

**Village of Buchanan
Mayor & Board of Trustees
Regular Meeting
October 5, 2021**

PRESENT: (This meeting was done via zoom)

Mayor Theresa Knickerbocker
Trustees Richard A. Funchion, Sean Murray, Anthony Capicotti and Nicolas Zachary
Village Administrator Marcus Serrano
Village Attorney Stephanie Porteus
Village Clerk-Treasurer Cynthia Kempter
Highway Foreman Robert Wheeler
Planning Board Member Awilda Baez

1. PLEDGE OF ALLEGIANCE:

Mayor Knickerbocker called the meeting to order at 7:30PM. She led the Pledge of Allegiance.

2. APPROVE MINUTES:

May 25, 2021 Workshop Meeting: A motion to approve the minutes was made by Trustee Funchion, seconded by Trustee Zachary with all in favor. Mayor Knickerbocker did not cast a vote.

September 7, 2021 Board Meeting: A motion to approve the minutes was made by Trustee Funchion, seconded by Trustee Murray with all in favor. Mayor Knickerbocker did not cast a vote.

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

4. OLD BUSINESS: None

5. NEW BUSINESS:

- a. Consider a Motion to Open a Public Hearing on the Sale of Cannabis Within the Village.

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

Mayor Knickerbocker explained that the public hearing is being held for comments on the Marijuana and Regulation Tax Law (MRTA) which allows the municipality to have retail marijuana stores and/or onsite consumption lounges within the Village of Buchanan. If the Village chooses to do nothing, we are opted in. The Village can opt out, but must be done before December 31st. The Village can always opt in, but not always opt out. Items the Board needs to consider are how many retail stores will be allowed, how many would be need to be profitable, where should they be located, what zones should they be in and should the Village allow the consumption lounges. Two residents spoke for opting out. One resident spoke about opting out at this time because the Village does not have enough information or know all the risks. The Board should take the time to decide what makes sense for the Village and how to regulate it and not to deal with a bad choice by rushing into this.

A motion to continue the public hearing at the next meeting was made by Trustee Funchion, seconded by Trustee Murray. Mayor Knickerbocker did not cast a vote.

- b. Consider a Motion to Approve Pavilion Roof and Electrical Repairs and Improvements as Recommended by the Village Engineer for Zulla Electric for the Bid Amount of \$28,000.

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.

- c. Due to a Vacant Position on the Planning Board, the Mayor hereby appoints Awilda Baez to the Planning Board, effective October 6, 2021, to fill the unexpired term ending April 6, 2026 at an Annual Salary of \$2,175.

Mayor Knickerbocker said that Awilda Baez was also on the Police Reform Committee and worked collaboratively with other members to develop the Police Reform Plan. Mayor Knickerbocker stated that Awilda will be an asset to the Planning Board.

6. INFORMATION FROM OFFICERS & DEPARTMENTS:

- a. Justice Report – August 2021
Received and filed.
- b. Police Report – August 2021
Received and filed.
- c. Highway Report – August 2021
Received and filed.

- d. Wastewater Treatment Plant – August 2021
Received and filed.
- e. Building Department – August 2021
Received and filed.
- f. Buchanan Engine Company – August 2021
Received and filed.
- g. Prosecutor’s Report – August 2021
Received and filed.
- h. Planning Board Minutes – August 19, 2021
Received and filed.
- i. Attorney’s Report
Village Attorney Porteus clarified that when a judge recuses themselves from a Village court case, it is sent to the Town of Cortlandt and our prosecutor will be prosecuting anything that is sent to the Town of Cortlandt.

j. Administrator’s Report

Village Administrator Serrano stated that the paving contractor will be starting the paving throughout the Village on October 18. The work on the pavilion will start in November. The Rt. 9A sidewalk project is still a work in progress because the DOT is asking for additional documentation from the contractor. The work at the Village Circle is progressing. The gas line work on Broadway has started. They have requested police support be there due to cars bypassing the flagmen and almost being runover. They will cover the cost of the police overtime. Water bills have gone out and online payments are available.

k. Trustee’s Report

Trustee Murray said the 9/11 Ceremony was well attended in the Village of Croton. Trustee Murray attended the Buchanan firemen’s award brunch to celebrate the successes of our volunteer emergency responders in the fire department. All volunteer organizations are in dire need of volunteers. There are jobs for every person who wants to be involved no matter what age. Trustee Murray encourages everyone to get involved with their community. Trustee Murray questioned our contract with General Code. Village Administrator Serrano explained that General Code went through the Village Code and provided us suggested language that we either accept or modify. Village Attorney Porteus

said there were some multiple choice, but there are many areas where we have to look up general municipal law or some other law which left it completely up to us to search around and run around. There were numerous areas that would take a significant amount of work on our end. Trustee Murray would like clarification on our agreement with General Code. Trustee Murray thanked the Highway Department for installing a garbage pail across from Fat Sal's. Trustee Murray questioned the water surcharge bill. Village Administrator Serrano explained that he spoke with Montrose Improvement District who explained that the surcharge is based on the amount of water we purchase. As part of the NY City agreement each municipality who purchases water from the NYC water shed is allotted a certain amount of water and Montrose has to pay that back to NYC so the surcharge is based on total amount of consumption of water. Trustee Murray questioned when the PBA negotiator will be sitting down with the Board to discuss the contract negotiations. Village Administrator Serrano would like to do an advice from council meeting sometime in late October or early November for this discussion. Trustee Murray would like to receive notifications about the Westchester Municipal Officials Association meetings. Trustee Murray asked about the resolution to rescind the September 4, 2018 resolution regarding Siemen's.

Trustee Funchion read a few items that our Police Department responded to. Trustee Funchion thanked Chief Farrell and the Police Department for doing a great job. Trustee Funchion was honored to be the guest speaker at the 9/11 ceremony. He said let us never forget about what happened on 9/11 and hopefully one day we can have a Country united again like we were after 9/11. Trustee Funchion attended the September 25 Community Day at the pavilion. It was good to see everyone.

Trustee Capicotti asked about the sidewalk in front of Fat Sal's and did it sink because of any drainage issues or issues with the wall behind it. Trustee Capicotti said everyone did a great job at the Community Day and it was great to see everyone. It is nice that we have community events and we should do more of them.

Trustee Zachary was also at the Buchanan Engine Company awards brunch. The organization provides an indispensable service and it's a great bunch of people. Thank you to everyone involved. They gave an award to Robert Stein who has been a member for 70 years and Bernard Bleakley who has been a member for 60 years. Trustee Zachary would like the following items to be discussed at the next workshop: hiring a planner for the rezoning of Indian Point, Lents Cove Park, new entrance signs into the Village, and updating the table of use regulations,

1. Mayor's Report

Mayor Knickerbocker thanked the Highway Department for putting up the speed monitor on Tate Avenue. There will be another one put up on Westchester Avenue. The circle project is moving along. We are deciding on a tree. There will be a 25-foot flag pole put up there. We will announce when the daffodil planting will be. Mayor Knickerbocker congratulated Hank and Nancy Hrdlicka on their 50th Wedding Anniversary. Mayor Knickerbocker said the Buchanan Engine Company had a great brunch. Congratulations to 25-year members Stuart Bayer, Thomas Grant, Albert Small, Mario Cilento, Christopher Zale and Mike Eichler, Sr. 50-year members were Emil Novohradsky and George McNally. Thank you for your service in the Village and we thank all the volunteers. Buchanan Community Day worked out well. The fire department cooked the food and the police gave out the ice cream. Dennis Bleakley and Matt Glashoff did a great job with the entertainment. The Beautification Committee helped out with the pumpkin painting. Mayor Knickerbocker read a letter from Todd and Crystal Horgan thanking Chief Farrell and the Police Department for always being there for the Village children and informing the police that they are all appreciated by the Community. Mayor Knickerbocker thanked Chief Farrell and the Buchanan Police Department and said we are fortunate to have the police department and all the services we have in this Community.

Trustee Murray explained that a few months ago he had some confusion about how we could use the Recreation Fund money. He had quoted the law that was originally in place for that fund. In 2012 the language was changed for the fund and Trustee Zachary was correct on how we could use that fund.

7. **COMMENTS FROM THE FLOOR:** None
8. **EXECUTIVE SESSION:** None
9. **ADJOURNMENT:**

At 9:24PM a Motion to exit executive session and adjourn this meeting was made by Trustee Funchion, seconded by Trustee Zachary with all in favor.