

Village of Buchanan
Board Meeting
July 5, 2011
7:30 PM

PRESENT:

Mayor Sean Murray
Trustees Theresa Knickerbocker, Richard Funchion, Jane Hitney and Nicholas Zachary
Village Administrator Kevin Hay
Village Attorney Stephanie Porteus
Village Board Secretary Susan F. Matthews

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: May 2, 2011 Village Board & April 20, 2011 Workshop Meetings

The minutes of the May 2, 2011 Village Board meeting were approved as amended by Trustee Zachary on page 3, paragraph 2, line 2, after “contractual” add: “as well as the bond repayment”; Mayor Murray added to page 9, under his report on paragraph 3 insert: “April” before the dates of the 14th and 15th.

A MOTION to approve these minutes as amended was made by Trustee Funchion, seconded by Trustee Hitney, with all in favor.

The minutes of the April 20, 2011 Workshop Meeting were approved as amended on page 1 to add: Trustee Hitney and remove the word budget and add: “Murray” after Mayor under item 2. Trustee Zachary added the word “increase” after “budget” on page 2 under the reference to Page 6 of the budget. Trustee Zachary amended page 5 and any other page where any reference to 9/11 is made to add the slash between the “9” and the “11”. Trustee Funchion added to change bathroom to “bedroom” on page 12, paragraph 5, and line 3.

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

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

Angelo Iacomini, 6 Donahue Court, commented on New Business items (a) and (b) about the proposed utility tax. He is against the tax which he feels is a progressive tax. He commented that we are never going to get less utility rates as far as the dollars that the residents are going to be paying out. It is a tax that is not deductible on the homeowner’s income tax. A commercial property can use the cost as a deduction whereas the homeowner cannot. Residents who are

heating with gas and using electricity are double taxed as opposed to those who are using oil and electricity. He feels that it is discriminatory toward people who are using gas and electricity. Mr. Iacomini said that the Federal government has an incentive with the greenhouse gas emissions program to shut down coal fired plants and go to alternative energy. It should increase our utility bills 40 to 60%. He hears that Con Ed bills will increase \$107 to \$178 starting in two or three years. That will raise what the people have to pay in taxes. At this point in time, he does not feel the residents can afford to be taxed more than needed. He thinks it is a tax that Entergy and Con Ed are exempt from. Because they are the generator of electricity, it is not a utility bill to them. The average homeowner is the one who is footing the brunt of the bill in this tax increase. He does not think we need to raise taxes any more. The Governor just put a 2% cap on taxes.

Mayor Murray welcomed comments on this item at this time since it is an agenda item. Or they may be given in the Public Hearing. He noted that is why Public Hearings are scheduled prior to the resolutions.

Christopher Lindsey, Valerie Court, commented that he has been a Buchanan resident for 20 years. He wants to know what caused the problem that has brought the Board to propose this tax.

Mayor Murray advised that this came from a meeting attended by some of our Village officials on ways that municipalities can generate revenue. Con Edison said that Buchanan is the only municipality that does not have the Gross Receipts Tax (GRT) on utilities. He noted that a member of the public came to a Workshop and advised the Board that they had contacted several municipalities and did not believe that information was correct. One was Yorktown where our Village Administrator lives. He checked his bill and it does include a GRT. All the Con Edison bills say GRT. For the Village of Buchanan, the amount is "0". The Mayor commented that as people know, it is difficult for municipalities to generate funds outside of taxing the residents directly. When the Board began discussing this several months ago, they felt this was a way they could get more money from Entergy and our large commercial users. Since then, they obtained some numbers from Con Edison. Trustee Zachary was advised by them that they had collected \$4.5 million in gross receipts which would have translated to \$45,000 to the Village. If we wanted to raise that amount through property taxes, it would be about a 2.5% increase. Since then, the Mayor and Village Administrator Hay have spoken to several residents about their electric bills to verify this and found a lot of inconsistencies. In the winter time, people who did not heat their house with gas had a \$150-\$200 bill. Using those as an average, the numbers given by Con Edison play out. But averaged throughout the whole year, people who heat their house with gas or have central a/c have a \$400-\$500 bill. So the average given by Con Edison does not jive. The actual amount is higher. When the Board looked at the amount of money being raised using the higher average bill and factored in the average assessment based on Per \$1,000 Assessed Value, the numbers do not jive. The majority of large commercial users are

exempt from this, which is not what Con Edison had told us. Those are the reasons that we discussed this.

Mr. Lindsey did not think they should say that we should do it because we are the only ones that did not have this tax, because we are the only ones with a nuclear facility and massive tax revenues. He commented that this is the taxpayers' money, not the Board's. As residents they contribute. He thinks the Board needs to look more at spending. He wanted to know the total budget for the town. Mayor Murray advised that it is \$5.3 million. The Water Fund is a separate fund of approximately \$3.2 million. He noted that we do not tax Indian Point 2 and that the Water Fund is separate fund based on usage. Mr. Lindsey said he would use \$5 million. He wanted to know what was spent on salaries and benefits. Mayor Murray advised that employee benefits are 25% of the budget. It is broken down with the Police Department, the Village department and the overtime. Mr. Lindsey wanted to know if the labor costs could be broken down. Village Administrator Hay advised that they are all broken down by section. Mayor Murray said to say 47%. Mr. Lindsey commented that he has been through the budget. He referred to page 17, schedule 5 which shows salaries of approximately \$2.2 million and benefits of approximately \$1.2 million; a total of \$3.4 million in salary and benefits. Trustee Zachary commented that it is more than 60% of the budget. Mr. Lindsey commented that is a stunning figure. He feels they need to look at what they are paying in pensions and employees and what to do about that. He wanted to know how much Village employees contribute to their benefits. The Board advised that it is zero. Mr. Lindsey felt that is a problem. Mayor Murray advised that those are all negotiated contracts. Mr. Lindsey wanted to know who negotiated that. The Mayor advised that it was done by the prior administration who, just prior to leaving office, gave a five year contract. The employee benefits and salaries are all part of it. They cannot be renegotiated until 2014. Mr. Lindsey felt that looking back across administrations, they have been remiss in making the hard decisions like having employees contribute to their benefits and health. He commented that is why state governments in Wisconsin, Ohio, Massachusetts and New Jersey are in trouble. If the Board does not get their hands around this issue, it is unsustainable.

Trustee Zachary commented that Mr. Lindsey would not find any disagreement on this Village Board. He noted that two of the people on this Board voted against it and three of the current Board members were not on the Board when that vote was taken. They all realize we are getting pinched more and more by all of these benefits. When there was more money, it was fine. He believes that working people deserve good benefits. But the pendulum swung too far. That is the current sentiment. They do not want to strip everybody of a decent standard of living so the people working for us cannot afford to live here. But we need to get it in control. He commented that he exaggerated to make a point. The last budget the Board approved had a 5.3% increase. There was a 10% increase in payments that were out of their control. 5% to 6% of that was pension and medical costs and salary increases that came before this administration came in office. The rest was bond repayment. We had to slash 4.7% to keep it at a 5.7% increase. The Board is going to see that same 2% increase every year for medical, pensions and salaries.

Those are mandated increases in pension costs. They are mandated by the State. The Board is going to be limited to a 2% tax cap. They are going to have to cut 4% or 5% a year and we are going to see erosion in services. He commented that in the two years he has been on the Board, they have done a lot in trimming the budget, shopping more wisely for services. The Board has let a position go unfilled in the Highway Department and in the office. This Board is doing everything they can to streamline and trim. They will continue to do that. He commented that maybe we can get a little more efficient. But it is going to catch up to us. With those mandated costs and the 2% cap on property taxes, we will see an erosion of services in the Village.

Mr. Lindsey did not agree. He has looked at some of the salaries and cited the salary for a Laborer as an example. He commented that he was in private business. It is half the cost of what the Village pays in salary. He does not think you can get any erosion in services. He commented on the Board's fiduciary responsibilities. He felt that the services that the Village provides can be done at a much lower rate and felt that they have to run things tighter. He appreciated their constraints. He wanted to know when the next contract comes up. The Mayor advised that it is not until 2014. Trustee Zachary noted that the five year contract was voted into effect just before this Board came in. Mayor Murray commented that if Mr. Lindsey watched the meetings when that Board was discussing the contract prior to voting, he had some of the same questions as Mr. Lindsey. He and Trustee Knickerbocker voted against it. He felt that there were things that could have been changed in the contract for productivity. However no one was consulted. Mayor Murray had asked the former administration if the Board could be involved but there was just a vote. Three voted for and two against. He commented that it would be great if we could free up some of the cost but unfortunately the members of this Board do not have anything to say about it. Mr. Lindsey wanted to know if the Board had control over the headcount. Trustee Zachary advised that these are negotiated contracts. Mr. Lindsey wanted to know if the town says we cannot afford them, does the Board have the authority to trim the headcount. Mayor Murray advised that they could not fire people in union positions. They cannot fire someone without cause. Mayor Murray commented that it was not his intention to take jobs away from these people.

Mr. Lindsey wanted to know what the Board could control. He commented that he lived on Valerie Court. They have a curb that is crumbling. Mayor Murray advised that they will be repairing it; that tonight's agenda includes the resolution to put that out for bid. Mr. Lindsey commented that he did not know that. He commented that the Village has less money to do the basic things. Mayor Murray commented that one of the ways they are trying to work around that is by doing things jointly with the Town. The Bleakley Avenue project came in under cost so they going to use some of the bond funds to replace the curbs on Valerie Court and Donahue Court for approximately \$64,000. They will be doing Change Orders and that way they do not have to pay for engineering. It takes longer to do it and the Mayor knows that people get frustrated because it does. But this is an example of what Mr. Lindsey is talking about. In order

to reduce costs, we have to find different ways. If we have an open contract, we do not have to redo and get specs for it at a considerable cost savings. It is tough on the coordination.

Mayor Murray commented that regarding headcount, when a position comes open the Board will reevaluate filling it. They have had some difficulty in the Village office by not filling Penny Pierce-Baisley's position. When they do fill it, they can change the rate of pay. They can change it to a different title. At the Highway Department, they had an open position last year. They evaluated whether to fill it. The Highway Superintendent wanted a full manpower. They tried to find ways to not need that extra person, such as changing the way they collect garbage. They changed collecting the metal from every week to every other week. This frees up manpower. With the roads, we are going out with bid to do crack sealing with the State at a much lower cost because we know that in the future, we are not going to have the money for the bonds. The Mayor commented that it would be great if the union would open up the contract to give us 20% of the medical costs. But that is not going to happen. He is sure Mr. Lindsey saw in the Spring of 2010 when the contract was put in front of the Board. Mayor Murray received it just two days prior to the Board meeting where the vote was to be taken. He had a lot of comments and got the answer that he did not have to be responded to.

Mr. Lindsey commented that with 60% of the cost in salary and benefits, he felt they have to say to the union that we will privatize it. He felt that the Board has a responsibility to the taxpayers of this town to run it as efficiently as possible. They should look at all avenues. It is way too much. Taxes are astronomical. Salaries go up and do not go down. He remarked that the Board is either working for the taxpayer or are they working for the people they employ. He thinks they should be for the taxpayer. He thinks it is a good effort but that they have to go to the core of the problem. It is that we are a little village. 60% of what we are paying out is for salaries and benefits and they do not contribute anything to health care. He finds that to be stunning.

Mayor Murray noted that one of the other ways they saved money is that they sent somebody else to be licensed for the Sewage Treatment Plant so we do not have to outsource to Cammo Pollution. They saved a lot of money by doing this. There have been increases in our fees for a lot of things. Some things were not even paying for the paperwork. Our technology has been updated to increase productivity. We are able to e-mail. We could not scan documents into the computer. These are all productivity gains. We only have three people to manage the \$8.5 million in taxes and billing. It is a lot of work for just three people. The Board is trying. Mayor Murray commented that he has only been here for a year and a half. The Board cannot change everything overnight. He was first elected as a Trustee in 2008. They cannot do anything about the contract negotiations because the State pension fund has gone down and we have to pay an increased cost.

Mary Ingenito commented that she witnessed the Board meeting about the contract negotiations and knew that something underhanded was happening. She could see what was happening in the

parking lot with the union people and the mayor at the time. She commented that Mayor Murray was not to blame for it.

Trustee Zachary commented that if you look at any municipality you are going to see that the largest expense has to do with people's salaries. If you look at the responsibilities of this Village government, the work it has to do and the expenses we have to incur, it is inevitable that salaries are going to be the largest expense. A bigger municipality might also have a hospital and a board of education and the expenses go up and up. He is not defending those contracts but it is inevitable that given what we have to do here, they are our largest expense.

Bob Ingenito, 253 Westchester Avenue, commented on the utility tax. He looked at his Con Edison bill and he is paying over \$9 in taxes now. The Mayor advised that is not the GRT which is what is being discussed here. Mr. Ingenito said he did not need another tax that he cannot take off his income tax. If it is put on his tax bill, he can get some rebate from the Federal government. If it is put on his utility bill, he cannot. He called Ossining and The Town of Cortlandt and they do not have it. Trustee Zachary advised that it was a section of the Village law and would not be in the Town. Mr. Ingenito feels that it will kill business coming in to the Village. They are already moving out of the state.

4. NEW BUSINESS:

a) PUBLIC HEARING: AUTHORIZING A LOCAL LAW AMENDING CHAPTER 181 OF THE CODE OF THE VILLAGE OF BUCHANAN AND ADDING ARTICLE IV ESTABLISHING A TAX ON UTILITY SERVICES BY THE VILLAGE OF BUCHANAN.

At 8:06 PM a MOTION to open the Public Hearing was made by Trustee Knickerbocker, seconded by Trustee Hitney with all in favor.

Trustee Zachary commented on how municipalities can raise taxes. The County can impose a sales tax. The Village can impose real estate taxes and pretty much other than building permit fees and things that are in the fee schedule, the only resource is the Gross Receipts Tax on the utility. There are no other forms allowed for villages by tax law. The Village will slowly be getting pinched with the State's 2% tax cap. He commented that he does not want to make it sound like he is taking any tax lightly. He believes this proposed tax is probably going to amount to \$2 per month for the average taxpayer based on an average bill of \$200. The electric bill varies house to house, person to person and business to business. This is meant more as an offset of the real estate tax as opposed to looking for extra money to add to the budget. They are looking for something to supplement the real estate taxes. He commented that maybe the next time around, they might be able to keep the real estate tax at a reasonable rate. Some people have told him that they have called other municipalities and that they do not charge that tax. He was told by Con Edison that pretty much every other village in Westchester does charge it. Village Attorney Porteus had the same understanding. She noted that a township cannot charge

this tax, so the Town of Cortlandt could not. Only a village can. Trustee Zachary wanted to hear what everybody had to say. He heard that some people were against this. He noted that when he brought this up, he was concerned about the gas component because he does not think it was equitable and that it would be a disproportionate tax for them. They are trying to find out if there is any way to separate them. It goes to the New York State Power Authority and then to every utility vendor. He wanted to know if there is any legal way to decline to collect any portion of it. Mayor Murray commented that you cannot separate the utility. Village Attorney Porteus noted that those using gas are going to have a higher bill and those who are heating with oil are already paying a 3% County fuel tax. She does not believe gas customers do. Trustee Zachary commented that it is tricky.

Mayor Murray commented that he had a couple of questions. When talking to some of his neighbors, other residents and Village Administrator Hay in the last couple of days, he found that the \$200 average utility bill is very low. He feels it is more an average of \$300-\$400. The utility tax would be approximately \$4 a month. The \$48 per year, when broken down to what the average assessed value is, comes out to be a different tax increase. It is generally about 4% instead of a 1% utility tax. Trustee Zachary came back with numbers from Con Ed which do not jive with the numbers the Board is coming up with. If we are going to generate \$45,000 that would equate to a 2½% tax increase. Using the average numbers they are getting, there is no reason there should be a 4% increase. The Mayor believes that Con Edison is either not giving us all the numbers or that they are in separate contract with certain commercial users. He would like that question answered before they move forward. Trustee Zachary will go back to Con Edison about this.

Christopher Lindsey commented on Con Ed's seeming confidentiality. Mayor Murray advised that Con Ed would not divulge what a commercial user uses, only how much is sold in the area. Mr. Lindsey wanted to know by what authority the Village can impose this tax. Mayor Murray advised that in New York State there are separate laws governing villages, cities and towns. In the Village law of New York State, it allows the villages to collect a Gross Receipt Tax. It is similar to the law allowing villages to collect a franchise fee for cable t.v. Con Ed distributes the electricity. You can buy it from whomever you want but Con Ed distributes it. They collect the bills and have the fee to distribute your electricity. Whether you get your gas or electricity from Con Ed or any other supplier within the deregulated industry, they are still going to collect. Mr. Lindsey felt that was a crazy law. Trustee Zachary noted that it is no different than the New York State law that allows the County to collect State taxes. Mr. Lindsey was concerned that it gives the Village access to his electricity records. Trustee Zachary advised that it does not. Mr. Lindsey wanted to know how they were going to verify the revenues. Trustee Zachary advised that if the Village adopts this law, we inform the State and they notify the utility vendors in our area. The Village never sees residents' bills. In response to Mr. Lindsey's question, he believes it will be verified through periodic audits of Con Edison's records. It is nothing that the Village looks at. We get the money from Con Ed, not from the residents. Mr. Lindsey wanted to know

for how long this would be in effect. Mayor Murray advised that it would be until we eliminated it by changing our law through the same process we are going through now. It is similar to when the contract comes up with cable t.v. and the franchise fee the Village charges. The way we would determine how much revenue we would get is that Con Ed has what they have sold to the rate payers in this area. They have told us that is approximately \$4.5 million. They have to account for their distribution. They do not send us each individual's electric bill for us to calculate the tax. It is a Gross Receipts Tax for the area. Mr. Lindsey commented that once a tax is imposed, there is little track record that it is ever taken away. It only seems to increase. Mayor Murray advised that New York State says you cannot increase it more than 1%. We can only charge 1%.

Diane Tangen, 240 Catherine Street, wanted to know if Con Ed charges a collection fee. Mayor Murray did not know but will find out. Ms. Tangen wanted to know if anyone is exempt. Mayor Murray was advised by Con Edison that no one is exempt. Anyone that they sell power to is supposed to give us 1%. But when the Mayor went through the numbers of his own, his parents' and other people's bills, it did not come out to the way Con Ed presented the information. It makes him think it is only for the consumers who do not have special side agreements like those made by the NY Power Authority with certain businesses so that they would stay in the area. He does not know if that is the case here but when the numbers do not jive, it raises questions for him. Ms. Tangen wanted to know who our largest utility consumers are. The Mayor advised that Con Ed will not tell us. Trustee Zachary believed that they would most likely be Lafarge and Entergy. The only one exempt is Con Edison as a vendor of electricity. The Mayor advised that we cannot charge them for the operation of the substation.

Bob Ingenito wanted to know if the Village will be paying this 1%. Mayor Murray advised that we purchase through the NY Power Authority. The Power Authority notified us that we got a reduction in rates. Municipalities, non-profits and schools have different contracts with NYPA for power at reduced rates. NYPA is a not-for-profit. They are not allowed to show a profit. The deregulated providers have stockholders. The NY Power Authority just notified us that we have a reduction in our bills for this year.

Angelo Iacomini commented on the cap on the 1% tax but noted that it has nothing to do with the fact that Con Ed can raise its rates. This would mean being taxed more. He also commented that if Con Ed distributes back to Entergy to run their facility, could we not then tax them. Trustee Zachary advised that anybody who gets a bill from Con Edison is taxed. Trustee Zachary commented that when this was brought up, our hope was that the taxes would disproportionately favor the residents. He believes we need to hold the Public Hearing over while we reconfirm the numbers that we have been given. Because of disclosure rules, Con Edison cannot tell us exactly who paid what. The hope and intent was that it would take a little of the burden off the residential properties, not give them a larger percentage. Angelo Iacomini wanted to know if the projected \$45,000 would increase if Entergy was in the loop. Trustee Zachary advised that it would. Mayor Murray advised that when they first talked about this in

the winter, people said their bill was \$150-\$200 per month. It averaged out to about \$19,000-\$21,000 for the number of households we have. Less than half would be coming from the residents. The rest, or more than double, would come from the larger commercials. Talking to more residents, the Mayor found that the numbers are higher. When he went through it with Village Administrator Hay to find what that number equates to as an average tax increase using average assessed value, we came up with over 4%. If we went out and just got \$45,000 from the taxpayer, it would only be 2.5%. Mr. Iacomini wanted to know if it could be taken off income taxes. Mayor Murray advised that you cannot deduct the 1%.

Mr. Iacomini commented on his property taxes. Mayor Murray commented that in 2008, Mr. Iacomini got a tax reduction. Mr. Iacomini said for people with the larger homes, \$300 a month for utilities is low. Mayor Murray commented that he pays \$350. His neighbor paid \$500 a month for energy. The Board is trying to work with the averages. For people with smaller houses, they are going to use less energy. That translates to a smaller bill than someone with a larger house and higher usage. Mr. Iacomini commented on the impact on Senior Citizens on fixed incomes. He wanted the Board to look at this again. Mayor Murray commented that he never likes to make a decision after just one Public Hearing. Even the for the street signs, the Board kept the Public Hearing open for two or three months. We are going to get more information. The Mayor said that it will be discussed further at the Public Hearings.

Eileen Absenger, 138 Tate Avenue, encouraged Chris Lindsey to come to the Workshops so he can hear the discussions first hand. One thing people can do is to contact Entergy. For \$50 they will come to your home and assess your house as to where you are losing energy. She would rather spend her \$50 to find out where she is losing energy to be able to correct it and reduce her costs instead of paying it as a tax on her bill. Mayor Murray advised that that is an energy audit. He said that the Village had an energy audit at the Village Hall last year or two years ago. The recommendations they made would have cost an outrageous amount of money compared to the savings. We would not have made the money back in 20 years. Entergy believes that the amount of service that they give you for these recommendations equates to \$300 which they give to you for \$50.

Trustee Knickerbocker commented that after we have gone through all this tonight and after talking to all the residents, she is not comfortable with this proposed tax. She took note at the last Board meeting when Trustee Funchion commented on it being an unfair tax because everyone would be charged for electricity but not everyone has gas, and that the people who do would be taxed double. She feels that it is good that we look to increase revenue in the Village and look at how to cut costs. The reasons we have Public Hearings is to discuss these things and get feedback from the residents. It is just a Public Hearing. We want to hear from everyone in that Village. She has heard from people in the Village who are against it. She understands about the real estate taxes where they can have write-offs. But she does not feel this is a fair tax and she is having a difficult time with this. She wants to get more information. She thanks everyone for coming in and giving their opinion because that is why we have Public Hearings. This Board

looks at different things to control costs and they are going doing the best they can to do it. She encouraged residents to come forward at the Board meetings and Workshops with ideas that can help the Village and Board.

Trustee Hitney commented that she attended the Buchanan Seniors' meeting. The president, who is in the audience tonight, did announce this Public Hearing. Several people came up and spoke to her. Their response was about 50% in favor and 50% opposed. There were a couple of questions. One was would the 1% tax would be imposed after the sales tax, surcharges and everything else has been added. Trustee Zachary advised that the tax would just be on the electric usage and would not be on top of the taxes. Another question is that it seems difficult that they cannot separate the tax for the electric and gas bills. The bills themselves are very clearly separated. Mayor Murray advised that Con Ed can but that State law does not allow it. Electric and gas are under the same law. Village Attorney Porteus has made several phone calls. The State does not allow it within the text of the law. Trustee Zachary wanted to know if there is anything the Village can do. Mayor Murray advised that Village law cannot supersede the State law. We have to send our tax law to the State so they can confirm that it does not conflict with State law. Village Attorney Porteus advised that most of the text that you read is taken straight from the tax law. It has to comply. Until a few years ago, it was not allowed to be passed on to the residents. They lobbied up there and in 2006 it was allowed to be passed along on the bill. The original intention was not to pass it along. Trustee Hitney commented that other points that she was asked about have been discussed. At this time, she is not ready to vote on this and is in favor of keeping the Public Hearing open.

Trustee Funchion was in favor of keeping it open. There seems to be disparity in taxation. He would be totally against that disparity. He commented that Mayor Murray and Trustee Zachary have worked hard to establish a tax system that would be fair to everybody. Their intention was to lower the tax burden on the individual residents and have the burden shift to the businesses. State law does not permit us to divide between gas and electricity. There is also the issue of whether it is tax deductible. He thinks he would be against this because he is against any kind of disparity.

At 8:38 PM, a MOTION to continue the Public Hearing to the August Village Board meeting was made by Trustee Knickerbocker, seconded by Trustee Funchion with all in favor.

b) RESOLUTION AUTHORIZING A LOCAL LAW AMENDING CHAPTER 181 OF THE CODE OF THE VILLAGE OF BUCHANAN AND ADDING ARTICLE IV ESTABLISHING A TAX ON UTILITY SERVICES BY THE VILLAGE OF BUCHANAN.

This is being held over because the Public Hearing has been held open to the August Village Board meeting.

c) PUBLIC HEARING: AUTHORIZING A LOCAL LAW ADDING CHAPTER 84 ENTITLED ESCROW DEPOSITS TO THE CODE OF THE VILLAGE OF BUCHANAN.

Mayor Murray asked Village Attorney Porteous to describe the proposed law. The intent of this law is an escrow deposit when there are fees that are to be paid by applicants. Currently, our Code allows for an applicant before the Planning Board to pay the fees of the consultant, the planner and the engineer. We pass that along. What used to happen is that the Village would pay them, then play catch up with the applicants. This will set up a separate account administered by the Village Administrator where the professional gives a voucher to the Village Board for approval, which goes to the Village Administrator Hay and to the applicant. The bill will be paid from the escrow account.

Village Attorney Porteous advised that the reason this is being presented now is because there is a current applicant before the Village Board for an amendment to our zoning code and they would like the law changed. As she perused the Code, she saw that there is no mechanism in it to have the applicant immediately pay for the necessary professionals. They first have to come before the Village Board, then the Planning Board for site plan approval and only then can we charge them for the fees. She put in language to apply to any applicant in front of any of the boards – Planning, Zoning and Village Board - as the boards see fit.

Mayor Murray sees this as a productivity enhancement where we do not have to keep billing an applicant who for whatever reason, such as not liking the outcome, does not pay. By asking the applicant to put something in escrow, it guarantees that they are going to pay for the services received and avoids us having to expend added effort to collect. Village law says that when a commercial applicant comes before these boards, we pass along the engineering and consulting fees to them. Before, we sent out the bills and sometimes they paid and sometimes they did not. This law will assure that the Village gets the fees.

Mayor Murray called for any comments from the public.

Eileen Absenger wanted to know if there is a percentage charged up front for the escrow. Village Attorney Porteous advised that there is not. She tried to determine how other municipalities do it. It is basically determined by the Village Administrator. There is a mechanism similar to other municipalities. It is based on the site plan and the estimates from the professionals. If the escrow needs to be replenished, the Village Administrator will determine that. Whatever is not used will be refunded. Ms. Absenger wanted to know if there was any difference between residential and commercial. The Village Attorney advised that there was not. You cannot discriminate. The procedure is in the Code. Mayor Murray commented that we do it for residents with performance bonds, for example for opening up the road, and for certain commercials. We do not have an escrow account. A lot of residents have to put up money in

advance now and it is refunded when the work is done. This is different and is more for major projects.

Bob Ingenito feels it is a great idea because it keeps us from laying out our money for the applicant's benefit. He talked to the Building Inspector for Cold Spring who said that is what they did there. He feels that if someone wants to do a big project, put it up front and then it is deducted. That way, you never lose, even if they bail out.

Trustee Zachary feels this made sense. He had questions on the determination of the amount based on the Village Administrator's assessment of the engineering and legal fees. Mayor Murray commented that because some projects will be more complicated and require more services, it would be difficult to set an arbitrary amount. The amount will be based on the assessment of our consultants. The Village Administrator would be the final person to have that say because he will be billing it and has the authorization to disburse the Village's funds. Trustee Zachary wanted to know if we are going to be taking from the escrow for the engineering and would it be required to have a disclosure up front of what our hourly legal and engineering fees would be. Mayor Murray advised that on all of our permits it clearly states that the applicant will be billed. The fees are determined by the year. He does not want to change all of our permits each year to include all of our contractual payments. When the applicant is filling it out, if they want to know how much per hour the engineering contract has different fee schedules for different services. Trustee Zachary was looking at the possible issue if somebody was planning a major project and is going to agree to put up \$50,000 in escrow that they would want to know what rate they are billed at. Mayor Murray advised that we do not have a set rate. Village Attorney Porteus advised that we can give them a fee schedule. The Mayor advised that all of our fees are open. All of our rates are public record. We do not charge a set fee for engineering costs because each is different. It ranges from \$60 to \$120 an hour. We can provide them with the contractual fee schedule once the application is completed, if they have that question. Village Attorney Porteus advised that there will be an escrow form that could have the fee schedule attached. Mayor Murray directed that be done.

At 8:50 PM, a Motion to close the Public Hearing was made by Trustee Funchion, seconded by Trustee Zachary with all in favor.

d) 11-33 RESOLUTION AUTHORIZING A LOCAL LAW ADDING CHAPTER 84 ENTITLED ESCROW DEPOSITS TO THE CODE OF THE VILLAGE OF BUCHANAN.

Mayor Murray read the Resolution (copy attached).

Village Attorney Porteus advised that for the record, she is going to change the number of the law to 11.

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

e) 11-34 RESOLUTION AUTHORIZING PROPERTY TAX REDUCTION AND TAX REFUND.

Mayor Murray read the Resolution (copy attached).

Village Attorney Porteus advised that for the record, she is going to change the number of the law to 11.

Trustee Zachary commented that when he first became aware of some of these, they seemed to him to be based on the newer homes such as Valerie Court, Donahue Court and Lake Drive which tended to be bigger than many of the homes around the Village. The taxes did seem to him to be disproportionately high. He knows that many people have been filing petitions and obtaining reductions. He has looked at several of these homes. Two are on the lake. They are bigger and newer homes. He is pretty sure they are worth more than his 75 year old home. Yet he has seen these reductions going down lower than that on his home. He feels that there is a certain arbitrariness here. He cannot support them.

Mayor Murray advised that any resident has the right to file a tax grievance if they do not accept the assessment. They have the right to file a Small Claims Assessment Review (SCAR) petition before a law judge. The Village is at somewhat of a disadvantage in these proceedings because we have not had an assessment. If we were to have a reassessment of all the properties, we would not be entering into these issues. The Mayor is against reassessment of the entire Village. There are some who favor that. The Mayor feels that it disproportionately affects the residents who cannot pay the most. We had offered these people settlements. The people representing them felt that they should get more. Since we do not have a backing of the reassessment of the entire Village, this is what we are faced with. Village Attorney Porteus commented that she understood the thoughts expressed. Under the law, there is a residential assessment issue that affects not only Buchanan but every municipality. When the economy tanks, unless you reassess, you do not have a choice. She used as an illustration one property on this list. She advised that if the law did not have a 25% limit on the reduction, they could have gotten 50%. When the hearing results in a decision, we have no choice. We must pay it. What we have done is to offer less than the 25%. We have no choice. Trustee Zachary wanted to know if the Board has no choice, why they are voting on this. Village Attorney Porteus advised it is because they are expending money. Mayor Murray commented that each Board member has a right to vote the way they want to vote. There is always that choice. Village Attorney Porteus commented that she did not mean they had no choice in voting. She meant in a SCAR hearing.

Trustee Zachary is concerned with how long we can sustain reducing assessments by 25% but now cannot raise taxes more than 2%. Mayor Murray advised if your assessed value is already near what the value of the property is, the taxes are not going to be reduced below the value of

the house. With the older houses that are on the market that are assessed for \$4,000 or \$5,000, if they file a SCAR they are not going to get a 25% reduction. That is the maximum you can get. The Mayor noted that there are some houses that came onto the market when the real estate market was in its heyday that in today's market are valued at significantly less. There is a level of unfairness in that when the market goes back up and with it the value of those houses, we cannot recoup that money. He asked the Village Administrator to look at the Town of Cortlandt's tax rolls when these petitions come in and not go below that. The Village of Buchanan collects only for the Village. The Town of Cortlandt has a separate assessed value for schools. We are currently at \$217 per assessed \$1,000. That is using the renumeration calculation. Trustee Zachary had thought they were talking about the total taxes. Mayor Murray advised that the second number he read is what the assessed value is now, which is what the assessed per thousand will be based on if there is a tax increase next year.

Trustee Hitney commented that there is a lot of documentation that must be submitted to arrive at this number. It is based on appraisals that they have paid for, a lot of other information regarding the price they paid and what improvements they have made. There is a lot of information..

Trustee Zachary commented that he had initially thought this was about the total tax bill. It has now been clarified. Mayor Murray commented that there are other things that go into it, such as the value of the adjoining properties and the age of the home. All that can be obtained through the Town of Cortlandt tax assessor. You can research your home and see if you are above or below your neighbors.

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

f) 11-35 RESOLUTION AUTHORIZING USE OF FACILITY FOR THE BUCHANAN ENGINE COMPANY #1 LADIES AUXILIARY.

Mayor Murray read the Resolution (copy attached).

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

Mayor Murray noted that it is the custom of the Village to allow non-profit organizations to use our facilities free of charge. It is one way we can help out volunteer organizations in our area. .

g) 11-36 RESOLUTION AUTHORIZING THE ENGINEER TO PREPARE SPECIFICATIONS AND FOR THE CLERK TO ADVERTISE FOR BIDS FOR SLUDGE REMOVAL.

Mayor Murray read the Resolution (copy attached).

Mayor Murray advised that every year we have to have a sludge collection. It is the sludge from our sewage treatment plant after it has settled out. Some of the equipment we just replaced is what takes it out and places it into a holding tank. We do not have the ability to de-water our own sludge. We must contract it out. Our last contract was for \$212,000. State law requires anything over \$35,000 to be bid out. When the bids are received and reviewed by the Village Engineer, we will have more information. The Mayor believes it will probably be in the same dollar area and the same gallonage.

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

h) 11-37 RESOLUTION AUTHORIZING THE EMPLOYMENT OF RECREATION PERSONNEL.

Mayor Murray read the Resolution (copy attached).

Trustee Knickerbocker commented that we were putting four counselors in place: two replacements and two that we previously hired but who decided not to take the position. She wanted to know if we have a larger number of children in the camp this year requiring the additional counselors. Village Administrator Hay advised that we have 15 more campers than last year. The Board of Health likes a certain ratio of counselors to children. There was one age group in particular with a larger group than usual. Mayor Murray commented on the people who had been hired but declined to accept. He noted that we were lucky in that we had turned a couple of people away because we were using the old numbers but once the new numbers came in, we had to fill the slots for the people who did not accept because we had to go by certain ratios.

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

i) 11-38 RESOLUTION AMENDING THE MASTER FEE SCHEDULE FOR THE VILLAGE OF BUCHANAN.

Mayor Murray read the Resolution (copy attached).

Mayor Murray advised that the Board discussed this at the last Workshop meeting. They had comments from the public. They have increased all of our fees. Previously it was \$6 for adults and \$4 for children. It was increased to \$10 and \$5. Although we want to encourage people to get a yearly permit for \$150, they found that many people are going on a daily basis. The Board felt that a 40% increase for Village residents was high. It has now been cut in half. It is a 20% increase but it was not as large as it was. Many people did not notice until it came out in the Newsletter. The Mayor commented that the Board tries to be as forthcoming as possible with all

our fees. Sometimes it comes at the last minute. They thought it would be better to decrease it, especially for Village residents.

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

j) 11-39 RESOLUTION AUTHORIZING A CHANGE ORDER FOR THE BLEAKLEY AVENUE ROAD PROJECT.

Mayor Murray read the Resolution (copy attached).

Trustee Hitney commented that she was on the Board when the Village accepted ownership of Valerie Court and Donahue Court. That was based on input from the Village Engineer at the time and other factors. At one time, they knew that these curbs were probably deteriorating. They used a process that they thought would fix them permanently. It turned out not to be the case. She is sorry these problems have occurred for the residents of those streets and she is sorry that certain people cannot be held accountable for fixing them.

Mayor Murray commented that the Village accepted and dedicated these roads many years ago – he believes it was in the late 1990s - and that there is no warranty on the curbs. There were issues with them many years ago. They are damaged and not performing their function. This is one way we are able to save money for the residents. We do not have to rebid this contract out. We are allowed Change Orders in this contract. We have spent far less than what it said. We do not have to re-engineer. It is all in accordance with NY State law and the Comptroller's opinions. He feels this is the best way to do this project and to fix a problem that has been around for 10 years, with minimal impact to the tax payers. A lot of the areas that are deteriorated are in sections between the existing expansion joints. So we do not have to damage the curbs that are in good shape; only take out the ones that are in bad shape. He is confident that it will come in below the amount that is left on the contract.

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

k) 11-40 RESOLUTION AUTHORIZING RELEASE OF BONDS.

Mayor Murray read the Resolution (copy attached).

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

l) 11-41 RESOLUTION AWARDING THE BID FOR ALBANY POST ROAD PUMP STATION.

Mayor Murray advised that this was not listed on the agenda because it was brought to the Board quite late.

Mayor Murray read the Resolution (copy attached).

Trustee Knickerbocker commented that they have talked about how these pumping stations are in dire need of upgrade and repair and she is glad that they are moving on it.

Mayor Murray commented that since this was not on the written agenda, the Board would accept any comments from the floor. There were none.

Mayor Murray advised that we had received these bids several months ago. There was a question about the way the bid packages had come in. They were listed independently. Since we are doing two separate facilities, some of the bids came in much lower and some much higher because some were bundled and some were not. The Village Engineer had to go back to find out why there was such a disparity. It was because some were submitted wrong. These are the correct amounts. The Mayor asked the Village Administrator to explain what is meant by “alternate” and “total” bids.

Village Administrator Hay advised that the difference is the alternate bid is for putting the generator outside the building instead of inside.

Trustee Zachary wanted to know if there was a disadvantage in having it outside, from weather for example. Mayor Murray advised that currently we do have several of the generators outside. The one on Westchester Avenue is outside. The Board can amend this to specify that they have to be inside. The Mayor recommended adopting this bid since he is still \$40,000 below the other bidders and to amend it to \$138,000 so that when the Village Administrator gets more information from the Village Engineer, we can still move forward and have this work done before the deadline. If the Engineer still feels that we can have these installed outside, we can still go to the \$129,500 one. All these estimates were included in the upgrade for the Sewage Treatment Plant. It is part of the bond that was authorized in 2010. The Mayor would also like more information on that. He asked the Village Attorney if there was any issue with amending the amount to \$138,000. Village Attorney Porteous advised that there was no issue as long as the Board approved it.

Trustee Hitney wanted to know if the generator kicks in only in the event of a power failure. The Mayor advised that was correct. Trustee Hitney wanted to know if there was any noise issue by having it outside. The Mayor did not have the specifications. Some of our pump stations are run by gas and others by diesel engines. The ones being replaced are old diesel engines which are very loud. The noise is basically from the exhaust which is vented outside. Trustee Zachary cited a letter from Village Engineer Hahn. It advised that in a pre-bid meeting some of the contractors estimated that placing the generator on a pad on the exterior of the building would be less expensive than placing it on the interior. That is why the alternate bid was added. Mayor Murray advised that only three people responded to the bid. Two said that outside was cheaper. One said that it would increase their cost. It is a relatively small amount of money. The Board will get the information from the Village Engineer. They will authorize \$138,000. It is still the

lowest bidder. This includes not only the generator but other equipment and rehabbing the pump station.

Currently, the Albany Post Road pump station has been out of service for almost a year and a half. If there is a power outage, we have an emergency contract with Cook to have trucks down there instead of a back-up generator. The Board considered having a stand by generator but decided that the increased cost of having Cook in an emergency was less costly than renting a stand-by generator.

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

5. INFORMATION FROM OFFICERS & DEPARTMENTS:

a) Justice Court Reports – May 2011

Received.

b) Zoning Board Minutes – May 2011

Received.

c) Planning Board Minutes – January 2011

Received.

Trustee Zachary wanted to know why they were just receiving the January meeting minutes in July. Mayor Murray advised that for several months the Planning Board did not have anything on their agenda so they did not have any meetings during that time. The Chairman was asked not to have a meeting when there was nothing on the agenda, in order to save money. Trustee Zachary would like to receive more timely updates. Mayor Murray agreed. He advised that they are having some changes with the Chairman and Planning Board Secretary. The Mayor and Village Administrator have met with the Chairman. They are coming up with some new policies and procedures. We are installing a computer for the Building Inspector, changing the filing system for our property records and helped them out with certain technology. The Mayor does not believe this will be a concern in the future.

d) Wastewater Reports – January 2011- May 2011

Received.

e) Attorney's Report

Village Attorney Porteous reported that concerning the Greentown recycling facility application, at its last meeting the Planning Board declared its intent to be the lead agent. Applications have been sent around. There is a 30 day comment period.

Coming before the Planning Board at their next meeting is an application concerning the old BASF building. It is next door to where Greentown Recycling is proposing to put their facility. The applicant is proposing to move AAA Carting into that property. Trustee Zachary wanted to confirm that they propose to do vehicle storage there. Village Attorney Porteous advised that was correct, along with vehicle maintenance.

The attorneys for WIC and IMP are actively speaking regarding a long standing matter before the Planning Board. Village Attorney Porteous believes that we will have final site plan approval shortly. Mayor Murry thanked her for her diligence with these two applicants. He noted that one of these site plans has been open for 10-12 years and the other for 6-8 years. It has taken a lot of coordination. It involved Metro North. We incurred damage to our pump station due to flooding down there. No one wanted to take charge. We basically said that they were going to have to follow the law or else there would be consequences. It has been a long hard job but the Mayor now believes we are going to have resolution. We have billed Metro North as well. The Mayor commented that the Village will not incur all these costs for non-compliance and people doing things outside of the law that cost us money.

f) Trustee's Reports:

Trustee Zachary reported that he attended the Town of Cortlandt's annual Veterans' Picnic which was held at our pavilion. It was a nice day and an opportunity to thank the veterans for what they have done. Trustee Zachary commented that when there is a torrential down pour, standing under the roof of the pavilion sounded like being under Niagara Falls.

Trustee Zachary attended the 9/11 Memorial task force meeting. They have selected the design. This is a three municipality effort – the Village of Buchanan, the Town of Cortlandt and the Village of Croton - to build a September 11th memorial using a piece of steel from the North Tower of the World Trade Center. It will be located along the river walk in Croton. It is a non-profit. Trustee Zachary is on the task force for its planning. The key for them now is fund raising. On September 18, there will be a wine tasting at Monteverde Restaurant in Cortlandt Manor which is reopening under new owners. Donations can now be accepted. Trustee Zachary will have that information put on the Village web site. Donations are tax deductible. They should be made payable to: BCC 9/11 MEMORIAL. The address is: P.O. BOX 153, BUCHANAN, NY 10511.

Trustee Hitney thanked Trustee Zachary for representing the Village Board in welcoming everyone to the Veterans' Picnic. She said that he had some very nice words to say. Trustee Knickerbocker was in attendance. The veterans appreciated the use of the pavilion, especially with the inclement weather that day.

On July 7, from 9 AM to Noon at the Cortlandt Town Hall, Assemblywoman Sandy Galef will hold her annual Seniors' forum. There will be variety of topics relevant to Senior Citizens. Everyone is welcome.

Trustee Funchion thanked everyone for coming out tonight and giving their views on the proposed tax. It is important to hear everyone's opinion and take everything into account.

Trustee Knickerbocker reported that last month she was given a tour of LaFarge. They are one of our Village's businesses and employers. With her were Town Supervisor Linda Puglisi, Peekskill Mayor Mary Foster and Village Administrator Kevin Hay. It was an interesting tour. It is a very clean plant. She knows that they had some DEC issues which they have addressed.

Mayor's Report:

Mayor Murray commented that LaFarge had come before the Village Board several years ago. They wanted to switch their manufacturing from natural to synthetic gypsum. As part of that, the Village, the DEC and other agencies asked them to mitigate the slag pile that was there. It was a legacy issue from Georgia Pacific that was causing some environmental problems with foul odors. That was causing a problem for residents. The Mayor wanted to advise everyone that as of the end of last year, the entire slag pile has been removed and incorporated into some of the existing wallboard. They now use synthetic gypsum. We do not have the big ships coming up. It is basically waste from natural gas and coal fired plants to scrub out the contaminants from the air which is a byproduct that can be made into wallboard. As with all our commercial applicants, the Village is trying to help them to save money and to help them expand in certain areas. The Mayor commented that LaFarge has been a good and responsible neighbor who abided by all the requirements the Village put upon them at the time of their expansion.

Mayor Murray apologized for being unable to attend the Senior Citizens' meeting for their swearing in. He is sure that Deputy Mayor Knickerbocker did well representing the Board. The Mayor commented that he and his wife always love going to the Senior Citizens' events and the veterans' events. Unfortunately, this year he had to work when both were going on. He was glad that the other Board members were able to attend. He considers these events to be important. It gives the whole Board the opportunity to meet with people they might not otherwise meet. It is a great way to find out the different things that residents need and want.

Mayor Murray reported that there are a couple of other things that the Board will be doing with the road bond money. Some residents have asked about road striping on some of the major roads. They are getting prices for that. The money will be taken out of the bond money. In the near future, they will be striping Tate Avenue and Westchester Avenue. They are discussing whether to also do Henry Street or possibly Bannon Avenue.

The Mayor reported that over the past two months, he has had some communication with the School Board about the light which came down in December in front of the B-V School on

Westchester Avenue. We are having some difficulty with some of our electrical contractors not getting back to us as to what the projected costs are. The Board wanted to replace some lights in different parts of the Village. The prices were astronomical; as high as \$70,000-\$80,000. The Mayor commented that for some reason, people do not want to get back to us on how much these things will cost. He wanted to keep the residents informed, and to assure those who live in that area that it is not forgotten. They are actively researching it. There is an issue with the insurance concerning the light at the school. It was not the Village's tree but it was our light. There are different laws governing what school districts can pay for and what municipalities can pay for. It is a legal quagmire. We cannot move forward until we get some firm pricing to determine the projected cost. We have different options which the School Board was receptive to when the Mayor spoke with them. But it is all dependent upon the cost.

Mayor Murray reported that we have done some rehabilitation of the bathrooms at the pavilion. Again, they had 10 year old prices that the Mayor felt were outrageous. After discussing it with other non-profits, we found much cheaper prices on some of the partitions and fixtures. That work should be completed in the near future.

Over the last couple of years and at Workshop meetings, the Board has received comments from residents about a perceived safety issue on Broadway at the Lent's Cove field. They had discussed this with the Police Chief in the past. He has now been asked for a letter with recommendations on how this could be taken care of. The situation is that at certain times of the week, there are a lot of people in the Lent's Cove area, not at the field or the parking lot, but in a grassy area next to the former Con Edison entrance. The Mayor noted that there is no break there between the grass and the road way. There is no fencing. Some residents have expressed concern that someone could run out and be run over. The Mayor advised that there are only a few things that the Village could do. He is not in favor of cordoning off public property and not allowing the public to use it.

The Mayor read a letter from Police Chief Tubbs dated last week. It advised that currently, there is no violation of the Village Code because the property is not posted Village owned property nor are there posted restrictions governing its use. It would require signs stating what activities were prohibited or advising of the requirements to use the property, such as by permit.

The Mayor would like the Board to consider this and possible solutions that would resolve the concern while not curtailing the public's use of public property.

6. COMMENTS FROM THE FLOOR:

Diane Tangen, Catherine Street, commented that watching the last Board meeting, she appreciated that Trustee Funchion is very concerned about protecting the residents in the event that Indian Point is not relicensed. She also noted his comments about alternative energy sources and people losing their jobs. She wants the Board to also think about what would happen to the nuclear waste and who would be responsible for it if the plant is not relicensed.

Ms. Tangen commented that as was brought up this evening, renegotiation with the Village employees will not happen until 2014. She commented that we all know what happened the last time when people asked to be involved but were not allowed to. She wanted to know if there are procedures that can be put into place to prevent that from happening in the future. She has worked under contract and that was defined for both sides. She suggested looking at what other municipalities do so that we do not feel that negotiations have not been done properly. We should do this while we have time.

Ms. Tangen wanted to know if AAA Carting is in an existing building on Greentown Road. Mayor Murray advised that they purchased the former BASF building which is across from Timco and next to Save-A-Tree. Past that is where the recycling facility is being proposed.

7: AUDIT OF VOUCHERS:

At 9:49 PM, the Board audited vouchers.

8: ADJOURNMENT:

At 10:10 PM, a MOTION to adjourn was made by Trustee Hitney, seconded by Trustee Knickerbocker with all in favor.