



AGENDA
NOVEMBER 7, 2012
BOARD OF TRUSTEES
VILLAGE OF BRIARCLIFF MANOR, NEW YORK
REGULAR MEETING – 7:30 PM

Board of Trustees Announcements

Village Managers Report

Public Comments

1. Election Resolution for Annual Village Election 2013
2. Report: Village Justice Court Annual Auditor's Report
3. Minutes
 - October 17, 2012 – Regular Meeting

NEXT REGULAR BOARD OF TRUSTEES MEETING – NOVEMBER 21, 2012

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
NOVEMBER 7, 2012

1. ELECTION RESOLUTION FOR ANNUAL VILLAGE ELECTION 2013

BE IT RESOLVED that the annual Village Election will be held in the Village of Briarcliff Manor on Tuesday, March 19, 2013 between the hours of 6:00am and 9:00pm during which the polls will be open.

BE IT FURTHER RESOLVED that the following Village Offices are to be elected at the annual Village Election of March 19, 2013 for the terms as set forth herein:

| <u>Office</u> | <u>Term</u> |
|-----------------|-------------|
| Mayor | 2 Years |
| Trustee (2) | 2 Years |
| Village Justice | 3 Years |

VILLAGE OF BRIARCLIFF MANOR, NEW YORK

VILLAGE JUSTICE COURT

STATEMENT OF CASH RECEIPTS,
CASH DISBURSEMENTS AND CASH BALANCES

YEAR ENDED MAY 31, 2012

WITH INDEPENDENT AUDITORS' REPORT

DRAFT

INDEPENDENT AUDITORS' REPORT

To the Honorable Mayor and Board of Trustees
of the Village of Briarcliff Manor, New York:

We have audited the accompanying statement of cash receipts, cash disbursements and cash balances of the Village Justice Court of the Village of Briarcliff Manor, New York as of and for the year ended May 31, 2012. This financial statement is the responsibility of the Village's management. Our responsibility is to express an opinion on this financial statement based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statement is free of material misstatement. An audit includes consideration of internal control over financial reporting as a basis for designing audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Village Justice Court's internal control over financial reporting. Accordingly, we express no such opinion. An audit also includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statement, assessing the accounting principles used and significant estimates made by management as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

This financial statement has been prepared in conformity with accounting principles prescribed by New York State in the Handbook for Town and Village Justices, which is a comprehensive basis of accounting other than accounting principles generally accepted in the United States of America.

In our opinion, the statement of cash receipts, cash disbursements and cash balances referred to above presents fairly, in all material respects, the cash received, disbursed and the cash balances of the Village Justice Court of the Village of Briarcliff, New York at May 31, 2012 and for the year then ended, on the cash basis of accounting as provided by New York State.

O'Connor Davies, LLP
Harrison, New York
July 19, 2012

VILLAGE OF BRIARCLIFF MANOR, NEW YORK
VILLAGE JUSTICE COURT

STATEMENT OF CASH RECEIPTS, CASH DISBURSEMENTS
AND CASH BALANCES
YEAR ENDED MAY 31, 2012

| | Bail Account | Fine Accounts | |
|---|-----------------|----------------------|---------------------|
| | | Justice Weinstein | Justice Sullivan |
| Cash Receipts: | | | |
| Bail | \$ 13,300 | \$ - | \$ - |
| Fines, fees and other | - | 190,037 | 14,005 |
| Total Cash Receipts | <u>13,300</u> | <u>190,037</u> | <u>14,005</u> |
| Cash Disbursements: | | | |
| Remittance to Village | - | 188,574 | 16,315 |
| Bail refunds, bail applied to fines and forfeitures | 27,355 | - | - |
| Total Cash Disbursements | <u>27,355</u> | <u>188,574</u> | <u>16,315</u> |
| Excess (Deficiency) of Cash Receipts Over Cash Disbursements | (14,055) | 1,463 | (2,310) |
| Cash Balances - June 1, 2011 | <u>18,645</u> | <u>17,231</u> | <u>2,310</u> |
| Cash Balances - May 31, 2012 | <u>\$ 4,590</u> | <u>\$ 18,694</u> | <u>\$ -</u> |
| Cash Balances Represented By: | | | |
| Amount Due Village - May dispositions | \$ - | \$ 18,694 | \$ - |
| Undisposed Cases | <u>4,590</u> | <u>-</u> | <u>-</u> |
| Cash Balances - May 31, 2012 | <u>\$ 4,590</u> | <u>\$ 18,694</u> | <u>\$ -</u> |

Village Board of Trustees
Regular Meeting
October 17, 2012
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 on the 17th of October, 2012 commencing at 7:30 p.m.

Present

William J. Vescio, Mayor
Robert Murray, Trustee
Mark Pohar, Trustee
Lori A. Sullivan, Trustee

Also Present

Philip Zegarelli, Village Manager
Christine Dennett, Village Clerk
Clinton Smith, Village Counsel

Absent

David Venditti, Deputy Mayor

Board of Trustees Report by Trustee Sullivan

- Halloween Window Painting will be in the Central Business District on October 20th.
- The Ragamuffin Parade will be on October 27th at 9:30am.
- The outdoor clay tennis court season has come to a close.
- Please visit website for more information on Recreation Programs.

Village Managers Report by Village Manager Zegarelli

- The FWSP refinancing date is set for November 1st.
- The asbestos abatement project at the Library and Community Center will begin on October 22nd and will take approximately a week to complete.
- The paving and striping program for 2012 is complete.
- The draft Capital FY 2012-2013 plan is being reviewed.
- The 2011-2012 Audit was completed and will be presented to the Board and the public in November.
- October 20th is the Fire Department's Annual Inspection and Dinner.

The Village Manager reviewed a computation of the Village's debt versus what was allowed. He stated the Village had 15.5% of the total amount allowed.

Mayor Vescio stated in using 15.5% of the constitutional debt limit it put the Village in a very good financial position. He further stated it was a testament to the staff and the great job they've done.

Public Comments

There were no public comments.

Award of Bid - Paddle Tennis Court Rehabilitation Project

Upon motion by Trustee Murray, seconded by Trustee Sullivan, the Board voted unanimously to approve the following resolution:

WHEREAS the Village received 2 bids for an RFP for the Rehabilitation of the Paddle Tennis Courts at Law Park; and

BE IT RESOLVED that the bid for the Rehabilitation of the Paddle Tennis Courts at Law Park is hereby awarded to Reilly Green Mountain Platform Tennis as per their bid of \$29,013.50.

BE IT FURTHER RESOLVED that a total of \$29,013.50 is designated from TE 8011 (Recreation Fees); and

BE IT FURTHER RESOLVED that the Village Manager is hereby authorized and directed to execute a contract with Reilly Green Mountain Platform Tennis for said project.

Authorize the Purchase of a Replacement Pool Liner

Mayor Vescio stated as a general policy only the Village Manager should be only one signing agreements with suppliers.

Upon motion by Trustee Sullivan, seconded by Trustee Pohar, the Board voted unanimously to approve the following resolution:

WHEREAS, at the close of the 2012 pool season it was determined that the existing pool liner for the Law Park Pool and Wading Pool were in need of emergency replacement; and

WHEREAS, in addition to normal wear and tear common with such materials utilized for municipal Pool Liners, the VBM Pool Liner suffered additional accelerated damages due to the effects of a storm cell in June 2011 and Hurricane Irene of August 2011 causing the full draining of, cleaning and refilling of the pool and the associated effects of hydrostatic stretching pressures on the seams and other related damage; and

WHEREAS, the Village sought a quote directly from the manufacturer RenoSys of Indianapolis, IN to replace the PVC Membrane System Pool Liners and they have been deemed to be the sole provider of such unique products.

NOW THEREFORE BE IT RESOLVED that the Village Manager is hereby authorized to execute the purchase of replacement PVC Membrane System pool liners from RenoSys as per their quote of \$68,715.

BE IT FURTHER RESOLVED that a total of \$68,715 is designated from TE 8011 (Recreation Fees).

Allow for the Acceptance of Credit Cards for Village Fees

The board had general discussion regarding the fee percentage and how the fees would be charged.

Upon motion by Trustee Pohar, seconded by Trustee Murray, the Board voted unanimously to approve the following resolution:

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

Credit Card/Website Payment Authorization

WHEREAS, New York State General Municipal Law Sec. 5 provides that a local government, may by resolution, authorize a village to accept credit cards as defined in NYS General Municipal Law Sec. 5 ("Credit Cards") as a means of payment of specified local government charges including fines, civil penalties, rent, taxes, fees, charges, revenue, financial obligations or other amounts, including penalties, special assessments and interest ("Fees") owed to it, subject to the village's contracting for the same with a card issuer or financing agency as defined in NYS General Municipal Law Sec. 5 ("Credit Card Issuer or Financing Agency"); and

WHEREAS, New York State General Municipal Law Sec. 5-b provides that a village may accept payment of Fees through the internet website of the Village ("Village's Website") or through the internet website ("Third-Party Website") of a third-party vendor as defined in NYS General Municipal Law Sec. 5-b with whom the village has contracted in accordance with NYS General Municipal Law Sec. 5-b ("Village's Vendor"); and

WHEREAS, the New York State Office of the State Comptroller, Division of Local Government and School Accountability, has published "Reviewing Your Revenue Collection Process, Local Governments Have a Variety of Revenue Collection Options That May Help Them Lower Costs and Experience New Efficiencies When Collecting Taxes and Fees," "Local Government Management Guide, Cash Management Technology," and "Internal Controls Over Selected Justice Courts' Financial Activities" that address municipal acceptance of Credit Cards, regulation and requirements, and best practices among other things; and

WHEREAS, the Village of Briarcliff Manor (“Village”) has determined that it is in public interest (i) to enter into agreements with Credit Card Insurer(s) or Financing agency(s) to provide for the acceptance of Credit Cards for payment of Fees specified herein and (ii) to permit the use of the Village’s Website or the Village’s Vendor’s Third-Party Website for payment of Fees specified herein;

NOW, THEREFORE, be it:

RESOLVED, that Credit Cards may be used to pay the following Fees:

1. Taxes, penalties, interest, special assessments and water rents and fees.
2. Recreation Department fees.
3. Village application, permits, and license fees.
4. Justice Court fines.

and be it further

RESOLVED, that the Village’s Website or Village’s Vendor’s Third-Party Website may be used to pay the following Fees:

1. Taxes, penalties, interest, special assessments, and water rents and fees.
2. Recreation Department fees.

and be it further

RESOLVED that the following Village officials are authorized to accept payment by Credit Cards for said Fees:

1. Village Clerk and Village staff under the supervision of and designated by the Village Clerk.
2. Village Treasurer and Village staff under the supervision of and designated by the Village Treasurer.
3. Village Superintendent of Recreation and Village staff under the supervision of and designated by the Village Superintendent of Recreation.
4. Village Justices and Court Clerks.

and be it further

RESOLVED, that as a condition of the Village’s acceptance of payment by Credit Card, the person paying by Credit Card shall be charged with or otherwise pay any service fee incurred by the Village to a Credit Card Issuer or Financing Agency arising from such transaction; and be it further

RESOLVED, that any method used to accept payments through the Village's Website or through the Village's Vendor's Third-Party Website shall comply with New York State Technology Law Article III; and further

RESOLVED, that any contract with a Credit Card Issuer or Financing Agency or with a Village's Vendor for services pursuant to these Resolutions shall require approval by the Board of Trustees.

Authorize the Village Manager to execute an IMA with the Briarcliff Manor Union Free School District

Upon motion by Trustee Murray, seconded by Trustee Sullivan, the Board voted unanimously to approve the following resolution:

BE IT RESOLVED that the grant application in the amount of \$490,000 submitted by the Village Manager is hereby ratified and confirmed.

BE IT FURTHER RESOLVED that Authorized to execute an Inter-Municipal Agreement with the Briarcliff Manor Union Free School District to effectuate the intent of this resolution.

Minutes

Upon motion by Trustee Sullivan, seconded by Trustee Pohar, the Board voted unanimously to approve the minutes of October 3, 2012.

Adjournment

The Work Session scheduled for October 25, 2012 has been cancelled.

Upon motion by Trustee Pohar, seconded by Trustee Sullivan, the Board voted unanimously to adjourn the meeting at 8:15pm.

Respectfully Submitted By,

Christine Dennett
Village Clerk