

Village Board of Trustees
Regular Meeting
November 17, 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 17th of November 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 – Local law to Provide for Donations of Surplus Police Vehicles by the Village of Briarcliff Manor for Hurricane Katrina Relief

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

Mr. Clay Tiffany of Hall Road asked if any of the cars had been totaled.

Village Manager Blau stated to the best of his knowledge they hadn't been.

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

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

BE IT RESOLVED that the Board of Trustees does hereby adopt the Local Law to Provide for the Donation of Surplus Police Vehicles by the Village of Briarcliff Manor for Hurricane Katrina Relief.

Presentation of Annual Village Audit –Bennett, Kielsen, Storch & DeSantis

Ms. Susan Barosi and Mr. John Pintos of O'Connor Davies, Munz and Dobbins presented and reviewed the Village's financial statement with the Board and the Public.

Mr. Robert Little of Savescarborough.com asked what the current indebtedness was and what was suggested for a Village of Briarcliff Manor's size.

Ms. Barosi stated the Village had 16 million dollars in bonds. She further stated there was no general number and it was difficult to compare to other Villages.

Mr. Nick Evanchik of 119 Alder Drive asked if the auditors could state the specific agency that recommended a fund percentage of 10% for the designated fund balance.

Mr. Pintos stated the New York State Comptrollers Office recommended the amount of 10%.

Mr. Jerry Morrissey of Orchard Road asked if the auditors had a comparison of the debt from five years ago.

Ms. Barosi stated the current format had only been required for the past two years. She further stated the debt would be disclosed in financial statements for years prior to that.

Mr. Clay Tiffany of Hall Road stated the Village of Briarcliff Manor shouldn't be compared to other Villages throughout the state. He further asked the auditors to comment on how much money the Village would save if the Police Department was abolished.

Ms. Barosi stated they did a financial audit not an operational audit.

Mr. Tiffany asked what percentage of the budget was for the Police Department.

Mayor Vescio asked Village Manager Blau to get a definitive answer and report back to the public. He then thanked the auditors and the staff for their work.

Board of Trustees Announcements

Trustee Smith reported.

- A menorah would be erected next to the holiday tree in Law Park and lit shortly after Thanksgiving.
- The Holiday Sing would be expanded to include a charity component. A candlelit procession would be held on Sunday, December 18th.

- The Merchants Association would have a penguin promotion to encourage shopping in the Central Business District. The slogan to be used was “Slow down and buy it in Briarcliff”.
- A survey for the Comprehensive Plan update would be mailed out to all residents.
- A series of Neighborhood meetings would be held in January and February to discuss the Comprehensive Plan.
- The Bulk Law revisions would be discussed at the next work session on Tuesday, November 22nd.
- A seat is vacant on the Ethics Board and any interested parties should submit a letter to the Village Manager.

Village Managers Report

Village Manager Blau reported.

- The order of the cement cleaning and lining of the water pipes was determined from a water study conducted by Joyce Kippen. 11 miles had been completed and five more miles had been scheduled to be completed.
- The contracts for the Sleepy Hollow emergency supply of water had been executed.
- The staff met with three engineers from Hazen and Sawyer to discuss the full water supply and was moving forward with the study.
- Leaf collection was half way through the third lap. The Department of Public Works could be contacted for a daily pick up schedule.

Open Discussion

Mr. Nick Evanchik asked what the cost was to line 1000 linear feet of pipes.

Village Manager Blau stated he would get the answer for him.

Mr. Jay Teitelbaum of 107 Holly Place stated if the update to the Comprehensive Plan was so crucial why limit the response time. He stated he felt like it was being rushed as well as the changes to the Bulk Law. He further stated the Ethics Board was emasculated by the Board of Trustees and instead of replacing the member why not abolish the entire board.

Trustee Smith stated the consultants recommended a shorter time frame to get a larger response to the questionnaire. She further stated the Bulk Law information would be tallied by the end of December and would be made available to the public by the first of the year.

Mr. Clay Tiffany stated leaves were blown into the street by some residents creating a dangerous situation. He further stated the statement on the holiday

banner “Peace on Earth” was religious and it was unconstitutional to mix church and state.

Public Comments

Ms. Ellen Melnick of North State Road stated she had concerns with the Bulk Law being revised. She further stated only one variance had been denied since the last revision of the law. She further stated the Mayor had subdivided land and would profit from the changes and she felt it was a conflict of interest.

Deputy Mayor Venditti stated the Mayor wouldn’t profit any more than any other property owner in the Village.

Trustee Waxenberg suggested Ms. Melnich attend the next work session on November 22nd at 5:45pm.

Ms. Lynn Tompkins of Quinn Road stated she had concerns with the changes to the Scarborough Parking regulations. She further stated both she and her husband commuted separately and they needed separate permits.

Mayor Vescio stated they received her letter and the Board would discuss dual household permits and get back to her.

Mr. Jay Teitelbaum of 107 Holly Place stated he couldn’t attend the previous meeting. He further stated as a homeowner nobody should be excluded from voting on the Bulk Law. He further stated Mayor Vescio acquired a five acre parcel that he subdivided and as a separate acquisition from his residence he felt it was a conflict of interest. He further stated he felt only one parking permit should be issued per household and the rate increase should have been made more public.

Mayor Vescio stated he owned the property adjacent to his residence and the Bulk Law didn’t address property it addressed building permits. He further stated he didn’t plan to apply for a building permit anytime in the near future and he didn’t see the conflict.

Mr. Nick Evanchik of 119 Alder Drive suggested the Bulk Law conflict of interest be settled by the Ethics Board. He stated he felt the auditors were off base on the undesignated fund balance. He further stated the fund balance should be used to give some relief to the water rates.

Mr. Clay Tiffany stated he would like to have a full discussion of the separation of church and state on the next agenda. He further stated the Police Department wouldn’t investigate harassing phone calls he had received.

Mr. John O'Leary of 54 South State Road stated he usually observed the meetings from home and he thought the lectern brought order to the meeting. He further stated as a member of the Beautification Committee he commended the Village Manager and the Board of Trustees for the beginnings of making the downtown district more beautiful. He further stated a utility pole was leaning over Pine Road and he suggested the Village contact Con Edison to take a look at it. He further stated he was offended when foul language was used and ask that it be censored in the future.

Village Manager Blau stated Con Edison came to the site a month ago and they felt the pole was secure.

Mayor Vescio asked Village Manager Blau to contact Con Edison and have them come out again.

Ms. Elaine Heyda thanked the Board for all the hard work they do. She stated many people in the community are offended by the abuse the Board endures. She asked the public to move on from the same topics so work could be accomplished.

Authorize Execution of Fire Protection Agreement with Town of Ossining for 2006 through 2008

Trustee Smith pointed out the Village makes over \$68,000 per year with the Fire Agreement.

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

BE IT RESOLVED that the Village Manager is hereby authorized and directed to execute a Fire Protection Agreement with the Town of Ossining for fire protection services to that portion of the Town in Election District 20 for 2006, 2007 and 2008.

Schedule Public Hearing; Amendment to Chapter 220

Village Manager Blau asked if the Board wanted to set a time frame.

Mayor Vescio asked Planning Board Member Teitelbaum if 30 days would be sufficient.

Mr. Teitelbaum stated he felt 30 days was sufficient but he couldn't speak for the other members.

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

BE IT RESOLVED that the Board of Trustees does hereby refer the Zoning Text Amendment submitted by Briarcliff Executive Park, 320 Old Briarcliff Road (4.01-001-500) to the Planning Board for review and comment; and

BE IT FURTHER RESOLVED that a Public Hearing is hereby scheduled for December 1, 2005 to hear and discuss an amendment to Chapter 220, Zoning, Section 5, Planned Office Building and Laboratory B District, Section 6, Special Permit Use and the Schedule Limiting the Use of Buildings and Land.

Appointment of Election Inspectors

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

BE IT RESOLVED that Audrey Sharman and Mardi Perry are hereby appointed Inspectors of Election for the December 6, 2005 Special Election and the compensation is hereby fixed at One Hundred Sixty (\$160) dollars per day.

BE IT FURTHER RESOLVED that Donna Lilly is hereby designated as an Inspector of Election and Chairperson and the compensation for the Inspector of Election and Chairperson shall be One Hundred Seventy-Five (\$175) dollars per day.

BE IT FURTHER RESOLVED that Fred Howley and Wayne Wheeler are hereby appointed Voting Machine Technicians for the December 6, 2005 Special Election and the compensation is hereby fixed at One Hundred Ten (\$110) dollars.

BE IT FURTHER RESOLVED that Fred Howley shall receive an additional Two Hundred (\$200) dollars for serving in a stand-by capacity.

Schedule Public Hearing; Amendment to Special Use Permit issued to Barrington Ventures (received by Village Clerk on June 12, 2003)

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

BE IT RESOLVED that the Board of Trustees does hereby schedule a Public Hearing on December 1, 2005 to hear and consider an application for an amendment to the Special Use Permit submitted by CC-Briarcliff Inc. and Classic Residence by Hyatt which was issued to Barrington Venture, LLC and The Garlands of Briarcliff Manor, LLC.

Approval of Minutes

Upon motion by Trustee Wilde, seconded by Trustee Waxenberg, the Board voted unanimously to approve the minutes of November 3, 2005 as amended.

Board Announcements

Trustee Waxenberg announced the next Briarcliff Manor Community Coalition meeting would be held on November 30th from 5:00pm through 7:00pm at Pace University. She stated any interested parties should contact the Village in order to attend.

Mayor Vescio wished all residents a Happy Thanksgiving.

Adjournment

Upon motion by Deputy Mayor Venditti, seconded by Trustee Smith the Board voted unanimously to adjourn the regular meeting at 9:20pm.

Respectfully submitted by,

Christine Dennett