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AGENDA
SEPTEMBER 28, 2016
BOARD OF TRUSTEES
VILLAGE OF BRIARCLIFF MANOR, NEW YORK
REGULAR MEETING – 8:00 PM

Board of Trustees Announcements

Village Managers Report

Public Comments

1. Adoption of Capital Budget for 2016-2017
2. Tax Certiorari – Deercliff Builders, Inc.
3. Amendment to the Designation of Banks for the Deposit of Village Funds
4. Budget Transfer – Buckhurst, Fish and Jacquemart
5. Authorize Village Manager to Execute a Professional Services Agreement with Buckhurst, Fish and Jacquemart for Planning Consulting Services
6. Award of Bid
 - a) Electrical Intersection Improvements – Pleasantville and North State Roads
 - b) Civil Intersection Improvements – Pleasantville and North State Roads
7. Minutes
 - September 7, 2016 – Regular Meeting

NEXT REGULAR BOARD OF TRUSTEES MEETING – OCTOBER 5, 2016

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
SEPTEMBER 28, 2016

1. ADOPTION OF CAPITAL BUDGET FOR FY 2016-2017

BE IT RESOLVED, that the Board of Trustees does hereby adopt the Capital Budget for Fiscal Year 2016-2017 in the amount of \$4,332,668 as follows:

Village of Briarcliff Manor 2016-17 Capital Projects

PROJECT	Departmental Budget Requested	Funding w/ 2% Costs	PPU (Years)
Police Department:			
Equipment: License Plate Reader	\$ 18,500	\$ 18,870	5
Equipment: Security Cameras	\$ 75,000	\$ 76,500	10
Total Requirements:	\$ 93,500	# \$ 95,370	
Fire Department:			
Equipment: Thermal Imaging Camera	\$ 12,000	\$ 12,240	5
Turnout Gear	\$ 60,000	\$ 61,200	5
Total Requirements:	\$ 72,000	\$ 73,440	
Ambulance:			
Software: Pre-hospital Care Reporting	\$ 12,000	\$ 12,240	5
Total Requirements:	\$ 12,000	\$ 12,240	
Department of Public Works: (general)			
Annual Paving 2015/16	\$ 125,000	\$ 127,500	15
Annual Paving 2016/17	\$ 125,000	\$ 127,500	15
Streetscape Study/Design	\$ 25,000	\$ 25,500	15
Total Requirements:	\$ 275,000	\$ 280,500	
Department of Public Works: (vehicles)			
25 Yard Packer Truck	\$ 190,000	\$ 193,800	15
Satellite Truck	\$ 85,000	\$ 86,700	15
Mason Dump with Plow	\$ 70,000	\$ 71,400	15

Total Requirements:	\$ 345,000	\$ 351,900	
Department of Public Works: (equipment)			
Bucket Truck	\$ 200,000	\$ 204,000	15
Road Cutting Saw	\$ 15,000	\$ 15,300	15
Total Requirements:	\$ 215,000	\$ 219,300	
Department of Public Works: (water) Self-Funded			
		Self-Funded	
Sanitary Sewer Feasibility Study	\$ 26,000	\$ 26,000	40
SCADA -Sewer Pump Stations	\$ 75,000	\$ 75,000	40
Water Meter/Remote Read Upgrade	\$ 325,000	\$ 325,000	40
Total Requirements:	\$ 426,000	\$ 426,000	
Department of Public Works: (Water Vehicles) Self-Funded			
		Self-Funded	
Pick-Up Truck	\$ 45,000	\$ 45,000	40
Service Truck	\$ 75,000	\$ 75,000	40
Total Requirements:	\$ 120,000	\$ 120,000	
Facilities:			
VH HVAC Replacement	\$ 861,000	\$ 878,220	20
Replace (15) Street Lights	\$ 82,500	\$ 84,150	5
Pleasantville & North State Road	\$ 525,000	\$ 535,500	15
Rte 9A & North State Road	\$ 175,000	\$ 178,500	15
Gas Tank & Computer System	\$ 150,000	\$ 153,000	5
IT Replacement; Server, PC's, Notebooks	\$ 50,000	\$ 51,000	5
	\$ 1,843,500	\$ 1,880,370	
Parks:			
Pavilion: Re-Build - Insurance Funded \$1,869,292	\$ -	\$ -	15
Pavilion: Accessible Bathrooms	\$ 7,286	\$ 7,432	20
Pavilion: Upper Terrace	\$ 320,090	\$ 326,492	20
Pavilion: Water Supply for fire protection/Security System	\$ 25,000	\$ 25,500	20
Accessible Pathway Atria to Park & Park to Library	\$ 359,318	\$ 366,504	20
Pond Revitalization	\$ 90,000	\$ 91,800	20
Park Irrigation/Planting	\$ 9,020	\$ 9,200	20
Neighborhood Park	\$ 35,000	\$ 35,700	20

	<u>\$ 845,714</u>	<u>\$ 862,628</u>
Total-General Fund	<u>\$ 3,701,714</u>	<u># \$ 3,775,748</u>
Total-Water Fund	<u>\$ 546,000</u>	<u>\$ 546,000</u>
Total - All Projects	<u>\$ 4,247,714</u>	<u>\$ 4,332,668</u>

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
SEPTEMBER 28, 2016

2. TAX CERTIORARI – DEERCLIFF BUILDERS, INC.

WHEREAS, Deercliff Builders, Inc. 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 2008-2011; and

WHEREAS, the tax certiorari filings relate to Village of Briarcliff Manor fiscal years 2009-2010, 2010-2011, 2011-2012 and 2012-2013; and

WHEREAS, a Consent Order of the Supreme Court of the State of New York, County of Westchester, was entered on January 11, 2016;

WHEREAS, the Consent Order was received after the finalization of the approval of the Village budget for Fiscal Year 2016-2017;

WHEREAS, the Consent Order reduced the tax assessment for the subject property for the Fiscal Years 2009-2010, 2010-2011, 2011-2012 and 2012-2013 assessment roll; and

NOW THEREFORE, BE IT RESOLVED that the Board of Trustees does hereby authorize the refund of the tax bill for Fiscal Years 2009-2010, 2010-2011, 2011-2012 and 2012-2013 in the amount of \$3,395.31 based upon the reduced assessment value in the Consent Order.

Year	Address	Assessed Value	New Assessed Value	Assessment Reduction	Original Tax Amount	Reduced Tax Amount	Refund
2008	1250 Pleasantville Rd.	\$82,200	\$67,000	\$15,200	\$7,116.89	\$5,800.87	\$1,316.02
2009	1250 Pleasantville Rd	\$82,200	\$68,000	\$14,200	\$7,176.79	\$5,937.00	\$1,239.79
2010	1250 Pleasantville Rd	\$82,200	\$75,000	\$7,200	\$7,315.80	\$6,675.00	\$640.80
2011	1250 Pleasantville Rd	\$82,200	\$80,000	\$2,200	\$7,424.30	\$7,225.60	\$198.70
				\$38,800			\$3,395.31
				TOTAL AV REDUCTION			TOTAL REVENUE REDUCTION

Rate - Town of Ossining 7/6/2015 2007 2008 2009 2010 2011 2012 2013 2014 2015 2016
 Bill Year VBM 81,0456 84,8943 86,5802 \$ 87.31 \$ 89.00 90.32 93.988 97.166 99.188 99.8684

Assessment	Bill	Parcel	Assessed	Current	Reduction	New	Reduction	New Tax	Change	Refund Prior	Refund	Abate 2nd	
Year	Owner on Bill	#	Address	Parcel	Value	Tax Bill	Tax Bill	Assessed	Amount	In Tax	Yrs	Current Yr	
2009	Deercliff Builders	20091404	1250 Pleasantville Rd	98.10-1-41	\$ 82,200.00	\$ 7,116.89	\$ 1,316.02	\$ 67,000.00	\$ 15,200.00	\$ 5,800.87	\$ 1,316.02	\$ 1,316.02	
2010	Deercliff Builders	20101404	1250 Pleasantville Rd	90.17-1-6	\$ 82,200.00	\$ 7,176.79	\$ 1,239.79	\$ 68,000.00	\$ 14,200.00	\$ 5,937.00	\$ 1,239.79	\$ 1,239.79	
2011	Deercliff Builders	20111718	1250 Pleasantville Rd	90.17-1-6	\$ 82,200.00	\$ 7,315.80	\$ 640.80	\$ 75,000.00	\$ 7,200.00	\$ 6,675.00	\$ 640.80	\$ 640.80	
2012	Deercliff Builders	20121160	1250 Pleasantville Rd	90.17-1-6	\$ 82,200.00	\$ 7,424.30	\$ 198.70	\$ 80,000.00	\$ 2,200.00	\$ 7,225.60	\$ 198.70	\$ 198.70	
										\$ -		\$ -	
										\$ 3,612.80	\$ 3,395.31	\$ 3,395.31	\$ -

A1964.423 Budget \$ 100,000.00
 Prior Refunds \$ (5,266.56)
 Current refund \$ (3,395.31)
 Balance \$ 91,338.13

A1964.423 Refund of Real Prop. \$ 3,395.31
 A0102.1001 Real Prop Tax Rev. \$ -

At a Special Term, Part IV of the
Supreme Court of the State of New
York, held in and for the County of Westchester at 111
Martin Luther King, Jr. Blvd in the City of White Plains.

P R E S E N T :

HON. BRUCE E. TOLBERT,
JUSTICE OF THE SUPREME COURT

-----x
DEERCLIFF BUILDERS, INC.
Petitioners,

- against-

THE TOWN OF OSSINING
Respondent.
-----x

CONSENT JUDGEMENT

Index Nos. 22182/08
23241/09
25071/10
15151/11

Upon reading the annexed Consent signed by the attorneys for the respective parties hereto,
and due deliberation having been had thereon, it is

ORDERED, ADJUDGED AND DECREED, that the assessments for the assessment years,
2008, 2009, 2010 and 2011 affecting the properties described as Tax I.D. No. 98.10-1-41 on the Tax
Assessment Map of the Town of Ossining, New York, provided the assessed valuation of the
Petitioner's property for the assessment years enumerated above be reduced as follows:

Section 98.10 Block 1 Lot 41 (1250 Pleasantville Road, Briarcliff Manor, NY)

<u>Assessment Year</u>	<u>Assessed Valuation</u>		<u>Amount of Reduction</u>
	<u>Reduced From</u>	<u>Reduced to</u>	
2008	\$82,200	\$67,000	\$15,000 <i>all</i>
2009	\$82,200	\$68,000	\$14,200
2010	\$82,200	\$75,000	\$ 7,200
2011	\$82,200	\$80,000	\$ 2,200

FSW

said total assessment to be divided between land and improvements as the Assessor of the Town of Ossining, New York shall determine in his sole discretion, and it is further

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

ORDERED, ADJUDGED AND DECREED, that there shall be audited, allowed and paid by the Town of Ossining, New York, to the Petitioner, the amounts, if any, paid by the said Petitioner, their agents or representatives as taxes against the said assessments for the above-referred assessment years in excess of what the taxes should have been if the said assessments had been as herein ordered and determined, with no interest provided refunds are paid within 60 days of service by mail of a copy of this Consent Judgment with Notice of Entry upon Respondents, otherwise, with interest as provided by law, and it is further

ORDERED, ADJUDGED AND DECREED, that there shall be audited, allowed and paid by the Village of Briarcliff Manor, if any, paid by the said Petitioners as taxes against the assessments for the above-referenced assessment years in excess of what the taxes would have been if the said assessments had been determined by this Order, with no interest provided the refund is paid within 60 days of service by mail of a copy of this Order with Notice of Entry upon the Village of Briarcliff Manor, New York , and it is further

ORDERED, ADJUDGED AND DECREED, that the County Legislators of the County of Westchester, State of New York, be and are hereby directed and authorized to audit, allow and pay to the Petitioner the amounts, if any, of State, County, Judiciary, Sewer District Taxes paid by the Petitioners as taxes against the said assessment for the above-referenced assessment years in excess of what the taxes should have been if the said assessment had been determined by this Consent Judgment, with no interest provided refunds are paid within 60 days of service by mail of a copy of this Consent Judgment with Notice of Entry upon the Commissioner of Finance of the County of Westchester, along with proof of payment of County taxes, otherwise with interest as provided by law, and it is further

ORDERED, ADJUDGED AND DECREED, that there shall be audited, allowed and paid to the Petitioner by the Briarcliff Manor Union Free School District, the amount, if any, paid by the Petitioner as School District Taxes against the assessments for the above-reference assessment years in excess of what the taxes would have been if the assessments made in the aforesaid years had been herein determined, with no interest provided refunds are paid within 60 days of service by mail of a copy of this Consent Judgment with Notice of Entry upon Respondents, otherwise, with interest, as provided by law, and it is further

ORDERED, ADJUDGED AND DECREED, that all refund checks are to be made payable to "PAUL S. RICHMOND, ESQ., AS ATTORNEY FOR PETITIONER", and sent to Paul S. Richmond, Esq., The Inns of Court, 99 Court Street, White Plains, New York 10601.

ORDERED, ADJUDGED AND DECREED, that there shall be no costs or disbursements.

*Dated: January 11, 2016
White Plains, NY*

ENTER,
57 *Bruce E. Polbert*
J. S. C.

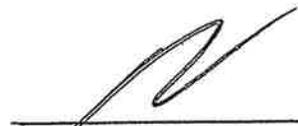
Attn: Bruce E. Polbert

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

DATED: *January 3, 2016*

David L. Xitro -4
David L. Xitro COUNTY ATTORNEY
COUNTY OF WESTCHESTER

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



Attorney for Petitioners



Attorney for Respondents

Dated: 12/17/15



Attorney for Intervenor-Respondents

Index No.

Year 20

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WESTCHESTER**

DEERCLIFF BUILDERS, INC.

PETITIONER(S),

-AGAINST-

THE TOWN OF OSSINING

**A Municipal Corporation, its Assessor or Board of Assessors and Board of Review
And the Briarcliff Manor Union Free School District**

RESPONDENT(S)

CONSENT JUDGMENT

PAUL S. RICHMOND

Attorney for

PETITIONER(S)

THE INNS OF COURT
99 COURT STREET, EAST SUITE
WHITE PLAINS, N.Y. 10601
(914) 328-0340

Pursuant to 22 NYCRR 130-1.1-a, the undersigned, an attorney admitted to practice in the courts of New York State, certifies that, upon information and belief and reasonable inquiry, (1) the contentions contained in the annexed document are not frivolous and that (2) if the annexed document is an initiating pleading, (i) the matter was not obtained through illegal conduct, or that if it was, the attorney or other persons responsible for the illegal conduct are not participating in the matter or sharing in any fee earned therefrom and that (ii) if the matter involves potential claims for personal injury or wrongful death, the matter was not obtained in violation of 22 NYCRR 1200.41-a.

Dated: Signature **PAUL S. RICHMOND**

Print Signer's Name.....

Service of a copy of the within is hereby admitted.

Dated:
.....
Attorney(s) for

PLEASE TAKE NOTICE

Check Applicable Box



NOTICE OF ENTRY

that the within is a (certified) true copy of a **Consent Judgment** entered in the office of the clerk of the within-named Court on **JANUARY 11, 2016** 20



NOTICE OF SETTLEMENT

that an Order of which the within is a true copy will be presented for settlement to the Hon. _____, one of the judges of the within-named Court, at _____ on _____ 20 _____, at _____ M.

Dated: **February 11, 2016**

PAUL S. RICHMOND
Attorney for **Petitioners**

To:

THE INNS OF COURT

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
SEPTEMBER 28, 2016

**3. AMENDMENT TO THE DESIGNATION OF BANKS FOR THE DEPOSIT
OF VILLAGE FUNDS**

BE IT RESOLVED, that the Board of Trustees of the Village of Briarcliff Manor hereby designate the following banks for the deposit of Village funds:

- a. JP Morgan Chase
- b. Wells Fargo Bank, NA
- c. Fidelity
- d. TD Bank
- e. Greater Hudson Bank
- f. Webster Bank

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
SEPTEMBER 28, 2016

4. BUDGET TRANSFERS– 2016-2017 – BUCKHURST, FISH AND JACQUEMART

BE IT RESOLVED that the Board of Trustees does hereby authorize the following budget transfers for FY 2016-2017:

From:	A0909	Fund Balance	\$35,000
To:	A1010.460	BOT Contractual	\$35,000

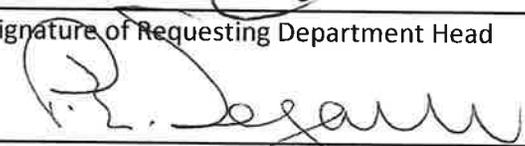
BUDGET TRANSFER (FY 16-17) REQUEST FORM

Amount from:	Muni Code	Budget Line
\$ 35,000.00	A0909	Fund Balanced - Unreserved
Amount to:	Muni Code	Budget Line
\$ 35,000.00	A1010.460	BOT Contractual Services

Reason for Transfer Request: Allocate funds for a study on updating the Village Comprehensive Plan, specifically the "B" Zone.

①

Signature of Requesting Department Head 9/22/16

 22 Sept.

Village Manager Approval Date Signed

 9/22/16

Village Treasurer Approval Date Signed

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

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
SEPTEMBER 28, 2016

5. AUTHORIZE VILLAGE MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH BUCKHURST, FISH AND JACQUEMART FOR PLANNING CONSULTING SERVICES

BE IT RESOLVED that the Village Manager is hereby authorized and directed to execute on behalf of the Village a Professional Services Agreement with Buckhurst, Fish and Jacquemart for Planning Consulting Services to prepare a Comprehensive Plan Addendum for updated recommendations for the B-District as per their proposal totaling \$35,000.

Sean → P2

September 19, 2016

Mayor Lori A. Sullivan and Philip Zegarelli, Village Manager
Village of Briarcliff Manor, Village Hall
1111 Pleasantville Road
Briarcliff Manor, NY 10510

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RE: Comprehensive Plan Addendum to provide updated recommendations for B District – Proposal for Consultant Services

Dear Mayor Sullivan and Mr. Zegarelli,

Based on our September 7th meeting with the Village Board of Trustees (BOT), we understand that the Village is interested in pursuing an addendum to the 2007 Comprehensive Plan to provide updated recommendations for the Village's (B) Planned Office Building and Laboratory District. At the time the 2007 Comprehensive Plan was adopted, all four properties located within the Village's B District (i.e. Briarcliff Executive Park (Mearl), Philips Laboratories, Sony Electronics, and Briarcliff Corporate Campus) were occupied and contributing to the commercial tax base of the Village. Therefore, the Comprehensive Plan recommended that the B Districts remain as zoned and continue to only allow commercial business uses. Over the past nine years, much has changed in the office market in Westchester County and planned office complexes in isolated suburban locations, for the most part, are no longer economically viable. Accordingly, three of the four office complexes are currently vacant, and have been for some time, and the fourth is only partially occupied.

In addition, the Village has also recently received preliminary applications for redevelopment of two of the vacant B zoned parcels (Mearl and Sony) with multi-family residential uses. Rather than undertake redevelopment of these properties on a piecemeal basis, the Village is in a position to set a new vision for how it would like to see these properties brought back into productive use and determine the type and density of uses permitted. The first step in setting the stage for future reuse of these long vacant properties is to undertake a targeted addendum to the 2007 Comprehensive Plan that specifically looks at the existing B Districts and makes recommendations as to potential future use, density and zoning options. Once the Comprehensive Plan has been updated, the Village or a project applicant could move forward with zoning text and map amendments as needed.

CHARLOTTE, NC
CHATHAM, NJ
CHICAGO, IL
NEW YORK, NY
PITTSBURGH, PA
STAMFORD, CT
WASHINGTON, DC

PAUL BUCKHURST ARIBA
FRANK S. FISH FAICP
GEORGES JACQUEMART PE, AICP
SARAH K. YACKEL AICP
SUSAN FAYATE AICP, PP

BUCKHURST FISH
& JACQUEMART, INC
115 FIFTH AVENUE
NEW YORK, NY 10003
T: 212.353.7474
F: 212.353.7494

WWW.BFJPLANNING.COM

BFJ Planning

PLANNING
URBAN DESIGN
ENVIRONMENTAL ANALYSIS
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TRANSPORTATION PLANNING

Ms. Sullivan, Mayor
Mr. Zegarelli, Village Manager
September 19, 2016
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This memorandum outlines BFJ Planning's proposed scope of work related to the proposed Comprehensive Plan Addendum and the related New York State Environmental Quality Review Act (SEQR) documentation.

Scope of Work

BFJ proposes the following scope of work:

PHASE 1: COMPREHENSIVE PLAN ADDENDUM

Task 1: Comprehensive Plan Advisory Committee – As a first step, BFJ will work with a Comprehensive Plan Advisory Committee consisting of approximately six to eight Village stakeholders. The Committee would be tasked with developing land use and zoning recommendations for the Village's B Districts to present to the BOT. BFJ will review existing conditions at each of the B zoned parcels with the Committee and explore with them various zoning options and land use scenarios. The potential environmental impact of various options will also be discussed. Once the Committee has formed a consensus on the recommendations for the D District, BFJ will present them at a joint BOT and Committee meeting. It is estimated that the Committee would meet individually with BFJ three times and once at a joint meeting with the BOT.

Task 2: Prepare Comprehensive Plan Addendum – Once the Advisory Committee recommendations have been presented to the BOT and the BOT has reached agreement on the recommendations, BFJ will draft the Comprehensive Plan Addendum. Rather than undertake a complete update to the 2007 Comprehensive Plan, we are proposing to only undertake a targeted update to the B District recommendations in the Comprehensive Plan. The addendum, would be a standalone document that accompany the Comprehensive Plan. We believe this is the most expedient approach, given that the rest of the Comprehensive Plan is still working for the Village and the only area really in need of an update is the B District recommendations. Once the Addendum has been drafted, we will submit it to the BOT for review and discussion. Following this discussion we will make any necessary revisions to the addendum and resubmit to the Village.

Ms. Sullivan, Mayor
Mr. Zegarelli, Village Manager
September 19, 2016
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Task 3: Public Hearing – Once the addendum is drafted, the Village is in a position to schedule a public hearing. BFJ will attend the public hearing on the Comprehensive Plan addendum and present the recommendations to the BOT and public, if needed. Based on the outcome of the public hearing, BFJ with input from the BOT, will revised and finalize the addendum.

PHASE 2: SEQR - FULL ENVIRONMENTAL ASSESSMENT FORM

Prior to adoption of the Comprehensive Plan Addendum, the Village must comply with the New York State Environmental Quality Review Act (SEQR). We propose to undertake a Full Environmental Assessment Form (EAF) containing relevant technical appendices/attachments to support a determination of non-significance (Negative Declaration). The EAF is generally prepared following the completion of the draft Comprehensive Plan addendum.

Task 1: Preparation of Full Environmental Assessment Form (EAF) Part 1 - Part 1 of a Full EAF and technical appendices/attachments will be prepared for the Comprehensive Plan Addendum (proposed action) to assist the lead agency (Board of Trustees) in determining whether the proposed action may result in a significant effect on the environment. The Full EAF will be accompanied by a detailed project description and illustrative maps and graphics. Based on our understanding of the project, we anticipate the need to prepare detailed technical studies in the following environmental impact areas to be appended to the Full EAF:

- Land use, zoning and public policy
- Community Facility Impacts (i.e schools, police and fire)
- Traffic (trip generation)

Upon completion, Part 1 of the EAF will be submitted to the BOT for review and comment. In addition, BFJ will prepare a draft Resolution of Intent to be Lead Agency as part of the SEQR coordinated review process (required for Type I Actions). This Resolution will establish the BOT's intent to be the SEQR lead agency for the environmental review process for the project. Once comments have been received from the BOT, BFJ will finalize the EAF and submit the document to the board for circulation to all interested and involved agencies. At the same time, the board will

Ms. Sullivan, Mayor
Mr. Zegarelli, Village Manager
September 19, 2016
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adopt the Resolution of Intent to be Lead Agency. The involved agencies will have 30 calendar days to respond to the EAF and Resolution.

Task 2: Preparation of Parts 2 and 3 EAF and Positive/Negative Declaration - Once the BOT has been established as the lead agency, BFJ will assist the board in the preparation of a Parts 2 and 3 EAF as required by SEQR. The lead agency is responsible for preparation of Part 2 and normally uses Part 2 EAF to determine whether the proposed action will result in any significant adverse impacts. Using the information provided in Parts 1 and 2 of the EAF, the lead agency will determine the significance of the action by making a positive or negative declaration (Part 3). Generally, when a negative declaration is filed, the lead agency determines that no significant environmental impacts are anticipated, and the SEQR process is then completed. BFJ will prepare the negative or positive declaration for the lead agency. If a negative declaration is issued, the SEQR process is concluded; however, if a positive declaration is adopted, the preparation of a Generic EIS will be required. As proposed herein, we would intend to rule out or mitigate¹ any potential adverse environmental impacts from the proposed project in the hopes of adopting a Negative Declaration.

Timetable

Based on the above, we propose to complete the scope of work within 4-5 months of receiving a signed authorization to proceed. A detailed project schedule is included as Attachment A.

Budget

BFJ proposes to complete the scope of work on a time and expense basis as outlined in the budget estimate contained in Attachment B.

Please do not hesitate to contact me if you have any questions regarding the above. A countersignature below will serve as authorization to proceed with work on the Comprehensive Plan Addendum.

¹ Any proposed mitigation measures would be incorporated into the project description and not be listed as mitigation measures per se.

BEJ Planning

PLANNING
URBAN DESIGN
ENVIRONMENTAL ANALYSIS
REAL ESTATE CONSULTING
TRANSPORTATION PLANNING

Ms. Sullivan, Mayor
Mr. Zegarelli, Village Manager
September 19, 2016
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Sincerely,



Sarah K. Yackel, AICP
Principal

Agreed to:

Philip Zegarelli, Village Manager

Date

Enc: Attachment A – Timeline
Attachment B – Budget

Attachment A: Comprehensive Plan Addendum - Timeline

Month:	1 Oct	2 Nov	3 Dec	4 Jan	5 Feb
Tasks					
Comprehensive Plan Addendum					
PHASE 1: Comprehensive Plan Addendum					
Task 1: Comprehensive Plan Advisory Committee	● ● ●				
Task 2: Prepare Comprehensive Plan Addendum		●			
3. Public Hearing and Final Zoning Amendments				◆	★
PHASE 2: SEQR					
1. Prepare Part 1 EAF (including 30-day Coordinated review)			■ ■ ■ ■ ■		Adopt Neg Dec
2. Prepare Parts 2 and 3 EAF and Neg Dec (SEQR Complete)				◆	★

Key:

- Meetings:** ●
- Public Hearing:** ◆

**Attachment B
BFJ Planning Cost Estimate**

Below is a detailed breakdown of our proposed fee for completing the scope of services outlined in the attached proposal letter. BFJ proposes to complete the proposed project for \$25,000, as outlined below, against the attached 2016 public billing rates. We propose to bill monthly on a time and expense basis not to exceed \$25,000. Should the work be completed for less than the estimated \$25,000, the Village would be charged the lesser amount.

WORK TASKS	FEE (\$)
PHASE 1: COMPREHENSIVE PLAN ADDENDUM	
Task 1: Comprehensive Plan Advisory Committee	\$7,500
Task 2: Prepare Comprehensive Plan Addendum	\$6,000
Task 3: Public Hearing and Final Zoning Amendments	\$1,500
Sub-Total	\$15,000
PHASE 2: SEQR - FULL ENVIRONMENTAL ASSESSMENT FORM	
Task 1: Prepare Part 1 EAF (including 30-day Coordinated review)	\$8,000
Task 2: Prepare Parts 2 and 3 EAF and Neg Dec (SEQR Complete)	\$1,500
Sub-Total	\$9,500
Expenses	\$500
TOTAL: \$25,000	

BFJ 2016 PUBLIC BILLING RATES

PRINCIPALS	RATE PER HOUR
F. Fish	\$235
G. Jacquemart	\$235
S. Yackel	\$210
S. Favate	\$210
SENIOR ASSOCIATES	
J. West	\$225
J. Martin	\$205
ASSOCIATES	
N. Levine	\$140
S. Kates	\$140
PROFESSIONAL STAFF	
L. Rennée	\$105
J. Douglas	\$90
WORDPROCESSING/PRODUCTION	\$70

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
SEPTEMBER 28, 2016

**6A. AWARD OF BID FOR ELECTRICAL INTERSECTION IMPROVEMENTS
– PLEASANTVILLE AND NORTH STATE ROADS**

WHEREAS the Village received 1 qualified bid for the VM 1516-7 Electrical Intersection Improvements Pleasantville and North State Roads Project; and

WHEREAS funding for this project will be charged to H.1440.201.17220; and

NOW, THEREFORE, BE IT RESOLVED that the bid for the VM 1516-7 Electrical Intersection Improvements Pleasantville and North State Roads Project is hereby awarded to the lowest responsible bidder Verde Electric with their bid proposal of \$199,945; and

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



MEMORANDUM

September 7, 2016

To: Philip E. Zegarelli – Village Manager
From: David J. Turiano, P.E. *DAV J. Turiano*

(P2)

Re: **VM 1516-7 – Electrical, Intersection Improvements**

Bids were opened on July 19, 2016, at 11:00 a.m. for the above referenced project. Present at the bid opening were David J. Turiano, P.E., Village Engineer, and Village Manager Philip E. Zegarelli.

BIDDER	BID AMOUNT
Verde Electric	\$199,945.00

Recall that this project was originally bid as a single prime contract whereby the civil portion of the work (retaining wall and grading), and the electrical portion of the work (traffic signal) were to be performed by a single prime contractor. Bidder turnout was poor with one bidder submitting a bid of \$595,500.00. The Village was not comfortable with this single bid as it recognized that it did not get competitive pricing for the civil portion of the work. Accordingly, the project was rebid as two separate prime contracts, one each for the electrical and for the civil portions.

Unfortunately, after an aggressive bid solicitation process, only one bid was received for the electrical project, Verde Electric. This is a common occurrence in the industry as it relates to traffic signal installations as there are few contractors in the region that perform this type of work. The Village in the past has successfully awarded projects to Verde Electric when they were the sole bidder.

The bids were reviewed by my office for completeness and it was determined that the bid was complete and acceptable. In addition, the bid price was compared to two other traffic signals recently installed by the Village and the bid number appears to fall in line.

Funding for this project has been proposed in the amount of \$200,000.00 in the upcoming Capital Improvement Plan (CIP). Funds should be available under H.1440.201.17220 for this project pending approval of the CIP by the Village Board.

Based on the above, it is recommended that the Village award the project to Verde Electric of Mount Vernon, New York in the amount of \$199,945.00.

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

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
SEPTEMBER 28, 2016

**6B. AWARD OF BID FOR CIVIL INTERSECTION IMPROVEMENTS –
PLEASANTVILLE AND NORTH STATE ROADS**

WHEREAS the Village received 6 qualified bid for the VM 1516-7 Civil Intersection Improvements Pleasantville and North State Roads Project; and

WHEREAS funding for this project will be charged to H.1440.201.17220; and

NOW, THEREFORE, BE IT RESOLVED that the bid for the VM 1516-7 Civil Intersection Improvements Pleasantville and North State Roads Project is hereby awarded to the lowest responsible bidder Abbott & Price with their bid proposal of \$318,000; and

BE IT FURTHER RESOLVED that the Village Manager is hereby authorized and directed to execute a contract with Abbott & Price for said project.



MEMORANDUM

September 7, 2016

To: Philip E. Zegarelli – Village Manager

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

Re: **VM 1516-7- Civil - Intersection Improvements – Pleasantville
and North State Roads**

P2

Bids were opened on July 19, 2016, at 11:00 a.m. for the above referenced project. Present at the bid opening were David J. Turiano, P.E., Village Engineer and Philip E. Zegarelli, Village Manager.

This project includes the construction of a reinforced concrete retaining wall together with backfilling and rough grading in the vicinity of the former Birrittella property. This work, in connection with the pending Westchester County Pleasantville Road Reconstruction Project, and the Village's Traffic Signal Installation Project will provide for an overall intersection upgrade and improvement.

Six (6) bids were received ranging from \$318,000.00 to \$915,000.00 as shown below.

Vendor	Bid
McNamee Construction Corp.	\$915,000.00
Con-Tech Construction Technology, Inc.	\$538,000.00
Villa Construction	\$357,000.00
Morano Brothers Corp.	\$672,425.00
Tony Casale, Inc.	\$390,000.00
Abbott & Price	\$318,000.00

Recall that this project was originally bid as a single prime contract whereby this civil portion of the work (retaining wall and grading), and the electrical portion of the work (traffic signal) were to be performed by a single prime contractor. The Village was not comfortable with this single bid as it recognized that it did not get competitive pricing for this portion of the work. Accordingly, the project was rebid as two separate prime contracts, one each for the electrical and for the civil portions.

The low bidder was reviewed by my office for completeness and it was determined that the bid was complete and acceptable. Abbott & Price has recently performed several projects for the Village, including the Community Center and Comfort Station/Pump Station Project. Putting aside timing and scheduling concerns, Abbott & Price did provide a wide range of construction services in a satisfactory manner. The range of services ranged from excavation, utility and building construction. The current Project is excavation/civil related in which Abbott & Price owns and operates most of his own equipment and should be able to complete without incident.

The Village did not perform any reference checks on Abbott & Price as it is very familiar with their work and have an ongoing working relationship.

Funding for this project has been proposed in the amount of \$325,000.00 in the upcoming Capital Improvement Plan (CIP). Funds should be available under H.1440.201.17220 for this project pending approval of the CIP by the Village Board.

Based on the above, it is recommended that the Village award the project to Abbott & Price.

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

Village Board of Trustees
Regular Meeting
September 7, 2016
8:00 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 7th of September, 2016 commencing at 8:00 p.m.

Present

Lori A. Sullivan, Mayor
Cesare DeRose, Jr. Trustee
Mark L. Wilson, Trustee
Bryan Zirman, Trustee

Also Present

Philip Zegarelli, Village Manager
Christine Dennett, Village Clerk
Anna Georgiou, Village Counsel

Absent

Mark Pohar, Deputy Mayor

Public Hearing to Renew a Special Use Permit – Scarborough Presbyterian Church

Upon motion by Trustee Wilson, seconded by Trustee DeRose, the Board voted unanimously to open the Public Hearing.

The Board discussed the church's Special Use Permit renewal process and stated there were some discrepancies with the renewal dates and they wanted to correct the record and clarify the date going forward.

There were no public comments.

Upon motion by Trustee Zirman, seconded by Trustee DeRose, the Board voted unanimously to close the Public Hearing.

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

BE IT RESOLVED that the Special Use Permit issued to Scarborough Presbyterian Church and Nursery School is hereby renewed subject to the same conditions included in the original Special Use Permit approval dated June 27, 1985 and as amended on August 19, 2015.

BE IT FURTHER RESOLVED that the Special Use Permit amendment and renewal are hereby consolidated into one permit and shall supersede all prior permits and conditions with respect to expiration dates and shall extend to June 27, 2021.

BE IT FURTHER RESOLVED that should the Scarborough Presbyterian Church and Nursery School desire to renew this Special Use Permit for another five year period, commencing in 2021, the Church/School shall be responsible for requesting the renewal at least sixty (60) days prior to the expiration of the Special Use Permit.

Board of Trustees Announcements by Trustee Zirman

- All residents are encouraged to sign up for the Village Manager's weekly news blast.
- The Library is very busy with programs. Their brochure is available on their website.
- The pool is closed for the season. Thank you to all that made the season a success.
- The Youth Center "Back with a Splash" Party is scheduled for 9/8.
- Community day will be 9/10, mark your calendars!
- Any nonprofits interested in participating, please contact the Recreation Department.
- The Fall Brochure is available on the website.
- The Town of Ossining is hosting a joint 9/11 memorial at 2pm.

Village Managers Report by Village Manager Zegarelli

- A punch list for the Community Center is being worked on.
- The Pavilion bid is out and due on 9/23.
- The Village is scheduling a meeting regarding the Route 9A and North State Road Intersection.
- Con Edison work is continuing on Pleasantville Road.
- Paving will begin on 9/12.
- The next regular meeting of the Board of Trustees will be on 9/28 at 8pm at the William J. Vescio Community Center with a Work Session at 7pm.

Public Comments

There were no public comments

Appointment of Police Chief

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

BE IT FURTHER RESOLVED that Donald Gorey is hereby appointed as Provisional Police Chief effective September 8, 2016 with a salary of \$143,000.00.

Tax Certiorari – Urstadt Biddle Properties, Inc.

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

WHEREAS, Urstadt Biddle Properties, Inc. 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 2011-2013; and

WHEREAS, the tax certiorari filings relate to Village of Briarcliff Manor fiscal years 2012-2013, 2013-2014 and 2014-2015; and

WHEREAS, a Consent Order of the Supreme Court of the State of New York, County of Westchester, was entered on July 21, 2016;

WHEREAS, the Consent Order was received after the finalization of the approval of the Village budget for Fiscal Year 2016-2017;

WHEREAS, the Consent Order reduced the tax assessment for the subject property for the Fiscal Years 2012-2013, 2013-2014 and 2014-2015 assessment roll; and

NOW THEREFORE, BE IT RESOLVED that the Board of Trustees does hereby authorize the refund of the tax bill for Fiscal Years 2012-2013, 2013-2014 and 2014-2015 in the amount of \$5,266.56 based upon the reduced assessment value in the Consent Order.

Year	Address	Assessed Value	New Assessed Value	Assessment Reduction	Original Tax Amount	Reduced Tax Amount	Refund
2011	1844 Pleasantville Rd.	\$57,100	\$40,950	\$16,150	\$5,157.27	\$3,698.60	\$1,458.67
2012	1844 Pleasantville Rd.	\$57,100	\$36,600	\$20,500	\$5,366.71	\$3,439.96	\$1,926.75
2013	1844 Pleasantville Rd.	\$57,100	\$37,740	\$19,360	\$5,548.18	\$3,667.04	\$1,881.13
				\$56,010			\$5,266.56
				TOTAL AV REDUCTION			TOTAL REVENUE REDUCTION

Authorize the Village Manager to Execute a Lease Agreement for 200 Scarborough Station Road with the United States Postal Service

The agreement was tabled to a future meeting.

Authorize the Village Manager to Authorize an Extension to an Agreement with the New York State Department of Transportation for the 2016-2017 Snow and Ice Agreement

Upon motion by Trustee Wilson, seconded by Trustee Zirman, 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 the New York State Department of Transportation to extend the Indexed Lump Sum Municipal Snow and Ice Agreement for the period from July 1, 2016 through June 30, 2017 in the amount of \$4,085.85.

Authorize Village Manager to Execute a Master Municipal Multi-Modal (MM) Capital Project Agreement with the New York State Department of Transportation

The Board thanked Village Staff for all the work they did to make the project happen and thanked the other municipalities for joining the effort and asked them to fund the project as pledged.

Upon motion by Trustee DeRose, seconded by Trustee Wilson, the Board voted unanimously to approve the following resolution subject to review by Village Counsel:

Authorizing the implementation, and funding in the first instance of the State Multi-Modal Program-aid (and State administered federal program-aid) eligible costs, of a capital project, and appropriating funds therefore.

WHEREAS, a Project for the Road Reconstruction to ease traffic transiting east/west through the Route 9A/North State Road Intersection, P.I.N. 8MA 197.30A (the Project") is eligible for funding (under Title 23 U.S. Code, as amended, and) New York States Multi-Modal Program administered by the NYS Department of Transportation (NYSDOT); and

WHEREAS, the Village of Briarcliff Manor desires to advance the Project by making a commitment of advance funding of the non-local share and funding of the full local share of the costs of the Project; and

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

RESOLVE, that the Village of Briarcliff Manor Board hereby approves the above-subject project; and it is hereby further

RESOLVED, that the sum of \$800,000 is hereby appropriated from other local funding and made available to cover the cost of participation in the above phase of the Project; and it is further

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

RESOLVED, that the Village Manager of The Village of Briarcliff Manor be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Multi-Modal Program Funding on behalf of the Village of Briarcliff Manor with NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and all project costs that are not so eligible, and it is further

RESOLVED, that a Certified Copy of this Resolution be filed with the Commissioner of Transportation of the State of New York by attaching it to any required and/or appropriate Agreements executed in connection with the project between Village of Briarcliff and the State of New York; and it is further

RESOLVED, that this Resolution shall take effect immediately.

State Environmental Quality Review Act Negative Declaration - Route 9A & North State Road Intersection Improvements

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

WHEREAS, the Board of Trustees ("Board of Trustees") of the Village of Briarcliff Manor, New York ("Village") is undertaking roadway improvements to the intersection of Route 9A and North State Road ("Proposed Action") and accordingly prepared an accompanying Short Environmental Assessment Form Part 1, prepared by Sarah K. Yackel of BFJ Planning, Village Planning Consultant, dated May 9, 2016 ("EAF"); and

WHEREAS, the Proposed Action has primarily local impacts, and the Board of Trustees is the local agency involved in the Proposed Action which has the broadest governmental powers for the investigation into the impacts of the Proposed Action and the greatest capability for providing the most thorough environmental assessment of the Proposed Action; and

WHEREAS, the Board of Trustees has determined that the Proposed Action is subject to the State Environmental Quality Review Act ("SEQR"), that it does not

involve any federal agency, that it will involve other agencies, and that it is classified as an Unlisted Action under SEQR; and

WHEREAS, the Board of Trustees by Resolution adopted July 20, 2016 declared its intent to serve as lead agency and circulated the Part 1 EAF for a 30-day coordinated review to all involved agencies as follows: Westchester County Board of Legislators, Town of Ossining, New York State Department of Transportation, Region 8; and

WHEREAS, during the 30-day coordinated review period, no objections as to lead agency status were received and on or about August 19, 2016, the Board of Trustees became lead agency; and

WHEREAS, the Board of Trustees reviewed an EAF Parts 2 and 3 dated August 29, 2016, prepared by BFJ Planning, and the EAF Part 2 did not identify any potential moderate to large environmental impacts.

NOW THEREFORE, BE IT

RESOLVED, that pursuant to SEQR, the Board of Trustees hereby determines that construction of the proposed improvements to the intersection of Route 9A and North State Road will not have a significant impact upon the environment and hereby adopts a Negative Declaration under SEQRA in accordance with the applicable provisions of law with respect to the Amended Site Plan Application.

Fire Department Memberships

The Board thanked the new members for volunteering.

Upon motion by Trustee Wilson, seconded by Trustee Zirman, 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 **Peter J. Ceravino** to the Briarcliff Manor Engine Company.

BE IT RESOLVED, that the Board of Trustees of the Village of Briarcliff Manor hereby approves the under 18 membership of **Joseph Raphael** to the Briarcliff Manor Engine Company.

Minutes

Upon motion by Trustee DeRose, seconded by Trustee Wilson, the Board voted unanimously to approve the minutes of August 17, 2016.

Adjournment

Upon motion by Trustee Wilson, seconded by Trustee Zirman, the Board voted unanimously to adjourn the meeting at 9:06pm.

Respectfully Submitted By,
Christine Dennett
Village Clerk