

VILLAGE OF
BRIARCLIFF MANOR
www.briarcliffmanor.org



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**BOARD OF TRUSTEES
WORK SESSION AGENDA
August 15, 2013**

6:45 PM

Discussion items Pre-BOT Agenda Designation / Updates

1. Discuss: Recreation Committee Nominee
2. Review Regular Agenda Items
3. Executive Session (Updates)
 - a) FWSP: Close Out EPA/EFC
 - b) VM's Contract



AGENDA
AUGUST 15, 2013
BOARD OF TRUSTEES
VILLAGE OF BRIARCLIFF MANOR, NEW YORK
REGULAR MEETING – 7:30 PM

Board of Trustees Announcements

Village Managers Report

Public Comments

1. Reschedule Public Hearing to Amend a Special Use Permit – Faith Lutheran Brethren Church
2. Bond Resolutions for 13-14 Capital Projects Approved 7/10/13
3. Authorize Village Manager to Execute an Agreement – Westchester County, Prisoner Transportation
4. Authorize the Village Manager to Execute the First Amendment to Wireless Communications Site Lease Agreement with New Cingular Wireless, PCS, LLC
5. Tax Certiorari – Bogoni
6. Budget Transfer – Club Field
7. Budget Amendment – CHIPS
8. Acceptance of Maintenance Jurisdiction of Surplus Property
9. Minutes
 - May 15, 2013 – Regular Meeting
 - July 24, 2013 – Regular Meeting

NEXT REGULAR BOARD OF TRUSTEES MEETING – AUGUST 21, 2013

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
AUGUST 15, 2013

**1. RESCHEDULE PUBLIC HEARING, SPECIAL USE PERMIT, FAITH
LUTHERAN BRETHREN CHURCH**

BE IT RESOLVED that a Public Hearing is hereby scheduled for _____, 2013 at 7:30pm or soon thereafter in Village Hall located at 1111 Pleasantville Road, Briarcliff Manor, NY to hear and consider an application to amend a Special Use Permit issued to the Faith Lutheran Brethren Church.

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
AUGUST 15, 2013

2. CAPITAL PROJECT 2013-2014 BOND RESOLUTIONS A-F

A. BOND RESOLUTION, DATED AUGUST 7, 2013, AUTHORIZING THE ISSUANCE OF UP TO \$453,900 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE VILLAGE OF BRIARCLIFF MANOR, COUNTY OF WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE COSTS OF (I) THE RECONSTRUCTION OF VILLAGE SIDEWALKS, (II) THE ACQUISITION AND INSTALLATION OF HVAC IMPROVEMENTS, AND (III) THE DEMOLITION OF VILLAGE BUILDINGS.

WHEREAS, the Board of Trustees of the Village of Briarcliff Manor (the "Village"), located in the County of Westchester, in the State of New York (the "State"), hereby determines that it is in the public interest of the Village to authorize the financing of the costs of (i) the reconstruction of Village sidewalks (\$61,200), (ii) the acquisition and installation of HVAC improvements (\$255,000), and (iii) the demolition of Village buildings (\$137,700), including any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at a total cost not to exceed \$453,900, all in accordance with the Local Finance Law;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Briarcliff Manor, County of Westchester, State of New York, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the Village in the aggregate principal amount of up to \$453,900, pursuant to the Local Finance Law, in order to finance costs of the specific objects or purposes hereinafter described.

Section 2. The specific objects or purposes, or class of objects or purposes, to be financed pursuant to this bond resolution (collectively, the "Project"), the respective estimated maximum cost of such specific object or purpose, or class of object or purpose, the principal amount of serial bonds authorized herein for such specific object or purpose, or class of object or purpose, and the period of probable usefulness of such

specific object or purpose, or class of object or purpose, thereof pursuant to the applicable subdivision of paragraph a of Section 11.00 of the Local Finance law, are as follows:

(a) The reconstruction of Village sidewalks, including any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at an estimated maximum cost of \$61,200, for which \$61,200 principal amount of serial bonds, or bond anticipation notes issued in anticipation of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of ten (10) years pursuant to subdivision 24 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of ten (10) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds; and

(b) The acquisition, construction and reconstruction of HVAC improvements to Village buildings, including any applicable equipment, machinery and apparatus necessary therefor and any incidental and preliminary costs related thereto, at an estimated maximum cost of \$255,000, for which \$255,000 principal amount of serial bonds, or bond anticipation notes issued in anticipation of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of ten (10) years pursuant to subdivision 13 of paragraph a of Section 11.00 of the Local Finance Law (such buildings being of "Class A" construction as that term is defined in Section 11.00 of the Local Finance Law). Such serial bonds shall have a maximum maturity of ten (10) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds; and

(c) The demolition of Village buildings, including any applicable equipment, machinery and apparatus necessary therefor and any incidental and preliminary costs related thereto, at an estimated maximum cost of \$137,700, for which \$137,700 principal amount of serial bonds, or bond anticipation notes issued in anticipation of such serial bonds, are authorized herein and appropriated therefore, having a

period of probable usefulness of ten (10) years pursuant to subdivision 12-a(b) of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of ten (10) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 3. The Board of Trustees of the Village has ascertained and hereby states that (a) the estimated maximum cost of the Project is \$453,900; (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) the Board of Trustees of the Village plans to finance the costs of the Project from the proceeds of the serial bonds authorized herein, or from the proceeds of bond anticipation notes issued in anticipation of such serial bonds; (d) the maturity of the obligations authorized herein may be in excess of five (5) years; and (e) on or before the expenditure of moneys to pay for any costs of the Project for which proceeds of such obligations are to be applied to reimburse the Village, the Board of Trustees of the Village took "official action" for federal income tax purposes to authorize capital financing of such item.

Section 4. 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 the serial bonds authorized herein, and bond anticipation notes in anticipation of the issuance of such serial bonds, including renewals thereof, 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. The Village Treasurer is hereby authorized to execute, on behalf of the Village, all serial bonds authorized herein and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the Village Clerk is hereby authorized to affix the seal of the Village (or attach a facsimile thereof) on all such serial bonds and bond anticipation notes and

to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds shall be authenticated by the manual or facsimile signature of the Village Treasurer.

Section 5. Each of the serial bonds authorized by this bond resolution and any bond anticipation notes issued in anticipation of the issuance of such serial bonds shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law. The faith and credit of the Village is hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized and issued pursuant to this bond resolution as the same shall become due.

Section 6. When this bond resolution takes effect, the Village Clerk shall cause the same, or a summary thereof, to be published together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law in The Gazette, a newspaper having a general circulation in the Village. The validity of the serial bonds authorized by this bond resolution, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if such obligations are authorized for an object or purpose, or class of object or purpose, for which the Village is not authorized to expend money, or the provisions of law which should be complied with as of the date of the publication of this bond resolution, or such summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or if such obligations are authorized in violation of the provisions of the Constitution of the State.

Section 7. Prior to the issuance of the obligations authorized herein, the Board of Trustees of the Village shall comply with all applicable provisions prescribed in Article 8 of the Environmental Conservation Law, all regulations promulgated thereunder by the New York State Department of Environmental Conservation, and all applicable Federal laws and regulations in connection with environmental quality review relating to the Project (collectively, the "environmental compliance proceedings"). In the event that any of the environmental compliance proceedings are not

completed, or require amendment or modification subsequent to the date of adoption of this bond resolution, the Board of Trustees of the Village will re-adopt, amend or modify this bond resolution prior to the issuance of the obligations authorized herein upon the advice of bond counsel. It is hereby determined by the Board of Trustees of the Village that the Project will not have a significant effect on the environment.

Section 8. The Village hereby declares its intention to issue the obligations authorized herein to finance the costs of the Project. The proceeds of any obligations authorized herein may be applied to reimburse expenditures or commitments of the Village made with respect to the Project on or after a date which is not more than sixty (60) days prior to the date of adoption of this bond resolution by the Village.

Section 9. For the benefit of the holders and beneficial owners from time to time of the obligations authorized herein, the Village agrees in accordance with and as an obligated person with respect to the obligations under Rule 15c2-12 promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934 (the "Rule"), to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner, as may be required for purposes of the Rule. In order to describe and specify certain terms of the Village's continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Village Treasurer is authorized and directed to sign and deliver, in the name and on behalf of the Village, the commitment authorized by subsection 6(c) of the Rule (the "Commitment") to be placed on file with the Village Clerk, which shall constitute the continuing disclosure agreement made by the Village for the benefit of holders and beneficial owners of the obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond resolution and not substantially adverse to the Village and that are approved by the Village Treasurer on behalf of the Village, all of which shall be

conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed collectively by this paragraph and the Commitment, shall be the Village's continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the Village would be required to incur to perform thereunder. The Village Treasurer is further authorized and directed to establish procedures in order to ensure compliance by the Village with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the Village Treasurer shall consult with, as appropriate, the Village Attorney and bond counsel or other qualified independent special counsel to the Village and shall be entitled to rely upon any legal advice provided by the Village Attorney or such bond counsel or other qualified independent special counsel in determining whether a filing should be made.

Section 10. This bond resolution is subject to a permissive referendum and will take effect upon its adoption by the Board of Trustees of the Village and the expiration of the period prescribed in the Village Law during which petitions for a permissive referendum may be submitted and filed with the Village Clerk.

B. BOND RESOLUTION, DATED AUGUST 7, 2013, AUTHORIZING THE ISSUANCE OF UP TO \$322,320 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE VILLAGE OF BRIARCLIFF MANOR, COUNTY OF WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE COSTS OF (I) THE PAVING AND REPAVING OF VILLAGE STREETS AND (II) THE ACQUISITION OF MACHINERY AND APPARATUS FOR CONSTRUCTION AND MAINTENANCE, IN AND FOR THE VILLAGE.

WHEREAS, the Board of Trustees of the Village of Briarcliff Manor (the "Village"), located in the County of Westchester, in the State of New York (the "State"), hereby determines that it is in the public interest of the Village to authorize the financing of the costs of (i) the paving and repaving of Village streets (\$153,000) and (ii) the acquisition of machinery and apparatus for construction and maintenance (\$169,320), in and for the Village, including any applicable equipment, machinery, apparatus, land or rights-

in-land necessary therefor and any preliminary and incidental costs related thereto, at a total cost not to exceed \$322,320, all in accordance with the Local Finance Law;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Briarcliff Manor, County of Westchester, State of New York, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the Village in the aggregate principal amount of up to \$322,320, pursuant to the Local Finance Law, in order to finance costs of the specific objects or purposes hereinafter described.

Section 2. The specific objects or purposes, or class of objects or purposes, to be financed pursuant to this bond resolution (collectively, the "Project"), the respective estimated maximum cost of such specific object or purpose, or class of object or purpose, the principal amount of serial bonds authorized herein for such specific object or purpose, or class of object or purpose, and the period of probable usefulness of such specific object or purpose, or class of object or purpose, thereof pursuant to the applicable subdivision of paragraph a of Section 11.00 of the Local Finance law, are as follows:

(a) The paving and repaving of Village streets, including any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefor and any incidental and preliminary costs related thereto, at an estimated maximum cost of \$153,000, for which \$153,000 principal amount of serial bonds, or bond anticipation notes issued in anticipation of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of fifteen (15) years pursuant to subdivision 20(c) of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of fifteen (15) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds; and

(b) The acquisition of machinery and apparatus for construction and maintenance in and for the Village, including any incidental and preliminary costs related thereto, at an estimated maximum cost of

\$169,320, for which \$169,320 principal amount of serial bonds, or bond anticipation notes issued in anticipation of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of fifteen (15) years pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of fifteen (15) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 3. The Board of Trustees of the Village has ascertained and hereby states that (a) the estimated maximum cost of the Project is \$322,320; (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) the Board of Trustees of the Village plans to finance the costs of the Project from the proceeds of the serial bonds authorized herein, or from the proceeds of bond anticipation notes issued in anticipation of such serial bonds; (d) the maturity of the obligations authorized herein may be in excess of five (5) years; and (e) on or before the expenditure of moneys to pay for any costs of the Project for which proceeds of such obligations are to be applied to reimburse the Village, the Board of Trustees of the Village took "official action" for federal income tax purposes to authorize capital financing of such item.

Section 4. 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 the serial bonds authorized herein, and bond anticipation notes in anticipation of the issuance of such serial bonds, including renewals thereof, 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. The Village Treasurer is hereby authorized to execute, on behalf of the Village, all serial bonds authorized herein and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the Village Clerk is hereby authorized to affix the

seal of the Village (or attach a facsimile thereof) on all such serial bonds and bond anticipation notes and to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds shall be authenticated by the manual or facsimile signature of the Village Treasurer.

Section 5. Each of the serial bonds authorized by this bond resolution and any bond anticipation notes issued in anticipation of the issuance of such serial bonds shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law. The faith and credit of the Village is hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized and issued pursuant to this bond resolution as the same shall become due.

Section 6. When this bond resolution takes effect, the Village Clerk shall cause the same, or a summary thereof, to be published together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law in The Gazette, a newspaper having a general circulation in the Village. The validity of the serial bonds authorized by this bond resolution, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if such obligations are authorized for an object or purpose, or class of object or purpose, for which the Village is not authorized to expend money, or the provisions of law which should be complied with as of the date of the publication of this bond resolution, or such summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or if such obligations are authorized in violation of the provisions of the Constitution of the State.

Section 7. Prior to the issuance of the obligations authorized herein, the Board of Trustees of the Village shall comply with all applicable provisions prescribed in Article 8 of the Environmental Conservation Law, all regulations promulgated thereunder by the New York State Department of Environmental Conservation, and all applicable Federal laws and regulations in connection with environmental quality review relating to the Project (collectively, the "environmental

compliance proceedings"). In the event that any of the environmental compliance proceedings are not completed, or require amendment or modification subsequent to the date of adoption of this bond resolution, the Board of Trustees of the Village will re-adopt, amend or modify this bond resolution prior to the issuance of the obligations authorized herein upon the advice of bond counsel. It is hereby determined by the Board of Trustees of the Village that the Project will not have a significant effect on the environment.

Section 8. The Village hereby declares its intention to issue the obligations authorized herein to finance the costs of the Project. The proceeds of any obligations authorized herein may be applied to reimburse expenditures or commitments of the Village made with respect to the Project on or after a date which is not more than sixty (60) days prior to the date of adoption of this bond resolution by the Village.

Section 9. For the benefit of the holders and beneficial owners from time to time of the obligations authorized herein, the Village agrees in accordance with and as an obligated person with respect to the obligations under Rule 15c2-12 promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934 (the "Rule"), to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner, as may be required for purposes of the Rule. In order to describe and specify certain terms of the Village's continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Village Treasurer is authorized and directed to sign and deliver, in the name and on behalf of the Village, the commitment authorized by subsection 6(c) of the Rule (the "Commitment") to be placed on file with the Village Clerk, which shall constitute the continuing disclosure agreement made by the Village for the benefit of holders and beneficial owners of the obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond resolution and not substantially adverse to the

Village and that are approved by the Village Treasurer on behalf of the Village, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed collectively by this paragraph and the Commitment, shall be the Village's continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the Village would be required to incur to perform thereunder. The Village Treasurer is further authorized and directed to establish procedures in order to ensure compliance by the Village with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the Village Treasurer shall consult with, as appropriate, the Village Attorney and bond counsel or other qualified independent special counsel to the Village and shall be entitled to rely upon any legal advice provided by the Village Attorney or such bond counsel or other qualified independent special counsel in determining whether a filing should be made.

Section 10. This bond resolution is subject to a permissive referendum and will take effect upon its adoption by the Board of Trustees of the Village and the expiration of the period prescribed in the Village Law during which petitions for a permissive referendum may be submitted and filed with the Village Clerk.

C. BOND RESOLUTION, DATED JULY 24, 2013, AUTHORIZING THE ISSUANCE OF UP TO \$193,800 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE VILLAGE OF BRIARCLIFF MANOR, COUNTY OF WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE COSTS OF (I) THE ACQUISITION OF FIRE-FIGHTING SCBA EQUIPMENT AND (II) THE ACQUISITION OF TRAFFIC SIGNALS, IN AND FOR THE VILLAGE.

WHEREAS, the Board of Trustees of the Village of Briarcliff Manor (the "Village"), located in the County of Westchester, in the State of New York (the "State"), hereby determines that it is in the public interest of the Village to authorize the financing of the costs of (i) the acquisition of fire-fighting SCBA equipment (\$153,000) and (ii) the acquisition of traffic signals (\$40,800), in and for the Village, including any

preliminary and incidental costs related thereto, at a total cost not to exceed \$193,800, all in accordance with the Local Finance Law;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Briarcliff Manor, County of Westchester, State of New York, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the Village in the aggregate principal amount of up to \$193,800, pursuant to the Local Finance Law, in order to finance costs of the specific objects or purposes hereinafter described.

Section 2. The specific objects or purposes, or class of objects or purposes, to be financed pursuant to this bond resolution (collectively, the "Project"), the respective estimated maximum cost of such specific object or purpose, or class of object or purpose, the principal amount of serial bonds authorized herein for such specific object or purpose, or class of object or purpose, and the period of probable usefulness of such specific object or purpose, or class of object or purpose, thereof pursuant to the applicable subdivision of paragraph a of Section 11.00 of the Local Finance law, are as follows:

(a) The acquisition of fire-fighting SCBA equipment in and for the Village, including preliminary and incidental costs related thereto, at an estimated maximum cost of \$153,000, for which \$153,000 principal amount of serial bonds, or bond anticipation notes issued in anticipation of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of twenty (20) years pursuant to subdivision 27 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of twenty (20) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds; and

(b) The acquisition of traffic signals in and for the Village, including any preliminary and incidental costs related thereto, at an estimated maximum cost of \$40,800, for which \$40,800 principal amount of serial bonds, or bond anticipation notes issued in anticipation of such serial bonds, are authorized herein

and appropriated therefore, having a period of probable usefulness of twenty (20) years pursuant to subdivision 72 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of twenty (20) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 3. The Board of Trustees of the Village has ascertained and hereby states that (a) the estimated maximum cost of the Project is \$193,800; (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) the Board of Trustees of the Village plans to finance the costs of the Project from the proceeds of the serial bonds authorized herein, or from the proceeds of bond anticipation notes issued in anticipation of such serial bonds; (d) the maturity of the obligations authorized herein may be in excess of five (5) years; and (e) on or before the expenditure of moneys to pay for any costs of the Project for which proceeds of such obligations are to be applied to reimburse the Village, the Board of Trustees of the Village took "official action" for federal income tax purposes to authorize capital financing of such item.

Section 4. 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 the serial bonds authorized herein, and bond anticipation notes in anticipation of the issuance of such serial bonds, including renewals thereof, 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. The Village Treasurer is hereby authorized to execute, on behalf of the Village, all serial bonds authorized herein and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the Village Clerk is hereby authorized to affix the seal of the Village (or attach a facsimile thereof) on all such serial bonds and bond anticipation notes and

to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds shall be authenticated by the manual or facsimile signature of the Village Treasurer.

Section 5. Each of the serial bonds authorized by this bond resolution and any bond anticipation notes issued in anticipation of the issuance of such serial bonds shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law. The faith and credit of the Village is hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized and issued pursuant to this bond resolution as the same shall become due.

Section 6. When this bond resolution takes effect, the Village Clerk shall cause the same, or a summary thereof, to be published together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law in The Gazette, a newspaper having a general circulation in the Village. The validity of the serial bonds authorized by this bond resolution, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if such obligations are authorized for an object or purpose, or class of object or purpose, for which the Village is not authorized to expend money, or the provisions of law which should be complied with as of the date of the publication of this bond resolution, or such summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or if such obligations are authorized in violation of the provisions of the Constitution of the State.

Section 7. Prior to the issuance of the obligations authorized herein, the Board of Trustees of the Village shall comply with all applicable provisions prescribed in Article 8 of the Environmental Conservation Law, all regulations promulgated thereunder by the New York State Department of Environmental Conservation, and all applicable Federal laws and regulations in connection with environmental quality review relating to the Project (collectively, the "environmental compliance proceedings"). In the event that any of the environmental compliance proceedings are not

completed, or require amendment or modification subsequent to the date of adoption of this bond resolution, the Board of Trustees of the Village will re-adopt, amend or modify this bond resolution prior to the issuance of the obligations authorized herein upon the advice of bond counsel. It is hereby determined by the Board of Trustees of the Village that the Project will not have a significant effect on the environment.

Section 8. The Village hereby declares its intention to issue the obligations authorized herein to finance the costs of the Project. The proceeds of any obligations authorized herein may be applied to reimburse expenditures or commitments of the Village made with respect to the Project on or after a date which is not more than sixty (60) days prior to the date of adoption of this bond resolution by the Village.

Section 9. For the benefit of the holders and beneficial owners from time to time of the obligations authorized herein, the Village agrees in accordance with and as an obligated person with respect to the obligations under Rule 15c2-12 promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934 (the "Rule"), to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner, as may be required for purposes of the Rule. In order to describe and specify certain terms of the Village's continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Village Treasurer is authorized and directed to sign and deliver, in the name and on behalf of the Village, the commitment authorized by subsection 6(c) of the Rule (the "Commitment") to be placed on file with the Village Clerk, which shall constitute the continuing disclosure agreement made by the Village for the benefit of holders and beneficial owners of the obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond resolution and not substantially adverse to the Village and that are approved by the Village Treasurer on behalf of the Village, all of which shall be

conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed collectively by this paragraph and the Commitment, shall be the Village's continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the Village would be required to incur to perform thereunder. The Village Treasurer is further authorized and directed to establish procedures in order to ensure compliance by the Village with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the Village Treasurer shall consult with, as appropriate, the Village Attorney and bond counsel or other qualified independent special counsel to the Village and shall be entitled to rely upon any legal advice provided by the Village Attorney or such bond counsel or other qualified independent special counsel in determining whether a filing should be made.

Section 10. This bond resolution is subject to a permissive referendum and will take effect upon its adoption by the Board of Trustees of the Village and the expiration of the period prescribed in the Village Law during which petitions for a permissive referendum may be submitted and filed with the Village Clerk.

D. BOND RESOLUTION, DATED AUGUST 7, 2013, AUTHORIZING THE ISSUANCE OF UP TO \$561,000 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE VILLAGE OF BRIARCLIFF MANOR, COUNTY OF WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE COSTS OF THE CONSTRUCTION AND RECONSTRUCTION OF IMPROVEMENTS TO VILLAGE BUILDINGS.

WHEREAS, the Board of Trustees of the Village of Briarcliff Manor (the "Village"), located in the County of Westchester, in the State of New York (the "State"), hereby determines that it is in the public interest of the Village to authorize the financing of the costs of the construction and reconstruction of improvements to Village buildings, including any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at a total cost not to exceed \$561,000, all in accordance with the Local Finance Law;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Briarcliff Manor, County of Westchester, State of New York, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the Village in the aggregate principal amount of up to \$561,000, pursuant to the Local Finance Law, in order to finance the construction and reconstruction of improvements to Village buildings, including any applicable equipment, machinery, apparatus, land and rights-in-land necessary therefor and any preliminary and incidental costs related thereto (the "Project").

Section 2. It is hereby determined that the Project is a specific object or purpose, or of a class of object or purpose, described in subdivision 12(a)(1) of paragraph a of Section 11.00 of the Local Finance Law (such buildings being of "Class A" construction as that term is defined in Section 11.00 of the Local Finance Law) and that the period of probable usefulness of the Project is twenty-five (25) years. The serial bonds authorized herein shall have a maximum maturity of twenty-five (25) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 3. The Board of Trustees of the Village has ascertained and hereby states that (a) the estimated maximum cost of the Project is \$561,000; (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) the Board of Trustees of the Village plans to finance the costs of the Project from the proceeds of the serial bonds authorized herein, or from the proceeds of bond anticipation notes issued in anticipation of such serial bonds; (d) the maturity of the obligations authorized herein may be in excess of five (5) years; and (e) on or before the expenditure of moneys to pay for any costs of the Project for which proceeds of such obligations are to be applied to reimburse the Village, the Board of Trustees of the Village took "official action" for federal income tax purposes to authorize capital financing of such item.

Section 4. 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 the serial bonds authorized herein, and bond anticipation notes in anticipation of the issuance of such serial bonds, including renewals thereof, 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. The Village Treasurer is hereby authorized to execute, on behalf of the Village, all serial bonds authorized herein and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the Village Clerk is hereby authorized to affix the seal of the Village (or attach a facsimile thereof) on all such serial bonds and bond anticipation notes and to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds shall be authenticated by the manual or facsimile signature of the Village Treasurer.

Section 5. Each of the serial bonds authorized by this bond resolution and any bond anticipation notes issued in anticipation of the issuance of such serial bonds shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law. The faith and credit of the Village is hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized and issued pursuant to this bond resolution as the same shall become due.

Section 6. When this bond resolution takes effect, the Village Clerk shall cause the same, or a summary thereof, to be published together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law in The Gazette, a newspaper having a general circulation in the Village. The validity of the serial bonds authorized by this bond resolution, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if such obligations are authorized for an object or purpose, or class of object or purpose, for which the Village is not authorized to expend money, or the provisions of law which should be complied with as of the date

of the publication of this bond resolution, or such summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or if such obligations are authorized in violation of the provisions of the Constitution of the State.

Section 7. Prior to the issuance of the obligations authorized herein, the Board of Trustees of the Village shall comply with all applicable provisions prescribed in Article 8 of the Environmental Conservation Law, all regulations promulgated thereunder by the New York State Department of Environmental Conservation, and all applicable Federal laws and regulations in connection with environmental quality review relating to the Project (collectively, the “environmental compliance proceedings”). In the event that any of the environmental compliance proceedings are not completed, or require amendment or modification subsequent to the date of adoption of this bond resolution, the Board of Trustees of the Village will re-adopt, amend or modify this bond resolution prior to the issuance of the obligations authorized herein upon the advice of bond counsel. It is hereby determined by the Board of Trustees of the Village that the Project will not have a significant effect on the environment.

Section 8. The Village hereby declares its intention to issue the obligations authorized herein to finance the costs of the Project. The proceeds of any obligations authorized herein may be applied to reimburse expenditures or commitments of the Village made with respect to the Project on or after a date which is not more than sixty (60) days prior to the date of adoption of this bond resolution by the Village.

Section 9. For the benefit of the holders and beneficial owners from time to time of the obligations authorized herein, the Village agrees in accordance with and as an obligated person with respect to the obligations under Rule 15c2-12 promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934 (the “Rule”), to provide or cause to be provided such

financial information and operating data, financial statements and notices, in such manner, as may be required for purposes of the Rule. In order to describe and specify certain terms of the Village's continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Village Treasurer is authorized and directed to sign and deliver, in the name and on behalf of the Village, the commitment authorized by subsection 6(c) of the Rule (the "Commitment") to be placed on file with the Village Clerk, which shall constitute the continuing disclosure agreement made by the Village for the benefit of holders and beneficial owners of the obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond resolution and not substantially adverse to the Village and that are approved by the Village Treasurer on behalf of the Village, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed collectively by this paragraph and the Commitment, shall be the Village's continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the Village would be required to incur to perform thereunder. The Village Treasurer is further authorized and directed to establish procedures in order to ensure compliance by the Village with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the Village Treasurer shall consult with, as appropriate, the Village Attorney and bond counsel or other qualified independent special counsel to the Village and shall be entitled to rely upon any legal advice provided by the Village Attorney or such bond counsel or other qualified independent special counsel in determining whether a filing should be made.

Section 10. This bond resolution is subject to a permissive referendum and will take effect upon its adoption by the Board of Trustees of the Village and the expiration of the period prescribed in the Village Law during which petitions for a permissive referendum may be submitted and filed with the Village Clerk.

E. BOND RESOLUTION, DATED AUGUST 7, 2013, AUTHORIZING THE ISSUANCE OF UP TO \$1,887,000 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE VILLAGE OF BRIARCLIFF MANOR, COUNTY OF WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE COSTS OF THE ACQUISITION, CONSTRUCTION AND RECONSTRUCTION OF IMPROVEMENTS TO THE VILLAGE WATER SYSTEM.

WHEREAS, the Board of Trustees of the Village of Briarcliff Manor (the "Village"), located in the County of Westchester, in the State of New York (the "State"), hereby determines that it is in the public interest of the Village to authorize the financing of the costs of the acquisition, construction and reconstruction of improvements to the Village water system, including any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at a total cost not to exceed \$1,887,000, all in accordance with the Local Finance Law;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Briarcliff Manor, County of Westchester, State of New York, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the Village in the aggregate principal amount of up to \$1,887,000, pursuant to the Local Finance Law, in order to finance the acquisition, construction and reconstruction of improvements to the Village water system, including any applicable equipment, machinery, apparatus, land and rights-in-land necessary therefor and any preliminary and incidental costs related thereto (the "Project").

Section 2. It is hereby determined that the Project is a specific object or purpose, or of a class of object or purpose, described in subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law and that the period of probable usefulness of the Project is forty (40) years. The serial

bonds authorized herein shall have a maximum maturity of forty (40) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 3. The Board of Trustees of the Village has ascertained and hereby states that (a) the estimated maximum cost of the Project is \$1,887,000; (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) the Board of Trustees of the Village plans to finance the costs of the Project from the proceeds of the serial bonds authorized herein, or from the proceeds of bond anticipation notes issued in anticipation of such serial bonds; (d) the maturity of the obligations authorized herein may be in excess of five (5) years; and (e) on or before the expenditure of moneys to pay for any costs of the Project for which proceeds of such obligations are to be applied to reimburse the Village, the Board of Trustees of the Village took "official action" for federal income tax purposes to authorize capital financing of such item.

Section 4. 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 the serial bonds authorized herein, and bond anticipation notes in anticipation of the issuance of such serial bonds, including renewals thereof, 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. The Village Treasurer is hereby authorized to execute, on behalf of the Village, all serial bonds authorized herein and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the Village Clerk is hereby authorized to affix the seal of the Village (or attach a facsimile thereof) on all such serial bonds and bond anticipation notes and to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds shall be authenticated by the manual or facsimile signature of the Village Treasurer.

Section 5. Each of the serial bonds authorized by this bond resolution and any bond anticipation notes issued in anticipation of the issuance of such serial bonds shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law. The faith and credit of the Village is hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized and issued pursuant to this bond resolution as the same shall become due.

Section 6. When this bond resolution takes effect, the Village Clerk shall cause the same, or a summary thereof, to be published together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law in The Gazette, a newspaper having a general circulation in the Village. The validity of the serial bonds authorized by this bond resolution, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if such obligations are authorized for an object or purpose, or class of object or purpose, for which the Village is not authorized to expend money, or the provisions of law which should be complied with as of the date of the publication of this bond resolution, or such summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or if such obligations are authorized in violation of the provisions of the Constitution of the State.

Section 7. Prior to the issuance of the obligations authorized herein, the Board of Trustees of the Village shall comply with all applicable provisions prescribed in Article 8 of the Environmental Conservation Law, all regulations promulgated thereunder by the New York State Department of Environmental Conservation, and all applicable Federal laws and regulations in connection with environmental quality review relating to the Project (collectively, the “environmental compliance proceedings”). In the event that any of the environmental compliance proceedings are not completed, or require amendment or modification subsequent to the date of adoption of this bond resolution, the Board of Trustees of the Village will re-adopt, amend or modify this bond resolution prior

to the issuance of the obligations authorized herein upon the advice of bond counsel. It is hereby determined by the Board of Trustees of the Village that the Project will not have a significant effect on the environment.

Section 8. The Village hereby declares its intention to issue the obligations authorized herein to finance the costs of the Project. The proceeds of any obligations authorized herein may be applied to reimburse expenditures or commitments of the Village made with respect to the Project on or after a date which is not more than sixty (60) days prior to the date of adoption of this bond resolution by the Village.

Section 9. For the benefit of the holders and beneficial owners from time to time of the obligations authorized herein, the Village agrees in accordance with and as an obligated person with respect to the obligations under Rule 15c2-12 promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934 (the "Rule"), to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner, as may be required for purposes of the Rule. In order to describe and specify certain terms of the Village's continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Village Treasurer is authorized and directed to sign and deliver, in the name and on behalf of the Village, the commitment authorized by subsection 6(c) of the Rule (the "Commitment") to be placed on file with the Village Clerk, which shall constitute the continuing disclosure agreement made by the Village for the benefit of holders and beneficial owners of the obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond resolution and not substantially adverse to the Village and that are approved by the Village Treasurer on behalf of the Village, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed collectively by this paragraph and the Commitment, shall be the Village's continuing disclosure

agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the Village would be required to incur to perform thereunder. The Village Treasurer is further authorized and directed to establish procedures in order to ensure compliance by the Village with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the Village Treasurer shall consult with, as appropriate, the Village Attorney and bond counsel or other qualified independent special counsel to the Village and shall be entitled to rely upon any legal advice provided by the Village Attorney or such bond counsel or other qualified independent special counsel in determining whether a filing should be made.

Section 10. This bond resolution is subject to a permissive referendum and will take effect upon its adoption by the Board of Trustees of the Village and the expiration of the period prescribed in the Village Law during which petitions for a permissive referendum may be submitted and filed with the Village Clerk.

F. BOND RESOLUTION, DATED AUGUST 7, 2013, AUTHORIZING THE ISSUANCE OF UP TO \$35,700 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE VILLAGE OF BRIARCLIFF MANOR, COUNTY OF WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE COSTS OF THE ACQUISITION OF A POLICE VEHICLE.

WHEREAS, the Board of Trustees of the Village of Briarcliff Manor (the "Village"), located in the County of Westchester, in the State of New York (the "State"), hereby determines that it is in the public interest of the Village to authorize the financing of the costs of the acquisition of a police vehicle, including any preliminary and incidental costs related thereto, at a total cost not to exceed \$35,700, all in accordance with the Local Finance Law;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Briarcliff Manor, County of Westchester, State of New York, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the Village in the aggregate principal amount of up to \$35,700, pursuant to the Local Finance Law, in order to finance the acquisition of a police vehicle, including any preliminary and incidental costs related thereto (the "Project").

Section 2. It is hereby determined that the Project is a specific object or purpose, or of a class of object or purpose, described in subdivision 29 of paragraph a of Section 11.00 of the Local Finance Law and that the period of probable usefulness of the Project is five (5) years. The serial bonds authorized herein shall have a maximum maturity of five (5) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 3. The Board of Trustees of the Village has ascertained and hereby states that (a) the estimated maximum cost of the Project is \$35,700; (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) the Board of Trustees of the Village plans to finance the costs of the Project from the proceeds of the serial bonds authorized herein, or from the proceeds of bond anticipation notes issued in anticipation of such serial bonds; (d) the maturity of the obligations authorized herein may not be in excess of five (5) years; and (e) on or before the expenditure of moneys to pay for any costs of the Project for which proceeds of such obligations are to be applied to reimburse the Village, the Board of Trustees of the Village took "official action" for federal income tax purposes to authorize capital financing of such item.

Section 4. 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 the serial bonds authorized herein, and bond anticipation notes in anticipation of the issuance of such serial bonds, including renewals thereof, 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. The Village Treasurer is hereby authorized to execute, on behalf of the Village, all serial bonds authorized herein and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the Village Clerk is hereby authorized to affix the seal of the Village (or attach a facsimile thereof) on all such serial bonds and bond anticipation notes and to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds shall be authenticated by the manual or facsimile signature of the Village Treasurer.

Section 5. Each of the serial bonds authorized by this bond resolution and any bond anticipation notes issued in anticipation of the issuance of such serial bonds shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law. The faith and credit of the Village is hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized and issued pursuant to this bond resolution as the same shall become due.

Section 6. When this bond resolution takes effect, the Village Clerk shall cause the same, or a summary thereof, to be published together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law in The Gazette, a newspaper having a general circulation in the Village. The validity of the serial bonds authorized by this bond resolution, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if such obligations are authorized for an object or purpose, or class of object or purpose, for which the Village is not authorized to expend money, or the provisions of law which should be complied with as of the date of the publication of this bond resolution, or such summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or if such obligations are authorized in violation of the provisions of the Constitution of the State.

Section 7. Prior to the issuance of the obligations authorized herein, the Board of Trustees of the Village shall comply with all applicable provisions prescribed in Article 8 of the

Environmental Conservation Law, all regulations promulgated thereunder by the New York State Department of Environmental Conservation, and all applicable Federal laws and regulations in connection with environmental quality review relating to the Project (collectively, the “environmental compliance proceedings”). In the event that any of the environmental compliance proceedings are not completed, or require amendment or modification subsequent to the date of adoption of this bond resolution, the Board of Trustees of the Village will re-adopt, amend or modify this bond resolution prior to the issuance of the obligations authorized herein upon the advice of bond counsel. It is hereby determined by the Board of Trustees of the Village that the Project will not have a significant effect on the environment.

Section 8. The Village hereby declares its intention to issue the obligations authorized herein to finance the costs of the Project. The proceeds of any obligations authorized herein may be applied to reimburse expenditures or commitments of the Village made with respect to the Project on or after a date which is not more than sixty (60) days prior to the date of adoption of this bond resolution by the Village.

Section 9. For the benefit of the holders and beneficial owners from time to time of the obligations authorized herein, the Village agrees in accordance with and as an obligated person with respect to the obligations under Rule 15c2-12 promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934 (the “Rule”), to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner, as may be required for purposes of the Rule. In order to describe and specify certain terms of the Village’s continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Village Treasurer is authorized and directed to sign and deliver, in the name and on behalf of the Village, the commitment authorized by subsection 6(c) of the Rule (the “Commitment”) to be placed on file with the Village Clerk, which shall

constitute the continuing disclosure agreement made by the Village for the benefit of holders and beneficial owners of the obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond resolution and not substantially adverse to the Village and that are approved by the Village Treasurer on behalf of the Village, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed collectively by this paragraph and the Commitment, shall be the Village's continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the Village would be required to incur to perform thereunder. The Village Treasurer is further authorized and directed to establish procedures in order to ensure compliance by the Village with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the Village Treasurer shall consult with, as appropriate, the Village Attorney and bond counsel or other qualified independent special counsel to the Village and shall be entitled to rely upon any legal advice provided by the Village Attorney or such bond counsel or other qualified independent special counsel in determining whether a filing should be made.

Section 10. This bond resolution shall take effect immediately upon its adoption by the Board of Trustees of the Village.

Village of Briarcliff Manor

updated 7-11-13

2013-14 Capital Projects

BOT approved 7/10/13

PROJECT	Departmental Budget Requested	Funding w/ 2% Costs	PPU (Years)
Police Department:			
Chief Vehicle	\$ 35,000	\$ 35,700	5
Total Requirements:	<u>\$ 35,000</u>	<u>\$ 35,700</u>	
Fire Department:			
S.C.B.A.	\$ 150,000	\$ 153,000	20
Total Requirements:	<u>\$ 150,000</u>	<u>\$ 153,000</u>	
Department of Public Works: (general)			
Annual Paving	\$ 100,000	\$ 102,000	15
Annual Sidewalk	\$ 60,000	\$ 61,200	10
Epoxy Paint Traffic Lines	\$ 50,000	\$ 51,000	15
Annual Street Light Replacement -1st year	\$ 40,000	\$ 40,800	20
Total Requirements:	<u>\$ 250,000</u>	<u>\$ 255,000</u>	
Department of Public Works: (water)			
Cleaning & Cement Lining Round Hill Road	\$ 1,500,000	\$ 1,530,000	40
SCADA -Water Systems Priority 2	\$ 150,000	\$ 153,000	40
Village Wide Drainage	\$ 200,000	\$ 204,000	40
Total Requirements:	<u>\$ 1,850,000</u>	<u>\$ 1,887,000</u>	
Department of Public Works: (vehicles)			
Walk Behind Mower	\$ 6,000	\$ 6,120	15
Total Requirements:	<u>\$ 6,000</u>	<u>\$ 6,120</u>	
Department of Public Works: (Water Vehicles)			
Backhoe	\$ 100,000	\$ 102,000	15
Excavating Attachments	\$ 60,000	\$ 61,200	
	<u>\$ 160,000</u>	<u>\$ 163,200</u>	
Facilities:			
Community Center Phase II	\$ 300,000	\$ 306,000	25
DPW Generator	\$ 150,000	\$ 153,000	10
DPW Boiler -Gas Line	\$ 100,000	\$ 102,000	10
Macy Road Demolition	\$ 135,000	\$ 137,700	10
Macy Road Comfort Station	\$ 250,000	\$ 255,000	25
	<u>\$ 935,000</u>	<u>\$ 953,700</u>	
Total-General Fund	<u>\$ 1,376,000</u>	<u>\$ 1,403,520</u>	
Total-Water Fund	<u>\$ 2,010,000</u>	<u>\$ 2,050,200</u>	
Total - All Projects	<u>\$ 3,386,000</u>	<u>\$ 3,453,720</u>	

0.*

0.*

A 453,900.00+

B 322,320.00+

C 193,800.00+

D 561,000.00+

E 1,887,000.00+

F 35,700.00+

006

3,453,720.00*

617.20
Appendix C
State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
For UNLISTED ACTIONS Only

PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1. APPLICANT/SPONSOR Village of Briarcliff Manor	2. PROJECT NAME Chilmark Park
3. PROJECT LOCATION: Municipality Village of Briarcliff Manor County Westchester	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) 48 Macy Road	
5. PROPOSED ACTION IS: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: Demolition of existing recreational building, soil stabilization by means of vegetation and construction of a new rest room facility.	
7. AMOUNT OF LAND AFFECTED: Initially <u>.25</u> acres Ultimately <u>.25</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other Describe: Public Park	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals:	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals:	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>David J. Turiano, P.E.</u> Date: <u>08/06/2013</u> Signature: <u>DAVID TURIANO</u>	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

Reset

PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)	
C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly: No, newly exposed slope to be stabilized by vegetation.	
C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly: No, currently being used as a park	
C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly: No	
C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly: No	
C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly: No	
C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly: No	
C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly: Yes, a large poorly insulated oil heated building to be replaced by a non heated bathroom facility.	
D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, explain briefly:	
E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, explain briefly:	

PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

<input type="checkbox"/> Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.	
<input checked="" type="checkbox"/> Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide, on attachments as necessary, the reasons supporting this determination	
Village of Briarcliff Manor B.O.T. _____ Name of Lead Agency	08/06/2013 _____ Date
Philip Zegarelli _____ Print or Type Name of Responsible Officer in Lead Agency	Village Manager _____ Title of Responsible Officer
_____ Signature of Responsible Officer in Lead Agency	_____ Signature of Preparer (If different from responsible officer)

Reset

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
AUGUST 15, 2013

**3. AUTHORIZE VILLAGE MANAGER TO EXECUTE AGREEMENT WITH
WESTCHESTER COUNTY – PRISONER TRANSPORTATION**

BE IT RESOLVED that the Village Manager is hereby authorized and directed to execute an agreement with Westchester County for Prisoner Transportation for the period from January 1, 2013 through December 31, 2014.

Robert P. Astorino
County Executive

Department of Correction

Kevin M. Cheverko
Commissioner

July 29, 2013

Village of Briarcliff Manor
Mr. Philip Zegarelli
1111 Pleasantville Road
Briarcliff Manor, New York 10510

P2



Copy to BOT

Copy to Centro /
Noun

CD - Add to
MP - Agenda's

Dear Mr. Zegarelli,

Please find enclosed an original agreement between the Department of Correction and the Village of Briarcliff Manor to provide prisoner transportation between the Village of Briarcliff Manor and the Westchester County Jail for the term commencing January 1, 2013 and terminating December 31, 2014. Please remember to include a Certificate of Insurance (general liability and auto liability) naming Westchester County as additional insured. If you are self insured, please provide a Self Insured Employers Workers' Compensation Form (SI12) which certifies that compensation has been secured.

After filling out and signing all pertinent sections and returning the original copy to this office, a fully executed copy will be returned to you.

If you have any questions or comments, please do not hesitate to me at (914) 231-1336.

Sincerely,

A handwritten signature in blue ink, appearing to read "William P. Fallon".

William P. Fallon
Assistant Director of Administrative Services

WPF/ms
Encl.

PRISONER TRANSPORTATION--ZONE RATE

THIS AGREEMENT, made this _____ day of _____, 2013

by and between:

THE COUNTY OF WESTCHESTER, a municipal corporation of the State of New York having an office and place of business in the Michaelian Office Building, 148 Martine Avenue, White Plains, New York 10601

(hereinafter referred to as the "County")

and

THE VILLAGE OF BRIARCLIFF MANOR a municipality of the State of New York having its office and place of business at 1111 Pleasantville Road, Briarcliff Manor, New York 10510

(hereinafter referred to as the "Municipality")

WHEREAS, pursuant to Sections 500-c and 500-d of the Corrections law prisoners are required to be transported from local municipalities to the Westchester County Jail in Valhalla, New York; and

WHEREAS, the County and the Municipality agree to cooperate in providing such prisoner transportation.

NOW, THEREFORE, in consideration of the terms and conditions herein contained, the County and the Municipality agree as follows:

1. **PRISONER TRANSPORTATION**: Except for prisoners arrested by the Westchester County Department of Public Safety, the Municipality shall provide round trip prisoner transportation using its own police department personnel and vehicles between the Municipality and the Westchester County Department of Correction for all prisoners remanded to the Westchester County Jail by court order or required to appear before the local

court within the Municipality. The County will reimburse the Municipality for the actual number of round trips. All municipalities, where possible, shall hold prisoners for one daily trip to the Department of Correction.

2. **REIMBURSEMENT**: The Municipality shall be reimbursed by the County for prisoner transportation services at the rate plus mileage per round trip indicated in the Zone Rate Plan attached hereto as Appendix "A" and made a part hereof. The rate will be paid as follows:

For transportation to County Jail subsequent to arrest - 1 round trip plus mileage;

For Transportation from County Jail to local court; no return - 1 round trip plus mileage;

For Transportation from County Jail to local court; remand to County Jail, where the time expended does not exceed three (3) hours - 2 round trips plus mileage;

Only in the following circumstances will an hourly rate and mileage fee be paid, as an alternative to the zone rate set forth above:

- a. Transportation of female prisoners (1 officer and 1 matron). A minimum of four (4) hours will be reimbursed for a matron; or
- b. Transportation of seven (7) or more prisoners (requiring an additional officer); or
- c. Transportation of prisoners charged with Class A felonies OR classified by Department of Correction as an "A" or "AA" prisoner considered to present danger may warrant (requiring an additional officer); or
- d. Transportation from County Jail to local court and remand to County Jail where time expended exceeds three (3) hours.

In the event that any one of conditions "a" through "d" above are met, then the actual per hour personnel costs incurred by the Municipality will be paid at the hourly wage

and fringe benefit cost as determined in the applicable collective bargaining agreement between the Municipality and the Municipal Police Association for police officers and/or matrons plus a mileage.

Reimbursement for mileage shall be at the rate of fifty-five and one-half cents (\$.565) per mile, or at the then current Internal Revenue Service mileage rate, multiplied by the mileage indicated in Appendix "A".

3. **MEALS**: The County shall reimburse the Municipality for meals provided to post-arraignment prisoners for the actual and reasonable costs incurred and receipts submitted as part of the municipality's monthly voucher submitted to the Department of Correction.

4. **TERM**: This Agreement shall commence on January 1, 2013 and shall terminate on December 31, 2014. The County may, upon thirty (30) days written notice to the Municipality, terminate this Agreement in whole or in part when it deems it to be in its best interest. In such event, the Municipality shall be compensated and the County shall be liable only for payment for services rendered prior to the effective date of termination.

5. **PAYMENT**: Requests for reimbursement shall be submitted by the Municipality on a monthly basis on properly executed County claim forms and paid after approval by the Commissioner of Correction. The number of round trips made, prisoners transported and dates should be listed on the claim forms submitted to the Department of Correction. Reimbursement request shall be subject to audit by the County, and the Municipality shall keep and make available to the County such detailed books and records as are reasonably necessary to substantiate the basis for reimbursement. The Municipality shall not be entitled to reimbursement for any prisoner transportation expense not specifically provided for herein.

The total aggregate cost to the County under this Agreement and the agreements with the other municipalities for zone rate prisoner transportation pursuant to the Resolution approved by the Board of Acquisition and Contract on May 20, 2013, shall not

exceed \$1,176,335. This Agreement shall be deemed executory only to the extent of the monies appropriated and available for the purpose of this Agreement and no liability on account hereof shall be incurred by the County beyond the amount of such monies.

6. **INSURANCE AND INDEMNIFICATION**: All personnel and vehicles engaged in prisoner transportation duties shall at all times remain and be deemed the employees and property of the Municipality. In addition to, and not in limitation of the insurance provisions contained in Schedule "B" of this Agreement, the Municipality agrees to indemnify, defend and hold the County, its officers, employees and agents harmless from and against any and all liability, loss, damage or expense the County may suffer as a result of any and all claims, demands, causes of action or judgments arising directly or indirectly out of the transportation of prisoners for which reimbursement is sought hereunder for losses arising out of the negligent acts or omissions of the Municipality, its agents or employees.

7. **ENTIRE AGREEMENT**: This Agreement constitutes the entire and integrated agreement between and among the parties hereto and supersedes any and all prior negotiations, agreements and conditions, whether written or oral. Any modification or amendment to this Agreement shall be void unless it is in writing and subscribed by the party to be charged.

8. **APPLICABLE LAW**: This Agreement shall be construed and enforced in accordance with the laws of the State of New York.

9. **APPROVALS**: This Agreement is subject to the approval of the Westchester County Board of Legislators, the Westchester County Board of Acquisition and Contract and the governing legislative body of the Municipality.

IN WITNESS WHEREOF, the County and the Municipality have executed this Agreement on the _____ day of _____, 2013.

THE COUNTY OF WESTCHESTER

By: _____
Kevin M. Cheverko
Commissioner of Correction

By: _____
(Name)
(Title)

Approved by the Westchester County Board of Legislators by Act No 78 – 2013 on the 20th day of May, 2013.

Approved by the Board of Acquisition and Contract of the County of Westchester on the 25th day of July, 2013.

Approved by the _____ of the _____
on the _____ day of _____, 20__.

Approved as to form and
manner of execution:

Approved as to form and
manner of execution:

Assistant County Attorney
The County of Westchester
K/I/dcr/Zone Rate Agmt. 13

MUNICIPALITY'S ACKNOWLEDGEMENT

STATE OF NEW YORK)
) ss.:
COUNTY OF WESTCHESTER)

On this _____ day of _____, 2013, before me personally came
_____, to me known, and known to me to be the
_____ of _____,
the municipal corporation described in and which executed the within instrument, who being by me
duly sworn did depose and say that he, the said _____ resides at

and that he is _____ of said municipal corporation.

Notary Public County

CERTIFICATE OF AUTHORITY

(Municipality)

I, _____,
(Officer other than officer signing contract)
certify that I am the _____ of the
(Title)

(Name of Municipality)

(the "Municipality") a corporation duly organized in good standing under the

(Law under which organized, e.g., the New York Village
Law, Town Law, General Municipal Law)

named in the foregoing agreement that _____
(Person executing agreement)

who signed said agreement on behalf of the Municipality was, at the time of execution
_____ of the Municipality,
(Title of such person),

that said agreement was duly signed for on behalf of said Municipality by authority of its

(Town Board, Village Board, City Council)

thereunto duly authorized, and that such authority is in full force and effect at the date hereof.

(Signature)

STATE OF NEW YORK)

ss.:

COUNTY OF WESTCHESTER)

On this _____ day of _____, 2013, before me personally came _____
_____ whose signature appears above, to me known, and know to be the
_____ of _____,
(title)

the municipal corporation described in and which executed the above certificate, who being by
me duly sworn did depose and say that he, the said _____
resides at _____, and that he is
the _____ of said municipal corporation.
(title)

Notary Public County

APPENDIX A

**ZONE PLAN REIMBURSEMENT RATES
WITH DISTANCE TRAVELED TO AND FROM
WESTCHESTER COUNTY DEPARTMENT OF CORRECTION**

(Effective Term: January 1, 2013 through December 31, 2014)

POLICE AGENCY **ROUND TRIP DISTANCE**

ZONE #1 (1 - 10 Miles)

Reimbursed Rate Per Round Trip: (1/1/13 – 12/31/13) \$182.77
(1/1/14 – 12/31/14) \$188.25

Plus mileage reimbursed at \$.565 (or the then current IRS mileage rate) times distance.

Elmsford, Village	6 Miles
Sleepy Hollow, Village	8 Miles
Pleasantville, Village	8 Miles
Tarrytown, Village	10 Miles

ZONE #2 (11 - 20 Miles)

Reimbursed Rate Per Round Trip: (1/1/13 – 12/31/13) \$191.92
(1/1/14 – 12/31/14) \$197.68

Plus mileage reimbursed at \$.565 (or the then current IRS mileage rate) times distance.

Irvington, Village	12 Miles
Briarcliff Manor, Village	14 Miles
New Castle, Town	16 Miles
North Castle, Town	16 Miles
Dobbs Ferry, Village	17 Miles
Ardsley, Village	18 Miles
Scarsdale, Village	19 Miles
Ossining, Village	20 Miles
Hastings-on-Hudson, Village	20 Miles

ZONE #3 (21 - 30 Miles)

Reimbursed Rate Per Round Trip: (1/1/13 – 12/31/13) \$201.03
(1/1/14 – 12/31/14) \$207.07

Plus mileage reimbursed at \$.565 (or the then current IRS mileage rate) times distance.

Rye Brook, Village	23 Miles
Rye, City	25 Miles
Tuckahoe, Village	25 Miles
Eastchester, Town	25 Miles
Port Chester, Village	28 Miles
Mamaroneck, Village	30 Miles
Pelham, Town	30 Miles

ZONE #4 (31 - 40 Miles)

Reimbursed Rate Per Round Trip: (1/1/13 – 12/31/13) \$210.21
(1/1/14 – 12/31/14) \$216.52

Plus mileage reimbursed at \$.565 (or the then current IRS mileage rate) times distance.

Mamaroneck, Town	31 Miles
Larchmont, Village	32 Miles
Pelham Manor, Village	35 Miles

SCHEDULE "B"

STANDARD INSURANCE PROVISIONS (MUNICIPALITY)

1. Prior to commencing work, the Municipality shall obtain at its own cost and expense the required insurance from insurance companies licensed in the State of New York, carrying a Best's financial rating of A or better, and shall provide evidence of such insurance to the County of Westchester, as may be required and approved by the Director of Risk Management of the County. The policies or certificates thereof shall provide that thirty days prior to cancellation or material change in the policy, notices of same shall be given to the Director of Risk Management of the County of Westchester by registered mail, return receipt requested, for all of the following stated insurance policies. All notices shall name the Municipality and identify the Agreement.

If at any time any of the policies required herein shall be or become unsatisfactory to the County, as to form or substance, or if a company issuing any such policy shall be or become unsatisfactory to the County, the Municipality shall upon notice to that effect from the County, promptly obtain a new policy, submit the same to the Department of Risk Management of the County of Westchester for approval and submit a certificate thereof. Upon failure of the Municipality to furnish, deliver and maintain such insurance, the Agreement, at the election of the County, may be declared suspended, discontinued or terminated. Failure of the Municipality to take out, maintain, or the taking out or maintenance of any required insurance, shall not relieve the Municipality from any liability under the Agreement, nor shall the insurance requirements be construed to conflict with or otherwise limit the contractual obligations of the Municipality concerning indemnification. All property losses shall be made payable to and adjusted with the County.

In the event that claims, for which the County may be liable, in excess of the insured amounts provided herein are filed by reason of any operations under the Agreement, the amount of excess of such claims or any portion thereof, may be withheld from payment due or to become due the Municipality until such time as the Municipality shall furnish such additional security covering such claims in form satisfactory to the County of Westchester.

2. The Municipality shall provide proof of the following coverage (if additional coverage is required for a specific agreement, those requirements will be described in the "Special Conditions" of the contract specifications):

(a) Workers' Compensation. Certificate form C-105.2 (9/07) or State Fund Insurance Company form U-26.3 is required for proof of compliance with the New York State Workers' Compensation Law. State Workers' Compensation Board form DB-120.1 is required for proof of compliance with the New York State Disability Benefits Law. Location of operation shall be "All locations in Westchester County, New York."

Where an applicant claims to not be required to carry either a Workers' Compensation Policy or Disability Benefits Policy, or both, the employer must complete NYS form CE-200, available to download at: www.wcb.state.ny.us (click on Employers/Businesses, then Business Permits/Licenses/Contracts to see instruction manual).

If the employer is self-insured for Worker's Compensation, he/she should present a certificate from the New York State Worker's Compensation Board evidencing that fact (Either SI-12, Certificate of Workers' Compensation Self-Insurance, or GSI-105.2, Certificate of Participation in Workers' Compensation Group Self-Insurance).

(b) Employer's Liability with minimum limit of \$100,000.00.

(c) Commercial General Liability Insurance with a minimum limit of liability per occurrence of \$1,000,000.00 for bodily injury and \$100,000.00 for property damage or a combined single limit of \$1,000,000.00 (c.s.l.), naming the County of Westchester as an additional insured. This insurance shall indicate the following coverages:

- (i) Premises - Operations.
- (ii) Broad Form Contractual.

(d) Automobile Liability Insurance with a minimum limit of liability per occurrence of \$1,000,000.00 per occurrence for bodily injury and a minimum limit of \$100,000.00 per occurrence for property damage or a combined single limit of \$1,000,000.00 unless otherwise indicated in the contract specifications. This insurance shall include for bodily injury and property damage the following coverages:

- (i) Owned automobiles.
- (ii) Hired automobiles.
- (iii) Non-owned automobiles.

3. All policies of the Municipality shall be endorsed to contain the following clauses:

(a) Insurers shall have no right to recovery or subrogation against the County of Westchester (including its employees and other agents and agencies), it being the intention of the parties that the insurance policies so effected shall protect both parties and be primary coverage for any and all losses covered by the above-described insurance.

(b) The clause "other insurance provisions" in a policy in which the County of Westchester is named as an insured, shall not apply to the County of Westchester.

(c) The insurance companies issuing the policy or policies shall have no recourse against the County of Westchester (including its agents and agencies as aforesaid) for payment of any premiums or for assessments under any form of policy.

(d) Any and all deductibles in the above described insurance policies shall be assumed by and be for the account of, and at the sole risk of, the Municipality.

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
AUGUST 15, 2013

**4. AUTHORIZE VILLAGE MANAGER TO EXECUTE THE FIRST
AMENDMENT TO A WIRELESS COMMUNICATIONS SITE LEASE
AGREEMENT WITH NEW CINGULAR WIRELESS, PCS, LLC**

WHEREAS, the Village of Briarcliff Manor (the "Village") and New Cingular Wireless PCS, LLC ("New Cingular") entered into a Wireless Communications Site Lease Agreement, dated August 19, 2005 (the "Lease"); and

WHEREAS, the Village and New Cingular desire to amend the Lease ("Lease Amendment");

WHEREAS, the Lease Amendment provides for the following amendments:

1. In order to exercise its rights under the Lease to install antennas to the Village water tank ("Water Tank"), New Cingular shall, at its own cost and expense, reinforce the footings of the exterior of the Water Tank in accordance with plans and specifications that are to be provided to and approved by the Village, to enable it to install its antennas in compliance with the New York State Building Code. New Cingular shall be required to hire, at its own cost and expense, an engineer to supervise and inspect the work. The engineer must verify that the work, as installed, conforms to the approved plans and specifications, and upon the completion of the project is required to make and file with the Building Inspector an affidavit stating that there has been compliance with all inspection requirements and that the work has been completed in accordance with the approved plans and specifications, and in compliance with all the provisions of the Village Building Code and the New York State Building Code. The Building Inspector shall also be given every facility for ascertaining whether or not the work performed and materials used are in accordance with the requirements and intent of the plans and specifications for the work.

2. In the event of removal of the Water Tank in accordance with the Village's scheduled removal plans and the subsequent reinstallation of New Cingular's antennas and related facilities on a new structure, New Cingular will be permitted to increase the square footage of ground space rented from 220 square feet to 250 square feet, provided that the new space so permits.

3. In the event of removal of the Water Tank in accordance with the Village's scheduled removal plans and subsequent reinstallation of New Cingular's antennas and related facilities on a new structure, New Cingular shall,

at its own cost and expense, remove, reinstall and reconstruct all of its proposed telecommunications facilities.

4. The new commencement date of the Lease is July 1, 2013, for a term of 5 years, with 4 options to renew of 5 years each.

5. Rent is increased to \$35,009.76 per year from \$30,000.00, with yearly increases each year thereafter of the greater of 3% or CPI increases.

6. New Cingular will pay \$18,416.11 in back rent due to the Village, and will reimburse the Village \$5,500.00 for legal fees in connection with the preparation and negotiation of the Lease Amendment.

7. New Cingular has the right to terminate the Lease if acquired by or merged with another cell phone carrier, upon payment of a monetary penalty to the Village equal to 12 month's rent.

8. The Lease Amendment requires that the Board of Trustees confirm that the Village's Special Use Permit approval granted on June 15, 2006 and Site Plan approval granted on June 13, 2006 for New Cingular's telecommunications facilities remain valid and are in full force and effect.

9. The height of the antennas on the Water Tank is increased from a location between 115 and 121 feet on the Water Tank to a location between 138 and 144 feet.

10. The Lease, except as otherwise amended by the Lease Amendment, is still in full force and effect.

NOW THEREFORE,

BE IT RESOLVED that the Board of Trustees of the Village of Briarcliff Manor hereby authorizes and directs the Village Manager to execute the First Amendment to the Wireless Communications Site Lease Agreement with New Cingular Wireless PCS, LLC in accordance with the terms set forth in that Lease Amendment, subject to any non-material changes agreed to by the Village Manager, in form acceptable to Village Counsel.

BE IT FURTHER RESOLVED that the Special Use Permit approval granted on June 15, 2006 and Site Plan approval granted on June 13, 2006 for New Cingular's telecommunications facilities continue to remain valid and are in full force and effect. .

BE IT FURTHER RESOLVED that New Cingular shall obtain a building permit prior to undertaking any work or installation on the Water Tank and installation of its ground facilities.

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
AUGUST 15, 2013

5. TAX CERTIORARI, BOGONI

WHEREAS, Paul and Irene Bogoni instituted tax certiorari proceedings pursuant to Article 7 of the Real Property Tax Law of the State of New York; and

WHEREAS, the tax certiorari filings were for Town of Ossining assessment years 2010 and 2011; and

WHEREAS, the tax certiorari filings relate to Village of Briarcliff Manor fiscal years 2011-2012 and 2012-2013; and

WHEREAS, a Consent Judgment of the Supreme Court of the State of New York, County of Westchester, was entered on May 20, 2013;

NOW THEREFORE, BE IT RESOLVED, that the Board of Trustees does hereby authorize the refund of the tax bills for Fiscal Years 2011-2012 and 2012-2013 based upon the reduced assessment values in the following amounts reduced in accordance with the Consent Judgment to be refunded in Fiscal Year 2013-2014:

FY 2011-2012	\$4,850.50
<u>FY 2012-2013</u>	<u>\$4,470.84</u>

Total Refund	\$9,321.34
--------------	------------

Year	Address	Original Assessed Value	New Assessed Value	Assessment Reduction	Original Tax Amount	Reduced Tax Amount	Refund
2010	139 Scarborough Rd	\$274,500	\$220,000	\$54,500	\$24,430.50	\$19,580	\$4,850.50
2011	139 Scarborough Rd	\$274,500	\$225,000	\$49,500	\$24,792.84	\$20,322	\$4,470.84
				\$104,000		Total	\$9,321.34
				TOTAL AV REDUCTION			TOTAL REVENUE REDUCTION

Assessment Year	Rate-Town of Ossining Owner on Bill	2001 Bill #	2002 Bill #	2003 Parcel Address	2004 Assessed Value	2005 Current Tax Bill	2006 New Assessed	2007 New Tax	2008 Change In Tax	2009 Change In Tax	2010 Refund Prior year tax	2011 Refund Current Yr
2010	Paul Begoni	20111392	139 Scarborough Rd	98.13-1-5	\$ 274,500.00	\$ 76.25	\$ 81.05	\$ 84.89	\$ 86.58	\$ 87.31	\$ 89.00	\$ 90.32
2011	Paul Begoni	20121281	139 Scarborough Rd	98.13-1-5	\$ 274,500.00	\$ 71.52	\$ 81.05	\$ 84.89	\$ 86.58	\$ 87.31	\$ 89.00	\$ 90.32
					A1964.423	\$	9,321.34					
					Budget 13-14 Begoni	\$ 100,000						
					Remaining	\$ (9,321.34)						
						\$ 90,678.66						

Accept Cancel Cut Copy Paste Find Browse Query Add Update Delete Print Display PDF Save Excel Word Email Exchange Attach MspLink Image

Account

Fund A Gen Fund ... Acct A -119-01-1964-423
 Orig A1964 RefPropT ax Refund Of Real Property Tax
 Object 423 Ref Propix Expense Status Active
 Project ... Budget Rollup Group
 MultiYr Fund

4 Year Comparison Current Year History

Yr/Per 2013/12	Fiscal Year 2013	Fiscal Year 2012	Fiscal Year 2011	Fiscal Year 2014
Original Budget	50,000.00	40,000.00	40,000.00	100,000.00
Transfers In	231,051.88	12,179.74		
Transfers Out	.00	-8,954.57	.00	
Revised Budget	281,051.88	43,225.17	40,000.00	100,000.00
Actual (Memo)	281,051.88	43,225.17	18,331.18	9,321.34
Encumbrances	.00	.00	.00	.00
Requisitions	.00			.00
Available	.00	.00	21,668.82	90,678.66
Percent used	100.00	100.00	45.83	9.32

Display detail information for current account.

At a Special Term, Part __ of the
Supreme Court of the State of New York,
held in and for the County of
Westchester, White Plains, New York.

P R E S E N T :
BRUCE E. TOLBERT, J.S.C.

Justice



~~~~~X  
In the Matter of the Application of

PAUL and IRENE BOGONI,  
By Bleakley Platt & Schmidt, LLP, Agent,  
(139 Scarborough)

*Petitioners,*

-against-

**NOTICE OF ENTRY AND  
DEMAND FOR PAYMENT**

**Index Nos.: 24421/10  
14632/11**

THE TOWN/VILLAGE OF OSSINING, its ASSESSOR,  
and BOARD OF ASSESSMENT REVIEW,

*Respondents,*

BRIARCLIFF MANOR UNION FREE  
SCHOOL DISTRICT,

*Intervenor-Respondent.*

For a Review Under Article 7 of the RPTL.  
~~~~~X

S I R S:

PLEASE TAKE NOTICE that the within is a true copy of an Order in the above-entitled matter dated May 20, 2013 and filed and entered in the office of the County Clerk of Westchester County on May 20, 2013; and

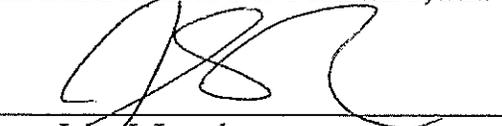
PLEASE TAKE FURTHER NOTICE that the undersigned hereby demands that the assessments directed to be reduced and the refunds directed to be audited, allowed, and paid to the Petitioner in the above-entitled proceeding be allowed and paid according to the terms of said Order;

and

PLEASE TAKE FURTHER NOTICE that this demand is made pursuant to Section 726 of the Real Property Tax Law of the State of New York.

Dated: White Plains, New York
May 21, 2013

BLEAKLEY PLATT & SCHMIDT, LLP



By: John J. Loveless
Attorneys for Petitioner
One North Lexington Avenue
White Plains, NY 10601
(914) 949-2700

TO: Wayne Spector, Esq.
Attorney for Respondents Town/Village of Ossining
COHN SPECTOR
200 E. Post Road
White Plains, NY 10601

Marc Scharff, Esq.
Attorney for Intevenor-Respondent
BRIARCLIFF MANOR U.F.S.D.
115 Stevens Avenue
Valhalla, NY 10595

WESTCHESTER COUNTY
COMMISSIONER OF FINANCE
148 Martine Avenue
Room 718
White Plains, NY 10601

APR 01 2013

ASSESSORS OFFICE

FILED
AND
ENTERED
ON 5-20 2013
WESTCHESTER
COUNTY CLERK

At a Special Term, Part __ of the
Supreme Court of the State of New York,
held in and for the County of
Westchester, White Plains, New York.

P R E S E N T :

BRUCE E. TOLBERT, J.S.C.

Justice

~~~~~X  
In the Matter of the Application of

PAUL and IRENE BOGONI,  
By Bleakley Platt & Schmidt, LLP, Agent,  
(139 Scarborough)

*Petitioners,*

-against-

CONSENT JUDGMENT

Index Nos.: 24421/10  
14632/11

THE TOWN/VILLAGE OF OSSINING, its ASSESSOR,  
and BOARD OF ASSESSMENT REVIEW,

*Respondents,*

BRIARCLIFF MANOR UNION FREE  
SCHOOL DISTRICT,

*Intervenor-Respondent.*

For a Review Under Article 7 of the RPTL.  
~~~~~X

RECEIVED
IN CHAMBERS
MAY 16 2013

HON BRUCE E. TOLBERT
J.S.C.

The above Petitioner having heretofore served and filed the petitions and notices to review the tax assessments fixed by the Town of Ossining for the assessment years 2010 through 2011 upon certain real property located at 139 Scarborough Road, Briarcliff Manor, New York, and designated as Parcel 98.13-1-5 on the Official Assessment Map of the Town of Ossining; and

The issues of these proceedings have duly come on for trial at a Special Tax Certiorari Term of this Court, and the Petitioner having appeared by JOHN J. LOVELESS, ESQ. of BLEAKLEY PLATT & SCHMIDT, LLP, and the Respondent having appeared by Town Attorney for the Town of Ossining, and the Intevenor-Respondent having appeared by MARC SHARFF, ESQ., attorney for

Briarcliff Manor Union Free School District; it is

ORDERED, that the assessments made against Petitioner's above-referenced property be and the same hereby are reduced, corrected, and fixed for the assessment years as follows:

Parcel 98.13-1-5:

ASSESSED VALUATION

| Assessment Year | Reduced From | Reduced To | Amount of Reduction |
|------------------------|---------------------|---------------------|----------------------------|
| 2010 | \$274,500 | \$220,000 | \$54,500 |
| 2011 | \$274,500 | \$225,000 <i>MS</i> | \$49,500 |

and so reduced and confirmed; it is further

ORDERED, ADJUDGED and DECREED, that the officer or officers having custody of said assessment roll and any tax roll upon which the above-mentioned assessments and any taxes levied have been entered, shall correct the said entries in conformity with this Judgment and shall note upon the margin of said rolls opposite said entries, that the same have been corrected by the authorization of this Judgment; and it is further

ORDERED, ADJUDGED and DECREED, that there shall be audited, allowed and paid to the Petitioner by the Town and Village of Ossining, New York, the amounts, if any, paid by the said Petitioner as taxes, fire district taxes, light, sewer or water district taxes, library taxes, refuse taxes, and any other applicable special district taxes against the original assessments in excess of what the said taxes would have been if said assessments had been made as determined by this Judgment (the "tax refunds"), together with any interest or penalties paid by Petitioner in excess of the amount which would have been paid if the original assessments had been made as determined by this Judgment. Payment shall be made payable to Petitioner's attorneys, Bleakley Platt & Schmidt, LLP,

“as attorneys”. Payment shall be without interest, except that if payment is not made within 60 days of service of this Judgment with notice of entry thereof, or within 60 days of written notice of payment of the taxes if such taxes are paid subsequent to the date of service of this Judgment, then payment shall be made with interest in accordance with statute; and it is further

ORDERED, ADJUDGED and DECREED, that there shall be audited, allowed and paid to the Petitioner by the Village of Briarcliff Manor, New York, the amounts, if any, paid by the said Petitioner as village taxes, fire district taxes, light, sewer or water district taxes, library taxes, refuse taxes, and any other applicable special district taxes against the original assessments in excess of what the said taxes would have been if said assessments had been made as determined by this Judgment (the “tax refunds”), together with any interest or penalties paid by Petitioner in excess of the amount which would have been paid if the original assessments had been made as determined by this Judgment. Payment shall be made payable to Petitioner’s attorneys, Bleakley Platt & Schmidt, LLP, “as attorneys”. Payment shall be without interest, except that if payment is not made within 60 days of service of this Judgment with notice of entry thereof or within 60 days of written notice of payment of the taxes if such taxes are paid subsequent to the date of service of this Judgment, then payment shall be made with interest in accordance with statute; and it is further

ORDERED, ADJUDGED and DECREED, that there shall be audited, allowed and paid to the Petitioner by the Briarcliff Manor Union Free School District, the amount, if any, paid by the Petitioner as School District Taxes against the original assessments in excess of what the said taxes would have been if said assessments had been made as determined by this Judgment (the “tax refunds”), together with any interest or penalties paid by Petitioner in excess of the amount which would have been paid if the original assessments had been made as determined by this Judgment.

Payment shall be made payable to Petitioner's attorneys, Bleakley Platt & Schmidt, LLP "as attorneys". Payment shall be without interest, except if that payment is not made within 60 days of service of this Judgment with notice of entry thereof, or within 60 days of written notice of payment of the taxes if such taxes are paid subsequent to the date of service of this Judgment, then payment shall be made with interest in accordance with statute; and it is further

ORDERED, ADJUDGED and DECREED, that there shall be audited, allowed and paid to Petitioner by the County Board of Legislators of the County of Westchester the amounts, if any, paid by Petitioner as state, county, sewer district, refuse district, and any other applicable County special district taxes against the original assessments in excess of what the said taxes would have been if said assessments had been made as determined by this Judgment (the "tax refunds"). Payment of the tax refunds shall be made payable to Petitioner's attorneys, Bleakley Platt & Schmidt, LLP, "as attorneys". Payments of the tax refunds shall be without interest, except that if payment of the tax refunds is not made within 60 days of service of this Judgment with notice of entry thereof on the Commissioner of Finance, together with proof of payment of taxes, then payment of the tax refunds shall be made with interest in accordance with statute; and it is further

ORDERED, ADJUDGED and DECREED, that all tax refunds hereinabove directed to be made are made by check or draft payable to the order of Bleakley Platt & Schmidt, LLP, One North Lexington Avenue, White Plains, New York 10601, as attorneys for Petitioner, who are to hold the proceeds as trust funds for appropriate distribution, and who are to remain subject to the further jurisdiction of this Court in regard to their attorney's lien, pursuant to the Judiciary Section 475; and it is further

ORDERED, ADJUDGED and DECREED, upon agreement and consent of the parties, the

Order shall be subject to the provisions of RPTL §739, and it is further

ORDERED, that this Judgment hereby constitutes and represents full settlement of each of the tax review proceedings herein, and there are no costs or allowances awarded to, by or against any of the parties, and that upon compliance with the terms of this Judgment, the above-entitled proceedings be and the same are settled and discontinued.

Dated: *May 20, 2013*
White Plains, NY

ENTER,
[Signature]
BRUCE E. TOLBERT, J.S.C.

SIGNING AND ENTRY OF THE WITHIN ORDER IS HEREBY CONSENTED TO:

TOWN/VILLAGE OF OSSINING

BLEAKLEY PLATT & SCHMIDT, LLP

[Signature]
By: Wayne Spector, Esq.
Attorney for Respondents
COHN SPECTOR
200 E. Post Road
White Plains, NY 10601
(914) 683-1000

[Signature]
By: John J. Loveless, Esq.
Attorneys for Petitioner
One North Lexington Avenue
7th Floor
White Plains, NY 10601
(914) 949-2700

BRIARCLIFF MANOR U.F.S.D.

[Signature]
By: Marc Sharff, Esq.
Attorney for Intervenor-Respondent
115 Stevens Avenue
Valhalla, NY 10595

THE OFFICE OF THE WESTCHESTER COUNTY ATTORNEY HAS NO OBJECTION TO THE ENTERING OF THE WITHIN ORDER.

DATED:

COUNTY ATTORNEY
THE COUNTY OF WESTCHESTER

AFFIDAVIT OF SERVICE BY REGULAR MAIL

STATE OF NEW YORK)
) ss:
COUNTY OF WESTCHESTER)

MAUREEN HUGHES, being duly sworn, deposes and says I am not a party to the action, am over 18 years of age and reside in Mohegan Lake, New York.

On May 21, 2013, I served a true copy of the annexed **NOTICE OF ENTRY AND DEMAND FOR PAYMENT** by mailing the same in a sealed envelope, with postage prepaid thereon, care of the United States Postal Service, addressed to the last known address of the addressee(s) indicated below:

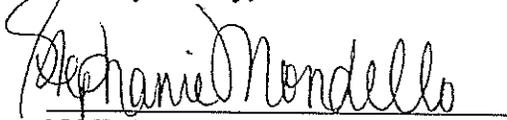
TO: Wayne Spector, Esq.
Attorney for Respondents Town/Village of Ossining
COHN SPECTOR
200 E. Post Road
White Plains, NY 10601

Marc Scharff, Esq.
Attorney for Intevenor-Respondent
BRIARCLIFF MANOR U.F.S.D.
115 Stevens Avenue
Valhalla, NY 10595

WESTCHESTER COUNTY
COMMISSIONER OF FINANCE
148 Martine Avenue
Room 718
White Plains, NY 10601


MAUREEN HUGHES

Sworn to before me this
21st day of May, 2013



NOTARY PUBLIC

STEPHANIE MONDELLO
Notary Public, State of New York
No 01MO4946377
Qualified in Putnam County
Certificate Filed in Westchester County
Commission Expires 2/6/15

AFFIDAVIT OF SERVICE BY REGULAR MAIL

STATE OF NEW YORK)
) ss:
COUNTY OF WESTCHESTER)

MAUREEN HUGHES, being duly sworn, deposes and says I am not a party to the action, am over 18 years of age and reside in Mohegan Lake, New York.

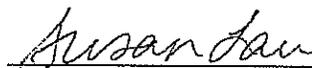
On May 30, 2013, I served a true copy of the annexed **NOTICE OF ENTRY AND DEMAND FOR PAYMENT** by mailing the same in a sealed envelope, with postage prepaid thereon, care of the United States Postal Service, addressed to the last known address of the addressee(s) indicated below:

TO: BRIARCLIFF MANOR U.F.S.D.
 45 Ingham Road
 Briarcliff Manor, NY 10510
 Attn: Chief Financial Officer

ASSESSOR
Town of Ossining
16 Croton Avenue
Ossining, NY 10562


MAUREEN HUGHES

Sworn to before me this
30th day of May, 2013



NOTARY PUBLIC

SUSAN LAU
Notary Public, State of New York
No. 01LA6067358
Qualified in Westchester County
Commission Expires Dec. 10, 2013

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
AUGUST 15, 2013

6. BUDGET TRANSFER – CLUB FIELD

BE IT RESOLVED that the Board of Trustees does hereby authorize the following budget transfer for FY 2013-2014:

| | | |
|------------------------|-------------------|-------------|
| From: A1990.499 | GF Contingency | \$19,350.00 |
| To: A7110.460 | Parks Contractual | \$19,350.00 |

**BUDGET TRANSFER REQUEST FORM
FISCAL YEAR 2013-14**

| Budget Code | Amt | Budget Code | Amt |
|-----------------------|--------------|-----------------|--------------|
| A1990.499-Contingency | \$ 19,350.00 | A7110.460-Parks | \$ 19,350.00 |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

Reason for Transfer Request: Turf Renovations -Club Field

Signature of Requesting Department Head

[Handwritten Signature]

Village Manager Approval

[Handwritten Signature]

Village Treasurer Approval

Date:

30 July

Date:

7/30/13

Date:

If over \$10,000, Board of Trustees Approval Date: _____

Account Inquiry - Munis [VILLAGE OF BRIARCLIFF MANOR]

My File Edit Tools Help

- Accept
- Cancel
- Cut
- Copy
- Paste
- Find
- Browse
- Query
- Add
- Update
- Delete
- Print
- Display
- PDF
- Save
- Excel
- Word
- Email
- Exchange
- Attach
- Misplink
- Image

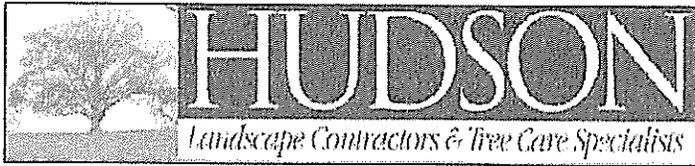
Account

Fund A A -1-19-01-1990-499
 Gen Fund Acct
 Contingent Acct name
 Contingent Account
 Object 499 Contingent Expense
 Status Active
 Budget Rollup Group
 Project ... MultiYr Fund Account Notes

| 4 Year Comparison | Current Year | History | Fiscal Year 2013 | Fiscal Year 2012 | Fiscal Year 2011 | Fiscal Year 2014 |
|-------------------|--------------|---------|------------------|------------------|------------------|------------------|
| Yr/Per 2013/12 | | | | | | |
| Original Budget | 83,000.00 | | 223,000.00 | 383,880.35 | 187,764.58 | |
| Transfers In | 56,925.27 | | 216,128.90 | | | |
| Transfers Out | -139,925.27 | | -245,590.25 | -33,293.32 | | |
| Revised Budget | .00 | | 193,538.65 | 350,587.03 | 56,678.84 | |
| Actual (Memo) | .00 | | .00 | .00 | .00 | |
| Encumbrances | .00 | | .00 | .00 | .00 | |
| Requisitions | .00 | | .00 | .00 | .00 | |
| Available | .00 | | 193,538.65 | 350,587.03 | 56,678.84 | Remaining |
| Percent used | .00 | | .00 | .00 | .00 | .00 |

Administration raises
 CSEA 3% bonus raise
 Club field

Display detail information for current account.



86 Millwood Road
Millwood, NY 10546
Tel: (914) 923-9107
Fax: (914) 923-2242
www.hudsonlandscapes.com

Proposal

July 18, 2013

WORK TO BE PERFORMED FOR:

**Village of Briarcliff Manor
Department of Public Works
Buckout Street
Briarcliff Manor, New York 10510**

**Job Location: The Club – Ball field
 Scarborough Road
 Briarcliff Manor, NY 10510**

Landscape Services:

I. Turf Renovations:

Contractor will perform turf renovations to ball field located at The Club as per walk through with Village Officials. Contractor will perform the following services:

- Remove approximately 10,000 square feet of existing turf as designated.
- Remove up to three inches of existing soil bed.
- Furnish and install up to 100 yards of new screened topsoil at a depth of three inches. New topsoil will be cut with sand, and peat so as to allow for proper drainage of surface water. Soil will be installed so as to allow for the proper flow of all surface water away from middle of field out toward sideline areas.
- Furnish and install 10,000 square feet of a Kentucky Bluegrass, Rye, and Fescue grass mixture to allow for athletic field usage.
- All new sod will be installed so all seams are off set. All sod will be rolled to allow all seams to “mesh” together.
- Contractor recommends that all turf is left un- touched for a period up to eight (8) weeks - from date of installation of new sod, before any activities are allowed to continue on newly installed turf.
- Remove all debris from job site.
- Contractor will set existing automatic sprinkler controls to water new turf two (2) times a day for a period of up to three (3) weeks, and then adjust watering of new turf as weather conditions dictate. If extra watering is required, a Village of Briarcliff Manor employee will hand water as directed by contractor.

Total Materials and Labor as proposed:

\$19,350.00

TERMS AND CONDITIONS

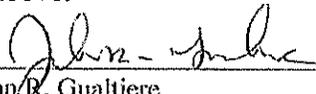
The following terms and conditions are part of the confirmation of work to be performed by Hudson Landscapes, Inc. and with the information given, constitute the entire agreement.

1. All material is guaranteed to be as specified.
2. All work to be completed in a workmanlike manner according to standard practices.
3. Any alteration or deviation from the above specifications involving extra costs will be done only upon a written change order. The costs will become an extra charge over and above the estimate.
4. Any conditions not stated in the specifications herein regarding the site, including any rock, or water sources encountered on the subject premises, shall be additional cost to the Customer.
5. Any hazardous or contaminated materials or waste encountered on the site, unless specifically stated herein, shall be an additional cost to the Customer.
6. Said start and / or completion date is subject to and contingent upon weather conditions, availability of materials and supplies, change orders, strikes, accidents, fire, tornado or other natural hazards, soil conditions or natural conditions not specified herein and beyond the knowledge of the Contractor, or any other delays beyond the control of the Contractor.
7. All elements of this agreement are contingent upon strikes, accidents or delays beyond our control.
8. The estimate does not include material price increases, or additional labor and materials which may be required should unforeseen problems arise after the work has started.
9. Westchester County License Number WC-13703-HO3
10. Contractor is not responsible for the up keep, maintenance, irrigation, or fertilization of newly installed sod.
11. This proposal is valid for thirty (30) days as of the date of this proposal

You, the buyer, may cancel this transaction at any time prior to midnight of the third business day after the date of this transaction. Cancellation must be done so in writing.

Payment Conditions: Payment is due in full upon receipt of invoices. Any additional charges will be billed accordingly through the use of change orders, which will be mutually agreed upon by contractor and property owner / agent for owner. A service charge of 1.5% per month, which is an annual percentage of 18%, will be added to accounts thirty days after the invoice date. A past-due account over 60 days old will void any guarantee we offer. If outside assistance is used to collect the account, the customer is responsible for all costs associated with the collection including, but not limited to, attorney fees and court costs.

Acceptance of Proposal: The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature  Date 7/15/13 Signature _____ Date _____
 Name: John R. Gualtiere Agent for Village of Briarcliff Manor, New York

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
AUGUST 15, 2013

7. BUDGET AMENDMENT – CHIPS

BE IT RESOLVED that the General Fund for fiscal year 2013-2014 is hereby amended to accept CHIPS monies as follows:

| | |
|--|-------------|
| Increase Revenue – A0105.3501 (CHIPS) by | \$37,369.88 |
| Increase Expense A5112.465 Paving | \$37,369.88 |

**BUDGET TRANSFER REQUEST FORM
FISCAL YEAR 2013-14**

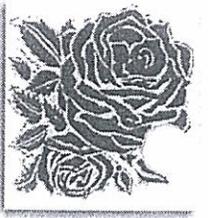
| Increase Revenue | | Increase Expense | |
|-------------------|--------------|-------------------------|--------------|
| Budget Code | Amt | Budget Code | Amt |
| A0105.3501 -CHIPS | \$ 37,369.88 | A5112.465 -Paving CHIPS | \$ 37,369.88 |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

Reason for Transfer Request: Increase to match actual revenue from NYS

Signature of Requesting Department Head
[Signature]
 Village Manager Approval
[Signature]
 Village Treasurer Approval

Date:
30 July
 Date:
7/30/13
 Date:

If over \$10,000, Board of Trustees Approval Date: _____



VILLAGE OF BROOKLIFF MANOR
 CURRENT YEAR / NEXT YEAR BUDGET COMPARISON REPORT
 REVENUE BUDGET
 Through 5/1/2013
 FUND A - General Fund

Projection: 2014

| ORG | OBJ | PROJ | DESCRIPTION | 2011
ACTUAL | 2012
ACTUAL | 2013
ORIGINAL | 2013
REVISED | 2013
ACTUAL | 2013
PROJECTED | 2014
ADOPTED | % DIFF TO
REV BUD |
|---|------|-------|---------------------------------|----------------|----------------|------------------|-----------------|----------------|-------------------|-----------------|----------------------|
| A0105 - Revenue - Public Works | | | | | | | | | | | |
| A0105 | 2123 | | Sanitation Fees | 200 | 11,850 | 10,000 | 10,000 | 13,975 | 14,000 | 13,900 | 39.0 % |
| A0105 | 2131 | | DPW-Sale Leaf Bags/Recyc Boxe | 4,814 | 3,635 | 4,000 | 4,000 | 2,452 | 2,500 | 4,000 | - % |
| A0105 | 2155 | | Sale of Unloaded/Diesel | 47,551 | 20,524 | 19,000 | 19,000 | 12,755 | 19,000 | 19,000 | - % |
| A0105 | 2302 | 2302A | Snow Removal Chgs. State of NY | 11,613 | 3,935 | 8,600 | 8,600 | 3,472 | 8,600 | 8,600 | - % |
| A0105 | 2302 | 2302B | Snow Removal Chgs. West. Cnty. | - | 7,835 | 7,600 | 7,600 | - | 7,600 | 7,600 | - % |
| A0105 | 2560 | | Street Opening Permits | 18,400 | 28,381 | 27,000 | 27,000 | 24,500 | 25,000 | 29,000 | 7.4 % |
| A0105 | 2650 | | Sale Of Scrap/Organic/Recycling | 21,447 | 27,051 | 23,000 | 23,000 | 13,357 | 23,000 | 23,000 | - % |
| A0105 | 2774 | | Misc.Rev-EmpI.Hlth &Dent Reimb | 3,745 | 4,482 | 4,508 | 4,508 | 3,914 | 4,508 | 4,508 | - % |
| A0105 | 2776 | | Health Ins-Retirees SpouseCntr | 11,215 | 13,760 | 10,271 | 10,271 | 9,064 | 10,271 | 10,271 | - % |
| A0105 | 3501 | | Consolidated Hlghway Aid-CHIPS | 153,992 | 152,905 | 152,905 | 152,905 | 158,912 | 158,912 | 158,912 | 3.9 % |
| | | | TOTAL ORG A0105 | 272,977 | 274,358 | 266,884 | 266,884 | 242,402 | 273,391 | 278,791 | 4.5 % |
| A0106 - Revenue-Building Insp/Engineer | | | | | | | | | | | |
| A0106 | 2553 | | Fire Inspections -Bidg Dept. | 10,400 | 5,000 | 5,000 | 5,000 | 2,200 | 2,500 | 1,000 | (80.0%) |
| A0106 | 2554 | | Bldg Dept-Cert of Occpncy Fees | 15,175 | 18,400 | 15,000 | 15,000 | 27,100 | 28,000 | 30,000 | 100.0 % |
| A0106 | 2555 | | Building Permits - App Fees | 163,638 | 238,578 | 165,000 | 165,000 | 266,332 | 272,000 | 272,000 | 64.8 % |
| A0106 | 2556 | | Bldg Dept-Misc & CO Copy Fees | 14,590 | 16,310 | 14,000 | 14,000 | 13,648 | 14,000 | 15,400 | 10.0 % |
| A0106 | 2557 | | Electrical Permits | 9,170 | 15,820 | 10,000 | 10,000 | 21,840 | 22,000 | 22,000 | 120.0 % |
| A0106 | 2558 | | Plumbing Permits | 5,560 | 8,805 | 8,000 | 8,000 | 15,603 | 17,000 | 16,500 | 106.3 % |
| A0106 | 2559 | | Excavation Permit Fees | - | 500 | - | - | 8,645 | 8,645 | - | - % |
| A0106 | 2776 | | Health Ins-Retirees SpouseCntr | 4,194 | 4,949 | 5,136 | 5,136 | 4,532 | 5,136 | 5,136 | - % |
| | | | TOTAL ORG A0106 | 222,727 | 308,362 | 222,136 | 222,136 | 359,900 | 369,281 | 362,036 | 63.0 % |



STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232
www.dot.ny.gov

JOAN McDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

July 24, 2013

EDWARD TORHAN
COMMISSIONER OF PUBLIC
VILLAGE OF BRIARCLIFF MANOR
10 BUCKHOUT RD
BRIARCLIFF MANOR NY 10510

Dear Mr. Torhan:

The next CHIPS Capital reimbursement is scheduled to be made on or about September 20, 2013. Please refer to the CHIPS guidelines regarding eligible project activities and payment. If your municipality's CFO has not signed up to receive electronic payments for CHIPS, please have the CFO complete the Electronic Payment Authorization form on the CHIPS website (www.dot.ny.gov/programs/chips) and mail it to the NYSDOT address noted on the form.

Instructions to apply for the CHIPS funds for the September payment are on the reverse. Project information will be collected via the April 2013 on-line reimbursement request form which is available on the CHIPS website. Requests from the SFY 13-14 apportionment for the September payment must be for expenditures made on or after April 1, 2013 and through August 8, 2013. Requests which are incomplete, in error, or are sent using outdated forms could delay receipt of your payment.

The Village of Briarcliff Manor has a total CHIPS Capital balance of \$196,281.88 which is available for the September payment; this consists of a \$196,281.88 SFY 13-14 CHIPS Capital apportionment balance. These balances are also reflected in the Capital Apportionment Balances link on the CHIPS website.

The Village of Briarcliff Manor must ensure the NYSDOT Regional Office receives the reimbursement request no later than August 14, 2013 to receive this payment. Please be sure to sign the certification on each page of the reimbursement request(s), photocopy the completed form(s) for your files, and mail the original(s) to:

Doreen Holsopple
NYSDOT Regional CHIPS Representative
New York State Department of Transportation
4 Burnett Boulevard
Poughkeepsie, NY 12603

Your NYSDOT municipal code for entry on the form is 871052. If you have any questions, please contact Doreen Holsopple at 845-431-5977.

Respectfully yours,

Diane L. Kenneally, P.E.
Director
Local Programs Bureau

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
AUGUST 15, 2013

8. ACCEPTANCE OF MAINTENANCE JURISDICTION OF SURPLUS PROPERTY

WHEREAS, the Village of Briarcliff Manor (the "Village") initiated a "Surplus Property Proceeding" with the New York State Department of Transportation (the "DOT") regarding a parcel of land owned by the State of New York which was formerly a portion of a road known as Buckhout Road (the "Surplus Property"); and

WHEREAS, the DOT has named this proceeding "Surplus Request No. 1249"; and

WHEREAS, the Surplus Property is approximately 50 feet by 100 feet and is located off Larch Road in the Village;

WHEREAS, a title report identifying the Surplus Property describes the property as follows:

ALL that certain plot, piece or parcel of land, situate, lying and being in the Town of Mount Pleasant, Village of Briarcliff Manor and State of New York shown as part of Lot 7 of the Appropriation Maps # 3334 and 3334B and also known as Buckhout Road lying West of the Taconic State Parkway Section 5 Block 2 of the Tax Map; and

WHEREAS, the DOT has informed the Village that in order to continue pursuing Surplus Request No. 1249, the Village Board of Trustees must acknowledge by Resolution that the Village will accept the "maintenance jurisdiction" of the Surplus Property if and when it is released by the State of New York and unencumbered ownership of the Surplus Property is transferred to the Village;

NOW THEREFORE, BE IT:

RESOLVED, that the Board of Trustees of the Village of Briarcliff Manor hereby accepts the maintenance jurisdiction of the Surplus Property.

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
AUGUST 7, 2013

9. MINUTES

- May 15, 2013 – Regular Meeting

Village Board of Trustees
Regular Meeting
May 15, 2013
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 15th of May, 2013 commencing at 7:30 p.m.

Present

William J. Vescio, Mayor
Robert Murray, Trustee
Mark L. Wilson, Trustee

Also Present

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

Absent

Lori A. Sullivan, Deputy Mayor
Mark Pohar, Trustee

Board of Trustees Report by Trustee Wilson

- DPW is continuing road patching and stump grinding and general repairs throughout the Village.
- Delinquent water accounts were levied to the tax bills. Tax bills will be mailed shortly and are due in the month of June.
- The Library has hosted a number of successful, well attended programs over the last few weeks.
- The Memorial Day Parade will be on Monday, May 27th.
- The Briarcliff Friends of the Library will host their annual 5K run/walk on Memorial Day starting at Law Park.
- The 2013 Recreation Spring/Summer Brochure is available on the Village website. Sign up for "Rec News" to stay informed of the latest programs and information.
- Pool and Tennis permits are available for purchase.
- Camp registration is underway and there are limited spaces available. Please contact the Recreation Department for more information.
- Summercliff Players presents Seussical as their summer production.
- The Youth Center will host an open house on May 16th for 4th Graders.
- The Swim Team Pancake Breakfast will be on May 18th in the Law Park Pavilion.

Mayor Vescio announced the Village entered the Westchester County Water Tasting Contest and came in 2nd place. He stated it was a testament to the Full Supply Water Project that was undertaken 9 years ago.

Village Managers Report by Village Manager Zegarelli

- The Village is still awaiting reimbursement from FEMA.
- The Community Center plans are in the final phase.
- Labor Contracts have been settled with the PBA and CSEA.
- Hydrant Flushing throughout the Village has begun.
- Old Sleepy Hollow Estates has installed a sewer main and will be available to other residents in that area.
- The Work Session will be rescheduled to May 22nd at 6:45pm.

Public Comments

There were no public comments.

Authorize Village Treasurer to Levy Unpaid Water Rents to the 2013-2014 Tax Roll

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

BE IT RESOLVED that the Board of Trustees of the Village of Briarcliff Manor in accordance with Village Law hereby certifies the attached Unpaid Water Rents and further authorizes the Village Treasurer to Levy said Unpaid Water Rents to the 2013-14 Tax Roll.

Ratification of a Memorandum of Agreement between the Village and the CSEA

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

BE IT RESOLVED, that the Board of Trustees of the Village of Briarcliff Manor hereby ratifies and approves the attached memorandum of agreement dated May 8, 2013 between the Village and the CSEA.

Fire Department Membership – Jackson

The Board thanked Mr. Jackson for volunteering.

Upon motion by Trustee Wilson, seconded by Trustee Murray, 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 **Christopher Jackson** to the Briarcliff Manor Hook & Ladder Company.

Budget Amendment – Unclaimed Bail Money

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

BE IT RESOLVED that the budget for Fiscal Year 2012-2013 is hereby amended as follows:

Increase Revenue
(A0101.2770) by \$115.00

Minutes

Upon motion by Trustee Murray, seconded by Trustee Wilson, the Board voted unanimously to approve the minutes of April 30, 2013 Special Meeting.

Upon motion by Trustee Murray, seconded by Trustee Wilson, the Board voted unanimously to approve the minutes of April 30, 2013 Regular Meeting as amended.

Adjournment

The Board wished a Happy Birthday to Trustee Pohar's wife Kerry.

Upon motion by Trustee Murray, seconded by Trustee Wilson, the Board voted unanimously to adjourn the meeting at 7:50pm.

Respectfully Submitted By,

Christine Dennett
Village Clerk