

Village Board of Trustees

Regular Meeting
January 6, 2005
7:30 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 Municipal Building, at 1111 Pleasantville Road, Briarcliff Manor, New York on the 6th day of January commencing at 7:30 p.m.

Present

Peter Chatzky, Mayor
David Venditti, Deputy Mayor
Elsie Smith, Trustee
William Vescio, Trustee
Donald Wilde, Trustee

Also Present

Michael Blau, Village Manager
Ingrid Richards, Assistant Village Manager
Stephanie Ippoliti, Village Clerk
Clinton Smith, Village Counsel

PUBLIC HEARING; AMENDMENT OF SPECIAL USE PERMIT; 680 ALBANY POST ROAD, AMERICAN ANGLICAN CHURCH DIOCESE OF THE HOLY INNOCENTS

Mayor Chatzky opened the public hearing on the amendment for the special use permit, 680 Albany Post Road, American Anglican Church Diocese of the Holy Innocents.

Rod Ertischek, attorney for the Holy Innocents Church, gave a summary of the application to the Planning Board.

Mayor Chatzky asked for any public comments.

Mr. Ertischek said he had a draft of the minutes of the Planning Board and submitted them to the Board of Trustees.

Trustee Wilde asked if there was any discussion of special hours for religious holidays with the Planning Board. Mayor Chatzky noted that the Church is asking for seven days a week, between the hours of 10:00 a.m. and 4:00 p.m. with the exception of Christmas Eve which would be extended hours. Mr. Ertischek confirmed that was correct.

Trustee Vescio asked if there was any proposal to amend the number of attendees. Mr. Ertischek said the number of attendees still remains the same, 24, which was the amount in the original special use permit.

Village Counsel Smith stated his understanding is the only change is the days and hours of potential operation. Trustee Smith said she is concerned about the amount of traffic coming out of the Church for events such as weddings and funerals.

Village Counsel Smith asked if the number of attendees at a wedding or funeral would be limited to 24. Mr. Ertischek confirmed it would be limited to 24 in the chapel. Village Counsel Smith asked if the application was also seeking to have approval for parties after religious events. Mr. Ertischek said he was not, and they are only seeking to have those hours for religious events.

Trustee Vescio asked if non-sacramental functions, such as reception incidental to the wedding that took place, would go beyond 4:00. Mr. Ertischek responded he did not anticipate it going beyond 4:00.

Clay Tiffany asked if the property was off the tax rolls. He said part of the property was in the Town of Mt. Pleasant. He said he thought the part of the property that is in the Village of Briarcliff was off the tax rolls. Village Manager Blau said he would find out if it was off the tax rolls in Mt. Pleasant and the Village of Briarcliff.

Trustee Wilde asked for a verification of the parking spaces. Mr. Ertischek said there are eight on the Briarcliff side and three on the Mt. Pleasant side. Trustee Wilde then asked what happens if there is an overflow situation. Mr. Ertischek said that situation has not occurred because parking has been limited to the special use permit.

Ned Midgley, One Ivanhoe Place, said there has been an overflow of parking. He said parking has occurred along a private road which goes along side of the property, and it has happened more than once. He further stated he thought the Village has received complaints on this.

Robert Little, Save Scarborough, said he feels the Village has put the applicant through a lot for six or eight cars.

Mayor Chatzky stated there was another issue the Planning Board has brought to the attention of the Board of Trustees. They suggested the Board of Trustees formally refer the application to the New York State Department of Transportation, the County of Westchester, and the Town of Mt. Pleasant. He then asked Village Counsel if this was a legal requirement. Village Counsel Smith responded it was a legal requirement.

Trustee Vescio noted that the property is on a DOT regulated road, and for safety purposes it behooves the Board of Trustees to refer it to the DOT since it is on their road.

Mayor Chatzky asked if a formal resolution is required to refer this. Village Counsel Smith said it just be noted for the record. Assistant Village Manager Richards said she had a memo which she was prepared to send referring the matter if the Board agreed. The Board agreed.

Upon motion by Trustee Wilde and seconded by Trustee Vescio, the Board voted 5-0 to adjourn the public hearing until February 3, 2004.

PUBLIC COMMENT

Mayor Chatzky asked that public comment be limited to five minutes and non-agenda items.

Clay Tiffany said he has given tapes to the Board of Trustees which he wants them to listen to them. Additionally, he wants to sit down with the Police Chief. Mayor Chatzky stated that Mr. Tiffany was invited to sit down and talk with the Police Chief, and he declined the invitation. Mr. Tiffany said he wanted to tape the conversation. Village Manager Blau stated he had a conversation with Mr. Tiffany at which time Mr. Tiffany stated he was going to put his thoughts in writing, and he was going to give him times he was available so that the meeting could be scheduled with the Police Chief. Village Manager Blau stated this was at the beginning of December. Mr. Tiffany said he felt he did not have to put his concerns in writing and he wanted a meeting with the Chief. Mayor Chatzky stated he was ready to set up the meeting and asked Mr. Tiffany when he was available. Mr. Tiffany said he was available to meet with the police chief any time next week at 10:00. Mayor Chatzky stated that the meeting would be scheduled and Mr. Tiffany will hear from Village Manager Blau.

BUDGET TRANSFERS

Village Manager Blau stated the Police Chief and Village Treasurer sat down to discuss the police budget. He said the police department is in the process of hiring two additional police officers and the other officers have been doing a lot of overtime. Village Manager Blau stated that the overtime was not budgeted for and they would like to transfer funds from the full-time budget line (101) to various other lines within the Police Department to cover the costs associated with additional overtime, sick payout (for unused sick time per the PBA agreement) at retirement and payment for unused vacation time at retirement.

Trustee Vescio suggested taking an average of overtime for the last five years and working that into the budget going forward. The Board agreed that this is a good idea.

Village Manager Blau further stated the second budget transfer is to cover costs of back surgery for Police Officer Murphy, which is not covered under 207-c.

Clay Tiffany asked if any of the 207-c funds involve Police Officer Tartaglione. He asked if Police Officer Tartaglione was paid his back pay and if Police Officer Tartaglione has won his arbitration dispute with the Village. Village Manager Blau said he will not discuss any arbitration because it is a personnel matter, but none of these monies are related to Police Officer Tartaglione.

Mayor Chatzky stated just to be clear this is to pay overtime salaries for the police department. Village Manager Blau stated that to date the Village has spent \$123,000 in overtime, and he will continue to monitor this.

Clay Tiffany asked if the Village has ever considered outsourcing the Police Department. He suggested having the State Police come in and said the Village could save some money. He asked if the Board could do a study and possibly consider this.

Mayor Chatzky stated this has come up from time to time, and he would consider discussing it at a work session.

Upon motion by Trustee Wilde and seconded by Deputy Mayor Venditti, the Board voted 5-0 to approve the following resolutions:

BE IT RESOLVED that the Board of Trustees does hereby authorize the transfer of \$71,518.73 from A3120.101, Police Department Full-Time into the following accounts:

\$52,028.03 to	A3120.102, Police Department Overtime
\$4,047.27 to	A3120.107, Police Department Vacation
\$15,443.43 to	A3120.110, Police Department Sick/Retirement

BE IT RESOLVED that the Board of Trustees does hereby authorize the transfer of \$35,000 from A1990.499, Contingent Account to A3120.487.207C, Police Department, Physicals, 207-c Costs.

FALSE ALARM APPEAL

Mayor Chatzky stated an alarm appeal was received from Justine Glassman, and he said Chief Campion has suggested that the fee be lowered to \$100.00.

Deputy Mayor Venditti said he thought \$100.00 was too high. Trustee Smith agreed and suggested \$25.00. The Board agreed to lower the fee to \$25.00.

Mayor Chatzky asked how much revenue is generated from alarms fees. Assistant Village Manager Richards responded approximately \$27,000.

Upon motion by Deputy Mayor Venditti and seconded by Trustee Wilde, the Board voted 5-0 to approve the following resolution:

BE IT RESOLVED that the Board of Trustees does hereby reduce the fine associated with the false alarms at 280 Sleepy Hollow Road to \$25.00.

ADJOURNMENT

Upon motion by Deputy Mayor Venditti and seconded by Trustee Wilde the Board voted unanimously to close the Regular Meeting of the Board of Trustees at 9:00 p.m.