



AGENDA
TUESDAY JULY 11, 2023
BOARD OF TRUSTEES

WILLIAM J. VESCIO COMMUNITY CENTER
1 LIBRARY ROAD
REGULAR MEETING – 7:30 PM

For those members of the public interested in viewing and/or participating in the meeting remotely, visit <https://www.briarcliffmanor.gov/mayor-board-trustees/events/33221>

Pledge of Allegiance

1. Continued Public Hearing to Amend Chapter 207-6, Vehicles and Traffic, Maximum Speed Limit (School Zone)
2. Continued Public Hearing to Amend Chapter 195 of the Village Code to Increase the Income Limits for Real Property Tax Exemptions Available to Senior Citizens

Board of Trustees Announcements

Village Manager's Report

Village Engineer's Report

Committee Reports

Public Comments

3. Budget Transfer - Close Out Capital Projects
4. Amend Master Fee Schedule
5. Minutes

NEXT REGULAR BOARD OF TRUSTEES MEETING – TUESDAY, JULY 25, 2023

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
JULY 11, 2023

1. **CONTINUED PUBLIC HEARING TO AMEND CHAPTER 207-6,
VEHICLES AND TRAFFIC, MAXIMUM SPEED LIMITS (SCHOOL ZONE)**

RESOLUTION PROVIDED IN THE EVENT THE BOARD WISHES TO ADOPT.

BE IT RESOLVED that the proposed local law to amend Chapter 207-6
Vehicles and Traffic, Maximum Speed Limits (School Zone) is hereby adopted.

A LOCAL LAW TO REGULATE THE
MAXIMUM SPEED LIMITS IN THE
VILLAGE OF BRIARCLIFF MANOR

Be it enacted by the Village Board of Trustees of the Village of Briarcliff Manor, as follows:

Section 1. Purpose. The Village Board of Trustees hereby finds that due to safety considerations, a school speed limit of 20 m.p.h. as authorized under New York Vehicle and Traffic Law § 1643 shall be established on Pleasantville Road near the school building located at 444 Pleasantville Road within the Village of Briarcliff Manor. The purposed of this local law is to: ensure the safety of vehicular traffic pulling into and backing out of the school; protect school age children; protect pedestrian traffic; and prevent vehicular speeding.

Section 2. Maximum Speed Limit Set. The maximum speed limit for motor vehicles, motorcycles and other vehicles is established at 20 miles per hour on Pleasantville Road within the designated school zone.

Section 3. Amendment. §207-6 of Code of the Village of Briarcliff Manor shall be amended, in total, to read as follows:

No person shall drive a vehicle in excess of the speeds indicated below, in the areas designated below, during school days between the hours of 7:00 a.m. and 6:00 p.m.:

Speed Limit			
Name of Street	(mph)	Location	Designation
Ingham Road	15	Todd School 45 Ingham Road	From points of ingress & egress to Pleasantville Road.
Pleasantville Road	20	Briarcliff High School 444 Pleasantville Road	From points of ingress & egress east bound on Pleasantville Road until the Village Boundary and northwestbound beginning at a point approximately 200 feet from the ingress & egress for one thousand, one hundred and twenty feet
Pleasantville Road	20	Ingham Road	From points of ingress & egress in both directions on Pleasantville Road for three hundred feet

Section 4. Severability. The invalidity of any word, section, clause, paragraph, sentence, part or provision of this local law shall not affect the validity of any part of this local law which can be given effect without such valid part or parts.

Section 5. Effective Date. This local law shall take effect immediately upon filing in the Office of the Secretary of State of New York.

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
JULY 11, 2023

- 2. PUBLIC HEARING TO AMEND CHAPTER 195 OF THE VILLAGE CODE TO INCREASE THE INCOME LIMITS FOR REAL PROPERTY TAX EXEMPTIONS AVAILABLE TO SENIOR CITIZENS**

RESOLUTION PROVIDED IN THE EVENT THE BOARD WISHES TO ADOPT.

BE IT RESOLVED that the proposed local law to amend Chapter 195 of the Village Code to Increase the Income Limits for Real Property Tax Exemptions Available to Senior Citizens is hereby adopted.

LOCAL LAW NO. __ of 2023
Village of Briarcliff Manor

A Local Law known and cited as Amendments to Chapter 195 (“Taxation”) of the Village Code to Increase the Income Limits for Real Property Tax Exemptions Available to Senior Citizens

Be it enacted by the Village Board of the Village of Briarcliff Manor as follows:

SECTION 1. Real Property Tax Law authorizes local municipalities to offer tax exemptions for qualifying senior citizens based upon their income level. The State recently increased the income level in order to provide exemptions at higher income levels. The Village Board desires to incorporate these increased income levels into the Village Code to allow qualifying senior citizens to obtain the greatest exemption possible in order to allow Village senior citizens to remain in their home and age in place.

SECTION 2. The Village Board hereby amends Chapter 195, Article II of the Village Code entitled Senior Citizens Exemption as follows (**additions in bold and underlined** and ~~deletions in bold and double strikethrough~~):

§ 195-6. Amount of exemption.

A. For the period expiring on June 30, 2007

Annual Income		Percentage of Assessed Valuation Exempt From Taxation
\$0	to \$26,000.00	50%
\$26,000.01	to \$26,999.99	45%
\$27,000.00	to \$27,999.99	40%
\$28,000.00	to \$28,999.99	35%
\$29,000.00	to \$29,899.99	30%
\$29,900.00	to \$30,799.99	25%
\$30,800.00	to \$31,699.99	20%
\$31,700.00	to \$32,599.99	15%
\$32,600.00	to \$33,499.99	10%
\$33,500.00	to \$34,399.99	5%

B. For the period commencing on July 1, 2007 and expiring on June 30, 2008

Annual Income		Percentage of Assessed Valuation Exempt From Taxation
\$0	to \$27,000.00	50%
\$27,000.01	to \$27,999.99	45%
\$28,000.00	to \$28,999.99	40%

\$29,000.00	to	\$29,999.99	35%
\$30,000.00	to	\$30,899.99	30%
\$30,900.00	to	\$31,799.99	25%
\$31,800.00	to	\$32,699.99	20%
\$32,700.00	to	\$33,599.99	15%
\$33,600.00	to	\$34,499.99	10%
\$34,500.00	to	\$35,399.99	5%

C. For the period commencing on July 1, 2008 and expiring on June 30, 2009

Annual Income		Percentage of Assessed Valuation Exempt From Taxation
\$0	to \$28,000.00	50%
\$28,000.01	to \$28,999.99	45%
\$29,000.00	to \$29,999.99	40%
\$30,000.00	to \$30,999.99	35%
\$31,000.00	to \$31,899.99	30%
\$31,900.00	to \$32,799.99	25%
\$32,800.00	to \$33,699.99	20%
\$33,700.00	to \$34,599.99	15%
\$34,600.00	to \$35,499.99	10%
\$35,500.00	to \$36,399.99	5%

C. For the period commencing on July 1, 2009 and **expiring on June 30, 2024:**

Annual Income		Percentage of Assessed Valuation Exempt From Taxation
\$0	to \$29,000.00	50%
\$29,000.01	to \$29,999.99	45%
\$30,000.00	to \$30,999.99	40%
\$31,000.00	to \$31,999.99	35%
\$32,000.00	to \$32,899.99	30%
\$32,900.00	to \$33,799.99	25%
\$33,800.00	to \$34,699.99	20%
\$34,700.00	to \$35,599.99	15%
\$35,600.00	to \$36,499.99	10%
\$36,500.00	to \$37,399.99	5%

D. **For the period commencing on July 1, 2024:**

<u>Annual Income</u>		<u>Percentage of Assessed Valuation</u> <u>Exempt From Taxation</u>
<u>\$0</u>	<u>to \$50,000.00</u>	<u>50%</u>
<u>\$50,000.01</u>	<u>to \$50,999.99</u>	<u>45%</u>
<u>\$51,000.00</u>	<u>to \$51,999.99</u>	<u>40%</u>
<u>\$52,000.00</u>	<u>to \$52,999.99</u>	<u>35%</u>
<u>\$53,000.00</u>	<u>to \$53,899.99</u>	<u>30%</u>
<u>\$53,900.00</u>	<u>to \$54,799.99</u>	<u>25%</u>
<u>\$54,800.00</u>	<u>to \$55,699.99</u>	<u>20%</u>
<u>\$55,700.00</u>	<u>to \$56,599.99</u>	<u>15%</u>
<u>\$56,600.00</u>	<u>to \$57,499.99</u>	<u>10%</u>
<u>\$57,500.00</u>	<u>to \$58,399.99</u>	<u>5%</u>

§ 195-7. Qualifications for exemption.

No exemptions shall be granted hereunder:

- A. **If the income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption exceeds the sum of the maximum income exemption eligibility level for the granting of partial exemption from real property taxation as provided herein. "Income tax year" shall mean the twelve-month period for which the owner or owners filed a federal personal income tax return or, if no such return is filed, the calendar year. Where title is vested in either the husband or the wife, their combined income may not exceed such sum. Such income shall include social security and retirement benefits, interest, dividends, total gain from the sale or exchange of a capital asset which may be offset by a loss from the sale or exchange of a capital asset in the same income tax year, net rental income, salary or earnings, and net income from self-employment, but shall not include a return of capital, gifts or inheritances or veteran's disability compensation, as defined in Title 38 of the United States Code, and any such income shall be offset by all medical and prescription drug expenses actually paid which were not reimbursed or paid for by insurance. In computing net rental income and net income from self-employment, no depreciation deduction shall be allowed for the exhaustion, wear and tear of real or personal property held for the production of income.**
- B. **Unless the title of the property shall have been vested in the owner or one of the owners of the property for at least 24 consecutive months prior to the date of making application for exemption; provided, however, that, in the event of the death of either a husband or wife in whose name title of the property shall have been vested at the time of death and then becomes vested solely in the survivor by virtue of devise or by descent from the deceased husband or wife, the time of ownership of the property by the deceased husband or wife shall be deemed also**

a time of ownership by the survivor and such ownership shall be deemed continuous for the purposes of computing such period of 24 consecutive months, and provided further that, in the event of a transfer by either a husband or wife to the other spouse of all or part of the title to the property, the time of ownership of the property by the transferor spouse shall be deemed also a time of ownership by the transferee spouse and such ownership shall be deemed continuous for the purposes of computing such period of 24 consecutive months, and provided further that, where property of the owner or owners has been acquired to replace property formerly owned by such owner or owners and taken by eminent domain or other involuntary proceeding, except a tax sale, the period of ownership of the former property shall be combined with the period of ownership of the property for which application is made for exemption and such periods of ownership shall be deemed to be consecutive for purposes of this section. Where a residence is sold and replaced with another within one year and is in the same assessing unit or municipality, the period of ownership of the former property shall be combined with the period of ownership of the replacement residence and deemed consecutive for exemption from taxation by each such assessing unit or municipality; provided, however, that, where the replacement property is in the same assessing unit but in another school district, the period of ownership of both properties shall also be deemed consecutive for purposes of the exemption from taxation by such school district. Notwithstanding any other provision of law, where a residence is sold and replaced with another within one year and both residences are within the state, the period of ownership of both properties shall be deemed consecutive for purposes of the exemption from taxation by a municipality within the state granting such exemption.

- C. **Unless the property is used exclusively for residential purposes.**
- D. **Unless the real property is the legal residence of and is occupied in whole or in part by the owner or by all of the owners of the property.**

SECTION 3. Validity. The invalidity of any provision of this Local Law shall not affect the validity of any other portion of this Local Law which can be given effect without such invalid provision.

SECTION 4. Effective Date. This Local Law shall take effect immediately upon filing in the office of the Secretary of State.

BY ORDER OF THE VILLAGE BOARD OF
THE VILLAGE OF BRIARCLIFF MANOR

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
JULY 11, 2023

3. BUDGET TRANSFER – CLOSE OUT CAPITAL PROJECTS

BE IT RESOLVED that the Board of Trustees does hereby authorize the following budget transfers and Capital Project Close Outs for FY 2022-2023:

Capital Projects transfers

Expense GL/Project Description

From: H3120 201 23370	PD Evidence Locker	\$ 2,270.48
H3410 201 23671	FD Shed Upgrade-Elec	\$ 86.75
To: H1230 201 23160	Village Hall- Various Bldg Imp	\$2,357.23
From: H5110 201 23420	6 Wheel Plow Dump Body Replace	\$24,254.00
To: H5110 201 23481	River Rd Islands and Intersect	\$24,254.00
From: H1440.201.18232	Pool Gutter Study-2020 Bond	\$21,340.00
H1440 201 19221	Pool Gutter Phase I-2020 Bond	\$25,000.00
To: H7110.201.24740	Pool Renovation Design Stage	\$46,340.00
From: H8397 201 100-C	Replace 30" Main 100-C	\$10,598.20
To: H8397 201 17245	Requa/Union Design	\$10,598.20

Capital Project to Close

Close the following completed projects. Any remaining balances will be moved to Debt Service which will help to offset future debt service payments: (Total \$9,893.34)

Expense GL/Project Description²¹

H1440.201.17218	VH HVAC*2020 Bond (400K)	\$	0.00
H1440.201.17222	Gas Tnk & Comptr 2020 Bond (150k)	\$	0.00
H1440.201.18228	Cell Tree	\$	0.00
H1440.201.18229	PipeCtrl Bus Dist 2020 Bond	\$	4,820.50
H1440.201.19219	VH/PD ADA Compliance Ramp	\$	0.00
H1440.201.18232	Pool Gutter Study-2020 Bond	\$	0.00*
H1440 201 19221	Pool Gutter Phase I-2020 Bond	\$	0.00*
H1440.201.22261	CC Flood Mitigation Project	\$	0.00
H1620.201.23160	Various Bldg Improvements	\$	0.00
H1680.201.19220	IT Replace 2020-20 Bond 25.5K	\$	0.00

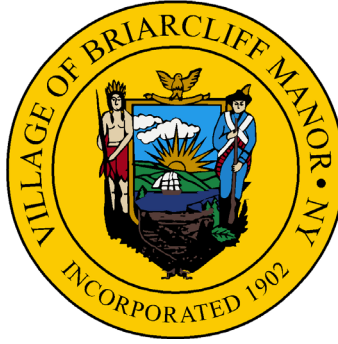
H1680.201.23131	IT Replacement 22-23	\$ 0.00
H3120.201.22300	PD Supervisor Patrol SUV	\$ 0.00
H3120.201.22330	PD License Plate Reader	\$ 344.15
H3120 201 23300	PD Patrol Vehicle	\$ 0.00
H3120.201.23370	PD Evidence Locker	\$ 0.00*
H3410 201 23671	FD Shed Upgrade-Elec	\$ 0.00*
H3410 201 23680	Turnout Gear 22/23	\$ 25.00
H5110 201 21423	Sweeper 20/21	\$ 2,626.40
H5110 201 23420	6 Wheel Plow Dump Body Replace	\$ 0.00
H7110 201 21774	Chilmark Park Upgrades	\$ 527.29
H7110 201 22780	Tree Inventory Prj. State Aid **	\$ 0.00**
H8160 201 21420	6 Yard Sanitation Truck	\$ 1,550.00
H8397 201 100-C	Replace 30" Main 100-C	\$ 0.00*
H8397 201 21530	Hydrant Stock	\$ 0.00
H8397 201 3Vill	TriVillage Meter Building & Sy	\$ 0.00
H8397 201TRIVG	Tri-Vill Consolidation-Design	\$ 0.00

*Balance after requested transfer completed

** Tree Inventory did not utilize full grant amount so budget will be reduced to match actual expense and revenue received.

Kathryn Nivins
Village Treasurer

knivins@briarcliffmanor.gov



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June 21, 2023

As we are closing out the 22/23 Fiscal year, I would like to clear up any overspent capital projects with available balances. I have consulted with the Village Manager and Department heads to ensure agreement regarding projects completion and proposed transfers.

Expense GL/Project Description

GL Balance

Capital Projects transfers

1. From: H3120 201 23370	PD Evidence Locker*	\$ 2,270.48
H3410 201 23671	FD Shed Upgrade-Elec*	\$ 86.75

To: H1230 201 23160	Village Hall- Various Bldg Imp (<i>Current GL Bal</i>)	\$7,936.15
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* Original funding source is General Fund. Management advises to move available funds of \$2,357.23 to Various Bldg improvements to help offset any unforeseen building maintenance.

2. From: H5110 201 23420	6 Wheel Plow Dump Body Replace*	\$24,254.00
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To: H5110 201 23481	River Rd Islands and Intersect (<i>Current GL Bal</i>)	\$ 32,871.25
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* Original funding source is General Fund. Based on discussions with the previous and current Village Engineer project 23481 requires additional funding. Management advises to the reallocation of these funds to this project.

Capital Projects transfers (con't)

3. From:	H1440.201.18232	Pool Gutter Study-2020 Bond	\$ 21,340.00
	H1440 201 19221	Pool Gutter Phase I-2020 Bond	\$ 25,000.00
To:	H7110.201.24740	Pool Renovation Design Stage (Current GL Bal)	\$81,600.200

Based on the close of the PPU for the current Village Pool, it has been decided to stop progress on the Pool Gutter replacement. Management advises moving these funds into the new capital project design phase for a new pool.

4. From:	H8397 201 100-C	Replace 30" Main 100-C*	\$10,598.20
To:	H8397 201 17245	Requa/Union Design (Current GL Bal)	-\$10,598.20

*Original Funding Source _ Water Fund

Available funds from the 100-c project were derived from an open purchase order which was closed at the end of FY 23/24. Management advises that funds are transferred to project 17245 which has a negative balance. Village Management and auditors are aware of the negative water projects and the Village is making progress each year budgeted water funds to be transferred to the water capital projects to offset these overages.

Capital Project to Close

Close the following completed projects. Any remaining balances will be moved to Debt Service which will help to offset future debt service payments: (Total \$9,893.34)

•	H1440.201.17218	VH HVAC*2020 Bond (400K)	\$ 0.00
•	H1440.201.17222	Gas Tnk & Comptr 2020 Bond (150k)	\$ 0.00
•	H1440.201.18228	Cell Tree	\$ 0.00
•	H1440.201.18229	PipeCtrl Bus Dist 2020 Bond	\$ 4,820.50
•	H1440.201.19219	VH/PD ADA Compliance Ramp	\$ 0.00
•	H1440.201.18232	Pool Gutter Study-2020 Bond	\$ 0.00*
•	H1440 201 19221	Pool Gutter Phase I-2020 Bond	\$ 0.00*
•	H1440.201.22261	CC Flood Mitigation Project	\$ 0.00
•	H1620.201.23160	Various Bldg Improvements	\$ 0.00
•	H1680.201.19220	IT Replace 2020-20 Bond 25.5K	\$ 0.00
•	H1680.201.23131	IT Replacement 22-23	\$ 0.00
•	H3120.201.22300	PD Supervisor Patrol SUV	\$ 0.00
•	H3120.201.22330	PD License Plate Reader	\$ 344.15
•	H3120 201 23300	PD Patrol Vehicle	\$ 0.00
•	H3120.201.23370	PD Evidence Locker	\$ 0.00*
•	H3410 201 23671	FD Shed Upgrade-Elec	\$ 0.00*
•	H3410 201 23680	Turnout Gear 22/23	\$ 25.00
•	H5110 201 21423	Sweeper 20/21	\$ 2,626.40

Capital Project to Close (con't)

• H5110 201 23420	6 Wheel Plow Dump Body Replace	\$	0.00
• H7110 201 21774	Chilmark Park Upgrades	\$	527.29
• H7110 201 22780	Tree Inventory Prj. State Aid **	\$	0.00**
• H8160 201 21420	6 Yard Sanitation Truck	\$	1,550.00
• H8397 201 100-C	Replace 30" Main 100-C	\$	0.00*
• H8397 201 21530	Hydrant Stock	\$	0.00
• H8397 201 3Vill	TriVillage Meter Building & Sy	\$	0.00
• H8397 201TRIVG	Tri-Vill Consolidation-Design	\$	0.00

*Balance after requested transfer completed

** Tree Inventory did not utilize full grant amount so budget will be reduced to match actual expense and revenue received.

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
JULY 11, 2023

4. AMEND MASTER FEE SCHEDULE

BE IT RESOLVED that the Board of Trustees does hereby amend the Master Fee Schedule for the Village of Briarcliff Manor as follows:

Village Treasurer

Tax Receiver Fees

<u>Description</u>	<u>Current Fee</u>	<u>Proposed Fee</u>
Title Search	\$350	\$150

Department of Public Works

<u>Description</u>	<u>Date</u>
Water Relevy Due Date for Tax Transfer	March 30 th annually

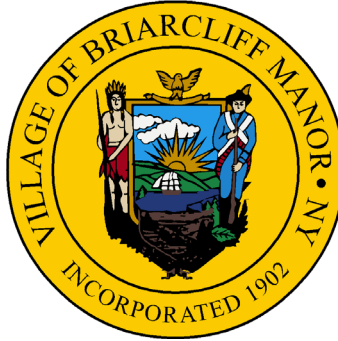
Recreation

Swim Lessons

<u>Description</u>	<u>Current Fee</u>	<u>Proposed Fee</u>
Private (One Child)	n/a	\$65 – 2 lessons \$125 – 4 lessons \$160 – 6 lessons
Semi Private (2 Children) Price per child	n/a	\$40 – 2 lessons \$75 – 4 lessons \$100 – 6 lessons

Kathryn Nivins
Village Treasurer

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July 3, 2023

From: Kathryn Nivins
To: Josh Ringel, Board of Trustees

Subject: Proposed Changes to Master Fee Schedule

The Finance team wants to change the Master Fee schedule to address two finance-related items. The first change in the Department of Public Works relates to the due date used for unpaid water bills transferred to the Tax Bill each year. The second proposed change is related to the current legal limit for title searches allowed to be collected by Finance.

Department of Public Works – Add section "Water Relevy Due Date for Tax Transfer."

The first request is to officially change the bill due date used to determine the cutoff of unpaid water bills from 4/30 to 3/30. All accounts with unpaid balances through this due date are transferred to the first property tax installment. Past practice was to use the 3/30 date; however, this year, I noticed that the language on the back of the water bills states that bills due as of 4/30 would be relevied. After a discussion with the attorneys at NYCOM, we were advised that it is the Board of Trustees' discretion to change the date. This year, we used the water bill due date 4/30 to comply with the water bill narrative. This short window between the water bill due date of 4/30 and the actual transfer date of 5/15 made the tax bill process challenging. A correspondence letter to ensure we communicated this information to the community did not go over well, and many residents complained. Being unable to move forward with the tax process until the transfer occurred left a tiny window to get the tax bills out (5/15-5/30). I recommend placing the relevy/transfer date in the master fee schedule to record the BOT's approval of the 3/30 water due date for tax transfers. We have been unable to find the original Board of Trustees' approval of a 4/30 date.

Village Treasurer – Update section "Title Search."

During this year's foreclosure process, we discovered that the maximum cost of a title search that the Village may recoup is limited to \$150. The current schedule reflects a fee of \$350.00

RPTL § 1102. Subsection (1)(f) thereof authorizes the collection of "charges" on redemption. Subsection (1)(e) defines "charges" to include title searches. That section does permit the Village to collect a greater amount on demonstration to a court that such a greater amount is reasonable and necessary. Based on an email between myself and the Village Attorney, Dan Pozin, it was determined that it would cost more to seek court authorization than the \$295 difference between the statutory amount and the \$445 the title company is now charging.

I appreciate your consideration.

VILLAGE OF BRIARCLIFF MANOR
1111 PLEASANTVILLE ROAD
BRIARCLIFF MANOR, N.Y. 10510



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MEMORANDUM

TO: Mayor and Board of Trustees
FROM: Josh Ringel, Village Manager
CC: Dana Durso, Recreation Superintendent
Karen Kuzio, Assistant Recreation Superintendent
DATE: July 5, 2023
RE: Law Pool Private Swim Lesson Fee Schedule

The Village is offering private and semi-private swim lessons at the pool. The lessons have been offered at the pool for several years dating back to when Rhonda was the pool director. The fees were never incorporated into the fee schedule and we would like to capture that now. There are currently 46 registrants for private lessons of either type for Summer of 2023 and a pool membership is required in order to receive lessons.

Fees for private lessons are as follows:

Lesson Type	Pool Member
Private Lessons 1 child	For 2 lessons: \$65
	For 4 lessons: \$125
	For 6 lessons: \$160

Lesson Type	Pool Member PER CHILD
Semi Private Lessons 2 children (Price per child)	For 2 lessons: \$40
	For 4 lessons: \$75
	For 6 less.: \$100

Thank you for your consideration.