



AGENDA
WEDNESDAY MAY 2, 2018
BOARD OF TRUSTEES
VILLAGE OF BRIARCLIFF MANOR, NEW YORK
REGULAR MEETING – 8:00 PM

Pledge of Allegiance

Board of Trustees Announcements

Village Managers Report

Public Comments

1. Declare Emergency to Repair Valve

(write up + Resolution to follow)

2. Budget Amendments 2017-2018

3. Budget Transfer 2017-2018

4. Tax Certiorari – 1141 Pleasantville Road

5. Minutes

**NEXT REGULAR BOARD OF TRUSTEES MEETING – WEDNESDAY, MAY
16, 2018**

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
MAY 2, 2018

2. BUDGET AMENDMENTS

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

GENERAL FUND

STORM DEBRIS

FROM:	A0909	FUND BALANCE	\$45,660
TO:	A8090.435	DISPOSAL/RECYCLE MATERIAL	\$35,000
	A8090.402	EQUIPMENT RENTAL	\$10,660

WATER FUND

EMERGENCY WATER REPAIR

FROM:	F0909	FUND BALANCE	\$35,000
TO:	F8320.211	GENERAL REPAIRS/MAINTENANCE	\$35,000

LIBRARY FUND

FRIENDS OF THE LIBRARY GIFT

INCREASE EXPENSE:	L7410.206	MATCHING EXPENSES	\$800
INCREASE REVENUE:	L0101.2705	GIFTS/DONATIONS	\$800

CAPITAL PROJECTS

100-C 30" WATER MAIN

INCREASE EXPENSE:	H8397.201.100C	100C: 30" MAIN	\$119,040
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INCREASE REVENUE:

H0101.3097	STATE GRANT	\$52,800
H0101.2770	MISC CAPITAL REVENUE	\$38,816.64
H0102.5031	TRANSER IN FROM WATER	\$27,423.36

BUDGET AMENDMENT REQUEST FORM 2017/2018

Amount to:	Muni Code	Budget Line
\$ 35,000.00	A8090.435	Disposal/Recycle Material
\$ 10,660.00	A8090.402	Equipment Rental
Amount from:		
\$ 45,660.00	A0909	Fund Balance

Reason for Amendment Request: Funds for the removal/transportation of storm debris and long arm equipment

Signature of Requesting Department Head


Village Manager Approval



Village Treasurer Approval

Date Signed

20 April

Date Signed

4/20/18

Date Signed

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


BUDGET AMENDMENT REQUEST FORM

2017/2018

Amount to:	Muni Code	Budget Line
\$ 35,000.00	F8320.211	General Repairs & Maintenance
Amount from:	Muni Code	Budget Line
\$ 35,000.00	F0909	Fund Balance

Reason for Amendment Request: Funds for emergency repair of faulty valve(s) Pleasantville Rd & Spruce Rd


4/27/18
Date Signed


25 April
Date Signed


4/25/18
Date Signed

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

Philip E. Zegarelli
Village Manager

pzegarelli@briarcliffmanor.org



1111 Pleasantville Road
Briarcliff Manor, N.Y. 10510
Telephone: (914) 944-2782
Facsimile: (914) 941-4837

www.briarcliffmanor.org

MEMORANDUM

TO: Mayor and Board of Trustees (M/BOT)
FROM: Philip E. Zegarelli, Village Manager
DATE: 25 April 2018
RE: DPW Emergency Repair of Valve

P2

Previously I had noted ... and in my last Friday letter to the public ... that the semi-annual transmission main flushing caused a severe drop in water pressure and instances of no water in several residential areas. DPW has since located the series of defective valves and believed that they are now fully compromised. This is not a repair: a replacement is necessary. Work would be on Pleasantville and Spruce Roads, approximately adjacent to CSI. We have since postponed further transmission main flushing in this area. We are approximately 65% complete on this semi-annual cycle of transmission main flushing. We have switched to localized residential flushing in other parts of the VBM. Full water sourcing is restored.

Our overall concern is not just residential water but our fire hydrants could be compromised if we continue flushing in this area. The estimated cost of the "2-T formation" valves will take time to fabricate and will cost between \$20K and \$30K installed. I am budgeting \$30K since there will be a lot of hand work to be done. This is similar to the situation at the Library this Winter wherein you, (the BOT), declared an emergency in order for the Village to expedite the replacement/repair. I will have a resolution for you at our next meeting to declare an emergency so we can expedite this repair which is, and by any measurement, an emergency replacement. Funds will come from the Water Fund and work by a private contractor familiar and experienced with such work.

Any questions please contact me accordingly.

Village of Briarcliff Manor
Department of Public Works
10 Buckhout Road
Briarcliff Manor, NY 10510



Village of Briarcliff Manor
Main (914) 941-9105
Fax (914) 941-4747

MEMORANDUM

TO: Philip Zegarelli, Village Manager
Ed Ritter, Village Treasurer

FROM: Edward C. Torhan, Superintendent of Public Works

DATE: April 23, 2018

RE: Water Valve Emergency Repair

During the valve operation program last fall, the Water Department found a valve on Pleasantville Road, at the intersection of Spruce Road, which was inoperable and may have been compromised when it was exercised. During our annual hydrant-flushing program, we experienced an unprecedented drop in pressure and water loss in the same area of this valve. Numerous residents experienced no water. We now believe that the compromised valve on Pleasantville Road and Spruce Road could be the problem. This valve is on a primary water main feeding this section of the village. To avoid any potential firefighting issues and to rule out this valve as being the culprit, I recommend that we hire a contractor to replace this valve assembly (the compromised valve and two others connected in a "T" formation).

This should be classified as an emergency condition and repaired under a time and material basis, with a reputable contractor. A repair of this magnitude, on the concrete based Pleasantville Road is estimated at \$20,000 to \$30,000.

This repair will require the water being turned off for approximately 8 hours for the synagogue and residents on Spruce Road and Hemlock Road.

Please advise. $\begin{array}{r} 30,000 \\ 5,000. \text{ Contingency} \\ \hline \$ 35,000 \end{array}$

BUDGET AMENDMENT REQUEST FORM 2017/2018

Increase Expense	Muni Code	Budget Line
\$ 800.00	L7410.206	Special Matching Expenses
Increase Revenue		
\$ 800.00	L0108.2705	Special Revenue, Gifts & Donations

Reason for Amendment Request: Friends of the Library: Concert May 5, 2018

4/16/18

Signature of Requesting Department Head

16 April
Date Signed

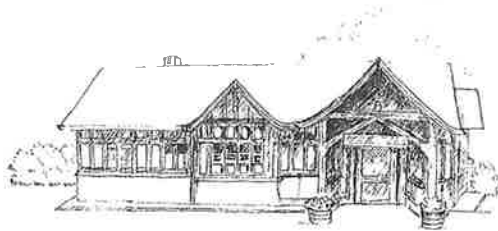
Village Manager Approval

4/16/18
Date Signed

Village Treasurer Approval

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

*Confer w BOT
on Wednesday*



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

To: Ed Ritter, Treasurer

From: Shelley Glick, Library Director

Re: Friends of Briarcliff Manor Public Library Check for Penny Lane Concert

Date: April 12, 2018

Please accept this check for \$800 from The Friends of the Briarcliff Manor Library to be used for the live concert by the Penny Lane Band on Saturday, May 5, 2018. The Library Board has approved the use of these funds for this purpose.

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

Thank you,

Shelley Glick



www.briarcliffmanorlibrary.org

PHONE: 914-941-7072

FAX: 914-941-7091

BUDGET AMENDMENT REQUEST FORM 2017/2018

Increase Expense	Muni Code	Budget Line
\$ 119,040.00	H8397.201.100-C	100-C; 30" Main
Increase Revenue	Muni Code	Budget Line
\$ 52,800.00	H0101.3097	State Grant Revenue (DOT)
Increase Revenue	Muni Code	Budget Line
\$ 38,816.64	H0101.2770	Misc Capital Revenue (Local Sources)
Increase Revenue	Muni Code	Budget Line
\$ 27,423.36	H0102.5031	Transfer in from Water

Reason for Amendment Request: to account for expense/revenue for the 100-C Main (30") replacement Project

4-24-18

Signature of Requesting Department Head

Date Signed

[Handwritten Signature]

24 April

Village Manager Approval

Date Signed

[Handwritten Signature]

4/24/18

Village Treasurer Approval

Date Signed

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

Ed Ritter

From: EngineerAdmin
Sent: Tuesday, April 24, 2018 9:24 AM
To: David Turiano; dpennella@tarrytowngov.com; wballard@sleepyhollowny.org; chiefgross@aol.com; hwessells@tarrytowngov.com
Cc: Ed Ritter; Philip Zegarelli
Subject: RE: Tri Village 30 Inch Water Main Relocation
Attachments: Tri-Village 30 Inch Relocation Draft Budget 04-24-2018.pdf; Signed DOT Resolution.pdf

This shall serve to clarify yesterday's email as it relates to payments/reimbursements for the above referenced project. In this regard, attached please find a spreadsheet that further details Project Expenses, Revenues/Obligations, and Use of Funds.

The agreement with the DOT PIN 8025.00.122 (pending approval) indicates the VBM as the municipality to receive the reimbursement for the professional services in the amount of \$52,800.00. Accordingly, the VBM will make all direct payments for these expenses together with all other project expenses as they become due. Note that in the Use of Funds portion of the spreadsheet, \$5,143.52 and \$7,010.12 are now payable to the VBM from the VSH and VTT, respectively. Your prompt payment would be appreciated.

Lastly, note that Jerry Wetzel from the DOT has indicated the below in an email to my office. As you can see, the DOT is now looking for resolutions adopting the agreement from the VSH and VTT. For your convenience, I am attaching a copy of the VBM resolution in this regard.

I am leaving it up to you to direct this email to the appropriate departments within your municipality.

Any further questions, please feel free to contact me. Thank you.

Below is Albany's response to the package I sent. They want resolutions/more info from Sleepy Hollow and Tarrytown, not just letters from that Mayors like they originally said would be okay. Sorry. Get me the requested info as soon as you can.

*Thanks
Jerry*

*Gerhard L. Wetzel, Jr., PE
Regional Utilities Engineer, R8*

From: Nusca, Cathy (DOT)
Sent: Monday, April 09, 2018 4:06 PM
To: Wetzel, Jerry (DOT) <Jerry.Wetzel@dot.ny.gov>
Cc: Miner, Heidi (DOT) <Heidi.Miner@dot.ny.gov>; Derosa, Thomas A (DOT) <Thomas.Derosa@dot.ny.gov>
Subject: RE: PIN 8025.00 Route 100C over Route 9A - Three Villages

Jerry,

We'll need a resolution from the Village of Sleepy Hollow and one from the Village of Tarrytown stating that they concur with the resolution entitled "Authorize Village Manager to Execute an Agreement with the New York State Department of Transportation for the Tri-Village Route 100C 30" Water Main Relocation Project" adopted by the Board of Trustees of the Village of Briarcliff Manor at the meeting held on the 16th of January 2018.

As of right now we have nothing from these villages authorizing the work. All we have is the word of the Village of Briarcliff Manor. Contract Management said that a letter from the Mayors wouldn't be sufficient. We need a resolution.

Here's a copy of the Briarcliff Manor resolution for reference and some other resolutions where one municipality granted authority to another municipality.

Here's some example language:

BE IT RESOLVED that the Village of Sleepy Hollow concurs with the statements contained in the resolution entitled "Authorize Village Manager to Execute an Agreement with the New York State Department of Transportation for the Tri-Village Route 100C 30" Water Main Relocation Project" adopted by the Board of Trustees of the Village of Briarcliff Manor at the meeting held on the 16th of January 2018.

Call me if you want to discuss this.

Cathy

**Allie Cirrincione
For David J. Turiano, P.E.
Village of Briarcliff Manor
Building/ Engineering Department
1111 Pleasantville Road
Briarcliff Manor, NY, 10510
Phone # (914) 944- 2770
engineeradmin@briarcliffmanor.org**

VILLAGE OF
BRIARCLIFF MANOR
www.briarcliffmanor.org



1111 PLEASANTVILLE ROAD
BRIARCLIFF MANOR, N.Y. 10510
TELEPHONE: (914) 941-4800
FAX: (914) 941-4837

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

AUTHORIZE VILLAGE MANAGER TO EXECUTE AN AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR THE TRI-VILLAGE ROUTE 100C 30" WATER MAIN RELOCATION PROJECT

WHEREAS, the New York State Department of Transportation proposes the replacement of the structure carrying Route 100C over Route 9A and the reconstruction and improvement to the bridge interchange in the Town of Greenburgh and the Town of Mount Pleasant, located in Westchester County, under Project Identification Number 8025.00.122, and

WHEREAS, the State will include as part of the construction of the above mentioned project, the relocation and adjustment to a thirty (30) inch water main and appurtenances, owned and maintained by the Villages of Briarcliff Manor, Sleepy Hollow and Tarrytown, pursuant to Section 10, Subdivision 24, of the State Highway Law, as shown on the contract plans relating to the project and meeting the requirements of the owner, and

WHEREAS, the service life of the relocated and or replaced utilities has not been extended, and

WHEREAS, the State will provide for the reconstruction of the above mentioned work, as shown on the contract plans relating to the above mentioned project.

NOW, THEREFORE, BE IT RESOLVED : That the Villages of Briarcliff Manor, Sleepy Hollow and Tarrytown approve the relocation of and adjustment to their water main and appurtenances and the above mentioned work performed on the project and shown on the contract plans relating to the project and that the Villages will acquire the necessary right-of-way and will maintain or cause to be maintained the adjusted facilities performed as above stated and as shown on the contract plans.

BE IT FURTHER RESOLVED that Mr. Philip E. Zegarelli, Village Manager for the Village of Briarcliff Manor has the authority to sign, with the concurrence of the Village Boards of the Villages of Briarcliff Manor, Sleepy Hollow, and Tarrytown, any and all documentation that may become necessary as a result of this project as it relates to the Villages and

BE IT FURTHER RESOLVED: That the clerk of the Village of Briarcliff Manor is hereby directed to transmit five (5) certified copies of the foregoing resolution to the New York State Department of Transportation.

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
MAY 2, 2018

3. BUDGET TRANSFER– EMERGENCY WATER REPAIR

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

WATER FUND

From: F0909	WATER FUND BALANCE UNRESERVED	\$27,423.36
To: F9901.910	TRANSFER TO CAPITAL	\$27,423.36

BUDGET TRANSFER (FY 17-18) REQUEST FORM

Amount from:	Muni Code	Budget Line
\$ 27,423.36	F0909	Water Fund Balance-Unreserved
Amount to:	Muni Code	Budget Line
\$ 27,423.36	F9901.910	Transfer to Capital

Reason for Transfer Request: To allocate funds for VBM portion of the 100-C Water Main (30") replacement

Signature of Requesting Department Head DANIEL TRUJANO Date Signed 4.24.18

Village Manager Approval [Signature] Date Signed 24 April

Village Treasurer Approval [Signature] Date Signed 4/24/18

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

Tri-Village 30 Inch Water Main Relocation at Route NYS100C
DRAFT April 24, 2018

Revenue/ Obligations			
NYSDOT Reimbursement PIN 8025.00.122 01/01/2018 (a)	Village of Briarcliff Manor 41.40%	Village of Sleepy Hollow 24.80% (b)	Village of Tarrytown 33.80% (c)
\$52,800.00	\$27,423.36	\$16,427.52	\$22,389.12

187 Drawdown

Project Expenses	
Task	Project Overall Budget
NYSDOT Share	
Engineering Preliminary Design	\$16,000.00
Engineering Final Design	\$7,000.00
Engineering Support during Construction	\$29,800.00
Total NYSDOT Cost (a)	\$52,800.00
Tri-Village Share	
Survey for Easement	\$1,240.00
Misc. Survey	\$5,000.00
As-Built Preparation	\$5,000.00
Additional Infrastructure As Ordered by Engineer, est. 10% value of work	\$50,000.00
Legal, Easement Preparation, etc	\$5,000.00
Total Tri-Village Share (d)	\$66,240.00
Total Project Cost	\$119,040.00

Use of Funds					
Vendor	Amount	VBM Share	VSH Share	VTT Share	
PCI 02/09/2018	\$19,500.00	\$8,073.00	\$4,836.00	\$6,591.00	
TC Merritts Land Surveyors	\$1,240.00	\$513.36	\$307.52	\$419.12	
Total	\$20,740.00	\$8,586.36	\$5,143.52	\$7,010.12	

(a) NYSDOT Reimbursement PIN 8025.00.122 01/01/2018, \$52,800.00- pending counter approval from DOT.
 (b) VSH share per Decembr 22, 2000 IMA with VBM.
 (c) VTT share per July 16, 2004 IMA with VBM.
 (d) Additional project costs not reimbursed by NYSDOT.

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
MAY 2, 2018

4. TAX CERTIORARIS – 1141 PLEASANTVILLE ROAD

137 OPERATORS HOLDING

WHEREAS, MJV Realty Development Corp. (1141 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 2010-2016; and

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

WHEREAS, a Consent Order of the Supreme Court of the State of New York, County of Westchester, was entered on April 9, 2018;

WHEREAS, the Consent Order was received after the finalization of the approval of the Village budget for Fiscal Years 2014-2015, 2015-2016, 2016-2017 and 2017-2018;

WHEREAS, the Consent Order reduced the tax assessment for the subject property for the Fiscal Years 2014-2015, 2015-2016, 2016-2017 and 2017-2018 assessment roll; and

NOW THEREFORE, BE IT RESOLVED that the Board of Trustees does hereby authorize the refund of the tax bill for Fiscal Years 2014-2015, 2015-2016, 2016-2017 and 2017-2018 in the amount of \$1,574.07 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
2013	1141 Pleasantville Rd.	\$100,325	\$96,312	\$4,013	\$9,748.18	\$9,358.25	\$389.93	
2014	1141 Pleasantville Rd.	\$100,325	\$96,312	\$4,013	\$9,951.04	\$9,552.99	\$398.04	
2015	1141 Pleasantville Rd.	\$100,325	\$96,312	\$4,013	\$10,019.30	\$9,618.53	\$400.79	
2016	1141 Pleasantville Rd	\$1,741,900	\$1,672,224	\$69,676	\$9,632.71	\$9,247.40	\$385.31	
				\$81,715			\$1,574.07	
				TOTAL AV REDUCTION			TOTAL REVENUE REDUCTION	\$1,574.07

7/6/2015
Rate -Town of Ossining
Bill Year VBM

2007 2008 2009 2010 2011 2012 2013 2014 2015 2016 2017
81 0456 84 8943 86 5802 \$ 87.30 \$ 89.00 90.32 93.988 97.166 99.188 99.8684 5.53

Year	Owner on Bill	Bill #	Parcel Address	Parcel	Assessed Value	Current Tax Bill	Reduction Tax Bill	New Assessed	Reduction Amount	New Tax Amount	Change In Tax	Refund Yrs	Refund Prior Current Yr	Abate 2nd Half
2013	MJV Realty Development		1498 1141 Pleasantville Road	98 10-1-63	\$ 100,325.00	\$ 9,748.18	\$ 389.93	\$ 96,312.00	\$ 4,013.00	\$ 9,358.25	\$ 389.93	\$ 389.93	\$ 389.93	
2014	MJV Realty Development		20151513 1141 Pleasantville Road	98 10-1-63	\$ 100,325.00	\$ 9,951.04	\$ 398.04	\$ 96,312.00	\$ 4,013.00	\$ 9,552.99	\$ 398.04	\$ 398.04	\$ 398.04	
2015	MJV Realty Development		20161197 1141 Pleasantville Road	98 10-1-63	\$ 100,325.00	\$ 10,019.30	\$ 400.79	\$ 96,312.00	\$ 4,013.00	\$ 9,618.53	\$ 400.79	\$ 400.79	\$ 400.79	
2016	MJV Realty Development		20171194 1141 Pleasantville Road	98 10-1-63	\$ 1,741,900.00	\$ 9,632.71	\$ 385.31	\$ 1,672,224.00	\$ 69,676.00	\$ 9,247.40	\$ 385.31	\$ 385.31	\$ 385.31	
											\$ 1,574.07	\$ 1,188.76	\$ 385.31	\$ -

A1964.423 Budget Prior Refunds \$ 100,000.00
Balance \$ 100,000.00

A1964.423 Refund of Real Prop \$ 1,188.76
A0102.1001 Real Prop Tax Rev. \$ 385.31

Total Reduction \$ 1,574.07

SAVAD CHURGIN, LLP
ATTORNEYS AT LAW

Paul Savad
Joseph A. Churgin

Susan Cooper
Donna Sobel

Of Counsel:
Mark F. Goodfriend
Andrew Cohen
James McEnroe

55 OLD TURNPIKE ROAD – SUITE 209
(Rt. 59 & THRUWAY EXIT 14)
NANUET, NEW YORK 10954

(845) 624-3820

mail@savadchurgin.com
Fax: (845) 624-3821
website: SavadChurgin.com

798 ROUTE 9, SUITE D1
FISHKILL, NY 12524

April 12, 2018

Via: Certified Mail/RRR

Town of Ossining
16 Croton Avenue
Ossining, New York 10562
Attn: Receiver of Taxes

Briarcliff Manor UFSD
45 Ingham Road
Briarcliff Manor, NY 10510
Attn: Superintendent

Village of Briarcliff Manor
1111 Pleasantville Road
Briarcliff Manor, NY 10510
Attn: Receiver of Taxes

Westchester County Finance Dept.
Michaelian Office Building
148 Martine Avenue
White Plains, New York 10601
Attn: Commissioner of Finance

Re: *MJV Realty Development Corp. vs. Town of Ossining*
Tax Map Parcel: 98.10-1-63; 1141 Pleasantville Rd.

Dear Sir/Madam:

Enclosed for service upon you please find a copy Order and Judgment Reducing Assessments signed by Judge Bruce E. Tolbert and entered on April 4, 2018, along with a copy of Notice of Entry, and proof of payment of taxes (to Westchester County Finance Dept.).

Please note the specific terms of the Order and Judgment. Without limitation, all refund checks should be made payable to "Savad Churgin, LLP", as attorneys for the Petitioner and forwarded to the address above. In addition, please include a schedule detailing

TOWN OF OSSINING

APR 16 2018

ASSESSORS OFFICE

your calculations of the refund amount with the applicable tax rate for each year, or a revised tax bill if applicable.

Please also note the date by which payments must be made to avoid accrual of interest.

Very truly yours,



JOSEPH A. CHURGIN
JAC/pd
encs.

cc: Benjamin F. Leavitt, Esq., Town of Ossining
✓ Fernando Gonzalez, Town Assessor - Town of Ossining
Marc E. Sharff, Esq., Shaw, Perelson, May and Lambert, LLP

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WESTCHESTER

-----X

In the Matter of the Application of

MJV REALTY DEVELOPMENT CORP.

Petitioner,

- against -

**NOTICE OF ENTRY OF
DECISION AND ORDER**

TOWN OF OSSINING, (Municipal Corporation)
its ASSESSOR AND BOARD OF ASSESSMENT REVIEW

Respondents.

Index Nos.:
23346/2010
55769/2011
65278/2012
64048/2013
64672/2014
65284/2015
63053/2016

For Review of the Assessment of certain Real Property
in the Town of Ossining, New York for Assessment
Rolls: 2010, 2011, 2012, 2013, 2014, 2015 and 2016

-----X

PLEASE TAKE NOTICE that the within is a true copy of the Order and

Judgment of the Westchester County Supreme Court, State of New York, entered in the office
of the County Clerk on the 9th day of April, 2018.

Dated: Nanuet, New York
April 12, 2018



Savad Churgin LLP
Joseph A. Churgin, Esq.
55 Old Turnpike Road, Suite 209
Nanuet, New York 10954
(845) 624-3820

To: Benjamin Leavitt, Esq.
Town of Ossining
16 Croton Avenue
Ossining, New York 10562

Marc E. Sharff, Esq.
Shaw, Perelson, May and Lambert, LLP
115 Stevens Avenue
Valhalla, NY 10595

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WESTCHESTER

-----X
In the Matter of the Application of

MJV REALTY DEVELOPMENT CORP.

Assigned to
HON. BRUCE E. TOLBERT,
Justice of Supreme Court

ORDER AND JUDGMENT
REDUCING ASSESSMENTS

Petitioner,

- against -

TOWN OF OSSINING, (Municipal Corporation),
its ASSESSOR AND BOARD OF ASSESSMENT REVIEW,

Index Nos.:
23346/2010
55769/2011
65278/2012
64048/2013
64672/2014
65284/2015
63053/2016

Respondents.

For review of the Assessment of certain Real Property
in the Town of Ossining, New York for Assessment
Rolls 2010, 2011, 2012, 2013, 2014, 2015 and 2016
-----X

Upon the Stipulation by the attorneys for the respective parties hereto, which provides for the settlement of certain proceedings brought by the petitioner to review the tax assessments fixed and imposed by the Town of Ossining for the Assessment Rolls 2010, 2011, 2012, 2013, 2014, 2015 and 2016 for purposes of taxation upon certain real property located at 1141 Pleasantville Rd., in the Village of Briarcliff Manor, Town of Ossining and known as S/B/L: 98.10-1-63,, on the official assessment map of said municipality, and due deliberation having been had thereon,

NOW, on motion of SAVAD CHURGIN LLP, attorneys for the petitioner, it is

ORDERED, ADJUDGED AND DECREED that the assessment of the petitioner's property upon the Assessment Roll of the Town of Ossining, be and hereby is reduced, corrected and fixed as follows:

*MJV Realty Dev.
1141 P.V. Rd.*

TAX LOT	YEAR	ORIGINAL ASSESSMENT \$	CORRECTED ASSESSMENT \$	ASSESSMENT REDUCTION \$
98.10-1-63	2010	100,325	100,325	0
	2011	100,325	100,325	0
	2012	100,325	100,325	0
	2013	100,325	96,312	4,013
	2014	100,325	96,312	4,013
	2015	100,325	96,312	4,013
	2016	1,741,900	1,672,224	69,676

*1498
2016 1197 2015 1513
2016 1197
2017 1194*

and it is further

ORDERED, ADJUDGED AND DECREED that the allocations between land and improvements of said assessment, as reduced, shall be left to the sole discretion of the Assessor of the said municipality, and it is further

ORDERED, ADJUDGED AND DECREED that the 2017 assessment is reduced to \$1,600,000 and petitioner shall not be entitled to seek a further reduction thereon; and it is further

ORDERED, ADJUDGED and DECREED that the officer or officers having custody of the Assessment Rolls upon which the above mentioned assessments and any taxes levied thereon are entered shall correct said entries in conformity with this Order and Judgment and shall note upon the margin of said rolls, opposite said entries, that the same have been corrected by the authorization of this Order and Judgment, and it is further

ORDERED, ADJUDGED and DECREED that the County of Westchester, and/or the Town of Ossining, and/or the Village of Briarcliff Manor, and/or Briarcliff Manor Union Free School District as appropriate, shall audit and allow the claim of petitioner for the overpayment of the State, County, Town, Village and School taxes (including Library) and

taxes relating to any special taxing district for which the Town, and/or County, and/or Village, and/or Briarcliff Manor Union Free School District collects such taxes, as appropriate, against the original assessments in excess of what the taxes would have been if said assessments made in the aforesaid years had been made upon the reduced valuations, together with the proportionate share of any interest or penalty paid by reason of delinquent payment of said excess taxes, and it is further

ORDERED, ADJUDGED and DECREED that all tax refunds to be made by respondents Town of Ossining, and/or Village of Briarcliff Manor, and/or Briarcliff Union Free School District, and/or County of Westchester, or any of the various taxing authorities, be made by check or draft, payable to the order of "Savad Churgin LLP, as attorneys" for the petitioner, and it is further

ORDERED, ADJUDGED and DECREED that the refunds shall include interest thereon at the statutory rate in accordance with Real Property Tax Law, Section 726(2); however interest is waived if refunds are paid within sixty (60) days, after a copy of the Order with Notice of Entry is served; together with proof of payment of taxes; and it is further

ORDERED, ADJUDGED and DECREED that the said tax review proceedings shall be settled without the allowance or payment of costs and disbursements to, by or against any party.

White Plains, New York

Dated: April 4th, 2018
White Plains NY

Bruce E. Tolbert
HON. BRUCE E. TOLBERT, J.S.C.

Tanya C. ...
04-04-2018



March 27, 2018

TO: HON. BRUCE E. TOLBERT
Richard J. Daronco Courthouse
111 Dr. Martin Luther King, Jr. Blvd., Rm. 1618
White Plains, New York 10601

Attn: Kathleen Stradling
Court Clerk

FROM: Jeffrey P. Goldman *JPG*
Assistant County Attorney

RE: **MJV Realty Development vs Town of Ossining (CON111426)**
Index Nos.: 23346/10; 55769/11; 65278/12; 64048/13;
64672/14; 65284/15; 63053/16
1141 Pleasantville Road, Town of Greenburgh
S/B/L: 98.10-1-63

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

JPG:ml
Enc.

RECEIVED

FEB - 9 2018

TIMOTHY C. IDONI
COUNTY CLERK
COUNTY OF WESTCHESTER

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WESTCHESTER

-----X
In the Matter of the Application of

MJV REALTY DEVELOPMENT CORP.

Petitioner,

- against -

TOWN OF OSSINING, (Municipal Corporation),
its Assessor and Board of Assessment Review,

Respondents.

For Review of the Assessment of certain Real Property
In the Town of Ossining, New York for Assessment
Rolls 2010, 2011, 2012, 2013, 2014, 2015 and 2016
-----X

**STIPULATION OF
SETTLEMENT**

Index Nos.:
23346/2010
55769/2011
65278/2012
64048/2013
64672/2014
65284/2015
63053/2016

IT IS HEREBY STIPULATED AND AGREED, by and between the attorneys for the respective parties hereto, that a proposed Order and Judgment, a copy of which is annexed hereto, shall be made and entered settling certain proceedings brought by the Petitioner to review the tax assessments fixed and imposed by the Town of Ossining for the assessment rolls 2010, 2011, 2012, 2013, 2014, 2015 and 2016 for purposes of taxation upon certain real property located at 1141 Pleasantville Rd., in the Village of Briarcliff Manor, Town of Ossining and known as S/B/L: 98.10-1-63, on the official assessment map of said municipality, and providing that the assessed valuations of petitioner's property upon the assessment rolls of the Town of Ossining be settled as follows:

TAX LOT	YEAR	ORIGINAL ASSESSMENT \$	CORRECTED ASSESSMENT \$	ASSESSMENT REDUCTION \$
98.10-1-63	2010	100,325	100,325	0
	2011	100,325	100,325	0
	2012	100,325	100,325	0
	2013	100,325	96,312	4,013
	2014	100,325	96,312	4,013
	2015	100,325	96,312	4,013
	2016	1,741,900	1,672,224	69,676

STIPULATED AND AGREED, that the assessed valuations of Petitioner's property upon the assessment rolls of the Town of Ossining be reduced, corrected and fixed as follows; and it is further

STIPULATED AND AGREED that the allocations between land and improvements, as reduced, shall be left to the sole discretion of the Assessor of the said municipality; and it is further

STIPULATED AND AGREED that the 2017 assessment is reduced to \$1,600,000 and petitioner shall not be entitled to seek a further reduction thereon; and it is further

STIPULATED AND AGREED that the Order and Judgment provide, pursuant to the Real Property Law of the State of New York, that the officer or officers having custody of the assessment rolls upon which the above mentioned assessments and any taxes levied thereon are entered shall correct said entries in conformity with this Order and Judgment and shall note upon the margin of said entered roll, opposite said entries, that the same have been corrected by the authorization of the Order and Judgment; and it is further

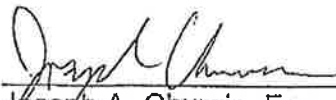
STIPULATED AND AGREED that the Order and Judgment further provide that the County of Westchester and/or the Town of Ossining, and/or the Village of Briarcliff Manor, and/or Briarcliff Manor Union Free School District as appropriate, shall audit and allow the claim of petitioner for the overpayment of State, County, Town, Village and School taxes (including Library) and taxes relating to any special taxing district for which the Town, and/or County, and/or Village, and/or Briarcliff Manor Union Free School District collects such taxes, as appropriate, against the original assessments in excess of what the taxes would have been if said assessments made in the aforesaid years had been made upon the reduced valuations, together with the proportionate share of any interest or penalty paid by reason of delinquent payment of said excess taxes; and it is further

STIPULATED AND AGREED that the Order and Judgment provide that all said refunds to be made by respondent Town of Ossining, and/or Village of Briarcliff Manor, and/or Briarcliff Union Free School District, and/or County of Westchester or any of the various tax authorities, be made by check or draft, payable to the order of "Savad|Churgin LLP, as attorneys" for the petitioner; and it is further

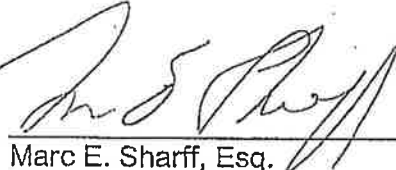
STIPULATED AND AGREED that the Order and Judgment further provide that the refunds shall include interest thereon at the statutory rate in accordance with Real Property Tax Law, Section 726(2), however, interest is waived if refunds are paid within sixty (60) days after a copy of the Order with Notice of Entry is served; and it is further

STIPULATED that an Order shall be submitted to the Court in the form annexed.

Date: 2/5, 2018


Joseph A. Churgin, Esq.
Savadi Churgin LLP
Attorneys for Petitioner
55 Old Turnpike Road, Ste. 209
Nanuet, NY 10954

Date: 2/1, 2018


Marc E. Sharff, Esq.
Shaw, Perelson, May and Lambert, LLP
Attorneys for Intervenor-Respondent
115 Stevens Avenue
Valhalla, NY 10595

Date: 1/26, 2018


Benjamin F. Leavitt, Esq.
Attorney for Respondent Town
16 Croton Avenue
Ossining, NY 10562

*Special Counsel
to the Town of
Ossining*

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WESTCHESTER

-----X
In the Matter of the Application of

MJV REALTY DEVELOPMENT CORP.

Petitioner,

- against -

TOWN OF OSSINING, (Municipal Corporation)
its ASSESSOR AND BOARD OF ASSESSMENT REVIEW

Respondents.

For Review of the Assessment of certain Real Property
in the Town of Ossining, New York for Assessment
Rolls: 2010, 2011, 2012, 2013, 2014, 2015 and 2016

-----X

STATE OF NEW YORK)
)
COUNTY OF ROCKLAND)

JOSEPH A. CHURGIN, an attorney duly admitted to practice law in the State of New York,
hereby affirms the following is true under penalty of perjury:

On April 12, 2018, I served a true copy of *Order and Judgment Reducing Assessments* on
the individuals listed below by:

Certified Mail, Return Receipt

Town of Ossining
16 Croton Avenue
Ossining, New York 10562
Attn: Receiver of Taxes

Briarcliff Manor UFSD
45 Ingham Road
Briarcliff Manor, NY 10510
Attn: Superintendent

Village of Briarcliff Manor
1111 Pleasantville Road
Briarcliff Manor, NY 10510
Attn: Receiver of Taxes

**AFFIRMATION OF
SERVICE BY MAIL**

Index Nos.:
23346/2010
55769/2011
65278/2012
64048/2013
64672/2014
65284/2015
63053/2016

Westchester County Finance Dept.
Michaelian Office Building
148 Martine Avenue
White Plains, New York 10601
Attn: Commissioner of Finance

Dated: Nanuet, New York
April 12, 2018



Savad Churgin LLP
Joseph A. Churgin, Esq.
55 Old Turnpike Road, Suite 209
Nanuet, New York 10954
(845) 624-3820

The Organization Meeting of the Board of Trustees of the Village of Briarcliff Manor was held in the William J. Vescio Community Center, at 1 Library Road, Briarcliff Manor, New York, on the Wednesday, the 4th day of April 2018, commencing at 7:30 p.m.

Present

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

Also Present

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

Swearing in of the Newly Elected Officials:

Village Clerk Christine Dennett swore in Cesare DeRose and Kevin Hunt as Trustees both with terms expiring in two (2) years.

Mayoral Appointments:

Upon motion by Trustee DeRose, seconded by Deputy Mayor Pohar, the Board voted to confirm the following appointments:

Deputy Mayor	Cesare DeRose	1 year
Westchester County Municipal Officials Association	Lori A. Sullivan	1 year
Town Government	Lori A. Sullivan	1 year
County Government	Mark L. Wilson	1 year
State Government	Mark L. Wilson	1 year
Recreation Committee	Bryan Zirman	1 year
Conservation Advisory Council	Cesare DeRose, Jr.	1 year
Library Board	Kevin Hunt	1 year
School Boards	Cesare DeRose, Jr.	1 year
Historic River Towns of Westchester	Mark L. Wilson	1 year
Media & Telecommunications	Kevin Hunt	1 year
Business District Liaison	Bryan Zirman	1 year
Fire Dept. Liaison	Bryan Zirman	1 year
Fire Dept. Liaison	Cesare DeRose, Jr.	1 year
Scarborough/Briarcliff Manor Historical Society	Bryan Zirman	1 year
Park Development/Improvement	Bryan Zirman	1 year

Point Trustees/Village's Major Goals:

Upon motion by Trustee Wilson, seconded by Deputy Mayor DeRose, the Board voted to confirm the following appointments:

Infrastructure Long Term Planning	Kevin Hunt
Update Local Code	Lori A. Sullivan
ARAC-Revise/Estab. Comm. Design	Cesare DeRose, Jr.
Explore Village/Town	Bryan Zirman
Tax Savings/Efficiency Initiatives	Mark L. Wilson

Upon motion by Trustee Hunt, seconded by Trustee Wilson, the Board voted unanimously to approve the following terms to begin on April 4, 2018 and to expire at noon on the first Monday of April of their respective years:

Announcement of the Following Board of Trustees Appointments:

Board of Police Commissioners	Board of Trustees	1 year
Board of Fire Commissioners	Board of Trustees	1 year
Village Manager	Philip Zegarelli	1 year
Deputy Village Clerk	Philip Zegarelli	1 year
Deputy Registrar of Vital Statistics	Philip Zegarelli	1 year
Village Historian	Karen Smith	1 year
Associate Village Justice	Laurie Sullivan	1 year
Village Counsel	Clinton Smith	1 year

Upon motion by Deputy Mayor DeRose, seconded by Trustee Zirman, the Board voted unanimously to approve the following terms to begin on April 4, 2018 and to expire at noon on the first Monday of April of their respective years:

Announcement of the Appointment to the Various Boards and Commissions:

Planning Board

Chairperson	Edward Nolan	1 year
Member	Edward Nolan	5 years
Alternate	Sabine Werner	1 year

Zoning Board of Appeals

Chairperson	Christopher Bogart	1 year
Member	Christopher Bogart	5 years

Recreation Advisory Committee

Chairperson	Georgina Gualdino	1 year
Member	Greg DeMilia	3 years

Ethics Board

Chairperson	Anthony Capasso	1 year
Member	Anthony Anisman	5 years
Member	Philip Zegarelli	1 year

Tree Preservation

Member-V.M.	Philip Zegarelli	1 year
Member-P.B.	Edward Nolan	1 year

Architectural Review Advisory Committee

Chairperson	Joseph Pastore	1 year
Member	Kate Aker	3 years

Dates of Regular Meetings

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

The Village Board of Trustees regular meetings are held on the first and third Wednesday of each month at 8:00 p.m. with a work session before each meeting beginning at 6:30p.m. An additional work session will be held on the fourth Wednesday of each month beginning at 6:30p.m.

Designation of Banks for the Deposit of Village Funds:

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

- a. JP Morgan Chase
- b. Wells Fargo Bank, NA
- c. TD Bank
- d. Greater Hudson Bank
- e. Webster Bank
- f. Glens Falls National Bank

Designation of Official Village Newspapers:

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

- a. Journal News
- b. The Gazette

Procurement Policy:

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

PROCUREMENT POLICY FOR THE VILLAGE BRIARCLIFF MANOR

1. Every purchase to be made must be initially reviewed to determine whether it is a purchase contract or a public works contract. Once that determination is made, a good faith effort will be made to determine whether it is known or can reasonably be expected that the aggregate amount to be spent on the item of supply or service is not subject to competitive bidding, taking into account past purchases and the

aggregate amount to be spent in a year. The following items are not subject to competitive bidding pursuant to Section 103 of the General Municipal Law: purchase contracts under \$20,000 (eg. Equipment, materials, supplies, etc.) and public works contracts under \$35,000; emergency purchases; certain municipal hospital purchases; goods purchased from agencies for the blind or severely handicapped; goods purchased from correctional institutions; purchases under State and country contracts; and surplus and second-hand purchases from another governmental entity.

The decision that a purchase is not subject to competitive bidding will be documented in writing by the individual making the purchase. This documentation may include written or verbal quotes from vendors, a memo from the purchaser indicating how the decision was arrived at, a copy of the contract indicating the source which makes the item or service exempt, a memo from the purchaser detailing the circumstances which led to an emergency purchase, or any other written documentation that is appropriate.

2. All goods and services will be secured by use of written requests for proposals, written quotations, verbal quotations, or any other method that assures that goods will be purchased at the lowest price and that favoritism will be avoided, except in the following circumstances; purchase contracts over \$20,000 and public works contracts over \$35,000; goods purchased from agencies for the blind or severely handicapped pursuant to Section 175b of the State Finance Law; goods purchased from correctional institutions pursuant to Section 186 of the Correction Law; purchases under State contracts pursuant to Section 104 of the General Municipal Law; purchases under county contracts pursuant to Section 103(3) of the General Municipal Law; or purchases pursuant to subdivision 6 of this policy.
3. The following method of purchase will be used when required by this policy in order to achieve the highest savings:

Estimated Amount of
Purchase Contract

\$ 500-2,999

Method

Minimum of three verbal quotations

\$3,000-19,999 Minimum of three written/fax quotations or written request for proposals

Estimated Amount of
Public Works Contract

\$ 500-2,999

Method

\$3,000-34,999
written request

Minimum of three written/fax quotations or
for proposals

A good faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser will document the attempt made at obtaining the proposals. In no event shall the failure to obtain the proposals be a bar to the procurement.

4. Documentation is required of each action taken in connection with each procurement.
5. Documentation and an explanation are required whenever a contract is awarded to other than the lowest responsible offeror. This documentation will include an explanation of how the award will achieve savings or how the offeror was not responsible. A determination that the offeror is not responsible shall be made by the purchaser and may not be challenged under any circumstances.
6. Pursuant to General Municipal Law Section 104-b(2)(f), the procurement policy may contain circumstances when, or types of procurements for which, in the discretion of the Village Manager, the solicitation of alternative proposals or quotations will not be in the best interest of the municipality. In the following circumstances it may not be in the best interests of the Village of Briarcliff Manor to solicit quotations or document the basis for not accepting the lowest bid.
 - a. Professional services or services requiring special or technical skill, training or expertise. The individual or company must be chosen based on accountability, reliability, responsibility, skill, education and training, judgment, integrity and moral worth. These qualifications are not necessarily found in the individual or company that offers the lowest price and the nature of these services are such that they do not readily lend themselves to competitive procurement procedures.

In determining whether a service fits into this category the Village Manager shall take into consideration the following guidelines: (a) whether the services are subject to State licensing or testing requirements; (b) whether substantial formal education or training is a necessary prerequisite to the performance of the services; and (c) whether the services require a personal relationship between the individual and municipal officials. Professional or technical services shall include but not be limited to the following: services of an attorney; services of a physician; technical services of an engineer engaged to prepare plans, maps and estimates; securing insurance coverage and/or services of an insurance broker; services of a certified public accountant; investment management services; printing services involving extensive writing, editing or art work; management of municipally owned property; and computer software or programming services for customized programs, or services involved in substantial modification and customizing or pre-packaged software.

- b. Emergency purchases pursuant to Section 103(4) of the General Municipal Law. Due to the nature of this exception, these goods or services must be purchased immediately and a delay in order to

seek alternate proposals may threaten the life, health, safety or welfare of the residents. This section does not preclude alternate proposals if time permits.

- c. Purchases of surplus and second-hand goods from any source. If alternate proposals are required, the Village of Briarcliff Manor is precluded from purchasing surplus and second-hand goods at auctions or through specific advertised sources where the best prices are usually obtained. It is also difficult to try to compare prices of used goods and a lower price may indicate an older product.
- d. Goods or services under \$500. The time and documentation required to purchase through this policy may be more costly than the item itself and would, therefore, not be in the best interests of the taxpayer. In addition, it is not likely that such de minimis contracts would be awarded based on favoritism.

7. This policy shall go into effect January 1, 1992, was amended April 7, 2010 and April 9, 2014 and will be reviewed annually.

Investment Policy

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

INVESTMENT POLICY OF THE VILLAGE OF BRIARCLIFF MANOR

I. SCOPE

This investment policy applies to all monies and other financial resources available for investment on its own behalf or on behalf of any other entity or individual.

II. OBJECTIVES

The primary objectives of the Village's investment activities are, in priority order,

- To conform with all applicable federal, state and other legal requirements (legal);
- To adequately safeguard principal (safety);
- To provide sufficient liquidity to meet all operating requirements (liquidity); and
- To obtain a reasonable rate of return (yield).

III. DELEGATION OF AUTHORITY

The village board's responsibility for administration of the investment program is delegated to the Treasurer who shall establish written procedures for the operation of the investment program consistent with these investment guidelines. Such procedures shall include an adequate internal control structure to provide a satisfactory level of accountability based on a data base or records incorporating description and amounts of investment, transaction dates, and other relevant information and regulate the activities of subordinate employees.

IV. PRUDENCE

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair confidence in the Village to govern effectively.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

V. DIVERSIFICATION

It is the policy of the Village to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling.

VI. INTERNAL CONTROLS

The Treasurer is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly, and is managed in compliance with applicable laws and regulations.

VII. DESIGNATION OF DEPOSITARIES

The banks and trust companies authorized for the deposit of monies shall be designated annually at the April Board of Trustee meeting.

VIII. COLLATERALIZING OF DEPOSITS

In accordance with the provisions of General Municipal Law, §10, all deposits of Village, including certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured:

1. By a pledge of "eligible securities" with an aggregate "market value", or provided by General Municipal Law, §10, equal to the aggregate amount of deposits from the categories designated **Appendix A** to the policy.
2. By an eligible "irrevocable letter of credit" issued by a qualified bank other than the bank with the deposits in favor of the government for a term not to exceed 90 days with an aggregate value equal to 140% of the aggregate amount of deposits and the agreed upon interest, if any. A qualified bank is one whose commercial paper and other unsecured short-term debt obligations are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization or by a bank that is in compliance with applicable federal minimum risk-based capital requirements.
3. By an eligible surety bond payable to the government for an amount at least equal to 100% of the aggregate amount of deposits and the agreed upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims-paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations. The terms and conditions of any eligible surety shall be approved by the governing board.
4. An "irrevocable letter of credit" issued in favor of the government by a federal home loan bank whose commercial paper and other unsecured short-term debt obligations are rated in the highest rating category by at least one nationally recognized statistical rating organization, as security for the payment of 100 percent of the aggregate amount of deposits and the agreed-upon interest, if any.

IX. SAFEKEEPING AND COLLATERALIZATION

Eligible securities used for collateralizing deposits shall be held by the bank or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities are being pledged to secure Village deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presents for payment, substituted or released and the events which will enable the Village to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the Village, such securities shall be delivered in a form suitable for transfer.

The custodial agreement shall provide that securities held by the bank, or trust company, or agent of and custodian for, the Village, will be kept separate and apart from the general assets of the custodial bank or trust

company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the Village a perfected interest in the securities.

X. PERMITTED INVESTMENTS

As authorized by General Municipal Law, §11, the Village authorizes the Treasurer to invest monies not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

- Special time deposit accounts;
- Certificate of deposit;
- Obligations of the United States of America;
- Obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United States of America;
- Obligations of the State of New York;
- Obligations of the Village, but only with monies in a reserve fund established pursuant to GML, §6-c, 6-d, 6-e, 6-g, 6-h, 6-j, 6-k, 6-l, 6-m, or 6-n.

All investment obligations shall be payable or redeemable at the option of the Village within such times as the proceeds will be needed to meet expenditures for purposes for which the monies were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the Village within two years of the date of purchase.

XI. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

All financial institutions with which the Village conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of Condition (Call Report) at the request of the Village. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The Village is responsible for evaluating the financial position and maintaining a listing of proposed depositories, trading partners and custodians. Such listing shall be evaluated at least annually.

XII. PURCHASE OF INVESTMENTS

All purchased obligations, unless registered or inscribed in the name of the Village, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the Village by the bank or trust company. Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law, §10.

The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the Village, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the Village a perfected interest in the securities.

APPENDIX A Schedule of Eligible Securities

1. Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government sponsored corporation.
2. Obligations issued or fully guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank, and the African Development Bank.
3. Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the Market Value of the obligation that represents the amount of the insurance or guaranty.
4. Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by a municipal corporation, school district or district corporation of such State or obligations of any public benefit corporation which under a specific State statute may be accepted as security for deposit of public monies.
5. Obligations issued by states (other than the State of New York) of the United States rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.

6. Obligations of Puerto Rico rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
7. Obligations of counties, cities and other governmental entities of a state other than the State of New York having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
8. Obligations of domestic corporations rated in one the two highest rating categories by at least one nationally recognized statistical rating organization.
9. Any mortgage related securities, as defined in the Securities Exchange Act of 1934, as amended, which may be purchased by banks under the limitations established by bank regulatory agencies.
10. Commercial paper and bankers' acceptances issued by a bank, other than the bank, rated in the highest short-term category by at least one nationally recognized statistical rating organization and having maturities of no longer than 60 days from the date they are pledged.
11. Zero coupon obligations of the United States government marketed as "Treasury strips".

Village of Briarcliff Manor Fund Balance Policy

Upon motion by Trustee Wilson, seconded by Deputy Mayor DeRose, the Board voted unanimously to adopt the following Fund Balance Policy:

Policy Purpose:

The Village of Briarcliff Manor (VBM) has an important fiduciary responsibility to its citizens to responsibly account for public funds, to manage municipal finances wisely and to plan the adequate funding of services desired by the public, including the provision and maintenance of public facilities. Credit agencies rate municipal creditworthiness. Their primary focus is the year to year growth in our fund balance.

Municipalities strive to increase their bond rating, and now more than ever must focus on increasing fund balance.

Reserve Funds:

A. Reserve funds (which essentially are legally authorized allocated funds for particular and specific purposes) are a component in the VBM's financial planning for specific expenses, future projects, acquisitions and other lawful purposes. To achieve this governmental goal, the Village may establish and maintain reserve funds in accordance with New York State laws. This includes, but is not limited to, considering rules and/or opinions issued by the New York State Comptroller.

B. Village reserves funds must be properly established, designated, and maintained by the Mayor and Board of Trustees (M/BOT)'s to promote the goals of creating an open, transparent and accountable use of public funds. The VBM may engage

independent experts and professionals, including but not limited to auditors, accountants and other financial and legal counsel, as necessary to monitor all reserve fund activity and prepare reports that the M/BOT may require.

Fund Balance Reporting:

GASB issued Statement No. 54, "*Fund Balance Reporting and Governmental Fund Type Definitions*", in February 2009. The requirements of GASB Statement No. 54 became effective for financial statements for the Village's fiscal period ending 31 May 2012. GASB Statement No. 54 abandoned the reserved and unreserved classifications of fund balance and replaced them with five new classifications: Non-spendable, restricted, committed, assigned and unassigned which are currently defined by the GASB as follows:

Nonspendable – consists of assets that are inherently non-spendable in the current period either because of their form or because they must be maintained intact, including prepaid items, inventories, long-term portions of loans receivable, financial assets held for resale and principal of endowments.

Restricted – consists of amounts that are subject to externally enforceable legal purpose restrictions imposed by creditors, grantors, contributors, or laws and regulations of other governments; or through constitutional provisions or enabling legislation.

Committed – consists of amounts that are subject to a purpose constraint imposed by a formal action of the government's highest level of decision-making authority (for VBM its M/BOT) before the end of the fiscal year, and that require the same level of formal action to remove the constraint.

Assigned – consists of amounts that are subject to a purpose constraint that represents an intended use established by the government's highest level of decision-making authority (M/BOT), or by their designated body or official. The purpose of the assignment must be narrower than the purpose of the General Fund, and in funds other than the General Fund, assigned fund balance represents the residual amount of fund balance.

Unassigned – represents the residual classification for the government's General Fund, and could report a surplus or deficit. In funds other than the General Fund, the unassigned classification should be used only to report a deficit balance resulting from overspending.

For the purposes of this Village Policy the term "Unassigned" shall be deemed to include not only General Fund but also Water Fund which is budgeted and operated separate from the General Fund.

Funding Policy for restricted or committed and assigned fund balances:

The formal action of the government's highest level of decision-making authority (M/BOT) that restricts, commits or assigns fund balance to a specific purpose should occur prior to the end of the reporting period, but the amount, if any, which will be subject to the constraint, may be determined in the subsequent financial

reporting period.

Spending policy for all (General and Water) Fund Balances:

By adoption of this policy, the VBM shall maintain the unassigned fund balances at a level no less than 10% each of the total annual revenues for the General Fund and Water Fund. Should a fund balance fall below the 10% floor due to emergencies or service delivery requirements above or beyond the limitations established by the Financial Goals and Policies, the M/BOT will develop a plan to re-establish at least a 10% floor within a period of no more than three years. Village policy shall be to grow Fund Balance to a 20% threshold. When this threshold is achieved, Village management shall make recommendations to the M/BOT to adjust/adhere to current economic and operational indicators. In all cases, reserves shall be set aside for unknown and unpredictable events, such as the result of a natural disaster, and may be used for unbudgeted and/or unpredictable expenses. The M/BOT shall make a formal resolution and vote in public on such recommendation.

The M/BOT will determine the composition of its ending fund balance(s) by applying its accounting policies regarding whether it considers restricted or unrestricted amounts to have been spent when an expenditure is incurred for purposes for which both restricted and unrestricted (committed, assigned, or unassigned) amounts are available. Similarly, within the unrestricted fund balance(s), the classification should be based on the government's accounting policies regarding whether it considers committed, assigned or unassigned amounts to have been spent when an expenditure is incurred for purposes for which amounts in any of those unrestricted fund balance(s) classifications could be used. If a government does not establish a policy for its use of unrestricted fund balance(s) amounts, it should consider that committed amounts would be reduced first, followed by assigned amounts, and then unassigned amounts when expenditures are incurred for purposes for which amounts in any of those unrestricted fund balance classifications could be used.

Periodic review and annual report:

A. The M/BOT and Village Manager (VM) will periodically review all restricted committed and assigned fund balances. The VM will prepare and submit an annual report of all restricted, committed and assigned funds for the M/BOT. The annual report shall include the following information for each reserve fund.

- (1) The type and description of the reserve fund.
- (2) The interest earned on each reserve fund.
- (3) Capital gains or losses resulting from the sale of investments of the reserve funds from
the previous reporting period.
- (4) The sum total increase and sum total decrease in the reserve funds.
- (5) The ending balance in the reserve funds at fiscal year end.
- (6) A summary statement of projected use and the need of the reserve funds exclusive of
the unassigned.

B. The M/BOT shall utilize the information in the annual report to discuss reserve

fund balances and to adequately maintain necessary funds for the VBM's long-term financial planning. The M/BOT will be mindful of its role and responsibility as a fiduciary of public funds when acting on all reserve fund issues.

Adoption of Board of Trustees Rules of Procedure

Upon motion by Trustee Wilson, seconded by Deputy Mayor DeRose, the Board voted unanimously to adopt the following Board of Trustees Rules of Procedures:

VILLAGE OF BRIARCLIFF MANOR BOARD OF TRUSTEES RULES OF PROCEDURE

Pursuant to New York Village Law §4-412(2), but subject to the other provisions of New York Law and the Village of Briarcliff Manor Code, the following rules of procedure are adopted and shall govern the meetings of the Board of Trustees of the Village of Briarcliff Manor:

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 8:00 PM and be conducted in the William J. Vescio Community Center located at 1 Library Road. Any deviation from this schedule shall be determined by the Board of Trustees.

SECTION A2 - Special Meetings

Special Meetings of the Board of Trustees are all those Board meetings other than regular meetings. A special meeting may be called by the Mayor or a majority of the Board of Trustees upon notice to the entire Board. Notice shall be given in accordance with law.

SECTION A3 - Executive Sessions

Executive Sessions shall be held in accordance with the New York State Public Officers Law §105. All executive sessions shall be commenced in a public meeting. (Appendix I Executive Session Policy)

SECTION A4 – Work Sessions

Work Sessions of the Board of Trustees are those Board meetings scheduled to discuss upcoming agenda items or other matters as may be determined by the Mayor or three (3) members a of the Board. These meeting are open to the public, however comments from the public will be allowed in the discretion of the Mayor or a majority of the Board present. Notice shall be given in accordance with law.

PART B: POLICIES

SECTION B1 - Quorum

A quorum of the Board of Trustees shall be required to conduct business. A quorum of the five (5) member Board shall be three (3). In the absence of a quorum, a lesser number may adjourn and compel the attendance of absent members.

SECTION B2 - Voting

Pursuant to Village Law each member of the Board of Trustees shall have one vote. The Mayor may vote on any matter and must vote in case of a tie. The affirmative vote of three (3) members of the Board is necessary to pass a matter unless otherwise specified by New York State Law.

A vote upon any question shall be taken by ayes and nays, and shall be entered in the minutes.

SECTION B3 - Agendas

The agenda shall be prepared by the Village Clerk by Friday preceding the Wednesday meeting. The Mayor or any Trustee may have an item placed on the agenda by giving the same to the Village Manager the Friday morning before the Wednesday meeting. However, an item may be placed on the agenda at any time, including during the meeting, by consent of a majority of the Board. If necessary a supplemental agenda shall be distributed at the beginning of the meeting.

SECTION B4 - Order of Business

The order of business shall be:

- Call to order
- Public Hearings
- Board of Trustees Announcements
- Village Manager's Report and Updates
- Public Comments
- Resolutions
- Approval of Minutes
- Adjournment

The order of business need not be followed if the Mayor determines that it is appropriate to deviate.

SECTION B5 - Adjournment

Meetings shall be adjourned by motion and majority vote.

SECTION B6 - Minutes

Minutes at all Board of Trustee meetings shall be the responsibility of the Village Clerk, who with Board of Trustee approval may employ the services of a person to take minutes. Minutes of an open meeting shall consist of a record or summary of all motions, proposals, resolutions and any other matter formally voted upon and the vote thereon. Minutes of an

executive session shall be taken of any action that is taken by formal vote and shall consist of a record or summary of the final determination of such action and the vote thereon; provided, however, that such summary need not include any matter which is not required to be made public by the New York State Freedom of Information Law.

Minutes shall also include the following:

- Name of the Board;
- Date, place and time of meeting;
- Notation of presence or absence of Board members and time of arrival or departure if different from time of call to order and adjournment.
- Name and title of other village officials and employees present in an official capacity.
- Record of communications presented to the Board.
- Record of reports made by Board or other village personnel.
- Time of adjournment.
- Name of Village Clerk or person who took the minutes.

Minutes need not contain a summary of the discussion leading to action taken or include verbatim comments unless a majority of the Board resolves to have the Clerk do so. Minutes shall be considered for approval at the next Board meeting after the minutes are received by the Village Clerk.

PART C: RULES AND PROCEDURES

SECTION C1 - General Rules of Procedure

The Mayor shall preside at meetings of the Board of Trustees. In the Mayor's absence the Deputy Mayor shall preside. The presiding officer may debate, move and take other action that may be taken by other members of the Board.

Board members are not required to rise but must be recognized by the presiding officer before making motions and speaking. A member, once recognized shall not be interrupted when speaking unless it is to call the member to order. If a member, while speaking, be called to order, he or she shall cease speaking until the question of order is determined, and, if in order, he or she shall be permitted to proceed.

There is no limit to the number of times a member may speak on a question.

Motion to close or limit debate may be entertained but shall require the affirmative vote of three (3) members of the Board.

Procedural questions which are not governed by New York State law or the Village Code or addressed in these Rules of Procedure shall be determined in accordance with *Robert's Rules of Order*.

SECTION C2 - Guidelines for Public Comment

The public shall be allowed to speak only during Public Hearings, Public Comment periods, on Board of Trustees agenda items, or such other times as the presiding officer shall allow.

Speakers must be recognized by the presiding officer.

Speakers must step to the front of the room and speak into the microphone or at the lectern should one be provided. Speakers are not to approach the dais without invitation and are directed to make their remarks from the microphone or lectern.

Speakers must give their name, address and organization represented, if any.

No items or documents may be placed on the dais or presented to the Board unless either authorization is requested and granted by the presiding officer or a Board member specifically requests to see an item. All items for presentation that are granted authorization or requested by a Board member shall be presented to the Village Clerk who shall pass it the Board.

There shall be no time limit for remarks during a public hearing, however, remarks must relate directly to the public hearing topic. During the Public Comment portion of the agenda, speakers must limit their remarks to four (4) minutes, and may be recognized again by the presiding officer after other speakers have had an opportunity to speak. On Board of Trustees agenda items, speakers must limit their remarks to one and one-half (1 ½) minutes and the remarks must relate directly to the specific agenda item under discussion at that time by the Board of Trustees.

Speakers may not yield any remaining time they may have to another speaker.

Board members may, with the permission of the presiding officer, interrupt a speaker during the speaker's remarks, but only for the purpose of clarification or information.

All remarks shall be addressed to the presiding officer.

Board members may respond to questions or comments at their discretion.

Speakers shall observe the commonly accepted rules of courtesy, decorum, dignity and good taste and shall not use foul language, display unacceptable behavior, or be disruptive of the proceedings.

A buzzer or other alarm will sound to indicate that a speaker's four (4) minute time limit for Public Comment or one and one half (1 ½) minute time limit for an agenda item has been reached. Upon being notified by the presiding officer that his or her time limit has been reached, a speaker shall cease speaking, leave the microphone or lectern, if one is provided, and return to his or her seat unless a Board member requests him or her to remain to address a question of the Board member.

Interested parties or their representatives may address the Board with written communications. Written communications shall be delivered to the Village Manager or Village Clerk. Speakers may not read written communications verbatim but should summarize their contents.

The presiding officer may modify these guidelines if warranted.

SECTION C3 - Use of Recording Equipment

All members of the public and all public officials are allowed to photograph and tape or video record public meetings so long as the photography or recording is done in a manner which does not interfere with the meeting. Neither photography nor recording is allowed during executive sessions. The presiding officer may make the determination that the photography or recording is being done in a manner that interferes with the meeting after taking into consideration attendant movement and activity, distance from the deliberations of the Board, noise, size of equipment, ability of the public to participate in the meeting notwithstanding the photography or recording, and any other pertinent factor. In the use of photographic or video recording no flashes or other supplementary lighting equipment may be used beyond that of existing ambient lighting of the room. If the presiding officer makes the determination that the photography or recording is interfering with the meeting, the presiding officer may request an accommodation to avoid the interference and if not sufficient or complied with, order the photography or recording to be stopped.

SECTION C4 - Amendments to the Rules of Procedure

The foregoing procedures may be amended from time to time by the affirmative vote of three (3) members of the Board.

SECTION C5 - Executive Session Policy

It is the policy of the Board of Trustees of the Village of Briarcliff Manor to conduct Village business in an open fashion and to make available as much information as may legally and practically be disseminated.

The New York Open Meetings Law authorizes the Board to conduct business in executive session in a number of areas. These include:

1. matters which will imperil the public safety if disclosed;
2. matters which may disclose the identity of a law enforcement agent or informer;
3. information relating to criminal investigations which would imperil effective law enforcement if disclosed;
4. discussions relating to proposed, pending or current litigation;
5. collective bargaining negotiations;
6. personnel matters relating to particular individuals; and
7. the proposed acquisition, sale, or lease of real property or securities when disclosure would substantially affect the value.

The Board recognizes that it is authorized to use executive sessions in these and other situations, but will do so with restraint.

To maintain confidentiality and to encourage the uninhibited discussion of the subject matter in Executive Session, all statements made and positions taken by all participants must remain confidential and may not be disclosed by any participant unless and until disclosure is authorized by affirmative vote of three members of the Board.

It has been and continues to be the practice of the Board that all members of the Board, acting together, come to agreement by consensus on the specific information which is to be released to the public, the suitable vehicle for reporting that information, and the timing of the reporting.

Originally adopted by the Board of Trustees at its Organizational Meeting on April 7, 2005 and amended on July 20, 2006, April 9, 2007, November 5, 2009, April 6, 2011, April 4, 2012 and April 5, 2017.

Policies and Procedures for Advisory Committees

Upon motion by Trustee Zirman, seconded by Trustee Hunt, the Board voted unanimously to approve the following Policies and Procedures for Advisory Committees:

Formation of new committees:

- A title and mission statement will be developed for any proposed committee and formally approved and established by the Board of Trustees.
- Such committees are constituted by, serve at the pleasure of, and report to the Board of Trustees.
- The formation of any new committee will be announced in a public meeting, the newsletter and posted on the web and scroll.
- Committees' information, findings, conclusions and recommendations where requested, will be considered advisory rather than binding by the Board of Trustees. The Board of Trustees at all times retains its rights to exercise final decisions in the governance of the Village.

Composition

- Committee membership will be limited to a workable odd number.
- One member will be a representative from the Board of Trustees. The Mayor shall be an ex officio member of all committees with the right to make motions, speak and vote, and when present shall be counted in determining a quorum.
- Membership on committees will be representative of the community.
- Village residents, village business people, village property owners, and residents of the 10510 zip code may serve on ad hoc committees.

- The BOT shall make their best efforts to appoint a new member within one month to fill the unexpired term of a committee member.

Operations

- **Quorum:** A quorum of any committee is a simple majority of the members appointed. A quorum must be present to conduct business.
- **Structure:** All committees will have a chair, vice-chair and secretary who will be responsible for meeting minutes. Committee members' names and village-generated e-mail addresses will be posted on the web.
- **Attendance and Participation:** The obligation is to attend committee meetings. Any member who is absent for three consecutive meetings, without providing reasonable cause to the Chair, will be deemed to have resigned. Committees are working committees; all members are expected to be prepared for the meeting and participate actively.
- **Meetings:**
 - Committee meetings will start promptly at the time for which they were called.
 - A committee will strive for consensus. If it cannot achieve consensus, it shall act by a simple majority of the members.
 - All deliberations will be conducted in an open, respectful and inclusive manner.
- **Meeting Notification:** Advance notice, including an agenda, will be given for all meetings. Notices about committee work will be posted on the web site.
- **Meeting Minutes:** Written minutes will be taken at all committee meetings. Minutes may follow a standard template including the time, date and location of meeting, who attended, the topic of discussion, and any action taken.
- **Non-members** may submit their views and comments on committee activities via e-mail or written correspondence. Committees will not be required to respond to public comments.
- **Discharge:** Members may be discharged from a committee by the Board of Trustees as a result of the village's conflict of interest policy, lack of attendance, misconduct or resignation.
- **Reports and Public Statements:** An annual report from the committee shall be submitted to the BOT by the end of February. Any committee report, including summary recommendations and the annual report, is to be presented first to the BOT prior to public presentation of same.
- **Volunteerism:** Committee members shall serve without remuneration, but will be reimbursed for "out of pocket" expenses incurred in performing their duties. These expenses must be preauthorized by the Village Manager or designate. Village staff will provide committees with such public information, clerical assistance and other help as necessary for them to conduct their work.

- Draft Documents: Draft documents, including minutes and all committee reports, are confidential until formally approved by a majority of the committee. No draft documents should be retained in committee files. Public distribution of draft documents or any committee report prior to adoption by the committee shall be grounds for dismissal.

Adjournment:

Upon motion by Trustee Zirman and seconded by Trustee Hunt, the Board voted unanimously to close the meeting at 7:48 p.m.

Respectfully submitted by,

Christine Dennett

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 4th of April, 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
Christine Dennett, Village Clerk
Daniel Pozin, Village Attorney
Clinton Smith, Village Attorney
Edward Ritter, Village Treasurer

Pledge of Allegiance

Public Hearing to Renew a Special Use Permit – The American Anglican Church (Holy Innocents)

Upon motion by Trustee Hunt, seconded by Trustee Wilson, the Board voted unanimously to open the Public Hearing.

Village Attorney Pozin stated the use hadn't changed since the last approval.

Village Manager Zegarelli stated no Code violations were found at the site.

Upon motion by Trustee Wilson, seconded by Deputy Mayor DeRose, the Board voted unanimously to close the Public Hearing.

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

BE IT RESOLVED that the Special Use Permit issued to American Anglican Church (Holy Innocents) is hereby renewed subject to the same conditions included in the original Special Use Permit approval dated May 1, 2003.

BE IT FURTHER RESOLVED that the Special Use Permit renewal shall extend to May 1, 2023.

BE IT FURTHER RESOLVED that should the American Anglican Church (Holy Innocents) desire to renew this Special Use Permit for another five year period, commencing in 2023, the Church shall be responsible for requesting the renewal at least sixty (60) days prior to the expiration of the Special Use Permit.

Public Hearing Fiscal Year 2018-2019 Tentative Budget (to be continued to April 18th)

Upon motion by Trustee Zirman, seconded by Trustee Hunt, the Board voted unanimously to open the Public Hearing.

Village Manager Zegarelli gave an overview of his Budget Message and stated the Village's finance and fund balances were in good fiscal shape.

Village Treasurer Ritter did a presentation of the tentative budget.

The Board requested a reconciliation be shown of the reclassifications and a timeline for billing for the ambulance.

The Board thanked Village Manager Zegarelli and Village Treasurer Ritter for their work and keeping the budget under the tax cap.

Upon motion by Trustee Wilson, seconded by Deputy Mayor DeRose, the Board voted unanimously to continue the Public Hearing to April 18, 2018.

Board of Trustees Announcements by Trustee Zirman

- The Friends of the Library have made museum passes available to Village residents that are Library Pass holders.
- There are many upcoming Library Programs. Please visit the website for more information and to view the Spring/Summer Brochure.
- The Grand Reopening of the Children's Room will be on April 14th.
- Applications for Recreation Summer employment were being accepted.
- The Spring/Summer Brochure is online.
- The Village is working with the Insurance Adjustor to repair the Law Park playground.
- Working to get the fields in shape for the season.
- Sign up for Recreation News on the Village website.
- Historical Society Memberships are due for renewal.

Village Managers Report by Village Manager Zegarelli

- Curbside debris pickup continues.
- An estimate to repair or replace the damaged Law Park playground is being sought out.
- Many projects are going on throughout the Village.

- The Mobile Shredder will be here on April 21st.
- Pleasantville Road work will begin May 1st.
- Please sign up for the weekly report to stay informed.

Public Comments

There were no public comments.

Authorize the Village Manager to Execute an Information Technology Services Agreement

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

BE IT RESOLVED that the Village Manager is hereby authorized and directed to execute an Information Technology Services Agreement with Sullivan Data Management from April 1, 2018 through March 31, 2019 for \$45,000.

Adjournment

There will be a Work Session on April 12, 2018 at 6:00pm.

Upon motion by Trustee Wilson, seconded by Deputy Mayor DeRose, the Board voted unanimously to adjourn the meeting at 9:33pm.

Respectfully Submitted By,

Christine Dennett
Village Clerk