

Village of Buchanan  
**Mayor & Board of Trustees**  
**Special Meeting**  
**July 20, 2021**

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

Mayor Theresa Knickerbocker  
Trustee Sean Murray, Trustee Anthony Capicotti  
Trustees Richard A. Funchion and Trustee Zachary (via zoom)  
Village Administrator Marcus Serrano  
Village Attorney Stephanie Porteus (via zoom)  
Village Clerk Cynthia Kempter  
John Behan from Behan Planning and Design

**1. PLEDGE OF ALLEGIANCE:**

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

**2. NEW BUSINESS:**

- a. 2021-24 RESOLUTION RATIFYING THE VILLAGE OF BUCHANAN JOINING THE TOWN OF CORTLANDT, HENDRICK HUDSON SCHOOL DISTRICT AND THE COUNTY OF WESTCHESTER (collectively the “PARTIES”) IN A PETITION TO REVIEW THE DENIAL OF THE PARTIES MOTION TO INTERVENE AND AUTHORIZING PAYMENT OF LEGAL FEES TO THE LAW FIRM OF SIVE, PAGET AND RIESEL, THE LAW FIRM CHOSEN TO REPRESENT THE PARTIES.

A motion to adopt this resolution as presented was made by Trustee Funchion, seconded by Trustee Zachary. On a question, Trustee Murray said that the resolution stated that there was a meeting held on March 11, however, there are no minutes, no agenda, no notification of a meeting, there is no record of this meeting. How would anybody be able to view what was discussed at the meeting and how a decision came about and if there was a budget set. Village Attorney Porteus explained that a mistake was made because after the meeting, no one put on the record that the Board had voted to join the petition to review the denial. There was further discussion on what transpired. Trustee Murray and Trustee Capicotti abstained. Mayor Knickerbocker voted yes.

**VILLAGE OF BUCHANAN RESOLUTION RATIFYING THE  
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THE PARTIES MOTION TO INTERVENE AND  
AUTHORIZING PAYMENT OF LEGAL FEES TO THE LAW  
FIRM OF SIVE, PAGET AND RIESEL, THE LAW FIRM  
CHOSEN TO REPRESENT THE PARTIES**

**WHEREAS**, on March 5, 2021, the Village became aware that discussions had been held with the Town of Cortlandt with respect to the filing of a Petition to Review the recent denial of the Parties Motion to Intervene with respect to the License Transfer from Entergy to Holtec and that said Petition would be filed and was, in fact, filed that very day in the U.S. Court of Appeals for the District of Columbia Circuit, without naming the Village as a party; and

**WHEREAS**, upon learning about the filing of the Petition to Review the Denial of the Motion to Intervene, the Village Attorney immediately contacted counsel from the law firm of Sive, Paget and Riesel, to inquire as to why the Village had not been given advance notice and relayed the information to the Village Board of Trustees stressing that if the Village wished to join in the appeal, this matter had to be discussed and decided prior to March 14th and that therefore this matter was urgent; and

**WHEREAS**, a special meeting for Advice of Counsel was held on March 11, 2021, via zoom, wherein a decision was made to authorize the law firm of Sive, Paget and Riesel to add the Village of Buchanan as a party to the Petition for Review which necessarily involved paying the Village’s one-third (1/3) share of legal fees associated with moving that matter forward; and

**WHEREAS**, due to an oversight, when the Village Board came out of an advice of counsel session, it failed to put its decision on the record publicly; and

**WHEREAS**, a Village Board may ratify acts of public officials for acts that could have been authorized in the first place.

**NOW BE IT THEREFORE RESOLVED** that the Village Board hereby formally ratifies its decision to join in the Petition to Review and authorizes payment to the firm of Sive, Paget and Riesel for its legal services with respect to same; and

**BE IT FURTHER RESOLVED** that this Resolution shall be effective immediately.

b. DISCUSSION OF REDEVELOPMENT OF INDIAN POINT PROPERTY.

Mayor Knickerbocker explained that the redevelopment of the Indian Point Property and the rezoning of the property are important to the Village of Buchanan. There is a potential of 240 acres to be redeveloped. This is a chance to reinvent the Village. Mayor Knickerbocker would like to see mixed use, not industrial use. John Behan from Behan Planning and Design worked with the Local Water Revitalization Plan (LWRP). The overall goal is to prepare a draft zoning amendment to help advance the future land use recommendations of the LWRP, focusing on portions of the M2 zoning district. They have provided a proposal outlining the steps they would take and their hourly rates. They recommend an initial budget of \$25,000. There was further discussion on how this property should or should not be redeveloped. This discussion will be continued.

3. ADJOURNMENT:

At 8:59PM a Motion to adjourn this meeting was made by Trustee Funchion, seconded by Trustee Murray with all in favor.