

**Village of Buchanan  
Mayor & Board of Trustees  
Organizational Meeting  
April 6, 2021**

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

Mayor Theresa Knickerbocker  
Trustees Richard A. Funchion, Anthony Capicotti, Sean Murrary and Nicolas Zachary  
Village Administrator Marcus Serrano  
Village Attorney Stephanie Porteus  
Village Clerk, Treasurer Cynthia Kempter  
Village Planner David Stolman

**1. PLEDGE OF ALLEGIANCE:**

Mayor Knickerbocker called the meeting to order at 7:30PM. The Mayor led the Pledge of Allegiance. Mayor Knickerbocker accepted a letter of resignation from Sean Murray from the Planning Board and thanked Mr. Murray for his service.

**2. READ RESULTS OF THE MARCH 16, 2021 VILLAGE ELECTION:**

Results of the Village Election - March 16, 2021:

	<u>District #1 &amp; District #2 Total</u>
<b>For Trustee: (2-year Term)</b>	
Duane Jackson (D), Resident's	164
Cesare Pasquale (D), Resident's	152
Anthony Capicotti (R), (C), Buchanan United	212
Sean Murray (R), (C), Buchanan United	217
 <u>Write In's</u>	
Jeremy Basso	2
Peter Deak	1

**3. ADMINISTER OATH OF OFFICE TO NEWLY ELECTED OFFICIALS:**

Tracy Hoyt administered the "Oath of Office" to Trustee Sean Murray.  
Jamie Capicotti administered the "Oath of Office" to Trustee Anthony Capicotti.

**4. COMMENTS FROM THE FLOOR (agenda items only): None**



- m) Village Planner F.P. Clark
- n) Representative for the Senior Citizen's  
Advisory Council Mike Lepore
- o) Liaison to Saint Patrick's Day Parade Richard A. Funchion
- p) Representative to the Historic  
Hudson River Towns Sean Murray

VOTE: Mayor's Appointments - NO VOTE NECESSARY

## 7. APPOINTMENTS TO COMMITTEES:

The following members of the Board of Trustees are hereby appointed to the following committees for the ensuing "Official Year 2021-2022":

- a) Administrative Entire Board
- b) Assessment Entire Board
- c) Auditing Entire Board
- d) Business Development Entire Board
- e) Education Anthony Capicotti
- f) Infrastructure Theresa Knickerbocker
- g) Legislative Entire Board
- h) Parks - Recreation Nicolas Zachary
- i) Public Safety Richard Funchion
- j) Veterans Sean Murray
- k) Liaison to Buchanan Engine Co. #1 Nicolas Zachary
- l) Indian Point Decommissioning Task Force Richard Funchion
- m) Historian George Boyle

VOTE: Mayor's Committee Appointments - NO VOTE NECESSARY

## 8. RESOLUTION ESTABLISHING MEETING DATES, ADOPTION OF RULES OF PROCEDURE AND OPEN MEETINGS LAW, SETTING DATES FOR

**PUBLIC HEARING ON THE TENTATIVE 2021-2022 VILLAGE BUDGET, DESIGNATING VILLAGE DEPOSITORIES, DESIGNATING OFFICIAL VILLAGE NEWSPAPER, ESTABLISHING THE MILEAGE ALLOWANCE RATE FOR REIMBURSEMENT, ADOPTING VILLAGE PROCUREMENT POLICY, AND AUTHORIZATION TO ATTEND CONFERENCES AND SEMINARS:**

(A) ESTABLISH MEETING DATES, SPECIAL MEETING PROCEDURES AND ADOPTION OF THE RULES OF PROCEDURE AND THE OPEN MEETINGS LAW:

1. **Regular Meetings:** Pursuant to Section 4-412 of the Village Law, the regular meetings of the Board of Trustees to be held on the 1st Tuesday of each month commencing at 7:30 p.m. Where holidays shall fall on the day of a meeting, the meetings will be held the next day following the holiday. The meetings shall take place at the Municipal Building or on zoom. The Board of Trustees Workshop Meeting is to be held on the 4th Tuesday of each month commencing at 7:30 p.m. and will also take place at the Municipal Building.

2. **Special Meetings:** Special Meetings will be held when matters of business warrant and shall be called by either the Mayor or by two of the Trustees of the Village of Buchanan acting together. In the event of a special meeting being called the Mayor, every member of the Board of Trustees shall be informed by telephone by the Village Clerk or another member of the Board of Trustees of the date, time, location and subject of the special meeting, and unless the meeting is called to respond to an emergency concerning the safety and welfare of the Village, notice of the meeting shall be given to the Trustees and newspapers, and posted on the Village notice boards at least 72 hours in advance of the meeting, and otherwise in conformance with the Public Officers Law.

3. **Quorum:** A quorum shall be required to conduct business. A quorum of the five (5) members Board of Trustees shall be three (3). In the absence of a quorum, a lesser number may adjourn and compel the attendance of absent members.

4. **Executive Sessions:** Executive Sessions shall be held in accordance with the NYS Public Officers Law Section 105. All Executive Sessions shall be commenced at a public meeting.

5. **Voting:** Pursuant to Village Law each member of the Board shall have one vote. The Mayor may vote on any matter but must vote in case of a tie. A majority of the totally authorized voting power is necessary to pass a matter unless otherwise specified by State Law. An abstention, silence or absence shall be considered a negative vote for the purpose of determining the final vote on a matter.

6. **Guidelines for Public Comment:** The public shall be allowed to speak only during the Public Comment period of the meeting or at such other time as the presiding officer shall allow.

Speakers must step to the front of the room and speak into the microphone.

Speakers must give their name, address and organization represented, if any.

Speakers must be recognized by the presiding officer.

Speakers must limit their remarks to three (3) minutes on a given topic, and may be recognized again by the presiding officer after other speakers have had an opportunity to speak.

Speakers may not yield any remaining time they may have to another speaker.

Board members may, with the permission of the Mayor, interrupt a speaker during their remarks, but only for the purpose of clarification or information.

All remarks shall be addressed to the presiding officer.

Speakers shall observe the commonly accepted rules of courtesy, decorum, dignity and good taste which include refraining from offensive, insulting and threatening speech directed toward any person present or not present.

Interested parties or their representatives may address the Board with written communications. Written communications shall be delivered to the Village Administrator/Clerk.

7. **Open Meetings Law:** Pursuant to the Public Officers Law, the Board of Trustees hereby adopts the requirements of the open meeting law and hereby adopts the notice requirements of the Public Officers Law as the official procedure of the Board of Trustees.

8. **The next Organizational Meeting will be held on April 5, 2022.**

**SET DATE FOR PUBLIC HEARING ON TENTATIVE VILLAGE BUDGET:**

B) Pursuant to Section 5-508 of the Village Law, the Public Hearing on the 2021-2022\ Tentative Budget will be April 7, 2021 at 7:30 pm on Zoom.

**DESIGNATE VILLAGE DEPOSITORIES:**

C) Pursuant to Section 4-412 of the Village Law, that the JP Morgan Chase Bank, 2003 Albany Post Rd., Croton-on Hudson, NY, the JP Morgan Chase Bank, Peekskill, New York, the Orange Bank & Trust Company, 2141 Crompond Road, Cortlandt Manor NY 10567 and the Signature Bank, 1 Quaker Ridge Road, New Rochelle, NY be designated as the depository of the Village of Buchanan, NY, and that funds of the Village be deposited in said bank and be subject to the withdrawals upon checks, notes, drafts, bills-of-exchange, acceptances, undertakings or other orders for the payment of money when signed on behalf of this Village by any of the following officers:

- a) Mayor Theresa Knickerbocker
- b) Village Administrator Marcus Serrano
- c) Deputy Mayor Richard Funchion

**DESIGNATE OFFICIAL VILLAGE NEWSPAPER:**

D) **WHEREAS**, in the opinion of the Board of Trustees of the aforesaid Village, the Journal News Newspaper is hereby designated as the "Official" newspaper of the Village of Buchanan, NY.

**ESTABLISH MILEAGE ALLOWANCE RATE FOR REIMBURSEMENT:**

E) **WHEREAS**, the board of trustees has determined to pay a fixed rate for mileage as reimbursement to village officers and employees who use their personal automobiles while performing their official village duties;

**NOW THEREFORE BE IT RESOLVED**, That the board of trustees will approve reimbursement to such officers and employees at the rate of 56 cents per mile

**ADOPTING THE VILLAGE PROCUREMENT POLICY:**

F) **WHEREAS**, the Mayor and the Board of Trustees of the Village of Buchanan are required to adopt or formulate certain policies and procedures regarding procurements by the Village and whereas the Village has previously adopted a procurement policy in conformance with all New York State laws and in conformance with the Office of the State Comptroller, and the Board desires that policy to remain in effect, the procurement policy now in effect is, once again, adopted as the procurement policy of the Village of Buchanan.

**AUTHORIZING OFFICERS AND EMPLOYEES OF THE VILLAGE TO ATTEND CONFERENCES AND SEMINARS:**

G) **WHEREAS**, General Municipal Law §77-b authorizes municipal officials and employees to attend schools, conference, seminars, etc., conducted for the benefit of the local government with prior approval of the Board of Trustees and the Mayor and the Board of Trustees of the Village of Buchanan have determined that it is in the best interests of the Village and its residents that officers and employees of the Village from time to time attend conferences and seminars of public employees and officials for educational and training and other similar purposes. It is therefore resolved that the officers and employees are hereby authorized to attend the following schools, conferences, seminars, etc.:

- NYCOM’s Annual Meeting and Training School
- NYCOM’s Fall Training School for Fiscal Officers and Municipal Clerks
- NYCOM’s Election Seminar
- NYS Comptroller’s Advanced Accounting Course
- New York State City County Management Association- Annual Conference & Fall Training Seminar
- Westchester Municipal Planning Federation Seminars
- Westchester County Firearms & Deadly Physical Force Training
- Westchester County Police Academy Basic In-Service Training
- Police Chief’s Association Regional and National Conferences
- New York State Government Finance Officers’ Association Regional and National Conferences
- Public Employer Risk Management Association (PERMA) Regional and National Conferences
- Westchester County Municipal Clerks & Treasurers Association Meetings
- Municipal Administrators Association of Metropolitan New York meetings
- International City Management Association meetings, conference and seminars

VOTE: MOTION BY: Trustee Funchion  
                  SECONDED BY: Trustee Capicotti

Upon Roll Call Vote:

Mayor Theresa Knickerbocker	<u>  Yes  </u>
Trustee Richard A. Funchion	<u>  Yes  </u>
Trustee Anthony Capicotti	<u>  Yes  </u>
Trustee Sean Murray	<u>  Yes  </u>

Trustee Nicolas Zachary Yes

VOTE: 5 in favor 0 opposed.

**9. APPROVE MINUTES:**

February 23, 2021 Workshop Meeting: Trustee Zachary changed page 3, under comments to read: Trustee Zachary feels that this is a broke system and if we are not getting a whole lot of enforcement from the judge, then we need to move on from the judge.

A motion to approve these minutes as amended was made by Trustee Funchion, seconded by Trustee Zachary with all in favor and Trustee Murray and Trustee Capicotti abstaining.

March 2, 2021 Board Meeting: A motion to approve these minutes as presented was made by Trustee Funchion, seconded by Trustee Zachary with Trustee Murray and Trustee Capicotti abstaining.

**10. OLD BUSINESS:**

a. Continuation of Public Hearing Regarding the Overlay District.

A Motion to Open the Public Hearing was made by Trustee Murray, seconded by Trustee Zachary with all in favor.

Village Planner Stolman gave a brief overview of the Overlay District. He explained that this proposes a C1/C2 overlay district which would encompass all of the C2 district and a good portion of the C1 district up to but not west of the circle and also some rezoning along the easterly side of Albany Post Road from White Street to Bleakley Avenue from the M1 zoning district to the C2 zoning district. The purpose of the zoning is to provide incentives for good well-designed new development and to have design guidelines to enhance the appearance and effectiveness of the districts.

Discussion followed about sidewalks and turning lanes. Village Planner Stolman stated the Planning Board would look at these projects on a case by case basis and if there was a need for any roadway improvements they would be dealt with at the Planning Board level. Trustee Zachary questioned the addition of a requirement that projects that are strictly residential require special use permits. Village Planner Stolman explained that the special permit process provides additional protection and additional guidelines and criteria. Trustee Murray stated that one of the reasons the Planning Board was unanimously in favor of that change was to maintain the tax base. They wanted to make it as of right to still have commercial businesses in a commercial zone. There was further discussion on mixed use vs all residential and which tax base would benefit the tax payers. The Board would like some actual figures to look at to get a comparison on the tax base of new construction.

Bob Lupica congratulated Sean and Anthony on being elected to the Board of Trustees. He also thanked the Mayor and other Trustees for their time and effort helping run the Village affairs. Mr. Lupica questioned if there were any projections on what usage the

Village would like to do and the tax revenue it would create in the C1/C2 zone. Village Planner Stolman stated there is a general idea. Trustee Zachary explained that we can not answer that until someone comes in with a plan. Mr. Lupica asked about what kind of usage would be in that area. Village Planner Stolman explained that in any zoning district there are a number of uses that are permitted and no one knows which of those uses will come in. It depends what is selected by the developer and approvable by the Village. Trustee Murray said that is one of the reasons why you have as of right vs special permit. It has always been assumed that commercial development has a greater tax advantage to the tax base. Mayor Knickerbocker mentioned that we must do smart development to compensate as we can for the loss of Entergy.

Mayor Knickerbocker stated that the public hearing will be held over in order to get more information.

A Motion to Adjourn the Public Hearing was made by Trustee Zachary, seconded by Trustee Murray with all in favor.

## **11. NEW BUSINESS:**

- a. Discussion of Rezoning of Indian Point Property.

Village Planner Stolman thought that it was important to focus on the Indian Point property and do a mini master plan on that property. Trustee Zachary agrees that it is important for the Village to project what we would like to see on that property. Trustee Zachary would like this on the next workshop agenda to discuss ideas. Village Planner Stolman will prepare a map of the various parcels for the next workshop meeting to see what should be included.

- b. Discussion of Master Plan

Village Planner Stolman declared that a new master plan for the entire Village would be quite a substantial under taking and unless we have grant money it would be fairly expensive. Village Administrator Serrano will check if there are any grants to do a Master Plan.

- c. A Resolution to direct and authorize the Village/Clerk Treasurer to perform a Budget amendment, increasing line item 002.8340.480, repairs within the Water Fund, department Transmission and Distribution and reducing the Special Water Repair Fund account in the amount of \$70,000 for the required repair of a Water Leak off of 9A.

This will not be voted on tonight. There needs to be an insertion valve installed. The Village will be going out to bid on this project.

Consider a Motion for the Village Engineer to set up bid criteria and bid the water valve installation.



A Motion to approve this as presented was made by Trustee Murray, seconded by Trustee Funchion with all in favor.

- d. Consider a Motion to Approve a Peddler Permit for Jose Angamarca for the purpose of selling ice cream.

A Motion to approve this as presented was made by Trustee Funchion, seconded by Trustee Murray with all in favor.

## **12. INFORMATION FROM OFFICERS & DEPARTMENTS:**

- a. Justice Court Reports – February 2021

Received and filed.

- b. Police Report – February 2021

Received and filed.

- c. Highway Report – February 2021

Received and filed.

- d. Wastewater Treatment Plant – February 2021

Received and filed.

- e. Building Department – February 2021

Received and filed.

- f. Planning Board Minutes – January 21, 2021

Received and filed.

- g. Attorney's Report

Village Attorney Porteus stated that there is a matter in Planning Board and there are some zoning variance requests coming in. Village Attorney Porteus welcomed Trustee Capicotti and told him to contact her anytime he has questions. Village Attorney Porteus welcomed Trustee Murray back and stated that the Planning Board's loss is our gain. She thanked him for his invaluable work in the Planning Board.

h. Administrator's Report

Village Administrator Serrano updated the Board that the grants for the pavilion and the sidewalk on Route 9A are still frozen. The sponsors said everything is on hold pending the state budget approval. If the pavilion grant is approved, it will have to be repaired after summer camp is over. The travel baseball team has started using the Westchester Avenue field so there will more activity there.

i. Trustee's Report

Trustee Murray said thank you to everyone who came out to vote in this election. Hopefully in the near future, we will be able to meet in public where there is greater access to the public officials. Trustee Murray looks forward to contributing to the Village Board again. He enjoyed his time on the Planning Board and will miss it. Trustee Murray questioned the substantial increase in insurance for the travel league. Village Administrator Serrano stated that this is based on the insurance companies' recommendations and can have the insurance company give the Board a memo on this. Trustee Murray mentioned that Senator Harckham's bill S4547 has passed the Senate, as well as the Assembly. This bill makes as of right development for two-family homes. It takes away the accessory apartment requirements and prohibits any municipality from putting rules on a two-family development in a single-family zone. Trustee Murray would like put something together to send to the governor to oppose this. Mayor Knickerbocker stated that she spoke with Senator Harckham and said this would not be a benefit for the Village and we are completely against it. Trustee Murray thanked the public and other officials for the opportunity to contribute again to the community and look forward to the next two years.

Trustee Capicotti thanked the community for giving him this opportunity to be a part of the Village. He is excited to be part of this group to make positive changes and be productive for our community. Trustee Capicotti thanked Duane and Cheech for their service. He also thanked his family.

Trustee Zachary welcomed Trustee Murray and Trustee Capicotti to the Board. Trustee Zachary mentioned the contest to redesign the Village Logo. There is a link on the Village website and an insert in the newsletter. This is in conjunction with Jessica Nash, an art teacher at the high school. We welcome all designs.

Trustee Funchion welcomed Trustee Murray and Trustee Capicotti to the Board. Trustee Funchion thanked Duane Jackson and Cesare Pasquale for their service to the Village Board. Trustee Funchion mentioned many accomplishments of the Board. Some of the highlights were obtaining legal authority to tax the spent fuel casks, the fight against the Algonquin pipe line which unfortunately went through, joined in stopping the buzz in Verplanck and stopped the safe harbor

that was going to dump barges by Verplanck. At Village Hall, the office operations were brought into the 21<sup>st</sup> Century, new windows and pointing were done, updated new computers, a cyber security system was implemented, updated the village website, created a face book page, use you tube for meetings, and all village forms, documents and videos are on the website. We upgraded police vehicles, purchased a bucket truck, replaced lighting with LED lighting, installed new water meters, and the ongoing repair of the roads. At the sewer plant the DEC violations have been fixed, the repairs to the pavilion roof are on hold, updated the Westchester Avenue baseball field, hired three new police officers, promoted two to Sergeant and two to Chief and upgraded our 911 services. The unheralded thing that is not mentioned is we hired Marcus. Marcus has turned this Village into something we are all very proud of and in addition to that he has saved the Village an awful lot of money. This is because of his extensive experience all over Westchester County. He brings a great amount of intelligence and as he says its 24 hours a day. We couldn't be more thankful for having Marcus and Buchanan is really lucky.

j. Mayor's Report

Mayor Knickerbocker thanked Cesare Pasquale and Duane Jackson for their service to the Village. We covered a lot of territory over the years. Things that we were working on are coming to a point where they are ready to happen. We received a \$25,000 grant from Entergy which will allow us to redo the Circle Area. We will be replacing the Christmas tree and will do some landscaping. The grant for the pavilion is \$125,000. We want to maintain the pavilion because if we ever had to replace that, I don't think we would be able to do it. We are waiting for the grant for the Route 9A sidewalk; are still in discussion with the license transfer between Entergy and Holtec; will be talking about Lents Cove; started the process of doing the military tribute banner; will be working on the wastewater plant, and we will be discussing recreation infrastructure.

**13. COMMENTS FROM THE FLOOR:**

Cesare Pasquale congratulated Anthony Capicotti and Sean Murrary and wished them all the best.

**14. ADJOURNMENT:**

At 9:42PM a Motion to adjourn this meeting was made by Trustee Funchion, seconded by Trustee Zachary with all in favor.