

The Regular Meeting of the Board of Trustees of the Village of Briarcliff Manor, New York was held in the Village of Briarcliff Manor Village Hall, at 1111 Pleasantville Road, Briarcliff Manor, New York of the 8th of June commencing at 7:30 p.m.

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
Lynn Weinig, Village Counsel

Village Managers Report

- Village Manager Blau reported the South State/Pleasantville Road Intersection would start up again on Monday, June 13th and the project would be completed in a month. He further reported that the handicap ramps were installed earlier today and he met with an architect to discuss landscaping plans and he would be working with the Beautification Committee.
- Village Manager Blau reported the Village Engineer met with the Department of Environmental Conservation to discuss the Pocantico River Flood Project and the potential use of Echo Lake for water retainage during heavy rainfall. He further reported the DEC had problems with the possible affect on wildlife and the Village Engineer would work out a basic number to possibly use behind School Road or to install pipes under 9A for overflow.
- Village Manager Blau reported a contract had been drafted with the Village of Sleepy Hollow for an upgrade of the pump station.
- Village Manager Blau reported the Village is currently using the Croton system for water, but it would continually be down for a number of years. He further reported emergency water purchased from Ossining and New

Castle was much higher in cost than the water that would be supplied by the Village of Sleepy Hollow.

- Village Manager Blau reported that stop signs would soon be erected, particularly in the Chilmark neighborhood.

Public Comments

Mr. Nick Evanchik of 119 Alder Drive asked when the emergency water agreement with the Village of Sleepy Hollow would go into effect.

Village Manager Blau stated the contract begins in January 2006, but the Village is hoping for December 2005.

Mr. Evanchik further stated he reviewed the Village's Master Plan and saw the Planning Board was previously the lead agency. He asked if they would remain as the lead agency. He further asked if F.P. Clark Associates would still be the consultants and if not why. He further asked what the status of the Baylis property was.

Mayor Vescio stated the Board of Trustees would be the lead agency for the Master Plan. He further stated the newly created "Ad-Hoc" Committee would meet to discuss possible consultants. He further stated the Baylis property would be discussed with Counsel.

Tax Certiorari

Deputy Mayor Venditti stated the Village shouldn't be held accountable for the years it was not the assessing unit and asked if the Town of Ossining was required to consult with the Village.

Village Counsel Weinig stated she wasn't sure if her office was consulted and she would contact Ossining to discuss the years in question.

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

WHEREAS, the Town of Ossining entered into a Consent Judgment with the Edward Grano, Jr. Trust on February 16, 2005; and

WHEREAS, the tax certiorari filing with the Town of Ossining is for 1999 through 2003; and

WHEREAS, the Consent Judgment reduced the tax assessment for the subject property for 1999 through 2003; and

WHEREAS, the Town of Ossining served as the assessing unit for the Village of Briarcliff Manor for the years 2001 through 2003; and

WHEREAS, for the years 1999 and 2000, the Village served as the assessing unit for Briarcliff Manor property taxes.

NOW THEREFORE BE IT RESOLVED that the Board of Trustees does hereby authorize the payment of tax abatements for years 2001 through 2003 in the following amounts based upon the reduced assessment values in the Consent Judgment:

2001	\$344.61
2002	\$366.82
2003	\$264.63
Total Abatement	\$976.06

Alternative Minimum Tax

Village Manager Blau stated the AMT was a request from the County Executive office and it was prompted by Rye.

Mr. Nick Evanchik of 119 Alder Drive stated the Board shouldn't get too involved with a National issue. He further stated he felt the AMT was an extraneous matter.

Trustee Waxenberg clarified the AMT was proposed by the County Government.

Mayor Vescio stated a lot of residents have been impacted by the law and the Board was looking at the best interest of the Village.

Ms. Ellen Melnick of 333 North State Road stated she didn't agree with Mr. Evanchik. She further stated the money would eventually have to come from taxpayers though.

Trustee Waxenberg stated the government was taking a look at something that needed to be reformed.

Mayor Vescio stated they would be reforming the AMT.

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

WHEREAS, the Alternative Minimum Tax (AMT) was created in 1969 as a means of ensuring that very wealthy taxpayers did not use loopholes to avoid paying federal income taxes; and

WHEREAS, the AMT has grown from affecting 155 wealthy families in 1969 to nearly 19 million taxpayers today, most of which are in the middle class; and

WHEREAS, in the next five years, it is projected that the AMT will hit over one-half of all property taxpayers in New York State alone; and

WHEREAS, in 2004, approximately 63,000 households (27% of the population) in Westchester County were subject to the AMT; and

WHEREAS, when a taxpayer triggers the AMT, the number of deductions they can claim are significantly reduced, resulting in more middle class families paying higher federal taxes; and

WHEREAS, taxpayers in only four states – New York New Jersey, California and Massachusetts – who rely heavily on deductions like property tax, state and local income taxes and the child exemption, account for nearly half the people paying the AMT across the country; and

WHEREAS, this extraordinary and unforeseen growth is the result of the AMT not being indexed for inflation, unlike the regular income tax; and

WHEREAS, President Bush has appointed an advisory panel to look at the AMT and other proposals for overhauling the federal tax code, and that report is due at the end of July; and

WHEREAS, until the federal government addresses the issue of the AMT, the middle class will continue to unfairly bear the burden of the tax, and the AMT will continue to cause families in Westchester and across the nation to forfeit thousands of dollars in deductions;

WHEREAS, County Executive Andrew J. Spano has commenced a grassroots movement to bring about reform of the AMT and to have it restored to its original intent – eliminating tax shelters for the wealthy and not to increase federal taxes on the middle class.

NOW THEREFORE, BE IT RESOLVED, that the Village of Briarcliff Manor supports efforts to reform the Alternative Minimum Tax in ways that will reduce the burden to middle-class taxpayers of Briarcliff Manor; and

BE IT FURTHER RESOLVED, that the Village of Briarcliff Manor will undertake efforts to inform its residents of the problems with the AMT; and

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to Senators Charles Schumer and Hillary Clinton, US Representatives Eliot Engel, Nita Lowey and Sue Kelly and County Executive Andrew J. Spano.

Authorize Village Manager to Execute Agreements

a. Westchester County – Prisoner Transportation- two year contract for round trip reimbursement

Mayor Vescio asked how long it takes an officer to transport a prisoner to the County Facility and how much the officer would be paid hourly.

Village Manager Blau stated the hourly rate depended on the officer.

Deputy Mayor Venditti asked if the County could pick up the prisoner and if the Village was losing money by transporting the prisoner.

Mayor Vescio asked if there would be any penalty if the Board didn't approve the agreement.

Village Manager Blau stated he would inquire with the County.

Mayor Vescio asked if the Board didn't execute the agreement could it be executed in the future because of short staffing. He further stated the Board wouldn't agree to execute the agreement and would make a decision at a later date.

b. Cross Access Agreement – Papa Lou Realty- during conversion of building next door.

Deputy Mayor Venditti asked if the agreement would go into affect immediately.

Village Manager Blau stated the agreement would go into affect upon the execution of the agreement.

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

BE IT RESOLVED that the Village Manager is hereby authorized and directed to execute a Declaration of Cross-Access Agreement with Papa Lou Realty, Inc.

Schedule Public Hearing – Demapping of Extension of Washburn Road

Village Manager Blau stated the concept of swapping the property instead of purchasing an easement. The Board would have to de-map the street. He further stated the Village had no particular use for the property that would be swapped.

Mayor Vescio stated by swapping the property the Village could straighten out the stream which would increase the flow of the river and decrease erosion.

Village Manager Blau stated the property wasn't able to be built on.

Ms. Ellen Melnick asked if the change in the flow would affect Ash Road.

Mayor Vescio stated it would enhance the flow and would decrease the turbulence and erosion.

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

BE IT RESOLVED that a Public Hearing is hereby scheduled for July 6, 2005 to hear and discuss the demapping of the unimproved extension of Washburn Road, between Washburn Road and Todd Lane, east of the Todd Lane Bridge, where Todd Lane travels in a northerly direction.

BE IT FURTHER RESOLVED that the Board of Trustees will also consider declaring the said property as described surplus property.

Board of Trustee Appointment

Upon motion by Trustee Waxenberg, seconded by Deputy Mayor Venditti, the Board voted unanimously to appoint JoJo Watts to the Conservation Advisory Council to fill the unexpired term of Theresa Fulton to expire April 2006.

Minutes

Upon motion by Deputy Mayor Venditti, seconded by Trustee Smith, the Board voted unanimously to approve the minutes of May 19, 2005 as amended.

Board Announcements

Trustee Wilde asked the Village Manager to explain the hydrant project to the public.

Village Manager Blau stated in the upcoming week the hydrants in the major arterial roads would be flushed. He further stated in the following weeks the side streets would be flushed and signs would be posted throughout the neighborhoods. He further stated it wouldn't affect the drinking water and would clean out pipes after flushing is completed. He asked the public not wash clothing during the hours of the flushing in their neighborhood.

Trustee Smith stated the first Ad-Hoc meeting for the Master Plan update would be held on Wednesday, June 22nd. She further stated members of the public interested in joining should contact Assistant Village Manager, Ingrid Richards.

Trustee Smith stated the Historical Society was looking for volunteers and any interested persons should contact Tom Vincent on Ingham Road.

Adjournment

Upon motion by Trustee Smith, seconded by Trustee Wilde, the Board unanimously voted to close the Regular meeting of the Board of Trustees at 8:20 p.m.

Respectfully submitted by,

Christine Dennett