

Village of Buchanan
Special Board Meeting
Tuesday, May 31, 2011
7:00 PM

PRESENT:

Deputy Mayor Theresa Knickerbocker,
Trustees Richard Funchion and Nicholas Zachary
Village Administrator Kevin Hay
Village Board Secretary Susan F. Matthews

ABSENT:

Mayor Sean Murray
Trustee Jane Hitney
Village Attorney Porteus

PLEDGE OF ALLEGIANCE:

Deputy Mayor Knickerbocker opened the meeting at 7:05 PM, welcomed everyone, informed them of the fire regulations and led the Pledge of Allegiance. Deputy Mayor Knickerbocker reported that Mayor Murray regretted being unable to attend but he had another meeting where he had to speak.

1. NEW BUSINESS:

a) DISCUSSION: COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION

Deputy Mayor Knickerbocker advised that this special meeting was necessary because the application has to be in by June 1. She called on the Village Administrator to give summary. Village Administrator Hay advised that this is a grant. The money goes through Westchester County so we have to apply through them. It is a three year cycle. The cycle we are applying for is from May 2012 to May 2014. The application deadline is June 1. At the last Workshop, the Board discussed ideas and projects that would qualify the Village to receive grant money. In order to qualify for CDBG, you must have a certain number of low to mid income people living in the area. They have divided Buchanan into three units. Two of the three would qualify for a project strictly in their area. If it was a project that benefits the whole Village, the average of the three block groups would still be above the level of 51% low to moderate income families in the area. In Block Group 003, which includes Donahue Court, Valerie Court, Lake Drive, parts of Second Street and Center Street, a project could not strictly benefit that one area but if it benefits the whole community by the average, the Board feels that it would qualify and they could do a project.

The project the Board discussed at the Workshop and would like to do is improvement to Lent's Cove's Park. It is an area that falls into a qualifying block group and it does benefit the whole community. They are starting off broad now because of the impending application deadline. It

can be narrowed down later because the amount of money we put in for may not be the amount we actually receive. We are going for a bit higher than we might actually receive. Part of the grant requires that Village must put up a minimum matching amount of 25% of the cost of the total project. It does not necessarily have to be in money. It can come in the form of services that we can receive credit for. Because it is over three years, it can be budgeted and the money set aside each year. Deputy Mayor Knickerbocker noted this would not go through until the 2012 budget.

Village Administrator Hay advised that some of the possible improvements at Lent's Cove Park that were discussed were a gazebo, fishing piers and a picnic area. We can do improvements to the parking area. He thinks we could do the bathroom but Village Engineer Jim Hahn is checking into it.

The other area the Board wanted to do is sidewalks from Tate Avenue down to Bleakley Avenue. That is a separate application. The Village Administrator noted that we can put in separate applications if we have multiple projects. The benefit and one of the things that the County looks for in these block grants is "walk-ability" and access from all the community. The Village Engineer has recommended sidewalks there since it makes it accessible to the whole community and using sidewalks makes it safer for everyone to walk over there. Trustee Zachary commented that the sidewalks are a tie in to the Lent's Cove Park.

The Village Administrator noted that the application is not fully detailed right now because all we are doing with this Resolution is endorsing the idea of applying for the CDBG money. If and when we are awarded a grant, based on the amount received we can make modifications to the projects. At that point they look for a contract. We would then accept the grant money, probably by Resolution. He was not sure if it was a reimbursement or a straight money grant. He noted that there is flexibility in that if our financial situation changes in the future and we do not wish to use the money, we can authorize to give it back. We are not locked into this.

Trustee Zachary asked about the map that was given out. Phase 1 and 2 shown are the improvements that the Village has already done. Village Administrator Hay explained that he gave out an old drawing just so the Board would have an idea about how this is done.

Trustee Zachary noted that this map showed several possible improvements. He wanted to confirm that if we got the maximum and made the 25% match, we might not do all that is shown on this map. He wanted to know if we have to stick to what these items are if we get that money or can we decide to do other or just some of the improvements. Village Administrator Hay advised that there is flexibility. We cannot decide to just say we want to do something else but we are not locked into anything specific. They understand that you cannot have a completed plan until you see how much grant money you will receive. Trustee Zachary wanted to know if we have to give a cost estimate for each improvement or just the concept of the proposal. Village Administrator Hay advised that it is mainly conceptual. The Village Engineer is completing the application which is several pages long. It does ask for some estimates but it is not written in stone.

Trustee Zachary noted that they have the Village divided into three block groups. Village Administrator Hay advised that they are based on the number of low to moderate income families. Trustee Zachary wanted to confirm that it was based on income and not the house

assessments. The Village Administrator advised that was correct. He does not know the exact numbers. You must have at least 51.2% low to moderate income families in those areas. In Blocks 001 and 002, we are above that. In Block 003, we are below that cut-off number. He believed it is 41 to 50%. It has to be below 51%. Trustee Zachary wanted to know where the original drawing was. Village Administrator Hay advised that this is the original given us by the CDBG. On a question by Trustee Zachary, Village Administrator Hay will find out if there is anything in print correlating the zones to the percentages.

Trustee Funchion wanted to know how we settled on Lent's Cove. Village Administrator Hay advised that it was discussed at the last Workshop. Trustee Funchion wanted to know if it could be used for the pool. The Village Administrator advised that we could not do the pool because we sell permits. The ball field cannot be included for similar reasons. Because we rent it for softball and have other fees, we cannot guarantee that it would be for low to moderate income people.

Trustee Funchion wanted to know if the CDBG was to be used just for the people of Buchanan. The Village Administrator advised that it was for the benefit of the whole Village. They give money for low to moderate income areas. Trustee Funchion wanted to know if we spent the money to upgrade Lent's Cove, how many people from Buchanan are going to use it versus outsiders. Deputy Mayor Knickerbocker noted that we rent the field at Lent's Cove. Trustee Zachary wanted to know if we get grant money does it mean that we cannot charge a fee for the marina. Village Administrator Hay advised that they do not give money to projects where you are going to make money. A marina is a money maker. Trustee Zachary wanted to confirm that it could not be used for roads either. The Village Administrator advised that it cannot be used for straight paving projects. Trustee Zachary wanted to know if we could use it to change our street lighting to LEDs. Village Administrator Hay will find out. Trustee Zachary felt it would benefit the Village as a whole. They noted that it would be too late to find this out since the deadline to file is June 1. If it is allowable, it might be something to consider in the next cycle.

Trustee Funchion wanted to know why nothing could be done for the pool with this money. Village Administrator Hay advised that anything that we are charging for, they are not allowing. We are not allowed to do anything in the ball field either for similar reasons. Possibly the bathrooms can be done since they are included in the park. The Village Engineer is looking for clarification. Any project, park or any item that has a permitting fee is not allowed because it is not open to all residents. We charge fees for the pool. Trustee Zachary commented that it must be publicly used facilities like sidewalks and parking.

Trustee Funchion was not sure whether or not the work to be done at Lent's Cove will benefit people from Buchanan or people from Peekskill. Village Administrator Hay commented that it is hard to identify. Trustee Zachary said the right improvements would encourage more use in general. Trustee Funchion wanted to know if we vote to give money to this, can we turn around and change to the LED project, if it is allowable. The Village Administrator advised that if we apply for a Lent's Cove improvement project, we must stay with that. We may be able to do the LEDs in the next cycle. Trustee Zachary said now is the time to come up with ideas and what it could be used for. Right now, he thinks it is a relatively new idea. With some time, we can come up with other ideas and see if the money can be used for those things. He feels that it is an

obvious thing to do when there is a chance that you get 75% of the money to do improvements to things you were going to do anyway. These are not frivolous improvements where we would not want to spend our 25%. If it is a project that benefits the Village and we can get 75% through a grant, then it is worth it.

Trustee Funchion noted that we charge for the boat ramp. Deputy Mayor Knickerbocker advised that it is not included here. There are other monies available. She read a list of projects the CDBG could be used for. She asked if we could use it for bar screens since it includes residential water or waste water systems but that is something that will have already been done when this money kicks in.

Trustee Funchion wanted to know if the safer thing would be sidewalks rather than Lent's Cove, in the sense of more people overall going to use the sidewalks than the park. Specifically, more people from Buchanan would use them. Village Administrator Hay advised that the only thing with the sidewalks is that in most places in the two block groups there are sidewalks. They could possibly be continued down Rte. 9A past the businesses but the question is do people walk there. The last real section we were going to use was to continue sidewalks from Tate Avenue to Bleakley Avenue. Trustee Zachary wanted to know if that would eliminate the parking along there. The Village Administrator advised that there are sidewalks in front of Raulindo Auto Body. There is a small section in front of the Con Edison property. He advised that Village Engineer Hahn drove the whole Village to see where other sidewalks would work. That was the only area where he felt they would be appropriate.

Deputy Mayor Knickerbocker commented that we have the parking lot at Lent's Cove where parts of it are sinking and settling. She wanted to know if the money could be used for that. The Village Administrator advised that when he met with the representative from the County, he was advised that it could be used for that. Trustee Funchion noted the bathrooms also need to be fixed up. The Village Administrator advised that Mr. Hahn was going to try to include the bathrooms.

Deputy Mayor Knickerbocker reminded that today, the Board is deciding if they are going to put this application in. We do not know if we are getting the money and we can still say no to the CDBG if we later find that we do not want to do it because of the expense. So there will be further discussion later on the feasibility of a project. But if we do not put anything in, we will not get anything. She noted that when the money is received, we will probably have a Public Hearing and get people to talk about it. Trustee Zachary wanted to know does it require a Public Hearing before designating how the money will be used. Village Administrator Hay knows they must have a discussion beforehand which is the reason for tonight's meeting. We could always have a Public Hearing. One requirement is to have a public discussion to allow people to comment on putting in the application.

Trustee Zachary said that in terms of "walk-ability", he sees more and more people on Tate Avenue running, on bikes, pushing carriages and walking with their dogs. He does not think we are going to get sidewalks and does not think they are the best thing on Tate Avenue but he would like to see a dedicated, marked out pedestrian lane along the curb with lines and pedestrian symbols – like a 5 foot wide green band - to improve safety and comfort of people

walking there. If it were marked off cars would be more aware not to drive on that. Trustee Zachary questioned if we really needed parking on both sides of Tate Avenue. We do not have four lanes. He would favor limiting parking to one side. Then you would have enough room.

Deputy Mayor Knickerbocker commented that this is a broad proposal of projects that we can do at Lent's Cove. It can be discussed further if we get the money. The sidewalks can also be discussed. If we do not put the application in, we will not have anything to discuss. She understood what Trustee Funchion is saying too. Trustee Zachary commented that they all agree that we would like to consider all the options in more depth in the future but right now we should be applying for this and use it in some beneficial way so we could get the grant. If the application is not put in, they do not have the options. He said they will do a little more homework. This is something that came to the Board quickly without knowing much about it.

Trustee Funchion wanted to know if they got the money, could they then decide to do more on the sidewalk on Rte. 9A rather than on Lent's Cove. If for example it were 80% Lent's Cove and 20% Rte. 9A and we decide that we want to extend the sidewalk on Rte. 9A. Village Administrator Hay believes that we would have some leeway. Trustee Zachary wanted to know if they have to present it and then have it okayed. Village Administrator Hay advised that when final, they will want to see more detailed plans. Trustee Funchion wanted to know if this goes under the guise of the Smart Growth. For that you have to have a fairly specific plan and emphasize infrastructure. He does not think we have a problem with it. It has made getting a grant more bureaucratic for a small village like ours versus a big city. Unfortunately when he went to the conference on that, he did not see any exclusions like for a village as small as ours. He feels that Trustee Funchion said what we have here satisfies what you have to do for the paper work. Trustee Zachary wanted to know if this is coming from New York State or the Federal government. Deputy Mayor Knickerbocker advised that it is administered through the County. Village Administrator Hay advised that it is Federal money coming through the County. Deputy Mayor Knickerbocker advised that we do not apply directly to them. She has a paper on it that she received from the Leadership Institute. She will get a copy to the Board members.

COMMENTS FROM THE FLOOR:

Former Mayor Al Donahue, Second Street, commented that this Lent's Cove matter was brought up in 1984 or 1986. In 1986, the person lost the election because the people were not too happy with it. It was the current mayor's step-mother. The residents did not like the idea of all that money being spent. Trustee Zachary wanted to know if that was even with the Federal government paying 75%. Mr. Donahue noted that the Village still had to pay the other 25%. He commented that Mr. Donahue said right now you are paying the Village Engineer. They want all kinds of documents that you have pay for. He wanted to know how much Mr. Hahn was charging now. Trustee Zachary wanted to know if everything is administered by the Village Engineer once the application is in. He wanted to know if the interaction was then between the Village and Westchester County by the Village Administrator and the Village Attorney or the Village Administrator and the Village Engineer. Village Administrator Hay thought it would be with the Engineer. Mr. Donahue commented that once you take that Federal money, you cannot stop outsiders from using the park. That was also an issue. Trustee Zachary wanted to know if we exclude anybody from that park now. Village Administrator Hay did not think we did. Mr.

Donahue commented that they pay for the boat ramp. Trustee Zachary noted that we cannot use the grant for anything we charge a fee for. Mr. Donahue commented that with the Federal grant, you cannot stop anybody from coming. Deputy Mayor Knickerbocker noted that was what Trustee Funchion was commenting on. Mr. Donahue commented that back in 1984, residents did not really want to spend the money on a fishing pier and gazebo. He believed that the elite down-County thought that since we were so involved in the once a month meetings, they convinced the then mayor to go along with it. Trustee Zachary commented that right now, anyone who wants can use the boat ramp. People from Peekskill use the pool. We do not have any exclusions on the facilities right now. Trustee Funchion commented that if you make the place a lot more attractive, you get more people coming in. It is a good thing for the park development but it if we are qualifying it because we are Buchanan, why should we be fixing something up for Buchanan that will be used by people from outside the Village. That is his concern. He commented that sometimes when you build nice parks, you get undesirable people.

Mr. Donahue commented that if you put in a fishing pier, it was going to cost a half million dollars to dredge that area back then. Trustee Funchion wanted to know if the people who were opposed to developing Lent's Cove back then wanted to leave it as it was, as a wilderness. Mr. Donahue said they wanted to leave it as it was but it was not a wilderness. You have a park, a ball field, a parking lot, and benches to sit and look out on the water. They do not want it to be where everybody in the world comes in to fish. Trustee Funchion commented that he has been down there. You get out to certain points where it used to be Crystal Bay. You could not go further west. Mr. Donahue said they did not want to spend all the money to put in what the Board is suggesting now. It was a big thing. At that time we did not have the PILOT Program and they still did not want to spend the money. Trustee Funchion wanted to know if it was the same as this grant, with three quarters being subsidized by a Federal grant and one quarter by the Village. Mr. Donahue confirmed that it was the same Federal grant.

Mr. Donahue commented that concerning the sidewalks, there was almost murder over the sidewalks on Tate Avenue. It was controversial. Half wanted it and half did not. Deputy Mayor Knickerbocker noted that the sidewalks would be on Albany Post Road which is a State road. She feels that you should have sidewalks there because it is dangerous. From Tate Avenue to Bleakley Avenue on Albany Post Road there are pieces of sidewalk today. Village Administrator Hay noted that there are, in front of Raulindo Auto Body, the corner at Bienvenuto's Deli, mostly across from Con Ed. Sidewalks are needed where the houses are.

Trustee Zachary commented that his first thought is what improvements are the Village going to want to do over the next few years anyway. If any of this money can save us money because we are going to have to do them anyway, it is something that can save us money.

Al Donahue wanted to know what the estimated cost of the engineering fees will be. They expect many things and you have to pay the engineer whether you use the grant or not.

Deputy Mayor Knickerbocker is not looking to put in a gazebo or anything like a fishing pier. She knows the parking lot is sinking. Trustee Funchion feels that the parking lot and bathrooms are advantageous to the Village. Trustee Zachary does not know who uses Lent's Cove other than the people who use the field. He wanted to know if people from the Village are going over

there, or are people coming from Croton or Peekskill and elsewhere, and is it getting used at all. You would have to stand there with a clip board to find out who is using it. He wanted to know if it is mostly being used as a ball field. When the boat ramp was working, you would have to have a permit. He wanted to know if we have a break down from that usage. Trustee Funchion did not think the boat ramp would be as used as much as the swimming pool because you have George's Island boat ramp in Montrose which is County run and in better condition and you have several marinas nearby. Overall when he has been there looking around, Lent's Cove is not that well used except to play softball and some people fishing or having an occasional picnic on the weekend. If you look at it in general, it is an under used area. What he understands Mr. Donahue to be saying is that if you open it up, the community of Buchanan just wants to keep it as a buffer zone and keep it as it is, that is something to be considered. Today's issue is do we put in for this grant. We have nothing to lose because we do not have to spend the money and we can give it back. Three weeks from now, we can turn around and change everything. But you have to have something to put down on paper to apply. Trustee Funchion wanted to know if we put in for the money, can we then turn around and say we do not want the full amount; that we only want to do something else. The Village Administrator advised that we can return any amount of money we want. Trustee Zachary commented that we can pick and choose what we want to do. Deputy Mayor Knickerbocker commented that it is a broad spectrum being thrown out for consideration so you want to go high. Then if you want to do a project for less, like bathrooms at Lent's Cove, that is all you take. Al Donahue commented that they will not just give you money just for bathrooms. He agrees that the parking lot needs to be done. Deputy Mayor Knickerbocker commented that we can decide on the scope of the project in the end but you have to put an amount in the application. Village Administrator Hay advised that certain projects will not be as attractive. There are certain requirements to make it look more or less attractive. Trustee Funchion noted that they could not put anything in by the lake by Westchester Avenue because that zone does not qualify. The Village Administrator advised that you cannot have a straight project in that area.

Al Donahue commented that years ago the ball field was actively used by local people. Now it is mostly outsiders. Even back then, the local people did not want to have anything done. Now you release it out to the Town to use it. Years ago, all the local bars and Con Edison had teams that all played over there. There used to be a gang over there every night. People still did not want to put money into it. He commented that you have to figure how much it will cost the Village in engineering fees. They will be tremendously high. They want all kinds of documentation. They do not fool around. Trustee Zachary commented that the Board has to look at everything. We have to see what they approve then see what our options are. We have to put the papers in and then take care to see what all the possibilities are. Deputy Mayor Knickerbocker commented that in the end, if we get the money and decide not to do Lent's Cove, we can still use the money to do the sidewalks on the Albany Post Road. Village Administrator Hay advised that you get three amounts, one in each fiscal year. He believes the Village Engineer was planning to do one phase of Lent's Cove the first year, then another phase the second year. The third year would be the sidewalks. If you chose not to do the first two, he believes you can return the money and say you did not want to do Lent's Cove but do still want to do the sidewalks. But you cannot add on to it.

Al Donahue commented that their primary goal with these grants is to use it to make the park look better because it is Federal money. What they are telling you is that they want you to do that because then everyone can come in. If you are not doing that, it makes it look like you are against outsiders. That is why they call it a community grant.

Deputy Mayor Knickerbocker noted that the parking lot has to be fixed whether we use the Village's money or some of their money. Even now, anyone can come in and use it. We do not want anybody to get hurt. Trustee Zachary commented that it is not that big a park. He does not want to see more of its area made into a parking lot which he does not think we need.

Deputy Mayor Knickerbocker commented that just because we are applying for this grant does not mean we are going to get it. It does not mean it is guaranteed. If we apply and do get it, then we can go further into detail and make a decision about the right thing to do.

b) 11-23 RESOLUTION AUTHORIZING THE VILLAGE TO SUBMIT A 2012-2014 COMMUNITY DEVELOPMENT BLOCK GRANT FOR LENT'S COVE PARK IMPROVEMENT PROJECT.

Deputy Mayor Knickerbocker read the Resolution (copy attached).

The match would be over three years.

A MOTION to adopt this Resolution as presented was made by Trustee Funchion, seconded by Trustee Zachary with all in favor and Mayor Murray and Trustee Hitney absent.

Trustee Zachary asked about the time frame. Village Administrator Hay advised that they would hear around December or January.

Trustee Funchion felt that the parameters they set up are based on the community you live in on one side; on the other side they limit so much of what you can do to projects that will bring in people from the outside. If we already qualify as moderate to low income, we do not need any more moderate to low income; otherwise we go off the face of the earth. He is concerned about drugs and alcohol use when you make a place more accessible. He commented that at Blue Mountain Park, you can get enough empty beer cans to pay your mortgage. On the question by Deputy Mayor Knickerbocker, Village Administrator Hay advised that they close Lent's Cove at night but only to vehicles. Anyone could walk in.

2. ADJOURNMENT:

At 7:55 PM, a MOTION to adjourn this meeting was made by Trustee Funchion, seconded by Trustee Zachary with all in favor and Mayor Murray and Trustee Hitney absent.