

Village of Buchanan  
 Mayor & Board of Trustees  
 Regular Meeting  
 Monday, December 7 2009

**PRESENT:**

Mayor Alfred Donahue  
 Trustees Theresa Knickerbocker, Sean Murray, Gail F. Richard and Brian Smith  
 Village Attorney Stephanie V. Porteus  
 Village Engineer Tim Cronin  
 Village Secretary Susan F. Matthews

**1. PLEDGE OF ALLEGIANCE:**

Mayor Donahue opened the meeting at 7:30 PM, welcomed everyone and informed them of the fire regulations. Mike Snyder, former deputy mayor, led the Pledge of Allegiance.

**MOMENT OF SILENCE:**

Mayor Donahue called for a moment of silence to remember Pearl Harbor Day and to say a prayer for those whose lives were taken 68 years ago on December 7, 1941.

**APPROVE MINUTES:** Regular meeting of November 2, 2009

A MOTION to adopt the minutes of the meeting of November 2, 2009 as read was made by Trustee Murray, seconded by Trustee Knickerbocker with all in favor and Trustee Smith abstaining as he was not present at that meeting.

**COMMENTS FROM THE FLOOR:** (agenda items only)

Jane Hitney, 12 Lake Drive, commented on New Business, Item 5a, and Resolution appointing a new Village Administrator. She commented that a couple of months ago, the Board indicated that they received 27 or 28 applications for the position. Mrs. Hitney wanted to know how many of the candidates had experience in municipal administration. Trustee Murray noted that there were around 8 out of 28 who were finally interviewed. Mrs. Hitney wanted to know what salary they were willing to accept. Trustee Murray advised that there was a broad range of salaries. Some were \$110,000 or \$120,000; some were in the \$90,000's; everyone was different. Some people did not give them a salary. Mrs. Hitney wanted to know what the proposed salary in the Resolution would be. Mayor Donahue advised that it will be read shortly in the resolution. Mrs. Hitney wanted to know if Mr. Snyder intended to relocate to this area. Mayor Donahue advised that she would have to ask him. Mrs. Hitney asked Mr. Snyder. Trustee Richard advised that the comments were to be toward the Board. Mayor Donahue could not answer that question. Mrs. Hitney commented that the reason she asked the question was that she felt that someone does not need to live in the Village but living nearby, in the general vicinity, would be helpful.

Trustee Murray advised that the Village Code states that within one year of receiving the appointment as the Administrator, they would have to live within one mile of the Village, in the Town of Cortlandt. The Board asked everybody they interviewed if that was a problem. Only two or three people said that would be a problem. Everybody else said it would not be a problem.

Diane Tangen, Catherine Street, commented on the Resolution of the appointment of the Village Administrator. She asked the members of the Village Board to do the right thing for the Village residents who elected them to office. If the candidate for the Village Administrator is not the very best candidate who applied for the position, they should vote no. She asked that they be bipartisan and vote their conscience. She would like to see no "politics as usual".

Fran Surak, 167 Fourth Street, commented that some of her questions were already answered. She wanted to know if there were any former Administrators or those who worked in village

management that applied for the position of the applicants interviewed. Trustees Knickerbocker and Murray advised that there were. Ms. Surak wanted to know if there were any assistants that were interviewed and if so, how many. Trustee Murray advised that there were approximately three. He commented that he did not have all the information correlated and this was off the top of his head. Ms. Surak wanted to know if they found that all of the applicants had Bachelor's Degrees. Trustee Murray advised that all the people they interviewed met the minimum requirements of the postings. Ms. Surak wanted to know if any of them had a Masters or PhD. Trustee Murray did not have all that information correlated but some of them had Masters and only one person had a PhD. Everybody met the minimum requirements. If he remembered correctly, the minimum requirement was at least a Bachelors Degree. Ms. Surak wanted to know of all the applicants, how many lived in the immediate area, the Westchester County area. Trustee Murray and Mayor Donahue advised that at least half did.

Fran Surak commented that this is a non-competitive Civil Service where you have to sit for a test. She read the minimum experience and training due for this position which included graduation from a recognized college or university with Bachelors or Masters Degree in Public or Business Administration or a related field, or four years of experience as specified. She commented that she is a little concerned only because they are stating that was the most qualified candidate. She knows Mr. Snyder has college degrees, a Bachelor's Degree from Sienna College. She is not sure if the Masters program from Pace University was a full degree. His position was in marketing and prior to that he was in the hospitality industry. Ms. Surak wanted to know if the Board found that this was the most qualified for experience in this position. Mayor Donahue felt Mr. Snyder was qualified.

Fran Surak commented that most important is whether ethically, this is a right appointment and whether or not there is a conflict of interest here because we do not want any political issues. She wanted to know if Mr. Snyder is still involved as the Treasurer of the Friends of Al Donahue. Mayor Donahue advised that he is. Ms. Surak wanted to know if Mr. Snyder still signs the financial disclosure forms. Mayor Donahue advised that he does.

Mike Snyder of Voorheesville, NY commented that he wrote something out for the minutes as he did not realize they had someone take the minutes. He read from his prepared statement (see attached). On a separate note, Mr. Snyder commented that the ability to gain access to the former Village Administrator's personal computer files and e-mails was not that difficult. One thing you need to know is that once somebody thinks they erased a file, it does not mean that it is really erased if you know where to look. So whoever wants to toss out those lies about him - he saw a letter being circulated earlier - he referred to a bridge that was crossed with a quotation: "He who cannot forgive others destroys a bridge over which he himself must pass". Mr. Snyder commented that he does not need the dark of night or any anonymous letter to show what their misdeeds are. He said not to throw out lies about him that actually may land at their door. Mr. Snyder commented that he loved everyone and the Village. It would have been a great time and they could have made great progress together. Mr. Snyder said that anything they need from him, he is there for the Village residents. He noted that Pace University is an acknowledged college. A Masters is a real degree. He noted for the person who did not know that his Master's Degree is in Industrial Relations and Personnel Administration.

Mayor Donahue thanked Mr. Snyder for his comments.

Mayor Donahue noted that if anyone had any comments they should come forward.

## 6. **OLD BUSINESS:**

### a) **RESOLUTION AUTHORIZING BUDGET TRANSFERS TO CLOSE FISCAL YEAR 2007-2008.**

Trustee Richard asked that this be postponed until a new Village Administrator is in place.

A MOTION to postpone this Resolution to the January Village Board meeting was made by Trustee Knickerbocker, seconded by Trustee Murray with all in favor.

**b) CONTINUATION OF PUBLIC HEARING TO CONSIDER IMPOSING A SYSTEM OF USER FEES FOR THE COLLECTION OF GARBAGE IN THE VILLAGE.**

Trustee Richard commented that she actually set up a schedule and a process. She is going to give it to the Village Attorney to look over to make sure everything is legal in it. If it is, she will pass it out to the Board and get their comments also.

A MOTION to hold this over on the agenda for the January Village Board meeting was made by Trustee Richard, seconded by Trustee Knickerbocker with all in favor.

**a) PUBLIC HEARING TO DISCUSS BONDING FOR SEWAGE TREATMENT FACILITIES AND ROADS.**

At 8:20 PM the Public Hearing is being continued from the previous meeting.

Village Attorney Porteus advised that there was a Board of Health hearing held on November 24, 2009. Mayor Donahue, Village Engineer Cronin, George Smith and she attended. She advised that as everyone has been informed, the Village had been issued a citation from the violation at the sewage treatment plant. They attended the meeting and hearing and were treated fairly. They were told firmly that they were adjourned until January 12, 2009 at which point they had to go in with a plan to deal with the issues. Some of the bigger issues would be getting the second train up and running, the Comminutor issue, and getting the second licensed operator. These are things that have been brought up to the attention of the Village for several years. She thinks this got our attention. They went and attended the hearing. This is where some of the bond issues come in. The Board has had several discussions in prior months regarding the costs. The sewage treatment plant alone would be \$1.4 million. There have been some discussions about going out to bond. She thinks the Board is aware that there are two ways they can do that: via Mandatory Referendum by putting it in the ballot in March; or Permissive Referendum where they pass a resolution subject to having the Village residents petition where, if it is a valid petition, it would go on the ballot in March. If not, then after 30 days, plus another 10 days in the paper, there are some time requirements. Village Attorney Porteus spoke with the bond counsel who tried to get here. He had some better cost analysis for her. She advised that what he did was that he got a list of the assessed properties and the tax rate. His estimates say for the Village's road bond, which was about \$950,000, the cost and increase to the taxpayers would be \$11.60 per every thousand dollars of the assessed valuation of property. So if the property is assessed at \$10,000, you would be paying \$116 more. Trustee Murray wanted to know if he breaks it down to a percentage and what the average percentage tax increase would be. Village Attorney Porteus advised that he did not. You would have to know your assessed value divided by \$1,000. Trustee Murray commented that the pay back for the year for the roads is approximately \$88,000 and was it the same. Village Attorney Porteus noted that is what he is still telling her and that would be one bond. For the sewage treatment plant, the pay back per year was about \$130,000. The cost and increase would be \$13.78 for every \$1,000 assessed valuation. If your property is assessed at \$10,000, you would divide it by \$1,000 and times it by 10. It would probably be paying about \$137 per year more. You would have to know the assessed value of your home, which the new Administrator could probably give you. Trustee Murray wanted to know if the figures included interest and at what rate. Village Attorney Porteus advised that the counsel said he change a little on us. He said that the roads were at 4% over 15 years. The bond counsel said that he put some feelers out. Originally, he told us that the sewage treatment plant could be paid back over 30 years. He did not find anybody. He did not rule it out, and he went high. Although he did not find anybody that could get it for 30 years, he did it on a 25 year pay back at 5%. He is figuring if it will be done about six months from now; there is talk about the Feds raising the rates. He thought that it might be safe, and it might in fact be high. He wanted to go higher rather than lower. Hopefully, it would be the worst case scenario.

Trustee Knickerbocker wanted to know, with that figure, it is with the Village putting out bonds and assuming we are a AAA rated village with our bonding, which is with the Village going to a bank. She knows that Village Attorney Porteus is not the bond counsel but with those figures, it is something that the Board would like to know. They can also get some funding through the Environmental Facilities Corporation. Village Attorney Porteus noted that he asked the bond counsel about that. One of the residents asked at the last meeting if the Board got the bond and got the grant money, what do you do. What he advised is what they always do, which is issue a short-term, one year note. This way if you go high, for example \$1.4 million, you never turn it into a long term note until your work is complete.

This way for one reason, you have a real cost of \$1.2 million and you do not want to borrow for 30 years \$1.4 million, if it only turned out to be \$1.2 million and so you would have a short-term note. Also if you got some grant money or low interest loans, you can take those and pay down the debt after the first year. So when you got into long term financing, if you got \$400,000, it would not be \$1.4 million. That is how he explained it. The bond counsel also apologized for not being here tonight. She asked him for a couple of days if anybody wanted more information if they wanted to call a meeting. If you only give him one day a month, it is tough for him.

Trustee Murray wanted to know if the short term interest rate is at 1.5%. Village Attorney Porteus did not know what it is.

Trustee Knickerbocker commented that she, Village Engineer Tim Cronin and Jim Annicchiarico (sp?) had a conference call this morning. The conference call was about bonding. We are going for low interest rate bonding with the Environmental Facilities Corporation in the State. We did not make the cut off for the funding line. The Village came in at number 34 and the cut off was at 72. Fred Testa and Catlin Penner (sp?) who is the engineer for the Environmental Facilities Corporation, which is a State organization, wanted to have a conference call with us. They gave us an alternative for the funding. One of the things was interesting but Trustee Knickerbocker would like to have another meeting so it is explained better. There is a short term loan that Village Attorney Porteus was talking about. They also have a short term loan that is called a SMERF loan which is basically a line of credit at 1.5%. It is better to do it that way. Financially, it is better because we are taking the money as we need it. We are not paying the bond. For example, if you take a million dollar bond, then you start paying back on the million dollars. We would just start paying on our line of equity. After our short term of one to three years, it can then be converted into a long term loan. This is a financially smarter way of doing it. You are saving some interest money, plus it is at 1.5% for the short term. Fred Testa has offered to come from Albany and explain the whole program. Trustee Knickerbocker felt that it would behoove the Board to have some type of public informational meeting and have Fred Testa speak. Village Engineer Cronin could be here with our bond counsel and George Smith of the Sewage Treatment Plant, so everybody understands the detail of how this all works. This is all new to her and she has learned quite a bit. She commented that Fred Testa has been phenomenal. She commented that he is a wealth of information and can answer any question. He told her that if he did not have another meeting this evening, he would have hopped in his car and come to this meeting tonight. There are different ways we can finance this. We can go through the Environmental Facilities Corporation. We can talk to bond counsel or whatever we can get the best interest rate and deal. The Board can talk it out with everybody, come to a decision and then the public can ask questions and have input on this.

Mayor Donahue commented that he was at the hearing on November 24<sup>th</sup> because he is the one who got served, as Mayor and the acting Administrator. People from the Department of Health, their attorneys and everybody else were there. They made it very plain that the Village has to make the necessary repairs or we will be hit by heavy fines. When they were there at the hearing with the Village Attorney, Village Engineer and George Smith and other people, they were handing out fines left and right. Mayor Donahue commented that they have been working with the Village and want us to work with them. But it is something that has to be done. We cannot brush it aside. It has been brushed aside for too many years. It has to be done. Mayor Donahue

commented that the Board had a lot of discussion about this and he thinks they should move on a Mandatory Referendum for the voters to decide in March what they want to do with it. The Board went over the Permissive and Mandatory Referendums. He feels that it is in the best interest of the Village and everyone to put it on for a Mandatory Referendum. Mayor Donahue went over things that happened over the years. The Village office staff got him some information concerning the plant several years. Mayor Donahue commented that in 1987 when he was mayor, Indian Point (he noted that he was referring to it as that because of the changes in ownership) did away with their sewage treatment plant. They wanted to hook up to the Village of Buchanan's and there was no way we could stop them because they are taxpayers. They paid for the hook up and give us \$350,000. Then in the next year or so, they gave us \$100,000. In 1995 through then Governor Pataki and Senator Leibell, the Village got another grant for \$350,000 to upgrade our sewage treatment plant. Mayor Donahue asked the staff in the Village office to do some research. They found that in 1987 when Indian Point hooked up, the Village made an agreement that they would pay 20% of the maintenance as long as they were in the Village. Since 1991, the Village received \$1,114,322 just from Indian Point as maintenance. Last year, we received \$66,483. The Mayor commented that it would not be any less in the oncoming years but at least we have some kind of start toward what we need. The Board is hoping the bond is passed to pay off some of our debts and that maybe the economy will get better and things work out better, and that maybe the Village can get the other grants and donations through Entergy, since we have to take this on. Mayor Donahue has set a meeting with them to discuss this to see if they can help us more with this. We have to bring somebody in to fill everybody in. Mayor Donahue advised that this has to be moved on and put it on the Mandatory Referendum. He hoped the people of Buchanan understand that we have no choice. It is something that has to be done. There is no way out or else the Village will be hit with a fine down the road. It could be every day. On January 12, they have to be down there and lay out our plans. The Mayor commented that they will work with us and are very good. But they are handing out fines left and right for a lot less problems than we have here. Mayor Donahue has hope that the Board can move on this and get the bond passed, and do whatever they can to bring in the money. It is something they have to do.

Trustee Murray commented that he was confused. Over the last couple of months, he thought they were going to have a Permissive Referendum to have a petition downstairs for any Village residents to sign a petition. He noted that you do not have to be a registered voter. You have to be a resident of the Village to sign a petition either denying or authorizing this bond. Trustee Murray wanted to know what has changed in the last couple of weeks. Mayor Donahue commented that he thought about it. Either way, it will have to be voted on. He thinks they need 250 to 270 signatures. Trustee Murray commented that it is not correct. You need 20% of the number of people who voted in the last election. If 100 people voted, you only need 20 signatures. He believed that in the last election, they only had 500 people who voted. You would need 100 signatures. If you have it downstairs for 30 days, where anybody can come in at their leisure whether there is a snow storm or not, you can come in and ask any amount of questions that you want. You have 30 days to comment. You only have to be a resident of the Village. You do not have to be a registered voter. Some people who own property whose taxes will be affected by this do not vote, so they will not be able to come to the polls but they would have the option over a 30 day period to sign a petition not authorizing it or authorizing it. Trustee Murray thinks that the public has a lot bigger say to come in and ask questions and talk to people instead of putting on a one day vote. He commented that if there is a tremendous snow storm, we are in bad shape. Mayor Donahue commented that he thought about both the Permissive and Mandatory Referendums. The bottom line is that the Village taxpayers are going to pay for it, and he hoped they would do the right thing and vote for it instead of going around for the signatures. This is his opinion. It is up to the Board and he did not know how the other Board members felt about it.

Trustee Murray wanted people to know about the petitions. They do not have to go and knock on somebody's doors. The petition would be downstairs. Just like when they are voting, they

can come in to the Village Hall and sign the petition at their leisure. They do not have to worry about what their neighbor thinks and worry about who you are supporting because it is all anonymous. It is just like a ballot. It is a 30 day ballot. He thought that is the way the Board was going. He has not heard the reason why they changed midstream. They are on a very tight timeframe. Just to do the petitions, they need 30 days. Then if enough people sign a petition to be against this resolution, they have 60 days to put it on a ballot. Either way, whether they put it on a ballot or not, the Board has to know within 45 days. This is changing the timeframes. If they are going to bring in another bond counsel for another short term loan, they might not be able to put it on the ballot at all. Mayor Donahue commented that he thinks it is the easiest way. He wanted to let the other Board members speak. Trustee Murray added that the public could also speak at this Public Hearing.

Kevin Erickson? \_\_\_, 215/250 Catherine Street, wanted to know that if the Village was getting money for maintenance, where were the maintenance records and what maintenance was performed. He wanted to know where all the money went that was collected for maintenance. He also wanted to know if they are talking about structural or mechanical repairs. He felt that somebody fell asleep and they are not doing their job. Trustee Murray advised that it is both structural and mechanical. What happened was when the plant fell into disrepair – noting that there are two sections to the plant, two trains - when one section of the plant started failing, they took parts from the other train to make sure that one works. There is only one train that is operational right now. The County requires there being two trains that are operational. Since one train has been out for so long and has not really been maintained, it has become a serious state of disrepair which requires some structural, along with mechanical, repairs. A lot of it has to be updated. It has not been updated in the last 20 years. Mr. Kevin \_\_\_ wanted to know what happened to all the money that was collected for maintenance. Mayor Donahue noted that it had to be put in the General Fund. Mayor Donahue talked to the Foreman at the Sewage Treatment Plant who went to the hearing with them. He showed a recommendation by engineer Jim Hahn to do structural work. This was in May of 2003, for \$282,000. Nothing was done. It was just put aside. Now it is coming to the point that where we have to do it. Mr. Kevin\_\_ commented on it being a grey hole. He hears that they took parts from one train to fix the other. They took all the money for maintenance and taxes and apparently it was not spent anywhere on the maintenance plan.

Trustee Murray commented that he wished he had an answer for him but everyone currently on the Board has been there for less than two years. This was dropped in their lap. He does not know how it was taken care of before but they need to do the work now. Mr. Erickson? commented that maybe they should go back into the records and find out. Mayor Donahue noted that is why he brought in the auditors from New York State. He asked them to audit the books from 2000 to the present. They did some and he is waiting for the report to come in. Mayor Donahue commented that something else occurred the other day. He contacted them to come in and do a full audit of the Village.

Jim Petrillo, 183 Tate Avenue, wanted to know what would happen if this was voted down. Mayor Donahue advised that if they vote it down, if it does not happen, the Board will have to increase taxes because it had to be done. It is mandatory to have it done. The Board has been working on the bond more than he did. The Board is trying to figure out for the easiest way for the least impact to the Village. Mayor Donahue commented that you can say what you want about taxes but once you raise taxes they do not go away. Once you pay off the bond, then it is gone. He hopes it goes that way so they do not have the taxes forever.

Mr. Petrillo wanted to know about the petitions because he is never in the Village between 8 AM and 4 PM to stop in. He wanted to know if there was a way they can they sign the petition on a weekend or after work. Trustee Murray suggested that they could arrange some dates to stay open an hour earlier during the 30 days periods. They have to decide whether they were going to go for a Permissive or Mandatory Referendum. He is sure they can accommodate that for 2 or 3 days. Mr. Petrillo wanted them to consider it because during the election, it is open all hours.

Trustee Murray was sure they can make arrangements for two or three days. He is in favor of a Permissive Referendum. He thought that it is the way the Board was going. He believes it gives the public a lot ability to sign a petition, come in and ask questions, and 30 days instead of one day. If there is a snow storm, we only have a voter turnout of 500 or 600 people every election anyway. We have over 2,000 residents. Some people are not registered to vote, do not or cannot come out to vote. It gives the public a lot more options as to whether they want this or not. Even if they do and enough people sign the petition, the Board still has the option to go to a Mandatory Referendum. They still have the 60 days from the time the referendum would have to be voted on. Either way, they still have 45 days from the County to decide. He was in favor of the Permissive Referendum. He wants to go over the numbers. The \$88,000 is over 15 years. The \$1.4 million is over 25 years. The Board had mentioned that there were going to be some prepayment penalties on a 30 year bond. Village Attorney Porteus advised that someone mentioned it last time but it was not her. She did ask the bond counsel. Trustee Murray noted that it was the bond counsel who mentioned it and he was going to check into the 15 year bond and whether there was a prepayment penalty also.

Trustee Murray asked Village Attorney Porteus that if for some reason the Board comes into \$300,000 and wants to pay it off, is there a prepayment penalty involved. Trustees Richard and Knickerbocker thought he mentioned that it was in the first 5 years. After the five years, there is no penalty. Village Attorney Porteus advised that it is the first one year. It is the short-term and it begins from there. Trustee Murray wanted to know, with the 1.5% on the short term, can they still go through with everything.

Trustee Murray made a MOTION to have a Permissive Referendum to finance two bonds, one being for the roads.

Mayor Donahue wanted to hear comments from the rest of the Board.

Trustee Knickerbocker commented that as she commented at the last meeting, she wants to do the Mandatory Referendum where it gets put on the March ballot. She does not want to do the extra step where it gets put on the Permissive Referendum. More importantly, the Board can put it up for the vote. She really wants the residents to understand what they are voting on, what the pay back is going to be, how much it will be each year and roughly how much per resident. She wants to set up a public informational meeting and have everyone here. She knows they are on a time frame whether they go Permissive or Mandatory. She feels strongly about having a public informational meeting. People can ask questions and everything can be explained so they all understand. She wanted to know how the Board felt about having an informational public meeting.

Trustee Richard was in favor of a public meeting and also for the Mandatory Referendum. She wants to hear from all the taxpayers and not just 20% of taxpayers from last year. She wanted to hear from all the residents. If only 500 show up on the voting day, that is what they will go with. Trustee Murray commented that maybe he was not clear on the number of people. If 500 people voted, those are not the only people who can sign the petition. It is the entire population of the Village of Buchanan. It is not the population of people who voted. That is the way they figure the numbers, just as a base number. Anybody can come out and sign a petition whether you are a registered voter or not; whether you came to the last election or not; whether you voted in any election in your life; you can still come down and sign this petition. It is not limited to people who came in and voted last year. It is only limited to residency.

Village Attorney Porteus advised it is limited to those who were eligible to vote in the last election. They can sign a petition and 20% asked for the vote, and then the residents should know that you can still come and register to vote even if you are not registered at the referendum. It is one step more. You need the 20% eligible to vote in the last election to sign it and then it goes on the ballot in March. She agrees with Trustee Knickerbocker on the informational meeting but she needs to know tonight if they are going to go Permissive. She needs to know

within the next two weeks. According to the Election Law, you have a two month window or you will need a special election. A special election is more fees. The Board is going to try to avoid a special election. If they are going to go Permissive, it has to be in the next two weeks and at that point they have to move along. Trustee Murray commented that it did not seem that they were going to go Permissive as there are three people already against it. He commented that at \$218,000 per year, it is approximately a 21.5 % tax increase for the bonds. There are two separate bonds. One is for \$88,000 and one for \$1.4 million for the sewage treatment plant. All in all, there is a 21% tax increase for that time frame.

Trustee Smith agreed with Trustee Knickerbocker and others on the Mandatory Referendum. Leave it up to the people. Give them one more reason to come in on Election Day besides the Mayor and a couple of Trustees. It is an important issue and everybody should have a say in it.

Mayor Donahue repeated about being down at the hearing with the County. They are not fooling around. It is something that needs to be done. He hoped to get moving on it. He understands where everyone is coming from. They have to work together and get this bond passed.

Trustee Knickerbocker asked Village Attorney Porteus about getting back to her with bond counsel and getting back to her about a few days to have the informational meeting. It is coming to the holidays but this is important. Another thing they talked about is what the time frame is to do this if they start applying for these bonds. She asked Village Engineer Cronin to explain the whole thing. She commented that the time frame from start to finish - starting the bonds, doing the applications, all the permits, all the State authorities they have to go through - the Board is looking at a six month time frame before they can start construction. If they put it on for the March election, they are definitely within the time frame. Right now, they do not have to have finalized plans to start the process.

Village Engineer Tim Cronin advised that in the discussion with Mr. Testa, he indicated that before the construction can start and before the financing is finalized, the Village Board has to go through the State Environmental Quality Review (SEQR) requirements which will allow the Village to make a decision as to whether or not the proposed improvements at the sewage treatment plant will have a significant environmental impact. In that case, certain other documents would have to be prepared. Considering that what is proposed is a replacement or upgrade essentially in kind located within the enclosure of the treatment plant, it seems that the work proposed is minimal. It does require that the SEQR requirements be taken into consideration. It also requires a sign off from the State Historic Preservation Society. The request has to be made that there are no significant archeological locations or artifacts where they are proposing to work. Mr. Cronin suspects that is pretty remote but it is a requirement. He commented that as Trustee Knickerbocker has noted, Mr. Testa is a wealth of information and having him here to discuss the requirements and procedure would be very beneficial. Their conference call was over an hour long and Mr. Cronin commented that Mr. Testa was giving them more and more information. One of the things he pointed out, which Mr. Cronin feels is beneficial, is that if the Board does decide to go through the Environmental Facilities Corp. (EFC), they will get to take advantage of their AAA bond rating. That will allow the Village to get the interest rates he was referring to: 1.5% on the short term and 4.0% on the long term. Mr. Testa could not commit to those out 6 or 8 months, when construction would likely begin, because of the way the interest rate market is. But, Mr. Cronin commented, it does give a sense of where the rates are today. They could bump up a little bit. But the Village could advantage of the State's AAA bond rating which would help and keep the amount of paper work down.

Village Engineer Cronin commented that other than what the Mayor and Village Attorney reported about their conversations with the County, the Village has also been receiving letters from the New York State DEC and the U.S. EPA all indicating various components of the treatment plant which the Village needs to take a look and start renovating and repairing. The plant has been in operation since 1961. That is 48 years. There is a fair amount of rehabilitation work that is necessary to keep the plant running. Mr. Cronin feels that it is advantageous at this

time to incorporate some technological advancement in treatment technology to allow it to work for another 50-60 years. H feels that this is a good thing that the Village is considering to do right now and hopes that it goes forward.

Mayor Donahue called for any further comments. There were none.

At 8:19 PM, a MOTION to close this Public Hearing was made by Trustee Murray, seconded by Trustee Richard with all in favor.

A MOTION to have a Mandatory Referendum was made by Trustee Richard, seconded by Trustee Smith with Mayor Donahue, Trustees Knickerbocker, Richard and Smith in favor and Trustee Murray opposed. The Motion was carried by a vote of 4 to 1.

## **5. NEW BUSINESS:**

### **a) 09-45 RESOLUTION APPOINTING VILLAGE ADMINISTRATOR AND CLERK/TREASURER.**

Mayor Donahue read the Resolution to appoint Kevin Hay (sp?) of Mohegan Lake as Village Administrator and Clerk/Treasurer at a salary of \$75,000 a year (copy attached).

Trustees Murray wanted to know if anyone has spoken to Mr. Hay and is he willing to accept these terms. Trustee Richard advised that Mr. Hay is willing to accept the terms. Trustee Murray advised that the Board did interview him. There were 27 applicants. The Board interviewed 12 of them. More than one Board member had Mr. Hay as one of their candidates. The Mayor had asked each Board member to select three or four candidates whom they felt would best represent the Village in this position. Mr. Hay was selected by three Board members. He has all the necessary qualifications. Trustee Murray commented that there were a lot of people whom they interviewed who were qualified. Some were at a very high pay scale. Mr. Hay was willing to negotiate was willing to negotiate with the Board. He had Mr. Hay as one of his candidates. He is currently assistant to the Village Manager in the Village of Hastings-on-Hudson. He is a young man and will hopefully be here for a long time. Mayor Donahue advised that Mr. Hay has a Bachelor's Degree and an M.P.A. He is currently the Assistant Village Manger and Deputy Manger for the Village of Hastings-on-Hudson. Trustee Murray commented that he does a lot of their budgets. The Board did have a lot of people qualified but they had to take a lot of things into account such as what was their experience; their salary demands; what they felt they could give to the Village and vice versa. Trustee Murray felt that Mr. Hay could fill that position very well. It is not saying that the other people were not qualified. The Board just did not feel they fit the needs of the Village at this time.

A MOTION to accept the Resolution as presented was made by Trustee Richard, seconded by Trustee Murray with all in favor.

### **b) 09-46 RESOLUTION AUTHORIZING INTER-MUNICIPAL AGREEMENT FOR SOLID WASTE DISPOSAL.**

Mayor Donahue read the Resolution (copy attached).

Trustee Murray wanted to know if these tipping fees are an increase over last year's fees. He commented that as everybody knows, the ash plant has closed and they have to ship the ash farther away. He wanted to know if these increases are from last year because the Village did have an increase last year in anticipation of the plant closing. He wanted to know if these fees are in addition to the ones the Village has said it is already giving the County because of this. Mayor Donahue advised that the letter gives the charge for the tipping fees. Trustee Murray wanted to know what the Village paid last year. He remembers it being \$25 per ton but he did not have that information with him.

Mayor Donahue asked the Village Attorney if the Board could hold off moving on this or did it need to be acted upon at this time. Village Attorney Porteous advised that the Board could hold

off on it they chose to. Trustee Murray did not want them to not take the Village's waste. He did not want to the garbage trucks to have to turn around and have somebody accuse someone of dumping something. Village Attorney Porteus advised that technically, it was supposed to have been done in October. It is dated October 30, 2009 and states that the past one was good through October 21, 2009. So it was a week afterwards. Trustee Murray did not have a problem authorizing this. He would like to get that information. He wanted to know if it was possible to get it for next month. He knew they had to vote on it because the County is not going to negotiate with the Village. The Village Attorney Porteus advised that it states that the tipping fees will continue to October 21, 2010. She did not want to guess. She can find out what the fees were last year.

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

09-47 RESOLUTION AUTHORIZING STIPULATION OF SETTLEMENT OF ACTION COMMENCED AGAINST VILLAGE.

Mayor Donahue read the Resolution (copy attached).

Mayor Donahue asked the Village Attorney to give the background. She advised that in 2003, a law suit was commenced for some contaminated dumping and land fill. It involved all the surrounding municipalities and some corporations. She noted that there are many that are still in this. This is a contribution action. The original defendants lost. They then said that if they had to pay millions of dollars then all those who dumped there would have to pay their fair share. "Fair share" was determined. Village Attorney Porteus believes that the previous Village counsel did attend one or two settlement conferences with the prior district judge. It sat for several years until the prior judge died. The new judge took over. The Village Attorney noted that there were probably 30 municipal defendants left standing in this. They all got a letter judge directed them to either settle or get their discovery schedules in order and get their deposition schedules together. The Village is looking at many thousands of dollars trying to defend it. The Village Attorney advised that there was some record out there. It is tough to file because she does not have a lot of the files. What they wanted was \$20,000 from most of the municipalities. There were some settlement negotiations. Village Attorney Porteus believes it is in the best interest of the Village to pay the amount [in the Resolution] rather than that amount probably for just a couple of depositions. She advised that this judge does not want to entertain any more settlement discussions. She said no more discussions. Take it trial and get it ready.

Mayor Donahue advised that the Village Board authorized the Village Attorney to negotiate this. Trustee Murray feels that this law suit has been going on long enough. The original judge had wanted \$20,000 from the Village of Buchanan which was the same amount as from the Town of Cortlandt. The issue that the previous attorney had, and which the Village has right now, is why the Village should pay the same as the Town of Cortlandt. We did not dump that much in the Croton land fill. He feels that this is good for the Village. There is no reason to have to go to court and spend so much more money. They are not arguing over a lot of money. The previous attorney was authorized to go down to \$5,000. He was not able to get them to go down to that amount. He was only able to get them down to \$10,000. Our current attorney was able to get down to \$7500. Trustee Murray suggests that they take this.

Trustee Knickerbocker wanted to know if the \$7500 would come out of Contingency. Mayor Donahue advised that it would come out of the General Fund. They have it.

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

Mayor Donahue commented that Village Attorney Porteus did a good job with this.

## 6. INFORMATION FROM OFFICERS AND DEPARTMENTS.

### a. Planning Board Minutes – August 20, 2009.

Received and filed.

### b. Zoning Board Minutes – September 9, 2009.

Received and filed.

### c. Attorney's Report:

Village Attorney Porteus reported that Trustee Murray had asked her about the certified auditor. He asked her to reach out to the previous auditor, Gary Weidelman. She did speak with him. He is not wishing to continue here in the Village. He reminded that he is responsible for closing out the 2008 year but he is not able to complete that until the budget transfers. Village Attorney Porteus spoke with him and he understands the problem. There is another issue. There is a need for an [Village] Attorney's letter; not from Village Attorney Porteus but the prior Village Attorney. Village Attorney Porteus reported that there is another issue which she does not have at this time. She advised that she contacted five individuals. She obtained names. There is a firm called Sickler, Torchia, Allen & Churchill (sp?) who are certified and do certified audits. She is waiting on a proposal from them. The gentleman she spoke with there advised that the NY State Legislature is passing a new requirement. The Comptroller's office has now issued a report saying they are tired of these CPAs coming in, then the Comptroller comes in and the books and records are a complete mess and the budget is a mess. They are requiring continuing legal education. Therefore, Village Attorney Porteus advised, she reached out to the bigger firms because as of next year the Board is not going to be able to hire just a CPA. They will have to go with someone who has this extra certification and continuing legal education. She will advise the Board when she gets the cost and they can decide what they can do. Gary Weidelman advised that he would be willing to come in and close that audit out as soon as the Board was ready to have him. Village Attorney Porteus hopes that issue can be straightened out. Then they can close out that year and move on.

### d. Trustee's Reports:

Trustee Knickerbocker reported that she attended the Christmas Tree Lighting last night. It was a wonderful attendance. It was great to have all the residents out there. It is always a fun event that the Village has. We all get together which we do not always get to do. Mayor Donahue and Trustee Murray were there.

Trustee Knickerbocker reported at the last Board meeting that she was going to a DEC meeting in Albany in the beginning of November. It was one of the more educational meetings she has been to. It gave a complete overview of sewage treatment plants. They talked about the SPDS (sp?) permit. The person in charge of the DEC in Albany spoke. Trustee Knickerbocker made contact with him. She felt that one of the most important things was speaking to other municipalities and talking with them about the issues they were having with their sewage treatment plants and what they were doing to resolve them. She commented that it was well worth the trip to Albany. Trustee Knickerbocker referred to Mr. Erickson's (sp?) earlier comments about the money, the repairs and where it went. She commented that once they get the sewage treatment plant up and running, they have to have some type of capital improvement program to be able to stay on top of things, so they are maintaining the plant and do not get into this disrepair again. Their thing is "Repair, Rehab and Replace". Once the plan is established, the Board will have some type of program going forward. There was another DEC meeting in the area of Utica, about a four hour drive from here, which she was unable to attend. They were getting more involved in the funding and the different grants the DEC has. Trustee

Knickerbocker commented that because she has made some contacts, she can find out what the meeting covered and whom to speak to about it.

Trustee Knickerbocker reported that the Board still has not heard about its submission to the DEC made on October 16, 2009. She knows they are still reviewing the applications. That is grant money and she is hoping that we do get approved for that.

Trustee Murray reported that last month the Board authorized DIT Recovery Services to recover some computer records. The Board signed a voucher for it. He wanted to know if was possible for him to receive a copy of the records that were retrieved.

Trustee Smith advised that he would hope so. When the new Village Administrator comes in, they need to come up with a method to keep the originals secure and unfettered and get copies to the Board and people who need them. He commented that what they really need to do is to go through thousands of e-mails and documents the Village Administrator for some reason deleted upon his departure from the Village. The Board spent some money to recover these documents. There were two different hard drives. They have almost 4,000 documents that they have to somehow put in paper format organize in an electronic format to make sense out of. He commented that you may get one e-mail that looks very unsettling about an individual, a place or a time, but there is nothing to back it up or give a "conversation chain". They have to look at the whole picture before they start making comments on individual e-mails. They will somehow get it out to you and put in a format that is easily accessible for everyone to look at. It is going to be tedious. It is a lot of information.

Trustee Murray wanted to know if these would deem as personal files or if it is all public record. Trustee Smith advised that technically it is the Village computer so everything there is a Village document and everyone is entitled to see it. It is just a question of how can they present it. How can a clerk take all this new found information and organize it in such a manner that if someone calls about a fax or e-mail, the clerk can readily go into a folder or file and readily find it. Trustee Murray commented that he is unsure if it is all public record. If some of them are about personnel issues that would not be a public record or something about a Workmen's Compensation or medical issue. He wanted to know how they were going to filter that out and are they going to develop some kind of process for this information, or is this information just going to be available to the elected officials and employees. He does not know. He would hate to have someone get hold of this disk and then have things like a person's medical information publicized.

Mayor Donahue commented that they will definitely be accessible to the Board members. He contacted the District Attorney's office because the Village has pending litigation, a civil law suit, against CK Trucking for dumping in the Village. He also met with the District Attorney's office a couple of months ago looking into possible criminal actions. The Mayor commented that he is no expert on the computer by no means but there were some e-mails that he had concerning the dumping and correspondence between the former Village Attorney and former Village Engineer that he found that were left in the Village office when he went through some of the papers. He was very concerned because they were looking up information for CK trucking and there was no correspondence at all. Mayor Donahue called the District Attorney's office to see if they would look into it. They advised that we start it, they would do it. If there should be something that could be criminal, they would send a forensic person to check on that and other matters. The Mayor commented that was only one thing. Since 2005, more or less, almost everything has been deleted. Whether or not it is going to be retrieved, they are doing their best. When they receive the information, the Board will receive it and they can decide how to handle it.

Trustee Murray commented that he is concerned if they are talking about law suits. He wanted to know who is in possession of these records. Trustee Smith advised that currently, they are in the Village office. Trustee Murray wanted to know what kind of chain of custody we have with

these records. If the Board is going to use them for potential litigation, you cannot just have confidential records lying around the office. Trustee Smith commented that they secured in the office and are not just laying there. Trustee Murray commented that a lot of people have access to the Village office. Mayor Donahue advised that we have people in the office all the time. The door is going to be locked for the former Administrator's office. Everything is locked up and secure. Mayor Donahue noted that although he has very little knowledge of computers, some people on the Board do. He commented that they are doing the best they can to retrieve the records. The biggest thing they should be concerned about is that there was no reason why these things should have been deleted, especially with actions are going on. The Village does have a civil law suit. They did meet with the District Attorney's office. Mayor Donahue commented that he did speak with the Attorney General's office. He spoke with the Comptroller's office. He even spoke with people from the FBI. These things should not have been deleted. He commented that maybe there is nothing there but who knows. Until they find out, they do not know. Trustee Murray commented that he would like to have a copy of the records. He would like to talk with the Police Chief about maybe securing the records a little better to preserve some type of the chain of custody. He is concerned if some disk gets into somebody's hands or somebody picks it up and changes it, there are all kinds of issues. He would hate for the Village to enter into litigation where it could be easily avoided just by somebody securing records better.

Trustee Murray reported that he attended a Veterans Day ceremony in the Town of Courtland. Town Supervisor Linda Puglisi always puts on a good program for all the Veterans. He reported that he was fortunate enough to speak on behalf of the Village, as well as Mayor Donahue did. Trustee Murray thanked Town Supervisor Puglisi for always looking out for the Veterans in the Village and the Town of Courtland.

Trustee Murray reported that he attended the Westchester Municipal Officials meeting hosted by the Village of Buchanan. It was held in Verplanck at the Paradise Restaurant. The guest speaker was somebody who negotiates contracts for municipalities and also for unions. It was very interesting to have somebody who does both things for different people and find out what his train of thought is and what type of rational people use for giving out pay raises and what the State is looking at and what type of financial impact everybody is going to have with any type of contract. It was good to have that type of informational meeting.

Trustee Murray reported that he was fortunate enough to officially accept the Village clock, along with Trustee Knickerbocker, on behalf of the Village of Buchanan. They officially took control of the keys, which they handed back over to Mike Baisley. It was a great program put on by Jane Hitney. He thanked all the residents who came out to celebrate the Village Circle. A lot of people were able to see the improvements last night at the Christmas tree lighting. Along with that Trustee Murray reported that earlier this month there was a voucher put into the Board's boxes about the landscaping that should be coming from the grant from Senator Leibell. Unfortunately, he didn't see it in the bill packet that came out today. He went through each one of the bills, but didn't see any voucher of the payments of the landscaping and wanted to know if there was an issue with that. Mayor Donahue advised that the Board had discussed that. Like Trustee Murray brought up and more or less insisted that no voucher could be approved unless the department head signed it. Mayor Donahue noted that he and the Board were aware that nobody signed it. The Board could not move on it. There was a memo from Mrs. Hitney to all the Board members. Mayor Donahue commented that as he said before, the Village is going through an audit and working through an auditor's report. One of the things that the auditors hit on the most is that there is no payable trail. The Board signed bills, they took money in and did not put them in the proper accounts, and they wrote checks but did not do it out of the proper accounts. Until they hear something and get contacted about these items and others from the State Controller's office, Mayor Donahue did not see how they can move on anything because he does not know who has the authorization to sign the checks. Trustee Murray wanted to know if the Board did not know how to rectify the situation on the work. Mayor Donahue responded that it is not that they do not know but that they are waiting for an opinion from the State Controller's

office. Mayor Donahue commented that they know where to look. They are the people who are calling the shots. They are the people who chastised us several times on our record keeping and told us that we are in the old ages. We are so far behind in our accounting and everything else in this Village that we are going to have to revise everything. They talked about the Village Code and procedures. Mayor Donahue is waiting for the report to come through. Everybody on the Board and everybody in the Village who wants a copy of the report will get it.

Trustee Murray wanted to know how they will accept the \$15,000 from Senator Leibell and where is that money right now if there is no department head. Mayor Donahue commented that the money was not from Senator Leibell. We received two checks. One was for \$5,000 and one for \$7,000. They were made out to the Village Administrator. It was when Tom Jankowski was still here. There was no documentation or backup to say what the money was for. That was one of the biggest concerns of the auditors when they went over our books. We have nothing at all to say that it was definitely for one thing or another. Trustee Murray wanted to know if it was sent back. Mayor Donahue commented that the money was not sent back. It was put in the fund and are holding it there. If it is that, we are not even sure if maybe we will be hit with State taxes on this money. Somehow that would have to be paid. As far as Mayor Donahue is concerned, until we get some kind of an answer from the New York State Controller's office, he does not see how we can move on anything.

Trustee Murray reminded residents that the position of Recreation Supervisor is open. It is a very important position within the Village. As the newsletter stated, the application process is going to be open until the 31<sup>st</sup> of December. The reason they have a short time frame on this, (as everybody knows our supervisor retired effective November 7) the position has to be filled pretty fast. The County and the State require a Recreation Supervisor to fill out the permits for the pool and the day camp. They do the interview process for all of our seasonal employees. It is a very important position. He encouraged any resident who wants this position to fill out an application and give a notification. He is going to suggest to Board members that maybe some of the people who applied for the Village Administrator's position would care to go for the Recreation Supervisor position. The Recreation Supervisor position does have Civil Service implications whereas the Village Administrator was an exempt position. He wanted anyone interested to keep in mind that there are certain minimum qualifications required by the County. It will be discussed further.

Trustee Murray reported that last night, along with Trustee Knickerbocker and Mayor Donahue, he attending Buchanan's Christmas tree lighting. A lot of people were there and he was very glad to see so many people out. As people may remember, last year it was zero degrees and the wind was blowing. We had 50 people last year. There were a lot of people this year. Trustee Murray thanked some of our local businesses. They all donated prizes. We had a raffle. He thanked Buchanan Home Center, Buchanan CITGO, Benevenuti, Gallon Measure, the Circle Deli, Four Seasons Beauty Supply, Stella and Emissmay? Vintage Jewelry, B& B Fine Liquors, Fascinol?, Palace Deli, Head to Toe Hair Salon, Bark Avenue, Dunkin Donuts and Nails Express. They all donated very generous prizes, Christmas trees, \$25 gift certificates, 6 foot wedges and many other things. Trustee Murray thanked Mike Baisley for going around to all these businesses and picking the donations up. These businesses really contribute to the community. They donate to the Firehouse. They donate to everybody. It would be great to keep patronizing all of our Village businesses. They give back to the community a lot. Trustee Murray thanked Karen Park and Laurie Perch who helped decorated all the planters in the Village Circle. He thanked the Girls Scouts from Troops 2074 and 2347 who worked on decorating the planters in the entranceway to the Village and they decorated a lot of things. He thanked Cub Scout Pack 103 from B/V School and Pack 36 from Montrose who helped decorate the tree and put up pine cones and a lot of decorations in the tree. Trustee Murray said that all these people who volunteer and give their time to the Village really help make our Village what it is today. We have to try to keep all the services that we have and make the Village the best that it can be.

Trustee Murray asked everyone to remember our Veterans from Pearl Harbor. We have some Veterans in the Village who were at Pearl Harbor. Everybody is getting older and there are less of them around. Whenever there is a Veterans rally or whenever there is a Veterans picnic, he said to go and talk to them. They love to share their stories. It is their type of commitment that makes our country great. Trustee Murray thanked all the Veterans and reminded everyone to remember Pearl Harbor Day.

Trustee Smith reported from the Highway Department that the leaf pick up should be wrapping up this week. There might be a couple of stragglers down the road, but for the most part, Jeff Tiernan was pretty sure that the leaf pickup would be done at the end of the week.

Trustee Smith reported that there is the parking issue which Jeff brought up. Residents need to pay attention to the parking signs, especially as they had to throw out salt a couple of days ago because of the snow we had. Parking is a little bit of an issue for them when there is snow. Trustee Smith reported that essentially the Village is winterized. We are pretty set for winter. The temporary salt shed structure should be completely up at the end of the week. That is a sigh of relief for Jeff. After that he can get a load of fresh salt to get through the season. Mayor Donahue will have more information on the salt shed later.

Trustee Smith had another note about the sewage treatment plant. Village Engineer Cronin spoke about this a lot already. Trustee Smith had reports on it. He wants to leave them down stairs so that people can come down at their leisure and review them. There should be one or two copies available for people to take home, sit down and read for a 20 or 30 minute period and thumb through. That may not be enough for some people. Maybe the girls in the office could have a few copies to sign out downstairs like a library; people could keep the copy for a couple of days and then return almost like at the library. This is important to read. It all revolves around the bond that would be applied for. The plant is a very serious problem and should be looked at closer. Trustee Murray wanted to know if those were the reports the Board received or were they amended. Trustee Smith noted that they were the ones the Board received. Trustee Murray commented that there were two reports. There was one for \$1.4 million versus the \$1.1 million that was the original estimate. Trustee Murray asked Village Engineer Cronin if those are the updated reports. Village Engineer Cronin noted that the application for \$1.4 million was made on September 1<sup>st</sup>. Trustee Murray commented that of the two, one included a 125 ton crane that was required which upped our amount from \$1.1 million to \$1.4 million. There were a couple of other structural issues that were changed from the original package that they got. Trustee Knickerbocker commented that she thought the pumping stations were added in. Trustee Murray wanted to know if the report was with the add on. Originally they were not going to use the 125 ton crane which is an additional \$5,000 per day for the structural moves, which increased the budget to \$600,000 to \$700,000 just for the crane. Mr. Cronin noted that the crane would have been \$125,000 which is 25 days at \$5,000. This is on the report now and was not on the original. Trustee Richard wanted to know if this is a report that can be accessed through the internet. Village Engineer Cronin noted that it was and they may have transmitted a copy to Trustee Smith earlier today. It is a huge report, is 10 megs and a pretty good size file. Depending on your internet service, it could be very accessible or something that can lock your system up for a long time to download. Village Engineer Cronin's office is going to put it on their server so it can be accessed directly from their server depending on the type of service you have. Trustee Richard commented that it would be easier for people to check on it from the Internet rather than come in to the Village. Trustee Smith commented that it could be on the Village website. Trustee Richard advised that as soon as Village Engineer Cronin gives her the link, it will be put on the Village website. It would be another option. Trustee Smith reported that this is important, is interesting reading and you get an education out of it too. Trustee Smith reported that the Highway Department is holding their own at the moment which is good.

Trustee Richard thanked the Town of Courtlandt for lending us their bucket truck for them to come in and decorate the Christmas tree considering we have been hiring an electrician to use his

bucket truck which we are already over budget on. Trustee Richard thanked Town Supervisor Linda Puglisi for this under the municipality shared services.

Trustee Richard reported that the website is up and running. It is [VillageofBuchanan.com](http://VillageofBuchanan.com). It is not complete. It is still under construction. They are working on the history of Buchanan and several other things. She invited everyone to log on and check it out. Once she gets the link to the sewage treatment report she will put that on the website also. It will give the contact information or email information for each one of the Trustees and the Mayor. Trustee Richard invited residents to feel free to comment on any things they want to see on the website. Send her an email at [GRichard@VillageofBuchanan.com](mailto:GRichard@VillageofBuchanan.com). They will try to incorporate it in before they close out the site.

Trustee Richard asked for another Public Hearing for removal of the “No Right on Red” sign for the Village on Bleakley Avenue. She did some research. In 2004, the Board tried to do it. Recently they tried to do it and it was turned down because of the traffic that was coming out of Johnny Ritts. Johnny Ritts is now closed, so the reason the sign was left up no longer exists. Trustee Richard wanted to set up another Public Hearing one more time to try to have the sign removed.

A MOTION to have a Public Hearing at next month’s meeting to remove the “No Right on Red” sign on Bleakley Avenue and Broadway was made by Trustee Richard, seconded by Trustee Smith with all in favor.

#### Mayor’s Report

Mayor Donahue reported that he was invited to a stakeholder’s meeting at Entergy. Their top officials and security people were there. At that time he approached them about paying for the Westchester Municipal Officials meeting which was held at the Paradise restaurant. Every four years, it is Buchanan’s turn to pay for this meeting. It is held throughout the County. It was our turn to pay and cost several thousand dollars at the very least. It cost probably \$5,000 to \$7,000. Entergy graciously picked up the bill for it which was a savings. Mayor Donahue also talked to Entergy about the salt shed. Entergy is going to pick up the tab for the temporary shed. They are more than happy to do that. He spoke to them about a bucket truck, which he talked to them about before. There were negotiations about some money they owe on one of the buildings which we felt was not properly taxed. They are definitely going to give us a bucket truck. There are several photos of them they are looking over. There are also some new ones that they are looking at. Mayor Donahue reported that he is going to stay on top of them on this. They told him about the foundations and grants they have. One of the people at Entergy who handle that will sit down and go over some things with Mayor Donahue about what the Village may be entitled to. They said they want to help the Village of Buchanan. They agreed that for a long time we were over looked because sometimes when something is right in front of you, you miss it. All around the area, every place you went you heard about donations and grants from Entergy to Peekskill, Croton, Yorktown, Ossining, and all over the County. We think that they realize, and we keep bringing it up, that we have been overlooked on a lot of things, and they are going to cooperate on that. Since we have this problem that will not go away with the sewage treatment plant, Mayor Donahue is going to see if he can get a hold of them or somebody there, tomorrow or the next day, since they are one of its biggest users and they pay for it, to see if maybe we can get someone to help us and we will try everything we can.

Mayor Donahue reported that he was at the Christmas tree lighting ceremony in Buchanan. Mayor Donahue could not say enough about Mike Baisley, Jr. Our Recreation Supervisor retired and is gone. Mike did everything he could. He went around and called people up for donations or presents. The Village Hall downstairs, the tree and the office never looked nicer. He went out of his way by calling people up and going there personally asking them for support of the Christmas tree lighting ceremony. Mayor Donahue commended Mike Baisley for doing a great job.

Mayor Donahue reported that the night prior to that he went to a Christmas tree lighting ceremony at the Montrose Firehouse. It was well attended. It was very nice. The person who that turned the lights on was his brother-in-law, Kenny Golden, who owns Golden's Tree Service. Montrose recognized him because he is always there whenever they need help and whenever they need a tree brought in. They gave him the honor to put the lights on.

Mayor Donahue reported that in the Village of Buchanan last night, we had a gentleman who is a Councilman from the City of Peekskill. He has been here forever from WLNA. He brings down all his equipment. He works hard to help our Christmas tree lighting to be a success. The gentleman is Don Bennett from WLNA and the City of Peekskill. He started the ceremony by turning on the Christmas tree lights.

Mayor Donahue reported that he went to the Veterans Day ceremony this month at the VA hospital in Montrose. It is very touching when you go there and they had some of the people singing some of our National songs. There were people you could see had a tough time in the service and the war. They were up there and they were smiling and singing songs. You could see their head injuries and everything else, which is very touching. They just kept on smiling.

Mayor Donahue reported that he attended the Veteran's Day ceremony in the City of Peekskill which they have every year at the Monument. It was well attended.

Mayor Donahue reported that he attended the Veteran's Day ceremony at the Town of Courtland which was well attended.

Mayor Donahue reported that today he attended a ceremony for Pearl Harbor Day at the Town of Courtland. During the week, a lot of people are working and can't get off, but this was also well attended.

Mayor Donahue commented that the Board keeps busy. He feels that these ceremonies keep America great. They keep things going and going.

Mayor Donahue reported that in the near future, it will be Buchanan's turn to host the December 7<sup>th</sup> Pearl Harbor Day. It is generally hosted by different municipalities every year. Courtland did it last year so it will be between Croton, Peekskill and Buchanan who hosts it next year.

## **7. COMMENTS FROM THE FLOOR:**

Jane Hitney, 12 Lake Drive, thanked all of those who did come out for the dedication of the clock. Unfortunately, it was raining that morning and they could not spend too much time outdoors. They unveiled the plaques. She hopes people go to Monroe Park to see them and they are a beautiful asset to the Village. They appreciated the offer to come indoors for a little presentation and refreshments to come into the Village Hall's community room due to the weather. Once again, Mike Baisley, Jr. was a tremendous help in setting that up. Mrs. Hitney wanted to explain this concept of Senator Leibell's grant. It is a reimbursement grant for monies spent on the clock which is all part of the State grant. You have to cross every "t" and dot every "i" several times. It is very specific and very documented. We were reimbursed. Two checks came in to the Village and a third one will come into the Village next week. Mrs. Hitney spoke to the Department of State last week. This brings the total reimbursement up to \$15,000 or \$16,000. The total grant awarded was \$25,000. This all has to be spent within a certain time frame. When Mr. Jankowski was here, he asked her for all the documentation regarding the monies that were coming back in, which she did provide and it is all included. She gave Cindy all the documentation for the anticipated check for this week. It explains exactly what was spent and what the check numbers were and all of that. The terms of the contract were that the money was to be paid to the Village of Buchanan. The purpose was to reimburse for expenses related to the clock. Her understanding is that it goes into a dedicated account which they can draw from for expenses related to the clock for the maintenance and upkeep of landscaping and that type of thing. When they finished the landscaping, the pavers and all that kind of thing leading into the

plaques, they also needed to erect a pedestal on which to attach the plaques. They looked into granite and marble and many expensive things which were prohibitive. The cost of this was approximately \$2,000. Griffin Landscaping has masons and they designed the plaque base and they manufactured it for us. It is an outstanding bill. The clock committee funds are nearly depleted with only a couple hundred dollars left in there. All the money will be turned over to the Village. Mrs. Hitney is just waiting for the outstanding checks from the dedication to clear the account. They do have that one outstanding bill for \$2,000 that needs to be paid. It falls within the realm of the intension of the grant. She hopes with the auditors that it can be resolved because they deserve to be paid. It can be seen that it is right there what they spent their money for. She included it with the voucher that if the Board had any questions they could call her. She did appreciate Trustee Murray who called and asked a question and the clock committee did not have a department head from the Village so it would fall under the Board's purview. She would appreciate that the moment they know that they will do the right thing and pay the outstanding bill to Griffins.

Ken Sherman, Craft Lane, commented that he talked about a month ago about the intersection of 9A and Craft Lane. He commented that to the right, there were weeds growing and it made it difficult to see. That has been rectified because the weeds all died. To the left there are still shrubs in front of the business there. They make it very difficult to edge the nose of your car out to see what is coming down going south on 9A. Something was going to be done but nothing has been done so far. Mayor Donahue responded that he turned it over to the Highway Foreman and Building Inspector and asked them to act on it and they assured him that they would. Mayor Donahue noted that the Building Inspector is in Tuesday, Wednesday and Thursday and will bring it to her attention to her to act on it. Mayor Donahue will be talking to the Highway Foreman tomorrow.

Paul Hakert (sp?), Gallagher Street, commented about a stop sign erected on Lindsey Avenue at Gallagher Street. Which is great and made the intersection a lot safer and he appreciated the Board doing it. However, there is no stop line there. Some people do not see sign and would stop at the line. It is not their fault as they don't see it. Most stop signs come with a stop line so you know where to stop. He would appreciate it. Trustee Smith noted that it was on his list. Mayor Donahue noted that it was brought up before.

Trustee Murray reported that some people had the letter from Chief Tubbs out. He wanted to go over one thing. He wanted to thank Officer Shane Farrell.

Mayor Donahue congratulated recently hired Police Officer Shane Farrell. He was born and raised in the village of Ossining. He read a letter from Chief Tubbs about excellent police work done by Police Officer Shane Farrell about November 21<sup>st</sup>, 2009. On that date, about 4:00 PM, Officer Farrell received a call reporting a single car accident on Lindsey Avenue. The caller said that the driver was walking away from the accident. Officer Farrell arrived quickly and observed the man in the area as he walked away from the accident scene. As he attempted to speak with the man, the man then ran from the officer to a wooded area adjacent to Lindsey Avenue crossing Albany Post Road and into the wooded area just north of Buchanan Home Center. Officer Farrell pursued the subject on foot. The subject stumbled while running in the woods and Officer Farrell grabbed him. The subject struggled with Officer Farrell and resisted being placed under arrest. The officer finally subdued the subject, handcuffed him and returned to the scene of the accident. Witnesses identified him as the driver of the car involved in the accident. There was also a pedestrian at the scene who said that he had been struck by the car involved in an accident just prior to the car hitting a telephone pole but he was not seriously injured and refused medical attention. Officer Farrell learned shortly thereafter that the subject he had under arrest of Yorktown had active arrest warrants from Yorktown Police and New York State Department of Parole. Officer Farrell also learned that the car driven had just been stolen in the City of Peekskill a few minutes prior to the accident. Officer Farrell should be recognized for his excellent police work and commended for a job well done. Mayor Donahue congratulated him on a wonderful job done. He thanked Trustee Murray for bringing it to his attention.

On a question of whether this was in the newspaper, Trustee Murray responded that a lot of these things do not get in the paper. This is just one instance that our Police Department took care of recently. Just last month they caught a couple of burglary suspects down in Burke Court. There were some incidents that unfortunately do not get in the paper. At the Board meetings, Trustee Murray will try to bring some of the activities of the police up. A lot of the public, because of the way the newspaper are now, they do not see what some of the types of work that the Buchanan Police Department does. From responding to fires to EMS calls to chasing guys through the woods, they do it all. These are things they do all the time and he would like to bring it to the attention of the public so the Buchanan Police Department gets recognized more.

8. **ADJOURNMENT:**

At 9:20 PM a MOTION to adjourn this meeting was made by Trustee Murray, seconded by Trustee Knickerbocker with all in favor. Mayor Donahue wished everyone a Merry Christmas and Happy New Year.

9. **AUDIT OF BILLS:**

General Fund: \_\_\_\_\_ Water Fund: \_\_\_\_\_

Capital Fund: \_\_\_\_\_ T&A Fund: \_\_\_\_\_

See Abstract of Audited Claim Vouchers for details.

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Susan F. Matthews