

**Village of Buchanan  
Mayor & Board of Trustees  
Regular Meeting  
July 13, 2021  
(postponed from July 6, 2021)**

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

Mayor Theresa Knickerbocker  
Trustees Richard A. Funchion, Sean Murray, Anthony Capicotti and Nicolas Zachary  
Village Administrator Marcus Serrano  
Village Attorney Stephanie Porteus  
Village Engineer George Pommer  
Village Clerk-Treasurer Cynthia Kempter

**1. PLEDGE OF ALLEGIANCE:**

Mayor Knickerbocker called the meeting to order at 7:37PM. She led the Pledge of Allegiance.

**2. APPROVE MINUTES:**

May 4, 2021 Board Meeting: A Motion to approve these minutes as presented was made by Trustee Murray, seconded by Trustee Zachary with all in favor. Mayor Knickerbocker did not cast a vote.

May 11, 2021 Workshop Meeting: A Motion to approve these minutes as presented was made by Trustee Funchion, seconded by Trustee Murray with all in favor. Mayor Knickerbocker did not cast a vote.

May 18, 2021 Workshop Meeting: A Motion to approve these minutes as presented was made by Trustee Funchion, seconded by Trustee Murray with all in favor. Mayor Knickerbocker did not cast a vote.

June 1, 2021 Board Meeting: A Motion to approve these minutes as presented was made by Trustee Murray, seconded by Trustee Zachary with all in favor. Mayor Knickerbocker did not cast a vote.

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

Eileen Absenger questioned letters g, h, i, j, what are these bonds for? On letter k, who is John Gibbons replacing? On letter p, Eileen is opposed to moving the election to November. On letter r, explain why the sewer fund is being rescinded. Mayor Knickerbocker advised that each one will be explained.

4. **NEW BUSINESS:**

- k. Consider a Motion to Hire John Gibbons as a Laborer Starting on July 14, 2021 at a Rate of \$45,000 Per Year.

Mayor Knickerbocker amended the agenda to bring forward letter k. Tim Donahue retired after 34 years. A position was opened and John Gibbons was the best candidate.

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

- a. Consider a Motion to Open the Public Hearing to Change the Code to Meet the Current Semi-Annual Billing Schedule of Water Bills and to Include the Change in Late Fees.

A motion to open the public hearing was made by Trustee Funchion, seconded by Trustee Zachary, with all in favor. Mayor Knickerbocker did not cast a vote. Eileen Absenger is opposed to a semi-annual billing.

A motion to close the public hearing was made by Trustee Zachary, seconded by Trustee Murray, with all in favor. Mayor Knickerbocker did not cast a vote.

- b. 2021-16 Resolution to Adopt Local Law #6 Amending Chapter 195 Entitled Water to the Code of the Village of Buchanan.

A motion to adopt this resolution as is was made by Trustee Funchion, seconded by Trustee Capicotti, with all in favor. Mayor Knickerbocker did not cast a vote.

**VILLAGE OF BUCHANAN  
RESOLUTION TO ADOPT LOCAL LAW #6  
AMENDING CHAPTER 195 ENTITLED WATER  
TO THE CODE OF THE VILLAGE OF BUCHANAN**

**WHEREAS**, a motion was approved by the Board of Trustees of the Village of Buchanan for a public hearing to be held by said Village Board at the Municipal Building, 236 Tate Avenue, Buchanan, to hear all interested parties on a proposed Local Law to amend Chapter 195, Water to the Code of the Village of Buchanan; and

**WHEREAS**, notice of said public hearing was duly advertised in the official local newspaper; and

**WHEREAS**, said public hearing was duly held at a regularly scheduled meeting of the Village Board on July 6, 2021 at 7:30 p.m., and all parties

in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

**WHEREAS**, the Board of Trustees of the Village of Buchanan, after due deliberation, finds it in the best interest of the Village of Buchanan to adopt said Local Law;

**NOW BE IT THEREFORE RESOLVED** that the Board of Trustees of the Village of Buchanan hereby adopts said Local Law No. 6-2021 amending Chapter 195, entitled Water to the Code of the Village of Buchanan.

**BE IT FURTHER RESOLVED** that the Village Clerk be and hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Village of Buchanan, and to give due notice of the adoption of said local law to the Secretary of State of the State of New York.

**VILLAGE OF BUCHANAN  
LOCAL LAW INTRODUCTORY NO. 6 OF THE YEAR 2021**

**A LOCAL LAW AMENDING CHAPTER 195 ENTITLED  
WATER TO THE CODE OF THE VILLAGE OF BUCHANAN**

**Section One:** The following sections of the Village Code are amended to read as follows:

Article I:

**§ 195-7** Section 195-7 of Chapter 195 entitled “Payment of bills; penalties and charges” of the Code of the Village of Buchanan is hereby amended to read as follows:

**§ 195-7 Payment of bills; penalties and charges.**

**A.** Water bills shall become due semi-annually and shall be sent on April 1 and October 1. Water rates shall be computed from the registration of the meters, as taken within a reasonable time before the first day of each billing cycle-

**B.** Bills are due and payable at the office of the Village Clerk on the first days of May and November.

**C.** If any meter water account remains unpaid on the first day of the month following the month in which the bill is rendered, there shall be charged, as a penalty for such nonpayment, an additional sum of 5% and an additional 1% for every month thereafter until the bill is paid in full.

**D.** If any meter account remains unpaid for 120 days after the bill for the same has been rendered, the Clerk shall serve notice upon the delinquent property owner, and if such account remains unpaid for 10

days thereafter, the premises shall be deprived of water until all arrearages are paid in full.

**E.** Where any service has been turned off for nonpayment of bills, a charge in an amount as set from time to time by resolution of the Board of Trustees will be made to restore service.<sup>[1]</sup>

[Amended 9-6-2011 by L.L. No. 12-2011]

<sup>[1]</sup> *Editor's Note: As directed by the Village, specific fee amounts have been removed pursuant to Ch. 90, Art. I, Fees, adopted 2-7-2011 by L.L. No. 9-2011.*

**F.** All water rents must be paid by the owners and will be billed to them only, unless a resolution of the Board of Trustees makes an exception.

**G.** Service charge credits. Whenever a consumer is either notified of a leak on the service line on the consumer's side of the water meter, or the consumer becomes aware of such a leak, the consumer may be eligible for a one-time-only service charge credit for the period which the property is owned by said consumer, that shall consist of adjusting the water bill, equal to the amount of the average of the consumer's water bill over the past 12 months, provided that the consumer meets the following conditions:

**Section Two:** This local law shall take effect immediately upon filing with the Secretary of State of the State of New York.

c. Consider a Motion to Open the Public Hearing to Consider No Smoking in Village Parks.

A motion to open the public hearing was made by Trustee Funchion, seconded by Trustee Zachary, with all in favor.

Mayor Knickerbocker explained that this local law came about because there has been discussion with the new marijuana laws. It would be in the best interest to eliminate the smoking of any product in our parks. Trustee Murray is against this legislation.

A motion to close the public hearing was made by Trustee Funchion, seconded by Trustee Zachary, with all in favor. Mayor Knickerbocker did not cast a vote.

d. 2021-17 Resolution to Adopt Local Law #7 Amending Chapter 149 Entitled Recreational Facilities to the Code of the Village of Buchanan.

A motion to adopt this resolution as is was made by Trustee Funchion, seconded by Trustee Capicotti, with all in favor, and Trustee Murray opposed. Mayor Knickerbocker did not cast a vote.

**VILLAGE OF BUCHANAN  
RESOLUTION TO ADOPT LOCAL LAW #7  
AMENDING CHAPTER 149 ENTITLED RECREATIONAL  
FACILITIES TO THE CODE OF THE VILLAGE OF  
BUCHANAN**

**WHEREAS**, a motion was approved by the Board of Trustees of the Village of Buchanan for a public hearing to be held by said Village Board at the Municipal Building, 236 Tate Avenue, Buchanan, to hear all interested parties on a proposed Local Law to amend Chapter 149, Recreational Facilities to the Code of the Village of Buchanan; and

**WHEREAS**, notice of said public hearing was duly advertised in the official local newspaper; and

**WHEREAS**, said public hearing was duly held at a regularly scheduled meeting of the Village Board on July 13, 2021 at 7:30 p.m., and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

**WHEREAS**, the Board of Trustees of the Village of Buchanan, after due deliberation, finds it in the best interest of the Village of Buchanan to adopt said Local Law;

**NOW BE IT THEREFORE RESOLVED** that the Board of Trustees of the Village of Buchanan hereby adopts said Local Law No. 7-2021 amending Chapter 149, entitled Recreational Facilities to the Code of the Village of Buchanan.

**BE IT FURTHER RESOLVED** that the Village Clerk be and hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Village of Buchanan, and to give due notice of the adoption of said local law to the Secretary of State of the State of New York.

**VILLAGE OF BUCHANAN  
LOCAL LAW INTRODUCTORY NO. 7 OF THE YEAR 2021  
  
A LOCAL LAW AMENDING CHAPTER 149 ENTITLED  
RECREATIONAL FACILITIES TO THE CODE OF THE  
VILLAGE OF BUCHANAN**

**Section One:** The following sections of the Village Code are amended to read as follows:

Article I:

**§ 149-5** Section 148-5 of Chapter 149 entitled “Regulated Activities” of the Code of the Village of Buchanan is hereby amended to read as follows:

**§ 149-5 Regulated activities.**

No person shall engage in any of the activities regulated by this section unless he shall comply with the regulations set forth herein:

**A.** No person shall be permitted to remain, stop, or park within the confines of any Village park between the hours of sunset and sunrise, prevailing local time, in the Village of Buchanan, except in an emergency, or by Village authorized permit, or with special permission of the Board of Trustees. In case of an emergency or when, in the judgment of the Board of Trustees, the public interest demands it, any portion of the park may be closed to the public or designated persons until permission is given to reopen such park. [Amended 6-4-2012 by L.L. No. 4-2012]

**B.** No person shall sleep, camp, lodge or reside in any park building or grounds.

**C.** No person shall bring into or keep in the park any dog, cat, household pet or other animal, except a Seeing Eye dog. [Amended 2-7-1983 by L.L. No. 1-1983]

**D.** Vehicles.

**(1)** No person shall drive any automobile, motorcycle or other vehicle of traffic or burden upon any of the parks or parkways, except from the proper drives and parking areas, or permit the same to stand upon the drives or any part thereof so as to congest traffic or obstruct the drive. This includes motorized bikes. Footpaths or bicycle paths shall not be used for vehicular traffic.

**(2)** No person shall cause any taxi, bus, limousine, or other vehicle for hire to attend upon any part of the parks or parkways for the purpose of soliciting or taking in passengers or persons other than those carried to the parks or parkways by said vehicle.

**(3)** It is the duty of every person operating a vehicle of traffic or burden within the parks or parkways to comply with Chapter 189, Vehicles and Traffic, or the orders, directions and regulations issued by traffic officers or officially displayed for the regulation of traffic. No vehicle shall be operated on any road or drive in any

facility of the Village at a speed exceeding 10 miles per hour, unless otherwise posted.

(5) In certain areas the Board of Trustees may establish one-way traffic. It will be so posted and must be followed.

(6) When the Highway Department has caused certain intersections of park drives or roadways to be marked with stop signs, no persons shall operate any vehicles, except authorized emergency vehicles, over or across such intersections without first bringing such vehicles to a complete stop at or near a stop sign.

(7) No person shall park any vehicle or permit any vehicle to remain standing on any highway or roadway within the boundaries of Lent's Cove between the hours of 11:00 p.m. and 7:00 a.m. Parking areas in the parks are established for the convenience of patrons while using the facilities of the parks.

(8) The term "parking" shall mean the standing of any vehicle, whether occupied or not, upon any highway other than temporarily or while actively engaged in loading or unloading or while standing in obedience to traffic regulations or traffic signals.

(9) The Village shall erect suitable signs on all highways hereinabove restricted as to parking, which signs shall indicate the limitation of no parking or shall indicate that no parking shall be allowed at any time.

E. Riders of bicycles shall comply with the rules for the regulation of other vehicles and, in addition thereto, shall be subject to the following regulations:

(1) No person shall ride a bicycle upon the lawns, walks or foot trails of the parks or parkways unless designated for such vehicles.

F. No person shall bring into or use any alcoholic liquors or beverages, including beer, in any Village-owned facility, unless permission is obtained from the Village Board of Trustees. Drinking alcoholic liquors or beverages, including beer, is prohibited in the parking lots and rights-of-way within the facilities owned by the Village.

[Amended 2-7-1983 by L.L. No. 1-1983; 1-5-2015 by L.L. No. 1-2015]

G. No person shall picnic or cook in any area not designated by the Board of Trustees for that purpose nor make or kindle any fire except in places provided therefor, and then subject to such regulations as may be prescribed.

**H.** Smoking shall be prohibited. No person shall smoke, vape, or carry lighted cigarettes, cigars, pipe, or any other tobacco, weed, or other plant-based products, including cannabis, intended for inhalation, whether natural or synthetic, within any Village recreational facility as defined in this Chapter. Any lighted item must be extinguished prior to entrance into any recreational facility and shall be properly disposed of in a receptacle.

- e. Consider a Motion AUTHORIZING the Mayor to Enter into an Inter Municipal Agreement with Hendrick Hudson School District for the Purchase of Gasoline and Diesel Fuel.

Mayor Knickerbocker stated that we have had this agreement with the school for many years. This is a 5-year IMA.

A motion to approve this as presented was made by Trustee Funchion, seconded by Trustee Murray, with all in favor. Mayor Knickerbocker did not cast a vote.

- f. Consider a Motion to Award a Bid to Consorti Bros. Paving & Sealcoating, Inc. for the Roadway Improvement Project 2021.

Mayor Knickerbocker stated that the roads that will be paved this year are Church Street (coming out of Village Hall), Lindsey Avenue from where we left off near Craft Lane to the Circle, Henry Street from 4<sup>th</sup> Street to Tate Avenue. Water valves will be done on Henry Street, 4<sup>th</sup> Street and Bleakley Avenue. The Consorti Bros. bid was \$237,605.27.

A motion to approve this as presented was made by Trustee Funchion, seconded by Trustee Zachary, with all in favor. Mayor Knickerbocker did not cast a vote.

Mayor Knickerbocker announced that we will be receiving \$227,992.00 in Federal money. We will get half this year and half next year. The capital projects for this year will be two pumps at the STP and two manhole repairs.

- u. Recognize Receipt and Posting of MS4 Annual Storm Water Report.

Mayor Knickerbocker amended the agenda to bring forward letter u while Village Engineer Pommer was still on the line. He stated that this is an annual report. We had no violations this year. We are good with the DEC for storm water.

Village Administrator Serrano mentioned there was some concern about the Con Edison work. Village Engineer Pommer explained that Hahn Engineering does coordination with Con Edison, they do not stand out there and inspect. They talk about layout, how they will restore the road, what they backfill with, quantities and measurements. Trustee Murray explained that he had questions on the billing. It seemed that our road opening fees do not cover the inspection fees. Trustee Murray would like to come up with a formula so the Village residents don't pay



for those type of meetings and inspections. Village Engineer Pommer would like to come to a per linear foot cost per road and a \$500 minimum. When the Bleakley Avenue project is done, Hahn Engineering will calculate a per liner foot cost. This will then be adopted into the fee schedule and used for future work.

- g. 2021-18 Amendatory Bond Resolution, Dated July 13, 2021, Amending a Bond Resolution, Dated February 2, 2021, Authorizing the Issuance of up to \$387,600 Aggregate Principal Amount Serial Bonds of the Village of Buchanan, County of Westchester, State Of New York, Pursuant to the Local Finance Law, To Finance the Costs of the Acquisition of a Fire-Fighting Vehicle for The Village.

Village Administrator Serrano explained that the payment for the cost of the vehicle will come out of the firehouse reserve fund, so there will be no additional impact to the residents.

Trustee Murray asked that a permissive referendum be explained and how to challenge a permissive referendum. Village Attorney Porteus explained that a permissive referendum means that the Village Board passes a resolution which does not become effective for the passage of 30 days. In that 30-day time period, if people would like to vote on it in a special election they would sign a petition. According to the Village Law you need 20% of those registered in the last election to sign the petition in order to have a special election. Paperwork for a permissive referendum will be available in the Village Clerk's office.

A motion to adopt this resolution as is was made by Trustee Funchion, seconded by Trustee Capicotti, with all in favor. Mayor Knickerbocker did not cast a vote.

**AMENDATORY BOND RESOLUTION, DATED JULY 13, 2021, AMENDING A BOND RESOLUTION, DATED FEBRUARY 2, 2021, AUTHORIZING THE ISSUANCE OF UP TO \$387,600 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE VILLAGE OF BUCHANAN, COUNTY OF WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE COSTS OF THE ACQUISITION OF A FIRE-FIGHTING VEHICLE FOR THE VILLAGE.**

**WHEREAS**, the Board of Trustees of the Village of Buchanan (the "Village"), located in the County of Westchester, in the State of New York (the "State"), determined that it is in the public interest of the Village to authorize the financing of the costs of the acquisition of a fire-fighting vehicle for the Village, including any preliminary and incidental costs related thereto (the "Project"), at a total cost not to exceed \$387,600, pursuant to a serial bond resolution adopted by the Board of Trustees of the Village on February

2, 2021 (the “Original Resolution”), a true copy of which is attached hereto, authorizing serial bonds of the Village with a maturity of only five (5) years to finance same, all in accordance with the Local Finance Law;

**WHEREAS**, the Board of Trustees of the Village desires to issue such serial bonds for the Project for the maturity and period of probable usefulness permitted by law, and accordingly, desires to amend the Original Resolution by submitting it to a permissive referendum in the manner prescribed by law;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of the Village of Buchanan, County of Westchester, State of New York, as follows:

Section 1. Section 2 of the Original Resolution authorizing serial bonds of the Village to finance the costs of the Project in the aggregate principal amount of \$387,600 is hereby amended to provide that such serial bonds shall have a maximum maturity of twenty (20) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 2. Section 3(d) of the Original Resolution is hereby amended to state that the maturity of such serial bonds authorized in Section 2, as amended, shall be in excess of five (5) years. Section 10 of the Original Resolution is hereby amended to provide that the effectiveness of such bond resolution with respect to any obligations authorized therein in excess of five (5) years is subject to a permissive referendum and will take effect upon the expiration of the period prescribed in the Village Law during which petitions for a permissive referendum may be submitted and filed with the Village Clerk.

Section 3. Sections 1, 3(a), (b), (c), and (e) and 4 through 9, inclusive, of the Original Resolution are hereby ratified, approved and confirmed as being not affected by this amendatory bond resolution, and as being in full force and effect from and after February 2, 2021, the terms of which are incorporated herein by reference and made applicable hereto except as aforesaid. For purposes of section 81.00 of the Local Finance Law, the Board of Trustees of the Village deems this amendatory bond resolution to be a sufficient summary of said bond resolution which may be inspected during regular business hours at the office of the Village Clerk, 236 Tate Avenue, Buchanan, New York 10511, for a period of twenty days from the date of this publication.

- h. 2021-19 Bond Resolution, Dated July 13, 2021, Authorizing the Issuance of up to \$201,000 Aggregate Principal Amount Serial Bonds of the Village Of Buchanan, County Of Westchester, State of New York, Pursuant to the Local Finance Law, to Finance the Costs of (I) the Payment of Judgments and Settled Claims to be Paid by the Village Resulting from Tax Certiorari Proceedings Brought Pursuant to Article 7 of the New York Real Property Tax Law And (II) the Acquisition of Motor Vehicles, all in and for the Village.

Mayor Knickerbocker said we can remove the \$63,300 for the fire chief vehicle out of this resolution because the vehicle can be paid outright through the fire department vehicle fund.

A motion to amend the resolution as per the Mayor's instructions was made by Trustee Murray, seconded by Trustee Capicotti, with all in favor. Mayor Knickerbocker did not cast a vote.

A motion to authorize the \$63,300 payment of the fire chief vehicle out of the fire reserve account was made by Trustee Murray, seconded by Trustee Zachary, with all in favor. Mayor Knickerbocker did not cast a vote.

A motion to adopt this resolution as amended was made by Trustee Funchion, seconded by Trustee Zachary, with all in favor. Mayor Knickerbocker did not cast a vote.

**BOND RESOLUTION, DATED JULY 13, 2021,  
AUTHORIZING THE ISSUANCE OF UP TO  
\$137,700 AGGREGATE PRINCIPAL AMOUNT  
SERIAL BONDS OF THE VILLAGE OF  
BUCHANAN, COUNTY OF WESTCHESTER,  
STATE OF NEW YORK, PURSUANT TO THE  
LOCAL FINANCE LAW, TO FINANCE THE  
COSTS OF (I) THE PAYMENT OF  
JUDGMENTS AND SETTLED CLAIMS TO BE  
PAID BY THE VILLAGE RESULTING FROM  
TAX CERTIORARI PROCEEDINGS  
BROUGHT PURSUANT TO ARTICLE 7 OF  
THE NEW YORK REAL PROPERTY TAX LAW  
AND (II) THE ACQUISITION OF MOTOR  
VEHICLES, ALL IN AND FOR THE VILLAGE.**

**WHEREAS**, the Board of Trustees of the Village of Buchanan (the "Village"), located in the County of Westchester, in the State of New York (the "State"), hereby determines that it is in the public interest of the Village to authorize the financing of the costs of (i) the payment of judgments and settled claims to be paid by the Village resulting from tax certiorari proceedings brought pursuant to Article 7 of the New York Real Property Tax Law (\$86,700) and (ii) the acquisition of motor vehicles (\$51,000), all in and for the Village, including any preliminary and incidental costs related thereto, at a total cost not to exceed \$137,000, all in accordance with the Local Finance Law;

**WHEREAS**, the total amount of the payment of such judgments and settled claims resulting from tax certiorari proceedings is more than one (1%) per centum and less than three (3%) per centum of the real property tax levy of the Village levied for its municipal purposes in the year for which the payment is to be made.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of the Village of Buchanan, County of Westchester, State of New York, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the Village in the aggregate principal amount of up to \$137,700, pursuant to the Local Finance Law, in order to finance the costs of the specific objects or purposes hereinafter described.

Section 2. The specific objects or purposes, or class of objects or purposes, to be financed pursuant to this bond resolution (collectively, the "Project"), the respective estimated maximum cost of such specific object or purpose, or class of object or purpose, the principal amount of serial bonds authorized herein for such specific object or purpose, or class of object or purpose, and the period of probable usefulness of such specific object or purpose, or class of object or purpose, thereof pursuant to the applicable subdivision of paragraph a of Section 11.00 of the Local Finance law, are as follows:

(a) The payment of judgments and settled claims to be paid by the Village resulting from tax certiorari proceedings brought pursuant to Article 7 of the New York Real Property Tax Law, including any preliminary and incidental costs related thereto, at an estimated maximum cost of \$86,700, for which \$86,700 principal amount of serial bonds, or bond anticipation notes issued in anticipation of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of ten (10) years pursuant to subdivision 33-a(a) of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of ten (10) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds; and

(b) The acquisition of motor vehicles, including any preliminary and incidental costs related thereto, at an estimated maximum cost of \$51,000, for which \$51,000 principal amount of serial bonds, or bond anticipation notes issued in anticipation of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of five (5) years pursuant to subdivision 29 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of five (5) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 3. The Board of Trustees of the Village has ascertained and hereby states that (a) the estimated maximum cost of the Project is \$137,000; (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) the Board of Trustees of the Village plans to finance the costs of the Project from the proceeds of the serial bonds authorized herein, or from the proceeds of bond anticipation notes issued in anticipation of such

serial bonds; (d) the maturity of the obligations authorized in Section 2(a) herein may be in excess of five (5) years; (e) the maturity of the obligations authorized in Section 2(b) herein may not be in excess of five (5) years; and (f) on or before the expenditure of moneys to pay for any costs of the Project for which proceeds of such obligations are to be applied to reimburse the Village, the Board of Trustees of the Village took "official action" for federal income tax purposes to authorize capital financing of such item.

Section 4. Subject to the terms and conditions of this bond resolution and the Local Finance Law, including the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 60.00, inclusive, the power to authorize the serial bonds authorized herein, and bond anticipation notes in anticipation of the issuance of such serial bonds, including renewals thereof, the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes, and the power to issue, sell and deliver such serial bonds and such bond anticipation notes, are hereby delegated to the Village Treasurer, as the chief fiscal officer of the Village. The Village Treasurer is hereby authorized to execute, on behalf of the Village, all serial bonds authorized herein and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the Village Clerk is hereby authorized to affix the seal of the Village (or attach a facsimile thereof) on all such serial bonds and bond anticipation notes and to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds shall be authenticated by the manual or facsimile signature of the Village Treasurer.

Section 5. Each of the serial bonds authorized by this bond resolution and any bond anticipation notes issued in anticipation of the issuance of such serial bonds shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law. The faith and credit of the Village is hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized and issued pursuant to this bond resolution as the same shall become due.

Section 6. When this bond resolution takes effect, the Village Clerk shall cause the same, or a summary thereof, to be published together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law in the Journal News, a newspaper having a general circulation in the Village. The validity of the serial bonds authorized by this bond resolution, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if such obligations are authorized for an object or purpose, or class of object or purpose, for which the Village is not authorized to expend money, or the provisions of law which should have been complied with as of the date of the publication of this bond resolution, or such summary thereof, were not substantially complied with, and an action, suit or proceeding

contesting such validity is commenced within twenty (20) days after the date of such publication, or if such obligations are authorized in violation of the provisions of the Constitution of the State.

Section 7. Prior to the issuance of the obligations authorized herein, the Board of Trustees of the Village shall comply with all applicable provisions prescribed in Article 8 of the Environmental Conservation Law, all regulations promulgated thereunder by the New York State Department of Environmental Conservation, and all applicable Federal laws and regulations in connection with environmental quality review relating to the Project (collectively, the “environmental compliance proceedings”). In the event that any of the environmental compliance proceedings are not completed, or require amendment or modification subsequent to the date of adoption of this bond resolution, the Board of Trustees of the Village will re-adopt, amend or modify this bond resolution prior to the issuance of the obligations authorized herein upon the advice of bond counsel. It is hereby determined by the Board of Trustees of the Village that the Project will not have a significant effect on the environment.

Section 8. The Village hereby declares its intention to issue the obligations authorized herein to finance the costs of the Project. The proceeds of any obligations authorized herein may be applied to reimburse expenditures or commitments of the Village made with respect to the Project on or after a date which is not more than sixty (60) days prior to the date of adoption of this bond resolution by the Village.

Section 9. For the benefit of the holders and beneficial owners from time to time of the obligations authorized herein, the Village agrees in accordance with and as an obligated person with respect to the obligations under Rule 15c2-12 promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934 (the “Rule”), to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner, as may be required for purposes of the Rule. In order to describe and specify certain terms of the Village’s continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Village Treasurer is authorized and directed to sign and deliver, in the name and on behalf of the Village, the commitment authorized by subsection 6(c) of the Rule (the “Commitment”) to be placed on file with the Village Clerk, which shall constitute the continuing disclosure agreement made by the Village for the benefit of holders and beneficial owners of the obligations authorized herein in accordance which the Rule, with any changes or amendments that are not inconsistent with this bond resolution and not substantially adverse to the Village and that are approved by the Village Treasurer on behalf of the Village, all of which shall be conclusively evidenced by the signing of the

Commitment or amendments thereto. The agreement formed collectively by this paragraph and the Commitment, shall be the Village's continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the Village would be required to incur to perform thereunder. The Village Treasurer is further authorized and directed to establish procedures in order to ensure compliance by the Village with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the Village Treasurer shall consult with, as appropriate, the Village Attorney and bond counsel or other qualified independent special counsel to the Village and shall be entitled to rely upon any legal advice provided by the Village Attorney or such bond counsel or other qualified independent special counsel in determining whether a filing should be made.

Section 10. This bond resolution shall take effect immediately upon its adoption by the Board of Trustees of the Village.

- i. 2021-20 Bond Resolution, Dated July 13, 2021, Authorizing the Issuance of up to \$332,200 Aggregate Principal Amount Serial Bonds of the Village of Buchanan, County of Westchester, State of New York, Pursuant to the Local Finance Law, to Finance the Costs of (I) the Acquisition of Computer Software Systems and (II) the Construction and Reconstruction of Various Building Improvements, all in and for the Village.

Mayor Knickerbocker stated that she renegotiated that last PILOT with Entergy and we got an additional \$135,000. We could use this money to pay for a new boiler and take \$128,000 out of this bond. Mayor Knickerbocker and Trustee Zachary feel that we should take off the \$51,000 for the LED lights since that is not as critical to do that right away.

A motion to bond for the software application of \$153,000 was made by Trustee Funchion, seconded by Trustee Zachary, with all in favor. Mayor Knickerbocker did not cast a vote. Trustee Murray questioned repairing the highway garage columns. Village Administrator Serrano stated that those repairs were not part of this bond.

**BOND RESOLUTION, DATED JULY 13, 2021,  
AUTHORIZING THE ISSUANCE OF UP TO  
\$153,000 AGGREGATE PRINCIPAL AMOUNT  
SERIAL BONDS OF THE VILLAGE OF  
BUCHANAN, COUNTY OF WESTCHESTER,  
STATE OF NEW YORK, PURSUANT TO THE  
LOCAL FINANCE LAW, TO FINANCE THE**

**COSTS OF THE ACQUISITION OF  
COMPUTER SOFTWARE FOR THE VILLAGE.**

**WHEREAS**, the Board of Trustees of the Village of Buchanan (the “Village”), located in the County of Westchester, in the State of New York (the “State”), hereby determines that it is in the public interest of the Village to authorize the financing of the costs of the acquisition of computer software for the Village, including any preliminary and incidental costs related thereto, at a total cost not to exceed \$153,000, all in accordance with the Local Finance Law;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of the Village of Buchanan, County of Westchester, State of New York, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the Village in the aggregate principal amount of up to \$153,000, pursuant to the Local Finance Law, in order to finance the acquisition of computer software for the Village, including any preliminary and incidental costs related thereto (the “Project”).

Section 2. It is hereby determined that the Project is a specific object or purpose, or of a class of object or purpose, described in subdivision 81(a) of paragraph a of Section 11.00 of the Local Finance Law and that the period of probable usefulness of the Project is ten (10) years. The serial bonds authorized herein shall have a maximum maturity of ten (10) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 3. The Board of Trustees of the Village has ascertained and hereby states that (a) the estimated maximum cost of the Project is \$153,000; (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) the Board of Trustees of the Village plans to finance the costs of the Project from the proceeds of the serial bonds authorized herein, or from the proceeds of bond anticipation notes issued in anticipation of such serial bonds; (d) the maturity of the obligations authorized herein may be in excess of five (5) years; and (e) on or before the expenditure of moneys to pay for any costs of the Project for which proceeds of such obligations are to be applied to reimburse the Village, the Board of Trustees of the Village took “official action” for federal income tax purposes to authorize capital financing of such item.

Section 4. Subject to the terms and conditions of this bond resolution and the Local Finance Law, including the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 60.00, inclusive, the power to authorize the serial bonds authorized herein, and bond anticipation notes in anticipation of the issuance of such serial bonds, including renewals thereof, the power to prescribe the



terms, form and contents of such serial bonds and such bond anticipation notes, and the power to issue, sell and deliver such serial bonds and such bond anticipation notes, are hereby delegated to the Village Treasurer, as the chief fiscal officer of the Village. The Village Treasurer is hereby authorized to execute, on behalf of the Village, all serial bonds authorized herein and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the Village Clerk is hereby authorized to affix the seal of the Village (or attach a facsimile thereof) on all such serial bonds and bond anticipation notes and to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds shall be authenticated by the manual or facsimile signature of the Village Treasurer.

Section 5. Each of the serial bonds authorized by this bond resolution and any bond anticipation notes issued in anticipation of the issuance of such serial bonds shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law. The faith and credit of the Village is hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized and issued pursuant to this bond resolution as the same shall become due.

Section 6. When this bond resolution takes effect, the Village Clerk shall cause the same, or a summary thereof, to be published together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law in the Journal News, a newspaper having a general circulation in the Village. The validity of the serial bonds authorized by this bond resolution, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if such obligations are authorized for an object or purpose, or class of object or purpose, for which the Village is not authorized to expend money, or the provisions of law which should be complied with as of the date of the publication of this bond resolution, or such summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or if such obligations are authorized in violation of the provisions of the Constitution of the State.

Section 7. Prior to the issuance of the obligations authorized herein, the Board of Trustees of the Village shall comply with all applicable provisions prescribed in Article 8 of the Environmental Conservation Law, all regulations promulgated thereunder by the New York State Department of Environmental Conservation, and all applicable Federal laws and regulations in connection with environmental quality review relating to the Project (collectively, the “environmental compliance proceedings”). In the event that any of the environmental compliance proceedings are not

completed, or require amendment or modification subsequent to the date of adoption of this bond resolution, the Board of Trustees of the Village will re-adopt, amend or modify this bond resolution prior to the issuance of the obligations authorized herein upon the advice of bond counsel. It is hereby determined by the Board of Trustees of the Village that the Project will not have a significant effect on the environment.

Section 8. The Village hereby declares its intention to issue the obligations authorized herein to finance the costs of the Project. The proceeds of any obligations authorized herein may be applied to reimburse expenditures or commitments of the Village made with respect to the Project on or after a date which is not more than sixty (60) days prior to the date of adoption of this bond resolution by the Village.

Section 9. For the benefit of the holders and beneficial owners from time to time of the obligations authorized herein, the Village agrees in accordance with and as an obligated person with respect to the obligations under Rule 15c2-12 promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934 (the "Rule"), to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner, as may be required for purposes of the Rule. In order to describe and specify certain terms of the Village's continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Village Treasurer is authorized and directed to sign and deliver, in the name and on behalf of the Village, the commitment authorized by subsection 6(c) of the Rule (the "Commitment") to be placed on file with the Village Clerk, which shall constitute the continuing disclosure agreement made by the Village for the benefit of holders and beneficial owners of the obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond resolution and not substantially adverse to the Village and that are approved by the Village Treasurer on behalf of the Village, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed collectively by this paragraph and the Commitment, shall be the Village's continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the Village would be required to incur to perform thereunder. The Village Treasurer is further authorized and directed to establish procedures in order to ensure compliance by the Village with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement

or providing notice of the occurrence of any material event, the Village Treasurer shall consult with, as appropriate, the Village Attorney and bond counsel or other qualified independent special counsel to the Village and shall be entitled to rely upon any legal advice provided by the Village Attorney or such bond counsel or other qualified independent special counsel in determining whether a filing should be made.

Section 10. This bond resolution is subject to a permissive referendum and will take effect upon its adoption by the Board of Trustees of the Village and the expiration of the period prescribed in the Village Law during which petitions for a permissive referendum may be submitted and filed with the Village Clerk.

- j. 2021-21 Bond Resolution, Dated July 13, 2021, Authorizing the Issuance of up to \$236,700 Aggregate Principal Amount Serial Bonds of the Village of Buchanan, County of Westchester, State of New York Pursuant to the Local Finance Law, to Finance the Costs of the Acquisition of Machinery and Apparatus for Construction and Maintenance for the Village.

A motion to adopt this resolution as presented was made by Trustee Funchion, seconded by Trustee Murray, with all in favor. Mayor Knickerbocker did not cast a vote.

**BOND RESOLUTION, DATED JULY 13, 2021,  
AUTHORIZING THE ISSUANCE OF UP TO  
\$236,700 AGGREGATE PRINCIPAL AMOUNT  
SERIAL BONDS OF THE VILLAGE OF  
BUCHANAN, COUNTY OF WESTCHESTER,  
STATE OF NEW YORK, PURSUANT TO THE  
LOCAL FINANCE LAW, TO FINANCE THE  
COSTS OF THE ACQUISITION OF  
MACHINERY AND APPARATUS FOR  
CONSTRUCTION AND MAINTENANCE FOR  
THE VILLAGE.**

**WHEREAS**, the Board of Trustees of the Village of Buchanan (the “Village”), located in the County of Westchester, in the State of New York (the “State”), hereby determines that it is in the public interest of the Village to authorize the financing of the costs of the acquisition of machinery and apparatus for construction and maintenance for the Village, including any preliminary and incidental costs related thereto, at a total cost not to exceed \$236,700, all in accordance with the Local Finance Law;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of the Village of Buchanan, County of Westchester, State of New York, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the Village in the aggregate principal amount of up to \$236,700, pursuant to the Local Finance Law, in order to finance the acquisition of machinery and apparatus for construction and maintenance for the Village, including any preliminary and incidental costs related thereto (the "Project").

Section 2. It is hereby determined that the Project is a specific object or purpose, or of a class of object or purpose, described in subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law and that the period of probable usefulness of the Project is fifteen (15) years. The serial bonds authorized herein shall have a maximum maturity of fifteen (15) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 3. The Board of Trustees of the Village has ascertained and hereby states that (a) the estimated maximum cost of the Project is \$236,700; (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) the Board of Trustees of the Village plans to finance the costs of the Project from the proceeds of the serial bonds authorized herein, or from the proceeds of bond anticipation notes issued in anticipation of such serial bonds; (d) the maturity of the obligations authorized herein may be in excess of five (5) years; and (e) on or before the expenditure of moneys to pay for any costs of the Project for which proceeds of such obligations are to be applied to reimburse the Village, the Board of Trustees of the Village took "official action" for federal income tax purposes to authorize capital financing of such item.

Section 4. Subject to the terms and conditions of this bond resolution and the Local Finance Law, including the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 60.00, inclusive, the power to authorize the serial bonds authorized herein, and bond anticipation notes in anticipation of the issuance of such serial bonds, including renewals thereof, the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes, and the power to issue, sell and deliver such serial bonds and such bond anticipation notes, are hereby delegated to the Village Treasurer, as the chief fiscal officer of the Village. The Village Treasurer is hereby authorized to execute, on behalf of the Village, all serial bonds authorized herein and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the Village Clerk is hereby authorized to affix the seal of the Village (or attach a facsimile thereof) on all such serial bonds and bond anticipation notes and to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds shall be

authenticated by the manual or facsimile signature of the Village Treasurer.

Section 5. Each of the serial bonds authorized by this bond resolution and any bond anticipation notes issued in anticipation of the issuance of such serial bonds shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law. The faith and credit of the Village is hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized and issued pursuant to this bond resolution as the same shall become due.

Section 6. When this bond resolution takes effect, the Village Clerk shall cause the same, or a summary thereof, to be published together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law in the Journal News, a newspaper having a general circulation in the Village. The validity of the serial bonds authorized by this bond resolution, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if such obligations are authorized for an object or purpose, or class of object or purpose, for which the Village is not authorized to expend money, or the provisions of law which should be complied with as of the date of the publication of this bond resolution, or such summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or if such obligations are authorized in violation of the provisions of the Constitution of the State.

Section 7. Prior to the issuance of the obligations authorized herein, the Board of Trustees of the Village shall comply with all applicable provisions prescribed in Article 8 of the Environmental Conservation Law, all regulations promulgated thereunder by the New York State Department of Environmental Conservation, and all applicable Federal laws and regulations in connection with environmental quality review relating to the Project (collectively, the “environmental compliance proceedings”). In the event that any of the environmental compliance proceedings are not completed, or require amendment or modification subsequent to the date of adoption of this bond resolution, the Board of Trustees of the Village will re-adopt, amend or modify this bond resolution prior to the issuance of the obligations authorized herein upon the advice of bond counsel. It is hereby determined by the Board of Trustees of the Village that the Project will not have a significant effect on the environment.

Section 8. The Village hereby declares its intention to issue the obligations authorized herein to finance the costs of the Project. The proceeds of any obligations authorized herein may be applied to reimburse expenditures or commitments of the Village made with respect to the Project on or after a date which is not more

than sixty (60) days prior to the date of adoption of this bond resolution by the Village.

Section 9. For the benefit of the holders and beneficial owners from time to time of the obligations authorized herein, the Village agrees in accordance with and as an obligated person with respect to the obligations under Rule 15c2-12 promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934 (the "Rule"), to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner, as may be required for purposes of the Rule. In order to describe and specify certain terms of the Village's continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Village Treasurer is authorized and directed to sign and deliver, in the name and on behalf of the Village, the commitment authorized by subsection 6(c) of the Rule (the "Commitment") to be placed on file with the Village Clerk, which shall constitute the continuing disclosure agreement made by the Village for the benefit of holders and beneficial owners of the obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond resolution and not substantially adverse to the Village and that are approved by the Village Treasurer on behalf of the Village, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed collectively by this paragraph and the Commitment, shall be the Village's continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the Village would be required to incur to perform thereunder. The Village Treasurer is further authorized and directed to establish procedures in order to ensure compliance by the Village with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the Village Treasurer shall consult with, as appropriate, the Village Attorney and bond counsel or other qualified independent special counsel to the Village and shall be entitled to rely upon any legal advice provided by the Village Attorney or such bond counsel or other qualified independent special counsel in determining whether a filing should be made.

Section 10. This bond resolution is subject to a permissive referendum and will take effect upon its adoption by the Board of Trustees of the Village and the expiration of the period prescribed in the Village Law during which petitions for a permissive referendum may be submitted and filed with the Village Clerk.

- l. Consider a Motion to Appoint Peter O’Neill and Jake Izzo as Seasonal Highway Help from July 14, 2021 – August 31, 2021 at a Rate of \$14.00 per hour.

A motion to approve this as presented was made by Trustee Funchion, seconded by Trustee Murray, with all in favor. Mayor Knickerbocker did not cast a vote.

- m. Consider a Motion Authorizing Employment of Seasonal Help for the Camp and Pool.

A motion to approve this as presented was made by Trustee Funchion, seconded by Trustee Zachary, with all in favor. Mayor Knickerbocker did not cast a vote.

- n. Recognize Receipt and Acceptance of Fire Department Driver/Operator Program and Bylaws.

Village Administrator Serrano stated that the all the drivers at the Fire Department have been put into the LENS program at DMV.

- o. Consider a Motion to Consider the Old Chairs, Filing Cabinets and Desks as Surplus and Accepting Chairs, Filing Cabinets and Desks from Holtec.

Mayor Knickerbocker explained that when Entergy left, she had asked them if there was anything they would like to donate to the Village of Buchanan. Entergy sold and Holtec got the message. We were able to get chairs, tables, new podiums, projectors, filing cabinets, chairs for the Board room, microwaves and refrigerators. Buchanan Engine Company and Verplanck Fire Department were also able to get some items. The surplus item we are getting rid of will be put on Auction International.

A motion to approve this as presented was made by Trustee Funchion, seconded by Trustee Zachary, with all in favor. Mayor Knickerbocker did not cast a vote.

- p. 2021-22 Resolution Transferring the Conduct of the Village Elections to the Westchester County Board of Elections.

Discussion followed about the pros and cons of giving the Village Election to the County.

A motion to adopt this resolution as presented was made by Trustee Funchion, seconded by Trustee Zachary. Trustee Murray questioned the advantage of this resolution. Trustee Murray and Trustee Capicotti are opposed. Mayor Knickerbocker voted yes.

**VILLAGE OF BUCHANAN  
RESOLUTION TRANSFERRING THE CONDUCT**

**OF VILLAGE ELECTIONS TO THE  
WESTCHESTER COUNTY BOARD OF ELECTIONS**

**WHEREAS**, the Village Board of Trustees has determined that it would be more efficient for the Village to transfer the conduct of Village elections to the Westchester County Board of Elections (the “County Board”), given the County Board’s personnel and equipment resources and their experience and expertise in conducting municipal elections; and

**WHEREAS**, the County Board will receive nominating and other petitions in accordance with New York State Law and provide all required publication and notices and compensate all election workers in accordance with New York State Law.

**NOW THEREFORE, BE IT RESOLVED**, that in accordance with Section 15-104(1)(c) of the New York State Election Law, this Board hereby determines that the Village of Buchanan elections shall be conducted by the Westchester County Board of Elections; and it is further

**BE IT FURTHER RESOLVED**, that this Resolution is subject to a **Permissive Referendum** as provided in Article 9 of the New York State Village Law; and

**BE IT FURTHER RESOLVED**, the Village Board of Trustees authorizes the Village Administrator and Village Clerk to take such administrative and ministerial action as may be necessary to effectuate the terms of this Resolution.

- q. 2021-23 Resolution Changing the Date for the Village Elections from March to November.

A motion to adopt this resolution as presented was made by Trustee Funchion, seconded by Trustee Zachary. Trustee Murray questioned the statement in the resolution that says a reason for doing this was to allow for board training. Village Attorney Porteus explained that if you are newly elected in November, it would give you several months to prepare before the budget process. Trustee Murray and Trustee Capicotti are opposed. Mayor Knickerbocker voted yes.

**VILLAGE OF BUCHANAN  
RESOLUTION CHANGING THE DATE FOR THE  
VILLAGE ELECTION FROM MARCH TO NOVEMBER**

**WHEREAS**, The Village of Buchanan currently holds elections every year on the third Tuesday of March for Village Trustees and every two years for the Village Mayor; and



**WHEREAS**, holding Village elections on the same date as the general elections may result in a stronger turn-out, especially during a Presidential year or other major elections; and

**WHEREAS**, holding Village elections on the same date as the general elections would save the village from having to pay for an additional election and allow for board training and participation in the budget process; and

**WHEREAS**, pursuant to Section 15-104(1)(c) of the New York State Election Law, the Village Board of Trustees of a Village may, by resolution subject to permissive referendum, change the date of the Village elections from the third Tuesday in March to the first Tuesday after the first Monday in November, to correspond with general elections.

**NOW THEREFORE BE IT RESOLVED** that the Village election shall be held on the first Tuesday after the first Monday in November, the same date as the general election, starting in the year 2022; and

**BE IT FURTHER RESOLVED** that this Resolution is subject to **Permissive Referendum** as provided in Article 9 of the New York State Village Law; and

**BE IT FURTHER RESOLVED** that the term of any Village official whose term would otherwise expire shall be extended until the beginning of the new term of office for such official following the general election; and

**BE IT FURTHER RESOLVED**; the Village Board of Trustees authorizes the Village Clerk to take such action as may be necessary to effectuate the terms of this Resolution.

- r. Consider a Motion to Call for a Public Hearing for a Local Law to Rescind the Sewer Fund.

A motion to approve this as presented was made by Trustee Funchion, seconded by Trustee Zachary, with all in favor. On a question, Trustee Murray explained why he called the Sewer Fund a tax. Mayor Knickerbocker did not cast a vote.

- s. Discussion of Representative on Behalf of the Village Regarding PBA Negotiations.

Mayor Knickerbocker stated that Craig Olivo is still on retainer and the funds are in the budget. Discussion followed about the merits of having a professional do negotiation as opposed to a Trustee.

- t. Discussion of Filming of Future Meetings.

Village Administrator Serrano stated that the Board needs to decide on what meetings will be filmed in the future now that we are back in person. This will be discussed at the workshop when all the options are available.

5. INFORMATION FROM OFFICERS & DEPARTMENTS:

a. Justice Report – May 2021  
Received and filed.

b. Police Report – May 2021  
Received and filed.

c. Highway Report – May 2021  
Received and filed.

d. Wastewater Treatment Plant – May 2021  
Received and filed.

e. Building Department – May 2021  
Received and filed.

f. Planning Board Minutes – May 20, 2021  
Received and filed.

g. Attorney's Report  
Village Attorney Porteus reported that there is no Zoning Board Meeting this month. There are three items on the Planning Board Agenda. She urged that a 5<sup>th</sup> Planning Board Member be found and also stated that Chairman Faiella is doing a good job. She questioned if applicants and consultants will be permitted to appear at meetings or just zoom in. There are a few things for executive session. Village Attorney Porteus mentioned that currently according to Public Officer's Law you can only have a building inspector that resides in the Village. She wrote legislation so that a building inspector may reside in Westchester, Putnam or Rockland County. Senator Harckham and Assemblywomen Galef got it passed and it is sitting on the Governor's desk now for signature.

h. Administrator's Report

Village Administrator Serrano said for the WIC building, the insertion valve should be installed this week. The additional pump for the pool has come in and I in storage.

i. Mayor's Report

Mayor Knickerbocker explained that she had a family medical emergency last week and had to postpone the meeting. She had to call 911 and it seems like before she put the phone down, Sergeant Palmietto and Officer Regg were there. It was a relief to have someone come so quickly. They came with oxygen and were a terrific help. Mayor Knickerbocker would like to set up with Cortlandt Ambulance to do CPR training. Mayor Knickerbocker was able to get over the last couple of years get additional grant money from Entergy. That is what we will be using to pay for the Circle renovation. Some of the money may go towards new tables in the Community Room and some family events. She is looking into the possibility of opening up our ice skating rink again.

j. Trustee's Report

Trustee Murray said he noticed we were being charged for remediation at Sav-a-Tree. He questioned why should the Village be expending funds to have a property owner do remediation. Village Administrator Serrano will look into this. Trustee Murray noticed there are more bills for the intervention law suit. He questioned what authorized the expenditure of an appeal. He would like some type of paperwork that is authorized by the Village of Buchanan to expend funds in excess of \$27,000 to appeal the intervention decision. Mayor Knickerbocker thought we had passed something. We will have a resolution at the next meeting. Trustee Murray was looking at the Justice reports and it appears that one justice is bringing in a fraction of what the other Justice is and was wondering if there is an issue with this. He wanted to see if there was something the Board could do to make things work smoother. Trustee Murray was reviewing the American Rescue Plan. It would appear that a lot of the grants on the Rescue Plan which is also titled the Infrastructure Grant are tied to zoning regulations similar to the ones Senator Harckham was try to pass in NYS. He would like the Board to do some research on this and to see if it would be appropriate to contact Senator Gillibrand as well as Senator Schumer to remove those zoning clauses out of the American Rescue Plan. Trustee Murray would like the Village to oppose Legislation HR1319. Mayor Knickerbocker agreed.

Trustee Capicotti is very happy with the Police being active in the Community with the speed limits. Trustee Capicotti said he is here for the Community and everyone enjoy the summer. The Feast is July 14 – 18.

Trustee Funchion stated that he met with all the police officers except Sergeant Palmietto. They are very committed to the Community and the Board. They are very happy with Shane as the Chief. Trustee Funchion read a few calls that the police responded to. They also took part in the Governor's Traffic Safety Committee – Click It or Ticket.

Trustee Zachary would like to continue to encourage people who haven't been vaccinated to get vaccinated. The reason things are reopening is because of the

people that were responsible to their health and responsible to their community. If you don't have a health condition preventing you, don't make any more excuses. Trustee Zachary was at the LWRP meeting on June 30<sup>th</sup>. The draft plan has been completed and is posted on the website. The plan will be submitted to the State and make comments and then it will go before the Town Board and Village Board for approval.

6. COMMENTS FROM THE FLOOR:

Eileen Absenger said to Trustee Zachary that as much as she appreciates your encouraging people to get vaccinated, I would also want to respect people who are not getting for whatever reason, you have to be respectful to them as much as we have to be respectful to the people that have decided to get vaccinated. It's nice to encourage everybody, but it almost sounds too demanding. She has offense to that.

7. EXECUTIVE SESSION:

At 11:35PM a Motion to enter into Executive Session to discuss contractual and personnel issues was made by Trustee Funchion, seconded by Trustee Zachary with all in favor.

8. ADJOURNMENT:

At 11:52PM a Motion to exit executive session and adjourn this meeting was made by Trustee Zachary, seconded by Trustee Murray with all in favor.