

Village Board of Trustees
Regular Meeting
December 15, 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 15th of December 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 Chapter 220, Zoning

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

Upon motion by Deputy Mayor Venditti, seconded by Trustee Smith, the Board voted unanimously to continue the public hearing to January 5, 2006.

Continuation of Public Hearing – Amendment to Special Use Permit, Classic Residence by Hyatt (Kings College Property)

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

Mr. William Null of Cuddy & Feder, LLP explained the amendments to the Special Use Permit.

Mr. Clay Tiffany of Hall Road asked if it was possible to have the library built on the Hyatt property. He stated having the library there would save the Village money and be more centrally located.

Mr. Null stated the applicant provided land for the Village's use and if the Village deemed it necessary the library could be built on their property.

Deputy Mayor Venditti stated the library board indicated they wanted the library to remain at its current location.

Ms. Ellen Melnick of North State Road asked if the Village would get something for not using that land.

Mr. Null stated the parcel was for the Village's use. He further stated an expanded ball field and restrooms would be constructed on the property.

Mayor Vescio reiterated the ball fields would be expanded from the previous plans.

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

**RESOLUTION
OF THE
VILLAGE OF BRIARCLIFF MANOR BOARD OF TRUSTEES**

**SECOND AMENDED SPECIAL PERMIT
CC-BRIARCLIFF LLP AND CLASSIC RESIDENCE BY HYATT
(Formerly Barrington Venture LLC and The Garlands at Briarcliff)**

WHEREAS, by resolution filed in the Office of the Village Clerk of the Village of Briarcliff Manor on June 12, 2003 (the "Special Permit Resolution"),¹ the Village of Briarcliff Manor Board of Trustees granted a Special Permit and a Tree Removal Permit to Barrington Venture LLC and The Garlands of Briarcliff Manor, LLC (collectively, "Original Applicant") for construction and operation of a Continuing Care Retirement Community comprised of a mix of independent living, assisted living and skilled nursing units to accommodate a maximum of 550 residents to be located on the former campus of The Kings College in the Village and to be known as The Garlands of Briarcliff Manor (the "Project"); and

WHEREAS, the Project has been subject to a coordinated review under the New York State Environmental Quality Review Act ("SEQRA") by the Village of Briarcliff Manor Planning Board as the Lead Agency, which included the preparation of a Draft Environmental Impact Statement ("DEIS") and a Final Environmental Impact Statement ("FEIS"); and

¹ Capitalized terms that are defined in the Special Permit Resolution and used but not defined in this Resolution have the same definition in this Resolution as they are given in the Special Permit Resolution.

WHEREAS, the Planning Board addressed the Project's conformance to the general Special Permit standards of the Village's Zoning Law in the FEIS and found that the Project conforms to and meets and furthers the intent of the requirements of those standards and further that the Project more particularly conforms to the Special Permit standards of the zoning established for Continuing Care Retirement Community use under Village Code Section 220-6(J)(14); and

WHEREAS, the Board of Trustees participated in the SEQRA review of the Project as an Involved Agency throughout the course of the review; and

WHEREAS, the Project is fully described in the DEIS, the FEIS, the Findings Statement, and the materials and submissions in support thereof; and

WHEREAS, the Planning Board as Lead Agency adopted a Findings Statement dated April 28, 2003, which concluded that significant adverse impacts identified had been satisfactorily minimized or mitigated to the maximum extent practicable subject to certain project modifications; and

WHEREAS, as an Involved Agency and in accordance with the requirements of Part 617 of the SEQRA regulations, the Board of Trustees adopted its own Findings Statement dated May 29, 2003; and

WHEREAS, CC-Briarcliff LLP and/or CC-Briarcliff Inc., as the case may be, and Classic Residence by Hyatt are now the contract vendee and proposed developer respectively of the Premises and the Project (collectively, the "New Applicant"); and

WHEREAS, the New Applicant earlier applied to the Board of Trustees to amend the approval as set forth in the Special Permit Resolution with respect to certain water system improvements and cellular antenna facilities ("Water and Antenna Changes"); and

WHEREAS, the Planning Board amended its Lead Agency Findings to address the Water and Antenna Changes by Resolution of Amended Lead Agency Findings adopted on August 9, 2005; and

WHEREAS, the Board of Trustees amended the approval as set forth in the Special Permit Resolution to allow the Water and Antenna Changes by Resolution adopted September 15, 2005, and filed in the office of the Village Clerk on November 3, 2005 ("First Amendment Resolution"); and

WHEREAS, the New Applicant applied for a second amendment of the approval set forth in the Special Permit Resolution in connection with particular program and design changes, operational features, and technical points by letter of its counsel dated November 22, 2005 ("Program, Operations, and Technical

Changes”), which letter is annexed hereto and made a part of this Resolution; and

WHEREAS, by resolution adopted November 17, 2005, the Board of Trustees referred the New Applicant’s application for a second amendment of the Special Permit Resolution to the Planning Board for a report in accordance with Village Code Section 220-6(c) and for review as Lead Agency under SEQRA and if and to the extent appropriate, amendment to the Planning Board’s Lead Agency Findings issued in connection with the Project to address the Program, Operations, and Technical Changes; and

WHEREAS, on December 1, 2005, the Board of Trustees opened a public hearing to hear and consider the New Applicant’s application for a second amendment of the Special Permit Resolution to incorporate the Program, Operations, and Technical Changes; and

WHEREAS, at a duly notice regular meeting of the Planning Board on December 13, the Planning Board considered the Program, Operations, and Technical Changes and adopted Further Amended Lead Agency Findings and Planning Board Recommendation to address them; and

WHEREAS, the Project is subject to Planning Board site plan review and approval; and

WHEREAS, having received the New Applicant’s application and documentation submitted to both the Board of Trustees and the Planning Board, having heard presentations by the New Applicant and its representatives and consultants and Village staff and consultants, and having considered all of the same and comments heard at the public hearing, the Board of Trustees has found the Program, Operations, and Technical Changes to be acceptable;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The recitals and statements set forth above are adopted and incorporated in these “Resolved” provisions as if fully set forth and resolved herein.
2. The Program, Operations, and Technical Changes satisfy all of the findings required under Briarcliff Manor Village Code Section 220-6(J)(14)(b), as set forth in the Special Permit Resolution.
3. ***THE PROGRAM, OPERATIONS, AND TECHNICAL CHANGES WILL NOT HAVE A SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACT.***
4. The special permit approval as set forth in the Special Permit Resolution, amended by the First Amendment Resolution, and further amended by this Resolution, and the conditions thereof, in accordance with Village Code Section 220-6, Special Permit Use, runs with the land and binds the

Original Applicant, the New Applicant upon its acquisition of the Premises, and any successor in ownership of the Premises (collectively, "Applicant").

5. Subject to the conditions set forth in this Resolution and otherwise in the approval of the Project and its various components ("Conditions of Approval"), the Board of Trustees amends the Special Permit Resolution as follows:

a. **CCRC Program or Design Changes:**

- (1) Paragraph 3.I of the Special Permit Resolution is amended to remove the bracketed and italicized text, and to add the bold and italicized text as follows:

"On-Premises Amenities: The Applicant shall provide on-Premises amenities, including among other things: common dining venues, recreation facilities, social programs, a multi-purpose **community** room for on-Premises entertainment, fitness center, [*surround-sound theater,*] walking trails, [*formal*] landscaped areas, a community garden, pool, **and** a tennis court [, *and a community room/performing arts center*]."

- (2) The general description of the on-site amenities on page 4 of the Special Permit Resolution is amended to remove the bracketed and italicized text and to add the bold and italicized text, as follows:

"WHEREAS, the Project would consist of:

- 315 independent living units (ILU), of which 288 would be apartment style units and 27 would be villa units;
- 70 assisted living units (ALU) and skilled nursing beds (SNU) in a Health Center;
- [20] **3** guest suites;
- various amenities for the residents of the CCRC, including among other things, common dining venues, recreation facilities, social programs, a multi-purpose **community** room for on-Premises entertainment, fitness center, [*surround-sound theater,*] walking trails, [*formal*] landscaped areas, a community garden, pool, **and** a tennis court [, *and a community room/performing arts center*]; and
- parking for ±589 vehicles; and"

- (3) Paragraph 3.p.i - iv of the Special Permit Resolution are amended to remove the bracketed and italicized text and to add the bold and italicized text, as follows:

“Village Access to [Performing Arts Center] Lodge Room and Multi-Purpose Community Room [Assembly Rooms]:

- i. **Access and Availability:** The Applicant shall permit reasonable use of the [community room/performing arts center] **multi-purpose community room, Lodge Room as defined below** and related assembly rooms, [including without limitation, the Lodge Room, as defined below] by the Village, local not-for-profit, religious, and/or other community-based organizations, subject to management and coordination by the Applicant of the times, hours and programming needs of the Project and further subject to compliance with Applicant’s Rules & Regulations as well as the balance of the terms set forth in this condition of approval. Nevertheless, any such public access and use of these facilities is solely intended to be incidental to the primary CCRC use.
- ii. **The Lodge Room:** Among other things, the Applicant shall construct and finish one assembly room of approximately 1,600 square feet in area and designate it as the “Lodge Room” (or an alternative name to be approved by the Village, which refers to the former “Briarcliff Lodge”). The interior architectural treatment of the Lodge Room shall be designed to reflect the character of the former Briarcliff Lodge and, to the extent reasonably appropriate, shall include photographs or similar-type images of that building when it was in prime condition. In good faith, the Applicant shall submit to the Village conceptual plans generally showing the design and architectural treatment of the proposed Lodge Room and shall consult with the Village in finalizing the design of the Lodge Room to reasonably conform to the intent of this condition of approval.
- iii. **Insurance and Applicable Rules and Regulations:** On an annual basis, the Village shall provide to the Applicant a certificate of insurance confirming that the Applicant has been named as an additional insured on the Village’s general liability policy for personal injury, death and property damage arising in

connection with any injury or damage occurring by reason of the use of the [*performing arts center*] ***multi-purpose community room*** and related assembly rooms on the Premises, by the Village, its employees, agents, invitees and guests. The amounts of insurance shall be the same as carried by the Village with regard to its general policies of liability insurance. Use by any local not-for-profit, religious, and/or other community-based organizations shall similarly require compliance with Applicant's Rules & Regulations, which may include the provision of satisfactory proof of insurance by such organizations.

- iv. **Payment to Applicant for Use:** The use of the [*performing arts center*] ***multi-purpose community room***, Lodge Room and other assembly rooms by the Village, local not-for-profit, religious, and/or other community-based organizations may require payment to Applicant for reasonable room charge(s), custodial maintenance thereof, utilities, parking and other incidental costs that may be related to such use, as well as for any additional amenities that may be requested by such user, such as food, drink, services, linens, and/or other equipment.”

- (4) Paragraph 3.cc.vii of the Special Permit Resolution is amended to remove the bracketed and italicized text and to add the bold and italicized text, as follows:

“Landscape Plan: A landscape plan substantially as detailed in the DEIS and FEIS, including:

1. [*Dredging and cleaning of Lodge Pool*] ***Prior to the commencement of any dredging and/or cleaning of Lodge Pool, a copy of the Permit issued by New York State Department of Environmental Conservation (NYSDEC) for such work, and the plan submitted to NYSDEC in connection therewith, shall be submitted to the Village Engineer in order to confirm the conformity of the proposed dredging and/or cleaning of Lodge Pool to the Site Plan approved by the Planning Board;***
2. Enhancement of the area around Lodge Pool with a [*formal*] walking path, [*stone walls, sitting/viewing areas,*] and [*ornamental*] planting;

3. Creation of a[n *approximately 4.5 acre Formal Garden*] landscaped area where the [existing] **former** soccer field/track [are] **were** located including walking paths, [*ornamental trees, landscaped hedges, and seating areas*] and a [*heavily planted*] **planted** buffer area along the western boundary [*with a mixture of evergreen and deciduous plantings*];
4. [*Individual*] **A** gardening area[s] for use by the residents of the CCRC [*and an accessory pavilion space to provide shelter for outdoor activities*];
5. Creation of approximately 0.56 acres of new wetland areas, including planting with a mix of native wetland and upland species [*and ornamental landscape species*] in an area west of the former track.”

b. **CCRC Operational Changes:**

- (1) Paragraph 3.o.ii of the Special Permit Resolution, entitled “Limited Easement for Public Access to the Premises” is amended to remove the bracketed and italicized text, as follows:

“The Recreation Easement also shall include a grant of public access to the CCRC’s walking paths and garden areas, as they may be situated on the Premises[, *together with permission for incidental parking by the public on the Project’s internal roadways adjacent to the Recreation Parcel*]: (1) from dawn to dusk, and (2) subject to reasonable rules and regulations to be established by the Applicant, which rules and regulations shall not be implemented nor materially modified without prior consultation with the Village (hereinafter the “Applicant’s Rules & Regulations”).”

- (2) Paragraph 2.g.v of the Special Permit Resolution is amended to remove the bracketed and italicized text, as follows:

“Parking areas will be of adequate size for the Project and most of them will be situated below the buildings thereby minimizing the visual impact of parking areas, while preserving large amounts of open space. **Valet parking is REQUIRED, AND authorized, including use of the aisles for no more than ninety (90) cars IS AUTHORIZED, AS SHOWN ON THE NEW APPLICANT’S CURRENT SUBMISSIONS ON THE PROGRAM, OPERATIONS, AND**

TECHNICAL CHANGES. In addition, tandem parking spaces may be utilized. The at-grade parking area adjacent to the ball field, among others, will be screened from any adjoining residential uses, and the entrance and exit drives are laid out so as to achieve maximum safety. Notwithstanding any of the foregoing, however, the at-grade parking area adjacent to the ball field is for use primarily by non-residents of the CCRC who are using the ball field or public amenities at the Project site, and no valet parking, aisle parking, or tandem parking shall be used in that parking area.”

- (3) Paragraph 3.n of the Special Permit Resolution is amended to remove the bracketed and italicized text and to add the bold and italicized text, as follows:

“Structured Parking: The parking on the Premises shall be constructed substantially as described in the FEIS. [*and* /] Landscaping within parking areas shall not be required due to the design for the operation of the CCRC using structured parking below the grade of the first-story of certain buildings. ***Valet PARKING SHALL BE PROVIDED AS SHOWN ON THE NEW APPLICANT’S CURRENT SUBMISSIONS ON THE PROGRAM, OPERATIONS, AND TECHNICAL CHANGES, and tandem parking shall be authorized, including use of the aisles for no more than ninety (90) cars. The provision of aisle and tandem parking shall be permitted only so long as the CCRC shall continue to provide valet parking services for its residents and guests, as stated in this Resolution. Should the valet parking services be terminated, then the aisle and tandem spaces shall not be used and alternative parking shall be constructed substantially in accordance with a plan entitled “Classic Residence by Hyatt in Briarcliff Manor, Briarcliff Manor, NY,” “Alternative Parking Plan - No Valet/Tandem Structure Parking,” (C-4) dated November 29, 2005, prepared by TRC Raymond Keyes Associates.***

- (4) Paragraph 3.y of the Special Permit Resolution is amended to remove the bracketed and italicized text and to add the bold and italicized text, as follows:

“On-Premises Emergency Response System: A [*mechanical and operational*] system shall be installed and maintained on the Premises for notification of [*Garlands*] staff of emergencies via in-residence and optional personal

communication devices to ensure immediate response and reduce unnecessary calls to the Village Fire, EMS and Police departments. This system shall *[include a phone system run by the Applicant and shall be similar to that currently used in the Applicant's Garlands of Barrington project. The details of this system shall]* be **reviewed** *[provided]* during the Site Plan Approval process and incorporated as conditions to any approval therein. Such system, **as it may be updated from time-to-time**, shall be subject to reasonable review by the Briarcliff Manor Fire Department **and Village Engineer.**"

c. Project Technical Issues:

(1) Paragraphs 3.o.vi, 3.p.iii, and 3.q of the Special Permit Resolution are amended to provide that the following entities shall be named as additional insureds "as their interests may appear" on all such insurance policies:

- CC-Briarcliff, Inc.
- CC-Development Group, Inc.
- Classic Residence Management Limited Partnership
- Classic Residence by Hyatt

(2) Paragraph 3.bb of the Special Permit Resolution is amended to omit the bracketed and italicized text, as follows:

"Rock Crushing [and Batch Concrete Plant]: The Applicant shall incorporate a rock crusher *[and concrete batch plant]* during construction. *[in order to reduce the amount of construction related traffic on the local roadway network]* **IN ORDER TO REDUCE THE AMOUNT OF CONSTRUCTION RELATED TRAFFIC ON THE LOCAL ROADWAY NETWORK.**"

(3) Paragraph 3.cc.iv.3 of the Special Permit Resolution is amended to omit the bracketed and italicized text and to add the bold and italicized text, as follows:

"The Applicant shall implement a [reforestation] *landscape* program relating to approximately 3.62 acres of the Premises, substantially as detailed in the DEIS and FEIS, *except for landscaping identified therein that can not be provided without decreasing the size of the playing fields.*"

- (4) Paragraph 3.t.i of the Special Permit Resolution is amended to omit the bracketed and italicized text and to add the bold and italicized text, as follows:

Replacement of Dalmeny Road Pump and Dry Hydrants:

At the Applicant's sole cost and expense, the existing Dalmeny Road water pump will be replaced and a new pump station shall be constructed and installed on the Premises to offer redundancy to the water system. Other than disconnecting the pumps and pipes, the Applicant shall not be responsible for decommissioning the Dalmeny Road water pump including but not limited to addressing any existing subsurface or other conditions thereat. *[In addition to the water pump, a]* **A dry fire line *[from Scarborough Road] in the vicinity of the Premises' intersection with Lodge Road*** shall be installed by the Applicant at its sole cost and expense, in accordance with Village's standards and including hydrants and/or standpipes. The fire line shall connect to a location near the top of the hill on the Premises that will be approved by the Village Engineer. To the extent that the Applicant disturbs any land area in the course of the work described in this condition of approval, the Applicant shall reasonably restore any such disturbed area(s) to substantially the condition that existed prior thereto."

6. Amendment of the Special Permit Resolution as set forth in this Resolution is conditioned upon:
- a. All of the conditions of or set forth in the Special Permit Resolution and the First Amendment Resolution are restated and reaffirmed in this Resolution.
 - b. Village Planning Board site plan approval of the Project incorporating the Program, Operations, and Technical Changes.
 - c. Compliance with all other approvals necessary for construction or use of the Project incorporating the Program, Operations, and Technical Changes.
 - d. **THE NEW APPLICANT AND ANY FUTURE OWNER OR OPERATOR OF THE PROJECT SHALL PROVIDE VALET AS SHOWN ON THE NEW APPLICANT'S CURRENT SUBMISSIONS ON THE PROGRAM, OPERATIONS, AND TECHNICAL CHANGES.**
 - e. **NEITHER THE NEW APPLICANT NOR ANY FUTURE OWNER OR OPERATOR OF THE PROJECT SHALL USE THE AREAS**

DESIGNATED AS ALTERNATIVE PARKING AREAS SHOWN ON THE PLAN ENTITLED "CLASSIC RESIDENCE BY HYATT IN BRIARCLIFF MANOR, BRIARCLIFF MANOR, NY," "ALTERNATIVE PARKING PLAN - NO VALET/TANDEM STRUCTURE PARKING," (C-4) DATED NOVEMBER 29, 2005, PREPARED BY TRC RAYMOND KEYES ASSOCIATES, IN ANY MANNER INCONSISTENT WITH THEIR POTENTIAL FUTURE USE AS ALTERNATIVE PARKING AREAS.

- f. **THE NEW APPLICANT SHALL IDENTIFY AND SET ASIDE A SPECIFIC PARCEL OF PROPERTY WITHIN THE PROJECT SITE FOR FUTURE INSTALLATION OF A TENNIS COURT IF THE BOARD OF TRUSTEES, IN ITS DISCRETION, REQUIRES THE NEW APPLICANT OR A FUTURE OWNER OR OPERATOR OF THE PROJECT TO INSTALL THE TENNIS COURT AT A FUTURE DATE.**
7. Nothing contained in this Resolution shall preempt or supersede site plan review of the Project by the Planning Board or final review of the Project by any other agency or entity with jurisdiction over any element of Project.
8. If any of the Program, Operations, and Technical Changes permitted by this Resolution is not approved on site plan review of the Project by the Planning Board or on final review by any other agency or entity with jurisdiction over use of any element of the Project, then this Resolution shall be rescinded in full and shall have no application, force, or effect, none of the Program, Operations, and Technical Changes shall be permitted for use in the Project, and the Special Permit Resolution filed in the Village Clerk's office on June 12, 2003, and amended by the First Amendment Resolution filed in the Village Clerk's office on November 3, 2005, shall be reinstated in full and without modification or effect by this Resolution. Notwithstanding the foregoing, however, a denial or withholding of any approval shall not cause such rescission and reinstatement if and for so long as Applicant continues in good faith to seek approval by the agency or entity which denied or withheld it or any other governmental authority with jurisdiction over the same.
9. Except as otherwise provided herein, all other terms and conditions of the Special Permit Resolution and the First Amendment Resolution shall remain in full force and effect.
10. This Amendment does not toll or extend in any way any time period set forth in the Special Permit Resolution.

Village Counsel Smith stated for the record the Board adopted the 2nd amendment in draft form to the Special Use Permit on December 15, 2005. He

further stated the public hearing was re-noticed after the December 1, 2005 meeting with the correct language and continued to December 15, 2005.

Scarborough Station Parking Needs and Accessibility Study – Presentation by Georges Jacquemart (Buckhurst, Fish and Jacquemart)

Mr. Georges Jacquemart presented to the Board and the public. He reviewed various alternatives and provided a cost analysis for each alternative. He stated the attendant option was the most feasible and suggested sending out a request for proposal.

Trustee Waxenberg asked how the growth projection for the next five years could be ascertained.

Mr. Jacquemart stated they had growth projections for the region.

Ms. Melnick stated parking had been a problem for many years. She further stated some of the ideas were interesting but not a plan for the future. She stated the attendant parking would cause a back up of cars.

Deputy Mayor Venditti asked Mr. Jacquemart if attendant parking worked in other communities.

Mr. Jacquemart stated yes it did work in many other communities.

Mr. Jack McGlew of 47 Law Road discussed the percentage of residents who used the station parking. He stated he was against the building of a parking deck and litigation would be involved if it were built.

Ms. Michelle Benning of 10 Scarborough Circle asked why it was a guarantee that residents be able to get a parking space. She stated in other communities people are waitlisted.

Mr. Steve Abaro of Revolutionary Road stated he was against the parking structure and he was thrilled by what he had heard in the study. He stated commuters are creatures of habit and typically take the same train daily.

Mr. Robert Little of Savescarborough.com stated his web site had a complete discussion of pages and pages regarding the Scarborough Station. He stated there were no written complaints regarding the lack of parking in the last 24 months. He commended Mr. Jacquemart for a job well done and stated it was money well spent.

Mr. Tiffany stated he didn't want a deck at the station. He disapproved of the voucher idea. He stated the Village along with the Town and Village of Ossining should acquire the Borho property via eminent domain.

Mayor Vescio stated the Board would discuss the parking study at the next work session. He thanked Mr. Jacquemart and his firm for their work.

Board of Trustees Announcements

Mayor Vescio displayed the water pipes before the cleaning, after the cleaning and after the cement lining.

Trustee Wilde announced:

- The Comprehensive Plan Committee had their first neighborhood meeting in a series of five.
- The Library would remain in its present location.
- The Special Election for the Fire Service Awards program had a passing vote of 120-2.
- The holiday sing-along would be held on December 18th from 5-7pm.
- The vandalized menorah had been replaced. Efforts were being made to ensure vandalism didn't occur again.

Village Managers Report

- The Cottonwood Lane and Holly Place pump station would be completed by June 2006.
- The use of temporary water on Pleasantville Road would be ended by the end of the week.
- The Todd Lane Bridge Project had the pre-cast placed on December 13th. Due to inclement weather the grouting couldn't be completed. Alternatives were being looked at.
- The drainage project on Dalmeny Road was moving forward.
- The Work Session scheduled for December 27th had been cancelled.

Open Session

Mr. Tiffany stated it was hard to believe somebody was able to get away with the theft of the menorah. He asked the Village to voice analyze a threatening phone call made against him. He asked if the Village paid for the menorah and the lights on the Christmas tree and if so how much. He further asked the Board if they felt the menorah was a religious symbol.

Village Manager Blau stated the Village paid for the menorah and all other holiday decorations.

Village Counsel Smith stated based on a Supreme Court decision the display of a menorah and a Christmas tree were not considered a religious statement.

They were considered a seasonal celebration and fell under activities permitted under the first amendment.

Public Comments

Mr. Tiffany stated he heard that Police Officer Tartaglione wouldn't be returning to work. He stated the Officer was still being paid. He further stated he had sources that had seen Mr. Tartaglione lifting weights.

Deputy Mayor Venditti asked if Mr. Tiffany had identified the gym to Mr. Blau where Mr. Tartaglione allegedly been seen lifting weights.

Mr. Tiffany stated he hadn't disclosed that information yet. He asked the Board to take the matter seriously.

Mayor Vescio encouraged Mr. Tiffany to sit down with the Village Manager with factual information that could be backed up.

Naming of Streets

Mr. Tiffany stated he knew Mr. Shine personally and he was a very nice person who had a lot of class.

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

BE IT RESOLVED that the portion of School Road in an east-west direction is hereby renamed Delton Lane in honor of Mayor Freda Delton; and

BE IT FURTHER RESOLVED that the portion of School Road in a north-south direction is hereby renamed Van Lu Van Road in honor of Ernest Van Lu Van who died serving in the Armed Forces in World War I; and

BE IT FURTHER RESOLVED that the road commonly known as No Name Road is hereby named Shine Place in honor of Jonathan Shine who died serving in the Armed Forces in the Vietnam War.

Award of Bid – Tree Trimming Services

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

BE IT RESOLVED that the bid for Tree Trimming and Stump Grinding Services (VM-0510) is hereby awarded to The Care of Trees of Mt. Kisco, New York per the bid amounts noted below:

Tree Trimming and Removal	\$795 per day
Additional Manpower	\$397.50 per day
Stump Grinding	\$5.00 per lineal inch

Schedule Public Hearings – Local Law to Donate Police Cruisers and Firetruck

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

BE IT RESOLVED that a Public Hearing is hereby scheduled for January 5, 2006 Board of Trustees meeting to hear and discuss a Local Law to provide for donations of surplus police cruisers by the Village of Briarcliff Manor for Hurricane Katrina relief; and

BE IT FURTHER RESOLVED that a second Public Hearing is hereby scheduled for January 5, 2006 Board of Trustees meeting to hear and discuss a Local Law to provide for the donation of a fire truck by the Village of Briarcliff Manor for Hurricane Katrina relief.

Approval of Minutes

Upon motion by Trustee Wilde, seconded by Trustee Waxenberg, the Board voted unanimously to approve the minutes of December 1, 2005 as amended.

Adjournment

Mayor Vescio wished everyone a very Merry Christmas and a Happy Hanukah.

Upon motion by Trustee Waxenberg, seconded by Deputy Mayor Venditti, the Board voted unanimously to adjourn the regular meeting of the Board of Trustees at 9:45pm.

Respectfully submitted by,

Christine Dennett