



AGENDA
DECEMBER 4, 2013
BOARD OF TRUSTEES
VILLAGE OF BRIARCLIFF MANOR, NEW YORK
REGULAR MEETING – 7:30 PM

82

Board of Trustees Announcements

Village Managers Report

Public Comments

1. Schedule Public Hearing to Amend a Special Use Permit – Sleepy Hollow Country Club
2. Safe Routes to School Grant Resolutions
3. Reschedule January 1, 2014 Meeting
4. Amendment to Capital Budget for FY 2013-2014 (to address Public Purpose)
5. [Bond Resolutions for FY 13-14 Amended Capital Projects]
6. Minutes
 - November 20, 2013 – Regular Meeting

NEXT REGULAR BOARD OF TRUSTEES MEETING – DECEMBER 18, 2013

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
DECEMBER 4, 2013

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

1. Referral to the Planning Board

BE IT RESOLVED that the request for the amendment of a Special Use Permit issued to the Sleepy Hollow Country Club located at 777 Albany Post Road is hereby directed to the Planning Board for review and recommendation.

2. Schedule Public Hearing

BE IT RESOLVED that a Public Hearing is hereby scheduled for _____ 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 Sleepy Hollow Country Club.

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
DECEMBER 4, 2013

2. SAFE ROUTES TO SCHOOL GRANT RESOLUTIONS

- A. Authorizing the implementation, and funding in the first instance 100% of the federal-aid [[[and State "Marchiselli" Program-aid]]] eligible costs, of a transportation federal-aid project, and appropriating funds therefore.**

WHEREAS, a Project for **Pedestrian Improvements in the Briarcliff Manor Union Free School District, Village of Briarcliff Manor, Westchester County, PIN 8761.12** (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 0% Federal funds and 100% non-federal funds; and

WHEREAS, the Village of Briarcliff Manor desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of preliminary engineering.

NOW, THEREFORE, the Village of Briarcliff Manor, duly convened does hereby

RESOLVE, that the Briarcliff Manor Village Trustees hereby approve the above-subject project; and it is hereby further

RESOLVED, that the Briarcliff Manor Village Trustees hereby authorizes the Village of Briarcliff Manor to pay in the first instance 100% of the federal and non-federal share of the cost of preliminary engineering work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$59,000 is hereby appropriated from A0909 General Fund Fund Balance and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Briarcliff Manor Village Trustees shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Village Manager, thereof, and it is further

RESOLVED, that the Village Manager be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or applicable Marchiselli Aid on behalf of the Village of Briarcliff Manor with the New York State Department of Transportation in connection with the

advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that in addition to the Village Manager, the following municipal titles: Mayor, Village Engineer, Village Treasurer are also hereby authorized to execute any necessary Agreements or certifications on behalf of the Municipality/Sponsor, with NYSDOT in connection with the advancement or approval of the project identified in the State/Local Agreement;

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED, this Resolution shall take effect immediately.

B. Authorizing the implementation, and funding in the first instance 100% of the federal-aid [[[and State "Marchiselli" Program-aid]]] eligible costs, of a transportation federal-aid project, and appropriating funds therefore.

WHEREAS, a Project for **Pedestrian Improvements in the Briarcliff Manor Union Free School District, Village of Briarcliff Manor, Westchester County, PIN 8761.12** (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 100% Federal funds and 0% non-federal funds; and

WHEREAS, the Village of Briarcliff Manor desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of the non-infrastructure construction work.

NOW, THEREFORE, the Village of Briarcliff Manor, duly convened does hereby

RESOLVE, that the Briarcliff Manor Village Trustees hereby approve the above-subject project; and it is hereby further

RESOLVED, that the Briarcliff Manor Village Trustees hereby authorizes the Village of Briarcliff Manor to pay in the first instance 100% of the federal and non-federal share of the cost of the non-infrastructure work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$10,000 is hereby appropriated from A0909 General Fund Fund and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Briarcliff Manor Village Trustees shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Village Manager, thereof, and it is further

RESOLVED, that the Village Manager of the Village of Briarcliff Manor be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or applicable Marchiselli Aid on behalf of the Village of Briarcliff Manor with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that in addition to the Village Manager, the following municipal titles: Mayor, Village Engineer, Village Treasurer are also hereby authorized to execute any necessary Agreements or certifications on behalf of the Municipality/Sponsor, with NYSDOT in connection with the advancement or approval of the project identified in the State/Local Agreement;

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED, this Resolution shall take effect immediately.

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
DECEMBER 4, 2013

3. RESCHEDULE MEETING DATE

BE IT RESOLVED, that the Regular Meeting of the Board of Trustees originally scheduled for Wednesday, January 1, 2014 at 7:30pm is hereby rescheduled to Thursday, January 2, 2014 at 7:30pm.

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
DECEMBER 4, 2013

4. AMENDMENT TO CAPITAL BUDGET FOR FY 2013-2014

BE IT RESOLVED, that the Board of Trustees does hereby amend the Capital Budget for Fiscal Year 2013-2014 in the amount of \$10,453,720 as follows and authorizes the future borrowing for the added projects:

Village of Briarcliff Manor

2013-14 Capital Projects

BOT approved July 10, 2013	Departmental Budget Requested	Funding w/ 2% Costs	PPU (Years)
PROJECT			
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
Infrastructure 25 Scarborough Rd – Water & Sewer Improvements	<u>\$6,295,000</u>	<u>\$6,295,000</u>	40

Total Requirements:

\$ 1,850,000 \$ 1,887,000

Department of Public Works: (vehicles)

Walk Behind Mower

\$ 6,000 \$ 6,120

15

Total Requirements:

\$ 6,000 \$ 6,120

Department of Public Works: (Water Vehicles)

Backhoe

\$ 100,000 \$ 102,000

15

Excavating Attachments

\$ 60,000 \$ 61,200

\$ 160,000 \$ 163,200

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

Comfort Station – 25 Scarborough Rd

\$ 705,000 \$ 705,000

25

\$ 935,000 \$ 953,700

Total-General Fund

\$ 1,376,000 \$ 1,403,520

Total-Water Fund

\$ 2,010,000 \$ 2,050,200

Total - All Projects

\$10,386,000 \$ 10,453,720

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
JULY 10, 2013

~~6~~ **ADOPTION OF CAPITAL BUDGET FOR FY 2013-2014**

BE IT RESOLVED, that the Board of Trustees does hereby adopt the Capital Budget for Fiscal Year 2013-2014 in the amount of \$3,453,720 as follows:

Village of Briarcliff Manor

updated 6/27/13

2013-14 Capital Projects

BOT approved _____	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>	
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Total-Water Fund	<u>\$ 2,010,000</u>	<u>\$ 2,050,200</u>	
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Total - All Projects	<u>\$ 3,386,000</u>	<u>\$ 3,453,720</u>	
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VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
DECEMBER 4, 2013

5. AMENDED CAPITAL PROJECT 2013-2014 BOND RESOLUTIONS A-B

- A. BOND RESOLUTION, DATED DECEMBER 4, 2013, AUTHORIZING THE ISSUANCE OF UP TO \$6,295,000 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 (I) THE ACQUISITION AND CONSTRUCTION OF WATER IMPROVEMENTS AND (II) THE ACQUISITION AND CONSTRUCTION OF SEWER IMPROVEMENTS, 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 and construction of water improvements (\$4,615,000) and (ii) the acquisition and construction of sewer improvements (\$1,680,000), in and for the Village, including any applicable equipment, machinery, apparatus, land and rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at a total cost not to exceed \$6,295,000, 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 \$6,295,000, 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 and construction of water improvements in and for the Village, including any applicable equipment, machinery, apparatus, land and rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at an estimated maximum cost of \$4,615,000, for which \$4,615,000 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 forty (40) years pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds 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; and

(b) The acquisition and construction of sewer improvements in and for the Village, including any applicable equipment, machinery, apparatus, land and rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at an estimated maximum cost of \$1,680,000, for which \$1,680,000 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 forty (40) years pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds 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 \$6,295,000; (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.

B. BOND RESOLUTION, DATED DECEMBER 4, 2013, AUTHORIZING THE ISSUANCE OF UP TO \$705,000 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 A COMFORT STATION 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 the acquisition, construction and reconstruction of a comfort station, 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 \$705,000, 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 \$705,000, pursuant to the Local Finance Law, in order to finance the acquisition, construction and reconstruction of a comfort station for the Village, 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 11(b) of paragraph a of 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 \$705,000; (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.

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
DECEMBER 4, 2013

6. MINUTES

- November 20, 2013 – Regular Meeting

The Regular Meeting of the Board of Trustees of the Village of Briarcliff Manor, New York was held in the Village of Briarcliff Manor Village Hall, at 1111 Pleasantville Road, Briarcliff Manor, New York on the 20th of November, 2013 commencing at 7:30 p.m.

Present

William J. Vescio, Mayor
Lori A. Sullivan, Deputy Mayor
Robert Murray, Trustee
Mark L. Wilson, Trustee

Also Present

Philip Zegarelli, Village Manager
Christine Dennett, Village Clerk
Clinton Smith, Village Counsel
Robin Rizzo, Village Treasurer

Absent

Mark Pohar, Trustee

Board of Trustees Announcements by Trustee Wilson

- The Library has had great attendance at their programs.
- PBA negotiations have begun.
- The platform tennis courts are open and permits are required.
- Registration for a number of Winter Recreation Programs is underway.
- The Winter Recreation Brochure will be available online before Thanksgiving.
- The Community Bonfire and Sing-A-Long will be on December 8th.

Village Managers Report by Village Manager Zegarelli

- The Community Center design is 95% complete.
- The Youth Center field project has started and the plantings are nearly done.
- The Edith Macy Water Tank Bids were received and are within budget.
- The water leak on Pleasantville and Ash Roads was repaired.
- Leaf pickup is in the first lap and will continue through December. Please do not put leaves into the streets or catch basins.
- The 2nd Installment of Village Taxes is due by December 31st.

Public Comments

Mrs. Beth Hussain of 350 South State Road stated she appreciated the increase in police presence on her road but stated she was unnerved feeling like her house was being watched.

Mr. Jeffrey Pennington of 360 South State Road read aloud a statement regarding the South State Safety Coalition and thanked the Board for addressing 2 of their 5 requests. He requested the other 3 points be addressed or responded to.

Mayor Vescio stated the Village did a study of the accidents and traffic incidents on the South State Road and the road functioned properly and was safe.

Village and Justice Court Annual Auditor's Report FY 12-13

Mr. Chris Kopf and Mr. Jeff Shaver of O'Connor Davies gave a presentation on the Village and Justice Court Audit of Fiscal Year 2012-2013 and stated the Village was in a good financial position and received an unqualified opinion.

The Board thanked the Auditors for their report and Village Treasurer Robin Rizzo for her hard work.

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

BE IT RESOLVED that the Village Justice Court conducted an Independent Audit for Fiscal Year 2012-2013 in accordance with Section 2019-a of the Uniform Justice Court Act.

BE IT FURTHER RESOLVED that the Board of Trustees does hereby approve and accept into the record the Village Justice Court Independent Audit for Fiscal Year 2012-2013.

Election Resolution for Annual Village Election 2014

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

BE IT RESOLVED that the annual Village Election will be held in the Village of Briarcliff Manor on Tuesday, March 18, 2014 between the hours of 6:00am and 9:00pm during which the polls will be open.

BE IT FURTHER RESOLVED that the following Village Offices are to be elected at the annual Village Election of March 18, 2014 for the terms as set forth herein:

<u>Office</u>	<u>Term</u>
Trustee (2)	2 Years

Minutes

Upon motion by Trustee Murray, seconded by Trustee Wilson, the Board voted unanimously to approve the minutes of November 6, 2013.

Board of Police Commissioners

Upon motion by Deputy Mayor Sullivan, seconded by Trustee Murray, the Board voted unanimously to schedule a meeting of the Board of Police Commissioners on November 21, 2013 at 6:45pm in Village Hall.

Upon motion by Deputy Mayor Sullivan, seconded by Trustee Wilson, the Board voted unanimously to remove the Police Commissioners agenda item from the agenda.

Adjournment

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

Respectfully Submitted By,

Christine Dennett
Village Clerk