

Village of Buchanan  
Mayor & Board of Trustees  
Village Board Meeting  
May 3, 2016

**PRESENT:**

Mayor Theresa Knickerbocker  
Trustees Nicolas Zachary and Duane M. Jackson  
Village Administrator Kevin Hay  
Village Attorney Stephanie V. Porteus  
Village Board Secretary Susan F. Matthews

**ABSENT:**

Trustees Richard A. Funchion (vacation) and Cesare Pasquale (ill)

**1. PLEDGE OF ALLEGIANCE:**

Mayor Knickerbocker opened the meeting at 7:30 PM, welcomed everyone, informed them of the fire regulations and asked Mary Chapyak to lead the Pledge of Allegiance.

**2. APPROVE MINUTES:**

Mayor Knickerbocker announced that the approval of the minutes of the January 5, 2016 Regular Meeting, February 2, 2016 Regular Meeting, February 9, 2016 Workshop, February 22, 2016 Special Meeting, March 1, 2016 Regular Meeting and April 5, 2016 Organizational Meeting will be tabled until the next meeting.

**3. PRESENTATION: Certificates of Appreciation**

Mayor Knickerbocker presented Mary Chapyak Pernicone with a Certificate of Appreciation. Ms. Chapyak Pernicone has been a Village resident living on Second Street for 38 years. She introduced her husband and family members who were with her this evening. The Mayor noted that Ms. Chapyak Pernicone was a our Acting Village Justice from 1986-1989, Village Justice from 1997-99, and Acting Village Justice from 2000-2016. The Mayor had asked her to come to this meeting to receive this recognition for everything she has done for the Village. The Village appreciates everything that she has done and we are sorry to see her go. The Mayor read the Certificate of Appreciation. Photographs were taken and will be posted on the Village of Buchanan Facebook page. The Mayor wished her the best. Ms. Chapyak Pernicone thanked the Mayor and the Board and the Village. She noted that 38 years was mentioned. She commented that she guesses you could say those are pretty deep roots in this Village. That is why she always

felt honored and privileged to serve here even after she moved out of the Village. She commented that time marches on and it is time to move on. She thanked everyone for the certificate. It was not anything she looked for but it is very much appreciated

Mayor Knickerbocker commented that the best part of being Mayor is giving recognition to the people who serve the Village.

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

None

**5. NEW BUSINESS:**

**a. PUBLIC HEARING: PROPOSED ZONING CHANGE ALLOWING A SENIOR MULTI-FAMILY ZONE.**

At 7:38 PM a MOTION to open the Public Hearing was made by Trustee Zachary, seconded by Trustee Jackson with all in favor and Trustees Funchion and Pasquale absent.

The Mayor asked if anyone wished to comment.

Neil Alexander of Cuddy & Feder LLP spoke as the attorney for Community Housing Innovations [CHI]. He noted that Deborah Post, their Director of Finance, was also present. Mr. Alexander advised that in addition to the letter and the financials she is the one who helped put together the financials. He said that they could hit some highlights or answer questions, whatever makes it more user friendly for the Board. He commented that personally he thinks that it explains a lot. He commented that one of the biggest takeaways that he had was that even under the scenario they proposed which as the Board understands from the material has less of a subsidy, they are talking about \$260,000 associated with the net operating income. But the debt service is about \$226,000. So you are taking about \$35,000. He commented that if you think about that that pro forma is going to have to go forward against C.P.I. and who knows where interest rates go, there is not a lot of free cash flow on this project. As an operating expense, no one is drawing out money. They thought that was an important point. He commented that the developer's fee is totally a misnomer. He thinks that is really important to get out there. He commented that is the fee to take it all the way through Zoning through building to C.O. He commented that it is like if you flipped it that would be your fee walking out of it. You get that when you get a C.O. He commented that it is not a lot of money and if you think about it, \$500,000 of that \$1.7 million is being left in the deal. It is about 1.2 which is about 8%. He commented that if you think about the way those numbers work if there are any cost over runs or change orders they will be against that number. So you are running against yourself. He commented that not only on the operating side but on the development side, there is no fat. He

thinks that is a really important take away for the public. Mayor Knickerbocker commented that amount is basically soup to nuts, to the end of this deal. Mr. Alexander agreed.

Mr. Alexander commented for the benefit of the public that the Board started with 96 units, noting that the Board already knows this. He commented that the Board have been incredible stewards for the community because there was a project proposed for 96 units. The Board said what about 66. That person walked because 66 did not work for them. CHI picked up the opportunity. He commented that they talked about 33 as all affordable. They talked about a bunch of different mixes. He commented that the Board has done a lot of due diligence. The Board pushed and prodded them and found the bottom line. He does cast aspersions that anyone was trying to hide a bottom line. He thinks those projects all had good reasons. There were other for sure amenities associated with those projects that a project as stripped down as this project is has a harder time being able to do. He commented that hopefully when the Board has its next meeting if CHI were able to get an affirmative we will see if other people who are watching into this room are able to help with those things that they cannot do but would obviously be amenable to, to the extent that it affects the property here. He thinks those were important take aways. He commented that this has been a Public Hearing since July 2015. The Village Board has taken a lot of comment. Mayor Knickerbocker commented that we want to get it right. Mr. Alexander commented that they think that the Board has and has right sized it at this point. [CHI] feels very strongly about that. They know that separate and apart from them the Village has had our own due diligence with the County. He is hopeful that they reiterated what their pro forma has shown. He thinks that the big take away is that the Board right sized it for our community. He thinks that the Board withstood an incredible amount of pressure to do that as stewards for our community. He thinks we are at the brass tacks and that hopefully our community understands what great stewards the Board has been. He thinks that the pro forma shows that it is not from a lack of want. It is from lack of ability to find any other place to help us out with regard to honoring the wish to do more market. He commented that as the Board sees, [CHI] cannot do that. They are barely getting there. He said that if they deferred any more of the fee the subsidizers would actually punish you by taking more out of the deal. The deal would actually be low on equity. They would have a shortfall if they put any more, because they were looking into doing that. He commented that anything that is more in the weeds Ms. Post is much more astute at answering. He just wanted to put a little bit of a capstone on it for us.

Mayor Knickerbocker said that she does thank him for the financials. They came in yesterday. She commented that there is a lot of meat there. She looked at it quickly but has not gone into it in depth yet because of the amount of things in it. She thanked him because this is what the Board was asking for, numbers and things. She does not know if the Board members have had time to delve into it either. She asked if the Board members had any questions. Trustee Jackson had none.

Trustee Zachary had no questions. He commented that he also looked at it quickly. He did not fully understand some of the financials. But he will take some more time and look at it. He commented that quite honestly the immediate Village impact financially is more of a concern to him than the financing of the project. He wants to understand the basics of this. But he thinks that the impacts to the Village, potential costs to the Village, potential services, what we get from this in terms of taxes are the more important things to him and he thinks to a lot of residents as well. He commented that what he saw as we came up with numbers, none of which were final, were that the potential taxes on this residential lot were going to be way more than what we are getting for comparable commercial lots. That is one aspect that he was satisfied with. He commented that should this advance the Planning Board could work out the other aspects. He does not have any questions at this point. He commented that if he could dream up any project that he wanted he could probably dream up something that he would want more. He thinks this project deserves to go forward and he plans to support it. Mr. Alexander thanked him for his support.

Mayor Knickerbocker advised that Trustee Funchion is in Ireland. He has a wedding there and had planned to be there this month. Trustee Pasquale has the flu and a stomach virus. The Mayor advised that because she really needs to understand this better what she would like to do is to adjourn the meeting until next month.

Mr. Alexander commented that they are fine with the concept of an adjournment. He wanted to talk about a time line. They appreciate that they gave the Board information and when it was given. He commented that one of the things that they struggle with a little is that this is an odd month. The Mayor noted that there is a holiday at the end of the month. Mr. Alexander added, and the Tuesday lays out. We are talking about almost 40 days before the Board meets again on June 7. He knows that one of the Trustees is away for a week or two. He commented that is a fair amount of time. Mayor Knickerbocker advised that she is not sure exactly when he is coming back. She believes it is 3 weeks so we are looking at the end of the month when he is back. Mr. Alexander commented that it is a very long time. They do not know what the Board's protocols are for special meetings or whether it would be appropriate but they would welcome that idea. The Mayor advised that if it was an emergency, we would do a special meeting but she noted that our big problem is that our way of communicating with people in the Village is mostly through our Newsletter. It has already gone out. She commented that she tries to keep the meetings very open and advertised so that everybody is aware. She does not want to leave somebody out who might say, "Oh, I didn't know that you had a special meeting!" because we have had problems with that before. That is her concern. Trustee Zachary commented that it might be a matter of one week having the full Board. Mr. Alexander commented that he agreed and that he was not going to lose the forest for the trees. He commented to perhaps close the Public Hearing tonight. It has been open since July of 2015. The Mayor commented that she understands that but because of the new information that came in she still needs people to ask

questions. Mr. Alexander commented that the Mayor can still ask the questions. He remarked that he is 0 for 3 here. Even if it is a ground fly and it sneaks past the Second Baseman, the Mayor has to give him a little “attaboy”. He commented that you still have 62 days after a Public Hearing closes to take action generally speaking on an application. Mayor Knickerbocker advised that in light of the new information she wants to keep it open.

Deborah Post of CHI commented that the other issue and why they are asking for a special meeting is that they are also working against the time clock with the County. CHI definitely needs whatever resources the County is able to give them. She commented that the County has a rather long process themselves. They have to not only go to the County Planning Board but then to the Board of Legislators. She noted that during the summer, their meetings get very thin. She commented that time is of the essence in this case because they are really trying to meet with the County’s schedule and not lose the opportunity to get funds from them. That would have a very negative impact on the project. She advised that as the Board can see from the numbers, CHI needs the County in order to make this project work. Mr. Alexander thinks that the Public Hearing aspect is important too. He commented that it has been an open Public Hearing for almost 10 months. He commented that it is sort of like bridging all the gaps that we are at. It is just a little something. It does not commit the Board to a course of action. He commented that the Mayor said that the Board was going to take action at the June meeting anyway. But the Board was going to take action tonight barring, understandably, it is unfortunate. It happened. Mayor Knickerbocker commented that she is very lucky that she is here tonight. She almost had to cancel the meeting. Mr. Alexander commented that it is not a commitment to a course of action by the Board to give them a little something of a Public Hearing closing. He commented that if this were to garner the necessary votes there still has to be a site plan special permit review. So it is not that it is done in June truly and they are running against the end of the deadlines with the summer with the County. It is just from an overall staging standpoint. He thinks that it would be a great token of the accommodations that we have all been making to each other throughout. He hopes that the Board has been considering that. He commented that he understands that it is not so easy because if one of the Board members decides that we are not going to get there tonight and we need unanimity. But he thinks that it would be a good harbinger of where we could go together.

Mayor Knickerbocker noted that they had mentioned that they have to go to the County. She wanted to know if for example, the Board did give approval this evening, noting that it does look like that is happening, what would be the process going forward.

Mr. Alexander advised that they need the special permit site plan approval from the Village. The Mayor commented so then they would go to the Planning Board. Mr. Alexander advised that because the time is so tight that they would probably do both at the same time. They would have to be moving forward with the project but by the same token it is not a complete and full statement of what the project is going to be because it does not have a site plan special permit.

So they would work a dual track. He noted that the [County] Legislature takes time off in August. The State needs it by October to make this funding cycle, which is [C.H.I.'s] goal and to use the known funding sources as opposed to finding new sources; which he is sure that they could find eventually. Trustee Zachary wanted to know if they need to be through the Planning Board by October. Mr. Alexander commented that would be ideal. Trustee Zachary commented that it usually takes more time than that. Ms. Post commented that they are having to do a lot of different tracks at once. That is the way it is going to be, particularly because they are trying to get in under the wire with the County. Mr. Alexander commented that ideally you like to spend serially. Ms. Post commented that if they do not get the County money that obviously affects the deal.

Trustee Zachary wanted to know if we close the Public Hearing, is the clock ticking on how much time the Board has to take the vote. Ms. Post advised that we would have 62 days. Village Attorney Porteus advised that she thinks their point is that if the Board were thinking that we were not going to vote in June and that we needed more time then we would not close the Public Hearing. That is up to the Board. Mayor Knickerbocker commented that for the amount of time, she would really rather leave it open at this point because she might have some comments after she reviews this. Mr. Alexander commented that we are not precluded from going back with each other. The Mayor commented that if she is saying and the Public wants to say something, she is trying to keep this as open as possible with the public so that everybody understands what is going on. We are not hiding anything. Everything is out there in the public. Mr. Alexander commented that the Board can appreciate from [CHI's] side of the line that they thought they were coming tonight to a conclusion which we had all talked about. He commented that they were just trying to get a little something that was more psychological than it is actually committing the Village to a course of action. He commented that he appreciates the Mayor's opinion. He commented that given the way that tonight is, they understand that they need all three of the Board members. He commented that they are not looking to go in a place that creates anything other than a spirit of coming together that we have had. He thinks it is pretty amazing where this has come. There has been a lot of outside pressure and an application that has implications for you all first and foremost. They appreciate that. [CHI] thinks that they have come a long way in accommodating just about everything they could and where they cannot, it is not a "No, we won't." It is a "We don't know how any better." He commented that the Board has their complete numbers. The Mayor said that was very much appreciated. Mr. Alexander commented if there are any mistakes they made or any assumption they made and someone thinks that they can sharpen the pencil better than they did, they have always been open to that idea from the beginning. He commented that it sounds like the Board wants to see them on June 7.

Mayor Knickerbocker commented that if there is any way when [Trustee Funchion] comes back, we could do something, noting that she is not promising anything. Trustee Zachary wanted to

know when he was coming back. The Administrator advised that Trustee Funchion had told him it would be the middle of the month. The Mayor commented that is hard to communicate with everyone to let them know. She commented that we put it on Facebook and people say that they do not look at Facebook. We put in the Newsletter. Most people in the Village look at that. Plus we put it on t.v. Ms. Post wanted to know how many days we need for a notification. Mr. Alexander commented by law it is 5 days but the Board is talking about delaying as a practical matter. Ms. Post commented that if we did 10 days or 2 weeks, it would be helpful and she thinks it would give the Board enough time to review what they have given to them and they can answer any questions. Mayor Knickerbocker said that we can go back and forth answering questions for the Board.

Trustee Zachary thinks that if we had the fourth Board member here that it still would not have gone forward. He thinks that is unfortunate. He commented that CHI has a time factor and that he is sick of this. But he guesses that we are going stop at the June 7 meeting.

Mr. Alexander commented if something comes up in the Board's thought process to please share it rather than surprising them. Mayor Knickerbocker commented if there are a lot of questions with this that we may ask them to come to our Workshop also. Mr. Alexander said that they are available and that they are here for you all. He guesses that we will go from there. Ms. Post thanked the Village Board for Community Housing Innovations for taking the time and effort to work through this for them. The Mayor commented that there have been many questions. There has been back and forth. There are changes. There have been a lot of different things that have gone on down the road. She noted that they have not been with us here the whole time. There has been a lot of back and forth, a lot of change in plans and a lot of different things. Mr. Alexander commented that he understands. He thinks that the best part about it is if you look at the trajectory of what has happened that it has all been to accommodate the Board. The Mayor said that we appreciate that.

At 7:56 PM a Motion to adjourn the Public Hearing was made by Trustee Zachary and seconded by Trustee Jackson.

Diane Tangen, Catherine Street, wanted to know the details of the project. She commented that she did not have any idea what they were. Mayor Knickerbocker apologized. She advised that they were here last month. She directed that the Public Hearing remain open as no vote on the Motion has been taken. She asked Mr. Alexander if he could review what he said at the last meeting.

Mr. Alexander commented that this has been an on-going struggle for quite some time. Originally the proposal for this property was approximately 96 units. Then through interplay reduced down to 66 units at which time it seemed to have stalled out. The original developer

walked. Community Housing Innovation [CHI] stepped in. They had a discussion within the past 6 months with the Board about potentially going to 100% affordable and dropping to 33 units. He asked the Mayor if that was not a fair characterization noting that they would have been chopping off one building. The Mayor noted that was when they were doing a subdivision. Mr. Alexander concurred. He commented that would have been a 100% affordable project as opposed to the way the zoning text amendment is written now at no more 85% affordable. That did not garner much in the way of traction. Then there was a discussion about increasing the number of market rate and affordable units and what was the minimum number of affordable that they could handle. That was where the discussion was last month. The Mayor believes that the Board had asked for 17 affordable and the rest market rate. Mr. Alexander commented that where we have wound up now is the same 42 units have been talked about for 2 or 3 meetings at this point. He noted that 35 units are affordable and 7 are market rate. The latest financials that were provided analyze that 35 plus 7 versus a 32 plus 10 analysis and showed where CHI felt was a definite wanting of about \$750,000 plus or minus in the pro forma shortfall if they went to those market units; hence their belief that this works out. He commented that as they said at the top of the meeting the free cash flow is only about \$35,000 per year over debt service in the operating budget under the scenario that they have provided. He commented that it is very, very tight.

Mayor Knickerbocker commented that the discussion last month was that the Board was looking for more market rate because according to our Master Plan that had targeted that area for Senior affordable housing. Also Mr. Roberts had come here, noting that she believes it is in the minutes of the January Village Board meeting, where he said that a lot of the Senior Citizens here are “housing burdened”; that a lot of their income goes toward their homes. The Mayor commented at that point the Board realized that there is a regional need for Senior affordable housing. But we also wanted to make sure that our community, not just Buchanan but the surrounding community - Verplanck, Montrose, Croton, whatever the surrounding community - even if their income requirements were not where they could get into the affordable, would still be able to come into this housing project. She commented that is where the discussion was. [CHI] has given us financials. They are saying that with what we asked for, the 17 affordable and the rest market rate, that those numbers will not work for them to be able to do this project. That is where the discussion went last month. Then we got into the discussion of what the rentals are. The average one bedroom rental around here is \$1200. The Mayor noted that is not “affordable”. That is what the market rate is for a one bedroom. Approximately \$1100, \$1200, \$1250 is the current market rate. She commented with their affordable housing with the income requirements that would be necessary, you are looking at about \$1200 also.

Mr. Alexander thinks that they had also submitted their supposition based on policy map that only 1.4% of all the housing units in the Village were affordable for a household of two with incomes up to 80%. The Mayor commented that then she does not know how a lot of these

people are doing here. Mr. Alexander commented that everyone is doing it by being housing burdened. Trustee Zachary commented that sometimes the houses are paid off. Mr. Alexander commented that they had a little discussion, and that it is all available to others, about the reality that this is a 62 and over the nature of the person may be different too as well because a Senior is different in earning than a family because you may have outside sources. Trustee Zachary commented that Seniors tend to be good residents. Mr. Alexander commented that they do not have school kids.

Trustee Zachary commented that the letter that Mr. Alexander sent mentions market rates of \$1500 per month for a one bedroom and \$1900 per month for a two bedroom in Buchanan. He wanted to know if that is what the market rate rents would be at this development. Mr. Alexander replied no, that it was an assumption. Ms. Post commented that they made that assumption a while ago. She thinks that we agreed that they are probably a little high but she did not want to change them because it was what we had talked about and she did not want the Board to say that [CHI] was now making the rents less. Trustee Zachary commented that they probably used some averages. Mr. Alexander commented that it is actually more conservative. It actually makes the market rate look like closer to being happening. He commented that if you dropped it to what people believe is the prevailing, your delta is going to be that much further actually. So it would go over 800,000 for example, instead of the 750 or 773 that is listed. He commented that it would get much worse because you do not have the operating income and the rent roll. Ms. Post concurred and added that she just did not change it. Mayor Knickerbocker commented that she knows that the rates down County – if you are talking about White Plains, New Rochelle, Mt. Vernon - are completely different. You are closer to the [New York] City. She commented that we say that it is, and why people come here, affordable to live here compared to other areas.

The Mayor called for any other comments from the floor.

Eileen Absenger, Tate Avenue, had questions for the representatives from CHI. She wanted to know concerning 62 and over if that included veterans and the disabled. Ms. Post advised absolutely. Ms. Absenger commented that it is 65 plus and that does not include that. She was thinking of Peekskill. Mr. Alexander thinks that she has a misapprehension as to the Fair Housing Act. He advised that the Fair Housing Act does not allow you to discriminate in housing in large part. But they adopted amendments subsequent to that act being in place for decades. It basically allowed a discrimination in the sense that you could have a development that catered only to people of a certain age or older. That is the [HOPA ?] amendment to the FHA. When you are 62 and over, there is nothing anything else other than an exception. He commented that whatever hierarchy they may have created in Peekskill predates a couple of court decisions which no longer allows hierarchies and in fact, New York City right now is subject to litigation on doing exactly that with regards to its 20,000 new units. It tried to create a

little bit of a hierarchy and it is the subject of litigation. Out in Oyster Bay, that hierarchy was struck down. He advised that basically at this point, you are no longer allowed to have a point system or hierarchy that used to exist where you used to give preference to first responders, disabled and people like that. It is definitely frowned upon and the case law is developing quickly against it. He thinks, noting that he does not want to put any words in her mouth but is just trying to clarify, that is where that 65 is coming from. It may have been something that was permissible when that project was done up in Peekskill. Ms. Post commented that they would not discriminate against the disabled whether they were Seniors or families. It is not what they do. Trustee Zachary commented that this was designed for people who could live independently. Ms. Post said independent living. Mr. Alexander commented that there is a full vetting process. It is a double vetting process essentially for anybody who is going to live there. There is the normal vetting process that a market rate operator would have and there is the income eligibility vetting process as well. He commented that one does not automatically trump the other or trip the wire one wire one way or the other. So you have to complete both those processes.

At 8:09 PM, a MOTION to adjourn the Public Hearing to next month was made by Trustee Jackson, seconded by Trustee Zachary with all in favor and Trustees Funchion and Pasquale absent.

**b. RESOLUTION AUTHORIZING THE ADOPTION OF LOCAL LAW 2 OF 2016  
AMENDING CHAPTER 211 OF THE VILAGE OF BUCHANAN CODE (SENIOR  
MULTI-FAMILY)**

Mayor Knickerbocker announced that this would be adjourned.

**c) PUBLIC HEARING: AMENDING CHAPTER 211 OF THE CODE OF THE VILLAGE  
OF BUCHANAN.**

Mayor Knickerbocker noted that this has to do with fences and walls. The Mayor did not think that the Board would be voting on this this evening.

At 8:10 PM a MOTION to open this Public Hearing was made by Trustee Zachary, seconded by Trustee Jackson with all in favor and Trustees Funchion and Pasquale absent.

Mayor Knickerbocker read the proposed amendments to the Code (*copy attached*).

The Mayor commented that in some of the Workshop meetings, the Board has been talking about going through the Code. One that has come up concerns fences and walls. The Board has brought in the Building Inspector to see what is in the Code that he has seen and is having a

problem with because some of the Code has not been updated in so long. The Mayor commented that there are a lot of things that need to be addressed.

The Mayor commented concerning the setback for front yard fences. What we have seen is that residents are putting fences in their front yard as they are allowed to do but they are coming right to the curb. We are concerned that if during the winter months the snow plow comes and knocks that fence down or damages it in any way, the Village should really not be responsible. So we are asking them to put that fence back 6 feet. The Mayor noted that fences that are in place prior to the adoption of this Code will be “grandfathered”. She advised that concerning requirements for walls over a defined height, what we are trying to insure that it is a safe wall.

The Mayor advised that copies are available at the Village Hall. The Administrator advised that is on the Village web site and that supporting documents will be made available. The Mayor called for any questions from the Board.

Trustee Zachary commented about setting the fence in from the curb 6 feet. He noted that if you look at your survey map, your property line does not go to the curb anyway. The Village has a right of way where your water feeds are located. He noted that property lines tend to be set in from the curb. Property lines vary depending on the road you are on. He commented that he generally likes what is on here. He wanted to add one thing. He commented that in our Zoning Code we have a lot of “grandfathered” older homes in the Village. If that house is taken down completely, you cannot build back the same house. You lose your grandfathered status if it is more than 50 percent demolished. He would like something similar in here. He commented that the goal of zoning is to bring things into conformity, not to extend the non-conformities indefinitely. He would like something here that if a fence is taken completely down to put up a new fence that the new one has to conform to the new Code. If you do a repair on an existing fence then you maintain your grandfathered status. He asked that this be added to the resolution. Village Attorney Porteus advised that is fine. She asked to confirm that this is walls and fences. The Mayor advised that was correct. Trustee Zachary advised non-conforming walls or fences.

At 8:16 PM, a MOTION to adjourn this Public Hearing to next month was made by Trustee Jackson, seconded by Trustee Zachary with all in favor and Trustees Funchion and Pasquale absent.

**d) RESOLUTION AUTHORIZING THE ADOPTION OF LOCAL LAW 1 OF 2016  
AMENDING CHAPTER 211 OF THE VILLAGE OF BUCHANAN CODE (FENCES &  
WALLS).**

The Mayor announced that this will be held over to next month.

**e) 16-13 RESOLUTION AUTHORIZING THE VILLAGE ENGINEER TO CREATE SPECIFICATIONS AND FOR THE CLERK TO ADVERTISE BIDS FOR SLUDGE REMOVAL.**

Trustee Jackson read the Resolution (*copy attached*).

Mayor Knickerbocker noted that our process is getting better. She asked the Village Administrator to comment.

Village Administrator Hay advised that we have changed the process a little bit at the Sewage Treatment Plant [STP]. We have been running off the water because water settles on the top. We are running that off and reprocessing our sludge. So we have been decreasing the number of gallons we do in the yearly process. In the past we have done around 2.9 million gallons. The Administrator advised that he, the Village Engineer and the Waste Water Foreman will be finalizing the numbers but they are thinking it will be between 1.5 million and 1.75 million gallons instead of the larger number. Because we do not need that many gallons anymore, we are trying to reduce the cost to where it should be. Once a final number is determined it will be available in the Village Clerk's office and then put out to bid.

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

**f) 16-14 RESOLUTION AUTHORIZING UNPAID WATER CHARGES TO BE ADDED TO THE TAX BILLS.**

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

Mayor Knickerbocker explained that this is a Resolution authorizing any unpaid water charges to be included in the Village tax bills from April and October 2015. Trustee Jackson asked if we do this every year. The Mayor advised that we do. There is a list of people. She commented that sometimes it is not a lot. Most are not a lot of money. Sometimes people just forget to pay the water bills.

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

**g) 16-15 RESOLUTION AUTHORIZING BUDGET TRANSFERS.**

Trustee Zachary read the Resolution (*copy attached*)

Mayor Knickerbocker thanked Village Administrator Hay. She commented that normally the Board just gets line numbers but this has been pulled out so we see the line number and what it is coming from. She thanked the Administrator because now the Board is not looking up these numbers to see what it is coming from. It makes it easier for them. She also thanked Cindy Kempter whom she is sure had something to do with this.

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

**h) RESOLUTION APPOINTING A HIGHWAY FOREMAN.**

Mayor Knickerbocker announced that she is going to ask the Board to adjourn this to the next meeting. She was not able to make it to the interviews so she will not be voting on this. It is up to the Board if they would like to hold it over to next month. Trustee Jackson commented that we have a quorum. Trustee Zachary wanted to know if everyone has had a chance to review this. Trustee Jackson commented that the Mayor could recuse herself from the vote. He wanted to know if the Board could still vote on it or did we need 3 members present. Village Attorney Porteus advised that absentees are “No” votes so the Board would need 3 “Yes” votes to approve this. She advised that we are better off waiting until the next meeting.

Mayor Knickerbocker advised that the Board got together and did the interviews. Under our contract are the top three who have the longest seniority. The Board has interviewed each of them. Trustee Zachary wanted to know if we would still read this and announce the decision. He thinks it has already been revealed to the parties concerned. The Administrator advised that he spoke to the applicants. Village Attorney Porteus advised that the back up is on the web site.

Mayor Knickerbocker said that the Board could adjourn this resolution or she could read and adjourn it. Trustee Zachary said to go with whatever was the best procedure. The Mayor directed that this would be held over to our next meeting on June 7. Trustee Zachary advised that he will be out of town that night. He will schedule to vote by letter. The Mayor advised that we would have 4 Board members present that night. Trustee Jackson asked if they could vote by proxy if we had a proxy procedure? Village Attorney Porteus advised that we do not. She advised that we use at the Organizational Meeting is that any absent member is an automatic “No” vote. If you abstain, it is a “No” vote. That is what made it difficult tonight. Trustee Zachary advised that if we do not have a procedure where he could vote by letter or some way, he will come back early. The Mayor asked the Village Attorney if she knew if the other boards do that or do they also have to be present. The Village Attorney advised that it is sort of standard language put out there years ago. What we do at the Organizational Meeting is that there is a one liner that defines that for purposes of voting a quorum is 3 out of 5. Absences are automatically “No”. That makes it difficult tonight because you need 3 “Yeses” or it is a “No”. Trustee Jackson feels that we should have a proxy process.

**i) 16-16 RESOLUTION AUTHORIZING THE HIRING OF SUMMER SEASONAL EMPLOYEES**

Trustee Jackson read the Resolution (*copy attached*).

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

**j) 16-17 RESOLUTION AUTHORIZING THE VILLAGE ENGINEER TO CREATE SPECIFICATIONS AND FOR THE CLERK TO ADVERTISE BIDS FOR ROADWAY WORK.**

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

Mayor Knickerbocker commented that last year we did the road work in late September, almost October. What we are looking to do this year is to get the road work done a lot sooner. It is better to get it done before it starts getting colder. The Mayor believes that the Board members have the list of roads that the Engineer feels are a priority for us to do. Tomorrow the Mayor and Administrator will be out looking at those roads with him. They will be looking at the ones that he feels are the most critical to do, looking at patch work, at curbs and anything like that. We will also continue to do crack sealing. The Mayor advised that she would get back to everyone after we do the bidding about what roads are to be done. She knows that they were talking that Lindsey Avenue is one of the other roadways that desperately needs to be done. It is a \$400,000 road. This year we budgeted around \$250,000. Hopefully we can do Lindsey Avenue next year.

Some of the other roads are, as we leave the Village Hall and go straight down First Street that road is crumbling. There are several roads that need repair. We will have the Village Engineer figure out which are the worst ones and what we can do this year.

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

**k) 16-18 RESOLUTION AUTHORIZING AN INTER-MUNICIPAL AGREEMENT WITH THE TOWN OF CORTLANDT.**

Trustee Zachary read the Resolution (*copy attached*).

Mayor Knickerbocker advised that as we have done in the past, we are again looking to do bidding with the Town of Cortlandt. She advised that last year we did not bid out with the road work because unfortunately we do a lot of curb work whereas the Town does straight blacktopping. So we used a different contractor. We bid it out. This year she does not foresee us doing any curbing when we do our blacktopping. She commented that our Village Engineer likes to do curbing but curbing is very expensive. Concerning shared use of equipment the Mayor advised that just last week at Lake Meahagh the Town came in with some of their equipment and helped us remove some of the brush. We do work together and that has been working well. The Mayor advised that any time anyone wants appliances picked up that you have to get rid of to come to the Village Hall. If you have a refrigerator that you have to get rid of there is a fee to remove the Freon. The Administrator advised that currently we have been taking them to Brookfield because they will pay us. He believes it is \$10 or \$15 per unit. He advised that it cannot hurt to have this IMA as a backup plan in case Brookfield decides to no longer take our appliances. Trustee Zachary wanted to know if they do the Freon removal. The Administrator confirmed that they do. Trustee Zachary wanted to know if they pay us for the scrap metal. The Administrator advised that they do. He believes that it is \$10 or \$15 for every air conditioner. Trustee Zachary wanted to confirm that a resident had to come to the Village Hall and pay for a sticker. The Administrator advised that was correct. Trustee Zachary wanted to confirm that using Brookfield is not required. The Administrator advised that it is not. The sticker is required because we pick them up from the curb and drop them off at Brookfield.

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

**l) 16-19 RESOLUTION APPOINTING AN ASSESSMENT REVIEW BOARD MEMBER.**

Trustee Jackson read the Resolution (*copy attached*).

Diana Skelly of 244 Gallagher Street was appointed.

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

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

a) Justice Court Report – February & March 2016

Received and filed.

b) Zoning Board Minutes – February 10, 2016

Received and filed.

Trustee Zachary noted that the minutes mention the property across from the hardware store. It says that there is an attached parking structure. He wanted to know what the plan for that property was and if that attached parking structure was the parking underneath. Mayor Knickerbocker noted that this is the small, triangular piece of property at the intersection of Lindsey Avenue and Albany Post Road. Village Attorney Porteus advised that as he may remember, years ago a project came in for that property. She thinks that it may have been Velardo. She advised that the person at the time came to the Zoning Board and got variances. Because the application died, the variances died with it. There is a new sponsor coming in who wants the exact same project but needed to apply for the same variances. She commented that if the Board remembers the project, it looks similar. There are going to be businesses on the bottom and apartments on the top. The parking structure is underneath next to the commercial spaces and underneath the residential. It is being built on a hill so you will enter from the Albany Post Road. Trustee Zachary wanted to confirm that it is not a separate building. The Village Attorney confirmed that is correct. She noted that they talk about there being no site plan, which there is not. They have been using the old site plan to give the Zoning Board the ability to look at what they are talking about and what variances are needed. Right now there is nothing in front of the Planning Board. But they did get the variances paving the way for the Planning Board site plan to be submitted. The Mayor wanted to know if the parking for the businesses and the residential will be on the property itself. The Village Attorney advised that she would have to look at the plan. She commented that the board was told that plan would not change but she noted that is the old plan so we will know more when there is a plan. It is a different architect and builder.

c) Fire Inspector's Report – March 2016

Received and filed.

d) Wastewater Report – February & March 2016

Received and filed.

Trustee Zachary noted that we do not have a police report this month. The Administrator advised that the Police Chief had surgery on his knee and was out for 2 weeks. There will be a report next month.

e) Attorney's Report

Village Attorney Porteus advised that AAA Carting, that troubled and infamous never ending project, actually has now been submitted for site plan final sign off and approval. She noted that concerning the wall that was talked about for many, many months, the slope was taken down. That now paves the way for the building of the wall to commence. She commented that it has been a long time coming. They have been going back and forth for probably 2 years. They have now complied with every open condition. She advised that she just got the e-mail today from the engineer who submitted to the applicant's engineer to our consultant saying that everything has been complied with. The Village Attorney commented that she has heard that the second lot next door which has some open issues right now, a site plan will supposedly be submitted in the next month or so by the same owner. We are not sure of what use they are planning to make of that. But not the current use. She commented that everybody involved worked really hard. The Mayor noted that AAA Carting is on Greentown Road which is where you go into our wastewater treatment plant. The property is on the left.

Village Attorney Porteus reported that we have been working hard on the application for the Senior multi-family. That has taken tons of work. She commented that the Village Board has worked hard in describing everything that needs to be described for right now. The Mayor commented that she wanted it summarized because some people were not at the last meeting.

f) Administrator's Report

Village Administrator Hay reported that Consorti Brothers has been back to finish the curb work that was not completed last season. We have also been doing crack sealing on lower First, Third and Fourth Streets. He noted that in the end the bid will probably come in at \$11,000 under the bid price. That will leave some extra money in the Capital Fund to be used for other paving.

The Village Clerk's office staff has been working really hard shredding documents according to our disposition schedule, getting rid of documents that we do not need to maintain any more. He thinks that it was all spurred on by a bad situation where we had a pipe break. It started the whole process. They are doing a great job down there.

The Village Engineer will be here on Wednesday afternoon to finalize the paving plan. The brick pointing of the Village Hall continues. The Administrator talked to the head of the job who advised that it will be 2 or more weeks depending on the weather. After that we will start to work on the window installations. Trustee Zachary wanted to know if they have been working during the recent rain. The Administrator advised that depending on whether it is heavy or not, they can do either one. The grinding helps keep the dust down in the rain and as long as the rain is not too heavy, some of the filling can be done.

The Administrator reported that Spectra team has put down a temporary patch on Broadway where they had to go under the road. Originally they were supposed to bore under the road but as was reported here before, they had to do the enhanced security to the pipes. That forced them to do an open cut. The Administrator saw the pictures today showing that they put down a temporary patch on Broadway. They are continuing the work on Bleakley Avenue. They expect that to be done in a few days, a week at the most. Mayor Knickerbocker commented that she and the Administrator were out several times with Spectra. They looked at the Broadway project. She advised that when that gets finalized, it is not done like other road work. What they do is put down a cement slab and then the blacktop will go over. So that should avoid that from sinking. The Mayor was advised that in July, she believes, they will also be cutting through Bleakley Avenue and most likely we will be closing that road. It will be there for local traffic and everything else will have to be diverted. The Mayor believes that will be for about a week. The Administrator advised that they estimated 3 days but he would say a week to be safe. The Mayor advised that they will then repave quite a bit of that road. They will not just patch it. They have agreed with the Mayor to pave a substantial amount of that road again. Trustee Zachary noted that cut will be on the river side of Greentown Road. He wanted to know if the businesses on Greentown Road will have access to Bleakley Avenue to get to Route 9A. The Administrator advised that they will have to go out the other way which is on the Route 9A side of Greentown Road.

Concerning crack sealing, Mayor Knickerbocker asked the Administrator if there was any money in there to do the strip on Bannon Avenue. She noted that we had just paved it a few years ago but there is a strip like a crack down the middle. She also directed that we have to look at the catch basin on Bannon Avenue that unfortunately is sinking. There is also a property on Tate Avenue that we were supposed to address with that piece of curbing by the drain. The Administrator advised that it will go into this one.

#### g) Mayor's Report

Mayor Knickerbocker announced that the Buchanan Fire House Explorer Post is having a Paint & Sip Party on May 13 at 7:30 PM to benefit the Explorers. It is on our Facebook page. She encouraged everyone to support all our groups. These young boys do a wonderful job. She

commented that these Paint & Sip parties are a lot of fun. It is the latest thing. The Mayor advised that they have painting classes and then they sip. It is \$45 per person. It includes the first glass of wine, coffee, dessert, painting materials and instructions.

Mayor Knickerbocker reminded that the Beautification Committee is having a plant sale at the Circle on the day before Mother's Day, Saturday, May 7. They use all the proceeds of the sale to plant in the containers where you come into the Village and also the barrels that we have. The Mayor commented that these ladies and one gentleman do a fantastic job each year. They do the barrels and take care of them all summer long. She believes that there are still a few more barrels should anyone want to join in. The Mayor advised that we had an Adopt-A-Barrel program where you would plant a barrel and take care of it throughout the season. The plant sale will be at the Circle from 9 AM to 1 PM. They are doing a 50/50 raffle which is currently up to \$400. The proceeds will also be used to buy the plants. The Mayor commented that they do a great job and work very hard. Everything looks beautiful.

Mayor Knickerbocker read a letter from a Buchanan resident. She noted that she did not get permission to name the person who wrote it so she will not mention that here. It was a letter to our Police Chief. The Mayor read the letter. It said that 2 months ago the person's daughter suddenly passed away at home. Officer Shane Farrell was the first to respond to the 911 call. He was professional, courteous and most helpful. It commended him for the extra considerations he showed and did. The Mayor commented that as she always says, we have great services here and our Police Department is always there before the Ambulance Corps. They are on the road and get there quickly. She gave a "shout out" to Officer Shane Farrell for being there for one of our Buchanan residents.

#### h) Trustee's Reports

Trustee Jackson announced that on May 14 the Verplanck Fire Department is doing an "All You Can Eat Wing Ding" at the Verplanck fire house. The cost is \$25. He encouraged everyone to support all our volunteer fire departments and to come out, meet some of our firefighters from the area and have a couple of wings.

Trustee Jackson announced that the Cortlandt Veterans' Celebration will be on Friday, May 27 from 1-3 PM at the Cortlandt Community Center. He encouraged everyone to come out and support our veterans and have a cup of coffee and a piece of pie. The Administrator advised that the information is also on the Buchanan Channel screen. Trustee Jackson noted that he was announcing this for those who do not watch the Buchanan Channel.

Trustee Jackson commented that another thing is something that we say a lot about, the catch basins in the Village. He said that he was taking a walk today and there were a couple of cans

here and there. He reminded everyone to be careful about throwing debris into the catch basins. Even if it is not your can, pick it up because that is what we do here in Buchanan.

Trustee Jackson announced that the Historical Society will be hosting an Open House. They will be providing the date to the Administrator soon. The Buchanan film done by our film maker Larry Brown will be shown again on the Buchanan Channel. They will be out this summer doing interviews and getting residents like former Trustee Joe Tropiano who is present tonight to give us his story. The committee asks all Village residents to come forward and let them record their stories on what it was like growing up in Buchanan or going to Hendrick Hudson High School. He commented that they are trying to broaden that whole spectrum. He hopes that everyone sees what they have done to date noting that they plan to add to it.

Mayor Knickerbocker announced that the Tri-Village Memorial Day parade will be on Memorial Day. This year it will be sponsored by Montrose. The Village sponsored it last year. That information is on the Village's Facebook page and on the Buchanan Channel screen. The Mayor commented that it is always nice to see people come out and support our Veterans and remember Memorial Day.

Trustee Zachary reported that the Buchanan Day Committee meeting will be on Monday, May 9 at 7 PM at the Highway Department building. He had nothing else to report.

Mayor Knickerbocker said that tonight we honored Mary Chapyak for her years of service but two other people were also invited. We have Certificates of Appreciation for each of them. Jennifer Fleming was on our Planning Board. Bill Durr has been on our Board of Assessment for many, many years. He was unable to be with us this evening. The Mayor said that we thank all those who gave their services to our Village.

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

Diane Tangen, 240 Catherine Street, commented that it was brought up tonight that communication is a little bit difficult. She went on the Village web site this afternoon to see the agenda. It is not there. The Administrator advised that it is on the web site under "Minutes" and "Supporting Documents". Ms. Tangen said that when she went there the last agenda was for April. The Administrator advised that when he linked on it today it was there. Ms. Tangen commented that she did not mean to sound critical because she does not want to be critical. She thinks everybody on the Village Board and in the Village office does a great job. But she wishes we could get some IT support. She commented that she saw the meeting in March. She was going to come to that meeting but she did not see the agenda and did not think there was anything on it about the Senior housing. She thought the last thing that she saw was that they said 35 and the Board said they would like 10 to be affordable and 25 to be market value. She

commented that she did not see anything else. She watched the April meeting, the Organizational Meeting. She commented that when they presented this evening, she did not have the faintest idea what anyone was talking about. She does not know who the gentleman is who spoke [ie. Neal Alexander]. She wanted to know who is going to be the contractor? Who is going to build this project? Mayor Knickerbocker advised that her understanding is, and that they have said, that it will still be Bill Balter. Ms. Tangen commented that she did come to other meetings and it seems to her that there is a gap somewhere and she does not understand what is going on. Village Attorney Porteus thinks that it was at the last Workshop where the Board asked for the financials. What they have been arguing is that the Board is making it un-buildable; that the Board is getting it so low because they know that they cannot build it. Trustee Zachary noted that the March 16 Workshop was not filmed. Village Attorney Porteus advised that they came into the Workshop and the Board asked if they could give them the finances because we want to see what they are talking about, making it buildable or not buildable.

Ms. Tangen commented that everybody worked so very hard yet at the same time she feels like she does not know what is going on even though she has tried to keep herself informed. She guesses that she is looking at the wrong thing. She said that she went under Agenda and Meetings. The last one she found was for April. The Administrator advised that there should be a little thing that says "Supporting Documents". If you click on that you should get it. Trustee Zachary thinks that we should look at reorganizing our web site. He thinks there is a lot of stuff buried in there. We could bring more things out front and center on the web page like current news and meeting. Mrs. Tangen wanted to know if we can get technical support with some of this excess money that we got. She does not think that our regular Village employees should be necessarily so technically savvy. She commented that she always had help at the school district which is a much larger entity. She commented that the Town of Cortlandt and Croton and Peekskill are much larger and have much larger budgets. She wishes that the Village could be a little bit more modern in our technology. Mayor Knickerbocker commented that the Village is on Facebook. Ms. Tangen commented that she is not a Facebook person. The Administrator advised that we have talked about redoing and modernizing the web site. It is something that we have to sit down and look at. We do have a tech support company. He advised that we did switch companies to go with A-1 Computer Services. They have been very good to us so far. There could be certain things to change or tweak.

Former Trustee Joe Tropiano, Burke Court, commented that he met the Mayor the other day at Burke Court. He said that they are faced with a real dilemma over there. He is speaking on behalf of some of the people over there. They had an outage that lasted for hours. It started at 1:30 in the morning. They were out of service. They had to do a lot of work. He commented that he understood because he was in utilities for a long time. He commented that Burke Court has now become a wash basin. It has become a roller coaster. He has been there over 40 years. He knows that the Board is looking at the roads and that money is tight. However the

contractors come in, patch and go away, and then it sinks. Then somebody else comes and throws some more patch on it. He commented that a lot of times they never come back and do some of the work. He commented that the people in Burke Court are getting disgusted. He said that tomorrow if the Mayor, Administrator and Village Engineer go by there, to look at it. Burke Court has been cracked and patched so many times since he has been there. He does not think that they do a good job when they do the patching. He thinks that it is a shame that they get away with that. He thinks that Con Edison should be notified and when they call these contractors that they make sure that they put item down before they put the asphalt on top and not just go away. He commented that road needs to be repaired sooner or later. The patch work is not working. He commented that what they are going to do now is they have patches there now because they had to dig up a couple of driveways. He commented that these contractors lasted almost a whole weekend over there. He and the people there were out of service from 2:30 to the next day. That is how bad it was over there. Mr. Tropiano commented that he is just pointing it out. He is not trying to make any problems for anybody. He commented that Con Ed calls you after the fact. They say, "Oh, you have been out of service. You should be back in service within 10 minutes." Then they call again and say that you should be back in service now but the service is still out. He feels that is a little ridiculous.

Mayor Knickerbocker advised that she did speak to him on Saturday and that someone else had spoken to her about their being out of service. She understands. The Mayor explained that Burke Court is one of our communities that have underground cable. She noted that Mr. Tropiano said that he has been there for 40 years. She believes that the houses there were built in the 1970s. Mr. Tropiano advised that he moved there in the late 1960s. He noted that had been a swamp. The Mayor said that she talked to another one of the residents who was disgusted. They had problems with the electric several times of the year. The Mayor spoke with some of the Con Edison people there. Her understanding is that it was built so long ago and it is aluminum cabling. The problem is that there is nothing surrounding it so the aluminum rusts and deteriorates and it just goes into the ground. There is nothing to protect it. It is old and really needs to be replaced and upgraded because it is just not working any more. She advised that she spoke to the Administrator to contact the Engineering Department at Con Edison to see what we can do because this is not just happening once in a while. It is happening more and more. We want them to get the engineers out there to look at it to see how it can be repaired.

The Mayor advised that concerning the roads, this year we have had a new construction standard. Any time anyone comes into the Village to do construction work, they are given that package. The Mayor commented that they have taken advantage of us over the years. We are trying to stay on top of this. She advised that we are a lot more careful in giving bonds back. She noted that in front of the group home on Henry Street they did work but we had to re-patch that 2 years later. The Mayor commented that cannot happen. We do not have the money for that. If these contractors want to come here and do the work, they need to do the right thing for us. That is

why our Village Engineer put the construction standards together and everyone gets them. The Mayor noted that another place was in front of the Village Hall. Con Edison did some work there and now that road is sinking. We have not given back the bond. They need to fix that before we settle that up with them. She commented that going forward we are trying to be more proactive in taking care of the infrastructure and not having people come in and rip things up and destroy it on us and we then have to repair it. She thanked Mr. Tropiano for bringing this up. The Administrator did contact Con Edison because they were a few issues. We will be speaking to their Engineering Department so hopefully we will be getting it resolved. She commented that unfortunately, it is nice to have things underground but when they deteriorate, it is different than when there are cables overhead and they can come in to fix it. This needs to be addressed. There is a problem there.

Eileen Absenger, 138 Tate Avenue, commented that she had brought the dirt of the rip rap to the Workshop. She wanted to know the status of replacing that with top soil and reseeded. The Administrator advised that he has a call into them and that he will follow up. The contractor is Larry Dugan. Ms. Absenger noted that it is not just her property, it is all of Tate Avenue. They all got rip rap. She wanted to know where that top soil went to. Mayor Knickerbocker noted that you are not able to grow anything on that rip rap. You need top soil. Ms. Absenger added, and there are boulders and macadam that was put back into the ground. She feels that it is a safety hazard on Tate Avenue now because nobody wants to drive over the horrendous patching that was done. People are going toward the yellow line and it is getting dangerous. She wanted to know when that will be repaired. The Mayor advised that they have been in contact with the Administrator. We have been discussing our new standard procedure. They are thinking that they are doing “x” amount of blacktopping and the Mayor is thinking that they are doing more blacktopping. She advised that we need what is called a “come to Jesus” meeting. She explained that means that “you are going to come here and we are going to do the talking and then you are going to see the light”. The Administrator advised that they said that they would do it within a couple of weeks. The Mayor said that we need to come to an agreement on what is going to be blacktopped.

John Mattis, Tate Avenue, commented that Trustee Zachary had alluded to the taxes that we would receive from the property [for the proposed multi-family development]. He wanted to know what the Village gets now from the unimproved property, what we would get from a commercial venture and what would we get from this project. Trustee Zachary advised that the current properties over there pay anywhere from \$3,000 to \$12,000 per lot in Village taxes. There is one property that has 3 lots combined. They pay about \$18,000 or \$20,000. At one point we were told \$44,000 or \$43,000. He is not certain what the figure is now. It was more than we were getting from the other commercial properties. He does not have the exact figures. The Administrator advised that the current Village tax that the property owner is paying there is about \$3,800. Mayor Knickerbocker wanted to know if the \$44,000 is based on the 66 units.

Trustee Zachary advised that it was. The Mayor noted so then it would be less. Mr. Mattis commented that when they were talking about the financial documents and they wanted to close the Public Hearing, that keeps us out of the picture. Mr. Mattis said that he asked their representative for a copy. He was advised that he could get it from the Village Board. Mr. Mattis commented that meant that he would get it after the Public Hearing was closed. He feels that obviously they did not want him to see it. He advised that he will make a FOIL request for that document tomorrow.

Mr. Mattis commented that at the Board meeting last month, they said that it would cost \$350,000 per unit. At the Work session, they said it would cost \$300,000. He commented that the Board now has a document. He does not know what is on it. It is unaudited. He commented that it is obviously a document that they wanted to prepare to justify 35 units. They said that their profit would be minimal. Mayor Knickerbocker advised that the net after everything was \$38,000. Mr. Mattis commented that is operating. Mr. Mattis wants to see the administrative costs and management fees. He commented that they could jack those up and take all the money out that way and then they do not have to show a profit. He commented that this project does not hinge on what they make or do not make. That is their own business. It hinges on what is good for the Village. He feels that 35 units out of 42, or 80%, is way out of line with any other community in Westchester County. He commented that he would again bring up Harrison. They gave them 7 units out of 142, or 5%. He does not think that any municipality went over 15% and very few of them went up in the number of units as we have in a very small village of 2,000 people. He commented so that number is way, way out of line. He commented that Harrison is projecting another 300 rental units and is not making any of them affordable. Mr. Mattis wants to voice his opposition to this and would like to look at those financials. He commented that they should not mean anything as to whether the project is approved or not. He feels that they only use that themselves to justify trying to convince the Board to have 35 affordable.

Mayor Knickerbocker commented that there is no audit done on these documents. It is just something that they put out.

Diane Tangen commented that she read in the newspaper that there were 3 houses that were going for affordable housing. She is not sure who is doing this. People had to meet certain requirements in order to buy a house. One was on Henry Street in Buchanan. So she assumes that we already do have a lot of affordable housing in Buchanan; a tremendous amount when you compare it to other areas of Westchester. Trustee Zachary commented affordable by financial standards, not by this legal settlement. Ms. Tangen commented absolutely. If you say that it is \$1200 for the average one bedroom apartment and that is what affordable is, that means in our community that we already do have more in comparison to others in Westchester. She commented that Westchester is still the most expensive county to live in in the United States.

She feels that we certainly do have affordable housing here in Buchanan. She commented that she looked at how many homes were sold at what price over the last year. There were a lot sold between \$100,000 and \$200,000. There were quite a few between \$200,000 and \$300,000. There was very little from \$300,000 to \$400,000. She thinks that there were only one or two over \$400,000. When you compare that to other areas of the County that is pretty affordable.

**8. BOARD MEMBER REBUTTALS:**

None

**9. ADJOURNMENT:**

At 9:12 PM a MOTION to adjourn this meeting was made by Trustee Jackson, seconded by Trustee Zachary with all in favor and Trustees Funchion and Pasquale absent.