

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 5th of September, 2023 commencing at 7:30 p.m.

Present

Steven A. Vescio, Mayor
Peter S. Chatzky, Deputy Mayor
Kevin Hunt, Trustee via Zoom
Rhea Mallett, Trustee

Also Present

Josh Ringel, Village Manager
Christine Dennett, Village Clerk
Joshua Subin, Village Attorney
Jeffrey Gaspar, Village Engineer

Pledge of Allegiance

Continued Public Hearing Special Use Permit Request – IPPsolar Integration LLC, Chilmark Shopping Center, 1856 Pleasantville Road – **to be immediately adjourned to a date determined by the Board.**

Upon motion by Deputy Mayor Chatzky, seconded by Trustee Hunt, the Board voted unanimously to adjourn the public hearing to November 14, 2023 at 7:30pm.

Public Hearing to Amend Chapter 186, Streets and Sidewalks, Article V

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

Deputy Mayor Chatzky briefly explained the proposed changes.

Mr. Marc Janowitz of 51 Larch Road asked if there currently was a fee for minor repairs and asked why a fee was proposed at all when a resident is doing a repair that benefits the Village.

Deputy Mayor Chatzky stated the current code was a bit ambiguous so the changes were to make it clearer.

Upon motion by Trustee Mallett, seconded by Trustee Hunt, the Board voted unanimously to adjourn the public hearing to October 3, 2023.

Public Hearing to Amend Chapter 220-17, Board of Appeals

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

Deputy Mayor Chatzky briefly explained the proposed changes.

The Board referred the local law to the Planning and Zoning Boards for their review and comment.

There were no public comments.

Upon motion by Deputy Mayor Chatzky, seconded by Trustee Hunt, the Board voted unanimously to adjourn the public hearing to October 3, 2023.

Board of Trustees Announcements

- Happy Labor Day. The pool remains open.
- Community Day is on September 9th and will be featuring a dunk tank and many other events.
- Adult Trivia on September 14th.
- Fall program registration begins soon.
- Save the date for:
 - Scarecrow Making 10/14
 - Window Painting 10/21
 - Ragamuffin Parade 10/28
- Join the Fire Department and make sure your houses are number in accordance with Chapter 94 so the Fire and Police Departments can find you in an emergency.
- Senator Harckham awarded the Village a Crest Grant. Thanks to him for his continued support.
- SAC is meeting Thursday at 7pm and will have a table at Community Day.
- Wear reflective gear at dawn and dusk and cars are reminded to share the road.
- Openings on several Boards and Committees including a Village Trustee opening. Send letters of interest and a resume to BOT@briarcliffmanor.gov by September 18th.

Village Manager's Report

- The dunk tank will be from 4:30-7:30pm.
- Storm season is upon us. Sign up for NIXLE.
- Hydrants are being flushed on Magnolia Road.
- River otters were seen in Law Park pond.

Village Engineer's Report

- The Village is trying to recoup funds for Sparta Brook.
- A survey of the Pocantico River is being done near Jackson Road.
- There was a water main break on Chappaqua Road/Route 100.
- A bid is being done for fencing at the Farm Road water tank.

From: H5110-201-24491	23/24 Annual Paving	\$50,000
H1440-201-24290	Lib Parking Lot-Inc. Drop at Curb	\$40,000
To: H5110-201-23481	River Rd Islands and Intersect	\$90,000

Roll Call:

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

Award of Bid – River Road Islands and Law Park Parking Lot Project

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

WHEREAS, the Village of Briarcliff Manor (“Village”) duly bid and opened bids on August 23, 2023, for “VM-2324-3 River Road Islands and Law Park Parking Lot” (the “Project”); and

WHEREAS, the Village received 5 bids or the Project; and

WHEREAS, the Village Engineer has provided the Village Board with a memorandum dated August 29, 2023, a copy of which shall be annexed to this Resolution, detailing deficiencies and non-conformities in the apparent low bid submitted by VAD Construction Corp.; and

WHEREAS, the Bid Schedule of Prices submitted in the VAD Construction Corp. bid contain numerous apparent and material inconsistencies and errors; and

WHEREAS, the Notice to Bidders for the Project in part provides that the Village reserves the right to reject any or all bids and award contracts in a manner deemed to be in the best interests of the Village, even if such award is to other than the lowest bidder; and

WHEREAS, in light of all of the above, the Village Engineer has recommended that the Village Board reject the bid of VAD Construction Corp.

NOW THEREFORE, BE IT

RESOLVED, that the Village Board finds that the bid of VAD Construction Corp. contains numerous apparent and material inconsistencies and errors and hereby rejects the VAD Construction Corp. bid; and

BE IT FURTHER RESOLVED, that the Village Board hereby awards the contract for the Project to ELQ Industries, Inc. per their bid of \$138,715.90 being

the next lowest responsible bidder; and charged as follows pending satisfactory reference checks:

Budget Code	Description	Amount Available
H5110.201.23481	River Road Islands	\$57,125.25*
H1440.201.24290	Law Park Parking Lot	\$40,800.00
H5110.201.24491	Transfer from Annual Paving	\$60,000.00
	Total	\$157,925.25

*Following completion of capital budget transfers.

BE IT FURTHER RESOLVED, that the Village Manager is hereby authorized and directed to execute a contract with ELQ for said Project.

Roll Call:

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

Acceptance of Resignation from a Member of the Sustainability Advisory Committee

Thank Board thanked Ms. O'Brien-Torres for serving the community and stated she'd be missed.

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

BE IT RESOLVED that the Board of Trustees hereby accepts the resignation of Mary Torres as a Member of the Sustainability Advisory Committee effective August 3, 2023.

Minutes

Upon motion by Deputy Mayor Chatzky, seconded by Trustee Mallett, the Board voted to approve the minutes of the August 15, 2023 regular meeting.

Adjournment

Upon motion by Trustee Hunt, seconded by Deputy Mayor Chatzky, the Board voted unanimously to adjourn the meeting at 8:20pm.

Respectfully Submitted By,

Christine Dennett
Village Clerk