

**Village of Buchanan  
Mayor & Board of Trustees  
Village Board Meeting  
September 2, 2014**

**PRESENT:**

Mayor Theresa Knickerbocker

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

Village Board Secretary Susan F. Matthews

Village Administrator Kevin Hay

**ABSENT:**

Village Attorney Stephanie V. Porteus (family emergency)

**1. PLEDGE OF ALLEGIANCE:**

Mayor Knickerbocker opened the meeting at 7:30 PM, welcomed everyone and informed them of the fire regulations. Mayor Knickerbocker invited Mr. Philip Perugini to lead the Pledge of Allegiance.

**2. APPROVE MINUTES:**

June 17, Workshop Meeting: Trustee Zachary advised that he was in Gettysburg, not Philadelphia as reported. A MOTION to approve these minutes as amended was made by Trustee Funchion, seconded by Trustee Jackson with all in favor.

July 15, 2014, Workshop Meeting: Trustee Funchion noted that he was not present at that meeting. A MOTION to approve these minutes as amended was made by Trustee Funchion, seconded by Trustee Zachary with all in favor.

**3. PRESENTATION: Proclamations for Christine Metzger and Philip Perugini**

Mayor Knickerbocker had the Board join with her while she made the proclamations for these two distinguished people. She read their respective honors and accomplishments and congratulated them. The Mayor commented on what an amazing and busy woman Christine Metzger is, noting that she was honored as a Woman of Distinction of the 40<sup>th</sup> New York State Senate District. Ms. Metzger thanked the Mayor and Board for this honor.

The Mayor noted that Mr. Perugini was a paratrooper in World War II in the 101<sup>st</sup> Airborne Division. He was awarded the Purple Heart and other medals from his service behind enemy

lines in the D-Day invasion and is one of only seven surviving members of the now famous Band of Brothers. In 2011, he rang the closing bell at the NASDAQ Stock Exchange in honor of Veterans Day. In 2013, he threw out the first pitch on Band of Brothers Bobblehead Night at the Lowell, Mass. minor league baseball game. In 2014, he was honored during the 7<sup>th</sup> inning stretch at a NY Yankees game.

Mayor Knickerbocker commented that she is also airborne qualified. She has made about 15 jumps. She used the same parachutes as Mr. Perugini did. She commented that Mr. Perugini did not have the pleasure of jumping with the parachutes used today where a canopy allows you to coast down. Mr. Perugini said that when he jumped you came down fast and furious. The Mayor commented that the reason was that you did not want to get shot at. On his D-Day jump, he broke his leg and was stranded behind enemy lines for five days before being rescued. The Mayor commented that we are all glad that he made it and thank him for his service. Trustee Jackson commented that especially for our young people, this is an esteemed occasion to understand that freedom is not free. It is because of this man that we have what we have today. He said God bless us all.

Mayor Knickerbocker commented that we might be a small community but we have people who volunteer to help our community and serve our country proudly. She announced that there will be refreshments on the second floor following the meeting and invited everyone to join us there. The Mayor introduced Mr. Perugini's family. His son Rick thanked the Board for the proclamation.

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

**5. NEW BUSINESS:**

**a) 14-35 RESOLUTION AWARDING THE ROADWAY IMPROVEMENT PROJECT**

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

The Mayor advised that this was the lowest bid. She commented that this year we did not have a lot of money to do road work and next year hope to do a lot more. This year we will do concrete repair on the top of Lewis Street; curbs on Catherine St., Cortlandt St. and Donahue Court; paving on Henry Street at the intersection of Fourth Street, Church Street at the intersection of Henry Street and Craft Lane near the intersection with Lindsey Avenue. Trustee Zachary wanted to confirm that it will be curbs on Catherine Street but it will be paving on Lewis Street. The Mayor advised that was correct. She commented that the concrete at the top of Lewis Street held up well for years but is starting to deteriorate. She went there with the Highway Foreman and Village Administrator and feels that it is better to keep it as concrete on a hill like that. In

response to Trustee Zachary, the Village Administrator advised that a 4 x 8 foot section there has come up. He believes they are going to cut it out and re-pour it and will try to match the grooved serration.

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

**b) 14-36 RESOLUTION AUTHORIZING THE ENGINEER TO PREPARE SPECIFICATIONS AND FOR THE CLERK TO ADVERTISE BIDS FOR THE SLUDGE REMOVAL**

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) 14-37 RESOLUTION RETAINING AN OUTSIDE CONSULTANT**

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

This is for the PILOT program. The Board had the information in their packets. Mayor Knickerbocker commented that as everyone knows we are in negotiations with Entergy. The PILOT is coming to an end and we have to renegotiate. She commented that during the election she had said that we are going to get the best deal we can get. We do not know what that is unless we know certain things. This firm deals with a lot of other communities that have nuclear power plants. This is why we will retain an outside consultant.

Trustee Jackson wanted to know if hiring this firm will strengthen our analysis of whether or not to put Entergy back on the tax rolls. The Mayor said that it would give us a basis of their valuations. She noted that she is not saying too much because the negotiations are on-going, but we are going to discuss this with them. If there are things that must be discussed in Executive Session, we will bring everyone in. She commented that these people do this for a living. They know how to do these evaluations. Trustee Jackson commented that we need to know as many facts as possible to make a clear decision on what the next ten years will be. Trustee Funchion commented that this is like if you were buying a used car and take a mechanic with you to check it out. The Mayor commented that these are people who are experienced professionals and can answer our questions and give us guidance.

Trustee Zachary commented that the information from these consultants breaks down what they do as “task one” and “task two”. Task one seems to him to be a more preliminary assessment to

help us understand what our negotiation options are. That seems to be what this \$2500 is targeted for. But for that they give a range from \$2500 to \$10,000. He wanted to know if we are anticipating that this is a first payment and that there would be a further expense, or will we see what they tell us at this initial consultation and then decide. He noted that we are only authorizing \$2500 at this point. Village Administrator Hay advised that if we decide to retain them further then we would need another resolution. He noted that they specified their hourly rate. We used that to determine the cost of a few hours' meeting to get the basic evaluation process. Trustee Zachary asked if it is possible that this consultation at the price that we have allocated might give us something useful to go on even if we do not retain them further. The Village Administrator advised that he thinks it will help us to set a decision, give us an idea if we are heading in the right direction or not and see if we want to go further in depth with the next step. Trustee Zachary thinks this is a good idea. He just wants to understand what is and is not included in it. Mayor Knickerbocker advised that we will come back with a report and then decide if we will go further with this company. Trustee Zachary wanted to know if any reports would be discussed in Executive Session. The Mayor confirmed that was correct. She commented that she does not mean to not be transparent. She said that we are concerning the monies we are spending but when it comes to negotiations she is sure that everyone understands that there are some things that cannot be discussed until it is over.

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

#### **d) 14-38 RESOLUTION OPPOSING SPECTRA ENERGY'S ALGONQUIN PIPELINE EXPANSION**

Mayor Knickerbocker read the Resolution (*copy attached*). Mayor Knickerbocker corrected the resolution (paragraph 6, line 1) which should read 450 feet, not 500.

Mayor Knickerbocker commented that as this project is going along, things are continually developing. One that has come up recently is a proposed blow off valve in the Village of Buchanan. The Mayor advised that what would happen is that for 40 minutes there would be a sound of this pipeline blowing off the things that are in the pipe, including carcinogens and radon. This resolution is really addressing the health and safety of our community. We have been working on this for a while with the Town of Cortlandt. She commented that new things are continually coming up. Next month Spectra will be coming to our meeting. She would like people here to ask questions and listen to the presentation. They will be put on the agenda first. She commented that the fight still continues. On Monday, September 15 at 6:30 PM, the Federal Energy Commission (FERC) will hold a meeting. We will also have them at Buchanan Day on September 13. There will also be a table with Stop the Algonquin Pipeline. They were very successful years ago when there was a proposal to run another pipeline through here. There will

also be members of the task force at Buchanan Day. Anyone who needs more information can stop by the table on Buchanan Day. They will answer questions. If you need help to make a statement, they will let you know the facts. The Mayor commented that this is not a good thing for our community. We have been fighting this for a while. We need everyone to stay on board and to not lose momentum. We are coming to a critical point.

Trustee Funchion commented that he is really tired of our community being treated the way we are. First off, FERC originally scheduled the hearing for September 11. He finds it awful that anybody would think of interfering with the community on that particular day. Number two, this pipeline does nothing for us, anybody in the surrounding communities or anyone in the metropolitan New York area. This is for New England and Maine and, he believes really for export and not for anybody in the United States. Trustee Funchion feels that it is outrageous to think of putting this pipeline here next to a community with a large population, schools and a nuclear power plant that is already sitting atop a fault line. He remarked that you have think that an idiot came up with this idea. He finds it insidious that they picked on our community. He commented that you do not see them coming through the wealthier communities along the river. Trustee Funchion fully backs this resolution. He urged everyone to come to the Morabito Center on September 15 at 6:30 PM to voice your opinion and horror about what this is. He commented that it can blow up and not to tell him that it cannot. To blow up next to a nuclear power plant that already has nuclear fuel stored and next to the power lines going to New York City makes him question what these people are thinking. They should be taking these things out of our community, not enlarging them by putting further emphasis on their lines. Mayor Knickerbocker said that he summed up the outrage that we all have with this project.

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

#### **e) 14-39 RESOLUTION AUTHORIZING THE USE OF A VILLAGE FACILITY**

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

Trustee Funchion noted that it seems like a large amount of people. He wanted to know if we have sufficient bathrooms. He also wanted to know if we have sufficient parking and if we do not, is this going to encumber the Police Department's time. Mayor Knickerbocker advised that we have had this event here before. Village Administrator Hay advised that we will still have the portable toilets there from the soft ball season. So there will be enough bathrooms. It is a pretty big parking lot. He does not know if it would be a problem. The Mayor commented that this is a Wheelabrator event so they could also park by the resource recovery plant which is close by. Trustee Zachary wanted to know if there is a dumpster there or if they take their garbage with them. The Village Administrator advised that the Highway Foreman put out additional barrels.

Trustee Zachary commented that when we did the Lent's Cove Clean Up, in the area at the far side of the parking lot in particular, they tossed out hundreds of beer bottles and cans. He is sure that a group like this is going to be responsible for their clean up but we should make sure that there is a dumpster or extra barrels there, or make it clear that they have to take out everything they bring in. The Mayor thinks that a dumpster is so much easier.

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

**f) 14-40 RESOLUTION AUTHORIZING THE USE OF A VILLAGE FACILITY**

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

Mayor Knickerbocker advised that one of the things we always check, and need to check, on all of the applications is that they have the proper insurance to protect the Village.

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

**g) 14-41 RESOLUTION AUTHORIZING THE USE OF A VILLAGE FACILITY**

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

This is for a family reunion. Village Administrator Hay advised that this resolution is subject to insurance. They were away on vacation and are to bring it in this week. This resolution is conditional on that. If we do not get the insurance by October 4, they will not have use of the building. Mayor Knickerbocker advised that our next meeting is October 6. That would be after the event. The Village Administrator will follow up about the insurance.

Trustee Zachary commented that if we grant permission for a group using a Village facility to have alcohol, in effect we are basically voting to waive the Village's open container law. The Village Administrator thinks it is a State law. Trustee Zachary commented that the Village is therefore voting to override the State law. He does not understand how it works. He would like the Village Attorney to clarify that at the next Workshop. The Mayor agreed. Trustee Zachary commented that he understands the need for an open container law but for this type of family event, he would like to understand better how it works. Trustee Pasquale advised that it is a State law. Trustee Zachary believes that a local municipality has to follow that law. They cannot pass laws that weaken it but can pass laws that make it more stringent. Trustee Jackson wanted to know if we have ever done it before and have had to have a waiver. Trustee Zachary noted that it is part of the standard facility use form. Trustee Funchion commented that it is the

same thing where you can petition New York City that you want to get married in Central Park. Once they grant permission and you pay the fees, it basically means that a portion of the park is cordoned off for that period of time under the guise of the individual who paid those fees. He wanted to know if what we are approving is not that they can have it but we are approving it for insurance purposes. He believes that they have to pay more insurance if alcohol is being served. He sees it as once it is approved it is then a private party. You and I cannot walk in there on that day because it has been approved for that use at that time. He noted the difference with the concert on the lawn at Village Hall was that that was sponsored by the Village. It was not a private party. Mayor Knickerbocker noted that we also require full time adult supervision of the serving of beer and wine.

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

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

a) Justice Court Report – July 2014

Received and filed.

b) Wastewater Reports – August 2014

Received and filed.

c) Zoning Board Minutes – July 2014

Received and filed.

d) Attorney's Report:

Village Attorney Porteus was unable to be present due to a family situation.

e) Administrator's Report

Village Administrator Hay reported on the waste water treatment plant. One of the steel bridges is now complete. They are working on the second two. The Village Engineer estimates it should be completed in a week to a week and a half assuming good weather.

The Village Administrator reported that last week Light Path did a survey of the phone system at Village Hall. The fiber optic line was on a few poles near the building. They had originally given us a three month time frame. That should now be moving quicker than expected. Mayor Knickerbocker advised that with Light Path we are getting a new phone system and a dedicated

fiber optic line. We are hoping that addresses problems for some people watching the meetings on t.v.

The Village Administrator reported that three LED pilot lights arrived and the Highway Foreman will get them installed as soon as possible. They will go in at the intersection of Tate Avenue and Church Street. Two of the three lights have the white light color. It is a different phase and one is in neutral. They will be put together so that the Board can see which they like better. The Village Administrator plugged in a demo light. He advised that when he was talking to the company, they said that you want to install them parallel to the ground. He noted that the demo lights are about half of the wattage of the lights being installed. Trustee Zachary believes that the electricity savings should be half and it does not warm up as much as an incandescent bulb. The Village Administrator showed how it would be mounted on the pole and what is and is not exposed. The Mayor commented that something else they are trying to do is to stop environmental pollution. The light from these bulbs will face down and not go into the atmosphere. She thanked Village Administrator Hay for a good demonstration and thanked him for following up.

#### f) Mayor's Report

Mayor Knickerbocker reported that there have been complaints from a lot of residents concerning people not properly curbing their dogs. Many of our residents take special care of their lawns to keep them beautiful. She wants people who walk their dogs to please curb them and not let them do their business on other people's lawns.

Mayor Knickerbocker announced that the Buchanan Fire Department will resume their Sunday breakfasts on the last Sunday of the month from 8:00 AM to Noon. Mayor Knickerbocker announced that the FERC meeting on the proposed Spectra pipeline will be on September 15 at 6:30 PM.

The 9/11 Memorial Dedication will be on September 11 at 5 PM. It is the Tri-Village Town of Cortlandt, Croton, Buchanan 9/11 Memorial. This year Trustee Funchion will be ringing the bell for those we lost. It is quite an honor for him. They will have shuttle buses from the parking area that day. It is a beautiful place. The committee has done a fantastic job. Trustee Zachary advised that as you go into Half Moon Bay, before you reach the condos there is a right turn with a sign. There are parking lots along the way in Senasqua Park. The last parking lot is a 10-15 minute walk from the memorial. When there is an event, they shuttle people out and back who have difficulties with that walk. He thinks it is one of the most beautiful memorials he has seen. He did note that it is hard to walk to for some people. He found out also that they did have a volunteer on Sunday mornings from 9-11 AM with a golf cart to shuttle people who cannot make the walk. Trustee Zachary commented that the Mayor of Croton advised that they are looking



for a volunteer to do it in the Fall. Village resident Bob Ingenito has volunteered. Trustee Zachary will announce the Sundays when that will be available.

Mayor Knickerbocker said that Buchanan Day is for everyone, not just the little ones. It is for the “big kids” too. Over the years, Entergy has been very generous in granting us money to sponsor this. It is a nice day for everyone to come, enjoy our community and get to know more people.

The Mayor reported that the ALS ice bucket challenge is going all around the country and that last week Buchanan had our own. It goes to a worthy cause. Millions of dollars have been raised for it. The Mayor commented that we want to make sure Buchanan was also involved. The video is on Facebook. Village Administrator Hay was a participant along with Police Chief Tubbs, Trustee Pasquale, Recreation Supervisor Nancy Bayer and Detective Tom Cobelli. We challenged the Town of Cortlandt. They did it this past Thursday. Their video is on the Town’s web site.

g) Trustees’ Reports:

Trustee Jackson reported that the Historical Society is still doing interviews of people in our Village. A lot of the Seniors. He commented that it is shaping up to be a great assignment to capture the history that is so important to chronicle and pass on. This is a video history of stories people shared with us. Anyone who wishes to have their story told can contact Trustee Jackson at the Village.

Trustee Jackson announced that school is back in session and for us to be conscious of our young people being on their bikes after school. It is that time again when we need to be aware.

Trustee Jackson will follow up with the Town and Superintendent concerning their next steps on drug education. We had those meetings at the high school last year. We want to be sure to continue those events to get the information out to our young people. He reminded everyone that we have the facilities to turn in old prescription drugs that we have in our medicine cabinets. We do not want to lose any of our young people.

Trustee Jackson announced the Fire Department Golf Outing on September 5. He hopes everyone will come out and support our volunteer fire department. A great time will be had by all.

Trustee Funchion thanked Trustee Zachary for starting up the concert we recently had on the lawn at Village Hall. It was a beautiful day. He thinks everyone had a really nice time. He thinks it was a great idea and hopes that we do more of that next summer.

He reported that Buchanan Day is coming together well. This year it will be bigger. He encouraged our older people to come out. The band we had last year and this year was really good. It is nice to sit and listen to the music and enjoy a soft drink or cup of coffee and a hamburger. He commented that because we are blessed with having the pavilion, we do not have to worry about Mother Nature.

Trustee Funchion reported that he has spent a good part of the summer working on the negotiations with the police union and the Teamsters union.

Trustee Funchion commented that the 9/11 Memorial is very significant to him because the World Trade Center was his professional home for practically his entire career. He referred to Trustee Zachary's comments about the emotional impact of the area where the memorial is. It is really a beautiful area. It has been done so well. He commented that the tranquility of the site is in contrast to the sheer madness of that day. He recommends that everyone see it. He thanked Trustee Zachary for all the work he has done for it.

Trustee Funchion commented that he has already expressed his feelings this evening about the proposed gas line. He urged everyone to come out and let these people know that we are not going to take this anymore; that we are really angry about what is going on.

Trustee Funchion knows that people come before the Planning Board if they want to put an addition or a deck on their house, for example. He noted that there is one location here in the Village where they started working at 8 AM on a Saturday morning. He believes that on Saturdays and Sundays, no construction work is supposed to begin before 10 AM. He knows that is true in the Town of Cortlandt. Mayor Knickerbocker advised that in the Village it is 8 AM even on Saturday and Sunday. Trustee Funchion feels that is something we should look to change. He believes that people who work during the week should be able to sleep late on Saturday and Sunday. Trustee Zachary agrees that we should look at that.

Trustee Zachary thanked Trustee Funchion for his comments about the concert. Trustee Zachary feels that it went well. Next summer, he is hoping to do four concerts with some different types of music; possibly a jazz night, a blues night or rock classics. He would welcome feedback from our residents. He first heard the group we had this year at the Croton Tavern. He will be visiting other music venues in the area to listen to other groups we may want to have.

Buchanan Day will be on September 13 from 11 AM to 4 PM. It is going to be bigger than in the past. More people are setting up tables; vendors, some services, some food, some crafts. We will have more people vending food this year and different types of things. Somebody is selling ice cream. Somebody is selling funnel cakes. Gaetano's will be back this year. Fat Sal's will

have a table promoting their restaurant. They actually just opened today. He spoke with some people who were coming out of there who said that the food was very good. Trustee Zachary encouraged everyone to support our local businesses. Village Administrator Hay has a menu. The Buchanan Day Committee will meet on Thursday, September 4 at 7 PM at the Highway Department building. All are welcome to come.

Trustee Zachary announced that for residents who would like to have input at our next Workshop on September 16, they will be discussing a couple of matter. One is the temporary signs that people put up around the Village. Not when a business gets their site permit and is allowed to put up the marquee. He said that it is the stuff sticking in the ground that you see at the gas stations, political signs, and people sticking signs for their business at the corner. The Board will discuss this and how we may want to regulate them differently. Trustee Zachary feels that this Board is extremely open to listening to people. Some other boards do not include the public as much in their Workshops.

Trustee Zachary urged everyone to come to the dedication ceremony for the 9/11 Memorial in Croton on September 11 at 5 PM.

Trustee Pasquale commented that it is hard to be last. He had nothing further to report.

**7. COMMENTS FROM THE FLOOR:**

None

**8. BOARD MEMBER REBUTTALS:**

None

**9. ADJOURNMENT:**

Mayor Knickerbocker again thanked Christine Metzger for her services to the community and thanked Philip Perugini for his service to this Country.

At 8:43 PM, a MOTION to adjourn this meeting was made by Trustee Funchion, seconded by Trustee Zachary with all in favor.