

**Village of Buchanan
Mayor & Board of Trustees
Village Board Meeting
July 1, 2013**

PRESENT:

Mayor Sean Murray

Trustees Theresa Knickerbocker, Richard A. Funchion, Nicholas Zachary and Duane M. Jackson

Village Administrator Kevin Hay

Village Attorney Stephanie V. 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.

Mayor Murray introduced Janet Maniero, Project Director, who will give us an update on the Buchanan-Cortlandt-Croton 9/11 Remembrance Memorial project. She has been coordinating through the 9/11 Committee the efforts for the three municipalities, as well as the vendors. The Mayor commented that the amount of effort and time she has put into this is astronomical. There have been some updates in the last couple of months and she has gone to each one of the municipalities involved and given presentations and updates for the public to let them know where the donations have gone and what the progress of the whole project has been. The Mayor welcomed her and expressed appreciation for her coming here this evening.

2. PRESENTATION ON 9/11 MEMORIAL:

Janet Maniero presented a status update on the Buchanan-Cortlandt-Croton 9/11 Remembrance Memorial at Croton Landing. She thanked the Board for inviting her. She said there was only good news. She had photographs of the completion of Phase One of the monument which she passed around. With the completion of Phase One, they have now installed the sun dial. It is a bona fide sun dial. It is registered with the national registry of sundials. They have the medallions, which are the hour markers. It does function well. There is a formula when you do a sun dial. You have to add or subtract minutes. She noted that Mother Nature does not adhere to Daylight Savings Time. Jim Rhodes designed the sun dial. They have asked him to do some presentations around the local area to show people how to read a sun dial. That was Phase One. Her estimate of the cost was \$38,490. They received a lot of pro bono work and services worth almost \$14,000. Buchanan, the Town of Cortlandt and Croton between them contributed a total

of \$20,000 according to the IMA signed last year. They received the final payment of \$6,000 last week so the IMA has been satisfied. She thanked everyone very much. The foundation has kept up with all its administrative costs which include the P.O. Box, stamps, etc. She noted that as the photos show, some of the plants did not survive the hurricane and will be replaced. Town Supervisor Linda Puglisi gave them a wreath for Veteran's Day. There is a free shuttle provided by the Village of Croton that picks up Seniors or those unable to walk from the parking lot the quarter mile to the memorial. They are there through Labor Day from 9-11 AM.

Phase Two consists of three components. One is the bronze statue of the woman reaching but not touching the steel. There will be the Remembrance Gun and a plaque. Ms. Maniero advised that this work is based on their receiving a grant that Assemblywoman Sandy Galef helped them to hopefully get. The Village was the lead contact and submitted a proposal for the grant. It is for \$50,000. It comes from the Community Capital Assistance program which is then submitted to the Dormitory Authority of the State of NY. It is a reimbursement grant. She commented that she did not know that. She thought they would get a check at the end of the day but they are not. She has to submit paid invoices. You have to have the money up front to pay for all the pieces. But she thinks they can work around that and figure out how they can work with different companies. The biggest cost is the foundry to do the casting of the statue. Last week with the sculptor, they met with the Modern Art Foundry in Yonkers and explained their situation. They were advised that the foundry owner had worked with many people who had grants and knows how to submit invoices and schedule and stage out his work so that he has money because, Ms. Maniero believes, it takes some time to get the reimbursement. They were happy to hear that.

Right now the statue is in clay. It is over at the Westchester Industrial Complex (WIC) who has donated the studio space. The committee pays the utilities. Ms. Maniero said that WIC has been very nice to them. The next step is to put it in plaster. It will then be brought out to the site and positioned exactly as they want it to be, reaching for the steel. The plaster goes to the foundry. It takes about 6 months to do the whole process. They are thinking that if they do the plaster now and get it positioned, they may go ahead and pay for the foundation so that they will not run into cold weather problems. Then when it is ready, it may be put in at any time. That is the current plan. The casting will cost about \$37,800; transportation, insurance, casting and molding. Ms. Maniero believes that will take up most of the grant. The rest of the grant will go toward the Remembrance Garden. She estimated it at \$10,000 but noted that the Village of Croton advised her that is probably too low. Two of the benches are \$3,000 each. The bronze plaque is estimated at \$2,000. She is hopeful that it will all fall into place. They had a landscape architect look at the site and lay out a plan. Ms. Maniero commented that it is pretty amazing. She passed out copies. All the plants will be low maintenance, drought resistant and will tolerate flooding. Most will blossom in the Fall. She pointed out the placement of various plants and benches. They are still determining the best place for the plaque. The Croton DPW has offered to install it. The committee is also thinking of putting a story board explaining the sun dial over by the river but within sight of the statue. They are thinking of doing this in the Fall. As fund raising events, they have established commemorative plaques that people can purchase for

\$1,000. They have the hour markers made of brass installed in a nice, little plaque and dedicated to them in appreciation. Ms. Maniero met with the Village of Croton in June and will be meeting with the Town of Cortlandt on July 15. She noted that in September she will be honored with the Women of Distinction Award. She thanked the Mayor and the Board for nominating her. She had the chance to meet with State Senator Ball and asked him about additional funding. She was advised to follow through with him at a later date. She commented that in December after the Newtown tragedy someone – it is not known who – left some action toys and Beanie bears representing the children who were killed that day. She commented that the site has become a place to grieve and reflect. She brought those toys to Newtown and presented them to the Selectmen there.

Mayor Murray asked her to leave a copy of the plaques so that they can be made available to the public at the Village office. Ms. Maniero gave a copy with order forms. Trustee Zachary believes we have a link on the Village web site. Mayor Murray advised that we will have copies available at the Village Hall.

Trustee Zachary wanted to know if the grant money from Assemblywoman Galef has been approved or is that still questionable. Ms. Maniero believes that it has been verbally approved. But the Village of Croton is waiting for the contract to come in. At that time, they will sit with Ms. Maniero and determine what she has to satisfy concerning the grant. Trustee Zachary noted that this has been going on for four years. He commented that he has been somewhat involved with this group, more as a booster, but there are people on this task force who have really worked hard. They have worked persistently. Ms. Maniero has been the person who has kept everything together. He thanked her and the entire task force.

Trustee Jackson commented that he wanted to echo those sentiments. When he went down there for the initial dedication, he was overwhelmed by it. He noted that on 9/11 he was seven blocks away from the World Trade Center. He commended Ms. Maniero and her group for all the things they have done. Concerning the funding, he wanted to know if they have identified any County or Federal funds that might be applied for. Ms. Maniero advised that she was not aware of any. Trustee Jackson asked that anyone in the public who might know of anything like that or has experience with grant writing that may help, to contact the Village. It is a great effort and shows the communities coming together. He thanked Ms. Maniero again for her efforts. Ms. Maniero commented that grant writing is very difficult. Mayor Murray commented that the Village has run into several issues with this. We have offered to pay people for this but without success. He commented that it is a very treacherous to navigate. New York State is putting together a way for us to qualify or pre-register to receive grants so that it should make it easier to receive money. We are not the only municipality that has had difficulty raising money, not only for non-profit and these types of construction projects but also for other construction projects. Things are changing a little. Representative Nita Lowey has been sending us information on

things that are available from the Federal government and we are trying to get that same information from our State representatives. We are still trying to see how those changes will work out. We can send something to Representative Lowey to see if she can help us out with this.

Trustee Jackson commented that Ms. Maniero had mentioned the brass plates. He commented that the American Legion has found with the flags they put in cemeteries that some of the brass was being stolen. Mayor Murray advised that these brass plates are different. They are for the individual contributors. They can be purchased for a \$1,000 contribution. Trustee Zachary wanted to note that those brass plaques represent different events from 9/11. So as the sun dial hits a different time of day, it represents the plane hitting the first tower, the second tower, the one that went down over Pennsylvania and so forth. Each event in that tragedy is commemorated in the sun dial. Ms. Maniero advised that they did consider the brass plaques being stolen. It is always a possibility. They are cemented and there are prongs that go into them. They also had concerns about people climbing on them. What they did was to put in a plant with thorns. The Mayor commented that discussion was held on how to deal with that without putting a fence around it. The solution was a thorny bush as a deterrent to anyone wanting to climb on it. Ms. Maniero commented that people leave advertisements there. Someone left a rock with their blog name on it.

Mayor Murray thanked Ms. Maniero for coming. He commented that we know that there is a long road to hoe but we appreciate her efforts.

3. APPROVE MINUTES: May 21, 2013 Workshop

Trustee Funchion amended page 8, last paragraph, 4th sentence, for clarification to now read “if it is their job, why was”; page 13, 3rd paragraph, 2nd sentence, for clarification to add “the State pension fund”. A MOTION to accept the minutes as amended was made by Trustee Jackson, seconded by Trustee Zachary with all in favor and Trustee Knickerbocker abstaining.

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

None.

5. NEW BUSINESS:

Mayor Murray announced that the order of business would be changed. We will do agenda item (b) before agenda item (a) so that we can do agenda items (a) and (c) together. The Board members concurred.

b) 13-25 RESOLUTION AUTHORIZING PROPERTY TAX REDUCTION AND TAX REFUND.

Mayor Murray read the Resolution (*copy attached*).

The Mayor advised that it is the assessed values that have declined. He noted that is not the taxes being paid. He is aware that there has been confusion in the past when we have talked about reducing the assessed value. It has been incorrectly perceived that people received a tax break in those amounts. It is the assessed value that has been reduced and that is how we formulate what we collect in taxes.

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

a) 13-26 RESOLUTION AUTHORIZING A RELEASE OF A BOND.

Trustee Knickerbocker announced that because this agenda item pertains to her, she is recusing herself and will leave the room while it is being discussed and voted upon. Trustee Knickerbocker retired from the meeting room at this time.

Mayor Murray read the Resolution (*copy attached*).

Mayor Murray asked the Village Administrator and Village Attorney if all the conditions have been met for the release of this bond. Village Attorney Porteus advised that they all have but two and that is why we released \$25,000 and took in \$2500 which is the recommendation of the Village Engineer. She advised that she has spoken with Trustee Knickerbocker and her mother. They are preparing or having someone prepare an "as built survey". An easement agreement is between Theresa Knickerbocker and her mother on one hand, and just Theresa on the other. Village Attorney Porteus anticipates that easement agreement will be done immediately. That would be the remaining items. The "as built survey" was never submitted. Trustee Zackary wanted to know what the items are. Village Attorney Porteus commented that they need an "as built survey" and the second one is that the property that we are talking about releasing the bond for, they have their trash container on the adjoining property which is Theresa Knickerbocker's. It is not owned by her mother. So we need an easement agreement stating that they can keep the trash containers on that property. Because it is between Theresa on one hand and her mother on the other, the agreement will be done immediately because there are no other parties to contest it. Mayor Murray noted that the \$25,000 was the performance bond for the work done on the building over the last eight or so years. Village Attorney Porteus advised that all the insurances are in and all the taxes are up to date.

A MOTION to adopt the resolution as presented was made by Trustee Funchion, seconded by Trustee Zachary with all in favor and Trustee Knickerbocker recusing herself and not present.

c) 13-27 RESOLUTION AUTHORIZING MAYOR TO SIGN EASEMENT AGREEMENT.

Mayor Murray read the Resolution (*copy attached*).

Mayor Murray called on the Village Administrator to present the details as discussed by the Board after reviewing the file at the last Workshop. Village Administrator Hay advised that in 2004 there was a Planning Board resolution requiring certain aspects to be taken care of. They included liability insurance, signage that needed to be placed there, copies of the leases and an agreement that the Village would be notified should the insurances lapse. All the conditions that were outstanding were taken care of beforehand. Other conditions were taken care of previously. The Mayor wanted to confirm that this easement agreement is a mirror of the two previous ones that were approved. Village Attorney Porteus confirmed that was correct. She advised that the only change she made was to insure that the Village was entitled from the insurance carrier to late or cancellation notices, on the insurance that Theresa Knickerbocker has to keep an easement issue and that we would automatically get a copy of the renewal policy sent to us. The Mayor commented that basically we have put into place a third party notification where we would not have a lapse in any insurance coverage if the property were to change hands. We will receive notification on a yearly basis that the Village be covered by insurance. The easement would be revoked if any of these conditions were not made by either the current or any future owner. The Mayor commented that we put these things in because we always have to look toward the future.

Village Administrator Hay advised that the back flow preventer condition was also taken care of. The Mayor advised that the back flow preventer requirements are part of the County Board of Health which requires yearly testing by a licensed plumber. Those records are kept by the County Board of Health. The Mayor commented that if in the future we have a lot of back flow preventer issues with certain properties, we may start enacting our own way of tracking back flow preventers within the Village of Buchanan. New York State law as well as the laws of the Westchester County Board of Health allow us, and some say require us, to maintain those types of records. Right now the Board of Health and the County are the ones who certify it.

Trustee Zachary wanted to confirm that once granted the easement now goes with the property. Village Attorney Porteus advised that was correct. Mayor Murray advised that is why we changed some of the terms and conditions, knowing that people's properties change hands. What we have run into with certain properties over the past few years is that the requirements and conditions for operation that were put on them seem to not be followed once the property changed hands. We do not have a good system in place to make sure that everything is taken

care of. That is why we put in a Third Party Notification. These are things that we want to keep going forward, attaching more things to the conditions of the use of the property. We have been working with the Building Inspector to set up a filing system when title searches are put in place, not only for easements but accessory apartments and other terms and conditions of operation.

Trustee Zachary commented that in an easement between a resident and a private business or somebody other than the Village, they would basically just be in a legal contract between those two people. In our case here, there are certain conditions such as the four cars that are allowed to park in there having to have a certain sticker. He wanted to know what exactly that sticker is and if the property is sold in the future, is it the Village's responsibility to check the stickers. Mayor Murray advised that it is the owner's responsibility because that is part of the easement agreement. A lot of these issues become enforcement issues that use up Village resources and we want to get away from enforcement issues. If the terms and conditions of any owner are not met, we can just send them to court. We do not have to chase them. That is the kind of thing that he wants to enact more of. We have started over the past couple of years. We want to follow through and make it the norm and not the exception. Village Attorney Porteus advised that because it gets filed with the County, concerning title searches, it runs with the property. Anyone who buys that property will see that with the title search and know that there is an easement with these conditions that comes with the land. The Mayor commented that it similar to your car insurance where they notify the DMV and send you a revocation notice

A MOTION to adopt the resolution as presented was made by Trustee Funchion, seconded by Trustee Zachary with all in favor and Trustee Knickerbocker recusing herself and not present.

Trustee Knickerbocker returned to the meeting at this time.

6. INFORMATION FROM OFFICERS & DEPARTMENTS:

a) Justice Court Report – May 2013

Trustee Knickerbocker commented that we used to be able to see in this report the different fines by each offense. She wanted to know if we have stopped doing that. Mayor Murray advised that when we went with the new Court Clerk, she updated the filing system and the system from New York State. She is using the New York State submission logs. They are all State logs. The way we were doing it was an antiquated system. It is better now with the new system. The Village Administrator will ask the Court Clerk about this. The Mayor said that we can discuss this.

b) Wastewater Reports – May 2013

Received, reviewed and filed.

c) Zoning Board Minutes – May 8, 2013

Received, reviewed and filed.

d) Planning Board Minutes – May 16, 2013

Received, reviewed and filed.

e) Police Reports – May 2013

Mayor Murray noted that the report states that we transported four prisoners. He did not sign an agreement with Westchester County to transport prisoners because he did not feel that we would be doing that because of our manpower. He asked the Village Administrator if there was a reason we were transporting these prisoners. Village Administrator Hay advised that agreement was with Westchester County. We had prisoners at Riker's Island that we had to pick up. That was the only reason. The agreement we formerly had with the County was for bringing prisoners back and forth to the County Jail. We had someone we had to bring up from Riker's Island so we had to pick them up. The Mayor wanted to know why we have to pick them up from the City of New York if we do not have to pick them up from the County. The Village Administrator advised that he will check on that with the Police Chief. The Mayor noted that he did away with that agreement with the County for monetary reasons, so why do we have to go further. He wanted to know if it was possibly a State law which we were not aware of.

f) Attorney's Report

Village Attorney Porteus reported that she had nothing new to report at this time. Mayor Murray reported that he has asked the Village Attorney to refresh herself on some labor laws like the Taylor Law. Our union contracts will be up next year. Two Workshops ago, he asked all the Trustees to review the contract and look at anything they would look forward to in the upcoming contract negotiations. They will be discussing that at the next Workshop meeting. The Mayor has asked the Village Attorney about some of the retroactive agreements and some of the changes in the arbitration laws that have come down from the State so that we can be better prepared to negotiate a fair and equitable contract. The Mayor commented that labor law is very time consuming.

g) Trustee's Reports

Trustee Funchion said that he has nothing to report because he has been away.

Trustee Jackson reported that he had a great time at the Seniors' luncheon. He talked with a lot of the Seniors and had some of them interested in joining us in our new Buchanan Historical Society that we are putting in place to carry on the tradition of the history we have here in the Village. He has three volunteers at this point and a fourth whom he met in the Post Office today. It is great that they are moving along and trying to get that in place and share that with our school children throughout the Hendrick Hudson School District.

Trustee Jackson has spoken with the outgoing School Superintendent of the Hendrick Hudson School District. He has an appointment to meet with the new Superintendent. He advised that it is basically to talk about all the things that are going on in the school such as evacuation and hold in place, and to be up to date with some of the emergency efforts that the school district has employed and how we can augment them here in the Village and bring our Police Chief on board so that with a new Superintendent coming in, everybody knows everybody. He can get to know who we are and we can welcome him to the community and make sure that we have a clear understanding about some of the things that he wants to bring to the table.

Trustee Jackson commented that he has six new neighbors on Lake Drive and Hilltop. He has met with some of them. He noted that two have volunteered for the historical society. He is talking with those who have property sitting on Lake Meahagh concerning some of the pollution coming off the lake and getting caught in the weeds and vegetation around their properties. Trustee Jackson said that he and Don Zern are going to put together an ad hoc committee of concerned Lake Meahagh residents to make sure that they get a handle on the pollutants going in there and to work with the Town of Cortlandt on how they can address that. He commented that Don Zern has concerns about the algae. Trustee Jackson commented that it is great because people are volunteering and getting involved.

Trustee Zachary wanted to follow up on something Trustee Jackson referred to in his report. Trustee Zachary said that he is always picking up litter in front of his house. But at a recent Board meeting, Don Zern mentioned something that he was not aware of before; that anything that goes down our storm drains ends up going into Lake Meahagh. Trustee Zachary said that he has now become even more careful about things like McDonald's bags to cigarette butts which do not break down and should be put into the garbage. He thanked Mr. Zern for passing that information on. Mayor Murray commented that part of our storm water management program is community outreach about where our storm water goes. We met all the requirements the County put on us several years ago. That included putting medallions on our sewers and having certain notifications sent out. He wanted to know if we have a yearly inspection of our programs. The Village Administrator advised that the audit we have is not yearly. They go through municipality by municipality. That was when we scored very well. We were complying with all the issues we had on our report. We had no violations and no issues. The Mayor advised that

many people are not aware that anything that goes into our storm drains, which a lot of people think are sewers, goes into our waterways. As best we can, we try to prevent any of our storm water from entering our sewer plant because then we would have to process it. That is when the water impingement on some leaking pipes entered our sewer system which we had repaired helped take care of some storm water intrusion into our sewer plant. But anything that goes into the storm drains goes into the waterways. Some people think that a storm drain is a sewer which it is not. That is why we had to put medallions on our storm drains.

Trustee Zachary reported that he attended the Seniors' luncheon. It was a lot of fun. He commented that he thinks that any municipality can do things like pick up the garbage and plow the snow but it is things like the Seniors' program and recreation programs that make a place a special one to live in. He thanked the Seniors for the invitation.

Trustee Zachary reported that the Buchanan Day Committee met this week. The committee is small. Anyone who would like to get involved is invited to their next meeting on July 10 at the Highway Department building at 7 PM. The meeting dates and times are on the Buchanan Channel screen. Buchanan Day will be on Saturday, September 28. The rain date is September 29. A flyer will be sent prior to the date. They are planning for it to be as much fun as the two past ones.

Trustee Knickerbocker remarked that the Buchanan Day Committee is a small group as Trustee Zachary said, but it is also a mighty group.

Concerning our local history, Trustee Knickerbocker has been talking to a life-long resident of the Village who has been here for many years. He has agreed to sit down with her and anyone who may come with her. She asked if she could record him but he did not want that. She will take notes about how the Village was in the past and how things were different then. She wants to document that. She commented that unfortunately, she did not do that sooner and we have lost a lot of long-time Village residents over the last couple of years. She will let everyone on the Board know and anyone who wants to come and hear the stories. Another resident has approached her about going through the houses in the Village and the dates that they were built, who were the original owners and who lived here when we were first getting going here.

Trustee Knickerbocker noted that they had discussed noise complaints at the last Board meeting. Some had been brought to her attention and she was sure that others had also experienced them. She commented that we know that it is summer, the days are longer and people are out more. She had been given several complaints about people using leaf blowers at 9:30 at night. It was discussed at the Board meeting. The Village Administrator put in the Newsletter a reminder about our noise ordinance. She feels that it really does not exactly cover what we are talking about. She would like the Board to look at the noise ordinance at the next Workshop. She feels

that 9:30 at night is late for using a leaf blower. The sun is down and some people are sleeping. Trustee Knickerbocker asked everyone to be considerate of their neighbors and the other residents. She commented that because it is hot in the summer, the landscapers and lawn maintenance companies like to get out there early to cut the grass. She knows that sometimes they are out there at 7:00 in the morning. It disturbs a lot of people. She asked everyone to remind their landscaper that they cannot start before 8 AM.

Trustee Knickerbocker has also received a lot of complaints about people walking dogs. She asked everyone to please curb your dog and do not let your dog walk over other people's yards. That is not fair to other residents who try to maintain beautiful lawns. Some spend a lot of money keeping their lawn looking as it does. She commented that many residents are good when they walk their dogs but there are some who let their dogs on a leash walk over other people's lawns.

Mayor Murray commented that with any change to our Code, we would go through a Public Hearing process. He advised that if Trustee Knickerbocker wanted to change the Code, to look it up and decide how she would want it changed. The Board will discuss it at a Workshop and put together a resolution to have a Public Hearing. He noted that the Newsletter gave different times for weekends and week days for our noise ordinance.

h) Mayor's Report

Mayor Murray reported that the Village Administrator and Village Engineer have gone over the roads and put together a schedule, a list of road repairs, curb repairs and crack sealing. Currently, it is approximately \$100,000 where we had \$85,000-\$87,000 left to spend in the bond. The Mayor commented that looking at that list all those repairs are desperately needed. So we will have to discuss finding a way to come up with an extra \$10,000. Some repairs that were not on that list were FEMA repairs which we have already received money for that are going to be bid out also. The Mayor wanted the residents to know that we do have the list together. Many residents had concerns about certain streets. He believes that we have addressed the majority of those that have come up over the last six months to a year. Repairing some of the winter storm damage, there is a road that was not anticipated to be worked on. It is going to cost some money to fix. But we do have a list together and we will be working on it. We will also be putting the Stop bars down. The Mayor wanted to know if we have a schedule for that. The Village Administrator advised that he had spoken with the Highway Foreman. They had some problems because of rainy weather. The plan is to start in the Circle and move outward from there using the manpower we have. The Mayor advised that we are going to be putting down our own Stop bars. He noted that we have done a lot of paving and crack sealing over the last year. We wanted to make sure that major work was done before we started painting on the street. He

commented that we do not have a lot of lines painted on the road and many times people will drive right by a Stop sign because it is the custom in every municipality to have the white lines. We will be addressing that with our own manpower as weather permits.

The Mayor commented that as many people have seen, the clock in the Circle is not operational again. There have been some electrical issues in the underground lines that go there. Whether it was because of settling or due to some of the past construction there, we have to put in a new piece of conduit and new electrical service there. The electrical service in the Circle has been there for a long time but there have been a lot of modifications to the properties around it. There were sidewalks put in and the construction of other buildings and the clock as well as some of the underground services there. The Mayor believes that a lot of that might have contributed to the electrical issues. We will be putting in a new line, so if residents see that has been dug up that is the reason.

The Mayor advised that we had some issues with our cable TV broadcast. Our videographer has been trying to adjust the volume so that it is easier to be picked up. We may have to purchase a mixer because we used to record the meetings on videotape. Now everything is digital. The Mayor commented that digital seems to be more susceptible to variations. He noted that the equipment we use has been here since sometime in the 1970s. The Mayor believes that it may be outdated. Hopefully we will not have to purchase this equipment. We have purchased a lot of equipment to go digital downstairs in the Village office. With Optimum and Verizon, we have two separate lines coming from the building. Verizon had a separate issue with the broadcast which they were able to repair. Optimum seems to have not been as readily able to repair it. As in the past, we have had issues which we have been able to address and purchased new equipment on an as needed basis. We did not want to revamp everything all at once. Hopefully, we will be able to rectify this situation without the need to purchase more equipment but the Mayor feels that it is very important for all our residents to be able to view their Village government in action whether it cost two or three thousand dollars to purchase one more piece of equipment. We would be up to date with all of our digital recording and transmission. Hopefully, we will find out in the next few days if everyone can watch us or not.

Mayor Murray advised that last month he was mistaken in describing the way in which we give money to the Fire Department for the Vehicle Replacement Fund. He had stated that it was in monthly installments. The \$25,000 that we budget is given to them in one check in October. The Mayor reported that he received a letter today from Trinity-Boscobel Methodist Church wishing to help out during times of emergency and natural disasters such as a hurricane. The Mayor will be coordinating some of this with the Fire Department. The church does not have a generator but they do have facilities that would be available which they are offering to the residents at no cost. If they do not have electricity, something will have to be coordinated with the Fire Department as well as Village Hall. Last year when the rest of the Village lost

electricity, the Mayor had been unaware that the generator at Village Hall only powers the first floor. He believes that it is large enough to power the second floor so that in an emergency we can make our Community Room available. He wanted to know the status of the specifications. The Village Administrator advised that we are having electrical contractors come in to evaluate the service we have, the demand we would have and the capacity of our generator. He will report to the Board when we have that information. The Mayor directed to have that within the next two weeks. Trustee Knickerbocker commented that this is a good idea. She noted that the last time when so many people were without power, it would have given people a place to go when it was so cold. In a hot weather situation, it would provide air conditioning. This way we would know that people were safe. The Mayor commented that during the hurricane, the Town of Cortlandt made their Community Center available to us. We had transportation available to any resident who needed it. He feels that since we do have organizations that are willing to donate their time, effort and money, and we have the ability to support our residents, he does not see why we cannot do it. He thinks it is great that different volunteer organizations are willing and able to help all our residents in times of need. Trustee Zachary wanted to know if the church was basically offering their space. The Mayor advised that they were offering a lot of things. He will give copies of the letter to the Board members. He did not wish to read the letter in full at this time because he wants to talk with the Fire Department about it. Westchester County wants to coordinate some things. He wants to set something up before we fill in the full details. Trustee Knickerbocker commented that we need to put together an emergency plan.

7. COMMENTS FROM THE FLOOR:

Eileen Absenger, 138 Tate Avenue, commented that at the Workshop, discussion was held on the Village cleaning up the property at the corner of Henry Street and Tate Avenue. She wanted to know if that is done will that be cost out with the taxes or as a lien. She noted that that had been done with a property on Bannon Avenue. She recalled someone commenting that it could not be put on the taxes. Mayor Murray advised that he had made that comment because when we have outstanding water bills, every year that requires a vote to put on the taxes. His question was why do we have to put the water bill on the taxes with a vote and not have to put the property maintenance liens on the taxes without one. Trustee Knickerbocker noted that this concerns when the Village has to cut the grass on a vacant or abandoned property and how does the Village get paid back for those services because we send our employees to do it. The Village Administrator advised that we have only had a couple of occasions to do that. The Mayor advised that with the Bannon Avenue property, someone called us and asked for a bill. Possibly they had heard that we were going to raise their taxes. So we will be sending them a bill. What we were waiting for was clarification on the exact ownership of the property because the law had changed where the banks own it and whether it is in foreclosure or not. What we are doing at the present time is putting a lien on it because we do not have a mechanism in place to

automatically put it on the taxes. We are still looking into the legalities of what we may be able to do or cannot do.

The Mayor advised that the other part of that discussion was when we have a lot of unpaid taxes or a lot of liens whether to auction them or not. Village Attorney Porteus commented that she believed we were saying that it would have to be done by resolution. The Mayor said that we did not have the language together and the case law. He did not believe we have that in our Code. Village Attorney Porteus advised that we do. Trustee Zachary noted it was Section 137-6. Ms. Absenger wanted to know if the Village can still auction them off. The Mayor advised that we do not have that in place yet. We are not even sure that we are going to do that because of the amount of money it could cost to recoup a small amount. We would have to tailor the law with a threshold where we would not be spending more money than we would be bringing in. He noted that even though the Village is owed approximately \$72,000 in outstanding taxes for properties around the Village, they are broken down in amounts like \$2,000 and \$4,000. We are trying to work out the details so that we do not lose money trying to get money.

Ms. Absenger wanted to know if the house that is in foreclosure is the bank's responsibility. The Mayor noted that this was a house where there were some illegal activities with the tax sales. He commented that the crux of the argument is that banks are not required to notify municipalities as to whether they own a property or not. What they were saying was that it was not in foreclosure so it is this person's responsibility. The person was saying it was not, that the bank took it. There was no law saying that the bank had to tell who owned the property. That law was supposed to have been passed a couple of months ago. We still have not adopted that yet in the Village. We still have to look at it. It is a process going forward.

Village Administrator Hay advised that concerning the tax liens, he has begun calling other municipalities to find out how they do it. Because this the vacation season, he is still waiting to hear from some but he will report back when that information has been received. The Mayor advised that we brought this up because we were having some property issues with people who do not live in the Village but own property here. It is one reason why we went to an accessory apartment law instead of a two family house law. It is so that the people who live in the Village are responsible for their properties. When these properties change hands or people die, many times their houses are not properly transferred or the people live out of state and are using it as an asset. The Mayor commented that we want to keep the Village as it should be which is why we are enforcing a property maintenance law. We are working out the quickest and easiest way to recoup the funds that we would spend.

Ms. Absenger commented that she has been asked by two or three people about the No Turn On Red at the light on Bleakley Avenue and John Walsh Boulevard. She recalls that there was a discussion about that. She wanted to know what happened with it. She noted that there is a sign

on the light but thought that there was also another sign on the street, which there is not. Mayor Murray did not recall there ever being a sign in the ground. From 2009 to 2011, we held three separate Public Hearings on that intersection. Each time a different group of residents came out and did not want that sign removed. What some residents and one business there told us was that because of the height of the hill in the back people were not backing out of their driveway until they knew that light was red. When it was green in the direction of Bleakley Avenue going to Broadway, they would back out. Also the people who were in back of the bar would not proceed unless the light on Broadway was red. Because all three groups who spoke at these Public Hearings did not want the light to come out, all three resolutions did not pass. Ms. Absenger noted that the people who asked her were from Verplanck. The Mayor commented that he has also been asked about it. He does not think that we will explore it again because it has been done several times in the past and he does not think it is right to keep bringing something up and hope that people do not come out and then vote on it when the majority of residents who live in the area want it to stay. He commented that it is only a 30-40 second inconvenience, if that.

Ms. Absenger commented on material going into the storm drains. She has had six foot pool noodles, plastic bags and numerous other things go down the brook on her property. Trustee Zachary questioned whether that was coming from the storm drains. Ms. Absenger commented that it is coming from some place. She has an easement with the Village which she said is never attended to. She requested that the Highway Department send someone over and make a note that it is a yearly clean up at the brook. Mayor Murray advised that we will review the easement and that we will enforce the terms and conditions of every easement that we have.

Ms. Absenger commented on the Police Report. She wanted to know why we had a prisoner in Riker's Island who needed to be picked up and where were we bringing him. Village Administrator Hay believes it was someone whom we had arrested who was out and about and got re-arrested in New York City. He will get the details from the Police Chief. Mayor Murray advised that we were having issues with the County because even though we were being reimbursed, it was only a small portion of the money we actually spent. He felt that the County should transport its own prisoners. We tried to work with them but they were putting our police officers in back of the larger population of court cases. So our officers had to wait there 3, 4 and 5 hours for the bus to offload and count the prisoners. We tried to work with them to get us in and out with our one prisoner. They would not do that. So we decided that we would not transport these prisoners any more. So far as the Mayor knows, we have not had to. He noted that this report shows four prisoner transports. He wanted to know if it was the same prisoner four times. The Village Administrator believes it was two prisoners with two trips each. The Mayor commented that it was not right to have our officers wait so long and our having to pay that much in overtime. It became uneconomical. If they would have worked with us, we would have worked with them. He noted that the Police Chief came up with the proposal in order to help save money on his budget. The Mayor agreed.

Trustee Zachary commented that he has previously brought up getting some long range planning with the budget and that the Mayor suggested that Trustee Zachary draft a memo for the Village Administrator to send to all the department heads. He did that and wanted to know the status. Village Administrator Hay advised that it was sent. The Mayor advised that as the Board had discussed, they would have a different department head come to each Workshop. The Village Administrator advised that the Sewage Treatment Plant would be first. We will select another department head each month. The Mayor advised that we will have each one talk with the Board about what they see their needs as being.

Trustee Zachary wanted to know if the Board will be discussing the upcoming union contracts in the Workshop or only in Executive Session. Mayor Murray advised that we have to discuss it in Executive Session. We can have an Executive Session in a Workshop or during a regular meeting but the Mayor does not like to do it at a Workshop. Trustee Zachary wanted to know if it would be on the agenda for the August meeting. The Mayor advised that he wants to look at the Open Meeting Law. He does not want the public to have to sit here for an hour or more while the Board is in Executive Session. Legally, we can go into Executive Session in a Workshop because it is a publically convened meeting and we do keep minutes. He is not against doing that when it comes to discussing contract negotiations. He does not favor doing it at a Workshop for anything else. When he considered the logistics, we are not voting on anything or expending any funds. When we have a quorum as a voting Board, we have to do it legally. Trustee Zachary wanted to know if we have to advertise it. The Mayor advised that is where we have to look at the Open Meetings Law. We do advertise when we have Workshops but we do not advertise an agenda. If we plan an Executive Session, it can be interpreted as having an agenda which we would have to post it 72 hours prior to the meeting. He advised that we will focus on reviewing the contracts and getting together what the Board members want. He will look at the Open Meetings Law and see how we can work it out.

8. BOARD MEMBER REBUTTALS:

None.

9. ADJOURNMENT:

At 8:52 PM a MOTION to adjourn this meeting was made by Trustee Funchion, seconded by Trustee Knickerbocker with all in favor.