

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 20th of April 2006 commencing at 7:30 p.m.

Present

William J. Vescio, Mayor
David Venditti, Deputy Mayor
Robert Mayer, Trustee
Elsie Smith, Trustee
Gayle Waxenberg, Trustee

Also Present

Michael Blau, Village Manager
Clinton Smith, Village Counsel

Absent

Ingrid Richards, Assistant Village Manager
Stephanie Ippoliti, Village Clerk

Continuation of Public Hearing, Tentative Budget for Fiscal Year 2006-2007

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

Mr. Nick Evanchik of 119 Alder Drive asked the Board what the expected balance would be in the undesignated reserve fund as of May 31, 2006. He further asked what the basis for maintaining that level was and stated he felt the amount was excessive.

Mayor Vescio stated the amount was recommended by the auditors.

Mr. Evanchik stated the fund balance was too high and it was taking money out of the taxpayer's pockets and it becomes a slush fund.

Mayor Vescio stated the Board would take his comments under consideration.

Mr. Evanchik asked about the water fund.

Village Manager Blau stated he submitted some proposals for the Board to review.

Mr. Clay Tiffany of Hall Road stated the Police Department was overpaid and no raises should be enacted. He further stated there should be a referendum to abolish the Police Department. He stated the Police Department was 23% of the budget and they were a waste of money. He stated there were too many lights in Law Park and having the attorneys at the Board meetings was a waste. He further stated there was a major liability allowing the Fire Department to serve alcohol and the party buster line was ridiculous.

Mr. Jerry Morrissey of 50 Orchard Road asked if there was a time limit on public speaking.

Mayor Vescio stated during public hearings there were no restrictions on time.

Mr. Morrissey stated as a citizen it was a shame to be subjected to it and he felt badly that the Board was being berated.

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

Public Hearing – Office Hours

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

Mr. Tiffany asked if this policy pertained to all employees or just non-union personnel. He asked what the hours were for the Department of Public Works employees.

Village Manager Blau stated the sanitation workers worked on an incentive program. He explained that once their routes were finished they were permitted to leave.

Mr. Tiffany stated that program could cause the worker to rush and cause injuries or potentially death. He stated other communities such as Ossining were working to change that policy.

Trustee Smith asked if the program was standard policy throughout the County.

Village Manager Blau stated it was standard policy.

Mr. Tiffany asked if this new local law would pertain to the Court Clerk.

Mayor Vescio stated this local law would bring uniformity to the hours of Village staff.

Upon motion by Trustee Mayer, seconded by Trustee Waxenberg, the Board voted unanimously to close the public hearing.

Deputy Mayor Venditti requested a revision to Section 39-3. He asked that “subject to approval by the Village Manager” be added. He stated he felt it was wise to determine a gatekeeper.

Village Attorney Smith stated it might be an after the fact review and should state “emergencies approved by the Village Manager before or after”.

Upon motion by Deputy Mayor Venditti, seconded by Trustee Waxenberg, the Board voted to amend the local law.

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

BE IT RESOLVED that the Code of the Village of Briarcliff Manor is hereby amended by adding a new Chapter to provide for regular hours of Village offices and personnel.

Presentation – Trails Study

Ms. Lucille Munz and Ms. Kirsten Brophy from Cherbuliez Munz presented to the Board and the public.

Mayor Vescio asked what the next step would be.

Ms. Munz stated cost estimates for the development of the trails and a priority and phasing plan would be next. She asked that the Board review the map and provide her with some feedback.

Deputy Mayor Venditti asked if there would be uniformed signage throughout the trail system.

Ms. Munz stated it would be uniform and a map can be placed on the Village's web site.

Mayor Vescio thanked Ms. Munz and Ms. Brophy for their presentation.

Ms. Munz stated the Village's staff was fabulous and it was a very good team effort.

Mr. Evanchik asked if there was any objective measurement used to determine the demand for the trails and what the usage would be.

Mayor Vescio stated the Neighborhood Meetings showed a high desire to build the trails.

Presentation – Westchester Land Trust

Mr. Paul Galley, Executive Director of the Westchester Land Trust presented to the Board and the public.

Trustee Waxenberg asked if Mr. Galley could help identify sources of funding.

Mr. Galley stated he could and they helped five other towns find funding.

Mr. Tiffany asked if Mr. Galley could name the communities that passed the referendums.

Mayor Vescio asked for the list of those communities in writing.

Mr. Evanchik asked how much open space a municipality should typically have.

Mr. Galley stated it depended on the municipality.

Village Managers Report

Village Manager Blau stated the slope stabilization project was being finalized at Lynn McCrum field.

Public Comments

Ms. Dawn Orza of 35 Tulip Road stated she was concerned about the unauthorized tee box on the 12th hole at Trump National Golf Course. She stated they clear-cut the area and created an unattractive wall and increased the runoff. She further stated she felt they created the drainage plan to sneak in the tee box. She stated she wouldn't be satisfied until that area was restored to its natural state.

Mayor Vescio stated the Planning Board was aware of the situation and Trump National is supposed to restore the area back to the condition that was approved.

Mr. Evanchik asked questions regarding the budget, the emergency water supply connection, the Scarborough Station and the trail study.

Mr. Don Wilde of 234 Pine Road asked if the Board was still considering extending the terms for elected officials.

Mayor Vescio stated the matter had not been discussed to date.

Ms. Ellen Melnich of North State Road stated for four months she'd been asking about the bulk law and if the houses would be bigger and closed to their neighbors. She stated the resident's didn't want the law to be revised and asked what was pushing this. She further stated builders would profit and so would the Mayor. She asked what the Board considered a conflict of interest.

Mr. Morrissey asked about the Sherman property on Scarborough Road. He stated he remembered a restriction placed on the property by the Planning Board prohibiting any future development on that property. He asked if it was recorded on the County records.

Village Manager Blau stated he would check the records.

Mr. Clay Tiffany stated Mayor Vescio was partners with his son in Eastern Oaks Development. He asked that a psychiatric exam be given to Police Officer Tartaglione. He stated he didn't know of any tickets issued to drivers leaving Sleepy Hollow Country Club or Briarhall/Trump. He asked why Police Officer DePalo was allowed to resign instead of being terminated and asked why he couldn't see the Police Chief.

Ms. Orza asked why the public hearing hadn't been rescheduled for the bulk law.

Mayor Vescio stated the Board had been meeting with the Zoning and Planning Boards.

Mayor Vescio asked Village Attorney Smith if they could suspend public comments for the remainder of the meeting on agenda items.

Village Attorney Smith stated it was a matter of discretion.

Upon motion by Deputy Mayor Venditti, seconded by Trustee Smith, the Board voted unanimously to suspend public comments for the remainder of the meeting.

Community Development Block Grants

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

WHEREAS, the Community Development Block Grant (CDBG) program was enacted as the centerpiece of the Housing and Community Development Act of 1974 with the primary objective to develop viable urban communities in partnership among the federal, state and local governments, business, and the nonprofit sector, "by providing decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low and moderate income;" and

WHEREAS, CDBG funded activities must fall under three national objectives, the elimination of slums and blight; addressing urgent needs that pose an immediate threat to the health, safety, and public welfare of a community; and addressing the needs of low and moderate income persons with at least 70 percent of CDBG funding; and

WHEREAS, under these guidelines, Westchester County uses CDBG funds to eliminate slums and blight; conserve and expand housing stock; conserve energy; preserve properties of historic value; reduce isolation of income groups within communities; revitalize deteriorating neighborhoods; improve the provision of community services; promote economic development; and encourage more rational use of land and natural resources; and

WHEREAS, a 2001 report published by the Brookings Institution notes that suburban communities house much of the nation's working families and don't have the funding they need to manage older infrastructure and the cost of rebuilding and depend heavily on residential taxes to fund basic services. Further, high-cost counties like Westchester have extreme gaps between rich and poor. Workers such as teachers, firefighters, hotel workers and other service personnel – the core people each community needs – can't find affordable housing. Neither can immigrants who are attracted to thriving areas where the jobs are; and

WHEREAS, CDBG program funds have been used to help provide relief in disasters such as the Katrina, Rita and Wilma Hurricanes when Congress appropriated \$11.5 billion in CDBG funds for the recovery of Louisiana, Mississippi, Alabama, and Texas. The \$3.483 billion in CDBG funds appropriated to help New York City recover from the September 11th tragedy continues to play a critical role in the City's restoration; and

WHEREAS, the success of the CDBG program has been well documented as a stabilizing force in our cities, towns and villages and the need for funding has increased as our municipalities face rising federal and state costs and taxes and a shortage in housing stock considered "affordable," yet, since 2001, CDBG funding has declined steadily from \$4.41 billion nationally to \$3.71 billion and is threatened with a further reduction of 25 to 33 percent in the FY2007 budget; and

WHEREAS, A national survey on the impact of prior reductions in CDBG funding reports a substantial negative effect on homeownership, local economy growth and the strength of the nation's infrastructure. It is alarming to contemplate the projections: fewer jobs retained and created; fewer households assisted with homebuyer assistance; fewer services for elderly persons, children and youth, persons with special needs and low-

and-moderate-income persons; reductions in housing rehabilitation; canceled or delayed public improvements including street and sidewalk improvements, community and neighborhood centers and health and recreational facilities; now therefore be it

RESOLVED, that the Board of Trustees of the Village of Briarcliff Manor joins such CDBG Coalition members as the United States Conference of Mayors, the National League of Cities, the National Association of Counties, and many others, in strongly urging Congress to fund the CDBG program to at least the \$4.5 billion level in the FY2007 budget; and be it further

RESOLVED, that the Board of Trustees of the Village of Briarcliff Manor strongly urges that funding of CDBG not have a negative impact on other HUD programs that critically impact our communities.

Award of Bids

Bus Transportation

Mayor Vescio stated the bid was \$4,100 less than budgeted for.

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

BE IT RESOLVED that the bid for the furnishing of Bus Transportation Services for various programs operated by the Recreation and Parks Department (VM-0603) is hereby awarded to Briarcliff Bus Company, Inc. of Briarcliff Manor, New York.

BE IT FURTHER RESOLVED that the Village Manager is hereby authorized and directed to execute a contract associated with the furnishing of Bus Transportation Services for the Recreation and Parks Department.

Street Sweeper

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

BE IT RESOLVED that the bid for the purchase of a Three Wheel Street Sweeper with Belt Conveyor (VM-0602) is hereby awarded to Empire Equipment Sales Co, Inc. of Flushing, New York per their bid with trade-in of \$138,315.

BE IT FURTHER RESOLVED that the Village Manager is hereby authorized and directed to execute a contract for the purchase of a Street Sweeper.

Authorize Village Manager to Execute Agreements with Mt. Pleasant for Briarcliff East and Northeast Briarcliff Fire Protection Districts

Mayor Vescio stated the Board would hold off on voting on the matter until the Fire Department signed off on it and the ambulance language was clarified.

Special Use Permit Request – Omnipoint

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

BE IT RESOLVED that the request for the issuance of a Special Use Permit for Omnipoint to install wireless telecommunications services facilities on the steeple at the Scarborough Presbyterian Church is hereby directed to the Planning Board for review and recommendation.

Fire Department Membership

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

BE IT RESOLVED that the Board of Trustees of the Village of Briarcliff Manor hereby approves the membership of Dominick Oddo to the Briarcliff Manor Fire Company.

BE IT FURTHER RESOLVED that the Board of Trustees of the Village of Briarcliff Manor hereby approves the membership Elan Avinoam to the Scarborough Engine Company and Gregory Fulfree to the Briarcliff Manor Fire Company, both of whom are under eighteen years of age.

Approval of Minutes

Upon motion by Trustee Smith, seconded by Trustee Mayer, the Board voted unanimously to approve the minutes of March 16, 2006 as amended. Deputy Mayor Venditti abstained.

Upon motion by Trustee Waxenberg, seconded by Deputy Mayor Venditti, the Board voted unanimously to approve the minutes of the April 3, 2006 Organizational Meeting.

Upon motion by Deputy Mayor Venditti, seconded by Trustee Smith the Board voted unanimously to approve the minutes of the April 5, 2006 public hearing as amended.

Upon motion by Trustee Smith, seconded by Trustee Mayer, the Board voted unanimously to approve the minutes of April 6, 2006. Deputy Mayor Venditti abstained.

Board of Trustees Announcements

Trustee Smith thanked the participants of Stash the Trash. She also thanked Recreation Department employee Christopher Soi for organizing the event.

Adjournment

Upon motion by Trustee Waxenberg, seconded by Deputy Mayor Venditti, the Board voted unanimously to adjourn the regular meeting at 10:15pm.

Respectfully submitted by,
Christine Dennett