

Village Board of Trustees  
Regular Meeting  
May 19, 2005  
7:30pm

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 of the 19<sup>th</sup> of May commencing at 7:30pm.

**Present**

William J. Vescio, Mayor  
David Venditti, Deputy Mayor  
Elsie Smith, Trustee  
Donald Wilde, Trustee  
Gayle Waxenberg, Trustee

**Also Present**

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

Mayor Vescio reminded residents the Memorial Day Parade would take place on Monday, May 30, 2005.

Mayor Vescio stated there would be a ceremony on June 11<sup>th</sup> for the firefighters who were involved with the Route 9A Tanker Fire.

**Amendment to Special Use Permit, Congregation Sons of Israel –** Adjourned at the Request of the Applicant to June 16, 2005

**Amendment to Special Use Permit, Hyatt (Kings College Property) –** Adjourned at the Request of the Applicant to June 16, 2005

**Public Hearing: Community Development Block Grant Applications**

Assistant Village Manager Richards requested the Board approve the proposed Senior Bus Program. She stated the program was a federal grant and would cover half of the funding for the new bus. She further stated the program was geared toward low or moderate-income people or to meet an urgent need in the community.

Upon motion by Trustee Waxenberg, seconded by Trustee Wilde, the Board unanimously voted to open the public hearing.

Ms. Ellen Melnick of 333 North State Road asked Assistant Village Manager Richards to repeat the low to moderate-income amounts.

Upon motion by Trustee Smith, seconded by Trustee Wilde, the Board unanimously voted to close the public hearing.

Upon motion by Trustee Wilde, seconded by Trustee Smith, the Board unanimously voted to approve the following resolution:

BE IT RESOLVED that the Village Manager is hereby authorized to submit a Community Development Block Grant application for \$40,000 for the purchase of a van to be utilized to provide transportation for senior citizens based programs.

**Presentation re: Stormwater Management (per Plan Submitted to NYCDEC)**

Building Inspector/Engineer David Turiano presented the six minimum measures for stormwater management to the Board.

Mayor Vescio asked if Building Inspector Turiano could submit information to be placed in the monthly newsletter to inform the public.

Mr. Clay Tiffany stated he previously complained about runoff above Hall Road and reiterated his complaint. He further stated the water runoff has caused a dangerous condition. He further stated government should enforce stormwater management.

Mr. Nick Evanchik of 119 Alder Drive stated the Village should consider putting information on the web site. He further stated the County periodically advertised where residents could bring pollutants certain times of the year. He asked if it would be practical to bring pollutants to the Department of Public Works instead of waiting six months.

Mr. Jay Teitelbaum of 107 Holly Place asked if there had been an assessment of capacity of the stormwater system and what the standard would be with new development.

Ms. Melnick asked what a resident should do if there is standing water outside of their home.

Village Manager Blau stated concerns or complaints should be addressed to the Building Department or the Department of Public Works.

**Board of Trustees Mission Statements**

- Trustee Wilde presented the following Mission Statement for Land Preservation Trust:

Open space is one of the things that make Briarcliff Manor so attractive. Thus, we will seek to preserve precious, remaining open space in our community through the operation of a Land Trust and a Land Bank.

The Land Trust would acquire land or conservation easements through donations or outright purchase, or by acting as an intermediary while a third party or municipality secures funding and approvals for the purchase of a specific property. The Land Trust also would act as an advocacy group, educating members of the community--particularly potential donors--on the conservation needs of the village. Funding for the Land Trust would come from private, corporate, or public donations. The Trust would be staffed by volunteers to keep the costs low

The Land Bank would function as a separate, independent entity, using public funds, a real estate transaction tax, or a general tax assessment to acquire land for preservation, or to purchase conservation easements, which later may be donated to the Land Trust to hold and administer in perpetuity. As is the case with the Land Trust, the Land Bank would be staffed by volunteers to keep costs to a minimum.

### TIMETABLE

Establish Work Committee	July 1, 2005
Develop Working Documents/Research	Sept. 1, 2005
Public Input/Recommendations	Sept. & Oct., 2005
Finalize Village Policy/Documents	Nov, & Dec., 2005
Establish Land Trust & Land Bank/BOT action	Jan. & Feb., 2006
Anticipated Completion Date	June 30, 2006

- Trustee Smith presented the following Mission Statement for an Upgrade to the Master Plan:

Update Briarcliff Manor’s Master Plan into a “**Comprehensive Plan**” to provide a vision and direction for the village’s land use and needs of its residents into the next decade. The plan will review the basic planning goals and policies that have guided development in our village, incorporate current demographic and building data, consider planning tools and trends in Westchester County and offer

recommendations for achieving the vision. It will also incorporate previous studies performed by the Village so there is one concise document. The report will specifically examine and define Briarcliff's goals for passive and active recreation, retail and commercial needs, and residential land use.

Time line:

<u>Action</u>	<u>Completion Date</u>
Establish ad hoc committee*	June 1
Gather Data (updated demographics, building statistics, etc.)	August 1
Develop and mail resident questionnaire	August 1
Develop vision statement for each category: recreation, retail, commercial, residential	September 1
Write draft Comprehensive Plan	October 30
Present Draft in community forums	November/December
Revise Comprehensive Plan	January 2006
Approval and adoption of "Comprehensive Plan Update: 2006"	February 2006

\*Ad Hoc committee to include: Mayor Vescio, Trustee Elsie Smith, Ingrid Richards, a representative from the Planning Board, CAC, the Recreation Committee, a merchant from the CBD, and up to 5 residents from various neighborhoods (Chilmark, Scarborough, Rosecliff, Shrade Road, Tree Streets, Central Briarcliff, etc.).

Trustee Smith stated any resident interested in serving on the Ad Hoc committee should submit a letter of interest to Assistant Manager Richards.

- Deputy Mayor Venditti presented the following Mission Statement for Infrastructure Planning:

It is our goal to develop a comprehensive vision and action plan to upgrade, repair, replace, and, where necessary, redesign, our aging and insufficient Village infrastructure to accommodate both our present needs and demands for services, as well as those anticipated to be required to take this Village into the next generation. In order to accomplish this, we must identify, assess and design

those infrastructure needs and deficiencies in an orderly and timely fashion so that funding for same can be done in an responsible manner and in a way that does not overload our financial means or debt service abilities and tolerance. We have identified the following short and long term infrastructure projects, and have attached the following timelines, which will be used both to adequately budget for needed improvements as well as to offer an objective means of keeping up with the ongoing service needs of our community on a timely basis. These projects and goals will be coordinated with Building and Planning Departments, Village Engineering, Board of Trustees, and, where appropriate, Consultants and other governmental agencies. As part of an ongoing infrastructure review policy, the Village BOT should determine whether various infrastructure improvements warrant a five, ten or fifteen year review process, which should include such factors as age, condition, cost, and public impacts of required or proposed projects, as well as the availability and timing of outside funding sources.

Project Identification and Estimated Completion Timetable

<u>Project Timeline</u>	<u>Completion</u>
I. Roadway Projects-	
Intersection Improvements-South State And Pleasantville Road	June 15, 2005
Intersection Improvements-Ingham Road And Pleasantville Road	December 2005
Repaving and Pothole Repairs	As Needed
Road Paving: Chappaqua Rd.; Rt. 9A to Fuller Rd.; Brookwood to Leicester; Park Rd. to Rt. 100; Central Drive (lower #430) to Old B'Cliff Rd.; Poplar Rd.; Tulip and Sycamore Rds.; Dunn Lane; Schrade Road; Stafford Street; Chestnut Hill Road and Peachtree Rd.; T & L for Scarborough	TBD 2006
II. Construction Projects-	
Scarborough Road Storm Sewer Replacement	June 15, 2005
Todd Lane Bridge Replacement	December 2005
Library Expansion Project	December 2007

Conversion/Renovation/ Construction of Municipal Building And Public Safety Facilities	December 2007
III. General Improvement Projects	
GIS Mapping Project	May 2005
Jackson Road Park Playground Improvements	July 2005
Law Park Improvements	September 2005
Pocantico River Flood Control Project	December 2005
Scarborough Station Parking alternatives	TBD –
Feasibility	underway December 2005 Visioning decision
Chilmark Park Improvement	July 2006
Holly Place Drainage	TBD
Recreation Center Electrical Upgrades	TBD
Downtown Streetscape Project	September 2006
Dalmeny Road Drainage	December 2006
IV. Water Infrastructure	
NEW WATER SOURCE	Part of Clean Water Mission Statement
Emergency Supply Connection with Sleepy Hollow	February 2006
Cement Relining of Water Lines- Clean and Cement the P'Ville Rd. lines From Poplar Rd. North to Chappaqua Rd.; Poplar Rd. entire length; Dalmeny Rd. from Poplar	

To Dalmeny Pump Station; 8 inch water main  
 Connecting P'Ville Rd.; Replace 12 Hydrants  
 And clean cement line 2000 lineal feet from Kings  
 Grant Way to 16 inch diameter water main installed In 2001 July 2006

- Trustee Waxenberg presented the following Mission Statement for Securing Clean Water:

It is the objective of the Board of Trustees to finalize the procurement of a reliable source of potable water for the Village of Briarcliff Manor. The goal is divided into two parts. The first is to accelerate the approvals from Regulatory Agencies such as the NYCDEP, Westchester County Health Dept. and Tarrytown Planning Board.

The second is to finalize design and develop detailed plans and specifications for advertisement for bids on all aspects of the work by the spring of 2006.

It is further the goal of the Board of Trustees to work concurrently on approvals and designs wherever possible.

<u>Action</u>	<u>Agency</u>	<u>Completion Date</u>
Procure DOH Approval	Village	June 1, 2005
Review Schematic	Hazen & Sawyer	July 1, 2005
Present to NYCDEP	Village/H & S	July 15, 2005
Procure NYCDEP Preliminary Approval	Village/H & S	Aug 15, 2005
Prepare Final Drawings:	Hazen & Sawyer	
1.) Aqueduct Conn.		October 1, 2005
2.) Low Lift PS (If Required)		October 1, 2005
3.) High Lift Pump Station		November 1, 2005
4.) 600,000 gal Tank		December 1, 2005
5.) New 16" Waterlines		December 1, 2005
6.) Clean/Reline Existing 16" Line		January 1, 2006
Procure Final NYCDEP Approval	Village / H & S	March 1, 2006
High Lift PS Site Approval	Tarrytown Planning Board	Jan. 30, 2006
Prepare Bid Documents (Phased to coordinate work)	Village/H & S	Jan. & Feb. 2006
Review Bid Documents	Village	Feb. & March 2006

Secure Inspection Consultant to Construction	Village	30 days prior
Advertise for Bids Review	Village	30 days after
Award Contracts Bids received	Village	30 days after

Construction 24months form Award Date

Mr. Nick Evanchik stated steep slopes and wetlands should also be a priority.

Mr. Jay Teitelbaum asked which Planning Board member would serve on the Comprehensive Plan Ad-Hoc committee.

Trustee Smith stated an appointment hadn't been made.

Mr. Clay Tiffany asked if the steep slopes law would be strictly enforced.

### **Village Manager Report**

- The request for proposal was sent out for the Ingham and Pleasantville Road intersection.
- A new crossing guard has been hired.
- The leak detection program located 12 leaks totaling 210,000 gallons per day.
- The Pleasantville and South State Road intersection project will not be completed by Memorial Day.
- The Scarborough Road Project is moving forward.
- Twice per week garbage collection would soon begin in Rosecliff, Olde Willow Way and River Road Estates starting June 1, 2005
- Spring Sting will take place June 10-11 to eliminate mosquito breeding grounds.
- The American Legion Flag Retirement Ceremony will be held June 14<sup>th</sup> in Law Park at 7:30pm.

### **Public Comments**

Mr. Nick Evanchik asked about unaccounted water. He reiterated the importance of dealing with the steep slope law before the master plan.

Mr. Larry Reilly of Larch Road complained about massive amounts of buses traveling through the Village daily.



Village Manager Blau stated the Village was actively pursuing this matter.

Mr. Clay Tiffany stated he attended the meeting on teenage drinking. He further stated the statute of limitations hadn't run out on the alleged "Beer Bash" at the home of former Trustee Kathleen Rittinger.

Village Counsel Smith stated the statute on serving alcohol to minors is two years but may be extended to an additional five years if there was a misuse of authority by a public official.

Mayor Vescio asked Village Counsel Smith to advise the Board on providing an opinion regarding the statute of limitations.

### **Capital Budget (General Fund and Water Fund)**

Village Manager Blau went over the budget.

Mr. Nick Evanchik stated he reviewed the five-year plan. He further stated there was no consideration for interest that would be involved or an estimated tax levy. He asked if a specification sheet was available to the public.

Village Manager Blau stated there was no specific sheet and that it was discussed with departments on a case-by-case basis.

Upon motion by Deputy Mayor Venditti, seconded by Trustee Smith the Board unanimously voted to approve the following Capital Budget:

### **Award of Bid for Dump Truck with Plow (VM-0502)**

Village Manager Blau stated the bid had been sent out twice.

Upon motion by Trustee Smith, seconded by Trustee Wilde, the Board unanimously voted to approve the following resolution:

BE IT RESOLVED that the bid for the purchase of a Dump Truck with Snow Plow plus LED Strobe Light Package (VM-0502) is hereby awarded to Genesee Truck of Henrietta, New York per their bid of \$33,774.

BE IT FURTHER RESOLVED that the Village Manager is hereby authorized and directed to execute an agreement with Genesee Truck for the purchase of the Dump Truck with Plow.

### **LRM Recreation Fees**

Mr. Jay Teitelbaum asked what the implication was of accepting a fee on a project that was yet to be approved.

Mayor Vescio stated the Board was accepting a credit from two applicants who dedicated a recreational pathway and requested a reduced fee in lieu of land donation.

Upon motion by Trustee Wilde, seconded by Trustee Waxenberg, the Board unanimously voted to approve the following resolution:

WHEREAS, the Planning Board issued a memo on December 18, 2003 requesting that the Village Board of Trustees consider approving the chart below when deciding if a partial credit should be given to the Pac Water and LRM subdivisions for providing a public pedestrian easement to the Village, and

WHEREAS, the Board of Trustees is in agreement that the LRM and Pac Water subdivisions should receive a partial credit from their required recreation fee, as both owners have decided to provide a pedestrian trail to the Village.

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees hereby approves that the Pac Water 7- lot subdivision receive a proportionate credit of \$12,600 and pay the Village a total of \$47,400, and

BE IT FURTHER RESOLVED, that the Board of Trustees hereby approves that the LRM 8- lot subdivision receive a proportionate credit of \$10,150 and pay the Village a total of \$59,850.

	<b>PacWater 7-Lot Subdivision</b>	<b>LRM/Gelardi 8-Lot Subdivision</b>
New Building Lots	6	7
Acres	26.09 acres	15.00 acres
10% max. reservation for recreation	2.6 acres (113,648 square feet)	1.5 acres (65,340 square feet)
Trail Easement: linear feet, square feet (percent of 10% max. area)	2,388 linear feet of trail 23,886 square feet (21%)	950 linear feet of trail 9,500 square feet (14.5%)
100% In Lieu of Land Reservation Recreation Fee (\$10,000/new building lot)	\$60,000	\$70,000
Proportionate Credit (percent of 100 % Rec. Fee)	\$12,600 (21%)	\$10,150 (14.5%)
Reduced Rec. Fee (percent of 100 % Rec. Fee)	\$47,400 (79%)	\$59,850 (85.5%)

**Budget Amendments; NYSDOT Grants for South State and Pleasantville Road and Fees from LRM Subdivision**

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

BE IT RESOLVED that the budget for Fiscal Year 2004-2005 is hereby amended as follows:

Increase Capital – General Government Capital Grants (H0101.3097) by \$56,096.97

Increase Capital – General Government Capital Grants (H0101.3097) by \$20,000.00

Increase Intersection Improvements – South State and Pleasantville Roads H5110.201.05475 by \$20,000.00

Increase Intersection Improvements – South State and Pleasantville Roads H5110.201.05475 by \$56,096.97

BE IT FURTHER RESOLVED that the fees from the LRM Subdivision are hereby accepted by the Village and shall be deposited into the following Expendable Trust Accounts:

Recreation Fees of \$59,850 shall be deposited into TE 8011

Inspection Fees of \$25,500 shall be deposited into TE 8013

**Authorize Village Manager to Execute Agreement with Buckhurst, Fish & Jacquemart, Inc. for Evaluation of Parking Needs at Railroad Station**

Village Manager Blau stated that changes had been made in the scope of work and there was a \$1500.00 reduction in the cost.

Mr. Nick Evanchik stated he requested a draft copy of the agreement and was denied.

Village Manager Blau stated contract negotiations weren't public.

Mr. Jay Teitelbaum stated one parking permit per household should be implemented.

Upon motion by Trustee Smith, seconded by Trustee Wilde, the Board unanimously voted to approve the following resolution:

BE IT RESOLVED that the Village Manager is hereby authorized and directed to execute a contract with Buckhurst, Fish & Jacquemart, Inc. for professional consulting services relating to an evaluation of parking needs for residents utilizing the Scarborough Metro North Railroad Station.

**Summer Schedule**

Mayor Vescio stated the summer schedule would remain as scheduled.

**Fire Department Membership – Roger Cardoso**

Village Manager Blau stated all the paperwork had been filed.

Upon motion by Trustee Wilde, seconded by Trustee Waxenberg, the Board unanimously voted to approve the following resolution:

BE IT RESOLVED, that the Board of Trustees of the Village of Briarcliff Manor hereby approves the membership of Roger M. Cardoso to the Scarborough Engine Company.

**Appointments**

**Appointment of a Community Development Advisory Group (CDAG) Representative**

Upon motion by Deputy Mayor Venditti, seconded by Trustee Smith, the Board unanimously voted to approve the following appointment:

WHEREAS, the Village is required to appoint a CDAG representative in order to receive funding for its Community Development Block Grant application; and

WHEREAS, the CDAG representative is required to do the following:

- Advise the County Executive, through the Planning Department staff, on the programs and priorities contained in the application to the U.S. Department of Housing and Urban Development;
- Advise and inform local officials about the Community Development Block Grant Program;
- Assist citizens and groups in preparing proposals for projects or activities to be undertaken under the program; and
- Approve the application for funding to be submitted by the Village to the County

NOW THEREFORE BE IT RESOLVED, that the Mayor and Board of Trustees hereby appoint Lynn McCrum, of 289 Elm Road, to the position of Community Development Advisory Group Representative for the Village of Briarcliff Manor.

### **Appointment of a Student Representative from the Ossining School District to the Recreation Advisory Committee**

Upon motion by Trustee Waxenberg, seconded by Deputy Mayor Venditti, the Board unanimously voted to approve the following appointment:

BE IT RESOLVED that the Board of Trustees does hereby appoint Ben Weinberg to be the student representative from the Ossining School District to the Briarcliff Manor Recreation Advisory Committee.

### **Approval of Minutes**

Upon motion by Trustee Smith, seconded by Trustee Wilde, the Board voted unanimously to approve the minutes of April 28, 2005 as amended.

Upon motion by Trustee Wilde, seconded by Trustee Waxenberg, the Board unanimously voted to approve the minutes of May 5, 2005 as amended.

### **Public Comments**

Mr. Nick Evanchik stated minutes of the Board of Trustees meetings were no longer on the web site.

Village Manager Blau stated the Village Clerk would follow up on the request and have the minutes made available on the web site.

Deputy Mayor Venditti asked that the Mission Statements be put on the web site also.

**Adjournment**

Upon motion by Deputy Mayor Venditti, seconded by Trustee Smith, the Board unanimously voted to close the Regular meeting of the Board of Trustees at 10:05pm.

Respectfully submitted by,  
Christine Dennett