

**Village of Buchanan
Mayor & Board of Trustees
Workshop/Special Meeting
June 23, 2020**

PRESENT: (This meeting was done via zoom and zoom audio)

Mayor Theresa Knickerbocker
Trustees Richard A. Funchion, Duane Jackson, Cesare Pasquale and Nicolas Zachary
Village Administrator Marcus Serrano
Village Attorney Stephanie Porteus
Village Clerk Cynthia Kempter
Building Inspector Anthony Conti
Highway Foreman Robert Wheeler
Village Planner David Stolman and Victor Minerva
Planning Board Members Sean Murray, Eileen Absenger, Tracey Armisto, Jeffrey Faeilla
Zoning Board Members Gary Bell, Mary Funchion, Edward Mevac, Marco Pinque
Developers from Benchmark Development Brian Cohan and Michael Charles

PLEDGE OF ALLEGIANCE:

Mayor Knickerbocker called the meeting to order at 7:32PM. She led the Pledge of Allegiance.

PRESENTATION FROM BENCHMARK DEVELOPERS:

Benchmark Developers Brian Cohan and Michael Charles presented their concepts regarding the potential redevelopment of the Griffin Property located across from Lents Cove. Benchmark Development has assessed that the minimum size project for this site is 100 units. Their professional team has assessed the feasibility from a technical standpoint, from an engineering site civil standpoint and then the architects assessed from an aesthetic standpoint and a massing standpoint as to whether a project of that size can be done on that site and is it appropriate for the site. The last thing they do is assess the current zoning and try to make a legal determination that if the community is in favor of it, is there a legal path to permit the project. The concept building would have 5 stories with 1 and 2 bedroom apartments, 2 levels of underground parking and some surface parking. These will be market rate rental apartments. The site is 7 acres and will use less than 2 acres. After the presentation there were questions and answers. Mayor Knickerbocker thanked Mr. Cohan and Mr. Charles for the overview.

PRESENTATION FROM VILLAGE PLANNER DAVID STOLMAN;

Village Planner Stolman spoke about a potential overlay district to Route 9A. The benefits to doing this Overlay District would be the improvement of appearance at the “gateways” into Buchanan, enhancement of Buchanan’s image as a great place to visit, shop, work and live, increase to value of properties and broadening of the Village’s tax base. The purpose of the C-1/C-2 overlay zoning district would be to encourage business and residential development, to streamline the review and approval process for parcels in the Overlay District and to beautify the commercial corridor and improve pedestrian access. The provisions/incentives of the Overlay District would be increase in permitted number of townhomes from 5 to 6 dwellings per acre; permit a density of 12 dwellings per acre for apartment buildings, increase in permitted building height, reduce front yard setback and the Planning Board would be allowed at its sole discretion to increase the total lot coverage to not more than 75% with effective perimeter screening and other requirements. Village Planner Stolman stated he was speaking with Village Administrator Serrano and discussing the possible addition of C-2 zoning and put that in the Overlay District as well. This property is located on the easterly side of Route 9A and is currently zoned M-1.

Trustee Zachary stated that he was the one who proposed this Overlay District. He feels this would be beneficial to the Village, would increase the tax base, and would be a good start in the direction we want to go in.

There was discussion and comments on the Overlay District.

Victor Minerva did a brief presentation on the design guidelines.

PILOT AGREEMENT:

Village Attorney Porteus explained that this is our first amendment to the PILOT which was brought about because IP2 has shut down and IP3 will cease operating April 2021. The reason for this is that the old PILOT allowed either the Village or Entergy to opt out at any time. If Entergy opted out then we would put them on the assessment roll. This would be an issue that neither the Village nor Entergy would want to do at this time. The Village and Entergy had many meetings over several months and decided we would enter into a two (2) year agreement and both sides agreed there is no opting out. This PILOT expires on May 31, 2022 and hopefully the new owner will begin negotiations with the Village way before that date. We are trying to get legislation passed up in Albany that will allow us to continue a PILOT. It would be helpful if the Governor signs it. When we begin negotiations we can enter into another PILOT. If not, we would put the property on the assessment roll or an assessment agreement. This gave us certainty for two (2) years. The original PILOT stated that upon termination or shutdown the PILOT payments would go down 30% the first year, 60% the second year and 90% the third year. The new agreement states that in the first year there is a 25% reduction and the second year is a 50%

reduction. This does not take into account the cessation fund money should that become available some point in the future. Mayor Knickerbocker stated that the increase for this year would be about \$75,000 or \$79,000 and the increase for next year would be another \$139,000 above what we would have been getting if we kept the PILOT the way it was. Village Administrator Serrano mentioned that the Town of Cortlandt and the Hendrick Hudson School district were also involved in this agreement and will get the same percentage increases.

Mayor Knickerbocker stated that according to the Infrastructure Agreement we would only get half this year since IP2 shut down. That would have been \$135,000. The Mayor was able to negotiate with Entergy and they have agreed to pay the full amount of the Infrastructure Agreement this year which is \$270,000. Next year's agreement has not been decided yet.

Mayor Knickerbocker stated that the amount of the PILOT payment to the Village will be \$2,467,511 and in 2021/2022 year the payment will be \$1,797,758.

2020-19 Resolution Authorizing the Mayor to Execute a First Amendment to the 2015 Payment in Lieu of Tax ("PILOT") Agreement With Entergy Nuclear Indian Point 2, LLC and Entergy Nuclear Indian Point 3 LLC

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

DISCUSSION OF LOCAL LAW REGARDING DUMPSTERS AND RELATED FEES

Mayor Knickerbocker stated that at the last meeting this law was passed, but the Trustees have gotten some feedback on this. Village Administrator Serrano stated that the local law was passed but the question was the fee. The recommendation is \$30, but some people were complaining about this cost. Trustee Zachary would like the fee to stay the way it is. The dumpster collection includes one free dumpster and all the recycling is free. This is only if you have more than one dumpster. There are only half a dozen properties that have more than one dumpster. Trustee Funchion stated that we already agreed to all this. Mayor Knickerbocker stated that it was back on the agenda for further discussion. Trustee Pasquale stated that he would like to leave this the way it is.

DISCUSSION OF OUTSIDE DINING

There was a quick discussion at the last meeting about outside dining. Trustee Zachary stated the Fat Sal's has set up outside dining in his parking area which is allowed in Phase 2. Village Administrator Serrano stated that it is allowed as long as it meets your local laws and local requirements. Village Attorney Porteus added that it should be on the site plan

and it would be presumptive to think that since the Governor made phases that it is a free for all. Trustee Zachary stated that we don't really need to discuss this because there are only a few business that could have outdoor seating and they would have pursued it by now.

DISCUSSION OF HOW THE PUBLIC RECEIVES VILLAGE INFORMATION

Trustee Zachary wanted to know what is the best way of reaching people in the Village. Is there a way to access this information? Do they get their information from Facebook, prefer an insert with the newsletter, or do they watch the meetings online? Village Administrator Serrano stated that the Village is one of the only communities that mails the monthly newsletter. We have mail chimp, Facebook, the website and Code Red. We do spend a good amount of money each month on the newsletter. Trustee Zachary will make up a small questionnaire for an insert in the newsletter, in order to gauge what people are looking at. Trustee Jackson stated that all of the above and as many ways as possible is how we should get out the information.

DISCUSSION OF A DRIVE IN MOVIE

Village Administrator Serrano researched the cost of a drive in movie. It was found that it was too costly for the Village at this time.

DISCUSSION OF FISHING AT LENTS COVE

Trustee Zachary stated that there are bags of garbage left by the fisherman that go along the trails to the Hudson. This is Entergy property. Entergy has been notified. The only people fishing on Buchanan property are the ones that go out to the stone patio.

DISCUSSION OF §211-19 OF THE VILLAGE CODE BY ADDING SUBSECTION (F) TRAILERS.

Village Administrator Serrano stated that this was brought up at the March 3rd meeting. We were talking about trailers and some things were missing from the local law. Village Attorney Porteus has done a lot of work on this and handed it to the Board at that meeting and was waiting for comments. We need to call for a public hearing and set up a fee structure.

REQUEST FOR LITTLE LEAGUE TO USE THE WESTCHESTER AVENUE FIELD

Village Administrator Serrano sent the Board the CDC guidelines and he asked the Little League to provide us with information on how they will meet these guidelines. Trustee Jackson questioned the outstanding fee from last year. Village Administrator Serrano has

sent them the amount again and they will provide the payment. Village Attorney Porteus stated that the CDC guidelines are very specific and suggested that the League should give us something in writing. There is signage that needs to be up. Village Administrator Serrano will get more information from the League and then the Board can decide how they will move forward.

REPAIR OF STEPS AT LENTS COVE

Highway Foreman Wheeler advised that there are four sets of stairs at Lents Cove. The first set of stairs is on the hill when you first enter. That staircase is in bad shape and he recommends that this is taken out. The second set of stairs is by where the dock used to be and they are in good shape. The third set is about five steps and will cost about \$1,100 for the highway to fix. The fourth set is by the terrace and that will cost about \$2,100 to repair. Trustee Zachary asked about the mason's price to do stone steps. That cost is about \$12,000 for one set. Mayor Knickerbocker asked to please secure whatever steps are dangerous.

BUCHANAN DAY

Mayor Knickerbocker felt that Buchanan Day should be cancelled this year. Trustee's Funchion, Zachary and Pasquale all agree it should be cancelled.

EXECUTIVE SESSION:

At 9:54 PM a MOTION to enter into Executive Session to discuss possible litigation was made by Trustee Funchion, seconded by Trustee Zachary with all in favor.

ADJOURNMENT:

At 10:35PM a MOTION to adjourn this meeting was made by Trustee Zachary, seconded by Trustee Funchion with all in favor.