

**Village of Buchanan
Mayor & Board of Trustees
Regular Meeting
January 3, 2023**

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

Mayor Theresa Knickerbocker
Trustees Anthony Capicotti, Steven Laker, Sean Murray, Daniel Stewart
Village Administrator Marcus Serrano
Village Attorney Stephanie Porteus
Village Planner David Smith
Village Clerk, Treasurer Cynthia Kempter
Deputy Village Clerk Sharon Murphy
Assistant Building Inspector Peter Cook

1. PLEDGE OF ALLEGIANCE:

Mayor Knickerbocker called the meeting to order at 7:00 P.M. She led the Pledge of Allegiance.

2. PRESENTATION:

Eric Singer, Director of EMS for the Cortlandt Ambulance Corp. gave a presentation on how the ambulance corp. works, the tax district and the number of calls they make. Also attending were Patty Singer, Assistant Director; Barbara Fay, Assistant Director and Bob Ferguson, Board of Directors.

3. COMMENTS FROM THE FLOOR (agenda items only):

Nick Zachary commented about accessory apartments.

4. NEW BUSINESS:

a. Consider a Motion to Open the Public Hearing Overriding the NYS Property Tax

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

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

b. 2023-01 Resolution to Adopt Local Law #1 Overriding the Property Tax Cap

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

WHEREAS, the State Legislature and the Governor enacted legislation that establishes a “property tax levy cap” on the amount that a local government’s property tax levy can increase each year; and

WHEREAS, under this law, the total amount to be raised through property taxes charged on the municipality’s taxable assessed value of property, will be capped at 2 percent or the rate of inflation, whichever is less, with some exceptions; and

WHEREAS, the state legislation provides for local governments to override the cap to protect the Village from unforeseen financial circumstances; and

WHEREAS, state legislation requires that in the event that an override is necessary, the law enabling it must already have been adopted by the Board of Trustees; and

WHEREAS, Local Law Introductory No. 1 of 2023 has been drafted to override the “property tax levy cap” law enacted by State Legislature if necessary; and

WHEREAS, a Public Hearing was held and closed on January 3, 2023.

NOW, THEREFORE BE IT RESOLVED: that the Village Board of Trustees hereby adopts Local Law No. 1-2023 to override the “property tax levy cap” law enacted by State Legislature; and

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 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: Mayor Knickerbocker, Trustee Capicotti, Trustee Laker,
Trustee Murray, Trustee Stewart

NAYS: None

c. Consider a Motion to Call for a Public Hearing on February 7, 2023 Regarding Lot Coverage

A motion to call for a public hearing was made by Mayor Knickerbocker, seconded by Trustee Laker with all in favor. Trustee Murray questioned why the Zoning Board is not being notified of this zoning change. Village Planner Smith stated that they can be added to the resolution.

d. Consider a Motion to Call for a Public Hearing on February 7, 2023 Regarding Accessory Apartments

A motion to call for a public hearing was made by Mayor Knickerbocker, seconded by Trustee Capicotti with all in favor. Trustee Murray stated that there are contradictions in the code. His intent was to make this an easier document to be followed, but with all these add-ons it is making it extremely difficult to follow. Trustee Murray said that if we approve this legislation as written, this law can't be followed. There are no definitions, and there are arbitrary terms that are open to interpretation. Trustee Murray would rather abandon this.

e. Consider a Motion to Approve Appraisal and Surveyor for the Village Owned Property on Albany Post Road and Bleakley Avenue

Village Administrator Serrano stated that the Village is trying to sell two parcels of land on the corner of Bleakley Avenue and Rt.9A. A motion to approve Valuation Plus, Inc. as appraiser and Badey & Watson as surveyor, at a price not to exceed \$3500 each, was made by Mayor Knickerbocker, seconded by Trustee Stewart, with all in favor.

f. Consider a Motion to Reject the Bids for the Boiler Replacement Project

Village Administrator Serrano stated that we received four bids. The lowest bid of \$214,000 was substantially higher than anticipated. The Village Engineer recommends we reject these bids and scope it out with a different kind of boiler system. A motion to accept this as presented was made by Mayor Knickerbocker, seconded by Trustee Murray with all in favor.

g. 2023-02 Resolution Stating Polling Places and Hours for the Next Village Election

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

WHEREAS, the next General Village Election shall be held on Tuesday, March 21, 2023; and

WHEREAS, according to New York State Election Law, §15-104, Sub 3, the Board of Trustees of the Village shall adopt a resolution which states the polling place in each election district and the hours during which the polls shall be open;

NOW BE IT THEREFORE RESOLVED, that the polling places for the next General Village Election for District No. I and No. II are located in the Community Room on the 2nd floor of the Municipal Building, 236 Tate Avenue, Buchanan, NY; and

BE IT FURTHER RESOLVED, that the hours which the polls shall be open will be between the hours of 6:00 a.m. and 9:00 p.m.

Carried by the Following Votes:

AYES: Mayor Knickerbocker, Trustee Capicotti, Trustee Laker,
Trustee Murray, Trustee Stewart

NAYS: None

5. INFORMATION FROM OFFICERS & DEPARTMENTS:

- a. Justice Reports – November 2022

Received and filed.

- b. Police Report – November 2022

Received and filed.

- c. Highway Report – November 2022

Received and filed.

- d. Wastewater Treatment Plant – November 2022

Received and filed.

- e. Building Department – November 2022

Received and filed.

- f. Buchanan Engine Company – November 2022

Received and filed.

- g. Prosecutor's Report – December 2022

Received and filed.

- h. Attorney's Report

Village Attorney Porteus stated that she has one matter for Executive Session. She stated that she had an email exchange with AMS and the petition should be submitted soon.

- i. Administrator's Report

Village Administrator Serrano had nothing to report.

j. Trustee's Report

Trustee Murray asked if Village Administrator Serrano to contact the Town of Cortlandt to get the minutes from the special meeting on December 19, 2022. Trustee Murray received an email from Westchester County which stated that they don't have the ability to remove recyclables from plastic bags. Trustee Murray asked what process we have in the Village for picking up the recyclables. Village Administrator Serrano stated that he has not received any notification from the County. He will speak with the Highway Foreman and will put a notice in the next newsletter. Trustee Murray questioned the status of the license agreement with the land on White Street. Village Attorney Porteus will follow up. Trustee Murray said that he attended the Senior Citizen Christmas Party. Anyone 55 years or older is eligible to join the Senior Citizen Club.

Trustee Laker asked Village Administrator Serrano about the water rates. Village Administrator Serrano stated that one major reason is that there was a substantial revenue coming in from Indian Point that is no longer coming in. There were two meters that were estimated for many years. These meters are now fixed. Village Administrator Serrano said that we can look at the water rates during the budget process.

Trustee Stewart had no comments.

Trustee Capicotti wished everyone a Happy New Year. He thanked Mr. Singer for the presentation. Trustee Capicotti stated that there are two public hearings coming up. It is important for residents to come in or email their opinions, so the Board members know what they want.

k. Mayor's Report

Mayor Knickerbocker said that she received an email from a resident commending Peter Cook for working with them. Mayor Knickerbocker felt he should be recognized. Mayor Knickerbocker wishes everyone a Happy and Healthy New Year. She thanked Eric Singer for his presentation.

6. **COMMENTS FROM THE FLOOR:**

Diane Tangen requested a spigot at Monroe Park for watering the plants. She also asked about getting a port-a-potty for Lents Cove. She is in favor of the IMA for the WWTP. Mayor Knickerbocker stated that there is a spigot that is recessed into the ground at Monroe Park that the Beautification Committee can use.

Eileen Absenger asked how the Governor's veto of the spent fuel rods that are in water affect our taxes. Also, how does human composting affect residents in Buchanan.

7. **EXECUTIVE SESSION:**

At 8:27 P.M. a Motion to enter into Executive Session to discuss a contractual issue was made by Mayor Knickerbocker, seconded by Trustee Capicotti with all in favor.

8. **ADJOURNMENT:**

At 9:38 P.M. a Motion to exit executive session was made by Trustee Capicotti, seconded by Trustee Laker with all in favor and Mayor Knickerbocker absent.

At 9:38 P.M. a Motion to adjourn this meeting was made by Trustee Capicotti, seconded by Trustee Laker with all in favor and Mayor Knickerbocker absent. No monies were expended.