

Village of Buchanan
Mayor & Board of Trustees
Regular Meeting
Monday, January 3, 2011

PRESENT:

Mayor Sean Murray
Trustees Richard A. Funchion, Theresa Knickerbocker, Brian Smith and Nicholas Zachary
Village Administrator Kevin Hay
Village Secretary Susan F. Matthews

ABSENT:

Village Attorney Stephanie V. Porteus (ill)

1. PLEDGE OF ALLEGIANCE:

Mayor Murray opened the meeting at 7:30 PM, welcomed everyone, informed them of the fire regulations and led the Pledge of Allegiance.

2. APPROVE MINUTES: November 1, 2010 Regular Board meeting.

A MOTION to approve the minutes as presented was made by Trustee Funchion, seconded by Trustee Zachary with all in favor.

3. COMMENTS FROM THE FLOOR: (agenda items only)

None.

4. PUBLIC HEARING: AUTHORIZING ADOPTION OF LOCAL LAW ADDING CHAPTER 90, ENTITLED "FEES" TO THE CODE OF THE VILLAGE OF BUCHANAN TO PROVIDE FOR THE REGULATION OF FEES.

At 7:37 PM a MOTION to open the Public Hearing was made by Trustee Funchion, seconded by Trustee Knickerbocker with all in favor.

Mayor Murray explained that over the last couple of months and at the Workshop meeting, the Board had discussed the adding of this to our Village laws to pull all the fees out of our Code so that it is easier to amend. Currently if any fee is to be amended, it is necessary to amend an entire Code. What is proposed is to have them in one section so that if any are to be amended, there needs to be only one Public Hearing and only one piece of paper needs to be changed. The Mayor asked for comments. He noted that there were people in the audience who were at the

Workshop meeting when this was discussed. Public notice was given. He wanted to know how the Board felt about this.

Trustee Funchion thought this made sense because money goes up with inflation, so we do not have to go through a whole bureaucratic process to change fees. It is just a logistical thing. The Mayor advised that the proposed fee schedule is available at the Village Clerk's office if anyone wanted to review it. Trustee Smith noted that because this was the end of the holiday season, people may not have been aware of this. The Board decided to keep this Public Hearing open for another month to give people a further opportunity to review this. Mayor Murray noted that some fees were amended last year and others have not been amended for 30 years. The fee schedule denotes when each was last amended.

At 7:39 PM a MOTION to keep this Public Hearing open to the February 2011 Village Board meeting was made by Trustee Smith, seconded by Trustee Knickerbocker with Mayor Murray and Trustees Smith and Knickerbocker in favor and Trustees Funchion and Zachary opposed. The Motion was approved by a vote of 3-2.

5. PUBLIC HEARING: AUTHORIZING A TRAFFIC CHANGE AND CONVERTING CRAFT LANE INTO A ONE-WAY STREET.

At 7:40 PM a MOTION to open the Public Hearing was made by Trustee Funchion, seconded by Trustee Knickerbocker with all in favor.

Mayor Murray called for comments from the public. There were none.

Mayor Murray noted that there have been several complaints about traffic entering Route 9A from Craft Lane travelling eastbound, turning left or right onto Albany Post Road. It has been an on-going issue for several years. When a combination business and residential development was being planned across from Buchanan Hardware, traffic studies were done. They said the road curvature and hill was a problem with the views exiting Craft Lane travelling east. The Mayor advised that this Public Hearing was for a proposal to make it a one-way street and being able to only travel in a westbound direction.

Trustee Zachary was in favor. When he has driven across there, he finds there is enough of an obstruction that any inconvenience from people not being able to cut through that short block to get to Route 9A instead of going to the Stop sign at the corner is minimal. There is the threat of an accident there. It is very blind because of the curve, the height of the terrain plus the bushes. He feels it should be changed to one-way.

Trustee Knickerbocker was in favor. She agreed with Trustee Zachary. Several residents have approached her about the dangerous situation. There is minimal sight distance there. She will be voting for this as safety consideration for the residents.

Mayor Murray noted that he did not see any residents in the audience from Craft Lane, Cole Court or Lindsey Avenue, so this Public Hearing will be held open until next month. He hoped that residents from that area who see the broadcast of this meeting and the announcement on the scroll on the t.v. screen will come out next month. He did not feel comfortable voting on it tonight since no one from the area being discussed was present.

At 7:43 PM, a MOTION to keep this Public Hearing open until next month was made by Trustee Funchion, seconded by Trustee Knickerbocker with all in favor.

6. NEW BUSINESS:

- a) RESOLUTION AUTHORIZING ADOPTION OF LOCAL LAW NO. 1-2011 ADDING CHAPTER 90 TO THE CODE OF THE VILLAGE OF BUCHANAN TO PROVIDE FOR THE REGULATION OF FEES.

Mayor Murray advised that this is being held over until next month.

- b) RESOLUTION ADOPTING A MASTER FEE SCHEDULE.

Mayor Murray advised that this is being held over until next month.

- c) RESOLUTION AUTHORIZING A TRAFFIC CHANGE AND CONVERTING CRAFT LANE INTO A ONE-WAY STREET.

Mayor Murray advised that this is being held over until next month.

- d) 11-01 RESOLUTION DECLARING VILLAGE VEHICLE SURPLUS AND AUTHORIZING VILLAGE ADMINISTRATOR TO REQUEST PROPOSALS.

Mayor Murray read the Resolution (copy attached).

Mayor Murray advised that this vehicle was a 2004 former police car replaced by one the Village budgeted for and bought last year. The vehicle had a lot of electrical problems, so it was determined not to use it in another Village department because it would have needed a lot of work. It has been classified as surplus.

A MOTION to adopt this Resolution as presented was made by Trustee Knickerbocker, seconded by Trustee Funchion with all in favor.

- e) 11-02 RESOLUTION STATING POLLING PLACES AND HOUR FOR THE NEXT VILLAGE ELECTION.

Mayor Murray read the Resolution (copy attached).

Mayor Murray noted that this is something that the Board has to do every year.

A MOTION to adopt this Resolution as presented was made by Trustee Smith, seconded by Trustee Zachary with all in favor.

- f) 11-03 RESOLUTION APPOINTING INSPECTORS OF REGISTRATION AND ELECTION.

Mayor Murray read the Resolution (copy attached).

Village Administrator Hay confirmed that all the people had been contacted and were available.

A MOTION to adopt this Resolution as presented was made by Trustee Zachary, seconded by Trustee Smith with all in favor.

7. INFORMATION FROM OFFICERS & DEPARTMENTS:

- a) Police Report: December 2010

Received.

- b) Justice Court Report: October 2010; November 2010

Received.

- c) Attorney's Report.

Mayor Murray advised that Village Attorney Porteus was taken ill.

- d) Trustee's Reports.

Trustee Smith reported that he invited a firm called PSI Process Equipment to meet with him and George Smith at the Sewage Treatment Plant on Wednesday at 10:00 AM. He has advised the Village Administrator. Trustee Smith would like to see George Pommer or Village Engineer Jim Hahn also present to see this diffuser panel. Trustee Smith commented that it seems to be flexible. It provides an alternative to draining the tank to do maintenance. He very much would like the Village Engineer there. It is a small bubble diffuser.

Mayor Murray commented that that he wanted to further discuss diffusion because, as has been previously discussed and reported, we have been waiting for the State for a determination on whether we will need a nitrogen or ammonia mitigation process. We have been waiting for several months. We have been unable to receive any information from the State. That will determine if we use small bubble or manual aeration. Manual aeration is a lot cheaper than the small bubble diffusion which would be approximately \$400,000 more. The Mayor does not believe we should wait for the State any longer. If we wait, we will not be able to meet our time frame for funding from EFC and our obligations to the County to have the project completed by

October. The Mayor is in favor of manual aeration. We cannot wait another six months. He wanted to know how the Board felt.

Trustee Smith felt that we should have already had the bond ready and out to bid. He feels that whether we use diffusion or aeration is secondary. In hindsight, it is information that the Board should have acted on faster. Mayor Murray commented that if the Board does not act in the next couple of weeks, we will miss the EFC funding deadline and even if we get it within three weeks of those deadlines, we still might miss other milestones required by the State. He favors contacting the Village Engineer and going with manual aeration. The vendor for the manual aeration has guaranteed a certain oxygen level. The Mayor does not have it in writing yet.

Trustee Funchion wanted to know what the consequences were of not waiting. He wanted to know if we go forward with the mechanical aeration, can the State come back and say we should have done something else. Mayor Murray advised that we will have met our SPEDES permits. If the Village Engineer agrees with that, the Mayor will advise Village Administrator Hay to speak with him tomorrow to start planning for the manual aeration and have the paper work submitted by the February EFC deadline so we can get our funding and move forward with the project.

Kevin Arasim, 215 Catharine Street, wanted to know what the Village Engineer's position was and what he was recommending. Mayor Murray advised that he was recommending manual aeration. Mr. Arasim wanted to know if he was going to warranty that. Trustee Knickerbocker noted that she has asked the Village Engineer several times. She does not want to go through the expense and costs and then months from now the State comes through and says we should have done something else. The Village Engineer is guaranteeing that we will have the necessary "D O" levels for the SPEDES permit. Mr. Arasim wanted to know the longevity and the warranties and wanted it in writing. Mayor Murray commented that they have been in service for 50 years. We have been waiting for the State to tell us whether we have to mitigate the ammonia. We can do that with the manual aeration but we cannot take the nitrogen out.

Trustee Smith felt it would be great to have George Pommer or Village Engineer Hahn to see the presentation on Wednesday. Mayor Murray directed the Village Administrator to have the Village Engineer come down as requested.

Trustee Zachary agreed that we have to move quickly because we have had some delays and time is of the essence. But he is not 100% convinced that we should do the mechanical aeration. He wanted to know if we can go to the next Workshop and possibly have a presentation. Mayor Murray noted that the next Workshop is in three weeks. That would give the Board just one week to have all the engineering done on it to submit to the EFC. Trustee Zachary wanted to know if proceeding here needs the vote of the Board. The Mayor advised that it does not. Trustee Zachary does not think we have gotten a really good presentation that stands for the bubble diffusion. He is very concerned about doing something that is going to last 10 or 15

years instead of longer. He is not sure if either of these systems will last longer. He wanted to know if the tanks are in good shape. He does not think there have been any careful tests done on them. He commented that he does not want to put a million dollar band aid on a junk heap, much as he wants to see it moved along. Mayor Murray commented that neither engineering firm ever said that there was a structural instability with the tanks. The only structural issue was with some of the I-Beams on the bridges. Trustee Zachary wanted to know if we go with mechanical aeration, do we have to rebuild or restore them. Mayor Murray advised that the previous Village Engineer wanted to replace all the steel. The current Engineer believes we can repair that steel. Mr. Arasim commented that he believes that is a 100% false statement and a mistake. He believes that in two years, we will be repainting it again and in four years we will be having this same conversation.

Mayor Murray advised him that we were in "Trustees Reports" on the agenda. When we come to "Comments from the Floor", he could discuss this more.

Trustee Knickerbocker commented that just so everybody feels comfortable was there any way we can have a special meeting. If that is what the Board wants to do, she will contact the EFC. They have said that they would like to come here to see the plant and work with the Board to start the process. Mayor Murray requested to see if they can come on Wednesday. Trustee Smith invited any member of the Board to come. It will be on Wednesday at 10:00 AM. Mayor Murray advised that we are not allowed to have a quorum of the Board there to discuss what you will come up with as a decision on what you will do. Trustee Funchion commented that the Board can go for information. Mayor Murray advised that as long as they do not make a decision or conduct any business, they can bring back information. Trustee Funchion was in favor of Trustee Knickerbocker's suggestion to have a special meeting to have a little more information. After seeing this presentation on Wednesday, he feels they will have more knowledge. Trustee Knickerbocker commented that the EFC is willing to help us go through the process.

Mayor Murray commented that we cannot wait for the State for another couple of months. We will miss all our milestones that we have made commitments to. The bond market is fluctuating erratically and he wants to lock something in as fast as possible.

Trustee Zachary wanted to know if the State changes the requirements as far as nitrogen mitigation once we have started, would they grandfather us. Mayor Murray commented that they would have to ask the Village Attorney that question.

Trustee Funchion reported that he attended the Historic Hudson River Towns organization meeting in early December. Buchanan is a member. One of the main agenda items was the Smart Growth Plan which is also a new State law. This probably will not affect Buchanan much since we are geographically a small area. The concept is that any community, city, village or town going forward with any infrastructure repairs or development will have to follow the 10

tenets of Smart Growth, especially to get any State or Federal bonds. Trustee Funchion commented that it is a little more bureaucracy in the process but that the concept is good. Instead of moving out further into farm land and suburban areas, it is to look inward to the middle of the city to try to save and change when new infrastructure is created. There was also a presentation by IBM who is developing a program that all the municipalities can use at one time without the need for separate computer programs. It is called the Cloud Theory. Starting with villages, towns and cities that have parking associated with commuter railroads, the fees for that could all be gathered in one place instead of each community having to have its own server. Also dog licensing fees could be done this way. Eventually, they would like to see one basic program for the general things for each community instead of each spending money on its own.

Trustee Funchion reported that he also attended the Westchester Municipal Officials Meeting. The Chief Economic Officer for Westchester County, Laurence Gottlieb, spoke about what to do to attract businesses to Westchester. Westchester County has the most educated people in the United States, in terms of level of education. Westchester Community College is the number one community college in the country.

Trustee Funchion reported that he finalized the letter to local businesses to see if there is any interest in an organization.

Trustee Funchion reported that he attended a Saint Patrick's Day Parade Committee meeting. The parade will be on March 13 at 2:00 PM. The fund raiser will be on March 5 at 7:00 PM in the Buchanan Fire House. Everyone is invited. It is a good time. Come out and support the parade and party.

Trustee Funchion thanked the Highway Department for their work in the recent snowfall. They always do an exceptional job, especially when he saw how New York City did. He commented that when he moved up here from New York City 35 years ago, after the first big snowfall, he was asked how they did here. He told them that by the time he finished clearing his driveway, his road was not cleared.....it was dry!

Trustee Zachary commented that the Resolution the Board passed setting up the polling place for Election Day included a March 15th day for registration of new voters. He encouraged people to be part of the process. His son is a high school Senior and will become a first time voter. Trustee Zachary encouraged everyone to get their kids involved with their community in any way they can and that voting is a good way to start.

Trustee Zachary reported that January 20 at 7:00 PM will be the first meeting for Buchanan Day to be held next September. Anyone who is interested is welcome.

Trustee Knickerbocker reported that the Village had applied for a water quality improvement project with the DEC. They came out with their determinations. There was \$61.5 million dollars available and 100 projects received some funding. We did not make this cut. There was

only \$3 million that came to Westchester County; for projects in Sleepy Hollow, Port Chester and Yonkers. We are still on the list for any future grants. The Board will continue to look for

Trustee Knickerbocker reported on the Veterans Food Pantry. She thanked the Buchanan residents who contributed; the Buchanan Seniors; and Scout Troop 36 in Montrose. Paul Pynch is in charge of the latter. They contributed to the food drive. It was very successful. She read a thank you note from Duke Searles who is in charge of the Montrose V.A. food pantry. She reported that Russ Harrison is also collecting cookies for the veterans at the Montrose V.A. There is a coffee service for the veterans. There is a box downstairs at Village Hall for contributions.

e) Mayor's Report.

Mayor Murray reported that as everybody is aware, the Village has been in litigation against CK Trucking over Lent's Cove fill. Over the past two years, there have been numerous motions to dismiss. A year or so ago, four out of five charges were dismissed. On October 29, 2010 there was another motion to dismiss the lawsuit. Mayor Murray read the dismissal. There are no more issues. With the order granted on November 1, 2010, and filed on December 6, 2010, the Village is no longer in litigation with CK Trucking.

Mayor Murray thanked Recreation Supervisor Nancy Bayer and Mike Baisley. They were very busy. On December 7, they put together a great program for Pearl Harbor Day in two weeks. The Mayor noted that Nancy Bayer has only been here one year. She jumped in feet first and did a lot.

Mayor Murray reported that the Buchanan Fire Department held their annual Christmas party. Toys were donated. It was all financed through donations. Every child got a toy and a great time was had by all. The Buchanan Engine Company accepts donations.

Mayor Murray reported that Anna Kahanthy came by to say she had noticed something that she did not feel was right. There was an electrical component in the kitchen that was broken.

She notified the Village that there was an issue. Mayor Murray commented that if anybody feels there is something that is not right, to just tell the Fire Department or the Police. If you feel something is out of the ordinary, notify the emergency responders. They are willing to come for anything, any place, for anything you feel is not right, because most of the time it is not.

Mayor Murray reported that along the same lines, he received a letter last week from a resident. You get full and efficient services from the EMS, the Police and Fire Department.

This person called about wires coming down

The Police

The Highway Department came out. They are there to serve you at any time.

8. COMMENTS FROM THE FLOOR:

Kevin Arasim, 215 Catherine Street, thought that we missed an opportunity last time around because we did not have shovel ready projects. He wanted to know if there is a likelihood that there is anything planned. Mayor Murray advised that the main thing now is the Sewage Treatment Plant.

What has been holding them up with the funding the grant, the Federal stimulus or Federal appropriations, we have to follow the complete the appropriate deadlines in effect and the EFC

Mr. Arasim commented that other towns got money because they had plans ready for it. He commented that he drives up and down the streets and we need sidewalks and that Rte. 9A should be refurbished. He commented that no matter which way you come into town, it is not very attractive. He loves living here. But there are things he feels that anyone walking down the street could see need to be done. They are not large scale things or things you need an engineer to design such as a simple sidewalk. He wants to dress up the main road in the town.

Mayor Murray advised that Rte. 9A is a State road. Whenever an applicant in the Village has a business on Rte. 9A, they are asked to put in sidewalks. The Village cannot improve a State road. The Village has put in for Community Block Grant money for sidewalks. It was for a "2-to-1" grant. The County has put conditions on those grants to go with fair housing. We had a sidewalk project on Westchester Avenue where the Board needed residents to come out to say that they wanted to take their kids to B/V School. That fell through. The Board has had several projects that did not come to fruition but which they did try to get. We have not engineered any sidewalks or curbing in the Village.

Mr. Arasim commented that the bathrooms in the recreation center back up whenever it rains. He knows they are not in the budget but if there is grant money available, we should be able to say that we have plans to do this but we do not have the money. Then put in paperwork because we may get some of that grant money as many of our neighboring towns have. Mayor Murray advised that at the beginning of the summer, he asked the Highway Foreman to put together a list of projects. The Board has that list and is working with it. Concerning the recreation facilities, right now he is putting together bids for the flush-o-meters. We are talking about redoing the bathrooms at the ball field. There are issues with the underground piping there. There is a list of projects and we have a little more money in the budget for Recreation. Mr. Arasim commented that they do not have to budget but if there is government money available, we should have plans ready. He commented that Harrison got a multimillion dollar football field. It could be a wish list, as long as we are prepared with preliminary designs.

Trustee Zachary thanked him for bringing this subject up. He clipped a newspaper article about Briarcliff and Pleasantville got one half million dollars and their highway garages got topped off with solar panels giving them a huge energy savings. Trustee Zachary commented that it is not a great quality of life issue but it is a long term financial benefit for those villages. He noted that

he had brought up a couple of months ago that if we had the money, which would mean getting a grant, to change our street lighting to LED lighting to give us a huge energy savings. We cannot finance that unless we get a grant. The Board is pursuing whatever grants are available and has discussed getting someone who could get us grants.

Mayor Murray commented that in the spring, the Board put together what projects we wanted to do. Toward the end of the summer, the Board procured someone who was willing to write grants and gave us a prospectus. In September or October, the Board was ready to hire her. Last month, she decided that she had too much work and pulled out. Originally, she was willing to take us on because she said things were slow but it is not now slow enough to work with us. The Board has been vigorously pursuing getting a grant writer.

Mr. Arasim wants to see Village Engineer Hahn's report on the Sewage Treatment Plant and his methods and means of testing the concrete and the steel. He believes it should be public information. He wants it in layman's terms. Mr. Arasim remarked that listening to Village Engineer Hahn talk, and noting that he has worked with Mr. Hahn before, he feels it is smoke and mirrors. He remarked that Mr. Hahn is going to talk in technical terms, about chemistry and physics which 98% of the people do not understand and that a lot of it is useless. Mr. Arasim wants to see Mr. Hahn's reports and the methods of testing he has performed. Mr. Arasim believes there are a lot more problems structurally than what Mr. Hahn is claiming. He feels it is far more than mechanical repairs and basically, Mr. Hahn's forte is mechanical engineering. He remarked that you would not call Mr. Hahn if a structural engineer is what you want.

Angelo Iacomini, 6 Donahue Court, agreed with Mr. Arasim concerning the rebar and inside of the concrete. He commented that we do not know if Mr. Hahn has x-rayed to make sure the structural integrity will be there ten years down the road. He does not want to see a million dollars put into a new sewage treatment plant, then have it disintegrate in ten years and end up with a new bond being issued for repairs. He favors getting into it, maybe not moving as fast as we would like but speeding it along, make sure that everything is done and that those concrete rebar that is in there. He believed that Mr. Hahn wanted to strip one side of the plant and put it on the other to keep it running. Mr. Iacomini commented that now we are going to build on who knows what that structure is. He compared it to some of the bridges in the country that have collapsed. He is sure they had good engineers looking at them. He wants to see this project done once, done right, for the minimum amount of money. But we want it to last 20-30 years. He commented that Mr. Hahn may be out of business in 10 or 20 years. The Board would have a piece of paper saying he guaranteed it but which, Mr. Iacomini commented, would mean nothing. He feels that perhaps we need somebody else to look at it, maybe the State. He wanted to know if the State wanted to put money into repairs on the plant. He compared it to rebuilding a truck and not doing anything on the frame and then the frame rots out. The concrete is 50-60 years old. With the poundage and things Mr. Iacomini commented that he did not fully understand, they are saying you can go 100 years. He wanted to know how long is the rebar good for.

Regarding Mr. Iacomini's comments about a State inspector, Mayor Murray advised that the State is not paying for the project, the Village is. The money is not a grant. It is a bond. We are paying for it, not the State. We have had two engineering firms look at it. Neither firm said we have to x-ray the concrete. Our current Village Engineer specifically did not want to use small bubble diffusion because it involved putting embedments in the concrete, changing it structurally that way. The Board based its cost estimate for the bond on what the previous Village Engineer's estimate. That did not include replacing any tanks. The Mayor commented that if we did have to do that, we would have to go through a whole other route to expand the project to involve other State agencies. He commented that the reason we were able to move somewhat rapidly is because we were not changing the footprint of the plant. The Mayor commented that he was not sure what Mr. Iacomini was trying to say when he commented about slowing down but moving faster.

Mr. Iacomini commented that he did not want to see any steps skipped so that what was done now would last for many years. Concerning small and large bubble diffusion, he wanted to know what the State was going to mandate down the road and would the Village have to spend more money to change over. He wanted to do whatever that is going to be now. He supports the Board's intention to use LEDs for the street lights. It will save the Village money. That means we do not want to put in incandescent bulbs when we know that LEDs are the wave of the future.

Mayor Murray commented that if the State would indemnify the Village for any legal action by the County because we are waiting for the State's determination on nitrogen mitigation, he would be willing to wait for as long as it took. But the State is not cooperating with us. If the Village does not meet our deadlines, we are going to be fined by the County. If the State does not give us the information, we cannot just pay the fines and close the sewage treatment plant. Mr. Iacomini commented that the Village was in non-compliance for a long time. Mayor Murray advised we did not get sent to court until last year. We did not get fined until then. We did not a bond where we could repair the plant. We never told the County that we were going to have it done by October 2011. That is our time frame by which we have to do it. The Mayor commented that if State steps in and says that because they are changing their entire structure with a new administration taking office, everyone will be given an extra year to do their planning, that would be no problem. But we cannot get them to even tell us if we have to take nitrogen out of our effluent. The Mayor commented that we cannot waste the taxpayers' money paying fines. Mr. Iacomini wanted to know, if things must be done today when are they going to actually start working on the plant. The Mayor advised that they have already started working on the plant. Trustee Zachary commented hopefully within a few months. Kevin Arasim believed that Mr. Hahn said he needed two to three months to get the bid package out.

Mayor Murray advised that there are a different things going on. One is the aeration; one is the generators; and one is the sludge collection. The generators will be replaced with the entire package. The sludge collection equipment was damaged on tank #2. They were authorized to bid that out. The aeration system on tank #2 has been repaired. We have spent approximately

\$100,000 to come as close to compliance as we can. The Comminutor is required by our SPEDES permit. There has been some debate with the County whether to use the bar screen, which is approximately \$100,000, or the Comminutor, which is approximately \$35,000. Neither one will do anything for our dissolved oxygen levels or bacteria count. The Board is going with the Comminutor which the County wants us to have. We have not had one for 15 or 20 years. The Mayor commented that for some reason, they want us to have one now. These are things the Board spent the money on. Someone is being transferred to the Sewage Treatment Plant to get a license. We have contacted a licensed firm to do our testing. We are as close as we can come to compliance without replacing the Comminutor. If we get the Comminutor, we will be in compliance. Mayor Murray commented that to say that the Board has not worked on anything is not being truthful. The entire project was split up to be able to do as much as possible right now. But in order to move forward with our pumping station, our generator and our draft tubes, we need the State to tell us about the aeration. The Mayor feels that we cannot just wait, and that incurring fines and losing our EFC time line is waste of money.

Mr. Iacomini agreed with the Mayor. He commented that he wants it done right the first time.

Mayor Murray advised that the Board has been working with two engineering firms, neither of which stated that there would be an issue with the concrete nor requested x-raying of the concrete. We have drained the tanks to check for leaks. Tank #1 was checked for the sludge collection equipment which operational. We did some adjustments to it. In order to meet the New York State financing laws, we have had some of our people working on the tank. We are bringing in professionals to do the installation so that we are meeting the bid requirements, so that we can do it right the first time, and so that we can be in compliance with all the laws. There has been a lot of work done. The Mayor Murray could only imagine the cost of digging another tank. We are not financed for that. It has not been recommended by any engineering firm.

Angelo Iacomini wanted to know if the original bond issue that the residents voted on was just for the replacement of parts at \$1.5 million or for a whole new plant. Mayor Murray advised that it absolutely was not for a whole new plant. Trustee Zachary commented that it was for the aeration system and repairs to various other parts. Mayor Murray advised that it was for the Comminutor, generators, the replacement of the steel, the rental of the crane – the latter two alone being over \$130,000. Not included was the replacement of the sludge collection equipment on tank #2. It did include the replacement of the weirs; installation of the Comminutor; replacement of the motors, some monitoring equipment, dissolved oxygen equipment and some temperature indicators. It is not for a brand new plant, but for maintaining the plant. They are not digging a new tank. They are not changing the footprint of the plant.

Mr. Iacomini wanted to know if the money Entergy pays annually for the use of the sewage treatment plant could be used for any of these items under Repair and Maintenance. Mayor Murray advised that they paid \$72,000 this year. Last month and at the last two Workshops, the Board discussed this. We are waiting for our accountant to come in and do the audit. He is

starting on January 10 and will pull those out to and determine what the Board can consider normal Operating and Maintenance or Capital Expenditures. They will then bill it next year since Entergy has already been billed this year. The Board had to wait for the auditor to come. We had some issues with getting some documentation. But he will get started and it is going to be taken care of.

Trustee Zachary advised that the agreement with Entergy is that they pay a portion of the operation and maintenance in proportion to how much of the water they use of the total volume passing through the sewage treatment plant. Trustee Zachary feels they should be billed for what is considered to be Operation and Maintenance as opposed to Capital Expenditures.

Trustee Zachary commented that both engineers may not have said there was any problem with the concrete. But in Village Engineer Hahn's presentation to the Board, he noted that if we went with fine bubble diffusion, it would require mounting a series of heads in a regular row, drilling holes to mount them in a line. He implied that this could create a weakness. Trustee Zachary's commented that Trustee Smith has a pamphlet on another type of system that does not require those holes. That may be more viable.

Kevin Arasim commented that is why he would like to see Village Engineer Hahn's reports. He feels there are probably a hundred of different procedures where you do not drill holes. He feels that Mr. Hahn has a single idea in mind and is pushing it down our throats. Mr. Arasim commented that he asked Mr. Hahn about the concrete and was advised that it had been inspected but did not say how.

Angelo Iacomini commented that the Board got Bleakley Avenue done but that they reported that the contractor reneged on the commitment for the other areas of the Village that were going to be have paved. He commented that he had understood the Mayor to have said that it was going to be put into an account and bid out later on. Mayor Murray advised that he had reported that we are going to join again with the Town of Cortlandt and do a joint bid on the funds left over. At the Workshop, the Board discussed taking the \$500,000 we just spent and putting it into a bond. The Board was advised that we have to hold all the funds for one year, so you cannot split up the loan into a separate bond. So we are carrying a short term BAN and the money that is left over will be offered to the Town to do a joint bid, with the same order and level of importance as we had before. We have to bid it all out. You cannot guess at what the oil will be. We had it at \$79 per ton. The closest bid was \$86 per ton. Mr. Iacomini commented that square footage means nothing to him. He wants to know what square footage it will cover. Trustee Zachary commented that there is the square footage and also the thickness. Mayor Murray commented that Second Street would require four inches and Henry Street two inches because that is what we were going to mill on those streets. The machine laid was \$79 per ton. The hand laid was \$180 per ton which was cheaper than any of the bidders. ELQ was cheaper for their underlayment than Bilotta even though their asphalt cost was higher. That is why ELQ won the

contract for Bleakley Avenue. We cannot guess what the price per ton will be next year. We will send out a bid package. This previous year, we had ten to eleven contractors bid on it.

Mr. Iacomini commented that the Board is looking for the best bang for the buck. His concern is cost overruns because somebody underbid the job. He feels the Board should lock in any bid they accept. He does not want cost overruns more than 1 to 5%.

Mayor Murray commented that a lot of our roads have not been done for many, many years. The projects are engineered and bid out. The list of things to be accomplished is what you base your price on. When you dig up a road and you see something that is broken which you had no way of knowing beforehand, you have to fix it. That is where some cost overruns are. Our measurements of things like the length of asphalt take into account things like how many catch basins and manholes you have. But there is no way you can estimate the unforeseen circumstances you may find once you dig into a road that has not been opened for 50 years. For example, if someone has to replace a valve on a fire hydrant because they did not know it was damaged, that will be an increase.

Mr. Iacomini commented that on Village Engineer Hahn's web site, it lists five to eight jobs they did for the Village of Buchanan. They also list the other towns they have done work for, including man holes. Mr. Iacomini wanted to know if the Village paid to do manholes a couple of years ago and are now paying to do them again when we do Bleakley Avenue.

Mayor Murray advised that we repair our own catch basins. Our Highway Department does it. The catch basins installed on Bleakley Avenue were pre-fab. He does not know if the catch basins there were replaced four or five years ago. Mr. Iacomini commented that if the Board gets the list of Hahn Engineering's past projects in the Village, would they look to see if the studies we are being billed for were not one previously done and are now being pulled out of a drawer. Mayor Murray wanted to know what Mr. Iacomini was alleging. Mr. Iacomini commented that administrations change hands and Mayor Murray may not know what was done three or four years ago. If the Mayor had that list or went to Mr. Hahn's web site, he would be able to see the projects Mr. Hahn did for the Village. Mr. Iacomini does not want to pay for a second study in the same area.

Mayor Murray advised that the State passed the storm water management program which had separate stages over the last eight or nine years. Each required different engineering, even for the storm drains. So it may be that if you look on a web site and see storm drain work in 2004, for example, and then in 2008 that is because there were certain milestones that had to be met. The Board was not aware of those milestones in 2008 and 2009 until we were fined.

Mr. Iacomini commented that he wants the taxes to go up the minimum, if not decrease. He described how he does advance planning in his own job. Concerning the rebar, he would like to make sure that when we do this job, we do it right. He does not want the rebar to go after 5 years when we have a 15 year bond to pay back. Trustee Funchion wanted to know if he was saying

that the Village should hire a structural engineer. He noted that we are talking about Mr. Hahn and his predecessor, Mr. Cronin, neither of whom, as the Mayor previously commented, is saying anything about the structural content of the Sewage Treatment Plant. Mr. Iacomini commented that Mr. Hahn is a mechanical engineer not a structural engineer. Trustee Funchion noted that was also true of Mr. Cronin. He again commented that we have two engineering companies that did not make a negative statement as to the structural component of the Sewage Treatment Plant. He wanted to know if Mr. Iacomini was saying we should go beyond these two engineering firms and hire a structural engineer. Mr. Iacomini commented to go to other municipalities who have had to replace sewage treatment plants and, since it costs the Village nothing, ask if they had a structural study done.

Kevin Arasim commented that the Board does not necessarily have to hire a structural engineer. They can hire a testing laboratory that can come out. They are all owned by certified professional engineers. They can come out and give you a simple scope at an economical price and cheaper than a structural engineering firms and they can do some tests. It would save time. Trustee Knickerbocker commented that they would x-ray the concrete for deficiencies. Mr. Arasim commented that there are several different ways to it, such as ultrasound and hand sounding which are economical. They can tell if you have stage 3 or 4 rust and if you scrape it, would it come back in a year. Mayor Murray commented that you are not going to scrape rebar in 8 inches of concrete. Mr. Arasim commented that if you have spoiled concrete it is because the rebar is rotted underneath.

Mayor Murray commented that the other repair being referred to is the welding repair. He noted that the previous Village Engineer wanted to remove all the steel work for an extra \$100,000. Our current Village Engineer now feels he can repair those holes. Trustee Zachary felt it would be prudent to have a test done on the concrete. Trustee Knickerbocker was concerned with the catwalk. She has seen it. She knows that Village Engineer Hahn has advised that it can be repaired and that she is not an engineer, but there is significant rot on it. The other concern is that we also have a lot of lead paint on the catwalk. Mr. Arasim feels it is better to cut it all out and put a new one in. Trustee Knickerbocker commented that these are the conversations we all need to have with this plant.

9. AUDITING OF VOUCHERS:

At 8:48 PM, the Board audited vouchers.

10. ADJOURNMENT:

At 8:55 PM a MOTION to adjourn this meeting was made by Trustee Funchion, seconded by Trustee Knickerbocker with all in favor.

General Fund: _____ Water Fund: _____

Capital Fund: _____ T&A Fund: _____

See Abstract of Audited Claim Vouchers for details.

Kevin Hay