

Village Board of Trustees  
Regular Meeting  
September 8, 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 Village Hall, at 1111 Pleasantville Road, Briarcliff Manor, New York of the 8<sup>th</sup> of September 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  
Clinton Smith, Village Counsel

**Absent**

Stephanie Ippoliti, Village Clerk

**Public Hearing – Amendment to Special Use Permit for Hyatt Classic Residence (Kings College Site)**

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

Mr. Matt Phillips, Senior Vice President of Hyatt submitted and discussed a timeline of milestone dates to the Board.

Mr. Steve Grogg of TRC Raymond Keyes Associates explained the New Water Tank proposal to the Board. He stated there were no substantial differences between the functionality of the current system and the proposed new system. He further stated Hyatt would incur any cost differences between the Barrington proposal and the Hyatt proposal.

Mayor Vescio stated there would be a meeting on Tuesday, September 13<sup>th</sup> to further discuss issues. He stated replacement costs needed to be addressed as well as the life expectancy of the pumps and who would pay to replace them.

Trustee Smith asked how radical the design of the pneumatic pump was.

Mr. Grogg stated his firm designed an almost identical tank for the Purchase Country Club.

Mr. Jerry Morrissey of Oak Road asked what the standards for noise were. He further asked who set the standards and who evaluated them.

Village Manager Blau stated the Village had a noise ordinance. He noted that no noise complaints had been made for daily operations of the existing pump station.

Mr. Grogg stated the pumps would be at least 300 feet from the closest neighbor which would be buffered by a wooded area. He further stated the pumps could be muffled.

Mr. Robert Pierce of Lodge Road asked what the difference in capacity was between the current tank and the proposed tank.

Mayor Vescio stated the current system had the capacity of 200,000 gallons and the new tank would have four million gallons of capacity.

Mr. Pierce asked if the current system and the new system could be tied together. He stated he had concerns with electricity outages and the additional operating costs with the new tank.

Mr. Jay Teitelbaum of Holly Place stated when the Planning Board was evaluating the proposal, one of the considerations were the visual impacts. He further stated the new proposal made a lot of sense and electricity outages were a concern with either tank.

Mr. Clay Tiffany stated the new tank was purely for aesthetics instead of practicality. He asked why aesthetics would override safety and cost efficiency.

Upon motion by Deputy Mayor Venditti, seconded by Trustee Smith, the Board voted unanimously to adjourn the public hearing.

Upon motion by Trustee Wilde, seconded by Trustee Smith the Board voted unanimously to adjourn until the next meeting.

### **Village Managers Report**

Village Manager Blau reported.

- Todd Lane Bridge project was scheduled to start on Monday. The Village was in contact with Con Edison for the moving of poles. The detour plan was posted on the website and distributed to the School District.

- The Holly Place and Cottonwood Lane projects were scheduled to start on September 20<sup>th</sup>.
- The grant was received from the Hudson River Greenway Conservancy.

Mayor Vescio asked Village Manager Blau the approximate date of delivery for the new garbage receptacles for the downtown area.

Village Manager Blau stated they would be delivered in approximately three weeks.

### **Public Comments**

Mr. Jay Teitelbaum of Holly Place asked if the project on Holly Place would be completed in one day. He stated the “Bump Out” in the new intersection should be reevaluated by a traffic consultant.

Mr. Bob Kelderhouse of 48 Oak Road stated he wanted the “No Parking” signs removed from his street. He further stated it was an eyesore that detracted from his property.

Village Manager Blau stated the signs had been erected after numerous complaints from a neighbor. He stated he had been in contact with Mr. Kelderhouse and asked that he give him a couple of weeks to work out a solution.

Mayor Vescio asked that the letter be to Mr. Kelderhouse by September 24, 2005.

Mr. Clay Tiffany of Hall Road stated he hoped the Board members had all received his Notice of Claim. He further stated he couldn't emphasize enough how false the police statements were. He asked who paid Dr. Neiburg to evaluate Police Officer Tartaglione. He further asked the Board to send Police Officer Tartaglione to a psychologist to be reevaluated.

Mr. Nick Evanchik of 119 Alder Drive stated a couple of years ago there was a pump failure at the water station and he attributed it to improper inspection and maintenance. He asked the Board whether a formal inspection and maintenance procedure had been implemented. He further asked if the Village had access to a mobile generator and if not, how the Village would go about it. He suggested an inter-municipal agreement. He stated the monthly Manor of Speaking was nice and the beginning of a good process of informing the residents.

Village Manager Blau stated he would speak to the Superintendent of Public Works about how formal and regular the inspections of the Pump Stations were.

### **Addition of Property to Ossining Sewer District**

Village Manager Blau requested the home be added back into the Village's sewer district.

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

### **Award of Bid – Cement Lining of Water Lines**

Village Manager Blau stated the bid had been awarded to Spiniello Co. and they were well known for their quality work.

Mr. Nick Evanchik of 119 Alder Drive stated millions had been spent over the years on this project. He asked if it was effective and if there was noticeable improvement.

Mr. Clay Tiffany asked that Mayor Vescio recuse himself if he worked with any companies that bids had been awarded to.

Mayor Vescio stated there were no conflicts and he would recuse himself if there were.

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

BE IT RESOLVED that the bid for the cleaning and cement lining of various water lines (VM-0503) is hereby awarded to Spiniello Companies of Fairfield, New Jersey per their bid of \$987,813.

BE IT FURTHER RESOLVED that the Village Manager is hereby authorized and directed to execute an agreement with Spiniello Companies for the cleaning and cement lining of water lines

### **Borrowing Resolution – Cement Lining of Water Lines**

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

BE IT RESOLVED that the Board of Trustees does hereby appropriate \$306,593 for the Cleaning and Cement Lining Project (VM – 0503).

BE IT FURTHER RESOLVED that the financing for the \$306,593 hereby appropriated shall be included in a future bond resolution.

**Authorize Village Manager to Execute Agreement**

**Professional Consulting, Inc. for Construction of Water Line on Sleepy Hollow Road**

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

BE IT RESOLVED that the Village Manager is hereby authorized and directed to execute an agreement with Professional Consulting, LLC of Parsippany, New Jersey for engineering services for the construction of a water line in Sleepy Hollow Road.

**Eberlin & Eberlin – Development and Renovation of Chilmark Park**

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

BE IT RESOLVED that the Village Manager is hereby authorized and directed to execute an agreement with Eberlin & Eberlin for design consulting services for the development and renovation of Chilmark Park.

**New York State Department of Transportation – Safety and Intersection Improvements, Pleasantville Road @ Ingham Road**

The Board requested a formal agreement be put together with the Briarcliff Manor Union Free School District before voting on the resolution.

Mr. Clay Tiffany of Hall Road stated he would like to know the safety concerns with the Ingham Road intersection.

Village Manager Blau stated the safety concerns had to do with children crossing the street.

**Budget Amendment**

**Technology Grant for Police Department**

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

BE IT RESOLVED that the budget for Fiscal Year 2005-2006 is hereby amended as follows:

Increase Appropriation – Technology Grant, Lap Top Computers (A3120.201.4389) by \$3,497.00

Increase Revenue – U.S. Department of Justice Grant (A0103.4389 by \$3,497.00

Appropriation of Fund Balance for Police Radio System

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

BE IT RESOLVED that the Board of Trustees does hereby appropriate \$15,952.87 of Fund Balance from the General Fund for the upgrade of the radio system for the Police Department (A3120.202 – Police Department Radio Purchase)

Mr. Clay Tiffany of Hall Road asked for an explanation as to why the laptops were necessary in the police cars.

Village Manager Blau stated the Officer's would use them to write reports, do background checks and run license plates. He further stated the Village was well behind other municipalities.

#### **Addition of Property to Ossining Sewer District**

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

WHEREAS, on May 21, 2001, the Westchester County Board of Legislators adopted legislation to modify the Ossining and Saw Mill Sanitary Sewer Districts by removing a total of 332 parcels of property not currently connected to the County sewer system and treated at the County operated wastewater treatment plants; and

WHEREAS, the property at 2 Chestnut Hill Lane, identified on the Village Tax Maps as Section 4, Plate 35, Block 32, Lot 1, was removed from the sewer district; and

WHEREAS, the owner of 2 Chestnut Hill Lane is constructing a force main sanitary sewer to service the home, which sewerage will enter the County sewer system and be treated at a County operated wastewater treatment plant.

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees hereby authorizes the Village Engineer to submit a request to the Westchester County Board of Legislators for the addition of the above referenced parcel into the Ossining Sewer District.

## **Resolution Establishing Referendum to Increase Terms of Office for Board of Trustees and Service Awards Program**

Mayor Vescio stated the Board was only setting the date for the vote on the fire service awards program.

Mr. Clay Tiffany of Hall Road stated the decision was made too early for such a tremendous change. He requested the vote be put off at least six months.

Mr. Nick Evanchik of 119 Alder Drive stated he didn't think there was ever a referendum for the Fire Service Awards program.

Upon motion by Trustee Wilde, seconded by Trustee Smith, the Board voted unanimously to set the date for the November 8, 2005 general election.

### **Approval of Minutes**

Upon motion by Trustee Smith, seconded by Deputy Mayor Venditti, the Board voted 4-0 to approve the minutes of November 18, 2004. Trustee Waxenberg recused herself.

Upon motion by Deputy Mayor Venditti, seconded by Trustee Waxenberg, the Board voted unanimously to approve the minutes of July 6, 2005 as amended.

Upon motion by Trustee Waxenberg, seconded by Trustee Wilde, the Board voted unanimously to approve the minutes of August 18, 2005 as amended.

### **Board Announcements**

Trustee Smith announced that September 26, 2005 was Family Day. She encouraged all residents to participate.

Mayor Vescio announced that Saturday was Community Day at 2:00pm and ending with a fireworks display in the evening.

Upon motion by Deputy Mayor Venditti, seconded by Trustee Smith, the Board voted unanimously to adjourn the regular meeting at 10:00pm.

Respectfully submitted by,

Christine Dennett