



AGENDA
MAY 21, 2014
BOARD OF TRUSTEES
VILLAGE OF BRIARCLIFF MANOR, NEW YORK
REGULAR MEETING – 7:30 PM

Board of Trustees Announcements

Village Managers Report

Public Comments

1. Schedule Public Hearings for the consideration of
 - a) Amending Section 220-2 of the Zoning Ordinance of the Village of Briarcliff Manor, New York to list Senior Care Community as a Special Permit Use within Residence Districts Subject to Special Standards and Requirements; and
 - b) Amending the Third Amended and Restated Special Permit and Tree Removal Permit, Briarcliff Manor Investors LLC and Integrated Development Group LLC (The Club at Briarcliff Manor)
2. Budget Amendment, Non-Budgeted Line Items
3. Award of Bid - Phase 1 Utility Improvements
4. Fire Department Membership - Palevic
5. Minutes
 - April 29, 2014 – Special Meeting
 - May 7, 2014 – Regular Meeting

NEXT REGULAR BOARD OF TRUSTEES MEETING – JUNE 4, 2014

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
MAY 21, 2014

1A. SCHEDULE PUBLIC HEARING: CHAPTER 220-2, ZONING, TO LIST SENIOR CARE COMMUNITY AS A SPECIAL PERMIT USE WITHIN RESIDENCE DISTRICTS SUBJECT TO SPECIAL STANDARDS AND REQUIREMENTS

BE IT RESOLVED that a Public Hearing is hereby scheduled for June 18, 2014 at 7:30pm or as soon thereafter as is practicable in Village Hall at 1111 Pleasantville Road, Briarcliff Manor, NY to hear and discuss a Local Law to amend Section 220-2 of the Zoning Ordinance of the Village of Briarcliff Manor, New York to list Senior Care Community as a Special Permit Use within Residence Districts Subject to Special Standards and Requirements.

BE IT RESOLVED FURTHER that the proposed local law to amend Section 220-2 of the Zoning Ordinance of the Village of Briarcliff Manor, New York to list Senior Care Community as a Special Permit Use within Residence Districts Subject to Special Standards and Requirements is hereby directed to the Village Planning Board and to the Westchester County Planning Board for review and recommendation and to the Town of Ossining, Town of Mount Pleasant, and Village of Ossining for review and comment as they see fit.

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FOR BOARD OF
TRUSTEES REVIEW

LOCAL LAW TO AMEND CHAPTER
220 OF THE CODE OF THE VILLAGE
OF BRIARCLIFF MANOR TO LIST
SENIOR CARE COMMUNITY AS A
SPECIAL PERMIT USE WITHIN THE
RESIDENCE DISTRICTS SUBJECT TO
SPECIAL STANDARDS AND
REQUIREMENTS

Be it enacted by the Board of Trustees of the Village of Briarcliff Manor as follows:

1. In Section 220-2 of the Code of the Village of Briarcliff Manor, the definition of “Continuing Care Retirement Community (CCRC)” is hereby amended by deleting the said definition in its entirety and adding the following new definition:

“SENIOR CARE COMMUNITY

A for-profit development that

- A. Is “housing for older persons” meaning housing that is
1. provided under any State or Federal program that the Secretary of Housing and Urban Development of the United States determines is specifically designed and operated to assist elderly persons as defined in such State or Federal program, or
 2. intended for, and solely occupied by, persons 62 years of age or older; or
 3. intended and operated for occupancy by persons 55 years of age or older, and
 - i. at least 80 percent of the occupied units are occupied by at least one person who is 55 years of age or older; and
 - ii. the housing facility or community publishes and adheres to policies and procedures that demonstrate the intent required under 42 USCS § 3607 as same may be amended from time to time; and

- iii. the housing facility or community complies with rules issued by the Secretary for verification of occupancy, which shall
 - a. provide for verification by reliable surveys and affidavits; and
 - b. include examples of the types of policies and procedures relevant to a determination of compliance with the requirement of clause ii above. Such surveys and affidavits shall be admissible in administrative and judicial proceedings for the purposes of such verification. [Source: 42 U.S.C.S. § 3607, as same may be amended from time to time]

B. Such development

- 1. Is a Continuing Care Retirement Community (CCRC) authorized by the State of New York in accordance with Article 46 of the Public Health Law, as said law may be amended from time to time, or
- 2. Is a Fee-For-Service Continuing Care Retirement Communities Demonstration Program authorized by the State of New York in accordance with Article 46-A of the Public Health Law, as said law may be amended from time to time, or,
- 3. Is an Assisted Living development (ALD) certified and licensed in accordance with Article 46-B of the Public Health Law, as said law may be amended from time to time, which shall, among other things provide a continuum of housing, daily living services and facilities, and health care for seniors; or
- 4. Is “housing for older persons” in a congregate living facility that provides senior residents with access to, and a choice of, any of the following:
 - i. Independent living units (ILU); and
 - ii. Assisted living units (ALU), including but not limited to
 - a. the provision of services in accordance with an enhanced assisted living certificate issued by the New York State Department of Health that enables the Senior Care Community to admit and retain residents who chronically require the physical assistance of another person, or require more than intermittent or occasional assistance from medical personnel; and

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b. the provision of services with a special needs assisted living certificate issued by the New York State Department of Health that provides memory care services to meet the unique needs of older adults who have been given a medical diagnosis of Alzheimer's disease or other recognized forms of dementia, including around-the-clock supervision and assistance with daily activities, 24-hour security and supportive services; and/or

iii. Skilled nursing units (SNU), and

C. Such development shall further include:

1. A range of medical, health care and social services, including, among other things, home health care, hospice care, dementia care, memory care, respite care, rehabilitation services, including on-site physician's offices, and
2. Amenities, facilities and programs specifically designed to enhance the length and quality of life of senior residents, including common dining, recreation, incidental retail, incidental personal services, and cultural facilities, and
3. Optional overnight accommodations for the guest(s) of any resident, only as may be permitted as a condition of the required special permit.”

2. Section 220-6.J.(14) of the Code of the Village of Briarcliff Manor is hereby amended by deleting it in its entirety and replacing it with the following:

“(14) Senior Care Community within the R60A and R80A Residential Districts. The Village Board may grant a special permit for construction and operation of a Senior Care Community as defined in Section 220-2 of this Code, as a permanent institutional use, subject to the following standards and requirements set forth below:

(a) Notwithstanding the criteria set forth in the Schedule Limiting the Use of Buildings and Land and the Location, Arrangement, Bulk and Size of Buildings Editor's Note: The Schedule Limiting the Use of Buildings and Land and the Location, Arrangement, Bulk and Size of Buildings is included at the end of this chapter. The following parameters shall govern the establishment of any Senior Care Community:

- [1] Minimum size of lot. The minimum size of the lot on which a Senior Care Community may be established shall be 50 acres.

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- [2] Maximum density. No more than six ILUs per acre or 10 residents per acre shall be permitted in any Senior Care Community.

- [3] Dimensional requirements applicable to Senior Care Community development. The size of any building and development situated in a Senior Care Community in the R60A or R80A District shall conform to the R60A or the R80A District requirements, respectively, except as set forth herein:
 - [a] The maximum gross floor area ratio shall not exceed 0.35. For the purposes of this section, below-grade parking areas, loading areas, cellars, balconies, mezzanines and storage or mechanical spaces shall not be considered as floor area.
 - [b] The maximum building coverage shall not exceed 10%, excluding any structures or portions thereof used for Village purposes
 - [c] In addition to the requirements of Subsection C, the Village Board shall establish the appropriate location, arrangement, length, width and height of the building(s) on the property with specific consideration to the visual impact of the development on the surrounding properties.
 - [d] At least 75% of the land shall be maintained as open space, unoccupied by any buildings or aboveground parking areas, other than those used for Village purposes. Any calculation of open space on the property shall include any land available for public recreational use.
 - [e] A minimum setback of 125 feet shall be provided along all portions of the land abutting any public street line. Such setback shall be appropriately planted and properly maintained, as detailed in any relevant special permit conditions.
 - [f] Notwithstanding the provisions of the Schedule Limiting the Use of Buildings and Land and the Location, Arrangement, Bulk and Size of Buildings, Exceptions and Modifications, Subsection 1(c) as to height, the maximum building height shall not exceed 10 stories.

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- (b) Required findings. In addition to the requirements of Subsection C, the Village Board of Trustees shall make each and every one of the following findings
- [1] The proposed Senior Care Community will preserve large contiguous areas as open space.
 - [2] The proposed Senior Care Community will increase and diversify the tax base with relatively little impact on Village services.
 - [3] The proposed Senior Care Community will provide alternate forms of housing to meet the changing needs of Village and area residents and allow residents to remain in Briarcliff Manor.
 - [4] There will not be an overabundance of such facilities or other age restricted housing within the Village.
 - [5] The proposed Senior Care Community is needed and appropriate.
- (c) Off-street parking and loading.
- [1] Off-street parking requirements. The minimum off-street parking requirements for a Senior Care Community shall be based upon the following, as may be deemed appropriate by the Board of Trustees, which in the exercise of its administrative discretion, may reduce such requirements:
 - [a] Residential parking requirement: 1.2 spaces per ILU; and
 - [b] Staff and amenity parking: 0.4 spaces multiplied by the number of aggregate ILU, ALU and SNF units; and
 - [c] Visitor parking: 0.15 spaces multiplied by the number of aggregate ILU, ALU and SNF units.
 - [2] Off-street loading. In connection with the issuance of the special permit for the Senior Care Community, the Village Board shall ensure that appropriate loading areas are provided in suitable locations to properly service the needs of the Senior Care Community.
 - [3] Design and layout. In connection with the design and layout of any parking or loading areas the approving agency shall be guided by the

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provisions of § 220-12 of the Zoning Law and may grant waivers from compliance with the provisions of § 220-12C(6), entitled "Landscaping within parking areas," in the interest of achieving an appropriate layout and design for the operation of the Senior Care Community in any development where structured parking is provided below the grade of the first-story of the principal building served thereby.

- (d) Other requirements. In addition to the special standards described above, to the extent not inconsistent herewith, a Senior Care Community shall comply with all other requirements of the Zoning Ordinance of the Village of Briarcliff Manor, including but not limited to the special permit use provisions detailed in § 220-6 and the Schedule Limiting the Use of Buildings and Land and the Location, Arrangement, Bulk and Size of Buildings.”

3. Severability. The invalidity of any word, section, clause, paragraph, sentence, part or provision of this local law shall not affect the validity of any part of this local law which can be given effect without such valid part or parts.

4. Effective Date. This local law shall take effect immediately upon filing in the Office of the Secretary of State of New York within the provisions of the Municipal Home Rule Law.

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
MAY 21, 2014

1B. SCHEDULE PUBLIC HEARING, AMENDING THE THIRD AMENDED AND RESTATED SPECIAL PERMIT AND TREE REMOVAL PERMIT, BRIARCLIFF MANOR INVESTORS LLC AND INTEGRATED DEVELOPMENT LLC (THE CLUB AT BRIARCLIFF MANOR)

BE IT RESOLVED that a Public Hearing is hereby scheduled for June 18, 2014 at 7:30pm or as soon thereafter as practicable in Village Hall located at 1111 Pleasantville Road, Briarcliff Manor, NY to hear and consider an application to amend the Third Amended and Restated Special Permit and Tree Removal Permit issued to Briarcliff Manor Investors LLC and Integrated Development Group LLC (The Club at Briarcliff Manor).

BE IT FURTHER RESOLVED that the request to amend the Third Amended and Restated Special Permit and Tree Removal Permit issued to Briarcliff Manor Investors LLC and Integrated Development Group LLC (The Club at Briarcliff Manor) is hereby directed to the Village Planning Board and Westchester County Planning Board for review and recommendation and to the Town of Ossining, Town of Mount Pleasant and Village of Ossining for review and comment as they see fit.

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

**SECOND MODIFICATION OF THIRD AMENDED AND
RESTATED SPECIAL PERMIT
AND TREE REMOVAL PERMIT
BRIARCLIFF MANOR INVESTORS LLC AND INTEGRATED DEVELOPMENT GROUP LLC**

WHEREAS, on November 6, 2008, the Board of Trustees of the Village of Briarcliff Manor adopted a resolution entitled “Third Amended and Restated Special Permit and Tree Removal Permit, Briarcliff Manor Investors LLC and Integrated Development Group LLC” which was filed in the Office of the Village Clerk of the Village of Briarcliff Manor on November 7, 2008, (the “Third SP Amendment”)¹; and

WHEREAS, upon the application of Briarcliff Manor Investors LLC and Integrated Development Group LLC, the current owner and proposed developer respectively of the Project Site and the Project (collectively “BMI”) the Board of Trustees, on February 18, 2010, adopted a resolution entitled “First Modification of the Third Amended Special Permit and Tree Removal Permit” relative to the zoning and development density of the Project Site in light of recent rezoning initiatives in the Village²; and

WHEREAS, by letter dated January 22, 2014, and through subsequent discussions and communications, BMI, requested among other things that the Village Board consider modifying the Project from a CCRC to the a Senior Care Community as defined under Section 220-2 of the Village Code, to be operated in accordance with subsection B.4. of such definition in order to permit BMI to broaden its residency offerings to attract a larger senior resident customer base, offering multiple residency agreements to seniors either with or without entrance fee programs and including senior services, all operated as a senior community in accordance with New York State Public Health Law, and limited to residents 55 years of age and older; and

WHEREAS, separate and apart from the Project, the Village has determined to make certain Village-wide public purpose infrastructure improvements, portions of which shall be located on the Project Site, which are herein referred to as the “Public Purpose Infrastructure Improvements” and which are more particularly described on the spreadsheet annexed hereto and made a part hereof as Schedule B, including the following categories:

¹ Capitalized terms that are not otherwise defined in this Resolution shall have the same definition as ascribed to them in the Third Special Permit Amendment.

² A more detailed description of the history of these Resolutions is annexed hereto as Schedule A.

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1. Project 1 - Phase 1 Utility Improvements;
2. Project 2 - Water Pump Station and Comfort Station within Club Easement Area,
3. Project 3 - Offsite Sanitary Sewer Including Holbrook Road Lift Station, and
4. Project 4 - 2 Water and Sewer Extensions; and

WHEREAS, the Public Purpose Infrastructure Improvements of Village Project 2, include a pumping station and hydro pneumatic tank system designed to serve the residential/domestic water requirements of the Project and the Village's so-called High Zone Water Service Area which is comprised of approximately fifty-two (52) existing private homes and the Trump National Golf Course and Residential Development as presently approved to consist of: eighty-seven (87) dwelling units (i.e., sixteen (16) residential townhouses and seventy-one (71) condominium units), and one (1) clubhouse and six (6) guest suites and provide and install an 8" diameter bypass check valve in a concrete vault at a point to be designated by the Village Engineer in the vicinity of Cypress Lane between the Village's High Zone Water Service Area and Low Zone Water Service Area. Said pumping station and hydropneumatic tank system and check valve constitute the Water System Improvement Facilities as defined above; and

WHEREAS, BMI will grant to the Village such necessary easements for the construction and installation of the Public Purpose Infrastructure Improvements and entry upon the Project Site by the Village, its contractors, employees, and agents for such purposes; and

WHEREAS, BMI will work closely with the Village and the Village's contractors in coordinating all site construction activities in a manner which will avoid interference with the installation and construction of the Public Purpose Infrastructure Improvements, while enabling BMI to facilitate their own improvements on the private aspects of this Project; and

WHEREAS, BMI has offered to make a voluntary mitigation and contributory payment to the Village for the beneficial right to utilize the Public Purpose Infrastructure Improvements, the terms of which are set forth herein below; and

WHEREAS, BMI's prior activities in connection with the Project, BMI's current application and the Village's determination to proceed with the Public Purpose Infrastructure Improvements, will result in certain changes to the Third Special Permit; and

WHEREAS, on _____, 2014, upon application of BMI, the Village of Briarcliff Manor amended Section 220-2 of the Briarcliff Manor Zoning Code and Section 220-6.J. (14) thereof to provide "Senior Care Community" as a newly defined category of use by Special Permit; and

WHEREAS, pursuant to Village Code Section 220-6.J.(14) as so amended, the Board of Trustees is the approving authority for a Senior Care Community and has as set forth herein, conducted this review of the Special Permit in connection therewith; and

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WHEREAS, the Board of Trustees duly noticed and held a public hearing on _____, 2014, in connection with the 2013 Modifications, at which time all those wishing to be heard were given the opportunity to comment; and

WHEREAS, the Board of Trustees referred the application of BMI for this further amendment of the Special Permit for the Project to the Planning Board; and

WHEREAS, by memorandum dated _____, 2014, the Planning Board responded to the referral with the following comments and recommendations: _____; and

WHEREAS, at the public hearing the Board of Trustees heard statements and presentations from BMI and its representatives and from _____, and received written material, including but not limited to _____; and

WHEREAS, the Board of Trustees wishes to further modify the Third SP Amendment in accordance with the terms and conditions set forth herein.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The recitals and statements set forth above are adopted and incorporated in these “Resolved” provisions as if fully set forth and resolved herein.
2. The Board of Trustees hereby determines that no further SEQRA review is required in connection with this further modification of the Third SP Amendment and that this Project, as further amended fully conforms to and complies with all requirements of the Village Code, Section 220-6, Special Permit Use, including Sections 220-6(J)(14)(a) & (b):
3. The special permit approval as set forth in the Third SP Amendment as modified by the First Modification and by this Resolution, and the conditions thereof and herein, in accordance with Village Code Section 220-6, Special Permit Use, runs with the land and binds all current and future owners of the Project Site, their successors, heirs and assigns.
4. Subject to the conditions set forth in this Resolution and otherwise in the approval of the Project and its various components, the Board of Trustees further modifies the Third SP Amendment as follows:
 - a. All references to “CCRC” in the “Resolved” paragraphs of the Third Special Permit Amendment shall be deemed changed to “Village Code 220-2 Senior Care Community – B.4.”
 - b. All residents of the Project shall be 55 years of age and older.
 - c. Paragraph 4.d. of the Third Special Permit Amendment is modified to reflect the existing site plan approval of the Planning Board granted on February 14, 2006, as amended by the Planning Board on November 18, 2008.

- d. Paragraph 4.e. of the Third Special Permit Amendment is modified to add an additional subparagraph iv. to read as follows:

iv. Establishing that all residents of the Project shall be age 55 or older.

- e. Paragraph 4.f.viii. of the Third Special Permit Amendment is modified to provide that “Provider Antennas” as defined herein, also will be mounted on the Stealth Monopole.

- f. Paragraph 4.n. of the Third Special Permit Amendment is hereby modified to reflect the following, and otherwise to remain in full force and effect:

- i. Completion and acceptance of subparagraphs 4.n.i., and 4.n.iv.1.
- ii. Completion and acceptance of subparagraph 4.n.iv.2 relative to the Parking Area only
- iii. Subparagraph 4.n.iv.2 shall be revised such that construction of the Restroom facilities as described therein shall be deemed a part of the Public Improvements as defined herein, to be performed by the Village at the Developer’s sole cost and expense.

- g. Paragraph 4.o.iii. of the Third Special Permit Amendment is hereby modified to require that any entity having an interest in Developer be an additional insured on the Village’s certificate of insurance.

- h. Paragraph 4.q. of the Third Special Permit Amendment entitled “Water System Improvements” is hereby modified to read as follows:

“i. In connection with the Public Improvements, the Village, at Developer’s sole cost and expense shall construct a pumping station and hydropneumatic tank system designed to serve the residential/domestic water requirements of area properties including but not limited to the Project, and the Village’s so-called High Zone Water Service Area which includes without limitation approximately fifty-two (52) existing private homes and the Trump National Golf Course and Residential Development as presently approved to consist of: eighty-seven (87) dwelling units (i.e., sixteen (16) residential townhouses and seventy-one (71) condominium units), and one (1) clubhouse and provide and install an 8” diameter bypass check valve in a concrete vault at a point to be designated by the Village Engineer in the vicinity of Cypress Lane between the Village’s High Zone Water Service Area and Low Zone Water Service Area. Said pumping station and hydropneumatic tank system and check valve constitute the

“Water System Improvement Facilities” and shall substantially serve, quantitatively and qualitatively, as effectively and as well as the New Water Tank and associated pump system approved under the Special Permit Resolution adopted on June 12, 2003, would have served the above-referenced housing and facilities.

- ii. The final design and construction of the Water System Improvement Facilities has been specified by the Village Engineer and Village consultants and has received approval from the Westchester County Department of Health and consists of at least two service pumps, two high volume pumps, a hydropneumatic tank system, a natural gas powered emergency generator as an emergency power source, and two jockey pumps, enclosed in a single-story architecturally designed pump house building, and a suction hydrant at Lodge Pool and a dry line to a hydrant at a location to be mutually determined for fire protection.
 - iii. The Water System Improvement Facilities shall not include removal of the Old Water Tank from the Project Site, the obligation and cost of which shall remain with the Developer.
 - iv. The Developer shall post a public improvement bond in form satisfactory to Village Counsel and in an amount to be reasonably determined by the Village Engineer, which shall remain in place for a period of ten (10) years from completion of the Water System Improvement Facilities, and provide for the operation, maintenance, and repair of the Water System Improvement Facilities.”
- i. In Paragraph 4.r., 4.s. and 4.u. of the Third Special Permit Amendment the term “Existing Antennas”, and “Existing Antenna” as used therein shall mean the Provider Antennas and Village Antennas existing on Project Site on November 6, 2008.
 - j. Paragraph 4.w. of the Third Special Permit Amendment entitled “Developer’s Additional Requirements regarding Water System Improvement Facilities and the Stealth Monopole Facilities” is hereby modified to acknowledge the satisfaction of subsection i.

k. Paragraph 4.y. of the Third Special Permit Amendment entitled “Public Water Improvements” is hereby modified to read as follows:

“i. **Decommissioning of Dalmeny Road Pump:** That portion of the Public Improvements designated herein as the Water System Improvement Facilities constructed and installed on the Project Site by the Village will replace the existing Dalmeny Road water pump, and the Village shall disconnect the pumps and pipes. The Developer shall thereupon join the pipes of any main that is severed by disconnection of the pumps but is to remain in service, but the Developer shall not be responsible for disassembling or disposing of the Dalmeny Road water pump or any related facility, addressing any existing subsurface or other conditions thereat, or otherwise decommissioning the pump.

ii. **Dry Fire Line at Lodge Road:** A dry fire line shall be installed in the vicinity of the intersection of the Project Site and Lodge Road by the Village, at the Developer’s sole cost and expense, in accordance with Village’s standards and including hydrants and/or standpipes. The location shall be field located by the Village Engineer. To the extent that the Village disturbs any land area in the course of the work described in this condition of approval, the Village shall reasonably restore any such disturbed area(s) to substantially the condition that existed prior thereto at the Developer’s sole cost and expense.”

l. Paragraph 4.z.i. of the Third Special Permit is hereby modified to read as follows:

“**Holbrook Road Improvements:** The Village has acquired or shall acquire all easements and land necessary to construct 800 feet of gravity sewer through private property, a new pump station near Holbrook Road, and 500 feet of force main along Holbrook Road to Scarborough Road to benefit both this Village Code 220-2 Senior Care Community – B.4. and 50-plus surrounding properties (the “Holbrook Road Improvements”). The Developer shall reimburse the Village not more than \$5,000.00 for the cost of the same. The Village, at the Developer’s sole cost and expense, shall connect a sewer main in Central Drive in order to eliminate an old section of the public sewer system consisting of 800 feet of 6” and 8” wooden siphon that currently runs through private property between Holbrook Road and Old Briarcliff Road.”

m. Paragraph 4.z.iii. of the Third Special Permit is hereby modified to read as follows:

“**Restoration of Disturbed Areas:** To the extent that the Village disturbs any land area in the course of the work described in this condition of approval, the Village shall reasonably restore any such disturbed area(s) to

substantially the condition that existed prior thereto at the Developer's sole cost and expense."

- n. Paragraph 4.aa. of the Third Special Permit is hereby modified to read as follows:

"Contributory Mitigation Payment for Library and Community Center Improvements: Pursuant to its voluntary offer, BMI shall make a non-refundable mitigation and contribution payment to the Village of Two Million (\$2,000,000.00) Dollars to fund improvements and enhancements of the Village's library and/or community center including their services, programs and/or facilities, which payment shall be due and payable, prior to and as a condition of the issuance of the First Building Permit.

- o. Paragraph 4.bb. of the Third Special Permit is hereby modified to read as follows:

"Contributory Mitigation Payment for Emergency Equipment: Pursuant to its voluntary offer, BMI shall make a non-refundable mitigation and contribution payment to the Village in the amount of Five Hundred Thousand (\$500,000.00) Dollars to fund the purchase of emergency equipment, which may include, but not be limited to a new fire truck for improved firefighting capability at the Project Site, which sum shall be paid to the Village prior to and as a condition of the issuance of the First Building Permit."

- p. A new Paragraph 4.oo is hereby incorporated into the Third Special Permit Amendment to read as follows:

"Contributory Mitigation Payment for Use of the Public Improvements: Pursuant to its voluntary offer, BMI shall make a non-refundable mitigation and contribution payment to the Village of Eight Million Five Hundred Thousand (\$8,500,000.00) Dollars for use of the Public Improvements, in thirty (30) semi annual installments of principal and interest calculated on a 20 year amortization, such payments to commence on January 15, 2015, and due each July 15 and January 15 thereafter until paid in full, which payments to the Village shall be utilized and applied by the Village in its sole and absolute discretion."

- q. Paragraph 8. of the Third Special Permit is hereby modified to read as follows:

"Timing for Issuance of Building Permits: This Special Permit shall not permit construction of any improvements on the Project Site except the Public Improvements by the Village, and no building permits or approvals for construction of improvements to the Project Site shall be issued, except with regard to the buildings, structures and/or improvements conforming with the Site Plan Approval, or Amended Site Plan Approval, as the case

may be, as granted by the Planning Board and conditions thereof.”

- r. Paragraph 9. of the Third Special Permit is hereby modified to recognize the completion and delivery to the Village of the Ballfield.
- s. Paragraph 12. of the Third Special Permit is hereby modified to read as follows:

“Term of Special Permit: Based upon the conveyance of the Recreation Easement to the Village, this Special Permit approval shall not expire. However, Developer and BMI shall not assign their respective obligations under this Special Permit approval, nor assign or otherwise convey any of their respective interests in all or part of the Project and/or the Project Site to a third party or parties, without the prior written consent of the Village in its sole discretion in each case. The Developer and/or BMI as the case may be, shall pay the Village’s reasonable attorneys’ fees and other reasonable expenses for reviewing and documenting any requested assignment regardless of whether Village consents thereto.

For purposes of this Paragraph 12, the term “assignment” shall be deemed to include without limitation the sale or other transfer of a majority of the shares or other equity interests in either Developer or BMI, in one transaction or a series of related transactions, and shall include any event which by operation of law vests either’s interest in any person or entity other than Developer and/or BMI as the case may be.”

- t. Except as otherwise modified hereby, all provisions of the Third SP Amendment as modified by the First Modification shall remain in full force and effect.
- u. This Resolution modifying the Third Special Permit Amendment as modified by the First Modification shall run with the land and be binding upon and inure to the benefit of all current and future owners of the Project Site, their successors, heirs and assigns.

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
MAY 21, 2014

2. BUDGET AMENDMENT, NON-BUDGETED LINE ITEMS

BE IT RESOLVED that the budget for Fiscal Year 2013-2014 is hereby amended as follows:

Increase Expenses – MTA Tax Refund - Library
(L7410.206) by \$217.00

Increase Revenue – MTA Tax Refund - Library
(L0108.2705) by \$217.00

Increase Expenses – Insurance Recovery
(A1989.425) by \$47,892.83

Increase Revenue – Insurance Recovery
(A0101.2680) by \$47,892.83

Increase Expenses – Contractual Law (17/20 Annexation)
(A1420.460) by \$355.00

Increase Revenue – Gifts
(A0101.2705) by \$355.00

Increase Expenses – Police Off-Duty
(A3120.112) by \$1,900.00

Increase Revenue – Police Off-Duty
(A0103.1521) by \$1,900.00

Increase Expenses – Clerk Credit Card Fees
(A1410.231) by \$74.03

Increase Revenue – Clerk Credit Card Fees
(A0109.1258) by \$74.03

Increase Expenses – COBRA
(A1410.821) by \$27,293.09

Increase Revenue – COBRA
(A0109.2775) by \$27,293.09

Increase Expenses – Recreation Credit Card Fees

(A7020.400) by \$4,520.19

Increase Revenue – Recreation Credit Card Fees
(A0107.2025) by \$4,520.19

Increase Fund Balance – FWHA Funds – Hurricane Irene
(A0909) by \$57,522.00

Increase Revenue – FWHA Funds – Hurricane Irene
(A0101.3560) by \$57,522.00

Increase Fund Balance – State Aid Youth Programs
(A0909) by \$1,138.00

Increase Revenue – FWHA Funds – Hurricane Irene
(A0107.3820) by \$1,138.00

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
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3. AWARD OF BID – PHASE 1 UTILITY IMPROVEMENTS

WHEREAS the Village received 15 bids for the Phase 1 Utility Improvements Project (VM-1314-3); and

NOW, THEREFORE, BE IT RESOLVED that the bid for the Phase 1 Utility Improvements Project (VM-1314-3) is hereby awarded to Legacy Supply, LLC with their bid proposal of \$789,990.00 which will be charged to budget code H.8397.201.PPVM3.

BE IT FURTHER RESOLVED that the Village Manager is hereby authorized and directed to execute a contract with Legacy Supply, LLC for said project.



MEMORANDUM

May 13, 2014

To: Philip E. Zegarelli – Village Manager

From: David J. Turiano, P.E. *Dave*

Re: Phase 1 Utility Improvements (the Club)
VM-1314-3

P2

16 May BOT Bag
Add to Agenda

Bids were opened on April 22, 2014 at 11:00 a.m. for the above referenced project. Present at the bid opening were David J. Turiano, P.E., Philip E. Zegarelli, Village Manager, and Sonja Goldstein-Suss. This project is the first of several to be let under the Bond for Public Improvements: necessary VBM Water projects primarily located at The Club location. Bidder turnout was highly competitive with fifteen (15) bids received as shown in the bid tabulation below. The chart is listed by primary bid amount: lowest to highest. Bid amounts were highly competitive with at least three (3) clusters of bidders within tight dollar amounts.

The scope of work includes the installation of sewer main and water main utility work including manholes, fire hydrants, valves and all related appurtenances located at The Club of Briarcliff Manor property located at 25 Scarborough Road, Briarcliff Manor, New York.

Bidder	Bid Amount	Total Add Alt. #1
Legacy Supply LLC	\$ 789,990.00	\$28,200.00
Abbott & Price	\$ 859,005.00	\$31,000.00
Siteworks Contracting Corp.	\$ 865,001.00	\$27,250.00
Bilotta Construction Corp.	\$ 920,373.00	\$41,655.00
Con-Tech	\$ 938,183.22	\$33,620.50
Landi Construction	\$ 965,175.00	\$33,500.00
Montesano Bros Inc.	\$ 988,347.00	\$36,000.00
ELQ Industries, Inc.	\$ 989,593.00	\$35,004.50
R. Pugni & Sons Inc.	\$1,035,360.00	\$29,000.00
Yonkers Excavating Corp.	\$1,114,633.00	\$34,442.00
Sun Up Enterprises	\$1,142,935.00	\$33,302.50
Paladino Concrete Creations	\$1,147,457.00	\$34,300.00
Joken Development Corp	\$1,169,940.00	\$37,600.00
Rock Island Contractors Inc.	\$1,278,650.00	\$49,000.00
Morano Brothers Corp.	\$1,294,555.00	\$40,000.00

The bids were reviewed by the consulting engineers, McLaren Engineering Group P.C., in their May 8, 2014 Memorandum attached. The lowest bidder is Legacy Supply, LLC with a bid price of \$789,990.00. Their alternate No. 1 bid of \$28,200.00 includes the connection of The Club's sales facility into the newly proposed sanitary sewer. Should The Club authorize this work, it will be funded wholly by them and not part of the Public Improvement Bonds as approved by the Mayor/BOT.

Previously approved capital funding is available under Code H.8397.201.PPVM3 Phase 1 Utility. The engineer's estimate for this project was \$825,442.00 that should be compared to Legacy Valve's base bid amount of \$789,990.00 which results in an underrun of \$35,452.00.

The Department's office contacted several references including J. Robert Folchetti and Associates, Rekul Verma, Executive Director of the East of Hudson Watershed Corp., and Paul Frioli, Town Engineer of the Town of Ossining. In each instance, the references were very satisfied with the work, one saying they were "thrilled" to have such a good contractor.

The Village has contracted in the past with Cassidy Excavating, Inc. and Legacy Valve on several projects including utility work and water distribution piping each having values in the several hundred thousand dollar range. Superintendent Torhan expressed that he was pleased with the company's work and had no concerns with hiring them to perform the subject scope of work.

Please note that Lisa Cassidy of Legacy Supply, LLC indicated that her company has similar utility installation capabilities of the other companies owned by her family: Cassidy Excavating and Legacy Valve, LLC, by way of utilizing supervision, labor and equipment from those firms.

Attached find a spreadsheet detailing the Item/Quantity Breakdown of each contractor's bid.

Based on the above, I recommend that the Village award the contract to Legacy Supply, LLC, 14 Railroad Avenue, Valhalla, New York in the amount of \$789,990.00.

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

Attachment



bridge, highway & rail engineering
entertainment engineering
subaqueous investigation
civil & site engineering
structural design
marine facilities
geotechnics
surveying
forensics

May 8, 2014

Mr. David Turiano
Village of Briarcliff Manor
1111 Pleasantville Road
Briarcliff Manor NY 10510-1626

Email: dturiano@briarcliffmanor.org

Re: The Club at Briarcliff Manor
Phase 1 Utility Improvements - VM-1314-3
MEG File No. 106345.02

Dear Mr. Turiano:

Bids were opened on April 22, 2014 at 11:00 a.m. for the above referenced project. The scope of work includes the installation of sewer main and water main utility work including manholes, fire hydrants, valves and all related appurtenances located at The Club of Briarcliff Manor property located at 25 Scarborough Road, Briarcliff Manor, New York. McLaren Engineering Group (MEG) evaluated the bids and provided a bid tabulation to the Village.

The lowest bidder is Legacy Supply, LLC with a bid price of \$789,990.00. Their Alternate No. 1 bid of \$28,200.00 includes the connection of The Club's sales facility into the proposed sanitary sewer. MEG found that the bid was accurate and that the units prices are reasonable.

Based on the above, we recommend that the Village award the contract to Legacy Supply, LLC, 14 Railroad Avenue, Valhalla, New York in the amount of \$789,990.00.

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

Very truly yours,

The Office of
M.G. McLaren, P.C.
d/b/a McLaren Engineering Group

Steven L. Grogg, P.E.
Vice President – Site/Civil Division

SLG /rjk

P:\Proj106\106345.02\3. Correspondence (Ltrs,Emails,Trans,Faxes,Telecons,Memos)\Letters\LTR 01- Turiano Bid Recommendation 2014-05-08.doc

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M. G. McLAREN, P.C.

100 Snake Hill Road
West Nyack, New York 10994
Phone (845) 353-6400
Fax (845) 353-6509

e-mail: mgmclaren@mgmclaren.com
On the web: www.mgmclaren.com

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
MAY 21, 2014

4. FIRE DEPARTMENT MEMBERSHIP

BE IT RESOLVED, that the Board of Trustees of the Village of Briarcliff Manor hereby approves the membership of **Sadie Palevic** to the Briarcliff Manor Fire Company.

Briarcliff Manor Fire Department

1111 PLEASANTVILLE ROAD
BRIARCLIFF MANOR, NY 10510



ROBERT O'HANLON, JR., Chief
DENNIS L. REILLY, 1st Ass't Chief
ROBERT M. GARCIA, 2nd Ass't Chief

EMAIL: fdchief@briarcliffmanor.org

EMERGENCY 911
CHIEF'S OFFICE (914) 941-0879
FAX (914) 944-2758

Office of the Chief

DATE: May 6, 2014
TO: Christine Dennett, Village Clerk
Briarcliff Manor Board of Trustee's
FROM: Chief Robert O'Hanlon Jr. - Briarcliff Manor Fire Department
SUBJECT: NEW MEMBER - Request for Village Approval

Honorable Mayor and Trustee's;

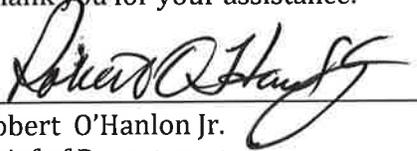
Sadie Palevic, date of birth 06/05/1966 and residing at 46 Ferris Pl, Ossining , New York, , has applied for membership in the Briarcliff Manor Fire Department

The applicant listed above, has been vetted by the Briarcliff Fire Company Membership Committee and determined to meet the criteria set forth by the Briarcliff Manor Fire Department.

FURTHERMORE, the Chief of Department has performed an Arson Background Check on said member who has been found to have NO record of Arson Conviction.

The Chief of Department Requests that the Village of Briarcliff Board of Trustee's approve the application set before you and send such confirmation to **Chiefs Office** at your earliest convenience.

Thank you for your assistance.


Robert O'Hanlon Jr.
Chief of Department

5/6/2014
Dated


Secretary - Briarcliff Fire Company

5/6/2014
Dated


Village Clerk - Christine Dennett

5-7-14
Dated

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
MAY 21, 2014

5. MINUTES

- April 29, 2014 – Special Meeting
- May 7, 2014 – Regular Meeting

Special Meeting
Board of Trustees
April 29, 2014
7:30 p.m.

A Special Meeting of the Board of Trustees of the Village of Briarcliff Manor, New York was held in the Village of Briarcliff Manor Village Hall, 1111 Pleasantville Road, Briarcliff Manor, New York on the 29th day of April, 2014 commencing at 7:30 p.m.

Present

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

Also Present

Philip Zegarelli, Village Manager
Robin Rizzo, Village Treasurer

Upon motion by Trustee Wilson, seconded by Trustee Pohar, the Board voted unanimously to open the Special Meeting.

Budget FY 2014-2015 Resolution

A RESOLUTION ADOPTING A BUDGET FOR THE FISCAL YEAR COMMENCING JUNE 1, 2014 AND ENDING MAY 31, 2015

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

WHEREAS, the Board of Trustees has met at the time and place specified in the notice of public hearing on the tentative budget and heard all persons desiring to be heard thereon; now, therefore be it

RESOLVED, that the tentative budget as amended and revised and as hereinafter set forth is hereby adopted and that there be and is hereby appropriated for the objects and purposes specified, including the amounts set forth required for the payment of principal and interest on indebtedness, the following amounts:

	<u>General Fund</u>	<u>Water Fund</u>	<u>Debt Service Fund</u>	<u>Library Fund</u>
Appropriations	\$15,368,253	\$5,107,776	\$3,692,801	\$612,392
Estimated Revenues	\$15,368,253	\$5,107,776	\$3,642,801	\$612,392

Retirement Reserve	\$0	\$0	\$0	\$0
Appropriated Fund Balance	\$0	\$0	\$50,000	\$0

General Fund Budgetary Appropriation to be raised by Real Estate Tax Levy \$10,436,061

	<u>Town of Ossining</u>	<u>Town of Mt. Pleasant</u>
Taxable Assessed Value	\$97,457,952	\$2,530,052
Tax Rate per \$1,000	\$97.166	\$381.985

2014-2015 TAX LEVY AND WARRANT

In accordance with Section 1420 of the Real Property Tax Law, upon completion of the budget, but not later than May 15th, the Board of Trustees shall determine and levy the tax for the ensuing fiscal year.

Based on the adopted budget and the provision of the Annual Assessment Roll from the Town of Ossining and the Town of Mt. Pleasant, the following resolutions are presented for approval to levy the Village Real Property Tax.

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

WHEREAS, the budget for the fiscal year commencing June 1, 2014, has been duly adopted and filed with the Village Clerk; and

WHEREAS, it has been thereby determined that the sum of \$15,368,253 will be necessary to meet the obligations of the Village; and

WHEREAS, there has been duly credited as against said sum estimated revenues and appropriated fund balance aggregating \$4,932,192 leaving \$10,436,061 to be raised by the levying of taxes; and

WHEREAS, it appears from the Assessment Roll of the year 2014 for taxes for the fiscal year June 1, 2014 that the total assessed valuation of real property in the Village is \$1,707,539,252 with \$1,549,411,002 in the Town of Ossining portion of the Village and \$158,128,250 in the Town of Mt. Pleasant portion of the Village and said Assessment Rolls having been duly confirmed;

WHEREAS, the total transfers into the Library Fund from the General Fund is \$589,835

NOW THEREFORE BE IT RESOLVED, that the tax rate for the Village of Briarcliff Manor for the fiscal year commencing June 1, 2014 be and the same hereby is fixed at the rate of \$97.166 on each \$1,000 of assessed valuation for properties in the Village of Briarcliff Manor located in the Town of Ossining and \$381.985 on each \$1,000 of assessed valuation for properties in the Village of Briarcliff Manor located in the Town of Mt. Pleasant.

FURTHER RESOLVED, that the sum of \$10,436,061, the same being taxes for the fiscal year commencing June 1, 2014 be, and the same hereby is, levied upon the taxable property in the Village of Briarcliff Manor and that the Treasurer be and she hereby is authorized and directed to extend and carry out upon the roll the amount to be collected from each of the persons named thereon, and the respective amounts of said tax roll against each such parcel of taxable property set forth thereon be and the same hereby are levied upon each parcel of taxable property respectively which said levy includes items shown on the budget for the fiscal year commencing June 1, 2014 heretofore adopted.

BE IT FURTHER RESOLVED, that the Board of Trustees does hereby authorize and direct the Village Treasurer to place the delinquent water arrears on the tax roll for fiscal year 2014-2015.

Roll Call:

Trustee DeRose	Aye
Trustee Wilson	Aye
Trustee Pohar	Aye
Deputy Mayor Sullivan	Aye
Mayor Vescio	Aye

Adjournment

Upon motion by Deputy Mayor Sullivan, seconded by Trustee Wilson, the Board voted unanimously to close the Special Meeting at 7:49pm.

Respectfully submitted,

Philip Zegarelli, Village Manager/Deputy Village Clerk

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 7th of May, 2014 commencing at 7:30 p.m.

Present

William J. Vescio, Mayor
Cesare DeRose, Jr.
Mark Pohar, 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

Continued Public Hearing to Amend Section 220-2 of the Zoning Ordinance of the Village of Briarcliff Manor, New York relative to the definition of a Continuing Care Retirement Community.

Upon motion by Trustee Wilson, seconded by Trustee Pohar, the Board voted unanimously to reopen the public hearing.

Mayor Vescio stated the Board would close the hearing and would schedule a new hearing in June because the language in the legislation had changed so much.

Upon motion by Trustee Pohar, seconded by Trustee DeRose, the Board voted unanimously to close the public hearing.

Public Comments

There were no public comments.

Stormwater Management Presentation by David Turiano, Village Engineer

Village Engineer Turiano stated a copy of the report was available and reviewed the methods of public outreach and stormwater maintenance measures taken throughout the Village.

Mayor Vescio asked a close eye be kept on active construction sites for runoff into roadways.

Board of Trustees Announcements by Trustee Wilson

- The Library has held many successful and well attended programs.
- Pool and Tennis Permits are available for purchase.
- All of the Village fields are open.
- The sod will be installed at the Youth Center this weekend.
- Day Camp Registration has been extended to May 9th.
- The Youth Center Open House will be on May 15th.

Village Managers Report by Village Manager Zegarelli

- There will be a positive addition to the fund balance at the close of the fiscal year.
- New bid documents are being prepared for the Community Center.
- The work on the Edith Macy tank will begin shortly.
- DPW is out doing cleanup throughout the Village and installing benches on North State Road.
- Tax bills will be generated and mailed out at the end of May.
- Delinquent water accounts will be transferred to tax on May 12th.

Mayor Vescio stated the Town of Ossining had undertaken a revaluation process and holding public meetings. He further stated the Village Board did not have a say in the matter and would report further at the next meeting.

Budget Transfers

Village Manager Zegarelli stated the Auditors recommended the transfers be done on a quarterly basis.

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

BE IT RESOLVED that the Board of Trustees does hereby authorize the following budget transfers for FY 2013-2014 totaling \$159,917.56:

POLICE OVERTIME

From:	A3120.101	Police Salary	\$25,000.00
	A3120.110	Retirement Payout	\$2,375.90
	A3120.205	Vehicle-Leased	\$8,800.00
	A3120.106	Longevity	\$669.22
To:	A3120.102	Police Overtime	\$36,845.12

FIRE VEHICLE REPAIRS

From:	A1990.499	Contingency	\$4,018.22
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	A3410.439	Building Improvements	\$2,000.00
	A3410.204	Office Furniture	\$1,000.00
	A3410.102	Inspection	\$1,025.00
	A3410.241	Air Packs	\$8,100.00
To:	A3410.226	Vehicle Repair	\$16,143.22

PARKS

From:	A1990.499	Contingency	\$19,350.00
To:	A7110.460	Contractual	\$19,350.00

HIGHWAY MATERIALS AND SUPPLIES

From:	A8090.435	Disposal	\$9,999.00
	A1620.418	Diesel	\$8,000.00
	A1620.419	Gasoline	\$5,000.00
To:	A5110.420	Supplies	\$22,999.00

PASNY JANUARY SURCHARGE

From:	A1990.499	Contingency	\$19,350.00
To:	A1640.440	PASNY	\$19,350.00

SNOW OVERTIME

From:	A7110.116	On Call Stipend	\$895.00
	A1640.221	Vehicle Repair	\$5,000.00
	A5110.102	Personnel Overtime	\$20,888.04
To:	A5142.102	Snow Removal	\$26,783.04

DEBT PRINCIPAL

From:	A9901.911	Transfer to Capital	\$24,249.95
To:	A1990.499	Contingency	\$24,249.95

Award of Bid

Mayor Vescio stated background checks were done on all awardees.

Phase 2 SCADA Upgrades – Electrical Installation

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

WHEREAS the Village received 3 bids for the Phase 2 SCADA Upgrades – Electrical Installation Project (VM-1314-12); and

NOW, THEREFORE, BE IT RESOLVED that the bid for the Phase 2 SCADA Upgrades – Electrical Installation Project (VM-1314-12) is hereby awarded to F.A. Burchetta Co. Inc. with their bid proposal of \$48,550 and will be charged to Budget Code H.8397.201.14581.

BE IT FURTHER RESOLVED that the Village Manager is hereby authorized and directed to execute a contract with F.A. Burchetta Co. Inc. for said project.

Phase 2 SCADA Upgrades – Panel Procurement

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

WHEREAS the Village received 1 bid for the Phase 2 SCADA Upgrades – Panel Procurement Project (VM-1314-13); and

NOW, THEREFORE, BE IT RESOLVED that the bid for the Phase 2 SCADA Upgrades – Panel Procurement Project (VM-1314-13) is hereby awarded to Elm Electrical Inc. with their bid proposal of \$46,475 and will be charged to Budget Code H.8397.201.14581.

BE IT FURTHER RESOLVED that the Village Manager is hereby authorized and directed to execute a contract with Elm Electrical Inc. for said project.

Installation of Standby Generator and Gas Main at DPW Garage

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

WHEREAS the Village received 6 bids for the Installation of a Standby Generator and Gas Main at the DPW Garage Project (VM-1314-6); and

NOW, THEREFORE, BE IT RESOLVED that the bid for the Installation of a Standby Generator and Gas Main at the DPW Garage Project (VM-1314-6) is hereby awarded to F.A. Burchetta Co. Inc. with their bid proposal of \$139,000 and will be charged to Budget Code H.1440.201.14220.

BE IT FURTHER RESOLVED that the Village Manager is hereby authorized and directed to execute a contract with F.A. Burchetta Co. Inc. for said project.

Installation of Gas Boiler – DPW Garage

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

WHEREAS the Village received 4 bids for the Installation of a Gas Boiler at the DPW Garage Project (VM-1314-7); and

NOW, THEREFORE, BE IT RESOLVED that the bid for the Installation of a Gas Boiler at the DPW Garage Project (VM-1314-7) is hereby awarded to Sun-Dance Energy Contractors d/b/a Markley Mechanical with their bid proposal of \$108,566 of which \$8,566 will be charged to budget code H.1640.201.10460 and \$100,000 charged to budget code H.1440.201.14221.

BE IT FURTHER RESOLVED that the Village Manager is hereby authorized and directed to execute a contract with Sun-Dance Energy Contractors d/b/a Markley Mechanical for said project.

Adjournment

A work session will be held on Wednesday, May 21, 2014 at 6:45pm.

Upon motion by Trustee Wilson, seconded by Trustee DeRose, the Board voted unanimously to adjourn the regular meeting at 8:05pm.

Respectfully Submitted By,

Christine Dennett
Village Clerk