

**Village of Buchanan  
Mayor & Board of Trustees  
Village Board Meeting  
March 4, 2013**

**PRESENT:**

Mayor Sean Murray

Trustees Richard A. Funchion, Theresa Knickerbocker, Nicholas Zachary and Duane M. Jackson

Village Administrator Kevin Hay

Village Attorney Stephanie V. Porteus

Village Board Secretary Susan F. Matthews

**1. PLEDGE OF ALLEGIANCE:**

Mayor Murray opened the meeting at 7:30 PM, welcomed everyone, informed them of the fire regulations and led the Pledge of Allegiance.

**2. APPROVE MINUTES:**

January 15, 2013 Workshop: A MOTION to accept these minutes as presented was made by Trustee Funchion, seconded by Trustee Jackson with all in favor.

February 4, 2013 Regular Board Meeting: On page 7, paragraph 2, line 5, Trustee Knickerbocker corrected the spelling of “Bartnik”; and line 8, change “only the” to “the only”. A MOTION to accept these minutes as amended was made by Trustee Funchion, seconded by Trustee Zachary with all in favor.

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

None

**4. NEW BUSINESS:**

- a) PUBLIC HEARING: PROPOSED LOCAL LAW OVERRIDING THE PROPERTY TAX CAP ENACTED BY THE NEW YORK STATE LEGISLATION.

At 7:34 PM a MOTION to open the Public Hearing was made by Trustee Funchion, seconded by Trustee Jackson with all in favor.

Mayor Murray asked for any comments from the public. There were none. The Mayor called for any comments from the Board. There were none.

Mayor Murray noted that this was discussed at last month’s Village Board meeting and in the Workshop. It is a measure being taken as a requirement from the State to enable us to override the 2% tax cap if necessary. We did this last year as a precautionary measure. We are writing up our preliminary budget. We have so many estimates from New York State of what will be required of us financially next year. We have taken all the input from our department heads. The Village Administrator had sent out a letter to all the department heads regarding if their budgetary requests were for equipment or manpower. The Board is taking that all into consideration. The Mayor advised that if for some circumstance we have to override the property tax cap, where we have to raise larger funds, passing the Resolution is a step we have to take. If we were not to do this, we have financial obligations. We would have to pay penalties to the State. The Mayor commented that it is the intention of the Board to stay within our bounds. We have certain things that we have to pay for. The State sent us a large bill last year that we had not budgeted for. We used their estimates and one of the medical bills came in much higher than we had budgeted for. We only budget for the estimates and then they send the bill. This Resolution is to safeguard us from any future liabilities and to give us the ability to still provide the type of resources that residents need.

Trustee Zachary said that as an example, the amount of money we budgeted from 2011 to 2012 increased 15.8% just for the medical and retirement costs that we pay to the State. Numerically it is a losing battle if some of our costs are going up to that extent but we are only allowed to increase our budget by 2%. He commented that the Board always does the best it can but we need to do this as a backup plan in case it is necessary.

Trustee Knickerbocker commented that year after year as we go through the budget, we go through it line by line and trim whatever we can. So we are trying to be as fiscally responsible as possible. But as the years go by, there are those expenses like the medical expenses and the retirement funds that Trustee Zachary referred to. This Board goes line by line through the budget each year to see what we can trim.

At 7:37 PM a MOTION to close the Public Hearing was made by Trustee Funchion, seconded by Trustee Knickerbocker with all in favor.

b) 13-04 RESOLUTION AUTHORIZING A LOCAL LAW OVERRIDING THE PROPERTY TAX CAP ENACTED BY THE NEW YORK STATE LEGISLATION.

Mayor Murray read the Resolution (copy attached).

A MOTION to adopt this Resolution as presented was made by Trustee Funchion, seconded by Trustee Jackson with all in favor.

c) 13-05 RESOLUTION AUTHORIZING THE USE OF A VILLAGE FACILITY.

Mayor Murray read the Resolution (copy attached).

Mayor Murray advised that this is a request for the use of the pavilion after the Saint Patrick's Day Parade. He advised that as has been the custom with these requests for the use of the facilities, we make it available to non-profits, especially those that serve the Village residents. This is a great event. The Mayor is glad that they have been able to raise their own funds, put out their own advertising and put together this parade. We are happy to support it.

A MOTION to adopt this Resolution as presented was made by Trustee Funchion, seconded by Trustee Knickerbocker with all in favor.

d) 13-06 RESOLUTION AUTHORIZING THE USE OF A VILLAGE FACILITY.

Mayor Murray read the Resolution (copy attached).

Mayor Murray advised that this was for the Little League.

Trustee Zachary said this resolution, as well as the one after it, is to use the facility. He noted that one is for the Little League and one is for youth soccer. They are both putting down Saturday. He wanted to know if there is some delineation in terms of the times so that they both understand it because it is not delineated here. He recalled that when he was involved with Little League, they would show up and there would be people practicing soccer. Mayor Murray noted that in the letter supplied from the Little League, it has the times and dates. It notes specific times when soccer may use the back corner of the field concurrently with Little League games. It should not be a problem. The Recreation Supervisor is currently doing the scheduling. He did not believe the soccer has given all the exact times. The Recreation Supervisor, according to this documentation, has set aside the outfield area for soccer practice which has been done in the past. The soccer practice has been far away from the infield and closer to the fence. Village Administrator Hay is going to check with the Recreation Supervisor to confirm that there are no problems. Trustee Zachary commented that he had not seen that the Little League application made a note of the soccer times.

A MOTION to adopt this Resolution as presented was made by Trustee Funchion, seconded by Trustee Knickerbocker with all in favor.

e) 13-07 RESOLUTION AUTHORIZING THE USE OF A VILLAGE FACILITY.

Mayor Murray read the Resolution (copy attached).

Mayor Murray advised that we have been supplied with the necessary insurance.

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

f) 13-08 RESOLUTION AUTHORIZING THE USE OF A VILLAGE FACILITY.

Mayor Murray read the Resolution (copy attached).

A MOTION to adopt this Resolution as presented was made by Trustee Funchion, seconded by Trustee Jackson with all in favor.

Mayor Murray noted that the Resolution does not give the date. The letter supplied to the Recreation Supervisor gives March 30. The Mayor directed to amend the Resolution to include the date in the title on the top of the paragraph. The Mayor noted that we have to have the bathrooms available and wanted to know if they had requested that. He directed to have the Highway Foreman make sure that the bathrooms are available on that day. The Mayor advised that this is for a fund raising event for the Cortlandt National Little League. They serve our entire community. In the description it says it will be a tag sale. The date is March 30 from 11 AM to 2 PM. The Cortlandt Little League has always been a great thing for our youth. The Mayor commented on helping these organizations. It is always better to get youth involved in them. He encouraged everyone who can to come out and support this fund raiser.

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

a) Justice Court Report – January 2013.

Read and received.

b) Attorney's Report:

Village Attorney Porteus had nothing new to report. She said that the same issues from the Planning Board are moving along. She wrote a memo and had a meeting. We are now asking Con Edison to join us in that. So far, they have been receptive although we do not have a date. We can review the whole water flow issue as Brian Cook is going to do video tapes of the pipes between the two properties at WIC at no charge to the Village. That will help if there is a blockage. We do not think that there is, although there could be. Counsels are involved and everyone's engineers were at the table. It was the best meeting we have had so far. Mayor Murray explained that there have been a couple of businesses that have been having difficulty in getting their final site plan approval issues. This has been going on for many years. We decided it was a time to put an end to it. We found what was basically the root cause and why all the property owners were arguing among themselves. We said enough is enough, to either come and talk to us and settle whatever the problems are, or you will be fined or taken to court. The Mayor commented that we do not like to have to bring people to court or threaten them with arrest or fines, but sometimes it is the only way to get everyone to the table. We have got everybody together who has been involved. We are expanding the people who are involved to get a resolution and the final site plan approval so that everyone will be operating legally. It has been difficult. The Mayor commented that Village Attorney Porteus has put in a lot of effort. He is glad that the people are starting to see the fruits of everyone's labors.

Village Attorney Porteus reported that AAA will be back in front of the Planning Board this month. Hopefully they will have a plan to remediate the steep slopes disturbance. They are up to date with their outstanding past due bills. We will probably take a small amount of escrow before the next meeting. They have an approval now. They have put in a second application for

some additional spots. That was put to rest. We just need to remediate the slopes so that it is safe and in compliance with the Code and hopefully that will be over.

c) Trustee's Reports:

Trustee Funchion reported that on Saturday night he attended the Saint Patrick's Day Parade fund raising party and a party for the Grand Marshal and Aides. It was very successful and everybody had a great time. As a member of the committee, he thanked the other members. They do a great amount of work on the party and the parade. The co-chairpersons, Sherry Jahoda and Karen Park, do super work. Holly Eichler, Kelly Hesselgrave, Colleen Lonergan, Beth (??), Donna Small and Jill Wheeler all did great work. This year they have a new brochure, unlike the newspaper they had for the last couple of years. It was very successful. All the members that he mentioned put so much work into this. It came out very nicely. They did a great amount of work on it. All of us in Buchanan appreciate all that went into it. The parade will be next Sunday at 2 PM. The weather forecast is sunny with temperatures in the 50s. He hopes that everybody comes out to the parade. It is a great community event. It ends up at the pavilion with dancing and soda and other goodies to be had there.

Trustee Funchion announced that we are starting up with the Buchanan Day. Their first meeting is March 21 at the Highway Department building at 7:00 PM.

Trustee Funchion wished everybody the blessings of Easter and Passover and the best to all the families.

Trustee Zachary wanted to point out that we changed the next Workshop meeting to the second Tuesday of the month; that is March 12 instead of March 19 which is Election Day. He reminded everyone that there is a registration day at the Village Hall this Saturday from Noon to 9 PM. Trustee Zachary commented that there are young people who just turned old enough to vote and he urged that as a part of teaching them civic responsibility to get them to come out and register.

Trustee Zachary reported that we are looking to do a Park Clean Up Day on April 20. That is around Earth Day which is the 22<sup>nd</sup>. There will be more information in April's Village Newsletter. It is still being worked on.

Trustee Zachary reported that we are trying to set up for a prescription drug drop off box in Buchanan. We are still working out the details. He would like to hear options. A lot of these are disposed of improperly and wind up in the hands of kids who should not have them. A lot of communities are doing this and we would like to as well.

Trustee Jackson thanked all the members of Buchanan Fire Department for their hospitality in hosting the recent dinner. It was a lot of fun. There was a lot of support with a lot of people coming out to it. The men and women in the fire company make it available to the community. It was very good to see the people coming out and showing their community mindedness.

Trustee Jackson reported on the information he has been seeking concerning getting a tax write off for turning in unwanted electronics. He is still pursuing that. At the next meeting, he will give a full report on how it can occur and how the Village residents can turn in their electronic equipment and receive a tax deduction.

Trustee Jackson commented that with the election coming up, residents should make sure they are registered to vote, especially our young people. He noted that he has a 17 year old who is about to turn 18, so he has been on his case. He noted that new residents who may have been registered in their previous jurisdictions and assume that their registration is carried forward need to check that. They can go to the State web site.

Trustee Knickerbocker commended the Saint Patrick's Day Parade Committee for the amount of work that they do. There is a lot that goes into it. They work very hard and everything turns out

perfect. It is a positive event in the community. That and Buchanan Day are two great events in our Village that spotlight what a great place we live in. Trustee Knickerbocker was honored to give out the proclamation to our Grand Marshal, Andy Cody, and the certificates to the Aides. One of the Aides is Rich Fay and his partner in the Gallon Measure, Rom. She commented that there was some good natured kidding because Rom was born in England to Lithuanian parents. His last name is very long and very difficult to pronounce. But in order to not have to pronounce it, Sherry Jahoda renamed him and gave him an honorary Irish name, "Rom O'Malley". He was very good natured about it. Trustee Knickerbocker is looking forward to the parade and hopes to see everyone there.

d) Mayor's Report:

Mayor Murray thanked Buchanan Engine for making their facility available for this fund raising effort. He commented that for many years, the Village sponsored the parade. For one reason or another, it was discontinued. Sherry Jahoda and Karen Park got together a few years ago to start working on the parade again. That fund raiser was one of the ways that they raised money for the insurance and ancillary costs. The Mayor commented that it was nice the way that so many people came out. He thanked everyone who attended.

Mayor Murray noted that one reason why he arrived there late was because he was in Brewster with Village resident Emanuel Uva at Senator Greg Ball's second Veterans' Hall of Fame induction ceremony. Mayor Murray had nominated Mr. Uva and he was accepted. Mr. Uva was in several major combat engagements in WWII, going from Africa to Italy then to Germany. He was in Africa even before General Patton. He is the recipient of a Purple Heart and Bronze Star. He received medals from France. He grew up in Verplanck. The Mayor learned that Mr. Uva grew up as neighbor of Mayor Murray's grandfather. The Mayor commented that it was great that he was able to be with Mr. Uva that day. He appreciates that he was willing to be inducted. Mr. Uva was happy just to be a part of it.

Mayor Murray hopes that everyone comes out for the Saint Patrick's Day Parade. It is a great community event.

Mayor Murray reported that he met with Representative Nita Lowey. She now represents us as a result of redistricting. Mayor Murray was with her and the Chairman of the NRC discussing some issues affecting the relicensing of Indian Point and what the effect would be to our tax base. There was some information that Representative Lowey was not aware of because she is new to our district. There were some questions that some of the other elected officials had for the chairwoman concerning what role New York State actually plays in the relicensing. The Mayor commented that unfortunately, as has happened over the past couple of years, you get different answers from the NRC on certain different issues. Both Representative Lowey and the NRC Chairperson have assured the Mayor that the answers to those questions of what role the State is playing will be forthcoming. One is whether the State has to grant the water permit or whether the NRC can grant the relicense without the State's permission. The Mayor will relay that information to the residents as soon as he has it.

Mayor Murray noted that March will be the second anniversary of Fukushima. Last year, there was a protest at Indian Point on the same day as our Saint Patrick's Day parade. Last year, we did grant the protest a parade permit even though it was on the same day. But it did tax our resources. This year, the same coalition has requested a parade permit for that day. We were able to negotiate with them and to not grant a permit for that day. They are going to hold their protest the day before our parade in order to help with our resources, those of the County Sheriff and others. The Mayor advised that if anyone is around Indian Point on March 9 around 2 PM, there will be heavy traffic and a lot of people will be there. The people are authorized to be there. The Mayor commented that we may not agree with what people want to say or their reason for putting in for a parade permit, he believes that we have an obligation to allow people to have that voice. It is one of the reasons why the permit was granted.

The next Workshop meeting has been changed to March 12 because of the conflict with Election Day. The new date is in the Newsletter and on the Buchanan Channel screen. The Mayor reminded everyone to vote on March 19. He commented that historically, the Village has had a very good percentage of voter turnout in relation to the number of registered voters. The Mayor encouraged everyone to vote because a number of countries do not have the same rights as we have. We should never take voting for granted. Everyone's vote is important, especially in such a small community like we have. The polls are open from 6-9 PM. Our village is only one square mile so no one has to go far to get to the voting place.

**6. COMMENTS FROM THE FLOOR:**

None

**7. BOARD MEMBER REBUTTALS:**

None

**8. ADJOURNMENT:**

At 8:05 PM a MOTION to adjourn this meeting was made by Trustee Jackson seconded by Trustee Zachary with all in favor.