

**Village of Buchanan
Mayor & Board of Trustees
Regular Meeting
February 1, 2022**

PRESENT: (This meeting was held via Zoom)

Mayor Theresa Knickerbocker
Trustees Richard A. Funchion, Sean Murray, Nicolas Zachary.
Trustee Anthony Capicotti joined the meeting at 7:48
Village Administrator Marcus Serrano
Village Attorney Stephanie Porteus
Village Clerk, Treasurer Cynthia Kempter
Deputy Village Clerk Sharon Murphy
Highway Foreman Robert Wheeler
Recreation Supervisor Nancy Bayer

1. PLEDGE OF ALLEGIANCE:

Mayor Knickerbocker called the meeting to order at 7:30PM. She led the Pledge of Allegiance. A moment of silence was held for Sergeant Mike Guida. Mike was always willing to lend a hand and had a great sense of humor. He enjoyed making people laugh. Thank you for your 27 years of service to the Village of Buchanan. You will be missed.

2. APPROVE MINUTES:

December 7, 2021 Board Meeting: A motion to approve the minutes as presented was made by Trustee Funchion, seconded by Trustee Murray with all in favor and Trustee Capicotti absent. Mayor Knickerbocker did not cast a vote. Trustee Zachary mentioned that we should get full names from everyone who speaks.

December 28, 2021 Workshop Meeting: A motion to approve the minutes as presented was made by Trustee Murray, seconded by Trustee Funchion with all in favor and Trustee Capicotti absent. Mayor Knickerbocker did not cast a vote.

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

4. NEW BUSINESS:

- a. Consider a Motion to Continue the Public Hearing Authorizing Adoption of a Local Law Amending Chapter 181 Entitled Taxation to the Code of the Village of Buchanan to Add an Exemption for Members of Volunteer Fire Departments and Ambulance Corps.

A Motion to Continue the Public Hearing was made by Trustee Funchion and seconded by Trustee Zachary, with all in favor and Trustee Capicotti absent. Mayor Knickerbocker explained that this is an exemption of 10% of the assessed value of residential property owned by eligible persons or an eligible person and spouse with respect to Village taxes. This will be on the ballot on the March election. There were no public comments. A motion to close the public hearing was made by Trustee Funchion, seconded by Trustee Murray, with all in favor and Trustee Capicotti absent. Mayor Knickerbocker did not cast a vote.

- b. 2022-07 Resolution to Adopt Local Law #2 Amending Chapter 181 Entitled Taxation to the Code of the Village of Buchanan to Add an Exemption for Members of Volunteer Fire Departments and Ambulance Corps.

A motion to approve this as presented was made by Trustee Funchion, seconded by Trustee Zachary, and Mayor Knickerbocker approving, Trustee Capicotti absent and Trustee Murray abstained. Trustee Murray stated that there is a job for everyone that joins the fire department and new members can obtain some type of tangible benefit other than the self-satisfaction of being a volunteer. Trustee Murray said that he is an active fireman and a member of LOSAP and since this legislation will directly financially benefit him, he will abstain from this vote.

WHEREAS, a motion was duly adopted 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, or by zoom to hear all interested parties on a proposed Local Law to amend Chapter 181 entitled "Taxation" to the Code of the Village of Buchanan to add an exemption for Members of Volunteer Fire Departments and Ambulance Corps; 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 January 4, 2022 at 7:30 p.m. at the Municipal Building, 236 Tate Avenue, Buchanan, New York, and continued at the regularly scheduled meeting of the Village Board on February 1, 2022 or by zoom 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. 2-2022 amending Chapter 181 entitled "Taxation" to the Code of the Village of Buchanan. This resolution will appear on the ballot at the general election in March.

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 if approved at the general election in March, 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.

Carried by the Following Votes:

AYES: Trustee Funchion, Trustee Zachary, Mayor Knickerbocker
NAYS: None
ABSENT: Trustee Capicotti
ABSTAINED: Trustee Murray

- c. Consider a Motion to Approve the Volunteer Firefighters that have met the required 50 Points for the Service Award Program as Provided by the Village of Buchanan Fire Department and Attached Hereto.

Village Administrator Serrano stated that if the Board accepts this, then the fire department has to post this for 30 days to see if there is any objection. If there is no objection than this can be submitted.

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

- d. Consider a Motion to Increase Summer Camp Fees.

Recreation Supervisor Bayer would like to increase the salary line for camp by an additional \$15,000. This can be covered by raising the resident rate by \$30 for six weeks (from \$520 to \$550) and \$15 for three weeks (\$285 to \$300); and by raising the non-resident rate by \$50 for six weeks (\$820 to \$870) and \$25 for three weeks (\$435 to \$460).

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.

- e. Consider a Motion to Set the Hours of Use for the Ice-Skating Rink.

Recreation Supervisor Bayer recommends the hours to be: Friday 4:00pm – 8:00pm, Saturday 12:00pm – 8:00pm and Sunday 12:00pm – 8:00pm, but the hours can change as necessary.

Laura Wenz questioned if the rink is only for residents and will there be any fees.

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.

- f. Consider a Motion to Determine Residency Requirements for Using the Ice-Skating Rink and Children 11 and Under must be Supervised by an Adult, 18 years of age or older.

For this season, the ice rink will be limited to residents and guests of residents. Children 11 and under must be supervised by an adult, 18 years of age or older.

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.

- g. Consider a Motion to Hire Part-Time Employees for the Ice-Skating Rink at 18.00/hr.

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.

- h. Consider a Motion to Enter into an Agreement with Westchester County for the use of Voting Machines for the March 15, 2022 General Village Election.

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

- i. Consider a Motion to Appoint Election Inspectors for the March 15, 2022 General Village Elections. The Pay Schedule is Chairman - \$195.00/day; Inspector - \$180.00/day; and Alternate Inspector - \$90.00/day.

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.

- j. Consider a Motion to Approve the Request from Empire Solar for a solicitation permit.

Empire Solar would like permission for three sales representatives to go door to door between the hours of 12:00pm – 6:00pm, Monday – Saturday, but not more than two times a week.

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.

- k. Consider a Motion to Enter into an Agreement with the Tri State- EAP Services for the Employee Assistance Program (EAP).

This will cover all the Village employees and their eligible dependents.

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.

- l. Consider a Motion to Approve Including Town of Cortlandt Residents in the Residency Requirements for the Election Inspectors.

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

- m. Consider a Motion to Accept the Proposal from Capital Markets Advisors, LLC to provide consulting services related to the American Rescue Plan.

Village Administrator Serrano stated that as discussed, the federal stimulus money provided comes with reporting requirements. Capital Markets will help with the process.

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.

- n. Consider a Motion to Authorize the Mayor to Execute the Cooperative Agreement Pertaining to the Indian Point Settlement Fund with the State of New York and the Town of Cortlandt.

Mayor Knickerbocker explained that in Entergy's closure agreement with the state they agreed to a \$15,000,000 fund that was to be used for community and environmental. The State has their own requirements on this fund and has \$7,000,000 for the Village to upgrade the wastewater treatment plant in conjunction with the Town connecting to the plant. The Village has worked out an agreement with the State and the Town of Cortlandt so the Town can connect into our sewer treatment plant and pay for that usage. Mayor Knickerbocker said that this is a huge win for the future of this Village. We will have the money to upgrade our sewage treatment plant for future capacity and development. The Village was also awarded \$1,600,000 from the WQIP grant. Trustee Murray mentioned that the next step is working out an intermunicipal agreement with the Town of Cortlandt.

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.

- o. Consider a Motion to Appoint Edward R. Mevec to the Assessment Review Board with the Term ending March 2025 contingent of verification of no conflict of municipal law.

Trustee Murray questioned if Mr. Mevec would be allowed to hold two appointed positions. Village Attorney Porteus will research this.

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

- p. Resolution Appropriating American Rescue Plan Act Funds to Wastewater Infrastructure Repairs and Professional Administrative Services.

Mayor Knickerbocker explained that these funds will be used for manholes and consultants to administer the plan.

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.

5. INFORMATION FROM OFFICERS & DEPARTMENTS:

- a. Justice Reports – December 2021

Received and filed.

- b. Police Report – December 2021

Received and filed.

- c. Highway Report – December 2021

Received and filed.

- d. Wastewater Treatment Plant – December 2021

Received and filed.

- e. Building Department – December 2021

Received and filed.

- f. Planning Board – November 18, 2021

Received and filed.

- g. Zoning Board – December 9, 2021

Received and filed.

- h. Buchanan Engine Company – December 2021

Received and filed.

- i. Prosecutors Report – January 2022

Received and filed.

j. Attorney's Report

Village Attorney Porteus has an executive session item re negotiations.

k. Administrator's Report

Village Administrator Serrano stated that the DOT has finally approved everything for the Rt.9A sidewalks. A pre-construction meeting is being set up. The electrician on the pavilion project had a health issue and we don't have an update on that, but the contractor has ordered the materials for that project. Village Engineer Pommer has submitted all the documentation to the DEC regarding the kayak dock and is waiting for comments. The Con Ed gas replacement on Tate Avenue has been delayed due to the cold weather.

l. Trustee's Report

Trustee Zachary said there have been challenges in the past few years, but he is excited to see what is going on – the kayak dock, a new sidewalk on Rt.9A, the skating rink, the sewer agreement and the grant funding we got for it and the negotiations with Holtec for a new PILOT agreement. There is a lot going on right now. Trustee Zachary responded to the rumor that he wants to dissolve the police department. He wanted to correct this because it couldn't be farther from the truth.

Trustee Funchion agreed with Trustee Zachary about the police. He has met with each one and they are outstanding people. Trustee Funchion talked about some calls the police responded to lately. Trustee Funchion wished everyone a Happy Valentine's Day.

Trustee Capicotti agreed with Trustee Zachary that there are a lot of things going on in the Village and he is excited to be part of what is going on. Trustee Capicotti thanked the DPW for the wonderful job they did with the snow clean up.

Trustee Murray wanted all the Vets to know that the VA has once again allowed Veterans to come to the food pantry on Tuesday, Wednesday and Thursday from 9:00am to 12:00pm. Trustee Murray stated that NYS is debating whether to enact a new tax on carbon dioxide emissions. He wanted to know if the Village would entertain the elected officials writing a letter to our representatives in the State to oppose this carbon tax. This carbon tax is on your gasoline, fuel oil, electricity, and natural gas. This carbon tax is vague on where this money would go. We should ban together and oppose this tax for our residents. Trustee Murray thanked Highway Foreman Wheeler for taking down the no parking signs on Bleakley Avenue. Trustee Murray thanked the building department for having Sav-A-Tree remediate all the illegal dumping they were doing. Trustee Murray mentioned to Trustee Zachary that a reason someone might have misconstrued his position on the police department was because at the caucus a resident asked why we still have

a police department and his response was that he is open to a discussion. Trustee Zachary responded that we have to listen to the residents on both sides at all times. Trustee Murray asked if we could go over the budget at the next workshop.

m. Mayor's Report

Mayor Knickerbocker stated there will be a special meeting for the planner and the rezoning of Indian Point property on February 23rd. Mayor Knickerbocker commented on the wall at the circle. The money was given to us from Entergy and there was no cost to the Village. The highway department installed the flag pole, but the landscaping is not finished. This is still a work in progress, so please be patient.

Trustee Zachary mentioned the code review. He sent in his comments. If anyone needs clarification, please call him. There are a few things that the Board has to discuss and agree on. A meeting needs to be set up to discuss.

6. COMMENTS FROM THE FLOOR:

Eileen Absenger stated that the Commercial Liberty to Solicit group is why we are not able to have a list of residents who do not want solicitors at their door. Eileen Absenger questioned the letter Mayor Knickerbocker sent to the Board of Ethics and asked if it would be back before the election. Mayor Knickerbocker said that this is just an advisory opinion, there are no charges being filed. Trustee Murray asked again for a copy of the letter sent to the County and stated he did not work for Holtec, his employer was Comprehensive Decommissioning Inc., which is a subsidiary of a Canadian company. Mayor Knickerbocker mentioned that Holtec is no longer going to be dealing with CDI and that CDI employees will be Holtec employees. Trustee Murray responded that happened last week.

Sean Murray is now speaking as a resident, not a Trustee. He wanted to congratulate everyone for being nominated by their individual parties and are going to be running for election. Both parties have a full slate of good people who have a lot of information and knowledge. He looks forward to this campaign. Sean Murray would like to challenge Mayor Knickerbocker to a debate. Mayor Knickerbocker responded that when we are in a Board Meeting we are discussing Village business, and it's about the Village and not about politics. She believes it is an inappropriate time to ask about a debate and they can have this discussion offline.

7. EXECUTIVE SESSION:

At 9:58PM a Motion to enter into Executive Session to discuss personnel and negotiations was made by Trustee Murray, seconded by Trustee Zachary with all in favor. Mayor Knickerbocker did not cast a vote.

8. ADJOURNMENT:

At 10:16PM a Motion to exit executive session was made by Trustee Funchion, seconded by Trustee Zachary with all in favor. Mayor Knickerbocker did not cast a vote. At 10:16PM a Motion to adjourn this meeting was made by Trustee Funchion, seconded by Trustee Murray with all in favor. Mayor Knickerbocker did not cast a vote. No funds were expended.