

**Village of Buchanan
Mayor & Board of Trustees
Regular Meeting
November 8, 2023**

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

Mayor Theresa Knickerbocker
Trustees Anthony Capicotti, Steven Laker, Daniel Stewart, Robert Wheeler
Village Administrator Marcus Serrano
Village Attorney Stephanie Porteus
Village Clerk, Treasurer Cynthia Kempter
Deputy Village Clerk Sharon Murphy
Building Inspector Peter Cook

OTHERS:

Mayor Thomas Freeman, Village of Avon
Ashley Comeau, Parks Commissioner, Avon Holiday Spectacular Event Chair
Jacqueline Pasquale, Recreation Leader
Stella Filocco, Buchanan Running Club
John Bell, Buchanan Running Club

1. PLEDGE OF ALLEGIANCE:

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

2. APPROVE MINUTES:

September 5, 2023 Board Meeting
September 26, 2023 Workshop Meeting

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

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

4. NEW BUSINESS:

Mayor Freeman of the Village of Avon joined by zoom. Mayor Knickerbocker explained that the Village had purchased the synthetic ice rink for \$36,000 through a

grant from Entergy. The Village has had it for two years. Mayor Freeman spoke about the similarities between the Village of Avon and the Village of Buchanan. They have 95 acres of park and maintain and mow 65 of those acres. He talked about the industry in their area. Ashley Comeau stated that the Holiday Spectacular started out with three women and has grown to 15 volunteers. They are members of the community who love to celebrate together. Last year through a matching grant they were able to purchase a portion of a synthetic ice rink, ice skates and refurbished a skate house. With this expansion they will be able to host more families. They sincerely thank the Village of Buchanan for working with them on this opportunity. Mayor Knickerbocker stated that the Board has agreed to sell the rink for \$12,000.

a. 2023-22 Resolution Selling the Synthetic Ice and Fencing to the Village of Avon, NY and the Avon Holiday Spectacular.

A motion to approve this as presented was made by Mayor Knickerbocker, seconded by Trustee Capicotti with all in favor and Mayor Knickerbocker voting no.

WHEREAS, the Village of Buchanan purchased synthetic ice and fencing three years ago; and

WHEREAS, after two seasons there has been limited usage of the synthetic ice; and

WHEREAS, the Village Board has determined that based on the low usage that it is in the public interest to sell the synthetic ice and fencing; and

WHEREAS, after a public process the Village received bids to sell the synthetic ice and fencing; and

WHEREAS, the Village received a bid from an individual, however the Village has decided to sell the synthetic ice and fencing to Village of Avon, NY and the Avon Holiday Spectacular due to a higher offer as well as for the Village of Avon's public purpose and enjoyment; and

WHEREAS, the Village Board has determined that synthetic ice and fencing is considered surplus equipment; and

WHEREAS, after due diligence the Board of Trustees (the "Board") of the Village of Buchanan (the "Village") has determined it is in the public interest to sell the synthetic ice and fencing to the Village of Avon, NY and the Avon Holiday Spectacular; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of the Village of Buchanan, that the synthetic ice and fencing is surplus, that the synthetic ice and fencing be sold to Village of Avon, NY and the Avon Holiday Spectacular for a cost of \$12,000, in "as is" condition.

Carried by the Following Votes:

AYES: Trustee Capicotti, Trustee Laker, Trustee Stewart, Trustee Wheeler
NAYS: Mayor Knickerbocker

b. Consider a Motion to Open the Public Hearing Regarding Parking Spaces.

A Motion to Open the Public Hearing was made by Mayor Knickerbocker, seconded by Trustee Capicotti, with all in favor.

Mayor Knickerbocker stated that this will change the parking space size to 81/2' x 18' which is standard in the industry.

Eileen Absenger asked what this change will do for the AMS property. Trustee Laker responded that this will not change anything. AMS was going under the guidance that our code matched the standard in the industry. Since it didn't the Board is making the code standard.

A Motion to Close the Public Hearing was made by Mayor Knickerbocker, seconded by Trustee Stewart, with all in favor.

c. 2023-23 Resolution Authorizing Adoption of Local Law No. 9-2023 Amending Chapter 211 of the Code of the Village of Buchanan

A motion to approve this as presented was made by Mayor Knickerbocker, seconded by Trustee Capicotti 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 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 November 8, 2023 at 7:00 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. 9-2023 amending Chapter 211 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 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 Stewart, Trustee Wheeler

NAYS: None

- d. Consider a Motion Authorizing Mayor to Sign the First Amendment to the Westchester County License Agreement Regarding a Tri-Band Antenna to be Placed at Police Headquarters.

Village Administrator Serrano explained that this is a license agreement with Westchester County to install a new antenna for the police department that will be shared for communication with the County Police. There is no cost to the Village. It will be installed by the County and we will have access to better communication with all the other local jurisdictions.

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

- e. Consider a Motion to Approve the Workplace Violence Prevention Program Policy.

Village Administrator Serrano explained that this is to meet federal and state regulations and make people feel safe in the workplace and be able to report any situations where there is violence in the workplace. It is also recommended by PERMA.

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

- f. Consider a Motion Authorizing the Employment of Keith Douglas as Deputy Treasurer Effective November 15, 2023 at an Annual Salary of \$80,000.

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

- g. Consider a Motion Authorizing the Employment of Jacqueline Pasquale as Part-Time Availability and Part-Time Seasonal in the Position of Recreation Leader at a Rate of \$28.00/hour Effective November 13, 2023.

Jacqueline Pasquale thanked the Village Board, Village Administrator and Village staff for the opportunity to be the Recreation Supervisor and looks forward to working with everyone.

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

- h. Consider a Motion Authorizing the Employment of Alan Porter-Jackson for Seasonal Help at a Rate of \$15.00/hour starting November 9, 2023 and ending December 21, 2023.

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

- i. Discussion on Village Signs.

Village Administrator Serrano had forwarded the Board two proposals. The Board discussed the design of the sign and where they will be placed.

5. INFORMATION FROM OFFICERS & DEPARTMENTS:

- a. Justice Reports – September 2023

Received and filed.

- b. Police Report – September 2023

Received and filed.

- c. Highway Report – September 2023

Received and filed.

Trustee Capicotti stated that he spoke with Highway Foreman Horton about trying to flood the pavilion for ice skating. This is something we could do as long as the weather works out.

Stella Filocco and John Bell spoke on behalf of the Buchanan Running Club. They thanked the Village Board, Police Chief Farrell and the Village Police Officers, Buchanan Fire Department, Montrose Fire Department, Cortlandt Ambulance Corp. and Westchester County Police and all the people involved in supporting the 5K Road race. They had 63 people finish the race. It was a tremendous community event and thank you to everyone who supported us.

d. Wastewater Treatment Plant – September 2023

Received and filed.

e. Building Department – August 2023

Received and filed.

f. Planning Board – August 24, 2023

Received and filed.

g. Zoning Board – September 13, 2023

Received and filed.

h. Buchanan Engine Company – September 2023

Received and filed.

i. Prosecutor's Report – October 2023

j. Attorney's Report

Village Attorney Porteus has three items for executive session. Regarding the water purchase from Montrose and Peekskill, George Pommer would like to meet with one or two members of the Board and the Montrose Improvement District to discuss the best way to go in regards to fees and service charges. Village Administrator Serrano explained that we buy water from Peekskill and the Montrose Improvement District. We have an agreement with Montrose Improvement District to buy 60% of the water. We have only been buying 50% of the water from them. This will be a discussion to see if we want to buy more than 60% of water and modifying the rate.

k. Administrator's Report

Village Administrator Serrano stated that the paving is almost done. Henry Street will be done before Thanksgiving. The alternate street was Gallagher. Based on the amount of work to be done – curbing, sidewalk, catch basins – Village Engineer Pommer recommends we don't do that work until Spring. The contractor will keep the same price. The work done on the sewer lining reduced the flow coming into the WWTP. The cost of the digital sign is approximately

\$21,000 - \$22,000 from Stewarts. This is the same sign the library has. The AMS project and the Village Square project will be in front of the Planning Board on November 13th.

l. Mayor's Report

Mayor Knickerbocker stated that the Trunk or Treat was “spooktacular”. She thanked the Beautification Committee, the Police Department, the Fire Department and Karen Boyle. The Christmas Tree Lighting will be December 3rd at 6:00 P.M. Mayor Knickerbocker spoke last month about the cell service in the Village. We have had poor service in the Village, but it has gotten worse. Along with the Police Chief and Fire Chief, the Mayor will be meeting with a cell service company to see what can be done to help the cell service. Mayor Knickerbocker and the Police Chief Farrell will be attending a table top exercise at Indian Point on November 15th. This is a discussion about the emergency plan that has been sized down since all the fuel is on the pad now. Holtec has notified the Village that they are doing a pause for eight years. There will be no decommissioning activities for eight years. We are hoping that Holtec pursues litigation. The person who ran the St. Patrick's Day Parade will not be doing it any longer. We need a committee to work on the parade.

m. Trustee's Report

Trustee Laker wants to make sure that the Village is focused on the release of the 60 acres at Indian Point. Trustee Laker thanked the Police and Fire Department for their coverage on Halloween. They do a great job. November 13th both AMS and Village Square (Carbone) will be before the Planning Board. It is an opportunity to ask questions and let your voices be heard. Trustee Laker congratulated Jackie Pasquale and Keith Douglas. They will be great additions to our staff.

Trustee Stewart thanked everyone involved in the Halloween festivities. He agreed with Trustee Laker that we need to focus on the 60 acres. Trustee Stewart thanked the Buchanan Running Club. They did a great job. We look forward to that being part of Buchanan Day every year.

Trustee Capicotti stated it is a travesty what Buchanan is going through with Indian Point. The governor has stepped in and put a damper on the decommissioning. The Village need to focus on things we can control. That would be the PILOT and trying to close the 60 acres. We need to move forward and that is why development in this area is important. Trustee Capicotti congratulated Jackie and is looking forward to working with her. There is a lot

we can do in the Village with recreation. He congratulated Keith Douglas. He wished everyone a Happy Thanksgiving.

Trustee Wheeler agreed that the Holtec situation is bad. Trustee Wheeler welcomed Jackie and stated that he has worked with Recreation for 20 years and if she needs any advice or thoughts of what has been done in the past, please let him know. Trustee Wheeler agrees that we need to move forward with the 60 acres. The Firehouse Brunch had about 40 people there. Mayor Knickerbocker and Trustee Wheeler received their 25-year pins. Trustee Wheeler would like to move forward on some of the Capital Projects that are needed.

6. **COMMENTS FROM THE FLOOR:**

Vito Calcutti, 249 Gallagher Street gave public comment on no parking in the street during the winter.

Eileen Absenger, 138 Tate Avenue made public comment that people should come to the board meetings and workshops. She asked about the evaporation of tritium

Lisa Wenz, 206 Tate Avenue stated that the water in the spent fuel tanks have not been treated at all so they have other radioactive elements beyond the tritium. If it is evaporating, are these other elements evaporating also and how dangerous is it. The Board needs to fight for every penny from the Cessation funds.

7. **EXECUTIVE SESSION:**

At 8:39 P.M. a Motion to enter into Executive Session to discuss litigation and contract negotiations was made by Mayor Knickerbocker, seconded by Trustee Laker with all in favor.

8. **ADJOURNMENT:**

At 8:57 P.M. a Motion to exit executive session was made by Mayor Knickerbocker, seconded by Trustee Wheeler with all in favor.

At 8:57 P.M. a Motion to adjourn this meeting was made by Mayor Knickerbocker, seconded by Trustee Stewart with all in favor. No monies were expended.