2017-2018 and 2018-2019; and

WHEREAS, a Consent Order of the Supreme Court of the State of New York, County of Westchester, was entered on October 4, 2018;

WHEREAS, the Consent Order was received after the finalization of the approval of the Village budget for Fiscal Year 2018-2019;

WHEREAS, the Consent Order reduced the tax assessment for the subject property for the fiscal years 2013-2014, 2014-2015, 2015-2016, 2016-2017, 2017-2018 and 2018-2019; assessment rolls; and

NOW THEREFORE, BE IT RESOLVED that the Board of Trustees does hereby authorize the refund of the tax bill for fiscal years 2013-2014, 2014-2015, 2015-2016, 2016-2017, 2017-2018 and 2018-2019; in the amount of \$5,054.87 based upon the reduced assessment values in the Consent Order.

Year	Address	Assessed Value	New Assessed Value	Assessment Reduction	Original Tax Amount	Reduced Tax Amount	Refund	Abatement
2012	1326 Pleasantville Rd	\$35,800	\$35,000	\$800	\$3,364.78	\$3,289.58	\$75.20	
2013	1326 Pleasantville Rd	\$35,800	\$25,418	\$10,382	\$3,478.54	\$2,469.77	\$1,008.78	
2014	1326 Pleasantville Rd	\$35,800	\$25,060	\$10,740	\$3,550.93	\$2,485.65	\$1,065.28	
2015	1326 Pleasantville Rd	\$35,800	\$25,060	\$10,740	\$3,575.29	\$2,502.70	\$1,072.59	
2016	1326 Pleasantville Rd	\$554,200	\$387,940	\$166,260	\$3,064.73	\$2,145.31	\$919.42	
2017	1326 Pleasantville Rd	\$554,200	\$387,940	\$166,260	\$3,045.33	\$2,131.73	\$913.60	
				TOTAL AV REDUCTION		TOTAL REVENUE REDUCTION	\$5,054.87	

Award of Bid – Drainage Improvements - Pleasantville Road CBD

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

WHEREAS the Village received 5 bids for the Drainage Improvements – Pleasantville Road CBD Project (VM-1819-11); and

NOW, THEREFORE, BE IT RESOLVED that the bid for the Drainage Improvements – Pleasantville Road CBD Project (VM-1819-11); is hereby awarded to Abbot & Price, Inc. with their bid proposal of \$44,752 which will be charged to budget codes H.1440.201.18229 and H.1440.201.18230.

BE IT FURTHER RESOLVED that the Village Manager is hereby authorized and directed to execute a contract with Abbot & Price, Inc for said project.

Minutes

Upon motion by Trustee Hunt, seconded by Trustee Wilson, the Board voted unanimously to approve the minutes of October 17, 2018.

Adjournment

There will be a Work Session on November 14th at 6pm and the next regular meeting will be on November 28, 2018 at 7:30pm.

Upon motion by Trustee Wilson, seconded by Deputy Mayor DeRose, the Board voted unanimously to adjourn the meeting at 10:19pm.

Respectfully Submitted By,

Christine Dennett
Village Clerk

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 28th of November, 2018 commencing at 8:00 p.m.

Present

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

Also Present

Philip Zegarelli, Village Manager
Daniel Pozin, Village Attorney
Christine Dennett, Village Clerk
David Turiano, Village Engineer

Pledge of Allegiance

Board of Trustees Announcements by Trustee Zirman

- The Fire Department wants to remind everyone to be careful with space heaters.
- The Library has many upcoming events and the Fall Brochure is available. Visit the website for more information.
- The Recreation Fall Brochure is online. Please sign up for Recreation News.
- Platform Tennis Season has begun. Get your permits.
- The Bonfire and Sing-A-Long will be on December 9th.
- Visit the Village website and sign up for weekly updates from the Village Manager.

Village Managers Report by Village Manager Zegarelli

- December 7th is the Staff Holiday Party. Village Hall will close at 1pm.
- The menorah lighting will be on December 5th.
- Con Edison hit asbestos in their work on the bridge over Route 9A.
- The Pocantico River Bridge work is furloughed until the Spring.
- The sidewalk by CSI was temporarily fixed and will be completed in the Spring.

- Leaf pickup has begun. Please keep leaves off the streets and sidewalks.
- 2019 Parking Permits are on sale.
- The 2nd half of Village taxes are due in December.

Public Comments

Mr. Bruce Yeager of Central Drive stated a violation was issued to the contractor at the Club for doing work on Sunday and he encouraged the Board to impose the maximum penalty. He stated the plastic wasn't secured on the building and it was making a lot of noise.

Ms. Milano of Colby Lane stated a private carter was picking up garbage 6 days a week at 5:30am.

Mayor Sullivan urged her to call the Police Department while it was happening so they could write a summons. She requested Village Engineer Turiano write a memorandum to the Police so they're aware of the restricted time for garbage pickup.

Election Resolution for Annual Village Election 2019

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

BE IT RESOLVED that the annual Village Election will be held in the Village of Briarcliff Manor on Tuesday, March 19, 2019 between the hours of 6:00am and 9:00pm during which the polls will be open.

BE IT FURTHER RESOLVED that the following Village Offices are to be elected at the annual Village Election of March 19, 2019 for the terms as set forth herein:

<u>Office</u>	<u>Term</u>
Mayor	2 Years
Trustee (2)	2 Years

Budget Amendment

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

BE IT RESOLVED that the budget for fiscal year 2018-2019 is hereby amended as follows:

BUILDING INSPECTOR FOR 190 LONG HILL ROAD

Increase Revenue	A0106.2556	Building Dept. Fees	\$4,790
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Increase Expense A3620.103 PT Building Inspector \$4,790

PEG FUNDS

Increase Revenue H0101.2770 Other Revenue \$11,005

Increase Expense H1230.201.15PEG PEG Funds \$11,005

Authorize Village Manager to Execute Fire Protection Agreements with Mount Pleasant

Upon motion by Deputy Mayor DeRose, 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 a Fire Protection Agreement with the Town of Mt. Pleasant for fire protection services to the Briarcliff East Fire Protection Districts in the amount of \$15,147 to expire on December 31, 2018.

BE IT FURTHER RESOLVED that the Village Manager is hereby authorized and directed to execute a Fire Protection Agreement with the Town of Mt. Pleasant for fire protection services to the Northeast Briarcliff Fire Protection District in the amount of \$30,215 to expire on December 31, 2018.

Authorize Village Manager to Execute Renewal of a Fire Protection Agreement with the Town of Ossining for Fire District 20

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

Whereas, recognizing the shortage of available volunteer fire department personnel due to the onset of World War II and on or about March of 1942, the TOS contracted with the VBM for such fire protection, said delineation of TOS parcels becoming what is commonly designated as TOS FD-20; and

Whereas, The VBMFD continues faithfully to provide expert, professional fire services not only to the residents of VBM but those within TOS FD-20 having served since 1942 to the present without interruption, challenge or problem; and

Whereas, by mutual agreement between TOS and VBM in November 2017, the VBM redefined the parameters, terms and conditions and costing formula effective for TOS's 2018 calendar year becoming the basis for all subsequent annual contractual agreements since; and

Whereas, upon discussions between the TOS and VBM and notwithstanding the existing formula currently in place, an agreement had been mutually reached to extend the approved 2017 costs of service at \$152,620.77 for the current 2018

calendar year to be adjusted by an 1.84% (\$2,808.22) increase (the 2018 NYS Tax Revenue Cap for Towns) for a total contractual amount of \$155,428.99; and

Whereas, the TOS and VBM have both agreed to extend the pricing of the current FD-20 contract (\$155,428,99) for the calendar year 2019 on the same terms and conditions subject only to the addition of the 2019 NYS Tax Revenue Cap for Towns of 2.00% (\$3,108.58) for a total contractual amount of \$158,537.56; and

Whereas, this contract shall be in effect for the 2019 calendar year and both the TOS and the VBM agree to revise, refine and adjust the formula for any future years on a mutual basis and that the VBMFD Chief has indicated his support for this contract extension,

Now Therefore, Be It Resolved by the VBM Board of Trustees that: all revised terms and conditions of the 2019 contract between the TOS and VBM are hereby approved and remain in effect; that the Village Manager and Village Counsel are authorized to make non material changes by joint agreement; that the VBMFD membership are to approve same, that the Village Manager is hereby authorized to execute such contracts; and that this Resolution shall take effect immediately with the effective date to be 1 January 2019.

Acceptance of a Donation from the Friends of the Library

The Board thanked the Friends of the Library for their donation.

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

BE IT RESOLVED, that the Board of Trustees hereby accepts a donation in the amount of \$267 from the Friends of the Library for the purposes of purchasing additional shelving for audiobooks.

Increase Revenue – Gifts
(L0108.2705) by \$267

Increase Expenses – Special Matching Expenses
(L7410.206) by \$267

Fire Department Memberships

The Board thanked the new members for volunteering.

Upon motion by Trustee Wilson, seconded by Deputy Mayor 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 approve the membership of **Nichi Boyer** to the Briarcliff Manor Fire Company.

BE IT RESOLVED, that the Board of Trustees of the Village of Briarcliff Manor hereby approve the under 18 membership of **Matteo Milazzo** to the Briarcliff Manor Fire Company.

Minutes

The minutes were tabled to the next meeting.

Adjournment

The Board thanked the Fire Department for their amazing response to the fire on Elm Road.

The Mayor stated the Board would consider a resolution at the next meeting regarding the next step for the 600 Albany Post Road petition.

Upon motion by Trustee Zirman, seconded by Deputy Mayor DeRose, the Board voted unanimously to adjourn the meeting at 8:06pm.

Respectfully Submitted By,

Christine Dennett
Village Clerk

Village Board of Trustees
Regular Meeting
December 5, 2018
8:00 p.m.

The Regular Meeting of the Board of Trustees of the Village of Briarcliff Manor, New York was held in the Village of Briarcliff Manor at the William J. Vescio Community Center, at 1 Library Road, Briarcliff Manor, New York on the 5th of December, 2018 commencing at 8:00 p.m.

Present

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

Also Present

Philip Zegarelli, Village Manager
Daniel Pozin, Village Attorney
Christine Dennett, Village Clerk
David Turiano, Village Engineer
Edward Ritter, Village Treasurer

Pledge of Allegiance

Board of Trustees Announcements by Trustee Zirman

Mayor Sullivan read aloud a statement regarding the process the Board undertook regarding the Comprehensive Plan and the B/BT Zone.

- Thank you to the public in attendance for coming to the meeting.
- Visit the Village website and sign up for weekly updates from the Village Manager.
- The Police Department and Fire Department have joined up to do a Toy and Coat Drive. They can be dropped off until December 14th.
- The Fire Department wants to remind everyone to be careful with space heaters.
- The Library has many upcoming events and the Fall Brochure is available. Visit the website for more information.
- Letters to Santa can be dropped off to the Recreation Office in a special mailbox.
- The Law Park Ice Rink will be open as soon as the weather is cold enough.
- Platform Tennis Season has begun. Get your permits.
- The Bonfire and Sing-A-Long will be on December 9th.

- The Club will do a presentation at the next Work Session at 7pm.

Village Managers Report by Village Manager Zegarelli

- December 7th is the Staff Holiday Party. Village Hall will close at 1pm.
- The warming shed is being worked on for the Platform Tennis Courts.
- "Don't Block The Box" was installed at the North State Road intersection.
- The Pocantico River Bridge work is furloughed until the Spring.
- The sidewalk by CSI was temporarily fixed and will be completed in the Spring.
- Leaf pickup has begun. Please keep leaves off the streets and sidewalks.
- 2019 Parking Permits are on sale.
- The 2nd half of Village taxes are due in December.

Public Comments

Mr. Clark Shepard of 144 River Road thanked the Board for their service and stated he was here on behalf of the residents in the neighborhood surrounding 600 Albany Post Road. He stated they opposed the proposal and urged the Board to reject it.

Ms. Kate Roberts, representing the Applicant stated they were working on responding to questions raised by the Board, Consultants and the Public and urged the Board to refer the application to the Planning Board for review.

Mr. Gallo Ophir of 24 Country Club Lane stated there was a lot of traffic in the area and a commercial space would worsen that. He stated it was currently a nice, quiet, dark space at night and the proposal was not in character with the neighborhood.

Mr. Joel Motley of 409 Scarborough Road stated the proposal struck him as a bad idea and asked if there was a proposal for the Philips property. He urged the Board to allow for affordable housing and cluster type development to reduce the environmental impacts.

Mr. Gary Lyons of 169 Scarborough Road stated the Route 9 Corridor was mostly residential from Tarrytown to Briarcliff Manor and that should be considered.

Mr. Ken Kail of 200 River Road stated he was against the proposal because it exceeded the lot coverage and a residential use made more sense.

Ms. Lois Kroll of 24 Creighton Lane stated she moved here for the tranquil environment and there was no need for self-storage.

Mr. John Glascott of River Road stated there was a fatality on Route 9 over the weekend and this would worsen traffic.

Award of Bid – Fire Department UTV

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

WHEREAS the Village received 1 bid for the Fire Department UTV (VM-1819-13); and

NOW, THEREFORE, BE IT RESOLVED that the bid for the Fire Department UTV (VM-1819-13); is hereby awarded to Herman's Performance with their bid proposal of \$26,208.98 which will be charged to budget code H.3410.201.18217.

BE IT FURTHER RESOLVED that the Village Manager is hereby authorized and directed to execute a contract with Herman's Performance for said equipment.

Village Justice Court Annual Report for FY 2017-2018

Village Treasurer Ritter gave a brief overview of the audit and stated the Board was required to accept it by law.

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

BE IT RESOLVED that the Village Justice Court conducted an Independent Audit for Fiscal Year 2017-2018 in accordance with Section 2019-a of the Uniform Justice Court Act.

BE IT FURTHER RESOLVED that the Board of Trustees does hereby approve and accept into the record the Village Justice Court Independent Audit for Fiscal Year 2017-2018.

Library Board Reappointment

The Board thanked Ms. Schiffrin for committing to another five years and stated she was a delightful member and the Board was lucky to have her.

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

BE IT RESOLVED, that the Board of Trustees of the Village of Briarcliff Manor hereby makes the following reappointment:

Reina Schiffrin as a member of the Library Board for a term to expire on December 31, 2023.

Petition of Lincoln Properties – Zoning Text Amendment - 600 Albany Post Road

The Board directed Village Counsel to prepare a resolution denying the petition for the next meeting.

Minutes

The minutes were tabled to the next meeting.

Adjournment

Upon motion by Trustee Zirman, seconded by Trustee Hunt, the Board voted unanimously to adjourn the meeting at 8:16pm.

Respectfully Submitted By,

Christine Dennett
Village Clerk