



**AGENDA**  
**OCTOBER 17, 2012**  
**BOARD OF TRUSTEES**  
**VILLAGE OF BRIARCLIFF MANOR, NEW YORK**  
**REGULAR MEETING – 7:30 PM**

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**Board of Trustees Announcements**

**Village Managers Report**

**Public Comments**

1. Award of Bid - Paddle Tennis Court Rehabilitation Project
2. Authorize the Purchase of a Replacement Pool Liner
3. Allow for the Acceptance of Credit Cards for Village Fees
4. Confirm the Amended Authorization of the Submission of a Safe Routes to School Grant Application for Pleasantville and Ingham Roads
5. Minutes
  - October 3, 2012 – Regular Meeting

**NEXT REGULAR BOARD OF TRUSTEES MEETING – NOVEMBER 7, 2012**

VILLAGE OF BRIARCLIFF MANOR  
BOARD OF TRUSTEES AGENDA  
OCTOBER 17, 2012

**1. AWARD OF BID – REHABILITATION OF THE PADDLE TENNIS  
COURTS AT LAW PARK**

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.



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**MEMORANDUM**

August 30, 2012

To: Philip E. Zegarelli – Village Manager  
From: David J. Turiano, P.E.   
Re: Rehabilitation of Paddle Tennis Courts (2) – Law Park

Dear Philip:

RFPs were received on August 24, 2012 for the above referenced project.

Two bids were received ranging from \$29,013.50 to \$34,500.00 as shown below. The bids are lump sum based.

In an effort to solicit competitive pricing, my office sent the RFP to approximately 15 vendors. However, only the two bids were received indicating that there are very limited contractors that perform this type.

Vendor	Total
Reilly Green Mountain Platform Tennis	\$29,013.50
Total Platform Tennis LLC	\$34,500.00

Reilly Green Mountain Platform Tennis has successfully worked for the Village in the past performing similar type work and maintains a good reputation.

Based on the above, it is my recommendation that the VBM award the contract to Reilly Green Mountain Platform Tennis at a cost of \$29,013.50.

I defer to Superintendents Henry Jamin and Edward Torhan to provide information as to available funding for this work.

Please feel free to contact me if you have any questions relating to the above.

VILLAGE OF BRIARCLIFF MANOR  
BOARD OF TRUSTEES AGENDA  
OCTOBER 17, 2012

**2. AUTHORIZE THE PURCHASE OF A REPLACEMENT POOL LINER**

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, 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).



# RECREATION and PARKS DEPARTMENT

Village of Briarcliff Manor

Henry A. Jamin, CPRP, *Superintendent*

MEMO TO: Philip Zegarelli, Village Manager  
FROM: Henry Jamin  
DATE: October 11, 2012  
RE: Pool Liner Replacement / Wading Pool Liner Install

As discussed, the project we are undertaking to replace the Main Pool liner and also install a liner in the Wading Pool utilizes the manufacturer of the liner system and reflects pricing for the project if it is undertaken this fall. If we wait and look to have the work completed in the spring, prices will be 8-10% higher and scheduling becomes a potential problem due to time constraints and the availability of their install crews during their busiest season. The following information outlines some of the particulars of the project and may be helpful in writing the resolution that the Board of Trustees will need to pass in order to authorize the expenditure of the funds from the Recreation Fees TE account.

- As planned, the entire project total of \$68,715 can be funded immediately through the Recreation TE account.
- Since we would be replacing the existing liner with the same product from the same manufacturer, the Health Department considers this a minor modification. All that is required for approval is a submittal letter including an outline of the scope of work, as well as updated product samples & specifications from the manufacturer. This has been done.
- Original preparatory work on the main pool; specifically the welding of the stainless steel mounting skirt around the entire perimeter of the existing gutter system, does not need to be redone since we are using the same product from the same manufacturer that was used prior to the 2000 pool season.
- Since we are using the manufacturer directly, there is no need to bid this job – RenoSys can be considered the sole provider of the RenoSys PVC Membrane System. Bidding would only produce general pool contractors who would bid the job with profit mark-ups, serve as a middle man and still need to bring in RenoSys to supply and install the liners.
- The original Liner system carried a 10 year warranty. We have now completed 13 seasons with it, and noticed the start of seam separations in a few locations. I believe this fact increases the urgency of the project and enables classifying this as an emergency repair. We certainly shouldn't let additional time pass, as the seam separations will only continue to the point where the integrity of the liner system is completely lost. The new liner will carry a 15 year warranty.
- Lining the Wading Pool will eliminate the need to annually repair the existing concrete & tile, and paint the pool shell. The surface will also be softer, less abrasive and safer for the children who use the pool.
- Our price reflects a \$10,000 savings since we will remove the existing, failing liner utilizing our own workforce.

Please let me know if you have any questions or if there is anything further I can provide at this time.



3 Library Road, Briarcliff Manor, New York 10510 . (914) 941-6560 . FAX (914) 944-2748



August 31, 2012

PO#2012081012-500B

Village of Briarcliff Manor, NY  
Outdoor Municipal Gutter Pool & Wading Pool

**RenoSys PVC Membrane Installation  
Quotation**

Install the RenoSys 60 mil PVC Membrane System in the existing Main Pool & Wading Pool employing the following components and services:

**INSTALLATION OF THE RENOSYS PVC MEMBRANE**

- Broom clean pool surface and void it of all loose debris.
- Coat interior of pool with sanitizing agent. Apply RenoFelt adhesive as required.
- Apply RenoFelt 11 (150 mil) to isolate membrane from the pool.
- Install the 60 mil RenoSys PVC membrane through hot air welding throughout.
- Membrane Termination points to be at top of existing stainless steel compression flange for Main Pool, and at outside perimeter of tile coping for Wading Pool.
- Cut out for all main drains, inlets, skimmers, and lights. All penetrations will be terminated with compression flanges.
- Complete additional perimeter caulking, detail work, and finish work to make a complete watertight installation. Install: Racing Lanes, Well Targets, Depth Markers, and Pool Safety Markings onto surface membrane to match existing if applicable.
- Clean site suitable for pool filling and perform final inspection.
- Pool Membrane and all welds shall carry a **15 year limited warranty**.
- RecDeck Membrane and all welds shall carry a **5 year limited warranty**.
- Other installation items shall carry a **1 year limited warranty**. (e.g. caulk, fasteners at compression fittings etc...)

**\*Bundled Package Price** - items below scheduled in coordination with nearby project. **\$ 71,215.00**

RenoSys Infinity Grade PVC Membrane System .....	\$ 64,695.00
Removal of existing liner to be performed by others	
Wading Pool Membrane System includes 2' wide RecDeck Coping Wrap .....	\$ 6,145.00
Wading Pool Skimmer Replacement (2) Hayward or Equal Furnished & Installed	\$ 3,750.00
<del>Custom Logo 4'x4' 2-color "Village of Briarcliff Manor" Seal w/ Fingerprint Proof .....</del>	<del>\$ 2,500.00</del>

*Less \$2,500  
for elimination  
of custom logo  
= \$68,715.00*

Bundled Price is valid until 9/10/12. Quote is based on dimensions obtained from original job file. Existing main pool liner is to be removed by others, and all major surface defects addressed in advance of RenoSys' arrival. Standard surface prep (8-10 man hours) is included in above price. Parking and onsite Dumpster provided by customer at no cost to RenoSys. No taxes (sales, use, local, county, state, B&O, privilege, and/or other applicable taxes), bonds, permits, prevailing or Davis-Bacon wages, or additional fees are included in this estimate. All other work, if required, must be completed prior to liner crew arrival. I have read and understand the information contained on the reverse side of this contract, conditions, installation, and quotation and agree to the terms within.

For A.R.S. Inc.

For Village of Briarcliff Manor, NY

*Stewart J. Mart*  
Stewart J. Mart/President

Date 9/18/12

*Henry Jamin* Date 9/10/12

**HENRY JAMIN, SUPT. OF RECREATION**

Printed Name / Title

1 of 2

ARS LI Blue Textured Membrane



Visit us on the web at... "www.renosys.com"

RenoSys Corporation

2825 East 55th Place • Indianapolis, IN 46220  
Phone: 800.783.7005 • 317.251.0207  
Fax: 317.251.0360 • e-mail: "kymw@renosys.com"

ARS RecDeck PVC Flooring



VILLAGE OF BRIARCLIFF MANOR  
BOARD OF TRUSTEES AGENDA  
OCTOBER 17, 2012

**3. ALLOW FOR THE ACCEPTANCE OF CREDIT CARDS FOR VILLAGE FEES**

**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 Card 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.

AYES:  
NOES:

VILLAGE OF BRIARCLIFF MANOR  
BOARD OF TRUSTEES AGENDA  
OCTOBER 17, 2012

**4. CONFIRM THE AMENDED AUTHORIZATION OF THE SUBMISSION OF A  
SAFE ROUTES TO SCHOOL GRANT APPLICATION FOR  
IMPROVEMENTS TO PLEASANTVILLE AND INGHAM ROADS**

Amended language being drafted by Village Counsel

VILLAGE OF BRIARCLIFF MANOR  
BOARD OF TRUSTEES AGENDA  
OCTOBER 17, 2012

**5. MINUTES**

- October 3, 2012 – Regular Meeting

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 3<sup>rd</sup> of October, 2012 commencing at 7:30 p.m.

**Present**

William J. Vescio, Mayor  
David Venditti, Deputy 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

**Public Hearings**

**Renewal of a Special Use Permit, The Clearview School**

Upon motion by Trustee Murray, seconded by Trustee Sullivan, the Board voted unanimously to open the public hearing.

There were no public comments.

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

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

BE IT RESOLVED that the Special Use Permit issued to The Clearview School is hereby renewed subject to the same conditions included in the original Special Use Permit approval dated February 28, 1980 and as amended on September 18, 2008.

BE IT FURTHER RESOLVED that the Special Use Permit renewal shall be retroactive to August 20, 2012 and shall extend to August 20, 2017.

BE IT FURTHER RESOLVED that should The Clearview School desire to renew this Special Use Permit for another five year period, commencing in 2017, the

School shall be responsible for requesting the renewal at least sixty (60) days prior to the expiration of the Special Use Permit.

**Amendment of a Special Use Permit, Faith Lutheran Brethren Church**

Upon motion by Trustee Pohar, seconded by Trustee Murray, the Board voted unanimously to open the public hearing.

Mr. Bill Welsh, representing the Applicant, explained the proposed amendments to the site. He stated they spoke with the direct neighbor and they did not have any objections.

The Board had general discussion regarding the amended use and asked that the Applicant clarify their proximity and necessary buffer to the nearby wetland and that the Applicant have testing criteria for the fill.

Upon motion by Trustee Murray, seconded by Trustee Sullivan, the Board voted unanimously to close the public hearing.

Village Attorney Smith stated the SEQRA review would be an uncoordinated review with the Planning Board.

The Board made modifications to the resolution.

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

**RESOLUTION  
OF THE  
VILLAGE OF BRIARCLIFF MANOR BOARD OF TRUSTEES  
  
SPECIAL USE PERMIT AMENDMENT  
  
FAITH LUTHERAN BRETHREN CHURCH**

**WHEREAS**, by Resolution dated October 15, 1987, the Board of Trustees of the Village of Briarcliff Manor issued a Special Use Permit for the continued operation of the Faith Lutheran Brethren Church at 480 Pleasantville Road, Briarcliff Manor, as a place of worship; and

**WHEREAS**, by Resolution dated January 17, 2008, the Board of Trustees renewed said Special Use Permit for a period beginning retroactively on October 17, 2001, through October 17, 2013; and

**WHEREAS**, by Resolution adopted January 18, 1966, the Village of Briarcliff Manor Planning Board granted Site Plan Approval for the Faith Lutheran Brethren Church; and

**WHEREAS**, the Applicant has applied to the Board of Trustees to amend the Special Use Permit, and to the Planning Board to amend the said Site Plan Approval, relative to the filling and re-grading of a portion of its property for use by Church members for outdoor meetings and recreation; and

**WHEREAS**, pursuant to Village Code Section 220-6(C), the Board of Trustees referred the application for amendment of the Special Use Permit to the Planning Board for report and recommendation; and

**WHEREAS**, at its meeting of September 11, 2012, the Planning Board authorized a memorandum bearing the same dated to be forwarded to the Board of Trustees by which the Planning Board reserved its determination on the Site Plan amendment, but recommended that the Board of Trustees approve the Application for Special Permit approval; and

**WHEREAS**, the Board of Trustees has reviewed a Short Environmental Assessment Form submitted by the Applicant and has determined that the Project is an Unlisted action in accordance with the New York State Environmental Quality Review Act ("SEQRA").

**NOW THEREFORE, BE IT RESOLVED THAT**, in accordance with SEQRA, the Board of Trustees hereby determines that the proposed action will not have a significant impact upon the environment as it will not significantly alter the existing use of the Property and it will not have an adverse impact upon the character of the area, the Mayor or his designee is authorized to execute the Environmental Assessment Form to reflect the Board's determination; and

**BE IT FURTHER RESOLVED THAT** the Special Use Permit for Faith Lutheran Brethren Church approved by Resolution adopted October 15, 1987, and renewed by Resolution dated January 17, 2008, is hereby amended to reflect the filling and re-grading of a portion of the property for use by Church members for outdoor meetings and recreation, subject to adoption by the Planning Board of a resolution approving the amendment of the Site Plan and all of the terms and conditions as may be set forth therein, to all of the terms and conditions of this Resolution, and to all of the terms and conditions of the original Special Use Permit Resolution and subsequent renewals thereof as same may be modified therein or by this Resolution; and

**BE IT FURTHER RESOLVED THAT** the violation of any term or condition of this Resolution or the Special Use Permit as renewed and amended, shall place the Special Use Permit and any associated Certificate of Occupancy in jeopardy and subject to revocation by the Village; and

**BE IT FURTHER RESOLVED THAT** except as otherwise provided herein, all other terms and conditions of the Special Use Permit shall remain in full force and effect.

**Board of Trustees Report by Deputy Mayor Venditti**

- The Library and Community Center has many upcoming programs and events. Please visit their website [www.briarcliffmanorlibrary.org](http://www.briarcliffmanorlibrary.org) for more information.
- The Fall Recreation Brochure is available on the Village's website [www.briarcliffmanor.org](http://www.briarcliffmanor.org).
- Halloween Window Painting will be in the Central Business District on October 20<sup>th</sup>. Preregistration is required by October 12<sup>th</sup>.
- The Ragamuffin Parade will be on October 27<sup>th</sup> at 9:30am.
- Please visit website for more information on Recreation Programs.

**Village Managers Report by Village Manager Zegarelli**

- The FWSP refinancing date is set for November 1<sup>st</sup>.
- The asbestos abatement project at the Library and Community Center will take approximately a week to complete.
- The Building Department is enforcing MS-4 Compliance and private stormwater mitigation.
- The paving project was held up due to inclement weather.
- The 2011-2012 Audit was completed and will be presented to the Board and the public in November.
- October 20<sup>th</sup> is the Fire Department's Annual Inspection and Dinner.

**Public Comments**

There were no public comments.

**Authorize Village Manager to Submit a Safe Routes to School Grant Application for Improvements to Pleasantville and Ingham Roads**

The Board had general discussion and made amendments to the draft resolution.

Upon motion by Trustee Sullivan, seconded by Deputy Mayor Venditti, the Board voted unanimously to approve the resolution as amended.

**Declaration and Authorization of the Sale of Surplus Vehicles and Equipment**

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

BE IT RESOLVED, that the Board of Trustees does hereby declare the Village owned vehicles and equipment listed below as surplus and further authorizes their sale pursuant to a public bid.

1. 2008 Dodge Durango
2. 2003 Gem LSV Electric Car
3. 2001 Volvo Sanitation Truck
4. 1991 Sreco Flexible Rodder
5. 1994 International 4800 Dump Truck
6. 2003 Yamaha Big Bear 4x4 All-Terrain Vehicle
7. ODB Leaf Machine
8. Stainless Sander/Spreader 1 yard
9. 747 Sewer Rotator Jet
10. 5 Gateway Profile 5.5 Computers without keyboards or mice

**Authorize Village Manager to Enter into a Cooperative Purchase Agreement with the Town of Mount Pleasant**

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

BE IT RESOLVED, that the Board of Trustees does hereby authorize the Village Manager to enter into a Cooperative Purchasing Agreement with the Town of Mount Pleasant for the purpose of purchasing highway construction materials.

**Authorize Village Manager to Execute an Agreement with Bilotta Construction**

The Board had general discussion regarding the process of how roads were selected for repaving. They requested information on how many lineal feet would be paved.

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

BE IT RESOLVED that the Village Manager is hereby authorized and directed to execute on behalf of the Village an agreement with Bilotta Construction for bituminous road materials as per their proposal of \$85.80 per ton. The estimated amount of material to be used is 2,000 to 3,000 tons totaling \$171,600 to \$257,400.

**Authorize Village Treasurer to Execute a Project Finance Agreement with the NYS Environmental Facilities Corporation**

The Board thanked Village Staff for all of their work on the Full Water Supply Project.

Trustee Sullivan stated the bulk of the work on the project occurred before she joined the Board and congratulated her fellow Board Members for getting the project done for 19 million dollars instead of the estimated 28 million dollars with almost 50% of the 19 million to be forgiven.

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

**RESOLUTION**

**of the**

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

**FULL WATER SUPPLY PROJECT**

**EFC PROJECT FINANCE AGREEMENT**

**(LEVERAGED FINANCING PROGRAM)**

**STATE DRINKING WATER REVOLVING FUND**

**PROJECT NOS. 16013 & 16013-70**

Trustee Sullivan moved and Deputy Mayor Venditti seconded a motion to adopt the following resolution to ratify, approve, and confirm the terms, form, and content of general obligations of the Village of Briarcliff Manor ("Village") to be sold and issued to the New York State Environmental Facilities Corporation ("EFC").

**WHEREAS**, the Board of Trustees of the Village adopted serial bond resolutions on May 18, 2006, June 21, 2007, October 2, 2008, and February 19,

2009, authorizing in the aggregate \$28,277,800 serial bonds of the Village (collectively "Bond Resolutions") to finance the cost of the acquisition, construction, and reconstruction of improvements to the Village water system ("Projects"); and

**WHEREAS**, each of the Bond Resolutions contains a section stating:

Subject to the terms and conditions of this bond resolution and the Local Finance Law, including the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 60.00, inclusive, the power to authorize serial bonds authorized herein and bond anticipation notes issued in anticipation of the issuance of such serial bonds, including the renewal of such bond anticipation notes, and the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes, and the power to issue, sell and deliver such serial bonds and such bond anticipation notes, are hereby delegated to the Village Treasurer, as the chief fiscal officer of the Village; and

**WHEREAS**, EFC selected the Project for financing through the Drinking Water State Revolving Fund under the New York State Environmental Facilities Corporation Act, Chapter 413 of the Laws of New York of 1996, and the American Recovery and Reinvestment Act of 2009 pursuant to the terms and conditions set forth in a certain proposed Project Finance Agreement between the Village and EFC ("2009 Project Finance Agreement"); and

**WHEREAS**, by resolutions adopted on November 16, 2009, the Board of Trustees of the Village authorized execution and delivery to EFC of the 2009 Project Finance Agreement, issuance and delivery to EFC of Bond Anticipation Notes under the 2009 Project Finance Agreement (“2009 BANs”), and receipt of the financing proceeds from EFC, and thereafter the Village delivered to EFC the 2009 Project Finance Agreement, issued and delivered to EFC the BANs, and received the financing proceeds from EFC, all as consistent with and authorized by the Bond Resolutions; and

**WHEREAS**, the Village now proposes to issue \$10,359,021 serial bonds referred to by EFC as EFC State Drinking Water Revolving Fund Bond, Series 2011C under the Bond Resolutions (“Recipient Bonds”) pursuant to the terms and conditions set forth in a certain proposed Project Finance Agreement between the Village and EFC (“2012 Project Finance Agreement”) and to use the proceeds thereof to, among other things, satisfy the Village’s obligations under the BANs as contemplated by the Bond Resolutions; and

**WHEREAS**, each member of the Board of Trustees of the Village has been afforded an opportunity to conduct due diligence into the proposed 2012 Project Finance Agreement, including the representations and warranties, covenants, exhibits, and other terms and conditions thereof, and the proposed issuance of the Recipient Bonds;

**NOW, THEREFORE**, be it resolved by the Board of Trustees of the Village of Briarcliff Manor, New York, as follows:

1. Supplementing, but not otherwise affecting the Bond Resolutions, the Board of Trustees hereby authorizes insertion of missing terms, execution, and delivery to EFC of the 2012 Project Finance Agreement, issuance, sale, and delivery to EFC of the Recipient Bonds in accordance with the 2012 Project Finance Agreement, and receipt of the financing proceeds from EFC.

2. In connection with the issuance of the Recipient Bonds, the Board of Trustees hereby ratifies, approves and confirms the powers so delegated to the Village Treasurer, as chief fiscal officer of the Village, in each of the Bond Resolutions.

3. The Mayor, Village Manager, and Village Treasurer are authorized and directed to take any action consistent with his or her powers and necessary or appropriate to implement this resolution and the Village's performance under the 2012 Project Finance Agreement and the Recipient Bonds.

4. This resolution shall take effect immediately.

Dated: October 3, 2012

Vote: 5-0

Ayes: Mayor Vescio  
Deputy Mayor Venditti  
Trustee Murray  
Trustee Pohar  
Trustee Sullivan

### **Minutes**

Upon motion by Deputy Mayor Venditti, seconded by Trustee Pohar, the Board voted unanimously to approve the minutes of September 19, 2012.

## **Adjournment**

The Board reminded the public that Village Hall would be closed on Monday, October 8<sup>th</sup> but garbage pickup would occur as usual.

Upon motion by Trustee Murray, seconded by Trustee Sullivan, the Board voted unanimously to adjourn the meeting at 8:50pm.

Respectfully Submitted By,

Christine Dennett  
Village Clerk