

**Village of Buchanan
Mayor & Board of Trustees
Regular Meeting
June 7, 2022**

PRESENT: (This meeting was held live and via Zoom)

Mayor Theresa Knickerbocker
Trustees Steven Laker, Sean Murray, Daniel Stewart
Trustees Anthony Capicotti (arrived at 7:15 P.M.)
Village Administrator Marcus Serrano
Village Attorney Stephanie Porteus
Village Clerk, Treasurer Cynthia Kempter
Deputy Village Clerk Sharon Murphy
Village Planner David Smith

1. PLEDGE OF ALLEGIANCE:

Mayor Knickerbocker called the meeting to order at 7:02 P.M. She led the Pledge of Allegiance.

2. APPROVE MINUTES:

April 26, 2022 Workshop Meeting: A motion to approve the minutes as presented was made by Trustee Murray, seconded by Trustee Stewart with all in favor and Trustee Capicotti absent.

May 3, 2022 Board Meeting: Trustee Laker mentioned that the previous Board was listed on the minutes. A motion to approve these minutes as amended was made by Trustee Murray, seconded by Trustee Stewart with all in favor and Trustee Capicotti absent.

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

4. PRESENTATIONS:

Mayor Knickerbocker presented plaques to the following people:
Kaylee Riecke for being the first person to skate on our new skating rink.
Richard Funchion, Duane Jackson, Cesare Pasquale and Nicolas Zachary for their dedication and service to the Village of Buchanan.

5. NEW BUSINESS:

- a. Consider a Motion to Open the Public Hearing on Local Law #6-2022 Amending Chapter 155 Entitled Sewers to the Code of the Village of Buchanan.

A motion to open the public hearing was made by Mayor Knickerbocker, seconded by Trustee Capicotti, with all in favor.

Mayor Knickerbocker explained that on the recommendation of the Village Engineer we have updated our code. There were no public comments.

A motion to close the public hearing was made by Mayor Knickerbocker, seconded by Trustee Stewart, with all in favor.

- b. 2022-13 Resolution to Adopt Local Law #6-2022 Amending Chapter 155 Entitled Sewers to the Code of the Village of Buchanan.

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

WHEREAS, a resolution 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, to hear all interested parties on a proposed Local Law amending Chapter 155 entitled "Sewers" 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 June 7, 2022 at 7:30 P.M. at the Municipal Building, 236 Tate Avenue, Buchanan, New York, 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. 6-2022 amending Chapter 155 of the Code of the Village of Buchanan, a copy of which is attached hereto and made a part of this resolution; and

BE IT FURTHER RESOLVED that the Village Clerk be and he 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.

- c. 2022-14 Resolution Authorizing the Mayor to Execute a Payment in Lieu of Tax (“PILOT”) Agreement with Nuclear Asset Management Company LLC and Holtec Decommissioning International, LLC.

Mayor Knickerbocker stated that the Village has come to an agreement with Holtec for the next four years. For the first year, the PILOT will be \$1,200,000 and \$200,000 more for infrastructure. For the tax year 2023-2024 the PILOT will be \$1,100,000 and the infrastructure amount will be \$300,000; for 2024-2025 the PILOT will be \$1,000,000 and the infrastructure amount will be \$400,000; the 2025-2026 year is an option and if used, the PILOT will be \$900,000 and the infrastructure payment will be \$300,000. The 60 acres should be released in 2024 or 2025.

A motion to approve this as presented was made by Mayor Knickerbocker, seconded by Trustee Stewart, with all in favor and Trustee Murray abstained.

WHEREAS, after negotiations with NUCLEAR ASSET MANAGEMENT COMPANY, LLC and HOLTEC DECOMMISSIONING INTERNATIONAL, LLC (the “Company”) owner of Indian Point 2 & 3 and associated property, and equipment, (the “Facility”), a Payment in Lieu of Tax (“PILOT”) Agreement has been received and reviewed by the Board of Trustees of the Village of Buchanan (the “Village”); and

WHEREAS, New York Real Property Tax Law (“RPTL”) Section 485 permits the exemption from taxation of nuclear-powered electric generating and formerly generating facilities upon adoption of a local law or resolution by any tax jurisdiction in which such a facility is located to confer the exemption and to authorize said tax jurisdiction to enter into an agreement with the owner of such a facility to provide for payments in lieu of taxes; and

WHEREAS, pursuant to Local Law 5 of 2022, duly adopted on May 3, 2022, the Village provided for exemption of nuclear-power electric generating and formerly generating facilities from taxation, special ad valorem levies and special assessments imposed by or within the Village; and

WHEREAS, the PILOT Agreement, annexed hereto, will be for a period of three (3) years with an option for a fourth (4th) year and will exempt the Facility from the real property tax assessment rolls of the Village of Buchanan as authorized by Section 485 of the Real Property Tax Law of the State of New York; and

WHEREAS, the proposed PILOT provides for a payment of over \$4,200,000.00 over the life of the Agreement to the Village of Buchanan and will provide for a stable stream of revenue.

NOW BE IT THEREFORE RESOLVED that the Village Board approves the proposed PILOT Agreement providing for annual payments as set forth in such Agreement; and

BE IT FURTHER RESOLVED that the Mayor of the Village of Buchanan

is hereby authorized to execute and deliver the foregoing PILOT Agreement on behalf of the Village of Buchanan; and

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

Mayor Knickerbocker gave kudos and recognition to our Village Attorney Stephanie Porteus. She was on the forefront of the negotiations with Holtec and going back and forth until she was exhausted. Village Administrator Serrano also had a lot of input and worked a lot with the infrastructure agreement. Good job to you both.

- d. 2022-15 Resolution Authorizing the Mayor to Enter into an Infrastructure Agreement with Nuclear Asset Management Company, LLC and Holtec Decommissioning International, LLC.

A motion to approve this as presented was made by Mayor Knickerbocker, seconded by Trustee Capicotti, with all in favor and Trustee Murray abstained.

WHEREAS, the Village of Buchanan (“Village”) has been in negotiations with Nuclear Asset Management Company, LLC and HOLTEC Decommissioning International, LLC (the “Company”) with respect to the Village seeking compensation for unique infrastructure impacts associated with its hosting a formerly generating nuclear power facility during its decommissioning; and

WHEREAS, the Village and the Company have come to an agreement wherein the Company has agreed to compensate the Village for said infrastructure impacts on an annual basis beginning with its first payment of \$200,000.00 on or before June 30, 2022 and continuing pursuant to the scheduled amounts contained within the Infrastructure Agreement, along with a 2% annual increase, for a period of three (3) years with a fourth year option to renew unless earlier terminated pursuant to the terms of the Agreement; and

WHEREAS, the Village is desirous of entering into said Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor is hereby authorized to sign said Agreement, a copy of which is annexed hereto and available to the public for review during normal business hours.

- e. Consider a Motion to Accept the Resignation of Joseph Velders

A motion to approve this as presented was made by Mayor Knickerbocker, seconded by Trustee Stewart, with all in favor.

- f. Consider a Motion Authorizing the Employment of Recreation Personnel for the Camp at the Following Rates:

Director	\$6,050.00
Assistant Director	\$4,550.00
Nurse	\$18.00/hr.
Laborer	\$15.00/hr.
Art Specialist	\$15.00/hr.
After Care	\$13.00/hr.
Senior Counselors	\$12.00/hr.
Junior Counselors	\$10.00/hr.
Junior CIT	\$8.00/hr.
CIT	\$4.50/hr.

A motion to approve this as presented was made by Mayor Knickerbocker, seconded by Trustee Capicotti, with all in favor.

- g. Consider a Motion Authoring the Employment of Recreation Personnel for the Pool at the Following Rates:

WSI	\$25.00/hr.
Director	\$20.00/hr.
Lifeguard vary with experience	\$14.00 - \$18.00/hr.
Head Guard	\$17.00/hr.

A motion to approve this as presented was made by Mayor Knickerbocker, seconded by Trustee Laker, with all in favor.

- h. Consider a Motion to Approve the Proposal from Planning & Development Advisors

Village Administrator Serrano mentioned that our contract has expired with the previous planner and we will be contracting with David Smith from Planning & Development Advisors. Mr. Smith spoke that he walked on the 60 acres at Indian Point and feels that this is a tremendous opportunity for the Village to begin exploring the possibilities for the redevelopment of that site.

A motion to approve this as presented was made by Mayor Knickerbocker, seconded by Trustee Stewart, with all in favor.

- i. Consider a Motion to Increase the Maintenance Bond Requirements for Road Opening Permits to Five Years

A motion to approve this as presented was made by Mayor Knickerbocker, seconded by Trustee Laker, with all in favor.

6. INFORMATION FROM OFFICERS & DEPARTMENTS:

- a. Justice Reports – April 2022

Received and filed.

- b. Police Report – April 2022

Received and filed.

- c. Highway Report – April 2022

Received and filed.

- d. Wastewater Treatment Plant – April 2022

Received and filed.

- e. Building Department – April 2022

Received and filed.

- f. Planning Board – April 21, 2022

Received and filed.

- g. Zoning Board – January 12, 2022

Received and filed.

- h. Buchanan Engine Company – April 2022

Received and filed.

- i. Prosecutors Report – May 2022

Received and filed.

- j. Attorney's Report

Village Attorney Porteus has an item for executive session.

- k. Administrator's Report

Village Administrator Serrano updated the Board on Rt9A sidewalks. The contractor should be completely finished by the end of this month. The Pavilion work is totally completed and the lights were installed at the tennis courts. Village Administrator Serrano asked the Board what they would like to do with the tennis courts – redo the tennis courts as they are, turn them into basketball

courts or maybe changed them to pickleball courts. We have replied for reimbursements for the pavilion and Rt9A.

l. Trustee's Report

Trustee Murray thanked everyone who came to the Memorial Day Parade. He thanked BV School and Frank G. Lindsey for inviting Veterans to speak at the school and march in their parades. Trustee Murray stated that there is a Veterans picnic on June 15 at noon at Charles Cook Pool. Trustee Murray spoke to the Planning Board Chairman about any comments he may have about the accessory apartment law that he is looking to change. Trustee Murray asked if any of the Trustees have any comments before he writes the final draft. Trustee Murray would like to discuss the Prosecutors report in executive session.

Trustee Laker mentioned that he attended the Cortlandt Engine Co. parade with Trustee Stewart. He would like to congratulate Buchanan Fire Dept. for winning Best Dressed and Best Pumper. Trustee Laker would like to look into getting a crosswalk on Albany Post Road near the Dunkin Donuts. Trustee Laker asked if we could get a bigger screen that could mount on the ceiling for the public to view and presentations during a meeting.

Trustee Stewart mentioned that the local school elections were held and the new Board members are Jeremy Basso, Erica Mills and Stephanie Hickey. Trustee Stewart said he had many inquiries about the abandon houses on Bannon Avenue and Bleakley Avenue. Mayor Knickerbocker stated that the Bannon Avenue house is owned by the Town of Cortlandt and should be going up for sale in the near future.

Trustee Capicotti had the honor of marching in the Memorial Day parade with our Veterans and Mayor Knickerbocker. Both the Mayor and Trustee Murray gave a history lesson in their speeches. Trustee Capicotti thanked the previous Board for the job they did. Trustee Capicotti thanked Village Administrator Serrano and Village Attorney Porteus for the great job they did on the Holtec agreements. Trustee Capicotti would like to look in changing the Village speed limit to 25-mph.

m. Mayor's Report

Mayor Knickerbocker mentioned that the week of June 13th, Buchanan-Verplanck School is celebrating their 50th Anniversary.

7. **COMMENTS FROM THE FLOOR:**

Nick Zachary gave an update on the LWRP. At some point, the Board will have to review the LWRP and to hold a public hearing and approve the LWRP. The State

also has to approve this and that may take a year or two to complete the process. Nick Zachary asked if the Board has decided about the logo redesign contest. Mayor Knickerbocker said that they will discuss it at the next workshop meeting. Nick Zachary asked about the progress of the kayak dock.

Eileen Absenger questioned about the comments Stephanie and Marcus made after Trustee Capicotti mentioned the 25-mph speed limit. Trustee Murray replied that the legislature just passed a law that has allowed villages and cities to reduce their speed limit to 25-mph.

Mayor Knickerbocker stated to this Board that she looks forward to working with them as we re-invent our Village. We have a bright future ahead of us.

8. **EXECUTIVE SESSION:**

At 8:25P.M. a Motion to enter into Executive Session to discuss personnel, contractual negotiations and the prosecutors report was made by Mayor Knickerbocker, seconded by Trustee Murray with all in favor.

9. **ADJOURNMENT:**

At 9:20P.M. a Motion to exit executive session was made by Mayor Knickerbocker, seconded by Trustee Stewart with all in favor. At 9:20P.M. a Motion to adjourn this meeting was made by Mayor Knickerbocker, seconded by Trustee Stewart with all in favor. No funds were expended.