

**Village of Buchanan
Mayor & Board of Trustees
Regular Meeting
February 7, 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 Engineer George Pommer (via zoom)
Village Clerk, Treasurer Cynthia Kempter
Deputy Village Clerk Sharon Murphy
Assistant Building Inspector Peter Cook
Recreation Supervisor Nancy Bayer

1. PLEDGE OF ALLEGIANCE:

Mayor Knickerbocker called the meeting to order at 7:00 P.M and informed every one of the fire regulations. Chief Andy Roush led the Pledge of Allegiance.

2. APPROVE MINUTES:

November 22, 2022 Workshop Meeting: A motion to approve the minutes as presented was made by Mayor Knickerbocker, seconded by Trustee Laker with all in favor.

December 6, 2022 Board Meeting: A motion to approve the minutes as presented was made by Mayor Knickerbocker, seconded by Trustee Stewart with all in favor.

December 20, 2022 Workshop Meeting: A motion to approve the minutes as presented was made by Mayor Knickerbocker, seconded by Trustee Laker with all in favor.

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

4. NEW BUSINESS:

a. Swearing in of Fire Chiefs

Mayor Knickerbocker gave Andy Roush a certificate of appreciation and thanked him for his service as Chief to the Buchanan Engine Co. #1.

Mayor Knickerbocker swore in Chief Robert Outhouse; 1st Assistant Chief Alfred Roush, III; and 2nd Assistant Chief Kieran Outhouse

b. Consider a Motion to Open the Public Hearing Amending the Code of the Village of Buchanan Modifying Criteria for Accessory Apartments

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

Mayor Knickerbocker explained that is not appropriate for the Board to go forward with this at this time due to the Governor's budget for accessory dwelling units.

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

A motion to modify the criteria for accessory apartments was made by Mayor Knickerbocker, on a question by Trustee Murray, seconded by Trustee Capicotti with all against the motion.

c. Consider a Motion to Open the Public Hearing Amending the Code of the Village of Buchanan Modifying Lot Coverage requirements.

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

Village Planner Smith explained the background of lot coverage. He spoke with the Building Department, the Village Attorney and the Zoning Board Chairman to find out if there was a significant trend in requests for zoning variances related to lot coverage. He also did a survey of other communities. The 40% figures seem to be the right size for the Village. The maximum lot coverage in R40 increased from 25% to 35% and other residential districts increased from 30% to 40%. The commercial districts increased from 50% to 75%. A note was included that after the date of adoption of the amendments to maximum lot coverage, applicants developing vacant lots must design for the 100-year storm event; for currently developed lots, design must include 100 percent of new construction at 100-year storm event plus 10 percent of pre-existing coverage designed for 100-year storm event. Village Administrator Serrano stated that the Planning and Zoning Board did not have any objections to modifying the lot coverage requirements. Trustee Capicotti asked if on any new construction you are adding 10% of preexisting for a new permit. Village Planner Smith explained that if you want to add a patio,

you have to pick up all the storm water runoff that will be generated by having that area covered. Whatever the balance of the property is, you have to pick up 10% of that along with the new impervious service. The big issue is water management. Eileen Absenger stated that people will have to understand that this will increase their expenses. Harmen Bakker asked if both impervious and pervious material are covered under the 100-year storm. Village Engineer Pommer stated, for example, that gravel driveways don't stay pervious, so many other codes in Westchester have defaulted that if its pervious or impervious they count it as pervious to do a calculation and manage the water that comes off.

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

- d. 2023-04 Resolution to Adopt Local Law #2 Amending Chapter 211 Entitled Zoning to the Code of the Village of Buchanan.

A motion to approve this as presented was made by Trustee Capicotti, 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 to amend Chapter 211 entitled "Zoning" 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 February 7, 2023 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. 2-2023 amending Chapter 211 entitled "Zoning" to the Code of the Village of Buchanan

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.

- e. Consider a Motion to Appoint Election Inspectors for the March 21, 2023 General Village Election. 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 Mayor Knickerbocker, seconded by Trustee Capicotti, with all in favor.

- f. Consider a Motion to Enter into an Agreement with Westchester County for the use of Voting Machines for the March 21 2023 General Village Election

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

- g. Consider a Motion to Increase Summer Camp Fees

Recreation Supervisor Bayer requested that camp fees be increased by 5% for both residents and non-residents.

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

- h. Consider a Motion to Increase Camp Counselor Hourly Rate

Recreation Supervisor Bayer requested that the hourly rate for senior counselors be \$15.00 per hour.

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

- i. Consider a Motion to Approve a Change Order in the Amount of \$6,000.00 to Increase Engineers Fee Due to a Revised Scope of the Boiler Work.

Village Administrator explained that the bids for the replacement boiler came in high than anticipated and the Board rejected the bids. The engineer is creating a new scope of work that has more flexibility and will keep the cost down. The engineer will have to do a much bigger scope of work. Trustee Capicotti would like to research the option of keeping an oil burner. The Board has tabled this motion.

5. INFORMATION FROM OFFICERS & DEPARTMENTS:

- a. Justice Reports – December 2022

Received and filed.

- b. Police Report – December 2022

Received and filed.

- c. Highway Report – December 2022

Received and filed.

- d. Wastewater Treatment Plant – December 2022

Received and filed.

- e. Building Department – December 2022

Received and filed.

- f. Planning Board – August 25, 2022

- g. Buchanan Engine Company – December 2022

Received and filed.

- h. Prosecutor's Report – January 2023

Received and filed.

- i. Attorney's Report

Village Attorney Porteus stated that pertaining to the licensing agreement, the residents are trying to find insurance.

- j. Administrator's Report

Village Administrator Serrano met with the City of Peekskill Manager regarding the border at Lents Cove. The Manager said he will meet with the Mayor and the City Counsel. Sharon and Scott have been working on entering information

into the Con Edison inventory system regarding LED lights. This will reduce our cost.

k. Trustee's Report

Trustee Capicotti congratulated Chief Outhouse and thanked Chief Roush. Trustee Capicotti stated that the IMA with the Town is a great thing for the Village and hope that it gets resolved.

Trustee Stewart reminded everyone that February 18th is the St. Patrick's Day kickoff party. Trustee Stewart and Trustee Capicotti met with Buchanan Engine Company and appreciated the time the Board of Trustees spent with them explaining how they operate and how they budget. Trustee Stewart congratulated all the new officers.

Trustee Laker would like to look into replacing the street light at the entrance to BV School. He also stated that he continues to hear about the water rates from residents and he will sit down with Village Administrator Serrano to look at the rate going forward. Trustee Laker asked for the names of the recreation committee. Trustee Laker heard from some of the Planning Board members and they had concerns about the experience and knowledge of some of the Board Members relating to being the lead agency for AMS.

Trustee Murray asked for a list of ice rink attendants. Trustee Murray asked if there was any feedback from the Highway Foreman about if there was an issue with residents not recycling correctly. Trustee Murray asked for a copy of the audit. Village Administrator Serrano stated that the audit is in review with the manager and then we will get the final draft. Trustee Murray asked if the zoning text amendment for the AMS project was passed. He asked if it could be changed to 4.4 acres instead of 5 acres. He feels that everybody who is building in that corridor should benefit from the same legislation. Trustee Murray suggested that it should be recommended to the Planning Board to do a lot line adjustment on the two Village owned lots on Bleakley Avenue and Albany Post Road. Trustee Murray received a copy of the book entitled, *Indian Point Nuclear Power Plant*. This will be in the historical room. The author will be at the Hendrick Hudson Free Library on March 25 at 3:00 P.M. or the book can be purchased on Amazon. Trustee Murray thanked the fireman for their hard work and congratulated the new officers.

l. Mayor's Report

Mayor Knickerbocker stated that the money for the ice rink was a grant from Entergy. She said if it wasn't going to be used then the Village would sell it and invest in some other recreation. She congratulated Village Administrator

Serrano for being appointed to NYCOM's Policy Committee of Finance. He will be directly involved in providing policy recommendations for NYCOM executive committee, developing positions on various pieces of legislation and considering new legislation proposals that will benefit cities and villages. The committee will address a wide range of issues including municipal budgets, taxation, revenue options, state aid, home rule and infrastructure funding. Mayor Knickerbocker attended the New York Legislative Program in Albany. They were invited to the Governor's mansion. Mayor Knickerbocker stated that last month she was sworn in as the President of the Westchester Municipal Officials Association.

6. **COMMENTS FROM THE FLOOR:**

Eileen Absenger asked if the Village could post Superintendents Hochreiter email on the website. Village Administrator Serrano stated that it is on our website.

7. **EXECUTIVE SESSION:**

At 8:40 P.M. a Motion to enter into Executive Session to discuss personnel and contractual issues was made by Mayor Knickerbocker, seconded by Trustee Stewart with all in favor.

8. **ADJOURNMENT:**

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

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