



AGENDA
SEPTEMBER 18, 2013
BOARD OF TRUSTEES
VILLAGE OF BRIARCLIFF MANOR, NEW YORK
REGULAR MEETING – 7:30 PM

1. Public Hearing to Renew a Special Use Permit – St. Mary's Church

Board of Trustees Announcements

Village Managers Report

Public Comments

2. Retirement System Reporting Resolution for Village Officials
3. Award of Bid – Youth Center & Law Park Planting and Restoration Project
4. Schedule Public Hearing to Renew a Special Use Permit – Faith Lutheran
5. Tax Certiorari – JP Morgan Chase
6. Minutes
 - May 15, 2013 – Regular Meeting
 - August 15, 2013 – Regular Meeting

The Board will adjourn the regular meeting and reconvene as the Board of Police Commissioners.

1. Amend Procedures Manual for the Briarcliff Manor Police Department - Modified Duty Assignment

NEXT REGULAR BOARD OF TRUSTEES MEETING – OCTOBER 2, 2013

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
SEPTEMBER 18, 2013

1. PUBLIC HEARING, SPECIAL USE PERMIT, ST. MARY'S CHURCH

BE IT RESOLVED that the Special Use Permit issued to St. Mary's Church is hereby renewed subject to the same conditions included in the original Special Use Permit approval dated October 15, 1987.

BE IT FURTHER RESOLVED that the Special Use Permit renewal shall extend to October 15, 2018.

BE IT FURTHER RESOLVED that should the St. Mary's Church desire to renew this Special Use Permit for another five year period, commencing in 2018, the Church shall be responsible for requesting the renewal at least sixty (60) days prior to the expiration of the Special Use Permit.

EXCERPT FROM THE MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF BRIARCLIFF MANOR, NEW YORK, HELD OCTOBER 15, 1987

Upon motion made by Trustee Pacchiana, seconded by Trustee Cerrone, and unanimously approved, the following resolution was adopted:

WHEREAS, **St. Mary's Church** (the applicant), located on Albany Post Road, Briarcliff Manor, N.Y., has requested a Special Permit pursuant to Section 4(B) of the Zoning Ordinance, to operate and use their facilities as a principal permitted use, specifically a place of worship, in a district zoned for residence use, specifically R60A, designated on Village Tax Maps as Section 4, Plate 31C, Block 27, Lots 5, 5A and 5B, and located on the northeasterly side of Albany Post Road and is shown on a site plan and application for expanded accessory buildings, in particular:

1. Rector's office;
2. Sunday School addition;

and related improvements, entitled: "Expansion of St. Mary's Church, Scarborough, N.Y., Plan and Site Plan, prepared by Architects Don Reiman/Michael Molinelli, 1133 Pleasantville Road, Briarcliff Manor, N.Y. 10510, various scales, dated 7/22/87, last revised 9/22/87;" and

WHEREAS, the Board of Trustees held a public hearing on the Special Permit request at the Municipal Building, 1111 Pleasantville Road, Briarcliff Manor, New York, on October 15, 1987, at which time all interested persons were given an opportunity to be heard; and

WHEREAS, said Special Permit and Site Plan application was duly referred to the Planning Board by the Board of Trustees for review and report thereon in accordance with the procedures established in Section 4(B) in the Zoning Ordinance; and

WHEREAS, the applicant, upon report of the Planning Board, completed and submitted an environmental assessment long form dated 8/31/87, and after review of said form and recommendation of the Planning Board, the Board of Trustees has determined that the proposed development will not have a significant impact on the environment; and

WHEREAS, the Board of Trustees pursuant to the requirements of SEQR/VEQR, hereby issues a Negative Declaration, determination of nonsignificance, on the basis that the proposed special permit approval is an unlisted action, not requiring further environmental review, and hereby directs such negative declaration to be filed with the Village Clerk's records as part of this action; and

WHEREAS, the Planning Board has submitted its report in the form of a site plan resolution of approval and has recommended to the Board of Trustees that a Special Permit be granted with conditions as set forth in the above-stated Planning Board report, which conditions, among others, relate to safety of the occupants of the church property structure as well as protection of the health, welfare and benefit of the general Village residents and adjacent property owners; and

WHEREAS, the Planning Board has noted that it has caused the referral of the proposed Special Permit application to the Westchester County Planning Board for review and recommendation, and has conducted a site plan review and is prepared to issue its site plan approval upon the granting of a Special Permit by the Board of Trustees; and

WHEREAS, the Board of Trustees has carefully considered said application in relation to Section 4(B) of the Zoning Ordinance and finds that the applicant's proposal in relation to the particular site on which it would be located is, upon the basis of the uniqueness of the site and its circumstances, appropriate for the granting of a Special Permit and finds that the conditions and standards of Section 4(B), Subsection C, of the Zoning Ordinance may be met by a Special Permit granted with the conditions set forth below;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees in a meeting held on October 15, 1987, does hereby grant a Special Permit, to run for a period of five (5) years from the date of its resolution, issued to St. Mary's Church to operate its current religious facilities, subject to the following conditions, the violation of any of which shall place the Special Permit and its Certificate of Occupancy in jeopardy and subject to revocation by the Village:

1. The intensity of use on any particular occasion shall in general be limited to the maximum offstreet parking available to the Church. No street-side parking shall be permitted.
2. Offstreet parking, bus loading (if any), building coverage and floor space shall be as shown on the submitted site plans except that the Planning Board shall have the authority to modify the parking, landscaping, drainage, building shape and other matters normally considered in site plan review in accordance with the spirit and intent of the Zoning Ordinance and the Special Permit standards therein and this resolution.
3. The Church shall maintain the existing landscaping and other side conditions so as to provide continued protection, peace and quiet for abutting property owners.
4. No parking, recreation or other outdoor activities shall be permitted on the site other than in designated areas shown on the site plan and as approved by the Planning Board.
5. The Church shall obtain final site plan approval from the Planning Board, including the conditions noted and recommended in the Planning Board's resolution of October 13, 1987.

6. The information and documents noted above, including any final site plan which may be approved by the Planning Board shall be filed with the Village Clerk. The applicant shall comply with all future requirements instituted by the Planning Board in connection with its final and detailed site plan review and approval.
7. Compliance with the above conditions shall be a requirement for the continued validity of any Certificate of Occupancy which may be issued by the Building Inspector in accordance herewith.
8. Prior to the expiration of this Special Permit, the applicant may request renewal of same, which shall be subject to review of the then prevailing zoning regulations as well as the above conditions. The Board of Trustees may reestablish this Special Permit with or without the above conditions and any others it deems appropriate and lawful;

AND BE IT FURTHER RESOLVED that the applicant is hereby commended for maintaining the Church and its grounds in a manner which reflects well upon the historic ambiance of the institution and the neighborhood. The Board of Trustees urges the continuation of this effort by the applicant.

VILLAGE OF BRIARCLIFF MANOR
 BOARD OF TRUSTEES AGENDA
 SEPTEMBER 18, 2013

2. RETIREMENT SYSTEM REPORTING FOR VILLAGE OFFICIALS

BE IT RESOLVED that the Village of Briarcliff Manor hereby establishes the following as a standard work day for the elected and appointed official(s) identified thereon and will report the following days worked as shown thereon to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by said officer(s) to the clerk of this body:

Position/Title	Name	Standard Work Day (hours/day)	Term Begins Term Ends	Participates in Employers Time Keeping System	Days/Month (based on Record of Activities)
Village Justice	Howard Code	6	4/1/13 4/1/17	No	2.042
Acting Village Justice	Laurie Sullivan	6	4/1/13 4/1/14	No	0.97

The Village Clerk is hereby directed to add the last four digits of each individual's social security number as well as each individual's registration number to this Resolution when filing with the New York State Comptroller's office.

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
SEPTEMBER 18, 2013

3. AWARD OF BID – YOUTH CENTER & LAW PARK PLANTING AND RESTORATION PROJECT

WHEREAS the Village received 8 bids for the Youth Center & Law Park Planting and Restoration Project (VM-1314-2); and

BE IT RESOLVED that the bid for the Youth Center & Law Park Planting and Restoration Project (VM-1314-2) is hereby awarded to Pat Scanlon Landscaping, Inc. with their bid proposal of \$71,244.55.

THEREFORE, BE IT FURTHER RESOLVED that the Village Manager is hereby authorized and directed to execute a contract with Pat Scanlon Landscaping, Inc. for said project.

VILLAGE OF
BRIARCLIFF MANOR
www.briarcliffmanor.org



1111 PLEASANTVILLE ROAD
BRIARCLIFF MANOR, N.Y. 10510
TELEPHONE: (914) 944-2770
FAX: (914) 941-4837

MEMORANDUM

September 3, 2013

To: Philip E. Zegarelli – Village Manager
From: David J. Turiano, P.E. *DAVID*
Re: **Youth Center & Law Park Planting and Restoration Project**

Dear Philip:

Bids were opened on Thursday, August 27, 2013 at 11:00 a.m. for the above referenced project. Present at the bid opening were David J. Turiano, P.E. Village Engineer, Philip Zegarelli, Village Manager, and Sonja Goldstein-Suss.

The project includes landscaping installation at three sites including the Youth Center building perimeter, Youth Center reforestation, and Law Park together with the development of a practice field at the rear of the Youth Center.

Eight bids were received ranging from \$71,244.55 to \$132,807.00 as shown below. The bids are unit items.

Vendor	Total
Pat Scanlon Landscaping, Inc.	\$71,244.55
Girls Gone Green LLC	\$77,494.00
Con-Tech Construction Technology, Inc.	\$82,024.10
Vernon Hills Landscaping Corp.	\$94,015.00
Brickman	\$105,945.00
Louis Barbato Landscaping, Inc.	\$119,819.55
Landi Contracting, Inc.	\$120,564.00
Suburban Maintenance & Landscaping	\$132,807.00

The bids were reviewed by the Village of Briarcliff Manor. As indicated above, Pat Scanlon Landscaping, Inc. provided the lowest responsible bid for the project.

The following companies and/or municipalities were contacted for references: Rich Bentz of Township of Monroe, New Jersey; Heather Fuhran of Matthews, Nielson Land-

scape Architects; Alan Koenig of New Jersey County of Bergen Department of Parks and Recreation; Jan Seitel of Edgewater Design Landscape Architects & Site Planning; and Piere Ibaniz of Jeral Construction.

All references were positive with comments such as: one of better contractors has worked with; very responsible; no problems with work; workers are clean and make sure everything is tidy and kept safe; prevailing wages used for the employees; and projects completed in a satisfactory manner.

The Village is to fund the tree and related landscaping portion of this award utilizing Superstorm Sandy monies from our insurance carrier, and fund the Youth Center practice field portion with a previously approved capital project –Park field drainage.

Based on the above, it is my recommendation that the VBM award the contract to Pat Scanlon Landscaping, Inc. at a cost of \$71,244.55.

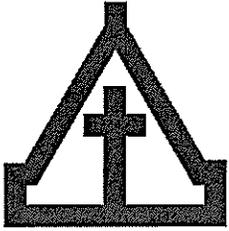
Please feel free to contact me if you have any questions relating to the above.

Attachments

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
SEPTEMBER 18, 2013

**4. SCHEDULE PUBLIC HEARING TO RENEW A SPECIAL USE PERMIT,
FAITH LUTHERAN BRETHERN CHURCH**

BE IT RESOLVED that a Public Hearing is hereby scheduled for the October 16, 2013 Board of Trustees meeting to hear and consider a request from Faith Lutheran Brethren Church to renew a Special Use Permit.



Faith Lutheran Brethren Church

P.O. Box 470 - 480 Pleasantville Road - Briarcliff Manor, NY 10510 - (914) 769-9390
Website: www.faithlbc.com - Email: secretary@faithlbc.com

September 11, 2013

Village of Briarcliff Manor
1111 Pleasantville Road
Briarcliff Manor, NY 10510

To Whom It May Concern:

Please renew our Special Use Permit, issued to Faith Lutheran Brethren Church, that is scheduled to expire on October 17th, 2013.

Faith Lutheran Brethren Church continues to operate in the same manner as stated on the original Special Use Permit. We are a fully functioning congregation and non-accredited pre-school.

Sincerely,

A handwritten signature in black ink, appearing to read "Rev. Anthony Karlik". The signature is fluid and cursive, with a long horizontal stroke at the end.

Rev. Anthony Karlik

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
SEPTEMBER 18, 2013

5. TAX CERTIORARI, JP MORGAN CHASE

WHEREAS, JP Morgan Chase 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 through 2012; and

WHEREAS, the tax certiorari filings relate to Village of Briarcliff Manor fiscal years 2011-2012, 2012-2013 and 2013-2014; and

WHEREAS, a Consent Judgment of the Supreme Court of the State of New York, County of Westchester, was entered on September 3, 2013;

WHEREAS, the Consent Judgment was received after the finalization of the approval of the Village budget for Fiscal Year 2013-2014;

WHEREAS, the Village received payment in the amount of \$7,039.90 for the total 2011-2012 Village taxes and \$7,144.31 for the total 2012-2013 Village taxes due on the property based on the assessed value prior to any adjustment under the Consent Judgment;

WHEREAS, the Village received payment in the amount of \$3,717.22 for the first installment payment of the 2013-2014 Village taxes due on the property based on the assessed value prior to any adjustment under the Consent Judgment;

NOW THEREFORE, BE IT RESOLVED, that the Board of Trustees does hereby authorize the payment of tax refunds for Fiscal Years 2011-2012, 2012-2013 and 2013-2014 in the amounts set forth below based upon assessment values reduced in accordance with the Consent Judgment:

BE IT FURTHER RESOLVED that the Board of Trustees does hereby authorize the abatement of the tax bills for Fiscal Year 2013-2014 in the amount set forth below based upon assessment values reduced in accordance with the Consent Judgment:

BE IT FURTHER RESOLVED, that the assessment for the Fiscal Years 2011-2012, 2012-2013 and 2013-2014 shall be adjusted in accordance with the Consent Judgment.

Year	Address	Original Assessed Value	New Assessed Value	Assessment Reduction	Original Tax Amount	Reduced Tax Amount	Refund	Abatement
2010	1946 Pleasantville Rd	\$79,100	\$63,280	\$15,820	\$7,039.90	\$5,361.92	\$1,407.98	
2011	1946 Pleasantville Rd	\$79,100	\$63,280	\$15,820	\$7,144.31	\$5,715.45	\$1,428.86	
2012	1946 Pleasantville Rd	\$79,100	\$63,280	\$15,820	\$7,434.45	\$5,947.69	\$743.46	\$743.46
				\$45,840		Total	\$3,580.30	\$743.46
				TOTAL AV REDUCTION			TOTAL REVENUE REDUCTION	\$4,323.76

File # 55659

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WESTCHESTER

-----X			
In the Matter of	:	<u>DEMAND FOR PAYMENT OF TAX REFUND</u>	
The Application for a Review under	:	Assessment	
Article 7 of the Real Property Tax	:	<u>Year</u>	<u>Index #</u>
Law of a Tax Assessment by	:		
	:	2010	023560/10
JPMORGANCHASE (FORMERLY JPMORGANCHASE	:	2011	014391/11
AS SUCCESSOR IN INTEREST TO BANK OF	:	2012	065466/12
NEW YORK),	:		
Petitioner,	:		
	:		
-against-	:		
	:	Section	89.020
	:	Block	4
	:	Lot	29
THE BOARD OF ASSESSORS AND/OR THE	:		
ASSESSOR OF THE TOWN OF OSSINING	:	Section	90.017
AND THE BOARD OF ASSESSMENT REVIEW,	:	Block	1
	:	Lot	1
Respondents.	:		
-----X			

S I R :

PLEASE TAKE NOTICE that the undersigned hereby demands that the real estate tax refund directed to be audited, allowed, and paid to the petitioner in the above-entitled proceeding, pursuant to the order of the Supreme Court, Westchester County, a copy of which is annexed hereto, be audited, allowed, and paid together within sixty (60) days of service of the order and judgment with notice of entry. If payment is not made within sixty (60) days of service of judgment with notice of entry, then interest is waived.

PLEASE TAKE FURTHER NOTICE that this demand is made upon you pursuant to Section 726 of the Real Property Tax Law of the State of New York for the purpose of compelling the payment of interest on the said amount from the date of this demand to the date of payment.

Yours truly,

Dated: Mineola, New York
September 9, 2013

KOEPPEL MARTONE & LEISTMAN, L.L.P.
155 First Street
Mineola, New York 11501
(516) 747-6300

To:

Ms. Kathy Thorsberg, CPA
Commissioner of Finance
Westchester County
Department of Finance
148 Martine Avenue, Room 720
White Plains, NY 10601

Dr. Robert J. Roelle
Superintendent
Ossining Union Free School Dist.
190 Croton Avenue
Ossining, NY 10562

Wayne H. Spector, Esq.
Town Attorney
Town of Ossining
16 Croton Avenue
Ossining, NY 10562

Ms. Robin L. Rizzo, Treasurer
Village of Briarcliff Manor
1111 Pleasantville Rd.
Briarcliff Manor, NY 10510

File # 55659

FILED
AND
ENTERED
ON 9/3 2013
WESTCHESTER
COUNTY CLERK

At Special Term, Part IV of the Supreme Court of the State of New York, held in and for the County of Westchester in the City of White Plains, New York, on the 15th day of September, 2013.
TOWN OF OSSINING

P R E S E N T:

Hon. *Bruce E. Tolbert*
Justice.

MAR 15 2013

ASSESSORS OFFICE
CONSENT JUDGMENT

In the Matter of the Application of

JPMORGANCHASE (FORMERLY
JPMORGANCHASE AS SUCCESSOR IN
INTEREST TO BANK OF NEW YORK),

Petitioner,

-against-

THE BOARD OF ASSESSORS AND/OR THE
ASSESSOR OF THE TOWN OF OSSINING
AND THE BOARD OF ASSESSMENT REVIEW,

Respondents,

:	Assessment
:	<u>Year</u> <u>Index No.</u>
:	2010 023560/10
:	2011 014391/11
:	2012 065466/12
:	
:	Section: 89.020
:	Block: 4
:	Lot: 29
:	
:	Section: 90.017
:	Block: 1
:	Lot: 1

RECEIVED
IN CHAMBERS

AUG 27 2013

HON BRUCE E. TOLBERT

UPON THE CONSENT, attached hereto duly executed by the attorneys for all parties and by all the parties, it is

ORDERED, that the assessment entered upon the 2010 through 2012 Assessment Rolls of the Town of Ossining against the subject property of petitioner be reduced as follows:

<u>Assmt. Year</u>	<u>Property Description</u>	<u>Original Assessed Value</u>	<u>Amount of Reduction</u>	<u>Final Assessed Value</u>
2010	89.020/4/29	\$18,800	\$ 3,760	\$ 15,040
2010	90.017/1/1	\$79,100	\$ 15,820	\$ 63,280
2011	89.020/4/29	\$18,800	\$ 3,760	\$ 15,040
2011	90.017/1/1	\$79,100	\$ 15,820	\$ 63,280
2012	89.020/4/29	\$18,800	\$ 3,760	\$ 15,040
2012	90.017/1/1	\$79,100	\$ 15,820	\$ 63,280

and it is further

ORDERED, ADJUDGED AND DECREED that the proceedings pending for tax year 2007/08 through 2009/10 pertaining to Section 89.020, Block 4, Lot 29 and Section 90.017, Block 1, Lot 1 are hereby discontinued, and it is further

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

ORDERED, that there shall be audited, allowed and paid to KOEPEL MARTONE & LEISTMAN, LLP, as attorneys for petitioner, by the Town of Ossining, the amount, paid by petitioner for the above tax years as Town taxes against the original assessment in excess of what the taxes would have been if the assessments had been made upon the reduced assessed valuation, with interest pursuant to

statute, except in the event that the refund of taxes is paid within 60 days from the date of service of a certified copy of Court Order with Notice of Entry, then interest is waived, and it is further

ORDERED, that there shall be audited, allowed and paid to KOEPPPEL MARTONE & LEISTMAN, LLP, as attorneys for petitioner, by the Ossining Union Free School District, the overpayment of the School taxes paid by petitioner for the above tax years in excess of what the taxes would have been if the assessment made upon the reduced assessed valuation as ordered, with interest pursuant to statute, except in the event that the refund of taxes is paid within 60 days from the date of service of a certified copy of a Court Order with Notice of Entry, then interest is waived, and it is further

ORDERED, that the Commissioner of Finance, on behalf of the County Legislator of the County of Westchester, be and are hereby directed and authorized to audit, allow and pay to KOEPPPEL MARTONE & LEISTMAN, LLP, as attorneys for petitioner, the amounts, of County and all special district taxes and assessments paid by petitioner for the above tax years in excess of what the taxes would have been if the said assessments had been made as determined by this order, with interest pursuant to statute, except in the event that the refund of taxes is paid within 60 days from the date of service of a certified copy of Court Order with Notice of Entry, and proof of payment of taxes, then interest is waived, and it is

further

ORDERED, that in the event that any taxes or assessments are unpaid and have already been billed for the Town, School, County and special districts in accordance with the original assessed valuation, the officer or officers having custody of said assessment rolls and/or the tax rolls are hereby directed to forward to the petitioner, in care of KOEPEL MARTONE & LEISTMAN, LLP, as attorneys, a new bill or bills taxing said petitioner on the basis of the final total assessed valuation as herein provided, and it is further

ORDERED that there shall be no costs or disbursements.

*Dated: September 3, 2013
White Plains, NY*

E N T E R:

s/ Bruce P. Tolbert
HON. *Bruce P. Tolbert*
SUPREME COURT JUSTICE

O N C O N S E N T:
Dated: March 13, 2013

KOEPEL MARTONE & LEISTMAN, LLP
Attorneys for Petitioner

By: *R.C. Hild*
RYAN C. HILD, ESQ.

WAYNE H. SPECTOR, ESQ.
Ossining Town Attorney

By: *Wayne H. Spector*
WAYNE H. SPECTOR, ESQ.

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
SEPTEMBER 18, 2013

6. MINUTES

- May 15, 2013 – Regular Meeting
- August 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

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

Present

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

Also Present

Philip Zegarelli, Village Manager
Christine Dennett, Village Clerk
Dan Pozin, Village Counsel

Absent

Robert Murray, Trustee

Board of Trustees Announcements by Trustee Wilson

- The Library programs were well attended.
- Clearance was received from the State to apply for the grant for ADA compliant doors at the Library and Community Center.
- There is a quilt exhibit at the Library.
- The 2nd annual Book Sale will be September 6, 7 and 8.
- The Village has been invited to join in on Ossining's 9/11 ceremony.
- The Swimming and Diving team was undefeated 5-0.
- The Pool is still open and will be extended past Labor Day.
- Specialty camps are still in session
- The Recreation Department is working on the Fall brochure.

Village Managers Report by Village Manager Zegarelli

- The various Capital Projects are being planning in accordance with the Capital Projects list recently adopted.
- Major work is being done to repair the worn out areas at the Club Field.
- 99% of taxes have been collected for the 1st half.
- Community Day will be held on Saturday, September 7.
- The Village is hosting the Chamber of Commerce meeting on September 17.

Public Comments

There were no public comments.

Reschedule Public Hearing to Amend a Special Use Permit – Faith Lutheran Brethren Church

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

BE IT RESOLVED that a Public Hearing is hereby scheduled for October 16, 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.

Bond Resolutions for 13-14 Capital Projects Approved 7/10/13

The Board had general discussion regarding the requested changes made to the resolutions and the SEQRA determination.

Upon motion by Deputy Mayor Sullivan, seconded by Trustee Wilson, the Board voted unanimously to authorize the Mayor to execute the Environmental Assessment form.

Upon motion by Trustee Wilson, seconded by Trustee Pohar, the Board voted unanimously to approve the following resolutions:

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.

Authorize Village Manager to Execute an Agreement – Westchester County, Prisoner Transportation

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

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.

Authorize the Village Manager to Execute the First Amendment to Wireless Communications Site Lease Agreement with New Cingular Wireless, PCS, LLC

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

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.

Tax Certiorari – Bogoni

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

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
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FY 2012-2013 \$4,470.84

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

Budget Transfer – Club Field

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

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 Amendment – CHIPS

Mayor Vescio asked for a schedule of paving times and locations for the next meeting.

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

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

Acceptance of Maintenance Jurisdiction of Surplus Property

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

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.

Minutes

The minutes of May 15, 2013 were tabled to the next meeting.

Upon motion by Trustee Pohar, seconded by Deputy Mayor Sullivan, the Board
voted unanimously to approve the minutes of the July 24, 2013 regular meeting.

Adjournment

Upon motion by Deputy Mayor Sullivan, seconded by Trustee Wilson, the Board
voted unanimously to adjourn the meeting at 8:10pm.

Respectfully Submitted By,

Christine Dennett
Village Clerk

VILLAGE OF BRIARCLIFF MANOR
BOARD OF POLICE COMMISSIONERS AGENDA
SEPTEMBER 18, 2013

**1. AMEND PROCEDURES MANUAL FOR THE BRIARCLIFF MANOR
POLICE DEPARTMENT**

BE IT RESOLVED that the Board of Trustees, acting in their capacity as the Board of Police Commissioners, does hereby amend the Procedures Manual for the Briarcliff Manor Police Department to modify Procedure Number 111, Modified Duty Assignment.

VILLAGE OF BRIARCLIFF MANOR POLICE DEPARTMENT

ISSUE DATE: 6-10-09	EFFECTIVE DATE: Immediately	Revised: 8-22-13	REPEALED
SUBJECT: Modified Duty Assignment			
DISTRIBUTION: ALL MEMBERS	RE-EVALUATION DATE: 8-22-13	PAGE: 1 of 2 plus Attachment A	
ISSUING AUTHORITY: Chief Norman R. Campion			

Policy:

It shall be the policy of the Briarcliff Manor Police Department to provide appropriate temporary modified duty assignments to police officers assigned to General Municipal Law Section 207-c status. The Briarcliff Manor Police Department will provide two(2) modified duty positions at any one time.

Background:

This policy is being established to assist the Department in providing appropriate work assignments to officers who are able to perform some, but not, all of the essential job duties of a police officer, as defined in Attachment A and who have been cleared for a modified duty assignment pursuant to Article 23, Section 7 of the Village/PBA collective bargaining agreement

Definitions:

Eligible officer:

A police officer who was granted GML 207-C status, is able to perform some, but not all of the essential job duties of a police officer, and has been cleared for a modified duty assignment pursuant to Article 23,

Section 7 of the Village/PBA collective bargaining agreement The officer must be and remain throughout the assignment able to perform all of the essential duties of the temporary assignment. The officer should expect to be required by the Claims Manager to provide monthly medical documentation satisfactory to the Claims Manager of, among other things, (i) the officer's medical condition; (ii) its expected duration; (iii) the restrictions, if any, on the officer's ability to perform the essential duties of a police officer; (iv) the restrictions, if any, on the officer's ability to perform the essential duties of the temporary assignment; and (v) the restrictions, if any, on the officer's ability to perform the other duties of the temporary assignment.

An officer who is unable to perform all of the essential duties of a police officer, and/or who is ineligible for a temporary assignment pursuant to this Policy, and/or who become no longer eligible to continue in the temporary assignment, shall not be permitted to report for duty, and will be paid consistent with applicable statutory and collective bargaining agreement-related provisions.

Temporary Modified Duty Time Limit:

The time an officer is assigned to modified duty.

The officer may remain in the assignment until able to perform all of the essential duties of a police officer, but in no event shall the assignment exceed 6 cumulative months' duration.

Modified Duty:

The assignment designated by the Department to be the modified duty assignment.

The assignment, including but not limited to location, chart, tour of duty, work duties and the duration of the assignment, shall be made at Department's discretion, subject to relevant medical restriction(s) and any applicable provisions of the Village/PBA collective bargaining agreement.

Other:

Nothing herein shall in any way be construed as modifying the Village's right, if any, to separate an officer from employment pursuant to Civil Service Law Section 71, 72, 73 and/or other provisions of law and/or the provisions of the Village/PBA collective bargaining agreement.

VILLAGE OF BRIARCLIFF MANOR POLICE DEPARTMENT

Attachment A

- Work at the police desk answering telephone calls and 911 emergency calls.
- Dispatch officers to calls for service
- Assist the detective with filing and evidence handling when appropriate
- Assist with maintaining the Police Department record keeping computer program by ensuring that the program is up to date and the reports and names are correct.
- Assist with the update of the alarm permit contact information
- Work with the police department administrative assistant to process alarm permit renewals
- Any additional assignments as may be assigned by the Chief of Police or his designee that is within the officer's limitations on modified duty.