

**Village of Buchanan  
Mayor & Board of Trustees  
Regular Meeting  
August 5, 2013**

**PRESENT:**

Mayor Sean Murray

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

Village Administrator Kevin Hay

Village Attorney Stephanie V. Porteus

Village Board Secretary Susan F. Matthews

**ABSENT:**

Trustee Theresa Knickerbocker

**1. PLEDGE OF ALLEGIANCE:**

Mayor Murray opened the meeting at 7:45 PM, welcomed everyone, informed them of the fire regulations and led the Pledge of Allegiance.

**2. APPROVE MINUTES:**

July 1, 2013 Regular Board Meeting: A MOTION to approve the minutes as read was made by Trustee Funchion, seconded by Trustee Zachary with all in favor.

Mayor Murray directed that the minutes of the other meetings to be approved would be done before the Reports of the Trustees because Trustee Funchion was on vacation when those meetings occurred and Trustee Jackson has been delayed and will be arriving late.

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

None

**4. NEW BUSINESS:**

**a) 13-28 RESOLUTION AUTHORIZING THE EMPLOYMENT OF RECREATION STAFF (POOL).**

Mayor Murray read the Resolution (copy attached).

Mayor Murray noted that every year we hire temporary employees. Some are college students. When they leave, we have to back fill according to their departure dates. We do not make them sign a contract requiring them to stay or inconvenience them. He commented that our rates of pay are not so high that we can afford to put these types of rules and regulations on them. Our Recreation Supervisor has put together some people to fill in for those who are leaving for college. In order to maintain our pool, we have to maintain a certain level of staffing as part of our permit to operate the pool through the County. So these people are needed to keep the pool open. These are all lifeguard positions.

Trustee Zachary noted that on the first hiring it says the person is a lifeguard at \$8.00 per hour and second, a Water Safety Inspector at \$12 per hour. He wanted to know if this person is doing both functions. Mayor Murray advised that according to her scheduling, this person will be doing life guard duty and when, according to the scheduling, she is the Water Safety Inspector she will be paid at that rate. It is all dependent upon the way the pool is being scheduled. It is mandatory that we have these positions.

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

**b) 13-29 RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN INTER-MUNICIPAL AGREEMENT (IMA) WITH THE TOWN OF CORTLANDT FOR SHARED EMPLOYEE UTILIZATION**

Mayor Murray read the Resolution (copy attached).

Trustee Funchion wanted to know if this is all right with the union. Mayor Murray advised that these are for professional services when needed, such as a Fire Inspector or Building Inspector if our inspector is out of town. Trustee Funchion asked about the Highway Department. Mayor Murray advised that those are union positions that are regularly staffed and scheduled. There have been times when we have to bring in the Town's Building Inspector or Fire Inspector because our own was not available. This will allow us to use their Planning Department and any other services. Trustee Funchion asked if it included their Animal Control. The Mayor advised that is a separate agreement. He noted that right now our taxes do not pay for these services from the Town of Cortlandt. There are two separate tax rates. One is for the incorporated villages within the Town and one is for the non-incorporated parts of the Town. We do not collect the taxes for that. We use our own services for that. That is what our taxes are for. So that is why we need the outside agreement. If we were to use their Building Inspector or Fire Inspector, we would be charged at their rate of pay because we do not contribute to that tax. That is why we want to put this in place. There were a few instances where we needed it. The Mayor felt it would be easier if we were able to use all the services that the Town provides

instead of individual IMAs for each department. This encompasses all the things that the Town can provide that we might need on an emergency basis.

Trustee Zachary noted that the Mayor had made reference to hourly as opposed to salaried employees and noted that it says they will be reimbursed on an hourly basis. He wanted to know if that would be pro-rated from their salaries. Mayor Murray advised that it is. Trustee Zachary wanted to know if there would any charge above and beyond that. The Mayor advised that if there is a requirement where they have to attend court to testify because they have issued a citation or violation, we would also be charged for that. That was an issue that some people had. The Mayor commented that we felt it was better that the person who issued the violation be the one to continue with that prosecution. Trustee Zachary wanted to know if it is the same for the person who does their grant writing. The Mayor Murray advised that it would if they had one. The person who had done it for them and us left and they never backfilled the position.

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

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

- a) Justice Court Report – June 2013  
Received
- b) Wastewater Reports – June 2013  
Received
- c) Zoning Board Minutes – June 12, 2013  
Received
- d) Planning Board Minutes – June 20, 2013  
Received
- e) Fire Inspector's Report – June 2013  
Received
- f) Police Reports – June 2013

Mayor Murray noted that Trustee Zachary had previously stated that he wanted to put together something about what the actual violations were. Trustee Zachary commented that he wanted to add or change a couple of categories on the Police Report but he had not submitted them yet. He

will have his list before the next Workshop. The Mayor commented that when he has it together, we will forward it and make those adjustments.

g) Attorney's Report

Village Attorney Porteus reported that the same applicants are in front of the Planning Board: Lafarge and AAA. With the Zoning Board, the accessory apartment is working out fairly well. We have all but two of the outstanding accessory apartments that people either let lapse or were not aware of the Code. She commented that it is a good effort on the part of Building Inspector Barbara Miller. Mayor Murray noted that over the last ten years, some of our Code has not been followed. Over the past 2-3 years, we have asked the Building Inspector to look at the Code and to have the Planning Board look at it, and enforce some of the Code and bring some of the problem properties that we had gotten complaints about into compliance with it. It took a lot of effort by the Building Department, the Planning Board and Village Attorney. The residents understand that we are not doing something just because we have the ability to do it. It is because we want to maintain our Code and quality of life within the Village. It has been working out and the Mayor expressed his appreciation for their efforts on that.

i) Trustee's Reports

**Trustee Zachary** reported that they have met a couple of times in the past month for the planning of Buchanan Day. It is coming along fine. There will be some new things along with some returning things. There will be a live band; the fellow with the live birds of prey show; food; the inflatables; and a lot of things going on. It will be a lot of fun. It will be on September 28. The next committee meeting will be on August 15 at 7:00 PM at the Highway Department building. It is an open meeting and they could use some volunteers.

Trustee Zachary congratulated Betty Travis who retired this past week. She worked for the Village for over 22 years. She was the face of the Village in our Village Hall. Trustee Zachary wished her the best of luck and congratulations.

**Trustee Funchion** congratulated Betty Travis. She has always been very nice. He has witnessed her with people in the Village coming in and she was always very cooperative and professional.

Trustee Funchion reported that he attended at the 225<sup>th</sup> Anniversary of the Town of Cortlandt at Georges Island Park. Trustees Zachary and Knickerbocker were also there. He congratulated the Town on a super event. A lot of coordination went into it. He left before it started pouring rain. Trustee Funchion commented that it did not look good for a while and he does not think they had their fireworks. It was unfortunate because a lot was put into that day.

Trustee Funchion reported on Buchanan Day. He wanted to point out even if you cannot come to the committee meeting, we can always use volunteers on that day. At the first one, we had a lot of Girl Scouts and Boy Scouts who volunteered to help with the face painting and pumpkin painting. Last year, it was a much thinner group of volunteers. He commented that especially when you have a lot of young children running around, it is good to have a lot of volunteers to help out, even with parking and other issues.

Trustee Funchion reported that he was at Lent's Cove and wanted to compliment the Village. It looks really nice. Everything is nicely kept. The ball field is very nicely kept. There was hardly anybody there. He finds it is a shame that not so many people use it. It is a nice, quiet spot to sit and relax.

Trustee Funchion commented about the noise in the Village. We are all neighbors in the Village together and we should have consideration for each other. He commented that it is a State law that motorcycles are supposed to have mufflers. He understands that there are people who do not and that it is a law that is not really enforced much. What they could do as neighbors is to not rev it up when they are going down the streets in a residential area. People are having barbeques and sitting out on nice days. He commented that when you get four or five of these motorcycles going by, your house shakes. Also, the gas powered blowers, leaf blowers, are torture. Trustee Funchion noted that he lives on a corner. He has the library on one side and Carter's Funeral Home on the other. They use industrial blowers, constantly. He remarked that he feels like he lives at the end of the runway at JFK Airport. There have been a lot of complaints about them. What he did not understand in the summer time is the need for blowing grass around. He noted that there was a recent article in the Journal-News concerning the pollution that they create. There is the untreated oil and gas they put in them. The wind blows up all the dog feces into the air. It is one of the worst polluters that we have in this country. We would have to change a Village Code for it. He commented that people who have these things should be caring about their neighbors and what times of the day they use their blowers. Trustee Funchion commented that we have residents in the Village who work shifts. There is a propensity for people who go out at 5:00 or 6:00 in the morning to get exercise by walking who are talking loudly. If people have their windows open, he does not understand what they (the walkers) have to be screaming at. He wants to see people being more neighborly. They should keep down the noise pollution that they create.

#### j) Mayor's Report

Mayor Murray thanked Betty Travis for her many years of service to the Village. Being there for over 20 years and having to deal with so many different administrations, Mayors and Trustees, and Planning and Zoning Board members, it had to be very difficult. She did a great job. She

was the face of the Village for many years, as Trustee Zachary said. She was always courteous to the people. It was great to have her down there. She is going to be very hard to replace. We have posted the position and are accepting applications until the end of August. It is going to be for Office Assistant. There is currently no County list available. Anybody who is hired will be contingent on their passing the Civil Service exam. It is tentatively scheduled for the second quarter of next year. We are only hiring one person. The Mayor recommends that anybody who puts in for this position should take that Civil Service test. If a resident takes it and passes, they can be put on the Civil Service list. Just because the person who gets hired for the position we are filling may be on that job for a while, if she fails that test, we can hire another resident as long as they are on the list. If the only one to take the test is the person we hire and they fail, then we have to go to the Civil Service list and it goes out to the whole County. Anybody who wants to put in an application for this position, whether you are hired, as long as you take that test you can be put on the list for the Village if there is an opening for it. Village Administrator Hay will go through the applications and do the interviewing.

Mayor Murray reported that the second Annual Women of Distinction will be at 2:00 PM on Sunday, September 8 at the Putnam County Bureau of Emergency Services, 112 Old Route 6, Carmel. This year we nominated Gwen Ferris, a long-time Village resident. She was the first elected female official in the Village, active on many boards. She came to the meetings up to a couple of years ago. She was always active in our community. The Mayor commented that he could not think of anyone more deserving.

Mayor Murray noted that many residents have heard about the Westchester County housing settlement. The Monitor has given an in depth report about the municipalities within Westchester County. They have come out with a list of municipalities they feel are hindering the Affordable Housing Act. Seven were specifically mentioned. The Village of Buchanan is not one of them. However they do say that some of our zoning laws could be an impediment to creating affordable housing. The Mayor disagrees with a couple of items in that report. He noted that it says that some of the zoning changes to create affordable housing are under consideration by the Village. That is not correct. The Mayor advised that the Village is not considering any zoning changes to increase the affordable housing within the Village. Currently, we feel that our zoning laws reflect the needs and wants of our Village residents. The Mayor advised that currently we are not debating or discussing changing any of our laws to comply with the draft legislation that the Westchester County would like us to adopt. He noted that legislation came from the Monitor.

The report also says that the Village of Buchanan's fair share housing amount is 56 affordable units. Mayor Murray commented that he considers that impossible to accomplish unless we built one giant apartment building, which he does not believe will occur; at least not during his time as

mayor. They do feel that we are in compliance; that we do not have any specific laws that prevent affordable housing although some of our laws could be a hindrance.

Mayor Murray reported that we put together a list of roads to be repaired this year. We did not join in with the Town of Cortlandt this year because we do not have any major road projects. We are going to be doing smaller ones. Mostly patch and repairs, and maybe some mill and paves and curb repairs. So we are putting together our own package. The Mayor does not want to say at this time how much we will be spending so it does not influence the bids. We have a rough draft of the roads. There are a lot of smaller repairs that we want to do. Our bid package will be out in the next couple of weeks and these repairs should be done by the winter. This year, we also put a lot of striping on the roads. Our Highway Department was out today finishing some of the work in the Circle. We are utilizing our own manpower for all of those things. There are a few things that we are going to State bid on but the majority of the road striping is being done by our own personnel. The Mayor commented that our guys are working hard trying to save us money.

Mayor Murray reported that the 9/11 Memorial ceremony will be held on Wednesday, September 11, at 3:00 PM at Croton Point Park. He noted that because it is a long walk, there will be some electric carts and easier transportation for those who need it. The plans will be finalized on August 27 at a meeting with the town of Cortlandt and Village of Croton.

The Mayor reported that on August 10 the Purple Heart Parade will be held in the Peekskill. A Medal of Honor recipient from the Viet Nam War will be there. The City of Peekskill has been designated as the Purple Heart city. The Medal of Honor recipient will be the Grand Marshal for the parade. His biography and the actions he took on that day are very impressive. His service was exemplary. The parade will be on Highland Avenue and Orchard Street at 1 PM. The Mayor encouraged anyone who is available to come out to support the veterans, the Purple Heart recipients and the Medal of Honor recipient.

### **TRUSTEE'S REPORTS (continued):**

**Trustee Jackson** arrived at the meeting at 7:45 PM. He said he got caught up in a meeting. He thanked Mayor Murray for mentioning the Purple Heart Parade. He plans to participate and march in it. It is going to be county-wide. A lot of groups from the lower Hudson Valley will be there.

Trustee Jackson commended our Highway Department for their work on our roads. It brightens up the place. He noted the work they did about four weeks ago around the Circle when the clock was fixed and how they were able to do it in a timely manner with little interruption.

Trustee Jackson reported that also a lot of people noticed on our web site about the formation of the Historical Society. Four people have volunteered for that. They are hoping to have their first meeting, to get organized, before the end of the month or right after Labor Day. Any residents who want to be involved with the formation of and work with the historical society should contact Trustee Jackson by e-mail or call the Village.

**APPROVE MINUTES:** (cont.)

Mayor Murray announced that we have to go back to approve the meeting minutes. Trustee Funchion was not here when the meetings occurred so we could not approve the minutes until Trustee Jackson's arrival.

June 3, 2013 Regular Board meeting: A MOTION to approve the minutes as read was made by Trustee Jackson, seconded by Trustee Zachary with Trustee Funchion abstaining and Trustee Knickerbocker absent.

June 18, 2013 Workshop: Trustee Zachary had a correction on page 16; change First Street to Fourth Street. A MOTION to approve the minutes as amended was made by Trustee Zachary, seconded by Trustee Jackson with Trustee Funchion abstaining and Trustee Knickerbocker absent.

**6. COMMENTS FROM THE FLOOR:**

Mayor Murray asked Eileen Absenger if he had answered her question on affordable housing which she had asked prior to the opening of the meeting. She advised that he had.

**7. BOARD MEMBER REBUTTALS:**

None

**8. ADJOURNMENT:**

At 8:15 PM a MOTION to adjourn this meeting was made by Trustee Funchion, seconded by Trustee Zachary with all in favor and Trustee Knickerbocker absent.