

**Village of Buchanan  
Mayor & Board of Trustees  
Regular Meeting  
December 6, 2022**

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

Mayor Theresa Knickerbocker  
Trustees Anthony Capicotti, Steven Laker, Daniel Stewart  
Village Administrator Marcus Serrano  
Village Attorney Stephanie Porteus  
Village Engineer George Pommer  
Village Clerk, Treasurer Cynthia Kempter  
Deputy Village Clerk Sharon Murphy (via Zoom)  
Assistant Building Inspector Peter Cook

**ABSENT:**

Trustee Sean Murray

**1. PLEDGE OF ALLEGIANCE:**

Mayor Knickerbocker called the meeting to order at 7:03 P.M. She led the Pledge of Allegiance.

**2. APPROVE MINUTES:**

October 25, 2022 Workshop Meeting: A motion to approve the minutes as presented was made by Mayor Knickerbocker, seconded by Trustee Capicotti with all in favor and Trustee Murray absent.

November 1, 2022 Board Meeting: A motion to approve the minutes as presented was made by Mayor Knickerbocker, seconded by Trustee Capicotti with all in favor and Trustee Murray absent.

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

**4. NEW BUSINESS:**

- a. Consider a Motion to Call for a Public Hearing on January 3, 2023 Regarding Overriding the NYS Property Tax.

A motion to call for a public hearing was made by Mayor Knickerbocker,

seconded by Trustee Stewart with all in favor and Trustee Murray absent.

- b. Consider a Motion to Retain the Services of Dr Philip Grealy, P.E. from Colliers Engineering & Design as the Traffic Engineer for the AMS Housing Project.

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

- c. Consider a Motion to Approve the Carry-Over of 10.5 Vacation Days for the Village Administrator.

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

- d. Consider a Motion to Authorize the Village Administrator to Obtain an Appraisal and Survey for the Village Owned Property on Albany Post Road and Bleakley Avenue.

Village Administrator Serrano stated that the Village hired Joe Lapolla to be our real estate agent and he highly recommends the Village to have a survey and an appraisal done on the property. Village Administrator Serrano received a quote for \$2,975.00, \$1,500.00 for 10 stakes and \$195.00 for a CAD. Trustee Capicotti felt this was a high price and will send Village Administrator Serrano some recommendations. This motion was tabled.

- e. Discussion with Village Engineer on Potential Sewer Connection.

Village Engineer Pommer gave an overview of the engineering of the Quarry Property if the Village agreed to allow this parcel access to the Village wastewater system. There would need to be a pump station and a forced main to connect to our system. From there it would connect to the gravity main and down Bleakley Avenue to the pump station. Trustee Capicotti asked about the Montrose corridor and if it would be the same type of circumstance as the Quarry where you would be pushing the flow to a gravity fed main. Village Engineer Pommer stated that was correct. We don't know where the pump station would be located. If it was located on the road, we could potentially take it over. If the pump station were to be located inside the site on private property, the Village would need an easement to get to the pump station to take care of it. It is typical to tell the owner that it would be their pump station and they own it and take care of it. Both scenarios have been used in other municipalities and they both have their pluses and minuses. The downside on not having control, is that is something goes wrong, the Village is potentially responsible. There was more discussion on hooking up the Quarry. Village Engineer Pommer suggested putting language in the IMA

pertaining to upgrading the Bleakley Avenue pump station if necessary. Village Engineer Pommer stated that he, Stephanie and Marcus have tried to put every protection possible in the IMA. Village Attorney Porteus stated that that is why having the reopener is really critical since we can't anticipate everything. Village Attorney Porteus stated that so far, the Town has not been willing to sign the agreement we wrote.

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

- a. Justice Reports – October 2022

Received and filed.

- b. Police Report – October 2022

Received and filed.

- c. Highway Report – October 2022

Received and filed.

- d. Wastewater Treatment Plant – October 2022

Received and filed.

- e. Building Department – October 2022

Received and filed.

- f. Buchanan Engine Company – October 2022

Received and filed.

- g. Prosecutor's Report – November 2022

Received and filed.

- h. Attorney's Report

Village Attorney Porteus stated that she received a licensing agreement from the attorney for the parking issue on White Street. She needs a few exhibits and to go back to the attorney and will get back to the Board in a few weeks.

Regarding AMS, Village Planner Smith and Village Attorney Porteus are now in possession of a petition for their project. They have a couple of suggestions and

are asking for some changes before they bring it to you. This should be relatively quickly. Village Attorney Porteus needs to discuss the John Doe issue and the IMA in executive session.

i. Administrator's Report

Village Administrator Serrano gave an update on the gas boiler replacements. Con Edison has put the tap and the valve in the grass area. When the lines were being marked, they found a lot of interference from other underground lines. We did a new scope of work that will require hand digging before using machinery in order to protect the utilities. There are four contractors that are interested. There will be a pre-bid walk through for contractors to replace the boiler. The bid specs are on our website. The bids will be opened on December 19<sup>th</sup>. Plans came in for the Carbone property located across from the High School. The application shows 51 units and a commercial property.

j. Trustee's Report

Trustee Laker stated that in regards to the water rate issue he wants to know exactly what the Village spent and what the usage was for that period of time in order to determine what the actual rate is. He is wondering if we are over charging our residents. Until he sees the actual information, it still leaves a question in his mind. Village Administrator Serrano stated that two years ago there was a fund balance increase of \$200,000 and this current year is an increase of \$100,000. This is the actual profit that the Village made between expenses and revenues. When this year's audit is finished, it is liable to be \$50,000 - \$100,000 fund balance. Trustee Laker asked if we have the actual cost of the water we purchased. He would like to see the actual invoices from Montrose Improvement District and Peekskill. Trustee Laker stated regarding accessory apartments, we had a meeting with the Planning and Zoning Boards and he has been working with Assistant Builder Inspector Cook and Village Attorney Porteus and now we are at the point to bring the document to the Village Board. Trustee Laker stated that our current website is outdated. He has a quote from Civic Plus and would like to add this discussion to our next workshop. Trustee Laker asked for a follow up on the Village signs. Mayor Knickerbocker replied that she has prices from two companies, but feels they should not be installed until the Spring. Mayor Knickerbocker would like to add a third sign by Lents Cove. Trustee Laker asked about lot coverage issue. Village Administrator stated that Village Planner Smith will be at the next workshop. Trustee Laker stated that he and Village Administrator Serrano met with Craig Olivo regarding the PBA contract. This can be discussed in executive session,

Trustee Stewart stated that the home on Bannon Avenue was sold at auction. He reminded us that there is no on street overnight parking during the winter months. Trustee Stewart thanked everyone involved in the Christmas Tree Lighting. Trustee Stewart reminded us that tomorrow is Pearl Harbor Day. Mayor Knickerbocker announced that there will be a Pearl Harbor Day Ceremony tomorrow at noon at Village Hall.

Trustee Capicotti thanked everyone who came out for the tree lighting. Trustee Capicotti touched back on the IMA and stated that it is a good deal and he hopes this deal gets done soon. Trustee Capicotti stated that he is obligated to the Village to do what he believes is right. Trustee Capicotti is not trying to argue with the Mayor, he is just trying to get this done. This is a situation that he feels is best for the Village. Trustee Capicotti believes that getting a new wastewater treatment plant for our Village is going to move us into the future. You hear about all the development we are talking about. This development is our future. With the loss of Entergy's income, we need to subsidize with building and that is how we are going to make up the difference. In order to it, our biggest asset which is the wastewater treatment plant, needs to be upgraded. Trustee Capicotti stated that if our Board can work together and come to an agreement, this is our path to the future. We should protect it, but also utilize it. Trustee Capicotti stated that as parents, we need to tell our children that it is illegal to ride ATV's in the street.

k. Mayor's Report

Mayor Knickerbocker said that we received an email from a resident regarding the ATV's. She doesn't feel that people don't understand how dangerous they can be. This is for the safety of everyone and we don't want to see anyone get hurt. Mayor Knickerbocker thanked everyone involved in the Christmas Tree Lighting. Thank you to the Buchanan Fire Department for everything that you do for the Village. We appreciate it.

6. **COMMENTS FROM THE FLOOR:** None.

7. **EXECUTIVE SESSION:**

At 8:20 P.M. a Motion to enter into Executive Session to discuss contractual and litigation was made by Mayor Knickerbocker, seconded by Trustee Stewart with all in favor and Trustee Murray absent.

8. **ADJOURNMENT:**

At 9:45 P.M. a Motion to exit executive session was made by Mayor Knickerbocker, seconded by Trustee Capicotti with all in favor and Trustee Murray absent.

At 9:45 P.M. a Motion to adjourn this meeting was made by Mayor Knickerbocker, seconded by Trustee Stewart with all in favor and Trustee Murray absent. No monies were expended.