

Village of Buchanan
Mayor & Board of Trustees
Village Board Meeting
February 7, 2017

PRESENT:

Mayor Theresa Knickerbocker

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

Village Administrator Kevin Hay

Village Attorney Stephanie V. Porteus

Village Board Secretary Susan F. Matthews

1. PLEDGE OF ALLEGIANCE:

Mayor Knickerbocker opened the meeting at 7:30 PM, welcomed everyone, and informed them of the fire regulations. She asked everyone who will be sworn in as Fire Police to lead the Pledge of Allegiance.

2. APPROVE MINUTES:

December 6, 2016 Board Meeting: Trustee Funchion amended page 10, paragraph 2, line 2, change “passing” to “passed”; page 13, last paragraph, replace “older” with “old”; page 16, third paragraph, replace “in” with “inside”. A MOTION to approve these minutes as amended was made by Trustee Funchion, seconded by Trustee Jackson with all in favor.

January 3, 2017 Board Meeting: Trustee Zachary amended page 2, paragraph 2, add that Trustee Zachary wants to see more restrictions. A MOTION to approve these minutes as amended was made by Trustee Funchion, seconded by Trustee Zachary with all in favor.

ENTERGY:

Mayor Knickerbocker announced that we have two people from Entergy here this evening: Debbie Fay, Specialist and Jerry Nappi, Senior Manager of Communications.

Jerry Nappi thanked the Board and Village Administrator Hay for inviting him to come this evening. He said that everyone knows about the announcement that Entergy made in January about the Indian Point plant. He thinks that a unique relationship exists between the Village as the host municipality and Entergy and Indian Point and its prior owners going back many years. He commented that since a few days after that announcement, he, Debbie Fay and other colleagues have been out to meet with the organizations and elected officials about the rationale

behind the company's decision to close Indian Point. He noted that he has seen the Mayor at a number of those meetings. It was the Mayor's invitation that they would come here tonight. This is not a formal presentation but to just reiterate that the company is operating the plants to between 2020 and 2021. They are open to meeting with the Village at our request to discuss anything. He commented that Debbie Fay is the face of the plant in the community. There are many employees who live locally. He commented that they want to take a few minutes to express their appreciation for the good relationship that we have and that they are here to meet with us. Mayor Knickerbocker noted that she was on the Village Board from 1994-1998. In response to the Mayor's question, Mr. Nappi advised that he started with Entergy in 2007 and Ms. Fay before that. The Mayor noted that after she left the Village Board, Ms. Fay was a Trustee also and that they have worked together quite a lot. The Mayor commented that she is sorry to see Entergy go. They were very good corporate neighbors. She confirmed that Entergy would be willing to come back and answer questions. The Mayor commented that right now it is so premature because there is a lot going on. Everyone has a lot of questions. She commented that at this point we all know the same things but we would definitely welcome having them come back as this develops.

Mr. Nappi commented that is appreciated. They have talking with people about why the company made this decision. For many years it was a profitable plant and that belief was probably still out there. He commented that in recent years it became economically challenged. Entergy had a lot of work to do to show people just how economically challenged it had become. They have been focused for the most part on explaining that story. He commented that as the Mayor said, there is some time and down the road we can talk about things like decommissioning and other issues that they are more than happy to share information on. Mayor Knickerbocker commented that we have a lot of questions but right now everything is very preliminary.

Trustee Jackson wanted to convey a personal thank you. He commented that in 2012 when he first met Mr. Nappi who gave a tour of the facility, he was forthright in his thinking about what was good, what was going on at the plant and the situations at that particular time. Trustee Jackson thinks that certainly as we go forward in this process, as he was speaking about with the Mayor today, the role of the EPA, the NRC and Entergy for Buchanan to get understanding of the options that we have to present to the people and how it goes forward. He appreciates Mr. Nappi and Ms. Fay coming tonight to reassure us as the host community who has worked with Entergy. He noted that he has been here for 22 years and the plant goes back over 40 years. He commented that it is reassuring that they are here and that we will work together to figure this out. He thanked them personally for that.

Trustee Zachary remarked when Entergy packs up can they take all that mess over there with them? Mr. Nappi commented that he assumes he is referring to the spent fuel. Trustee Zachary

confirmed that he was. He thinks that Indian Point is a rather unique plant in terms of location. A lot of plants are located in much more rural areas where those 100 acres or so that they might consume is part of a much larger undeveloped land mass. Here with the population in the area, the value of real estate in the area and what the Hudson has always been, although it is becoming more so now that it is being cleaned up, it is a pretty unique property. He commented that he is not the looking for real detail but he does want to know if there are any ways that the process of decommissioning a plant can be speeded up given the nature of this area. He wanted to know if there is any economic feasibility or legal feasibility, given who controls all of this, that the time frame might be reduced so that the land becomes useable, perhaps not in his life time but maybe in the next generation's.

Mr. Nappi thinks that the way the process works, there is a trust fund with \$1.7 million in there right now. After Entergy shuts down is when they have to perform a study to get an estimate of how much it will cost to decommission. Trustee Zachary wanted to know if that did not have to get filed before the shutdown. Mr. Nappi advised that it did not. He would give them 2 years but probably well before that. Only then can they really get an idea of what the opportunities are to decommission on any sort of time line. He commented that it is really too soon to ask that now. Mayor Knickerbocker commented that is one of the questions we have. The decommissioning process, the spent fuel and all those questions are going to be coming to the forefront. She noted that she will be giving a commentary later on about the meeting that she will be going to this week to bring the Board up to speed on what is going on. She appreciates and thanks Mr. Nappi and Ms. Fay's coming out tonight.

3. SWEARING IN OF FIRE POLICE:

Mayor Knickerbocker swore in the new Fire Police of Buchanan Engine Company: Keirnan Outhouse, Rocco *Picciano* [sp?], Silas Santos, Mark Young and Andrew Grant. She thanked this group of people and everyone who volunteers here in the Village. They take a lot of time to help our community and are always there when there is an emergency. She thinks that sometimes we do not give them enough appreciation and thanks for all the hard work that they do. She wants to officially thank them for all their hard work and for being a volunteer in our community. The Mayor then swore them in.

Trustee Jackson commented that these gentlemen are not new to the force. They have been involved with the fire house for a number of years and are now taking on another role and wearing different hats. Their involvement is on-going. He salutes them for the job that they do and appreciates what they do.

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

None

5. NEW BUSINESS:

a. PUBLIC HEARING: CHAPTER 211 OF THE CODE OF THE VILLAGE OF BUCHANAN – TRAILERS

At 7:45 PM a MOTION to open the Public Hearing was made by Trustee Funchion, seconded by Trustee Jackson with all in favor.

Mayor Knickerbocker commented that we have been working on this for quite some time. This pertains to trailers. She asked if any of the Board members had any comments.

Trustee Zachary commented that he had a couple of things concerning the wording of this resolution. He would like this to limit people to 2 vehicles including all categories. He believes that the way it is worded now that it allows for a commercial vehicle, plus a trailer, plus a boat trailer. That would be 3 vehicles. He thinks that with the exception of the larger pickup trucks people use personally and register them commercially which he would not like to be included and which he noted we clarified in here, if somebody has a home improvement truck or a larger commercial vehicle, plus a trailer or an RV and also has a boat trailer that we are getting into the clutter that we set out to avoid. Other than personal use vehicles, he would like to limit it to a total of 2 vehicles. He thinks that the way it is currently worded it allows for 3. He asked if the other Board members had any thoughts on that. Trustee Funchion asked what part of the resolution he was referring to. Trustee Zachary noted that Number 2 says that not more than one commercial vehicle longer than 20 feet in length nor more than 7500 lbs. unladen vehicle weight, and (a) says that not more than one trailer including but not limited to trailers used for recreational vehicles and motor homes, and then it allows a second trailer if a boat is stored on that trailer. He commented that way that is worded, it allows for 3 vehicles. His personal feeling is that there should be an overall limit of 2 vehicles not counting cars and pickups used for personal use.

Trustee Funchion commented that he is not sure what Trustee Zachary is reading. Trustee Funchion commented that as he reads it, the first part of Number 2 defines the limits of the commercial vehicles and (a) talks about no more than one trailer. The second thing is the trailer for a boat. He does not see where Trustee Zachary sees 3 trailers. Trustee Zachary commented that it seems to say that you can have one commercial vehicle and then you can have a trailer plus a trailer for a boat. As he reads it, that would suggest 3 separate vehicles. He asked is that not the way it is written? Mayor Knickerbocker commented that we got into discussion about the larger trucks. Trustee Zachary commented that he is not counting those. Some people have the panel trucks, the work trucks. He is not talking about the pickup trucks that do not have

commercial signage and lettering that people use personally. He asked if any other Board member sees it as suggesting that it would allow 3 vehicles.

Mayor Knickerbocker commented that it does not. It could be a commercial vehicle and a trailer and a boat but it could not be 2 trailers. If there are 2 then a boat could not be included. Trustee Zachary would like something that under no circumstances there could be more than 2 vehicles total. If you have a commercial truck then you could have one trailer. Right now you could have two. He would like the total number of all the categories to be limited to 2. He feels that once you get into 3 you get into a cluttered look that we are trying to avoid. Trustee Pasquale commented that you would need to take out the second line on (a). Trustee Zachary commented not necessarily. He thinks that we need a line that the maximum of 2 vehicles from all these categories - RVs, trucks, boat trailers – that you can have one of any of these types but you cannot have 3 vehicles. That is his feeling.

Mayor Knickerbocker advised that we are going to keep the Public Hearing open. She asked if any of the other Board members had comments.

Trustee Pasquale commented that he sees where it is a little confusing. Trustee Zachary commented that he wants to avoid cluttered looking lots. Trustee Funchion agrees. Trustee Zachary commented that it is just a matter of how to word it. Trustee Pasquale commented that he can see that.

Trustee Zachary commented that he had a couple of questions but that is the only significant content. He commented that we are talking about people having to get a sticker but we did not discuss the fee. He wanted to know if we should not include that in this resolution, do it separately, or can we do that simultaneously? Mayor Knickerbocker advised that we are going to re-look at the Fee Schedule so we can put that in at that time. Village Attorney Porteus advised that most of the fees have been done by resolution where we do the whole Fee Schedule.

Trustee Zachary commented that (2b) says that in order to obtain the permit the owner must provide proof of registration. He thinks that we have to also ask for proof of residence because the whole idea is that you cannot store a vehicle unless you live there whether you are the owner or a renter. So we need proof of either ownership of the house or proof that you live there. He guesses that could be a utility bill, a driver's license, whatever is considered standard proof. So he thinks it should say proof of registration and proof of residence. Village Attorney Porteus advised to look at (2b). Trustee Jackson noted that it says "owned by the owner of the property or legal renter". He thinks that covers it. Trustee Zachary agreed that it is in there. The Village Attorney advised that if you go to the top of the last page, we can add that the owner must also provide proof of residence.

Trustee Zachary commented that on the existing Code there are two other things that come after that.

Trustee Pasquale commented about the registered owner. He wanted to know if somebody owns the home and they rent it, and the people who rent it do not have any trailers or anything covered by this, are we saying that although the owner of the home is not living there that he cannot store a trailer there. Village Attorney Porteus advised that it says "either own or rent". Trustee Pasquale wanted to know if the owner of the house does not live there but rents it, but he wants to keep a boat there and comes in and registers it, would it be permitted. The Village Attorney advised that it would be. You would just be precluding your tenant from having one there. Trustee Zachary thinks that the restriction on the number of vehicles applies to the property, so the owner cannot have 2 vehicles and the renter also can have 2 vehicles. He wanted to know how that applies to a multi-family house; that it does not mean that a two family house can have 4 vehicles or a multi-family house more. He wanted to know if we need more wording for that. Mayor Knickerbocker agreed that it has to be per property otherwise for a 6 family house you could have 12. Trustee Zachary commented that almost all of the two family and multi-family homes in the Village are regular homes that were chopped up. Village Attorney Porteus advised that it says on any residential lot whether it is two family or not. She thinks we are covered. She advised that if the Board wants to add more language she will write up whatever the Board wants. Trustee Zachary agreed that it is in there. He noted that it says operated by the residents of the same lot. He commented that in the existing Code there are two parts after it, a Part 3 and a Part 4. He wanted to know if this gets put in and Parts 3 and 4 stay. The Village Attorney advised that was correct unless the Board is taking them out. Trustee Zachary noted that Part 3 is multi-faceted. It has to do with the criteria for parking spaces, that they have to be paved and the surfaces. He commented that he did not really consider anything there. He does not think that we are talking about that at all. Part 4 is storage of vehicles. It says that no dead storage of vehicles should be allowed on any side or front yard. He wanted to confirm that there is nothing to change there. The Village Attorney advised that was correct. Trustee Zachary wanted to confirm that this just replaces 1 and 2. The Village Attorney advised that was correct.

Mayor Knickerbocker asked for any other comments from the Board. There were none. The Mayor advised that we are going to finalize this at the next Workshop and continue the Public Hearing. She called for any comments from the public.

Brett Hochron, 143 Bannon Avenue, commented about the 3 vehicles. He wanted to know if it can be a combination of any of them, or is it saying that it is just one boat trailer, one trailer, one commercial vehicle. He wanted to know if he does not have a commercial vehicle or a boat, can he have 2 recreational trailers or 3 recreational trailers. Village Attorney Porteus advised that he could have two. Trustee Zachary commented that the way that this is worded it says no more than one trailer unless the second one is a boat trailer. The Village Attorney advised that Trustee

Zachary said tonight that if you have a commercial vehicle that you could only have one of those. So it is two of any combination. Trustee Zachary agreed. It is two maximum. He commented that he is not sure what the answer to Mr. Hochron's question is because the way that we have it worded right now you cannot have 2 RVs. Mr. Hochron commented that the Board must take into consideration that there is boating, there is ATV riding, Sno-mobile-ing and jet skiing. All require different trailers. He has 3 trailers himself. His other question is if this is just for trailers that are stored outside on your property. He wanted to know what if you have garage space where you can store these trailers and they would not be visible. He wanted to know if he could have 5 trailers if he is going to keep them inside. Trustee Jackson commented that his understanding is that if they are in the garage, they are in the garage. Mr. Hochron assumes that will be spelled out in the Code.

Mr. Hochron commented concerning the sticker, the registration for the Village. He noted that the Board said that they wanted to talk about the Fee Schedule. He advised that New York State is already taxing us a lot to have trailers. The trailer registrations are now yearly and no longer two years. They are very expensive. He wants the Board to keep that in mind. Trustee Zachary commented that this is a nominal fee for record keeping. The Board is not looking for a cash cow here. It is just a matter of covering the paperwork, of keeping track of it. He thinks that it will be a pretty nominal fee.

Mr. Hochron wanted to confirm that it is definitely going to be limited to 2 trailers. Trustee Jackson advised quite possibly. The Board is still working on it. Mayor Knickerbocker advised that this all came about because there were complaints about large trailers on properties. So the Board had to address this. Trustee Zachary commented that a couple of the biggest things that do not come up in this because they are elsewhere in our Code are parking on front lawns, which we are trying to put a stop to, and avoiding the lots that are very cluttered and unfair to the neighbors. He asked Mr. Hochron if he saw the survey the Board sent to residents and if he sent one back. Mr. Hochron had not seen it. Trustee Zachary commented that the ones he was given totaled 44. He asked the Administrator if that was all we received. The Administrator believes that is correct. Trustee Zachary commented that if we put surveys on-line we will hopefully get more back. He commented that of those 44 responses, 7 said that there should be no commercial vehicles at all; 13 said there should be no trailers at all because it cheapens the appearance; 8 said that there should be no restrictions because it is their property and they should be able to do whatever they want; and 6 specifically said there should be no parking in front. He commented that there were a lot of written comments. It seemed to him that the main concern that people had was appearance and that parking in front was a big thing.

Mr. Hochron commented that the Board has to look at the whole picture. You can have a pickup truck or you could own a tractor-trailer for your personal use. There are many people that might store cars and have a personally owned tractor-trailer. He thinks that if the Board really wants to

prevent that stuff that they have to look at it on more of a case by case basis and really define the types of vehicles and types of trailers. There are single axle utility trailers for the average homeowner who needs to go to Home Depot to buy stuff but does not own a pickup truck. There are 3 axle trailers that are hauling lawn mowers or trucks or cars. There is a big difference. He commented that if the Board is saying that this law is designed for the vehicles that are stored outside, it should be looked at for lot size. If someone is sitting on an acre of property, their 30% or whatever lot coverage might be much more paved driveway. Trustee Zachary advised that this also includes something saying that when you park the vehicle on your property it is under the same rules as accessory structures and the setbacks required by the Code for Accessory Structures. That includes no accessory structures in the front yard. The setbacks on the front and back are usually 30 feet. On smaller lots it could be less than 30 feet. It could be 25% of your lot depth. The setback on the sides is generally 10 feet. If you cannot conform to those setbacks, you have to take it up with the Building Inspector who would review it for a variance. We are trying to have a streamlined process and not to have to go to the Zoning Board. That is the intent of it, to speed up the process. Mr. Hochron wanted to confirm that trailers are defined as accessory structures. Trustee Zachary advised that for some reason in our Code all the parking is under Accessory Structures and Uses. He thinks that is because it fell under garages. Mr. Hochron commented that a car is a registered vehicle with the Department of Motor Vehicles. He wanted to know if a car parked on a driveway would be considered the same way. Trustee Zachary advised that it is under Section 219 of our Code, Accessory Structures and Uses. The parking limitations came under the section on garages. He commented that possibly it should be under a different part of the Code. Trustee Jackson commented to put Accessory Structures in a separate category and parking separately. Trustee Zachary commented that it is only one part, Part (e). He noted that Section 219 is a much longer part of the Code. He thinks that probably why parking came there is that it came right after garages.

Mayor Knickerbocker commented to remember that the Code that is existing now does not allow anything. She noted that they do not allow trailers in Peekskill or the Town of Cortlandt. The Board looked at this. She commented that we know that a lot of residents have trailers and Snowmobiles and boats and things. We are trying to figure out how to work this in so that they still can have them. She noted that the boats were allowed. She commented that you just cannot say that you can park everything you want on the property because then you get complaints. Mr. Hochron commented that he knows that we are trying to clean up the fronts of the houses. But he thinks that is where the Board should look at the size of the boat. Some may have a 20 foot boat and some may have a 60 foot boat. We are saying that if you can get a boat on a trailer you can park it in front of your house. He thinks that maybe we need to look at the size and things like that and really define it because it would make more sense. He feels that a 20 foot boat and a jet ski on a trailer is really not an eye sore like a very large boat that should not be there.

Trustee Funchion advised that we did have boating people here. He thinks 28 feet is the maximum. [A person in the audience] said 35 feet. Trustee Funchion commented then somebody said that they had a 39 foot boat. Trustee Funchion wanted to know if that could be pulled by a vehicle. Trustee Zachary advised barely; that is as large as you can get and put it on a trailer. Trustee Jackson commented that there were discussions in our earlier Workshops about giving variances which addresses Mr. Hochron's concern about the size of the lot and how much one can put on that lot, and if you have a 2 or 3 car garage. He thinks that maybe we might want to revisit variances on a case by case basis of a particular lot size. Trustee Zachary commented that if we go too far with it that it will not do anything toward cleaning up what we want to clean up.

Trustee Pasquale wanted to know how many trailers Mr. Hochron has. Mr. Hochron advised that he has 2 of them. A single axle or double axle trailer are small enough to put into a garage. They can get bigger from there. He commented that each recreational sport that you do requires a different trailer. He commented to not forget that a lot of people have little utility trailers and that is how they get stuff from the store and the nursery.

Mayor Knickerbocker thanked Mr. Hochron. She commented that this is why we hold a Public Hearing.

John Mattis, Tate Avenue, commented that he just thought of something. Somebody can have a trailer, a jet ski and a Sno-mobile, maybe 20-25 feet in total length. Somebody else could have a 45-50 foot RV and a 40 foot boat trailer which means that you are talking 80-90 feet. He thinks that the Board needs some kind of length requirement because you could easily fill up something with 2 vehicles where you could have 3 or 4 small trailers that would not even show up. Trustee Zachary commented that we already have some clarification on the commercial vehicles. It is a maximum of 20 feet which covers work vans and those panel trucks that people use. Mr. Mattis thinks that maybe the total of all allowed should not exceed a certain amount. Trustee Zachary commented that you cannot have an oil delivery truck but you can have a van. He commented that maybe we should more carefully define each type of vehicle and the maximum length

Mayor Knickerbocker asked for any other comments. There were none. She advised that we are going to table this until the next Village Board meeting.

A MOTION to table this for the next Village Board meeting and hold open the Public Hearing was made by Trustee Funchion, seconded by Trustee Jackson with all in favor.

b. RESOLUTION AUTHORIZING THE ADOPTION OF LOCAL LAW 1 OF 2017 AMENDING CHAPTER 211-19 ENTITLED "ACCESSORY STRUCTURES AND USES" OF THE CODE OF THE VILLAGE OF BUCHANAN.

This will be held over until the next Village Board meeting.

c. 17-5 RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH EMERGENCY COMMUNICAITONS NETWORK LLC TO PROVIDE FOR AN EMERGENCY NOTIFICATION SYSTEM.

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

Mayor Knickerbocker thanked Entergy for the CODE RED system. She said that we are finally going to have our CODE RED system up and running this month. Village Administrator Hay advised that it would be February 15. The Mayor advised that we are going to do a few test calls. She, the Village Administrator and Police Chief will be trained. It will be used for emergency situations and things like that. We are not going to use it every day. It will be mostly for emergencies to contact and advise residents. It will be things like what streets to avoid due to construction and for emergencies. The Mayor is very happy to have this. It is very good for the Village. Last year when the helicopters were flying around at night, there was no way to tell residents, who were very nervous, that it was not an emergency situation and that it was okay. She commented that at least now we will be able to communicate. It is telephone, text, e-mail and an “opt in” if it is your cell phone. We will be working out the logistics. Trustee Zachary wanted to confirm that for a land line it is not an “opt in”, it is a robo-call. For text or e-mail, you have to opt in. The Administrator advised that was correct. Trustee Zachary wanted an example of things that we would not use this for. He wanted to know for example if we would use it to say that garbage pickup for that day was cancelled. The Mayor advised that we could. Trustee Zachary wanted to know if we could use it to advertise a Public Hearing. The Mayor advised that we could if the Board wanted to. Trustee Zachary commented that he knows that we do not want to use it for frivolous things, that it is intended for not necessarily life and death emergencies but important things. He is looking to see what that line is. The Mayor commented that one thing she thought of was when we had that emergency meeting after Entergy made their announcement. We could have gone out with that to let residents know that there was a meeting being held on that. Trustee Jackson noted that was not an ordinary meeting. The Mayor does not want to over use it and make people angry. For example, we would not use it for the Valentine decorating thing. It is more for communicating to the public. Trustee Zachary noted road paving, street closings and water main breaks. The Mayor agreed that it would be perfect for that. Things that people should know ahead of time. Trustee Zachary thinks that we should be careful not to use it too lightly.

Trustee Pasquale wanted to know if this goes directly to your home land line and you would get a recorded message like you do when the school is closed. Mayor Knickerbocker noted that not everybody has land lines now. Some people only have cell phones, so they would have to let us

know. Trustee Zachary wanted to know how they would opt in. The Administrator advised that we will put something in the Newsletter and have something on the web site that they could click on. Trustee Zachary thinks that most Newsletters go to recycling and that we should do a separate letter. [A lady in the audience] disagreed. Trustee Zachary commented that a lot of people said that to him. Trustee Jackson commented to use the Newsletter, Facebook and post it on the Village web site. Trustee Zachary commented that it was nice work pursuing that. The Mayor commented that the need really hit home last year with the problem of the helicopters flying over.

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

d. 17-6 RESOLUTION APPOINTING ELECTION INSPECTORS.

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

Mayor Knickerbocker noted that this is something we have to do every year for our elections. Election Day is March 21.

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

e. 17-7 RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH WESTCHESTER COUNTY TO USE THE VOTING MACHINE.

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

The Mayor advised this is just to use the voting machines.

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

f. 17-8 RESOLUTION SCHEDULING A PUBLIC HEARING OVERRIDING THE NYS PROPERTY TAX CAP.

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

Mayor Knickerbocker advised that that this is something we do every year. It is recommended by NYCOM. We are scheduling the Public Hearing for March. We will be talking more about that at that time.

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

g. 17-9 RESOLUTION APPOINTING A PLANNING BOARD MEMBER.

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

Mayor Knickerbocker announced that Tracy Armisto has been appointed to the Planning Board to fill the late Don Zern's seat. Mr. Zern passed away last year. The Mayor commented that Ms. Armisto was gracious to do this and the Mayor thanked her. The Mayor noted that now we will again have a full complement on our Planning Board.

No Motion was required as this is a mayoral appointment.

6. INFORMATION FROM OFFICERS & DEPARTMENTS:

- a) Justice Court Report – January 2016

Received and filed.

Mayor Knickerbocker noted that the two amounts received were \$857.00 and \$453.00.

- b) Wastewater Report – December 2016
Received and filed

- c) Planning Board Minutes – October 2016
Received and filed

- d) Police Reports – December 2016-January 2017
Received and filed

- e) Fire Inspector's Report – January 2017
Received and filed

- f) Attorney's Report

Village Attorney Porteus reported that there is a change in the STAR Program if you purchased a home after 2015 or did not apply for STAR before then. You have to go to the New York State Tax Department web site and register and you will get a rebate back in the form of a check. She recommended that we also put this on the Village web site. It is really for new homeowners. If you are already in the STAR program it does not change. She advised that if you want the Enhanced STAR because you have turned or are 65 years old, then you have to go on their web site. Trustee Zachary noted that with the Enhanced STAR for Seniors only one person in the household has to be age 65. With the regular STAR Program, the income limit is \$500,000. For the enhanced STAR, the maximum income this year is \$87,000. It is a stricter income limit. Mayor Knickerbocker directed the Administrator to put something in our Newsletter. People might not be aware and she does not want residents to miss out on this. Village Attorney Porteus commented that she has noticed that in [real estate] closings most of the brokers are good about that. They even give you applications. Trustee Zachary commented that the Seniors' club is very up on that. He imagines that Seniors that do not go to the club are generally informed. The Mayor agreed that everybody should be kept informed.

g) Administrator's Report

Village Administrator Hay reported that the Village tax roll will be completed on February 1. The Grievance Night will be February 21 from 6:00-10:00 PM in the Building Inspector's Office. The budget preparations are underway. The Administrator is waiting for the department heads' requests which should be back by the February 10. The tentative budget will be released on March 31.

The Administrator reported that the Valentine's Day cookie decorating for the children will be on February 8. 37 kids signed up. It is growing in popularity.

The Administrator reported that there has to be a tentative Budget Hearing by April 15 and adoption of the budget by May 1. He noted that last year we had an extra Workshop for the budget. The Organizational Meeting will be April 4. The Workshop will be April 25. Mayor Knickerbocker believes that last year we had the Workshop for the budget the night after Organizational Meeting. She commented that we could do it on Monday, April 3. She would like to do it that week in case we have to have another meeting before April 15. In case we do not come to any type of resolution we would still have the following week to have another meeting. She asked for the Board's thoughts. In response to Trustee Zachary, the Administrator confirmed that we have to pass the budget by May 1. We have to have a Budget Hearing before April 15. Trustee Zachary advised that he will be out of town from April 15 to April 30. Trustee Pasquale advised that he is going to be in Florida from he thinks April 15 to April 23. The Mayor commented that we will probably wrap up the budget on the 25th. She would like to get it pretty settled before then. Trustee Zachary commented that we need to have an initial

discussion. He suggested the next Workshop. The Mayor commented that we could do that. She noted that we would have to have a special meeting, something before April 15. Trustee Funchion suggested making it April 3. The Mayor reminded that the budget has to be passed by May 1. Trustee Pasquale wanted to know when Spring Break is for the high school. Trustee Jackson noted that Easter is April 16. The Mayor suggested April 3 or April 5, the Monday before or the Wednesday after the Organizational Meeting, so that we can have it done by April 15. She commented that because we are going to be missing two Board members she would like to get this ironed out. Trustee Zachary commented that he is coming back that weekend so he would prefer the Wednesday but he could do the Monday. Trustee Funchion prefers April 3, commenting that the sooner we get it done the better. The Mayor advised the Administrator that the Board will need all the reports. Trustee Zachary wanted to confirm that the Budget Hearing will be on April 3. The Administrator advised that will be the Budget Workshop. We still have to set the Public Hearing. He noted that April 15 is a Saturday. The Mayor commented that we know that we are not going to wrap it up in the Workshop at the end of March. Trustee Zachary wanted to know if we are going to start our preliminary discussions at the next Workshop. The Mayor advised that was correct. That way the Board will be able to look over all the financials and then have an in depth discussion on April 3.

Mayor Knickerbocker asked for recommendations for when to hold the Budget Hearing prior to April 15. She advised that she would be available all that week. Trustee Jackson suggested Monday, April 10. Trustee Funchion agreed. The Mayor advised that April 3 will be a Workshop, April 4 will be the Organizational Meeting and April 10 will be the Budget Hearing. Trustee Zachary wanted to confirm that we have to set the date for that Public Hearing at our next Village Board meeting. The Mayor advised that was correct. She noted that she has to get the date determined to get it into the next Newsletter. Trustee Pasquale wanted to confirm that the times will be 7:30 PM. The Mayor advised that was correct. She thinks that by the Public Hearing, we should have things pretty much worked out so that those who will be on vacation we will get everything pretty much wrapped up.

Trustee Zachary wanted to know where we stand with the Comprehensive Plan Committee's request for a moratorium. He wanted to know if we will be setting up a Public Hearing for that. He thought that this month we were going to set that up for next month. Mayor Knickerbocker advised that has to happen because we are moving along with the Comprehensive Plan. The Administrator advised that this Wednesday he is going to meet with Westchester County to go through the base study that we need for the Comprehensive Plan. He will push them on how quickly they can have that ready for the Board. The last piece is the survey to our residents which went out in the mail today. It is also available on the Village web site. To take the survey, click on the survey link. He noted that a couple of people filled it out on-line. Trustee Zachary wanted to know if we will print them out as they come in. The Administrator advised that it will be a learning experience but he believes that we can print them out with the Survey

Monkey web site. Trustee Zachary wanted to know if he could get the preliminary ones that come in by next Monday because there is a Comprehensive Plan committee meeting on Tuesday and they can look at them. The Administrator will make them available.

Village Attorney Porteus wanted to know if we want a resolution at the March Village Board meeting scheduling a Public Hearing for April. Mayor Knickerbocker noted that we do not do business at our Organizational Meeting. Trustee Zachary does not think it is going to be a big or lengthy hearing. The Village Attorney advised that in her opinion the reason that it was not on tonight's agenda was because she spoke with the Planner who felt that until the County's involvement was complete that it was premature to do a moratorium and schedule a Public Hearing. The Mayor commented that once we get the report from the County and all that information, then it would be appropriate. The Village Attorney commented that the Planner does this all the time and works with communities, and that was her feel for it. The Village Attorney also thinks that there were issues on which districts. Trustee Zachary advised that we discussed it at the last Workshop. The Village Attorney noted that she was not present at that meeting. The Mayor advised that it was the Route 9A corridor. Trustee Zachary advised that it was really the C1 and C2 districts. The Village Attorney wanted to know if she had given the Board a draft of the moratorium. She thinks that we did get it months ago. Trustee Zachary commented that we did and she asked for clarifications. He discussed it with the committee and at the last Workshop. The Mayor commented that it is something else to work on at the Workshop. The Village Attorney asked that whatever the clarifications were be passed on to her. She suggested that we can do that at the next Workshop. She commented that they are important and she needs to know what parameters they want. Trustee Zachary advised it is the C1 and C2 zones and 1 year. The Village Attorney commented that sometimes when they are in residential districts they will say things like a moratorium on putting on a deck. There are all kinds of parameters. The Mayor said that they can discuss that with the Planner at the next Master Plan meeting. Trustee Zachary thinks this is for new construction, not for somebody fixing their windows for example. He agreed that they will talk about it next Tuesday at their meeting.

h) Mayor's Report

Mayor Knickerbocker reported that she has asked SPECTRA to do a pipeline safety meeting next Monday at 7:00 PM with our First Responders, the different local fire departments and the ambulance corps. Buchanan will be the host. Now that we have the new pipeline it is important that if we have a problem our First Responders understand how the pipeline works.

Mayor Knickerbocker reported that on February 16 there will be "Coffee With the Mayor" on the second floor at Village Hall. She invited everyone to come in and have a cup of coffee and talk about the different things and concerns going on in the Village.

Mayor Knickerbocker commented on “the elephant in the room”, Indian Point. She did not want to take up their time before. She commented that there are some challenging times ahead, tough decisions to be made down the road. Entergy currently has an agreement with the State until 2021. The Mayor has been going to a lot of meetings. She commented that we are all in agreement that this is a huge socio-economic impact on our area. For us one of the big things is that they pay 50% of our taxes. That looks like \$3 million for us. The Mayor commented that some decisions have to be made. There are potential opportunities. She commented that right now it is so early in this process. It is hard to pinpoint anything. Entergy has been very good. They came in to see her a couple of days ago after the announcement and they talked about some potential development of the property. The Mayor is meeting tomorrow with the Town Supervisor, School Superintendent and Mike Kaplowitz, Chairman of the County Board of Legislators who has some thoughts. Thursday is a big meeting with some State officials. The Mayor’s biggest question is if the State has a “Plan B”. She has forwarded questions to the Town Supervisor. Her questions are basically: What help the State can give us? If there is transition money available? Is there any economic development money available? Right now she does not have a lot of answers for everyone.

One of the thoughts that the Board had was about redeveloping that property. The Mayor commented that as we know, right now it is an active nuclear plant so right now that is not going to happen and they are not going to get involved in the development of the property. So a developer would have to contact them after the plant ceases operation. The Mayor noted that there are 240 acres there. Where they are producing electricity now, where the plant is now, would still have to be decommissioned. So that would be totally out of the question. She commented that Trustee Zachary had started to ask questions about the de-commissioning process. The Mayor would like to have them come in and give us that in detail. The Village Attorney had given us some great information about de-commissioning. There are two different ways. Right now it is too early in the process. Entergy is not committing to which way they will decommission; whether it is the one that takes 50 years or the shorter process.

The Mayor commented that it is not only a huge impact on our taxes, we are not sure about the replacement of electricity. There are a lot of questions. On Thursday night there is a meeting of the task force being set up. The Mayor will be on that task force. She has made contact with the people in Vernon, Vermont where Entergy had a plant and the plant has ceased operating. They are very happy for us to come up and talk to them about what their experiences are, what their next steps are and what they are doing going forward. The Mayor feels that that will be a valuable education. They have been there and done that. It will be great for us to learn from their experience as we start this process.

The Mayor commented that we had a lot of different thoughts about what we can do with the property. It is early. She commented that this has to be a State and Federal collaboration. She

commented to remember that we have the rods that are there still going to have to be circulated out of production and out of the pool. What we know for sure is that Entergy is responsible for that. It is their property. The rods are stored on the property so they are going to be responsible for the safety of that and have to have people to maintain it. She noted that the Department of Energy owns the spent fuel rods. She commented that is a huge question for us. [A federal storage facility at] Yucca Mountain is something they had talked about years ago. The Mayor commented that she was pretty much up on all that when she was on the Board in the 1990s. But that fell through and there is no place to put them. They are going to be stored at Indian Point for she does not know how long. The Mayor commented that she has a list for the State people. She will have a lot more information after Thursday. She is hoping that weather permitting on Monday they will make the trip up to Vernon, Vermont. So she will be able to share more information at that point.

The Mayor commented that it is going to be a journey. We will all work as a team. We have a good team here. We will figure this out.

i) Trustee's Reports:

Trustee Pasquale wished a Happy Valentine's Day to all the ladies. On a personal note, he thanked the Mayor for officiating at the wedding of his daughter three weeks ago. Mayor Knickerbocker commented that she is special. It was a beautiful wedding and she was very happy to do it. She commented that as mayor sometimes things are tough to do but she always enjoys being able to swear people in and to marry people. Trustee Pasquale thanked her. It is very much appreciated. His daughter and son-in-law thank her also.

Trustee Pasquale reported that there is a coyote running wild in the Village. He thinks that he has located its habitat. He will speak to the Building Inspector and the Police Department about how to get rid of that animal. In reply to a question from the Mayor he advised that he sees it twice a week walking on Tate Avenue during the day. It starts across the street, does a circular motion around the house to his right, walks across Tate Avenue to his neighbors, heads toward Kings Ferry Road through the backyards and then returns later in the day. He noted that he has observed it a lot. He has a pretty good idea where it is. He does not know if it has a litter or a carcass that it has been holding. Mayor Knickerbocker thought they would all go back now that the pipeline construction is done. Trustee Pasquale commented that this one seems to have become comfortable where it is now. Trustee Zachary commented that they are pretty well integrated in the suburbs. Trustee Pasquale commented that he has a small pet that he walks and that you do not want to encounter these things.

Trustee Zachary announced that the Comprehensive Plan Committee meeting will be on

Tuesday, February 14 at 6:30 PM at the Village Hall. He advised that in order to gauge everybody's sentiments they have put together a survey which will be sent out in the mail in the next day or two. It is also on-line on the Village web site. If you do not have access to a computer or do not like to use one, you are asked to fill it out and mail it in. They would like to receive the surveys as soon as possible. They would like to get everybody's sentiments to help them in their process on future land use and any thoughts and concerns going forward in the Village. Concerning the proposed moratorium, the Comprehensive Plan Committee is looking to halt development for a period of time on the commercial corridors while we develop a plan or a set of guidelines to follow.

Trustee Funchion reported that he attended 3 meetings on the Entergy closure, two in the Town of Cortlandt and one here in the Village. He wants residents to let the Board know any ideas they may have. He commented that it is the time to think out of the box. He commented that as the Mayor said, we do have time but it will creep up very quickly. He commented that somewhere in the middle we will meet on taxes and services and what the County and State and Federal governments can do for us. His reaction to those meetings in the Town of Cortlandt is that he hopes we do not get caught up in all the politics between the Governor and the County Executive and Federal government and that they treat us just like regular citizens.

Trustee Jackson reported that he also attended those meetings. He agrees with Trustee Funchion's comments about thinking outside of the box and getting suggestions from the general public. No idea is too off the wall. Whatever you come up with, bring it forward. He thinks that, maybe not right now, but we need a blue ribbon committee for Buchanan as it relates to the closure. He thinks that we need to be laser focused on our concerns and what that can bring about. He commented that once we have gathered more information and we get further down the line in this process that it behooves us to have an in-house team specifically to deal with our issues. He commented that in concert with other entities we can balance things a little and talk about the other concerns but we must certainly make sure that our concerns are clearly delineated and that we get some good ideas as to what our options are going forward. He commented that as Mayor Knickerbocker said it is premature on a lot of fronts to think about how much development, how much land, the tax burden and a lot of things that are not settled. He commented, to coin a phrase, "Buchanan First".

Mayor Knickerbocker advised that she has had conversations with the Master Plan Committee to step up to that also. She would like to get more people involved.

7. COMMENTS FROM THE FLOOR:

Eileen Absenger, 138 Tate Avenue, commented that Village Attorney Porteus needs to use the microphone during the meeting. Her voice was not heard when she talked about the STAR

Program. Ms. Absenger thinks that is important for Village residents and those who are watching this on t.v. that they can do this within their own hamlet, town or whatever. She commented that there are more Seniors out there who do not go to the Senior's program. If somebody did buy their house and did not apply for the STAR, this was important information.

Ms. Absenger commented concerning the moratorium. For people with the property that might be going up for sale on Route 9A, they need to know that there is a possibility that the moratorium might affect them.

8. BOARD MEMBER REBUTTALS:

None

9. ADJOURNMENT:

At 9:00 PM a MOTION to adjourn was made by Trustee Funchion, seconded by Trustee Jackson with all in favor. Mayor Knickerbocker said to have a great Buchanan Day!