

**Village of Buchanan  
Mayor & Board of Trustees  
Regular Meeting  
November 3, 2021**

**PRESENT: (This meeting was held Hybrid – In Person and Via Zoom)**

In Person:

Mayor Theresa Knickerbocker  
Trustee Sean Murray  
Trustee Anthony Capicotti

Via Zoom:

Trustees Richard A. Funchion  
Trustee Nicolas Zachary  
Village Administrator Marcus Serrano  
Village Attorney Stephanie Porteus  
Village Clerk-Treasurer Cynthia Kempter  
Highway Foreman Robert Wheeler

**1. PLEDGE OF ALLEGIANCE:**

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

**2. APPROVE MINUTES:**

September 28, 2021 Workshop Meeting: Trustee Funchion commented on the word expenditure on page 2 where Trustee Murray questioned if there would be a resolution at the next meeting for the repeal of the Sept 4, 2018 resolution for the expenditure of \$640,000. Discussion followed on the correct use of that term. Mayor Knickerbocker stated the agreement with Siemen's has been terminated. The minutes were not changed. A motion to approve the minutes was made by Trustee Zachary, seconded by Trustee Murray with all in favor. Mayor Knickerbocker did not cast a vote.

October 5, 2021 Board Meeting: A motion to approve the minutes was made by Trustee Zachary, seconded by Trustee Murray with all in favor. Mayor Knickerbocker did not cast a vote.

**3. COMMENTS FROM THE FLOOR (agenda items only): Eileen Absenger asked for clarification on letter e.**

**4. OLD BUSINESS:**

- a. Continuation of Public Hearing on the Sale of Cannabis Within the Village.  
A motion to open the public hearing was made by Trustee Murray, seconded by Trustee Capicotti with all in favor. Mayor Knickerbocker did not cast a vote.

Fran Diodati asked where cannabis would sold within the Village. Mayor Knickerbocker responded that the Board has not decided yet where it can be sold, if we opt in. Fran Diodati asked what lounges mean. Trustee Murray responded that they can consume the product they purchase on the premises. Fran Diodati said that she is against the sale of cannabis and the lounges. Eileen Absenger asked that if we opt in do we have to allow someone sell it since the zoning does not allow it. Village Attorney Porteus explained that the Village can't opt in and then make it impossible for anybody to do what we have allowed. The Village can regulate time, place and manner. A motion to close the public hearing was made by Trustee Murray, seconded by Trustee Zachary, with all in favor. Mayor Knickerbocker did not cast a vote.

## 5. **NEW BUSINESS:**

- a. Consider a Motion to Call for a Public Hearing on December 7, 2021 Regarding a Local Law to Amend the Code of the Village of Buchanan by Adding a New Chapter 70 Opting Out of the Licensing and Establishing of Retail Cannabis Dispensaries and On-Site Cannabis Consumption Establishments Within the Village of Buchanan.

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. Trustee Murray asked where the Pearl Harbor Day Ceremony was this year. Mayor Knickerbocker responded that she offered for the Village to do the Ceremony, but at this time we don't know where it will be.

- b. Consider a Motion to Award the Bid to W.D. Excavating & Contracting, Inc. for the Sanitary Manhole Repair Project 2021 at a Price Not to Exceed \$100,000.00.

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. Trustee Capicotti asked how many man holes are being repaired and the detail of that repair. Village Administrator Serrano replied that there are 5 manholes and they are injecting a sealer into the manhole to stop any water from entering the sewer system.

- c. Consider a Motion Authorizing an Agreement Between the Village of Buchanan and the New York State Department of Transportation to Allow for the Maintenance and Repair of Village Infrastructure Within the State Right of Way.

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.

- d. Consider a Motion to Accept Hardesty and Hanover Proposal Regarding a New Zoning District for the Indian Point Properties at a Cost of Approximately \$14,000.

A motion to approve this as presented was made by Trustee Funchion, seconded by Trustee Zachary. Mayor Knickerbocker voted yes, Trustee Murray and Trustee Capicotti voted no.

- e. Consider a Motion to Appoint Timothy Donahue as Seasonal Help at the Wastewater Treatment Plant at a Rate of \$20.00 per hour as of November 4, 2021.

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. Trustee Murray asked if this was discussed with the union.

**6. INFORMATION FROM OFFICERS & DEPARTMENTS:**

- a. Justice Report – September 2021  
Received and filed.
- b. Police Report – September 2021  
Received and filed.
- c. Highway Report – September 2021  
Received and filed.
- d. Wastewater Treatment Plant – September 2021  
Received and filed.
- e. Building Department – September 2021  
Received and filed.
- f. Buchanan Engine Company – September 2021  
Received and filed.
- g. Prosecutor’s Report – September 2021  
Received and filed.
- h. Engineer’s report – September 2021  
Received and filed.

i. Attorney's Report

Village Attorney Porteus advised that she is having a zoom meeting on November 8<sup>th</sup> with the Town of Cortlandt, a representative from the school district and the Riesel firm with respect to the Holtec appraisal. She will follow up with Glen Walker from the Sansoucy firm so the Board can look at two different cost analysis and theories on how to proceed to help us. Once that is decided, the meetings every month with Holtec will resume.

j. Administrator's Report

Village Administrator Serrano stated that the County is doing a Hazard Mitigation Program and George Pommer has been working on creating a Hazard Mitigation Plan for the Village. This will be presented to the Board for review.

k. Trustee's Report

Trustee Murray reminded everyone that on November 11<sup>th</sup> the annual Veterans Day Ceremony will be held at the Morabito Center on Westbrook Drive. Trustee Murray thanked Mayor Knickerbocker, Governor Hochul, Sandy Galef and Senator Harckham for the \$7,000,000 of the \$15,000,000 that Entergy was required to put aside for the local municipalities. Trustee Murray wondered if we were going to be meeting more in public. Mayor Knickerbocker stated that we are giving the option of a hybrid meeting.

Trustee Capicotti stated that there are construction projects going on in the Village, so please be mindful of that while driving on the streets. Trustee Capicotti also congratulated the Mayor on achieving what she did for the Village in getting the \$7,000,000. Trustee Capicotti thanked Chief Farrell and the Police Department for the great job they did on Halloween.

Trustee Funchion read a few items that our Police Department responded to. Trustee Funchion hoped that a lot of people would come to the Veterans Day Ceremony. Trustee Funchion suggested that since Supervisor Puglisi is retiring the Village Board should give her a plaque or proclamation.

Trustee Zachary said he sees the appeal of a live meeting, but for him it's just exercising an abundance of caution that makes him prefer to stay on zoom. Trustee Zachary said congratulations to Rich Becker and Jim Creighton for winning the election for Town Supervisor and Town Board Member. Trustee Zachary questioned if we could open the pavilion and tennis courts on a daily basis and close them at dusk? Trustee Zachary thanked the Mayor for the improvements that are going on in the Village Circle.

1. Mayor's Report

Mayor Knickerbocker announced that we were awarded \$7,000,000 from the Entergy community fund. This will go towards upgrading our Wastewater Treatment Plant. \$500,000 will be used for attorney and engineer fees to try to work out an IMA with the Town of Cortlandt so the Montrose Business District can connect to our Wastewater Treatment Plant. There are a lot of details that have to be worked out with this. There are four phases: first is the upgrade of the Wastewater Treatment Plant, second is the IMA with the Town, third is tank expansion and the fourth stage is the Albany Post Road pumping station. We also put in for the WQIP grant for the sewer treatment plant and that will be announced in December. If we get the WQIP grant that will free up some of the \$7,000,000. There is a percentage we have to pay in with the WQIP grant and we would be able to use a percentage of the money from the Entergy fund so the Village would not have to put out any money. This is a huge win for the Village. Mayor Knickerbocker thanked Governor Hochul and the Indian Point Task Force that worked so well with us and understood the need for our community. The Village Circle is almost complete. The wall has come out further so the tree has room enough to grow. The landscaping will be done in the spring. There have been comments about the wall appearing higher on one side than the other. We will be looking at that. The tree is a beautiful oriental spruce. On December 6<sup>th</sup> at 6:00 there will be a tree lighting out at the circle. Everything this year will be outdoors, so dress warm. There will be hot chocolate and cookie stations. The date for the planting of the daffodils will be announced on Facebook. Thank you to the Police and Fire Departments for keeping everyone safe on Halloween. Thank you to Nancy Bayer and the Beautification Committee for the Halloween parade at the pavilion. The kids had a great time.

7. **COMMENTS FROM THE FLOOR:**

Eileen Absenger thanked Mayor Knickerbocker for her hard work in obtaining the \$7,000,000. She also asked what happened with doing the work on the sidewalk in front of Fat Sal's. Mayor Knickerbocker explained that a temporary repair was done and we now have a price on fixing it, so the repair will be done shortly. Eileen Absenger stated that she saw Con Edison and the tree company at 144 Tate Avenue with regard to the dead tree. Highway Foreman Wheeler stated that Con Edison will be removing that tree because it is a danger to their wires. Eileen Absenger asked if the injuries that have been sustained are perils of the job or could they have been prevented. Highway Foreman Wheeler explained that they are perils of the job.

8. **EXECUTIVE SESSION:**

At 9:22PM a Motion to enter into Executive Session to discuss a personnel issue was made by Trustee Funchion, seconded by Trustee Murray with all in favor.

**9. ADJOURNMENT:**

At 9:37PM a Motion to exit executive session was made by Trustee Murray, seconded by Trustee Capicotti with all in favor. Mayor Knickerbocker did not cast a vote. At 9:37PM a Motion to adjourn this meeting was made by Trustee Murray, seconded by Trustee Funchion with all in favor. Mayor Knickerbocker did not cast a vote.