

**Village of Buchanan  
Mayor & Board of Trustees  
Village Board Meeting  
May 5, 2014**

**PRESENT:**

Mayor Theresa Knickerbocker

Trustees Richard A. Funchion, Duane M. Jackson, Nicolas Zachary and Cesare Pasquale

Village Administrator Kevin Hay

Village Attorney Stephanie V. Porteus

Village Board Secretary Susan F. Matthews

**1. PLEDGE OF ALLEGIANCE:**

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

**MOMENT OF SILENCE:**

Mayor Knickerbocker requested that following the Pledge of Allegiance a moment of silence be observed for former Trustee Gwen Ferris who passed away last month.

**2. APPROVE MINUTES:**

February 18, 2014 Workshop: to be reviewed and approved next month.

March 3, 2014 Regular Board Meeting: A MOTION to accept these minutes as read was made by Trustee Funchion, seconded by Trustee Zachary with all in favor and Trustee Pasquale abstaining (as he had not yet been elected to the Board).

March 19, 2014 Workshop: A MOTION to accept these minutes as read by made by Trustee Funchion, seconded by Trustee Zachary with all in favor and Trustee Pasquale abstaining.

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

None

**4. NEW BUSINESS**

**a. PUBLIC HEARING: AMENDING CHAPTER 211 ENTITLED ZONING OF THE CODE OF THE VILLAGE OF BUCHANAN**

A MOTION to open the Public Hearing was made at 7:35 PM by Trustee Funchion, seconded by Trustee Jackson with all in favor.

Mayor Knickerbocker advised that right now in our Code for subdivisions, this is expanding it for site plans and residential units. For subdivisions, we have money that we get from the developers to use for recreation and to use for our facilities because with more people it puts stress on our recreational facilities. We are now also including residential units and other developments for site plans.

Trustee Zachary noted that it did not specify whether it is for subdivision or multi-family. He wanted to know if there is a specific size when this kicks in. Village Attorney Porteus advised that there is not. Subdivisions are already handled in our Code. For subdivisions, there is a requirement for a set aside of land. Trustee Zachary wanted to know if it specifies the number of units. Village Attorney Porteus did not believe that it does. Trustee Zachary commented that it is up to the discretion of the Planning Board. Village Attorney Porteus advised that what the Village Board will do is to set some sort of fee. The Village Administrator will check with other municipalities who have this to see how much they charge per residential unit. Village Attorney Porteus advised that the Board should have that on a fee schedule so that anybody who comes in and plans on doing that would have some notice that they will be asked to either set aside land – noting that the Village does not have land that could be set aside unless it is a bigger piece of property and they are going to portion off some of it – or more likely, money “in lieu of”. They would need notice. When the Village Administrator has checked with other municipalities, he and the Village Attorney will come back to the Board with some ideas on how to do that and a fee schedule. Trustee Zachary noted that it would be “in lieu of”. He wanted to confirm that if for example the site plan includes a public access pond with a walk and benches, the Planning Board could say that is satisfactory. Village Attorney Porteus advised that was correct. Mayor Knickerbocker advised that before we just had it for subdivisions. We did not have it for multiple residential units.

Village Attorney Porteus advised that this is taken straight from the Village law. If the land has already been subdivided and the developer came in and had to set aside either money or park land, when one of those subdivisions decides to do it, you cannot hit them again. There is not going to be any more land. That would take this kind of development out of the purview of this law as if it were subject to a subdivision already and there is land or money set aside. Mayor Knickerbocker commented that we do not have that much possible developable land available. We are pretty much developed. There are a few parcels but there is not much. Trustee Zachary commented that the biggest amount of land is the land owned by Con Edison that, if they were to

sell, could be developed. Some of it would have restrictions because of the easements that exist which we have been talking about recently, like the existing gas line and so forth that run through Con Edison's property. But there is developable land if Con Ed sells off some of the land. Otherwise, he agrees with the Mayor that there are a limited number of lots.

Trustee Funchion wanted to know if this applies to a single dwellings or just multi-family. The Village Attorney advised that this applies to residential units. Trustee Funchion wanted to know if it would apply to someone who owns a plot of land and wants to build a house. The Village Attorney advised that it does not. Trustee Zachary advised that it is purely for multiple units and subdivisions.

The Mayor asked for any comments from the floor.

Eileen Absenger, 138 Tate Avenue, commented that she has land that can be subdivided. She wanted to know if she were going to subdivide but not build, just subdivide this property, would she be held to the recreation or does it go to whomever she might sell it to. She wanted to know how that would affect the property if she were to subdivide prior to selling or decided to go into business with another developer,. She commented that in the Master Plan, they have taken land from down by the lake and thought it would be a great place for a park because on Donahue Court a house was built on land that was supposed to be accessible to the Village of Buchanan so that Village residents would be able to get to the lake. Now they put it on her property. She wanted to know if you subdivide and put up four houses for example, is there anything that has to be put in there for recreation since that is what the Board is discussing. She noted that she has five acres that could be subdivided. The Master Plan put in that it would be nice to have park access on the bottom by the lake. She wanted to know would any kind of recreation or fee be put in after she would decide to sell, or would it be when the buyer decides to build. Village Attorney Porteus believed that it is on subdivision. It is when you come in to subdivide because otherwise when the buyer comes in, they are just buying a piece. Ms. Absenger wanted to know what if she sells to a contractor who is buying the whole subdivision. The Village Attorney did not know at this time. Ms. Absenger commented that is something to find out so that she can know before she thinks about subdividing. Village Attorney Porteus advised that it is in the Code and it will specify it for her. Ms. Absenger said that she is talking about just the initial objective of subdividing the land. It is zoned R20. There is the point of there having to be a road. She said that in 1985 with the Planning Board and Jim Seirmarco that was already done to connect to Lake Drive through two other houses on that street. They have an easement for 25 feet off that property. That is already a road going in through her driveway to connect. She noted that depends on which way the houses would go. She commented that she would like to know before that is the case because she is not thrilled about it. She commented that she had said to one of the members of the Master Plan Committee that they wanted to put on thousands of dollars of homes as compared to what is on Valerie Court and that they want her to take part

of that land and designate it as a park. She commented that just because that is the last piece of land on Lake Meahagh for the Village residents, to not infringe upon her grandfathering in having lived here for 64 years and prior to that having it as family property from the 1940s.

Trustee Zachary advised that the Village Code is on-line. The Board can certainly come up with an answer. He advised that Ms. Absenger can also look at it on-line. Ms. Absenger commented that her question applies to anyone who has land that you are not selling but want it available for the subdivision. Trustee Zachary did not think that it applied to one lot being divided in half. He commented that there was one case on Tate Avenue where the person subdivided and built a second house on the lot. He does not think there was any requirement for him to pay into a Recreation Fund. He commented that as to where it kicks in, the Code might specify a certain number of units or a certain fee per unit above a certain number of units. He believes that a lot of it is at the discretion of the Planning Board. He does not believe that they are looking to impose a hardship on people doing smaller development or subdivisions. It is more for the larger scale. The money in the Recreation Fund has come from the large scale developments of 20-30 houses. Ms. Absenger commented that this property is right on the lake. It poses a different question. She commented that she did speak to them when the Master Plan was being done and that she was opposed to that. That house got built on Donahue Court which stopped everything. He cleared right down to the lake. She commented that she was rowing this weekend and you can see that as clear as day. Between the Hitney property and that house on Donahue Court, it is cleared straight down. She said she would like to clear her property down to the lake. She may clear 50 feet above. It is all eaten by deer anyway. She commented that she wants to know this before she decides what to do.

Village Attorney Porteus advised that what Trustee Zachary said is true. The way the Village law works is that if the Planning Board believes that it is in their purview. She said that the whole goal is if you were going to put in 60 more people, for example, you are putting a burden on our pool, the playground and our parks. So the Planning Board will look at that and determine what that means to the recreation facilities and that project would be right for this. They can also say that that particular project for the area being proposed is not developable to the point where it will impact on any of the recreation facilities which may be why he said that Ms. Absenger was not part of that.

Ms. Absenger commented that she is more concerned that the Master Plan suggested the park and the access and the rest of that. She feels that the people that buy the kind of houses that have lake frontage, whether it is developable or not, but is already a conservation part of wetlands. She does not know how wetlands play into having a park. She said that the easement which was 35 feet on Lake Drive, that is all that it was, away from the lake. She commented that as Don Zern has pointed out, once the lake is lowered your property goes out farther. She feels that there are a lot of “ifs, ands and buts” here. Before she does anything, she wants to know how

that impacts her property and what a future buyer or she might be up against. Ms. Absenger said she would take a look at the Code.

Trustee Zachary commented that what the Village Attorney was talking about was the legislative intent of the Recreation Fund. It is the additional populations putting a strain on the Village's recreation. You can see with just a couple of houses that it is hardly going to strain our resources. But with 30 houses, it is another 20, 30 or 40 kids looking for playground space.

Ms. Absenger commented that when you talk about access to Lake Meahagh, there is no difference in saying to let us put a park there with a playground. Then you open yourself up to something else. She was not sure how this Code stood and what the Board may decide to do with it. She commented that they may want her to have picnic tables and playground equipment down there but that does not mean that someone wants to live there with that. Mayor Knickerbocker commented that unfortunately with those other developments there is no public access for Village residents on either one. She said that recently they were talking about Earth Day and cleaning up along the shore there. We really could not because we cannot get down there. It is all private property.

Trustee Jackson wanted to know if we need to set a number in this resolution for the number of dwellings in a subdivision. Village Attorney Porteus advised that we do not. What we are doing is saying if someone comes to the Planning Board with a site plan, we are giving the Planning Board the power and ability to look at what they are proposing and determine that it falls in their purview of their ability to tax our recreation facilities, so here is what needs to be done. She advised that what the Village Board needs to do soon is to say if the Planning Board were to say that they want someone to set aside some portion of land or in lieu of, an amount of money. She advised that a lot of municipalities do it per residential unit with a monetary value per unit. So if someone were coming in and putting up a certain number of units they would know that would be so many dollars. She noted that right now if we enact this and it falls within our Code, someone coming in with a site plan that falls within this does not have notice of what that might cost. Trustee Jackson wanted to know if using Ms. Absenger's case, someone is doing 2 units or 12 units is it going to affect this resolution. The Village Attorney advised that it does not. This is giving the Planning Board the power to look at that and make that determination. Trustee Jackson wanted to know if we have to specify that in this resolution. Village Attorney Porteus advised that we do not because the Planning Board will be the ones looking at it. It is on a case by case basis. There has to be some uniformity. But we have to give the Planning Board some ability because they are going to be the ones with the site plan. She noted that site plans often change. Someone may come in and say that they want 90 units for example and it turns into something much less. The Planning Board looks at things like, it might be that each unit is a one bedroom and you can only have one person where 15 units would have a total of 15 people, versus 15 four bedroom homes which would be a lot more people. Trustee Jackson commented

that Ms. Absenger brought up a good point. You might have existing land of 5 acres, for example. You decide that two years from now you want to do something with your land. The Village Attorney advised that Ms. Absenger's is a subdivision that is already in the Code. This is extending that to a site plan for residential units. Trustee Jackson wanted to know if she sells that land and a new owner comes in and says that they want to do this, or do we have protection in this resolution that once they go over a threshold they must comply with the Recreation Fund mandate. Village Attorney Porteus advised that it would go to the Planning Board with either a site plan application or a subdivision application. We cannot predict what people will do when they subdivide or put on a particular site. That is why it goes to the Planning Board.

At 7:55 PM a MOTION to close the Public Hearing was made by Trustee Funchion, seconded by Trustee Jackson with all in favor.

**b. 14-15 RESOLUTION AMENDING CHAPTER 211 ENTITLED ZONING OF THE CODE OF THE VILLAGE OF BUCHANAN.**

Mayor Knickerbocker read the Resolution (*copy attached*).

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

**c. 14-16 RESOLUTION AUTHORIZING THE EMPLOYMENT OF SUMMER SEASONAL HELP**

Mayor Knickerbocker read the Resolution (*copy attached*).

Mayor Knickerbocker noted that each of these employees has been recommended by our Highway Foreman and they have worked for us before.

Trustee Jackson commented that the Federal government is trying to push up the minimum wage. He would like to follow the guidelines of the Federal government of adding another ten cents per hour to their pay to bring it in line with the Federal government's proposals. Mayor Knickerbocker advised that the minimum wage in New York State will become \$8.75 or \$8.80 by the end of the year. The Federal government's increase has been proposed but not yet passed. She believes that by the end of this year, it goes up 75 or 80 cents and by the end of 2015 it goes up to \$9.00 or \$9.50. Trustee Jackson commented that as a municipality we should bring it to the Federal level but he thought that was \$10.00. Mayor Knickerbocker commented that they do work hard over the summer and we are thankful that we have them because they do a lot of our weed whacking and all of those types of jobs.

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

**d. 14-17 RESOLUTION APPOINTING HIGHWAY AND WASTEWATER PERSONNEL**

Mayor Knickerbocker read the Resolution (*copy attached*).

Mayor Knickerbocker advised that George Smith was our Wastewater Foreman. He has now retired. He was with us for 29 years. His last day was at the end of April. Mike Baisley has been appointed to fill the position. Brian Pascale will be taking some training. Village Administrator Hay advised that the first class is May 15. He has more classes in the September semester which should complete at the end of November or beginning of December. At that point, he will also have the number of hours required to be able to sign up and take the test. The Mayor advised that currently we have one person who is licensed, with Brian Pascale working on his. In the mean time, we will have a company come in to cover when Mike Baisley has a vacation or a day off. By the beginning of next year, Brian Pascale will be fully licensed. But we always have to have someone who is licensed at the plant.

Trustee Funchion wanted to know if Brian Pascale is being taken based on union seniority. Village Administrator Hay advised that the job was bid out. Anyone in the bargaining unit could have bid for it. He was the more senior of the two people who did.

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

**e. 14-18 RESOLUTION AUTHORIZING UNPAID WATER CHARGES TO BE INCLUDED IN THE TAX BILLS**

Mayor Knickerbocker read the Resolution (*copy attached*).

Trustee Jackson wanted to know if we also do this for businesses. Village Administrator Hay advised that we do this for anybody who would pay the tax and did not pay the water bill. It should say residents and businesses.

Trustee Zachary wanted to know if we find people who do not pay their water bill and do not pay the taxes, what leverage do we get by putting them on the tax bills. Village Administrator Hay advised if they are not paying their taxes, it is one of the hardest things to collect on. Trustee Zachary wanted to know what purpose it serves to add the unpaid water bill to the tax bill. The Village Administrator advised that most of these people are paying their taxes and their water bills. If they have not, the only way to enforce it is if they have so many years of back taxes that

we would have to start foreclosure proceedings. Sometimes when houses change hands, then those bills will be paid as well. Trustee Zachary wanted to know if we have ever put a lien on the unpaid amount of taxes. The Village Administrator advised not since he has been here. Trustee Zachary wanted to know if when the tax bill is due, does it automatically act as a lien if the property is sold. Village Attorney Porteus advised that is correct. She noted that if it does not sell, years can go by. Trustee Zachary wanted to know if this is just a consolidation why we are putting the unpaid water charges on the tax bills. The Village Administrator advised that it is consolidating and we are forcing that if they pay the taxes, they are also paying the water bill. He noted that if we did not do this, someone could choose to not pay their water bill but keep paying their taxes and we would have no way to enforce it. This is a way of enforcement. He noted that we would never have a list as long as this for unpaid taxes in a year.

Trustee Zachary commented that in some cases there are reasons for the unpaid water bill. He believes that one name on the list is deceased. The family might need time to settle the estate. He commented that there are probably valid reasons for some and absent mindedness for others. Mayor Knickerbocker commented that some people are struggling financially. Some people could have forgotten. It is a tough economy.

Trustee Funchion wanted to know if this is reflective of just missing one bill. Mayor Knickerbocker advised that this is for last year's bills. Village Administrator Hay advised that we do this every year. This is not the present water bill. It is the water bill for the previous cycle a year ago. These people have had over a year to pay this. Trustee Funchion noted that one on this list is for \$1,153 which is a lot of water. He wanted to know if that represents one year that they are in arrears. The Village Administrator advised that it is one year because we do this every year. The Mayor commented that they could have had a leak.

Trustee Funchion wanted to know if when they get this attached to the tax bill, do they pay with one or two checks. Village Administrator Hay advised it is one check. Trustee Funchion commented that it could be a possible problem with the Internal Revenue Service. Water bills are not tax deductible whereas local taxes are. He commented that if he is writing just one check and it includes his water bill, the IRS is not going to know the difference. He feels that we are making it easier for a person to be fraudulent. The Village Administrator advised that when they paid, we would have a water bill and a tax bill so they would have both. Mayor Knickerbocker noted that on the average, they are a couple hundred dollars or less. Trustee Funchion commented that he does not want us to be turned around by the Federal government who might say that we have been doing this incorrectly and that we would be fined. Village Administrator Hay advised that when we put the payment into the computer it gets broken down because we have separate accounts for each one of these. The water bill goes into the Water Fund and the taxes go into the General Fund. When they pay the bill, we give them the water bill and the tax bill. Trustee Funchion wanted to know if we should give them a note when they pay advising



that they can only deduct part of this from their taxes. The Village Administrator advised that we could and we could give them a bill for both. Trustee Zachary commented that there are innumerable ways someone could cheat on their taxes. It is not our responsibility to police what people are doing. We are not doing anything that is a violation. It is the taxpayer's responsibility to report accurately. Trustee Funchion commented if somebody is doing it intentionally, it is causing us more work. They see not paying their water bill as being advantageous but in the long run it does hurt the Village. We are not getting our water bills paid. The Mayor commented that they do pay it eventually and there is a late fee added. Trustee Funchion commented to turn off their water as someone said in the audience. Trustee Zachary advised that if you have a legal accessory apartment or a multi-family, a percentage of the water bill is tax deductible.

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

f. **14-19 RESOLUTION RETAINING PROFESSIONAL ENGINEERING SERVICES**

Mayor Knickerbocker read the Resolution (*copy attached*).

Mayor Knickerbocker noted that in the 2013-2014 budget the total amount paid currently to the Village Engineer from May to April is \$77,191. The total amount billed to applicants is \$30,000. So as of April 2014, the total that the Village has been responsible for is \$47,000. Currently under the contract we are still under by \$23,000. The Mayor noted that \$30,000 has been picked up by applicants. Trustee Funchion asked the Mayor to explain for the benefit of the public who the applicants are and what they are paying for. The Mayor explained that they are people who come in to develop their property. When they go in front of the Planning and Zoning Boards, there are fees that they incur. There are engineering fees. Their money is put into escrow and money is used for the project out of that. Village Attorney Porteus advised that our Code allows for the Planning and Zoning Boards, and the Village Board if we have a zoning change, to direct that the Village needs the services of our planner or Village Engineer to look at the site plan or development plan. Until it was put into the Code a few years back, the taxpayers were paying for the engineer or the planner. The Code was amended to say that those services are going to come from the applicant. We then passed an escrow law. The Village Administrator talks to the Village Engineer and the amount to be put in escrow is determined. As the bills come in for technical and legal reviews, it comes off the escrow. Village Administrator Hay or Cindy Kempter keeps track of it. When it gets low enough, the applicant is told to put in some more. So instead of the Village taxpayer paying for applicants' developments, the cost goes back to the person seeking to develop rather than the taxpayer who has nothing to do with it.

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

**g. 14-20 RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT BETWEEN THE VILLAGE OF BUCHANAN AND THE VILLAGE ATTORNEY**

Mayor Knickerbocker read the Resolution (*copy attached*).

Mayor Knickerbocker advised that we did not before have an agreement outlining the duties and responsibilities.

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

**h. 14-21 RESOLUTION AUTHORIZING THE USE OF A VILLAGE FACILITY**

Mayor Knickerbocker read the Resolution (*copy attached*).

This is from Helen McGuire on behalf of the Boy Scouts of America Pack 36. Mayor Knickerbocker advised that we always waive the fee for the Boy Scouts and any non-profits who wish to use our facilities. She noted that the insurance certificate is attached to the Resolution.

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

**i. 14-22 RESOLUTION AUTHORIZING THE USE OF A VILLAGE FACILITY**

Mayor Knickerbocker read the Resolution (*copy attached*).

Mayor Knickerbocker commented that this is always a really nice event that Supervisor Linda Puglisi does for the Veterans. She encouraged any Veterans to please come. It is a fun event. It is good to see all the Veterans get together having a good time. It is on June 26 from 10:00 AM to 3:00 PM. Trustee Jackson said we should show support for the Veterans and any Village and Town resident should come. The Mayor noted that the insurance certificate is attached.

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

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

a) Justice Court Report – February 2014; March 2014

Trustee Jackson commented that he had mentioned to the Village Administrator earlier a point of information about the interpreters used by the Court system. He wanted to know if that comes out of the tax payers' money. Village Administrator Hay advised that it comes from the Village Justice – Other line in the budget. We pay for an interpreter when one is needed. Trustee Jackson wanted to know if it was standard practice. The Village Administrator advised that it was. Trustee Funchion commented that it is a pretty hefty fee. He wanted to know if that is per session or per person. Village Administrator Hay believes that both sides have their own interpreter. He said he would think we would have to have our own because how would know if what the defendant's interpreter is saying is accurate and complete. We only pay for ours. We would not pay for the defendants'. Trustee Funchion commented that when he looked at one of these reports he noted the cost of the interpreter, which he thinks was likely for Spanish. He said that we have people in the Village who speak Spanish. He wanted to know if we could get somebody in the Village who could do it for a lower cost. Village Attorney Porteus advised that when a defendant comes in and requests an interpreter through the Court Clerk, the judges usually have a list of one or two who are certified. They get called in. Those people will sit through the night in the court as the case is brought up. When the judge or the D.A. speaks, they interpret back and forth between them and the defendant. You are paying for the service for the court to be able to understand, the D.A. to prosecute and the defendant to have their rights protected. Trustee Funchion said that he understood the purpose. He commented that he had noted the address as being outside the Village and wondered if there was someone in the Village of Buchanan who was Spanish speaking who could do this for a lower cost. Village Attorney Porteus advised that there is a certification process. She noted that some courts in northern Westchester bring in interpreters from White Plains. Trustee Jackson commented that he was looking at the cost to the taxpayers and if there was some way we could cut down on this.

b) Wastewater Report – March 2014; April 2014

Received

c) Planning Board Minutes – November 2013; March 2014

Received.

In response to the Mayor's question on why we are just receiving last November's report, the Village Administrator advised that they have not had a meeting for a few months so they could not adopt them.

d) Fire Inspector Report – March 2014; April 2014

Received

e) Attorney's Report

Village Attorney Porteus reported that it was quiet in Planning and Zoning. Last month, they had a couple of commercial applicants back in. WIC and AAA are back on the agenda. The Village Board members will be discussing some other things that occurred over the month.

f) Trustee's Report

**Trustee Jackson** reported that the Historical Society had a meeting. They are moving along with cataloging and taking a look at what we have in the Historical Room at Village Hall. Seven people are actively working on that. They are looking at an open house around September. They want to bring in the school kids and do a field trip. Any resident who is interested should contact Trustee Jackson.

**Trustee Zachary** reported that Buchanan Day is being planned for September 13. A few new people are working with the committee. They have a lot of things going. They are going to try to include more groups, people and activities. It is going to be bigger than ever. He looks forward to that. There will be mailings in the summer. The next meeting will be on May 14 at 7 PM at the Highway Department building. If anyone is interested, they should please join in.

Trustee Zachary thanked Village Administrator Hay and Police Chief Tubbs for procuring a prescription drug drop off box which will be in the Police Department at Village Hall. Village Administrator Hay advised that it would be installed this week. Trustee Zachary advised that it must be inside the police station and bolted to the wall. They must be under seal and under surveillance at all times. Otherwise, people might be making withdrawals while others are making deposits. He commented that we know how much talk there is about young people who get hold of prescription pain killers like Vicodin which because it is a lot cheaper becomes an easy transition to heroin. Police enforcement people are convinced this is a big part of how this problem comes about. Trustee Zachary commented that drugs you have in your medicine cabinet that you do not need should not be sitting there. Children and their friends use the bathroom. He commented that everybody who has had problems with their kids has said that they never would have suspected their kids. He commented that we have a lot of good kids so let us not put the temptation there. You can drop the drugs off. He asked that this be put on the Village calendar at the top of the page. It will give the hours that the police station is open. He noted that it is not 24 hours a day but starting some time this week you can drop them off any time that the Village Hall is open. Trustee Zachary commented that some people say to just flush them. They are starting to see that unused medications going into the environment are becoming detectable in some of our waterways. Do not put them in the garbage or in the toilet. He thanked the Village Administrator and Police Chief for making this happen. It has been talked about for a while.

Trustee Zachary commented that Mayor Knickerbocker will be talking about Spectra and West Point Partners. People have to be aware of the gas line and the high voltage line projects that are being planned to run through Verplanck and Buchanan. People have to be aware and express their concerns.

Trustee Zachary reported that the banners are up for the Town of Cortlandt about May being Support Local Businesses month. He wants to extend that to Buchanan. He commented that the whole year is Support Local Business year. He commented that we do not have too many businesses here in the Village. He thinks it is nice to have filled store fronts and not vacant ones. Some of our businesses like Buchanan Hardware and Cole's Market are tested and true and people come from all around to go there. When new businesses come in, we have to support them. We have a new restaurant on the Circle, El Condor. The owner is a very nice gentleman. He is trying hard. He is a good natured man. Trustee Zachary said that he has eaten there a couple of times and the food is good. It is Hispanic style and Chinese style. He encouraged everyone to support it. Fat Sal's is coming too. Trustee Zachary commented that when that opens we should support them. He commented that it is good for our house values as well to have active store fronts and not vacant ones.

**Trustee Pasquale** reported that he has had the food at El Condor and it is good. He commented that it has been a month for him now since his election with one week when he was in Florida. He has been sitting around listening to the Mayor and other Trustees trying to absorb as much as he can. He is looking forward. It is going to take him a little time. He commented that with the proper direction and watching everyone here and seeing everybody out in the audience, he will be okay.

Trustee Pasquale commented that he had an opportunity to go to the fire house. They had a nice memorial. He commented that being from law enforcement, those are very important to him. He was glad he was able to go there. He commented that while he was there he was thinking that they are having this memorial for people who volunteered for the Buchanan Fire Department and for what they had done with the fire department. He said that he was used to going to memorials in New York City for Fire Department and police officers; most in the line of duty. He commented that we are talking thousands of people. He said that to go to this memorial and see the way the whole Village volunteer fire department just mention their people, their past workers and the ones who had recently passed away, even if they were not fire fighters but had something to do with that, totally impressed him. He commented that the biggest heart is that of a volunteer. He feels that for anybody who takes time from their family to volunteer, whether it is a fire department or anything like that, it is a wonderful thing. He had a great time. He met some wonderful people. It meant a lot to him. He thanked everybody for letting him know.

**Trustee Funchion** reported on the West Point Partners. He has been to the Town of Cortlandt meetings which the Mayor will report on in more depth. Trustee Funchion went to the hearing on April 30. He commented that he cannot stress enough that what they want to do here is beyond belief. You will be hearing a noise for the rest of your life if they go through with what they want to do. It will really kill our property values. Compared to the gas line and nuclear power station, it will be intrusive to our lives and vastly affect our property values.

Trustee Funchion attended the veterans' meeting at the VA in Montrose. He commented that it is always nice to see the veterans. They brought up that they really have to get more young veterans involved. He noted that currently it is basically people his age and older and unfortunately that is a dwindling group. He commented that it seems that the Federal government is actually going to use the hospital and not sell it off for condos or co-ops. Trustee Funchion said to keep our fingers crossed.

Trustee Funchion reported that he is involved in the union negotiations with our present workers in the Village and will be involved with Trustee Pasquale with the police union contract. There have been four meetings with the Highway Department personnel here. They have not yet met with the police.

Trustee Funchion went to the second meeting for Buchanan Day and was really impressed. He commended Trustee Zachary for doing a good job getting more people interested. Trustee Funchion encouraged people to get out there. One of their ideas is to learn from each year. One idea is that they are going to put up a schedule on the day so people will know when events are occurring during the day.

Trustee Funchion announced that the Memorial Day celebration which is always done by the Town of Cortlandt will be on May 23 at 2 PM at the Veterans' Park in Verplanck. It is a really nice park. It is a beautiful place. Hopefully Mother Nature will cooperate and it is a nice day.

#### g) Mayor's Report

Mayor Knickerbocker said to not forget that this year's Tri-Village Memorial Day parade will be on May 26 in Verplanck. Next year, it will be in the Village of Buchanan. She encouraged everyone to come out. It is not a day of shopping. It is a day to remember our war heroes and give thanks for their sacrifices.

Mayor Knickerbocker commented that it has been a very busy first month in office. There have been budget meetings, contract negotiations and the Town of Cortlandt task force against West Point Partners and Spectra Energy. It has been non-stop meetings. There are a lot of things

going on. There has been a preliminary meeting with Entergy. That is continuing. It has been very busy. She commented that it is good. We have a lot of good things going on.

Mayor Knickerbocker reported that she and Trustee Pasquale attended the Buchanan Fire Department's annual dinner-dance which was great. It is always fun to be with the Fire Department and all our residents. They had recognitions for their 50 year members: Joseph Chapyak Jr., Andrew Cody Sr., Al Donahue and John Henry Markham. She read the names of the 25 year honorees. The Mayor thanked them for their service to the Village. The Mayor read the names of the Fire Fighter of the Year, Member of the Year, Most Company Points recipient and the runner up, and the Driver With Most Points recipient. It was a fun evening. The next day they went to the memorial event. It was a very touching and very emotional ceremony. They memorialized the members who had passed. The Mayor noted that she knew a lot of those people. It brought a tear to your eye. She thinks they would be very proud at how they were remembered for what they have done over the years. She was glad to be there.

Mayor Knickerbocker said that we have talked about West Point Partners and Spectra. After the budget hearing has been shown, she would like to put back on the Buchanan Channel the meeting where the representatives from Spectra, the people that do the infrastructure, came before the Board and did a presentation. This is the Algonquin Gas line. Next month, we will be doing a resolution opposing both the West Point Partners and Spectra proposed projects. The Mayor commented that she cannot believe that they would want to do something like that to our communities. She spoke at the Public Hearing on West Point Partners. She commented that this gets very confusing so it is important that we keep this on track. They are two separate projects.

West Point Partners is a project that is going to harness electricity from upstate New York. They want to bring it down under the Hudson River into Verplanck into the area that Con Edison currently has up for sale. It would have a large monstrosity of a converter station that would be constantly humming. It is on top of many residential areas. The Mayor commented that the Tri-Village area is a very close knit community. What affects one of us affects all of us. If this converter station goes in, we would hear the noise here in the Village. The Mayor commented that from where it would be you could throw a stone and be in Buchanan. You would hear the constant humming. It would be a disaster. Mayor Knickerbocker is proud to be a member of the task force. They have done a phenomenal job. So far, they are fighting this tooth and nail. We are right there with them in that fight. The Mayor commented that regarding the noise to remember what it was like at night when La Farge was unloading the gypsum. They have a barge that comes in and in the dead of night, in the Village of Buchanan you can hear when they are unloading. So you will hear this converter station. Once it gets past the converter station, they want to run lines up to the Village of Buchanan. So we are directly affected. The Mayor commented that when she had her coffee with the Mayor, they went into detail about everything going on with this converter station and what the plan of attack is. There is another task force

meeting on May 14 and she will update everyone following that. The Mayor wants to schedule something for next month because she is finding out that a lot of people are not aware of what is going on. As people are hearing about it she is getting more and more questions. She noted that the Village has sent out petitions in the Newsletter. The Mayor encouraged everyone to please sign them and leave comments with the Public Service Commission (PSC). She thinks that the PSC was shocked at all the comments that came out the other night. She thinks they were dazed after everyone had finished. Everyone spoke very well. It was an excellent meeting. She noted that the Verplanck Homeowners' Association has a wonderful web site with a lot of information about what is going on.

Both the West Point Partners and Spectra projects will be coming in on the same property. The Mayor noted that it is where the quarry is for those familiar with the area. The other project is the AIM project which is a gas line that will run through our area. We will not be able to have any benefit from either it or the electric line. The electricity from the electric line will be sent somewhere else. The gas line is a huge 42 inch line. The Mayor commented that at the next meeting she will have something that will show how big 42 inches is. That line will be coming in from the same area by the quarry. It will run into the Village of Buchanan. It will come up Broadway. It will go approximately 450 feet behind the B-V School. It will connect into the current gas lines that are there.

The Mayor commented that both of these are not positives for the Village. We need everyone on board with this to fight it. She commented that Town Supervisor Puglisi said, "Are we going to become the energy highway here for everyone?" Once the gas line hooks into Buchanan, we will not have any benefit from it. We will not be using any of that gas. It will be sent up to Massachusetts. Neither the electric nor the gas serves any benefit to us. The Mayor advised that we will have an informational meeting next month. It will be in the Newsletter. We will have some demonstrations. There are things that will be happening. The Mayor asked for everyone's support. We all have to work together to stop this.

Trustee Zachary advised that along with this 1,000 megawatt line has come some new structuring. The State has set up new advantages for some of the utility companies which will enable them to raise rates even though they are bringing in more power. He noted that means that bringing in additional lines is not going to save us any money. It is not like if someone built a new house or commercial building where we would get increased tax revenue. The tax revenue that we would see from this pipe being laid under the ground would be extremely small. So we do not gain any advantage in tax revenue. He commented that as the Mayor pointed out, the gas and the electricity are not to be used in our area. The electric line is intended as back up for down County and New York City. He commented that there have to be other places where this could come ashore because both of them would enter Verplanck right around the same area which is residential. The building that would be built in the wooded area around Letteri Field in



Verplanck would be twice the size of the Best Buy store on Route 6. It would be basically just a big shed to cover over transformers. When they are handling these high voltages and converting from DC to AC would be generating large, loud electric buzzing sounds. Trustee Zachary noted that the people on the task force visited another similar location in Hicksville, Long Island and reported that up close the readings were around 100 decibels. We do not get the benefit of rate decreases. It does not serve our area. It possibly makes certain parcels of land harder to develop in the future because there would be easements with gas and electric lines coming through there. Trustee Zachary wanted to reinforce what the Mayor said in that we need people to become aware of this. He noted that every week there is a related article on this in the Journal News. We need people to send these letters back in and to be part of the opposition.

Mayor Knickerbocker commented that to understand what power this produces, one line coming down is 1,000 megawatts. That is what one of our Indian Point power plants produces. They have the ability to bring in another 1,000 watt line. That would give them the ability to replace the power being put out by Entergy. They will need more infrastructure. That cost would be passed on to the rate payers, which is us. The Mayor commented that it is not a positive thing. She urged everyone to talk to people to make them aware. She commented that there were press releases sent out but the press did not pick up on them.

Trustee Funchion noted that there is already a 26 inch gas line that goes through Indian Point. They want a larger one to come in where they said. He commented that from everything that he can see, it is to bring the gas up to Massachusetts so that it can be exported. He noted that the United States is now the largest producer of natural gas and the market is overseas, especially in Europe. He commented that when you increase the size of the pipe, you increase the size of the danger. You also increase any type of pollutants caused by this. There is also a compressor station across the river in Stony Point. Trustee Funchion commented that when he spoke at the hearing, he said that it seems crazy to him that the Town of Cortlandt and Village of Buchanan were becoming the Grand Central of power in and around the metropolitan area. He commented that he cannot emphasize enough that our house and property values will not go down. They will become next to nothing because who is going to want to buy a house if there is a constant buzz.

Mayor Knickerbocker advised that is what the signs mean that everyone now sees with the WPP with the line through it and the words "Stop The Buzz". She commented that something that was said at the hearing that she found bizarre was that West Point Partners said that they had no customers for this project. She commented if they have no customers for this then why are they doing it? She noted that Spectra definitely has a market.

Mayor Knickerbocker announced that at the May Workshop on May 20 at 7:30 PM, we will have Balter Associates doing a presentation about the Griffin property where they are thinking

about putting in 90 units. It will be an informational meeting. Anyone who is interested, has questions or concerns is invited to come on May 20.

Mayor Knickerbocker thanked George Smith who retired at the end of April. He was our Wastewater Superintendent and the operator at our Sewage Treatment Plant. He was with the Village for 29 years. He saw all the rehabilitation projects and worked very closely with the Village getting that done. It is very close to completion. The aerators were supposed to be in last week. Village Administrator Hay advised that we have gotten the tank pumped out and they are putting the final coat of paint on the aerators which are ready to be installed. The Mayor thanked George Smith for his years of service to the Village of Buchanan.

Trustee Zachary asked for an update on the LED lighting. He would like people to be aware that we are looking into LED conversion. Village Administrator Hay advised that since the Budget Workshop, we have the pilot being worked on for three Cobra lights at the Village Hall. The vendor has asked the Village Administrator if we have our own installer or they would recommend someone. The Village Administrator advised that we do have someone whom we use for light changes. The vendor also advised us that some grant money has opened up and that there is a grant seminar on May 15 to find out more about funding for these types of projects. The Village Administrator noted that there is one light outside the Village Hall that everyone can look at. It is 60% less than what was in there. It is about 40 watts. We used to have 100 watts in there. Village Administrator Hay advised that the vendor said that we could estimate a savings in our street light electrical costs of 60 %. Mayor Knickerbocker said that we will try to have someone attend that seminar. Trustee Zachary wanted to know if at a Workshop or upcoming meeting, the Board could get a site inspection of the Cobra lights. The Village Administrator will arrange that when they are installed. The Mayor noted that it would not be at the May Workshop because that agenda is already full. We will schedule it for the June Workshop.

## **6. COMMENTS FROM THE FLOOR:**

Eileen Absenger, 138 Tate Avenue, wanted to know what is the difference with how far out the LED lighting repays itself. She recalled Trustee Zachary's saying it was 5-10 years. The Village Administrator will find out.

Ms. Absenger wanted to know if we have a time frame for any new employee who is going for licensing. She commented that if, hypothetically, Brian Pascale does not get licensed by the end of the year and we are paying for outside services, has a time frame been allotted for that person. She feels that there should be a time frame for any employee requiring licensing to complete it. Trustee Zachary agreed. He noted that there is an exam that must be passed. If they are not able to pass it, we need a back up plan. Mayor Knickerbocker asked the Village Administrator if there was anyone else interested in the position at the Sewage Treatment Plant. Village

Administrator Hay advised that there were 2 people. The Mayor commented that perhaps we could get them over there to become familiar with it but they would not have their license. Ms. Absenger commented that there is a time frame in any job so she wanted to know if that was a part of this one. She wanted to know what the cost differential is between the licensed employees versus the outside service and if there has been any cost analysis on that. The Village Administrator advised that the outside contractor is \$110 per hour. That is a set rate. Ms. Absenger commented that she recalled hearing discussion about putting one licensed employee on from Tuesday to Sunday and the other from Monday through Friday. She wanted to know if that was in the contract. She thinks it was not. She wanted to know if it was \$110 per day. The Mayor and Village Administrator advised that it is per hour with a minimum of 4 hours. Ms. Absenger wanted to know if there has been a cost analysis of using this outside company versus overtime paid to Village employees. Trustee Zachary believes that the current contract allows for that split shift. The second person needs a license because a licensed operator must be there at all times. Trustee Funchion advised that the union is aware that it is in the contract and they are not disagreeing with it.

Ms. Absenger agrees that everyone needs to send in the letters concerning the proposed projects. She wanted to know if the Town of Cortlandt sent them out. The Mayor advised that they did not. She thought that the best way to reach the Village was to put out those letters. She is hoping that will also inform people of what is going on. She commented that there are so many people who do not know. They are hearing things from other municipalities and from other people. Ms. Absenger encouraged anyone who has the letter to make copies and give them to others. She commented that she recalls when property was being developed and a man was getting so emotional about it, she overheard Al Pirro, the attorney, comment to let him talk because the emotion does not mean anything. It is the facts that will count. She would like the Board to put something about these projects on the Village web site with the facts. People can then add facts to it. She commented that it should be factual, aside from what you feel emotionally because emotions do not always work. They are probably looking for facts as to why we should not have this. She commented that we beat one line, the Millennium line. We can beat this too.

Trustee Funchion advised that the similar station on Long Island is completely within an industrial area. It is in an area with mechanical shops, car dealerships and factories. He commented that it is not supposed to be in residential areas. He does not know how they possibly got to bring it in where they are proposing. It is totally residential. He commented that for anyone who is a parishioner of Saint Patrick's Church, as he is, you will not be able to practice your religion there because you will be right up against the noise. Trustee Funchion commented that it is beyond him how they could even conceive of this position. He advised that another good point brought up at that hearing was the question of whether they had even explored any other sites. He said that one individual who lived very close to the proposed site

brought up that even if they had moved it further down toward the nuclear power plant or La Farge, at least no one is living there. Trustee Funchion noted that he did not know if that would make the issue of the buzzing sound any better. He commented that it was obvious that they had not looked at any other sites. Ms. Absenger wanted to know how close was the nearest residential area to the Long Island site and is there zoning that says that something of this magnitude cannot be put next to residential. She commented that unfortunately we have a governor who is very much in favor of this. Trustee Zachary advised that these utility projects can apply to the State to be exempt from local zoning laws. Ms. Absenger noted that Riverkeeper is also opposed to this. She commented that for those with babies and animals, they will be affected if this decibel level is that intense.

M. Absenger encouraged everyone to voice their opinion. The more we get, the better off we are. Trustee Zachary commented that he filled out one of the letters at the hearing and the Public Service Commission was there and took them directly. The next day he received an e-mail acknowledging that they had received it. Mayor Knickerbocker commented that she spoke about this with the Buchanan Seniors last week and they are all on board. So we got 50 letters last week. She is sure that when we do our mailing here in the Village that we will get many more. The Mayor asked that they be sent to the address provided or you can bring them to the Village Hall. Additional copies will be available at Village Hall. Trustee Zachary wanted to know which presentation the Mayor was planning to put on the Buchanan Channel. Mayor Knickerbocker advised that it was the Workshop where Spectra gave us a presentation on the proposed gas line project. Trustee Zachary noted that a couple of months ago a consortium of environmental groups did an information session on Spectra at the library. The presentation here was done by Spectra themselves. The Mayor noted that the Town's web site has information that would be useful to put on ours. She also reminded that you can go to the Verplanck Homeowners' Association web site. They have a lot of information on-line. Mayor Knickerbocker will arrange to have some of the task force members give us a presentation.

Ms. Absenger commented that concerning the West Point Partners project, no one talks about the electro-magnetic fields (EMFs). She commented that there is a lot of controversy but it is the alternative health sector who have really been bombarding these EMFs. The long range problems with EMFs are not known. She commented that people have gotten seriously ill from EMFs. We are in area with a lot of electrical particles in the air from the various sites like RESCO and La Farge. She commented that these EMFs are critical and should be thought about as well.

Trustee Zachary commented that a lot of these points came up at the PSC Hearing. He commented that if you subscribe to FIOS you have separate public access channels for Buchanan, the Town of Cortlandt and Croton. He advised that the Town is streaming a video of the PSC hearing. He did not know if it was on the public access channel or on their web site. He

believes that Optimum subscribers only get the Buchanan public access channel. He thinks that there is something wrong with that and that the Board should look at the franchise agreement with Cablevision. He commented that Buchanan residents should have a right to the Town of Cortlandt public access channel as well. Trustee Funchion believes that Channel 18 on Optimum has the Town of Cortlandt. Trustee Zachary wanted to know if that is only at selected times because when he has tuned in they only have community access programs. He wanted to know if they are not running the PSC hearing could we ask the Town for access to it to show on the Buchanan Channel. The Village Administrator was sure that we could get a DVD copy. Mayor Knickerbocker noted that it was lengthy. It started at 2:30 and went until 5:15. The second session was from 6-7 PM and was informational. She agreed that would be useful to show. People spoke very well and were on top of things.

7. **BOARD MEMBER REBUTTALS:**

None.

**EXECUTIVE SESSION:**

At 9:12 PM a MOTION to enter into Executive Session to discuss the union contract negotiation was made by Trustee Funchion, seconded by Trustee Zachary with all in favor.

At 10:14 PM a MOTION to exit the Executive Session and return to the meeting was made by Trustee Jackson, seconded by Trustee Funchion with all in favor

Mayor Knickerbocker announced that union and other contract negotiations were discussed, no business was conducted and no monies were expended.

14. **ADJOURNMENT:**

At 10:15 a MOTION to adjourn this meeting was made by Trustee Funchion, seconded by Trustee Zachary with all in favor.