

Minutes of the **Regular Meeting** of the Board of Trustees of the Village/Town of Mount Kisco held on **Monday, July 17, 2017 at 7:50 pm** in the Frank J. DiMicco Board Room, Village Hall, and 104 Main Street, Mount Kisco, New York.

Present: Mayor J. Michael Cindrigh
Trustee Jean Farber
Trustee Peter Grunthal
Deputy Mayor Anthony Markus
Trustee Karen Schleimer

Also Present: Edward W. Brancati, Village Manager
Whitney Singleton, Village Attorney

Regular Village Board Meeting

Mayor Cindrigh opened the Village Board Meeting and led everyone in the Pledge of Allegiance. Mayor Cindrigh asked everyone to please remain standing for a moment of silence, so that we may reflect on why we are here and ask for guidance in the decisions that we make here this evening so that they may benefit all of the people of our community. He also asked that we keep in our thoughts and prayers the family of Bridget Boylan who recently passed away. Bridget was the mother of eight and an unassuming life-long member of this community she will be missed. He also asked that we keep in our thoughts and prayers the families of the 16 military personnel who were killed in an aeronautical crash over the skies of Mississippi. He also asked that we keep in our thoughts and prayers Mia Soterios Familia a New York City Police Officer who was fatally shot for no other reason than she was a member of the New York City Police Department and finally, I ask that you keep in your thoughts and prayers the family of Lanny Hyatt. Lanny was a Fire Fighter, Fire Commissioner, Member of the Tree Preservation Board and a life-long resident of Mount Kisco. He did an exceptional job in both serving the public and preserving the trees in our Village.

1) Communications:

a. Board, Committee and Commission Vacancies re: Letters of interest.

Mayor Cindrigh read the letters from the following residents:

Andrew Corcoran – Board of Assessment Review

Jaclyn Siskind – Leonard Park Committee

Keith Browne – Byram Lake Committee

Mayor Cindrigh requested that informal interviews with these candidates be scheduled for Monday, August 14, 2017 starting at 7:15pm.

2) Petitions: None.

3) Board, Committee and Commission Reports: None.

4) Village Manager's Reports:

a. Monthly Water Report for June, 2017.

Village Manager Brancati reported that our total water production for the month of June was 52,310,042 gallons for an average of 1,743,668 gallons per day, which is up from the May average which was 1,651,332 gallons per day. The Leonard Park Wells have been in service during the month of June with a total monthly production of 5,164,042 gallons for a daily average production of 172,135 gallons per day. On June 1st the Byram Lake Reservoir was at 100% of capacity. On June 30th the lake capacity was at 98%. The Leonard Park Wells are in service in a limited capacity.

b. Bid award for Contract 2017-02 Storage Building and Garage Alterations.

The following motion was offered by Trustee Farber and seconded by Trustee Grunthal, to award Contract #2017-02 Storage Building and Garage Alterations to the apparent lowest responsible bidder Steven Giordano Builders, Inc., located at 19 Pine Avenue, Ossining, New York with a total bid price of \$2,691,981.00 as recommended by our consulting engineer, all in favor.

Motion Adopted

Mayor J. Michael Cindrigh Aye

Trustee Farber Aye

Trustee Grunthal Aye

Deputy Mayor Markus Aye

Trustee Schleimer Aye

5) Board Reports -

Trustee Schleimer announced the there is a Senior Forum being hosted by Assemblywomen Sandy Galef, Assemblywoman of Ossining. She does this periodically throughout the year and it's always has very interesting topics of interest to seniors. This one will be held on Wednesday, July 19th from 9:00 am to noon at the Cortland Town Hall.

They are going to provide an update on how the Federal Government will impact healthcare and you can learn how to avoid crimes targeted at seniors. They will also have a representative from the New York State Comptroller's Office who will provide individual help to locate unclaimed funds. This is something that she always provides at all of her forums and people have had great success previously for lost and abandoned funds.

Trustee Schleimer stated that she received a form from our Water Department. Apparently, if you received this form with your water bill you can fill it out and send it in with your next payment and you will receive reminders on billing due dates, information on water and sewer main breaks. If you didn't receive a form you can call our Water Department at 864-0029.

Trustee Schleimer announced that the latest scam out there is allegedly one from the Department of Motor Vehicles. There are emails stating that you have to pay parking or speeding tickets within 48 hours or your license will be revoked. There is a link to click on and if you click on the link some virus will be downloaded on to your computer. The Department of Motor Vehicles wants you to know that they do not send emails telling you that you must pay tickets within 48 hours, so please be advised.

Trustee Schleimer stated that she recently read an article in the local newspapers that the Bedford Town Board recently approved an open space tax increase. They had a prior law that was enacted in 2000 with a tax level of 3%. As of December 31st the fund had a balance of \$2,046,948.00 and I don't know if this is something that Mount Kisco might want to think about doing. I thought it was interesting.

Trustee Schleimer stated that New York State has also increased the penalties for Rail Road Crossing violations. If you cross when the barriers are coming down or the red lights are flashing it now has gone up from 3 points to 5 points. This is a significant increase, New York State is obviously taking this incredibly seriously.

Lastly, Westchester County Board of Elections is in need of Elections Workers. I will post the information on my Facebook page or please feel free to contact me and I will provide you with the phone numbers to call for more information.

Trustee Grunthal reported that the Economic Development Council has met a few times this year and of course their main concern has been the branding of Mount Kisco, the presentation of Mount Kisco as a dynamic and attractive community and they have been looking for ways to do that. The Economic Development Council has come to the conclusion that an official Facebook page would be an appropriate addition to the current website. Obviously, the website is a forum where people can go and find a tremendous amount of information, but the Facebook approach is a much lighter touch and it is also the kind of platform which can push messages to people so that people can be alerted when there is a new entry on a Facebook page. So the Economic Development Council has actually developed a Facebook page, it is not open to the public yet, but it has been prepared and is ready to go. It is a Facebook page where the intention is that the Village can put announcements, articles, interesting snippets, whatever we want to put on there that basically demonstrates the vitality of the Town. Nothing would be put on that page without the approval of the Village Manager or somebody that he designated. It would also be a Facebook page where the only entry that could be made would be by the Village not just anybody in the public. The Economic Development Council would like to present this to us at our next Village Board Meeting to take a look at this Facebook page before it goes live.

Trustee Farber stated that she hoped everyone is enjoying the lazy, hazy days of summer. This past Friday, July 14th the rain canceled our Annual Firemen's Parade, but it did not cancel the Annual Inspection of our Fire Trucks and our Volunteers, which was held at 7:00 pm at the Green Street Fire House. Our highlight was recognizing the 2017 Grand Marshall, Paul Hughes. The Mayor read a proclamation detailing so many of Paul's accomplishments, more than 65 years of service with the Independent Fire Company and his many years of community services. Once again, congratulations Paul Hughes an outstanding member of our Village. After the ceremony the party continued at the Independent Fire House with a BBQ and refreshments.

The Mount Kisco Arts Council is busy planning our next event. It will be the first Annual Regional Juried Art Show themed "the Figure" the show will take place at the Mount Kisco Library with an opening reception on Thursday, October 5th. The show will be on view at the Library from October 5 - 28, 2017. Please visit our website which is www.mountkiscoartscouncil.org for information on the show, or if you would like to submit an entry or to become a member of this great new exciting arts council. Before the opening reception we are going to have a pre-show concert with local musicians under the direction of Daniel Blake performing on the front porch of Village Hall. The concert will be held from 6:00 pm to 7:00 pm, on Thursday, October 5th. Admission to both the concert and to the Library Art Show are FREE.

Speaking of FREE Music the Mount Kisco Recreation Department is presenting outstanding public concerts during this month in Leonard Park on Thursday's evenings. The final concert is this Thursday, July 20th which begins at 7:00 pm. So grab a lawn chair or blanket and meet us at the park for this great family event.

If you are looking for something else to do with the kids this summer check out the many programs at the Mount Kisco Public Library. Our Library Director Katherine Feeley sent over a list of some extra fun events going on this next month. The theme this year is "Build a Better World". Upcoming programs include a do it yourself pet rock on July 19th, a balloon tower challenge on July 27th, calming bottles on July 31st, build a robotic hand on August 3rd and the grand finale is Building a Better World Magic Show on Saturday, August the 12th. For more times and more programs, visit the Library Website at www.MountKiscolibrary.org or you can call 914-666-8041.

My final comment is about the condition of the Mount Kisco Post Office. She asked if the Village Manager ever had any success contacting the powers that be to clean the exterior of the Post Office on Morgan Drive. I went there today and it was pretty disgusting.

Village Manager Brancati stated that he went by it to take a look and has some pictures and we are working it. Yes, we will get it resolved and get it cleaned.

Deputy Mayor Markus agreed with what Trustee Farber said about the Firemen's Parade not going forward, and of course we want to recognize our Volunteer Fire Fighters who work so hard. We had an opportunity as a Board to inspect all of the Fire Department's apparatus and it was just exemplary. Congratulations to Paul Hughes who was recognized as the 2017 Grand Marshall.

Deputy Mayor Markus stated that the Finance Committee met on July 28th and we went over the daunting task of how we should pay for many of the necessary "Capital Improvements" that have to be put into place. The Finance Committee is planning on reviewing all capital projects that the Village needs to address. We are working on two (2) different reports one is for the Water Fund and the other is for the General Fund. We have our hands full, but the Finance Committee is working hard and they are striving to provide this information to the Village Board.

Deputy Mayor Markus asked for an update on the radar/speed control detector.

Village Manager Brancati stated that he will call and an update on the delivery.

Mayor Cindrich asked for an update from the Village Manager regarding a letter that he had received from Sustainable Westchester regarding solar projects. He asked for a copy of the March 9, 2017 decision from the Public Service Commission which was referred to in the letter from Sustainable Westchester.

Mayor Cindrich read into the record the following proclamation honoring Paul Hughes, "Grand Marshal of the 2017 Mount Kisco Firefighters Parade".

PROCLAMATION

- Whereas,** Paul Hughes, one of four children, was born on July 5, 1931 in Mount Kisco, to Victor and Ann Hughes, he shares his birthday with twin brother Peter; and
- Whereas,** Paul joined the Army in 1952 and served in the Korean War; and
- Whereas,** After the war he returned home, worked for Lewis F. Lee as a carpenter until he retired in 1991; and
- Whereas,** He married Nancy Potter in 1954 and they were a loving team until she passed away in 2000; and
- Whereas,** Paul has one beautiful daughter, Lizann, who is married to Tom Hunter and is blessed with three wonderful grandchildren who Paul loves very much, Emily, Victoria and Stephen; and
- Whereas,** Paul's mother-in-law, Betty Potter and father-in-law, Leroy Potter, both served with distinction, as Mayors of the Village of Mount Kisco; and
- Whereas,** Paul has been a member of the Moses Taylor American Legion, Post 136, in Mount Kisco for the over 62 years, is one of the most active members, with uncompromised loyalty to those who served our country; and
- Whereas,** Paul has been an active member of the Mount Kisco Independent Fire Company for over 65 years, continues to mentor young firefighters and is affectionately known as the "Hydrant Man" of IFCO; and
- Whereas,** Paul is a wonderful friend to many in Mount Kisco, a committed volunteer in his beloved village for most of his life, committed to his country, family, community and his faith serving as a proud usher in the Saint Francis of Assisi Church; and

Now therefore, in recognition of Paul Hughes being named "**Grand Marshal of the 2017 Mount Kisco Firefighters Parade**" I, **J. Michael Cindrich, Mayor of the Village/Town of Mount Kisco** do hereby proclaim Sunday, July 16, 2017, as "**Paul Hughes Day**" in the Village/Town of Mount Kisco and do hereby further encourage all residents of the Village to join with me in congratulating Paul on this memorable occasion.

Mayor Cindrich reported that we did meet with the Board of Fire Commissioners to discuss the expansion and renovation of our existing Fire Houses and other options. I believe we are ready to put this on the November ballot for a public referendum. I'm asking that the Village Manager prepare the ballot language for a referendum and that the Treasurer prepare the financial cost estimates of what is projected. Obviously, the projections are not cast in stone.

The Village Manager and I also met with the architect designing the renovation of the Police Complex. I believe we are prepared to present the schematic to the Village Board and authorize the plans to be completed for cost estimates. I consider this project a cost neutral exercise that will create public space and hopefully we will be able to lease some of that space out at market rates.

Mayor Cindrich stated that the majority of the Board met with several Planners in response to a request for proposals to update the Master Plan and undertake a comprehensive review. I think we are ready to make a decision on that, pending a little more information.

Mayor Cindrich stated that he had the privilege of naming Barbara Cutri as the 40th Senate District Women of Distinction from the Village of Mount Kisco. This is something that was started many years ago and Mrs. Cutri is well deserving of this award she has dedicated herself to the betterment of this Village and the residents. I was very proud to nominate her for that distinction this year.

Mayor Cindrich congratulated Joanne Aquilino, Superintendent of Recreation and the Recreation Commission for sponsoring the concerts at Leonard Park, which have been so well attended and enjoyed by our residents.

Mayor Cindrich stated that he had the honor of attending the two (2) year anniversary celebration of the "Little Drunken Chef" Restaurant in the Village. Owner Bonnie Saran held this event to say thank you to her loyal customers. In talking to those in attendance the restaurant has become a destination location. Ms. Saran has changed the landscape of the Village of Mount Kisco during the most difficult economic period. She is the proprietor and owner of four (4) unique restaurants located in our Village and they have all become a destination location. Bonnie's restaurants opened shortly after the downturn in the economy which was a challenging and difficult time and today the restaurants are extremely successful. The atmosphere is warm and friendly and the menus are culturally diverse and appreciated by all of the dining public. Friends and family gather not only to enjoy the culinary treats but also the company of Bonnie who does great things. Bonnie continues to contribute to the community in many ways. Her generosity and community involvement makes Mount Kisco a better place and many people strive to achieve their dreams, but it is not everyone who shares their success with others, which Bonnie does. Please pay her a visit, I think you will enjoy your time with her.

Mayor Cindrich stated that he attended the Grand Opening sponsored by the Chamber of Commerce of another independent family owned business, Quality Express Kitchen Cabinets. It's a family business, they have a lot of good ideas and hopefully they will be successful.

Mayor Cindrich stated that I think we have to better explain to the public why we have advisories posted limiting water usage. It is rather disconcerting to the public that we are in a water shortage, with possibly water flowing over the dam. So I think we need to explain a little better that we are really sponsoring conservation of water and we are not in a condition where we do have a water shortage. So let's start thinking about how to do that and get that message out.

Mayor Cindrich stated that the Village has received another small grant of \$5,000, and hopefully we can use to increase the bicycle patrols over the next couple of months.

Mayor Cindrich reminded the Village Manager that the utility poles continue to be a source of complaints and he would appreciate anything the Village Manager could do with that, because it makes certain areas of the Village look like a blight area.

Mayor Cindrich stated that the zombie house on the corner of Beverly Road and Route 133 is becoming an issue. The house appears abandoned, the grass was in excess of 3 feet high and wanted to make sure that if the bank doesn't take care of the property, that we get the Highway Department out there to clean this property up.

Village Manager Brancati replied there is a mortgage on the property and we have reached out to the Property Maintenance Division of the bank. We did not hear back from them, we are going to continue on that, but not for too much longer because the residents shouldn't have to suffer and this isn't the only "zombie" property in the Village, there are a couple of others in the Village that we are looking at. The Village Attorney, Building Inspector and I are looking at a couple of ways in which we can address these situations, resolve them and clean the properties up and then turn them over to the responsible parties.

Mayor Cindrich replied whatever authority we have with the DPW to clean-up this property I believe is appropriate because the community deserves better.

Mayor Cindrich noted that he was in receipt of a letter from Chief Al Bueti dated June 27, 2017 regarding the Length of Service Awards Program. Chief Bueti's letter indicates an increase in the program and perhaps putting it on a referendum. I am going to suggest

that in the near future we meet with the Chief's and the Fire Commissioners again to address this issue.

Trustee Grunthal replied shouldn't we ask our actuarial advisers to give us a cost estimate of the Fire Department's most recent request.

Mayor Cindrich replied that he would like to know what the actuarial advisers are charging the Village for all of these cost estimates.

Trustee Grunthal replied last time the cost was \$1,700.00.

Mayor Cindrich replied that's why I want to hold off in doing it, until we talk to the Fire Department. Because every time we spend \$1,700.00 it comes out of the fund. So let's schedule a meeting as soon as we can.

Village Manager Brancati stated that this request is different this time it is scaled back, so we are going to see what that number looks like.

6) Old Business:

a. Action on Proposed Local Law re: Hotel Occupancy Tax.

Mayor Cindrich stated that we had a public hearing several months ago on a proposed local law regarding the Hotel Occupancy Tax and under the leadership of Deputy Mayor Markus the Finance Committee debated this issue and contacted and actually communicated with Fred B. Roedel, III, Chief Financial Officer of Roedel Companies LLC which owns the Mount Kisco Holiday Inn, which is the only business in town that this would effect.

Mayor Cindrich noted that in this tax cap environment and the inability to control unfunded mandates that the State has given us the authority to impose this tax to help keep property taxes in other areas in check.

Deputy Mayor Markus stated that the Finance Committee did convene on the matter and we have two (2) views on the matter, a majority view and a minority view. He outlined the Finance Committees recommendation on the Occupancy Tax proposed local law.

Deputy Mayor Markus thanked all of the members of the Finance Committee for their time and energy on this subject, along with the Village Manager and Treasurer.

The Finance Committee convened on April 6, 2017 and May 25, 2017 to discuss the proposed Occupancy Tax which authorizes Mount Kisco to enact a tax on hotels and which is capped at 3%. The Finance Committee via the chairman also communicated with Fred B. Roedel, III, Chief Financial Officer of Roedel Companies, LLC which owns the Mount Kisco Holiday Inn.

New York State passed legislation to permit Mount Kisco to enact an Occupancy Tax for a fixed time, authorization expires on September 1, 2019 and up to 3%. A majority of the committee favors enacting the tax and a minority opposes it.

Majority View:

There are five active members of the Finance Committee favored the Occupancy Tax upon the condition that the revenue apply toward economic development and improvements to the commercial districts including debt service for same based on the following reasons:

- Utilization of the revenue for economic development and improvements to commercial districts will enhance Mount Kisco as the commercial hub of Northern Westchester and benefit the Village and the Holiday Inn as a whole;
- The relatively low level of this customary tax will have a minimal impact on the Holiday Inn;
- Other communities such as North Castle have instituted such a tax and therefore other competitor hotels are subject to the same tax creating an even playing field;
- Although Mr. Roedel, CFO of Holiday Inn voiced his objection to the tax, his opposition was tempered if the Board required application of the revenue toward economic development and improvements to the commercial districts.

Therefore, it is the recommendation of the majority of the committee that the Board of Trustees pass the Occupancy Tax and require that the proceeds therefrom be applied to economic development.

Minority View:

Two members of the committee oppose the Occupancy Tax for the following reasons:

- New York is already a highly taxes state;
- Given the village's financial strength the tax is not necessary;
- One Business (and industry) is being singled out. The Holiday Inn should not be taxes when other types of businesses do not have to pay such tax;
- The Holiday Inn will not benefit from improved commercial district as we are not a destination area;
- It sends the wrong message to businesses. By opposing the tax we will send a message that we seek to welcome businesses not dissuade them from doing business in Mount Kisco.

Therefore, it is the recommendation of the minority of the committee that the Board of Trustees not enact the Occupancy Tax.

The following motion was offered Deputy Mayor Markus and seconded by Trustee Schleimer to pass the Occupancy Tax and requires that the proceeds therefrom under section 79-12 be applied to economic development such as capital improvements (including payments for debt service) to commercial districts, parking abatements, and/or other investments to enhance Mount Kisco's commercial base.

Trustee Grunthal stated that his major objection to this Occupancy Tax is because this tax hits one business and I just don't think that is fair at all. I also feel that when prices go up, consumption goes down, so I think that the Holiday Inn will eventually lose a small amount of business.

Trustee Farber stated that she didn't think that the Holiday Inn was going to lose business to any of the other general areas, because everybody has the same tax. I feel comfortable with this because it is going to the economic development which in turn hopefully will help business for the Holiday Inn, so I like the end result that way.

Trustee Grunthal stated that he would like to see the tax go to specifically for branding and marketing Mount Kisco, not for debt service.

Deputy Mayor Markus stated that we were recently briefed on a Street Scape Proposal for the Village and in his view the recommendation for debt service would be earmarked specifically for economic development purposes.

Mayor Cindrach stated that this money will not be spent arbitrarily, and that it will take an affirmative vote of the Village Board on how the money is to be spent.

Trustee Grunthal asked Deputy Mayor Markus if he would be willing to amend his motion to include that the money collected will be set aside in an account especially so designated.

Deputy Mayor Markus agreed to amend his motion to include that there will be a reserve fund for the revenue that comes from this Occupancy Tax.

Motion Adopted

Mayor J. Michael Cindrach	Aye
Trustee Farber	Aye
Trustee Grunthal	NAY
Deputy Mayor Markus	Aye
Trustee Schleimer	Aye

7) New Business:

a. Resolution declaring certain Village property to be surplus property.

The following resolution was offered by Trustee Schleimer and seconded by Trustee Farber.

Whereas, it has been determined that the Village has no further use of certain items(s): and
 Whereas, the Village Board may determine that these items are surplus property; and
 Whereas, the fair market value, if any, is determined for the surplus property and its disposal will be for the common benefit; and

Whereas, at time of sale of surplus item(s), money, if any, will be allocated back to the appropriate department; and

Whereas, the Village Manager or his designee will oversee the sale of these items(s) or other method of disposal.

Now, Therefore, Be It Resolved that the Village Board of the Village/Town of Mount Kisco, New York surpluses the following items(s):

Chevrolet	2002	Passenger Bus	1GBJG31G521160907
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Motion Adopted

Mayor J. Michael Cindrach	Aye
Trustee Farber	Aye
Trustee Grunthal	Aye
Deputy Mayor Markus	Aye
Trustee Schleimer	Aye

b. Budget Amendment/Transfer Requests

Budget Amendment/Transfer Request#1

The following motion was offered by Trustee Grunthal and seconded by Deputy Mayor Markus;

Resolved, the Fiscal Year 2016/2017 adopted budget are hereby adopted and modified as follows:

Budget – Library Fund

Increase Operating Revenues:

006.0000.2706 Library Grant – Other	<u>\$5,000.00</u>
Total	\$5,000.00

Increase Operating Appropriations:

006.7410.0200 Library Expenses – Equipment	<u>\$5,000.00</u>
Total	\$5,000.00

Motion Adopted

Mayor J. Michael Cindrach	Aye
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Trustee Farber	Aye
Trustee Grunthal	Aye
Deputy Mayor Markus	Aye
Trustee Schleimer	Aye

Budget Amendment/Transfer Request#2

The following motion was offered by Trustee Grunthal and seconded by Deputy Mayor Markus;

Resolved, the Fiscal Year 2016/2017 adopted budget are hereby adopted and modified as follows:

Budget – Operations

Increase Revenues:

001.0000.2680 Insurance Recoveries	\$882.28
Total	\$882.28

Increase Appropriations:

001.1640.4175 Expenses – Central Garage Outside Contracts	\$882.28
Total	\$882.28

Motion Adopted

Mayor J. Michael Cindrich	Aye
Trustee Farber	Aye
Trustee Grunthal	Aye
Deputy Mayor Markus	Aye
Trustee Schleimer	Aye

c. Resolution authorizing the Village Manager to sign the agreement between the Town of New Castle and Village/Town of Mount Kisco (Northern Fire Protection District).

The following resolution was offered by Deputy Mayor Markus and seconded by Trustee Grunthal authorizing the Village Manager to sign the agreement between the Town of New Castle and Village/Town of Mount Kisco (Northern Fire Protection District).

Village/Town of Mt. Kisco, a municipal corporation of the State of New York, having its offices at 104 Main Street, Mt. Kisco, New York 10549 (the "Village") and the Town of New Castle (the "Town") on behalf of the Northern Fire Protection District, said Town being a municipal corporation of the State of New York, having its offices at 200 South Greeley Avenue, Chappaqua, New York 10514.

In consideration for good and valuable consideration, receipt whereof IS hereby acknowledged by the respective parties hereto, the parties agree as follows:

1. The prior agreement between the parties, dated May 8, 2000, attached hereto as Exhibit "A," with regard to the apportionment of charges for fire-matic services rendered by the Village to the Town within the Northern Fire Protection District shall be deemed revived and binding for Town Fiscal Years 2001 through 2017 for purposes of determining the payment due to the Village.

2. The parties have agreed that application of the formulas contained in the prior agreement result in the following payments to the Village by the Town for the following Town Fiscal Years:

FY 2001	\$ 188,579.17
FY 2002	\$ 225,029.13
FY 2003	\$ 251,434.47
FY 2004	\$ 458,265.23
FY 2005	\$ 390,026.63
FY 2006	\$ 410,850.36
FY 2007	\$ 395,117.70
FY 2008	\$ 419,165.69
FY 2009	\$ 412,053.94
FY 2010	\$ 423,778.79
FY 2011	\$ 475,491.49
FY 2012	\$ 504,355.60
FY 2013	\$ 493,835.90
FY 2014	\$ 504,833.11
FY 2015	\$ 491,136.23
FY 2016	<u>\$ 505,759.69</u>
	\$6,549,713.13

3. The Village agrees that it has received all of the payments set forth in paragraph 2 above from the Town and no funds are due and owing from the Town to the Village.

4. The Village advises that the payment from the Town to the Village for the Town's 2017 for Villages 2016/2017 Fiscal Year will be \$505,189.90 and the Town agrees that such

payment is governed by this Agreement and will be paid in the normal course of event when rendered.

5. The Village has adopted its Budget for the Village's Fiscal Year 2017/2018 (which will be billed to the Town in May, 2018 for the Town's 2018 Fiscal Year), which amount shall be provided by the Village to the Town by no later than September 15, 2017. The Town agrees that such payment is governed by this Agreement and will be paid in the normal course of event when rendered.

6. Prior to the Village establishing the fee as part of the Village's 2018/2019 budget to be charged to the Town and paid in the Town's 2019 Fiscal Year, the parties shall undertake good faith negotiations (by no later than December 1, 2017) to agree upon a mutually acceptable agreement for future apportionment of charges to the Northern Fire Protection District for fiscal year 2018 and thereafter. The Village agrees to advise the Town as to that fee no later than thirty (30) days prior to the time the Tentative Village Budget for Fiscal Year 2018/2019 is submitted to the Village Board.

Motion Adopted

Mayor J. Michael Cindrich	Aye
Trustee Farber	Aye
Trustee Grunthal	Aye
Deputy Mayor Markus	Aye
Trustee Schleimer	NAY

d. Resolution Authorizing Tax Certiorari Settlements (2).

The following resolution was offered by Trustee Schleimer and seconded by Trustee Farber;

Whereas, petitions have been filed by the property owner below, challenging real property tax assessments on the Town and Village assessment rolls with respect to the following parcels:

<u>Property Owner</u>	<u>Tax Designation</u>	<u>Years</u>
271 N. Bedford Rd Corp.	69.50-2-8 & 9	2010-2016 (Town); 2011-2017 (Village)
283 N. Bedford Rd Corp	69.50-2-5, 6 & 7	2010-2016 (Town); 2011-2017 (Village)
John Martabano	69.50-2-4 & 10	2010-2016 (Town); 2011-2017 (Village)

Whereas, petitioner's court challenge is now pending in the Supreme Court, Westchester County; and

Whereas, the Village and the property owner have reached a mutually agreeable resolution;

Now, therefore be it resolved, the Office of the Village Attorney is authorized to execute a settlement on behalf of the Town for assessment for no less than the following:

Village Proceedings:

<u>Assessment Year:</u>	<u>Original:</u>	<u>Proposed Settlement:</u>	<u>Reduction:</u>
2011	\$805,000	\$398,820	\$406,180
2012	\$805,000	\$428,640	\$376,360
2013	\$805,000	\$453,250	\$351,750
2014	\$805,000	\$514,800	\$290,200
2015	\$805,000	\$471,900	\$333,100
2016	\$805,000	\$490,680	\$314,320
2017	\$710,000	\$484,980	\$225,020

Town Proceedings:

<u>Assessment Year:</u>	<u>Original:</u>	<u>Proposed Settlement:</u>	<u>Reduction:</u>
2010	\$1,143,000	\$812,250	\$330,750
2011	\$1,143,000	\$876,300	\$266,700
2012	\$1,143,000	\$914,150	\$228,850
2013	\$1,143,000	\$1,024,100	\$118,900
2014	\$1,143,000	\$940,160	\$202,840
2015	\$1,143,000	\$965,800	\$177,200
2016	\$1,143,000	\$1,011,520	\$131,480

Motion Adopted

Mayor J. Michael Cindrich	Aye
Trustee Farber	Aye
Trustee Grunthal	Aye
Deputy Mayor Markus	Aye
Trustee Schleimer	Aye

The following resolution was offered by Deputy Mayor Markus and seconded by Trustee Schleimer;

Whereas, petitions have been filed by the property owner below, challenging real property tax assessments on the Town and Village assessment rolls with respect to the following parcels:

<u>Property Owner</u>	<u>Tax Designation</u>	<u>Years</u>
WDL Realty LLC (Staples Associates LLC)	69.51.2-1-1	2011 to 2016 (Town) 2014 to 2017 (Village)

Whereas, petitioner’s court challenge is now pending in the Supreme Court, Westchester County; and

Whereas, the Village and the property owner have reached a mutually agreeable resolution; Now therefore be it resolved, the Office of the Village Attorney is authorized to execute a settlement on behalf of the Town for assessments for no less than the following:

Village Proceedings:

<u>Assessment Year:</u>	<u>Original:</u>	<u>Proposed Settlement:</u>	<u>Reduction:</u>
2014	\$555,000	\$396,000	\$159,000
2015	\$555,000	\$351,780	\$203,220
2016	\$475,000	\$355,320	\$119,680
2017	\$375,000	\$353,460	\$ 21,540

Town Proceedings:

<u>Assessment Year:</u>	<u>Original</u>	<u>Proposed Settlement</u>	<u>Reduction:</u>
2011	\$975,000	\$714,375	\$260,625
2012	\$975,000	\$748,825	\$226,175
2013	\$975,000	\$825,550	\$149,450
2014	\$975,000	\$723,200	\$251,800
2015	\$975,000	\$719,960	\$255,040
2016	\$975,000	\$732,480	\$242,520

Motion Adopted

Mayor J. Michael Cindrach	Aye
Trustee Farber	Aye
Trustee Grunthal	Aye
Deputy Mayor Markus	Aye
Trustee Schleimer	Aye

e. Resolution adopting the 2016 Mount Kisco Volunteer Fire Department Award Program.

The following resolution was offered by Trustee Grunthal and seconded by Deputy Mayor Markus;

Be it resolved, the Board of Trustees, as sponsors of the Length of Service Award Program (LOSAP) for the Mount Kisco Volunteer Fire Department including credits for past qualified service, as certified by Mount Kisco Volunteer Fire Department Length of Service Award Program Committee, on the attached lists, and

Be it further resolved, Edward W. Brancati, Village Manager is authorized to sign the “2016 Sponsor Authorization Form”.

Motion Adopted

Mayor J. Michael Cindrach	Aye
Trustee Farber	Aye
Trustee Grunthal	Aye
Deputy Mayor Markus	Aye
Trustee Schleimer	Aye

f. Request to amend the Village Investment Policy.

The following motion was offered by Trustee Grunthal and seconded by Trustee Schleimer to amend the investment policy Article VII – Designation of Depositories to include Signature Bank as an authorized depository with a maximum of \$10,000.00, all in favor.

Motion Adopted

Mayor J. Michael Cindrach	Aye
Trustee Farber	Aye
Trustee Grunthal	Aye
Deputy Mayor Markus	Aye
Trustee Schleimer	Aye

g. Bond Resolution authorizing the construction of additions, alterations and improvements to the DPW Garage.

The following resolution was offered by Trustee Farber and seconded by Deputy Mayor Markus:

BOND RESOLUTION OF THE VILLAGE OF MOUNT KISCO, NEW YORK, ADOPTED JULY 17, 2017, AUTHORIZING THE CONSTRUCTION OF ADDITIONS, ALTERATIONS AND IMPROVEMENTS TO THE DEPARTMENT OF PUBLIC WORKS GARAGE LOCATED ON COLUMBUS AVENUE IN THE VILLAGE; STATING THE ESTIMATED MAXIMUM COST THEREOF IS NOT TO EXCEED \$3,220,000; APPROPRIATING \$2,695,000 IN

ADDITION TO THE \$525,000 HERETOFORE APPROPRIATED FOR SUCH PURPOSE; AND AUTHORIZING THE ISSUANCE OF BONDS OF THE VILLAGE IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$2,695,000, TO FINANCE SAID APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF MOUNT KISCO, IN THE COUNTY OF WESTCHESTER, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Mount Kisco, in the County of Westchester, New York (herein called the "Village"), is hereby authorized to construct additions, alterations and improvements to the Department of Public Works garage located on Columbus Avenue in the Village, including original furnishings, equipment, machinery, apparatus, appurtenances and planning relating thereto (the "Project"). The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is not to exceed \$3,220,000. An amount of not to exceed \$2,695,000 is hereby appropriated for such purpose, in addition to the \$525,000 heretofore appropriated for said Project pursuant to the bond resolutions adopted by the Board of Trustees of the Village on July 14, 1997, June 21, 1999 and August 9, 1999 (the "Prior Bond Resolutions") and certain resolutions adopted by said Board on various dates in the years 2007 to 2013 authorizing the transfer of available funds of the Village to the Capital Fund to pay costs of the Project. The plan of financing includes: (i) the issuance of bonds of the Village in the principal amount of not to exceed \$2,695,000 to finance said \$2,695,000 appropriation, (ii) the expenditure of proceeds of bonds in the amount of \$215,000 heretofore issued by the Village pursuant to the Prior Bond Resolutions, (iii) the expenditure of \$310,000 in available funds of the Village to pay a part of the cost of the Project and (iv) the levy and collection of taxes upon all the taxable real property in the Village to pay the principal of said not to exceed \$2,695,000 bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Village in the principal amount of not to exceed \$2,695,00 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance the \$2,695,000 appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The garage to be improved and any additions thereto are or will be of Class "A" construction as defined by Section 11.00 a. 11(a) of the Law, and the period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 12(a)(1) of the Law, is twenty-five (25) years.

(b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes,

and as to executing credit enhancement agreements, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Village Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to publish or cause to be published in "The Journal News," a newspaper having a general circulation within said Village and hereby designated the official newspaper of the Village for such publication, and posted in at least six (6) public places and in each polling place in the Village, a Notice in substantially the following form:

LEGAL NOTICE

VILLAGE OF MOUNT KISCO, NEW YORK

PLEASE TAKE NOTICE that on July 17, 2017, the Board of Trustees of the Village of Mount Kisco, in the County of Westchester, New York, adopted a bond resolution entitled:

"Bond Resolution of the Village of Mount Kisco, New York, adopted July 17, 2017, authorizing the construction of additions, alterations and improvements to the Department of Public Works garage located on Columbus Avenue in the Village; stating the estimated maximum cost thereof is not to exceed \$3,220,000; appropriating \$2,695,000 in addition to the \$525,000 heretofore appropriated for such purpose; and authorizing the issuance of bonds of the Village in the principal amount of not to exceed \$2,695,000, to finance said appropriation,"

an abstract of such bond resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the construction of additions, alterations and improvements to the Department of Public Works garage located on Columbus Avenue in the Village, including original furnishings, equipment, machinery, apparatus, appurtenances and planning relating thereto (the "Project"); STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is not to exceed \$3,220,000; APPROPRIATING an amount of not to exceed \$2,695,000 for such purpose, in addition to the \$525,000 heretofore appropriated for said Project pursuant to the bond resolutions adopted by the Board of Trustees of the Village on July 14, 1997, June 21, 1999 and August 9, 1999 (the "Prior Bond Resolutions") and certain resolutions adopted by said Board on various dates in the years 2007 to 2013 authorizing the transfer of available funds of the Village to the Capital Fund to pay costs of the Project; STATING the plan of financing includes: (i) the issuance of bonds of the Village in the principal amount of not to exceed \$2,695,000 to finance said \$2,695,000 appropriation, (ii) the expenditure of proceeds of bonds in the amount of \$215,000 heretofore issued by the Village pursuant to the Prior Bond Resolutions, (iii) the expenditure of \$310,000 in available funds of the Village to pay a part of the cost of the Project and (iv) the levy and collection of taxes upon all the taxable real property in the Village to pay the principal of said not to exceed \$2,695,000 bonds and the interest thereon as the same shall become due and payable;

SECOND: AUTHORIZING the issuance of bonds of the Village in the principal amount of not to exceed \$2,695,000 pursuant to the Local Finance Law of the State of New York (the "Law") to finance the \$2,695,000 appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued is twenty-five (25) years; the proceeds of said bonds and any bond anticipation notes issued in

anticipation thereof may be applied to reimburse the Village for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Village; and PLEDGING to their payment the faith and credit of the Village;

FIFTH: DELEGATING to the Village Treasurer the powers and duties as to the issuance of said bonds, and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: July 17, 2017

Edward Brancati
Village Clerk

Section 8. The Village Clerk is hereby directed, after said bond resolution shall take effect, to cause said bond resolution to be published, in summary or in full, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Law.

* * *

Village Manager Brancati explained the definition of what a permissive referendum meant.

Mayor Cindrach reminded that Village Board of Trustees that this resolution needs two-thirds vote of the entire membership.

On the question:

Deputy Mayor Markus stated that when it actually comes time to issue serial bonds rather than the temporary and short term bond anticipation notes (BAN), the Village should, because this is authorizing up to a certain amount, I think, at that point in time, we should have an assessment of how much we should bond and how much we should use from Capital Reserves. There will be no issuance of serial bonds until this Board makes that determination.

Village Manager Brancati stated the way this is typically done is that we will issue a bond anticipation note (BAN) simply for the bid amount in the construction understanding too that there is a contingency of \$150,000.00 so it is entirely possible that it doesn't cost us the full amount anyway. I think what we would do is borrow the amount for a one year note and once the project is completed and all of the costs are known at that point then we turn around and the Board will decide how much we want to bond and how much we want to pay down using existing capital reserve. So the note is a one year note and can be renewed for multiple one year periods until a decision is made on how much to go to serial bond.

Deputy Mayor Markus asked what the percentage would be on a BAN

Village Treasurer Wheeling replied most of them are 1.0% to 1.25%

Deputy Mayor Markus stated that he knows how much has been freed up based upon the fiscal year ending. So I'm just thinking along those lines based upon what the Finance Committee did. Obviously it's a different analysis at the percentage rate.

Village Manager Brancati stated that generally on a note we like to make a principal payment as well.

Mayor Cindrach stated that he didn't want to rely solely on the contingency in the contract because anytime we do any type of renovation the contingency can be depleted in a matter of seconds with unknown factors that can be discovered during a renovation.

Village Manager Brancati stated that he just needed to note that the full amount does include that contingency in the contract. Mayor, to your point, it may absolutely be used up, but it's obviously not the plan at the outset of the project.

Trustee Grunthal stated that he thought during out last budget process that we were putting into the budget for next year, with the intention of running this for future years our capital needs, other than major renovations.

Village Manager Brancati replied that's in this year's budget.

Trustee Grunthal stated so if that's in the budget, it seems to me that our capital fund can be used for non-recurring items. If the recurring items are budgeted than this would be a major non-recurring item.

Village Manager Brancati replied that while we put in the budget an annual transfer to the capital fund every year, the items that they are funding and that we are doing every year, such as roads, acquisition of vehicles, or sidewalks are items that have a useful life greater than five or ten years.

Trustee Grunthal stated that's my understanding. But that is why I'm asking the question, of the few million dollars that we still have in the capital fund, what would that be used for, if not for a major non-recurring expenditure.

Village Treasurer Wheeling replied that's entirely a Board decision. At the close of the last fiscal year we moved \$2.6 million dollars into reserve funds for capital projects and anytime we come up with a resolution for capital, such as vehicles, then we tap into that, and the Board usually gets a resolution to move that money from the general fund reserve section over to the capital projects fund. So yes, there are several million dollars still in capital projects, within the general fund, yet to be determined for which project to be designated. So yes, some of that money or all of it could be used for this project.

Trustee Grunthal stated that he finds this difficult because I've said all along for the last couple of years that I see no reason to borrow money, whatever it costs us, if we have the money and it seems to me in this case we have the money to pay for this highway garage. Especially, since we still have in our annual budgets enough money to pay for the expected recurring capital costs. So I'm not happy about borrowing this money when we have money in the capital fund to handle this. I would put this up for discussion.

Trustee Farber stated that she would be interested in not spending the whole thing with our own monies, but partially.

Deputy Mayor Markus stated that you all have the list of the capital projects that we have coming down the line, so I think it's a conservative view, and we are trying not to exhaust that amount. That's why I put out the questions, if we could use portions of the capital reserves towards this project and save other capital reserves for future projects and maybe there is an analysis we can utilize in terms of what is the best way to borrow the money and save it.

Trustee Grunthal stated that it seems to me the saving grace in doing this is to borrow this amount on money at the rates that we can get now to reduce the equivalent amount of money at a later date at potentially higher rates. So in a sense what we would be doing here is hedging against the rates.

Trustee Farber stated that she did not want to deplete our entire capital funds, with one project.

Deputy Mayor Markus replied, that this is only for a BAN at this point.

Village Manager Brancati stated that the authorization exists to borrow the funds, it will be taken in the form of a BAN initially, but will ultimately be rolled into, if the Board so chooses, into a serial bond for long-term repayment.

Deputy Mayor Markus replied that before going into a serial bond it will need Board authorization.

Village Manager Brancati replied correct, we will come back to the Board with a decision when the costs for the completed project are all known.

Trustee Grunthal stated if we borrow the money under a BAN, that after a year or two we can decide to repay the BAN's and not go into serial bonds and take the money out of capital.

Village Manager Brancati replied absolutely, you can actually go out to five (5) years on a BAN.

Trustee Schleimer stated I guess the other question is whether, whichever way we go, whether that will or won't affect our bond rating.

Deputy Markus replied if you look at the report that the Finance Committee provided to the Board, the recommendation is that we maintain 25% of annual operating expenditures in fund balance, which is what we are doing. The capital reserves is the amount in excess of that 25%. I think that it is important that we not go below the 25%, which if we exhausted the entire capital fund reserve we would not go below the 25%, and I think our bond rating would still be maintained.

Mayor Cindrich stated that he understands what is being said, but that he would like more than just a statement that we are not going to lose our double A rating. We have projected a significant amount of debt on the table and there is a relationship between the ability to borrow at a lower interest rate based on your bond rating, and there is a relationship between your bond rating, your debt, and the amount of capital reserves your holding. I know we are flush, but I don't want to exhaust our funds at the expense of our bond rating.

Deputy Markus replied that we are going to have to look at a couple of things. We are going to have to look at what our debt service is going to be moving forward as a budget line item to determine what our budget is going to be. So if our line item is going to exceed what debt is retiring then that is going to be an increase in the budget. Also, I think that the bond rating agencies are also going to look at how much debt you take on as part of the equation. I think that short term borrowing makes the most sense now because it gives us some time to consider this and we are going to have different balls in the air in terms of what we need to accomplish. As we gather more information, in terms of costs and fiscal years ending knowing how much money we have, we will be able to make better decisions for long-term borrowing.

Mayor Cindrich stated that we are also losing rateables, we are taking properties off of the tax rolls, and the Village on its own initiative is possibly taking property off of the tax

rolls, as well as dealing with tax certiorari challenges and therefore a declining assessed value for the tax roll.

Village Manager Brancati stated that the recommendation from the Finance Committee to the Board, which the Board agreed with and adopted, that we do not drop the unassigned fund balance below 25% of operating is a figure that is a more conservative estimate than what the comptroller's office will maybe suggest. I think it is a very healthy number and it allows the Village to adequately handle any difficult circumstances that might come our way and still leaves us with a healthy capital fund to undertake the projects that we need to undertake for the long term benefit of the residents and taxpayers.

Trustee Schleimer stated that I think, notwithstanding the fact that I of course am financially in the dark ages and hate to borrow money and spend money, I am inclined to suggest that if we are going to borrow and we have so many major capital projects coming down the pike that we borrow earlier as I envision and indications seem to suggest that interest rates are on the rise. If we put a bond out there earlier we might be able to get a more beneficial interest rate than if we do it further out.

Deputy Mayor Markus stated, but then the debt service payment begins as well.

Trustee Schleimer replied, that's true, however, if you don't lock in a lower interest rate when we borrow later we are going to get tied into a higher interest rate.

Deputy Mayor Markus stated that we will know in about 3 or 4 months about another major borrowing item that will certainly be part of that process.

Village Treasurer Wheeling stated that you don't have to do one BAN for the entire amount, you can do multiple BANs depending how fast the building is built.

Deputy Mayor Markus stated that I think we should authorize it.

Trustee Grunthal replied do we have the risk if we take BANs that we are in fact not locking in an interest rate.

Village Manager Brancati replied you wouldn't want to lock into a rate now, because ultimately you don't know what the project will cost you in the end. You want to have that known number before you determine the funding.

Mayor Cindrich stated that we need to remember with this project that there is going to be another cost and I don't know what that cost is with the site plan that is going to reduce the cost of our garbage transfer and the way we handle recycling. It's going to be money coming back to the Village.

Village Manager Brancati replied that almost needs to be treated as a separate project. I understand that it's all happening on the same site, but when you are talking about the buildings it's a different useful life than that transfer capability.

Deputy Mayor Markus stated that he was in favor of passing this motion and that you get to us the information on the serial bonds vs the BAN and that we then make a decision whether or not we want to do BANs or a combination.

Trustee Grunthal stated that he would like to see us borrow not more than \$2.0 million and do it in serial bonds now, so that we lock in the rate. Because if we are not locking in the rate, then why borrow the money.

Village Manager Brancati stated that you don't want to shrink this resolution down to \$2.0 million dollars because that is all that could ever be borrowed in total for this project.

Trustee Schleimer replied, but you don't have to draw it all down, you can draw down less.

Village Manager Brancati stated that the amount has to be for the full cost.

Deputy Mayor Markus stated I think the Manager needs to get us the rates and then we need to decide as a Board which way to go.

Trustee Grunthal replied either this gets voted on now, in which case I'm going to vote against it, or it could be tabled.

Deputy Mayor Markus replied that I trust our Village Manager to listen to what our guidance is going to be.

Mayor Cindrich stated that the Bond resolution that we are considering tonight is authorizing the construction of additions, alterations, and improvements to the Department of Public Works Garage located on Columbus Avenue in the Village stating that the estimated maximum cost thereof is not to exceed \$3,220,000 appropriating \$2,695,000 in addition to the \$525,000 heretofore appropriated for such purpose, and authorizing the issuance of bonds of the Village in the principal amount of not to exceed \$2,695,000 to Finance said appropriation. So we can always go out for less.

Trustee Grunthal replied but we have already unanimously agreed to award the contact.

Trustee Farber replied correct.

Trustee Grunthal now we are just arguing about if we should borrow money in the short term or the long term.

Deputy Mayor Markus replied and I want the rates on that before I make a decision, and I want authorization to get this done.

The adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Motion Adopted

Mayor J. Michael Cindrich

Aye

Trustee Farber	Aye
Trustee Grunthal	NAY
Deputy Mayor Markus	Aye
Trustee Schleimer	Aye

Trustee Grunthal stated that he has been pushing very hard for this DPW Garage for several years, and I am totally in favor of that being done and that is why I voted for us to award the contract. My negative vote on this particular resolution only has to do with the method we are taking on the financing. I would have preferred to do it a little differently, but that doesn't negate my thoughts about moving ahead with the Highway Garage, it clearly needs upgrading for a lot of reasons. The working conditions there currently are appalling and it really needs to be improved and we need have a place to wash our equipment and store them in the winter, I just hope we don't get screwed on the rates.

Mayor Cindrich stated that the residents of Mount Kisco will appreciate it if we end up with a site plan that give us a state-of-the-art recycling center where the public is excited about bringing their recyclables.

Trustee Farber stated that we have been talking about this for a long time and the DPW has been very patient. I'm glad that we can now go forward.

h. Request for an Executive Session

The following motion was offered by Mayor Cindrich and seconded by Deputy Mayor Markus to hold a brief Executive Session immediately following the close of tonight's Village Board meeting to discuss possible pending litigation, and also a procedural item that could result in litigation within one of the departments in the community.

<u>Motion Adopted</u>	
Mayor J. Michael Cindrich	Aye
Trustee Farber	Aye
Trustee Grunthal	Aye
Deputy Mayor Markus	Aye
Trustee Schleimer	Aye

Deputy Mayor Markus requested getting the cost of a \$2,000,000 dollars serial bond and the cost a \$2,500,000 note.

8) Bills -

The following motion was offered by Deputy Mayor Markus and seconded by Trustee Farber to pay the bills as presented to the Board dated July 13, 2017 for the months of May and June, 2017; all in favor.

General Fund	\$	362,522.51
Water Fund		164,583.38
Sewer Fund		24,672.37
Library Fund		24,101.06
Capital Fund		100,691.07
Trust Fund		5,999.49
		<hr/>
TOTAL	\$	682,569.88

<u>Motion Adopted</u>	
Mayor J. Michael Cindrich	Aye
Trustee Farber	Aye
Trustee Grunthal	Aye
Deputy Mayor Markus	Aye
Trustee Schleimer	Aye

9) Approval of Minutes -

Village Board Meeting Minutes of June 5, 2017

Trustee Schleimer requested several changes to the minutes.

The following motion was offered by Trustee Farber and seconded by Deputy Mayor Markus approving the Village Board Meeting Minutes of June 5, 2017, as amended by Trustee Schleimer; all in favor.

<u>Motion Adopted</u>	
Mayor J. Michael Cindrich	Aye
Trustee Farber	Aye
Trustee Grunthal	Aye
Deputy Mayor Markus	Aye
Trustee Schleimer	Aye

Village Board Meeting Minutes of June 19, 2017

The following motion was offered by Trustee Schleimer and seconded by Deputy Mayor Markus approving the Board Meeting Minutes of June 19, 2017, all in favor.

<u>Motion Adopted</u>	
Mayor J. Michael Cindrich	Aye
Trustee Farber	Aye

Trustee Grunthal	Aye
Deputy Mayor Markus	Aye
Trustee Schleimer	Aye

10) Non-Local Business: None.

11) Public Comment:

Mrs. Antoinette Whalen stated that she has observed on several occasions cars beginning illegally parked near the ball field near the Mount Kisco Housing Authority/Senior Center. She said that when there is a big event at the Senior Center or if there is a lot of rain there aren't any parking spots for the seniors to park their cars.

Village Manager Brancati stated that he would notify the Parking Enforcement Department and have them to issue tickets in the area.

Mrs. Antoinette Whalen asked if there was any money in the budget to re-stripe some of the streets in the Village, because the yellow lines are faded away on many streets.

Village Manager Brancati replied that the re-striping issue will be addressed in the current Road Re-Surfacing Bid that is currently out right now, and is due to be opened on Wednesday, July 26, 2017.

Meeting closed at 10:15 PM.

Edward W. Brancati
Village Manager