

A Regular Meeting of the Board of Trustees of the Village of Briarcliff Manor, New York was held at the William J. Vescio Community Center on the 7th of March, 2023 commencing at 7:30 p.m.

Present

Steven A. Vescio, Mayor
Peter S. Chatzky, Deputy Mayor
Kevin Hunt, Trustee
Rhea Mallett, Trustee
Edward E. Midgley, Trustee

Also Present

Josh Ringel, Village Manager
Christine Dennett, Village Clerk
Josh Subin, Village Attorney
David Turiano, Village Engineer

Pledge of Allegiance

Swearing in of Police Officer

Mayor Vescio swore in Police Officer Michael Juliano.

Upon motion by Trustee Hunt, seconded by Trustee Mallett, the Board voted unanimously to approve the following resolution:

BE IT RESOLVED that Michael Juliano of Croton on Hudson, New York is hereby appointed, effective March 8, 2023, to the position of Police Officer Grade 4 to be paid at an annual salary of \$95,708.06 as per the Village of Briarcliff Manor PBA Collective Bargaining Agreement salary scale effective June 1, 2022.

BE IT FURTHER RESOLVED that the Village Manager will undertake the necessary administrative steps to get Office Juliano appointed.

Roll Call:

Trustee Mallett	Aye
Trustee Midgley	Aye
Trustee Hunt	Aye
Deputy Mayor Chatzky	Aye
Mayor Vescio	Aye

Continued Public Hearing to Renew a Special Use Permit – American Anglican Church Diocese of the Holy Innocents – 680 Albany Post Road

Bishop Herzog thanked the Board for all that they do.

Upon motion by Trustee Hunt, seconded by Trustee Mallett, the Board voted unanimously to close the public hearing.

Upon motion by Trustee Mallett, seconded by Trustee Hunt, the Board voted unanimously to approve the following resolution:

BE IT RESOLVED that the Special Use Permit issued to American Anglican Church (Holy Innocents) is hereby renewed subject to the same conditions included in the original Special Use Permit approval dated May 1, 2003.

BE IT FURTHER RESOLVED that the Special Use Permit renewal shall extend to May 1, 2028.

BE IT FURTHER RESOLVED that should the American Anglican Church (Holy Innocents) desire to renew this Special Use Permit for another five-year period, commencing in 2028, the Church shall be responsible for requesting the renewal at least sixty (60) days prior to the expiration of the Special Use Permit.

Continued Public Hearing to Amend Chapter 202-7, Tree Preservation Board

Deputy Mayor Chatzky gave a brief synopsis of the amendments.

Upon motion by Trustee Mallett, seconded by Deputy Mayor Chatzky, the Board voted unanimously to close the public hearing.

Upon motion by Trustee Mallett, seconded by Deputy Mayor Chatzky, the Board voted unanimously to approve the following resolution as amended:

BE IT RESOLVED that the proposed local law to amend Chapter 202-7, Tree Preservation Board is hereby adopted.

Roll Call:

Trustee Mallett	Aye
Trustee Midgley	Aye
Trustee Hunt	Aye
Deputy Mayor Chatzky	Aye
Mayor Vescio	Aye

Public Hearing to Amend Chapter 186, Streets and Sidewalks

Upon motion by Mayor Vescio, seconded by Trustee Mallett, the Board voted unanimously to open the public hearing.

Deputy Mayor Chatzky gave a brief synopsis of the amendments.

The Board had general discussion regarding the proposed length of the permits.

Upon motion by Deputy Mayor Chatzky, seconded by Trustee Mallett, the Board voted unanimously to adjourn the public hearing to March 28, 2023.

Board of Trustees Announcements

- The Fire Department is seeking volunteers to join the department.
- Call for Volunteers for Village Committee and Boards. Send letters of interest and resumes to BOT@briarcliffmanor.org
- The Village Election will be on March 21st from 6am-9pm at the Community Center.

Recreation Advisory Committee:

- Online Registration is up and running.
- March 20th Spring Program Registration opens.
- March 27th begins camp registration.
- April 1st is the Egg Hunt.
- Picks and Pickleball will be on May 20th.
- Program and Event information can be found on the website.

Library Board:

- Many program offerings listed on their website.
- Museum passes are available.
- The next Library Board meeting is scheduled for March 15th.
- A Major Andre Reenactment will be held on March 25th.

Village Manager's Report

- The Tree Inventory Report will be given on March 28th.
- Residents can bring their recycling directly to DPW.
- A new cell phone recycling program has begun. Dropoff sites can be found in several locations.
- The Senior Bus is available and use is encouraged.
- A request for a School Zone sign was received by the High School Campus.
- 1050 Pleasantville Road will be fenced in and demolished on March 6th.

Village Engineer's Report

- An extension was granted DEIS for the Meadows at Briarcliff Project in the Town of Mount Pleasant. Potential impacts to the Village are being reviewed. The next hearing is March 30th.

- Easements for the Mobility Project are being reviewed.
- The bike trail grant project will be rebid.
- Cross Access will be put out to bid shortly.
- 1050 Pleasantville Road will be demolished on March 13th.
- 235 Elm Road was issued several fire safety violations.
- An update was given on the Youth Center renovation.
- N. State Road Transite Pipe work will begin in April.
- A meeting to discuss Pine Road Drainage will be held this week.

Public Comments

There were no public comments.

Schedule Annual Organizational Meeting

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

BE IT RESOLVED, that the Annual Organizational Meeting of the Board of Trustees is hereby scheduled for Tuesday, April 4, 2023 at 7:00 pm.

Schedule 2023-2024 Tentative Budget Public Hearing

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

BE IT RESOLVED, that a Public Hearing for the 2023-2024 Tentative Budget is hereby scheduled for Tuesday, April 4, 2023 at 7:30 pm.

Schedule Public Hearing to Amend Chapter 195, Taxation, Article VII Hotel Room Occupancy Tax

Deputy Mayor Chatzky gave a brief synopsis of the amendments.

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

BE IT RESOLVED that a Public Hearing is hereby scheduled for the March 28, 2023 Board of Trustees meeting at 7:30pm at the William J. Vescio Community Center located at 1 Library Road, Briarcliff Manor, New York to hear and discuss a proposed local law to amend Chapter 195, Taxation, Article VII Hotel Room Occupancy Tax.

Schedule Public Hearing to Amend Chapter 178, Solar and Alternative Energy, Article III, Alternate Energy System PILOT

Deputy Mayor Chatzky gave a brief synopsis of the amendments.

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

BE IT RESOLVED that a Public Hearing is hereby scheduled for the March 28, 2023 Board of Trustees meeting at 7:30pm at the William J. Vescio Community Center located at 1 Library Road, Briarcliff Manor, New York to hear and discuss a proposed local law to amend Chapter 178, Solar and Alternative Energy, Article III, Alternate Energy System PILOT.

Consider Special Use Permit Request – IPPsolar Integration LLC, Chilmark Shopping Center, 1856 Pleasantville Road- Lead Agency Determination, Planning Board Referral and Scheduling of Public Hearing

Mr. Mazier Daleli, Applicant, explained the proposal.

Village Engineer Turiano stated the amendment was also for the shared parking at the shopping center.

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

LEAD AGENCY DETERMINATION

BE IT RESOLVED that the Village of Briarcliff Manor Board of Trustees issues this Notice of Intent for the purpose of determining lead agency pursuant to the requirements of the State Environmental Quality Review Act (SEQRA) and Part 617 (6NYRR Part 617), the Statewide implementing regulations pertaining to SEQRA. If no written objections are received the Village of Briarcliff Manor Board of Trustees will assume lead agency 30 days after the date of this notice. This notice has been prepared pursuant to Article 8 of the Environmental Conservation Law.

Project Title: IPPsolar Integration, LLC

Project Location: 1856 Pleasantville Road, Village of Briarcliff Manor, Westchester County, New York

SEQRA Type: Unlisted Action

Project Description: IPPsolar Integration LLC (the “Applicant”) is proposing to install a Battery Energy Storage System (BESS) in the rear parking lot area of

the Chilmark Shopping Center located at 1856 Pleasantville Road (90.17-1-5.1) within the Village's B1 Zoning District. The BESS would have a footprint of approximately 1,300 square feet and would sit on a concrete pad and be fully enclosed. The BESS would be comprised of three (3) Tesla MegaPack units, with a total energy capacity of 9,438 kWh. The BESS would be connected to the main utility grid and assist with electrical demand. The Applicant is requesting a special permit for a Tier II BESS from the Village Board of Trustees pursuant to Village Code Chapter 178 Solar and Alternative Energy and Chapter 220-6.J.(16) Tier 2 battery energy storage systems. The Applicant will also require Site Plan Approval from the Planning Board.

Contact Person: Christine Dennett, Village Clerk
Briarcliff Manor, NY
1111 Pleasantville Road
Briarcliff Manor, New York 10510
Phone: 914-941-4800
cdennett@briarcliffmanor.gov

PLANNING BOARD REFERRAL

BE IT RESOLVED that the request for a Special Use Permit by IPPsolar Integration LLC, Chilmark Shopping Center, 1856 Pleasantville Road is hereby directed to the Planning Board for review and recommendation.

SCHEDULE PUBLIC HEARING

BE IT RESOLVED that a Public Hearing to hear and consider a request for a Special Use Permit by IPPsolar for the use of a portion of the property located at 1856 Pleasantville Road for a BESS is hereby scheduled for Tuesday, April 18, 2023 at 7:30 pm or soon thereafter at the William J. Vescio Community Center located at 1 Library Road, Briarcliff Manor, NY 10510.

Roll Call:

Trustee Mallett	Aye
Trustee Midgley	Aye
Trustee Hunt	Aye
Deputy Mayor Chatzky	Aye
Mayor Vescio	Aye

Authorize Village Manager to Execute Agreement with Westchester County for Enhanced 911 Service

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

BE IT RESOLVED that the Village Manager is hereby authorized and directed to execute an Agreement with Westchester County to provide Enhanced 911 Service for a five-year term commencing October 1, 2022 and continuing through September 30, 2027.

Authorize Village Manager to Execute Sidewalk Easement Agreement for 1168 Pleasantville Road

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

BE IT RESOLVED that the Village Manager is hereby authorized to execute a Sidewalk Easement Agreement with Leemilt's Petroleum, Inc for 1168 Pleasantville Road and related recording forms as needed, subject to immaterial changes in the reasonable discretion of the Village Manager and Village Counsel.

DASNY Funding – SEQR Determination - Long Hill Pump Station and Water Shaft

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

WHEREAS, the Board of Trustees of the Village of Briarcliff Manor, Westchester County, New York, is proposing to fund and decommission the Long Hill Pump Station water shaft and convert it to a trail head comfort station to serve Pine Hill Road Park (the "Proposed Action"); and

WHEREAS, the pump house is located on a ±.92-acre parcel owned by the New York City Department of Environmental Protection (NYCDEP) and is located on the north side of Long Hill Road E (Section 105.06, Block 1, Lot 12) within the Village-owned Pine Hill Park; and

WHEREAS, the Long Hill Pump Station served as the Village's main source of water supply from its original construction in 1959 up until January 26, 2012. The decommissioning includes the removal of the pumping aspect of the facility including the in-shaft removal of the pump inlets. The New York City Department of Environmental Protection (NYCDEP) will not fully deobligate the Village from its water taking agreement (and associated fees) until the pumping equipment is removed; and

WHEREAS, once the pumping component is removed, the Village would install a composting toilet that is being partly funded by Sustainable Westchester; and

WHEREAS, the Village consulted with the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) who conducted a review of the proposed project in accordance with the New York State Historic Preservation Act of 1980 and based on this review, OPRHP, by letter dated February 3, 2023, determined no properties, including archeological and/or historic resources, listed in or eligible for the New York State and National Registers of Historic Places will be impacted by the Proposed Action; and

WHEREAS, the Village is also seeking funding from the Dormitory Authority of the State of New York (DASNY) for the decommissioning and conversion project; and

WHEREAS, pursuant to 6 NYCRR Part 617 (“SEQR”) the Project is classified as an Unlisted Action; and

WEHERAS, the Board of Trustees of the Village of Briarcliff Manor have conducted an Uncoordinated Review of the Proposed Action under SEQR and is the Lead Agency for the SEQR review of this Unlisted Action; and

WHEREAS, the Board of Trustees of the Village of Briarcliff Manor reviewed a Short Environmental Assessment Form (Short EAF) Parts 1, 2 and 3 dated February 23, 2023.

NOW THEREFORE BE IT RESOLVED, that pursuant to 6 NYCRR Part 617, State Environmental Quality Review, the Board of Trustees of the Village of Briarcliff Manor hereby confirms its Lead Agency designation for the SEQR Review of the Proposed Action.

BE IT FURTHER RESOLVED, that pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law, the Lead Agency has determined that the Proposed Action will not have a significant adverse effect on the environment for the reasons enumerated in the attached Negative Declaration Form (Short EAF Part 3).

BE IT FINALLY RESOLVED that this SEQR Negative Declaration resolution shall have an effective date of March 7, 2023.

DASNY Funding – SEQR Determination - Club Trail

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

WHEREAS, the Board of Trustees of the Village of Briarcliff Manor, Westchester County, New York, is proposing to fund and construct a proposed ¼-mile walking trail to be located on “the Club” property located at 25 Scarborough Road, Briarcliff Manor, NY (Section 98.13, Block 1, Lot 14 - the “Proposed Action”); and

WHEREAS, the proposed 1/4-mile stonedust track would be 8 feet wide and encircle the "the Club" sports field. The proposed walking path would have access to “the Club” field parking lot (80 cars) and would have access to the walking path in the lower component of “the Club” complex.; and

WHEREAS, the Village does not own the property but has a perpetual easement to use the site for recreation; and

WHEREAS, The Village consulted with the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) who conducted a review of the proposed project in accordance with the New York State Historic Preservation Act of 1980 and based on this review, OPRHP, by letter dated February 10, 2023, determined that the project will have no adverse impact on historic or archeological resources; and

WHEREAS, the Village is also seeking funding from the Dormitory Authority of the State of New York (DASNY) for the decommissioning and conversion project; and

WHEREAS, pursuant to 6 NYCRR Part 617 (“SEQR”) the Project is classified as an Unlisted Action; and

WEHERAS, the Board of Trustees of the Village of Briarcliff Manor have conducted an Uncoordinated Review of the Proposed Action under SEQR and is the Lead Agency for the SEQR review of this Unlisted Action; and

WHEREAS, the Board of Trustees of the Village of Briarcliff Manor reviewed a Short Environmental Assessment Form (Short EAF) Parts 1, 2 and 3 dated February 27, 2023.

NOW THEREFORE BE IT RESOLVED, that pursuant to 6 NYCRR Part 617, State Environmental Quality Review, the Board of Trustees of the Village of Briarcliff Manor hereby confirms its Lead Agency designation for the SEQR Review of the Proposed Action.

BE IT FURTHER RESOLVED, that pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act)

of the Environmental Conservation Law, the Lead Agency has determined that the Proposed Action will not have a significant adverse effect on the environment for the reasons enumerated in the attached Negative Declaration Form (Short EAF Part 3).

BE IT FINALLY RESOLVED that this SEQR Negative Declaration resolution shall have an effective date of March 7, 2023.

Resolution in Support of Bill S.4020/A.3392 Related to Emergency Medical Services

The agenda item was tabled to a future meeting.

Minutes

Upon motion by Deputy Mayor Chatzky, seconded by Trustee Hunt, with one abstention by Mayor Vescio, the Board voted to approve the minutes of February 21, 2023.

Roll Call:

Trustee Mallett	Aye
Trustee Midgley	Aye
Trustee Hunt	Aye
Deputy Mayor Chatzky	Aye
Mayor Vescio	Abstained

Amend Master Fee Schedule – Police Overtime Rate

Upon motion by Deputy Mayor Chatzky, seconded by Trustee Hunt, with a no vote from Mayor Vescio, the Board voted to approve the following resolution:

BE IT RESOLVED that the Police Off Duty Overtime rate is hereby adjusted to \$165 per hour effective immediately; and

BE IT FURTHER RESOLVED that the fee will be reviewed annually by the Village Manager.

Roll Call:

Trustee Mallett	Aye
Trustee Midgley	Aye
Trustee Hunt	Aye
Deputy Mayor Chatzky	Aye
Mayor Vescio	Nay

Adjournment

Happy belated birthday to David Turiano!

Upon motion by Trustee Hunt, seconded by Trustee Mallett, the Board voted unanimously to adjourn the regular meeting at 9:21pm.

Respectfully Submitted By,

Christine Dennett
Village Clerk