

**Mayor & Board of Trustees
Village Board Meeting
June 6, 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 called the meeting to order at 7:30 PM, led everyone in the Pledge of Allegiance and informed everyone of the fire regulations.

2. APPROVE MINUTES:

April 2017 Organizational Meeting: Trustee Zachary had a change on page 7, paragraph 3, line 4: change “maybe less” to “slightly less”. Mayor Knickerbocker had a change on page 4, paragraph 3, line 1: change “Planning Board” to “Master Plan Committee”. A MOTION to approve these minutes as amended was made by Trustee Funchion, seconded by Trustee Jackson with all in favor.

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

None.

4. NEW BUSINESS:

a. 17-26 RESOLUTION SCHEDULING A PUBLIC HEARING ON A PROPOSED LOCAL LAW AMENDING CHAPTER 119 OF THE CODE OF THE VILLAGE OF BUCHANAN.

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

This is about the Village Code concerning noise. Mayor Knickerbocker advised that the proposed change is to extend the quiet period from 8 AM on Sunday morning to 10 AM.

Trustee Zachary thinks that a lot of the wording in the Code is subjective. He quoted from the current Code noting as examples where it refers to “normal hearing” and “raucous” as criterion. He commented that it is based on not being able to hear your neighbor. He commented on

decibel levels and how noises affect people differently regardless. He thinks there are inaccuracies in the wording of the definitions of the hours when certain activities are not allowed. Village Attorney Porteus will make the changes. Mayor Knickerbocker advised that the Board will discuss this at the Workshop and in a Public Hearing and put it up to a vote.

Trustee Funchion commented that he was going to say to put it in the positive instead of the negative but if we have resolved it, it can be left alone. Trustee Zachary commented that the current ordinance is inconsistent because different categories of noise are restricted to different hours. Trustee Jackson said to make it 8 PM in the summer. Trustee Zachary noted that based on the current Code vehicles like motorcycles without mufflers are prohibited in the Village. Trustee Funchion commented that it is a State law. The problem is that the law is not enforced. He noted that the next meeting would be on Code enforcement. Trustee Zachary read the part of the Code about being 200 feet away from your neighbor if you make noise. He commented that very few people in the Village have houses greater than 200 feet from their neighbor. Trustee Jackson said that it should be uniform. The Mayor commented that some of the things in the Code Book are outdated.

Village Attorney Porteus wanted to know the Board's consensus on the issues with Monday to Friday. All the times are going to be consistent from Monday through Saturday and different on Sunday. The Board will vote at the Public Hearing. Mayor Knickerbocker advised that this resolution is to set up a Public Hearing about this Code next month.

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

b. 17-27 RESOLUTION AUTHORIZING THE EMPLOYMENT OF SUMMER RECREATION PERSONNEL

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

Mayor Knickerbocker advised that we would be employing a Director, Assistant Director, nurse, laborer, Senior Counselors, Junior Counselors, Junior Assistant Counselors and counselors-in-training.

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

c. 17-28 RESOLUTION AUTHORIZING THE EMPLOYMENT OF A SEASONAL EMPLOYEE

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

Mayor Knickerbocker advised that we hire seasonal help each year. This is the third person. There is a lot of extra work in the Village such as grass cutting and weed whacking which all need to get done in the summer.

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

d. 17-29 RESOLUTION AUTHORIZING THE EMPLOYMENT OF SUMMER RECREATION PERSONNEL (POOL)

Trustee Funchion read the Resolution (*copy attached*). This is for lifeguards and head lifeguards and our WFI director.

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

e. 17-30 RESOLUTION AUTHORIZING A FACILITY USE

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

Mayor Knickerbocker noted that this is on behalf of the Town of Cortlandt and each year we authorize the use of the pavilion. The Town of Cortlandt has a Veteran's picnic on June 22 from 11:30 AM to 2:30 PM. It is a nice thank you to all our veterans. She asked that any veterans who would like to attend call the Village Hall so we can contact the Town to let them know who is coming.

Trustee Zachary added that the Board waives the fee for these types of municipal events and for organized sports and non-profits. People can use the pavilion for private functions for a fee. Trustee Funchion added that it does not matter if it rains because they will have the picnic in the pavilion. Mayor Knickerbocker commented that we are very fortunate to have the pavilion.

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

f. 17-31 RESOLUTION AUTHORIZING A FACILITY USE

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

Mayor Knickerbocker advised that any time someone uses our pavilion we make sure that they include insurance for the event. These requests have that.

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

5. INFORMATION FROM OFFICERS AND DEPARTMENTS:

- a) Justice Court Report – May 2017:
Received and filed. Mayor Knickerbocker noted that the amounts received were \$5,087 and \$1,376.
- b) Police Reports – April 2017:
Received and filed
- c) Wastewater Reports – April 2017
Received and filed
- d) Fire Inspector’s Report – May 2017
Received and filed
- e) Attorney’s Report
Village Attorney Porteus had nothing to report at this time.
- f) Administrator’s Report

Village Administrator Hay reported on the White Street house. The contractor got back to the Village Building Inspector. They think they can significantly reduce the cost. They had estimated \$80,000. They want to come back and do a sample of the roof material to determine that there is no asbestos. They will go with the Building Inspector to get some roof material. Mayor Knickerbocker asked if we have any waivers because that it is not safe. Trustee Zachary advised that they can do it by leaning a ladder against the walls. Trustee Pasquale suggested using the Village’s bucket truck. Trustee Zachary noted that there are some shingles already on the ground. The Mayor thought it was much lower than \$80,000. The Administrator advised that our quotes were \$85,000-\$100,000 to take it all out. He thinks it will be less. In the budget we moved \$100,000 from Paving to a separate line under Street Maintenance to be able to do this removal. He hopes for better numbers.

The Administrator advised that the Village tax bills are due to by July 3 without penalty. The pool will open on June 17 and the camp will open on June 26 through August 4. The Administrator told the residents to remind their landscapers to put the grass clippings toward the lawn and not on the road.

Mayor Knickerbocker confirmed that because of the holiday the July Village Board meeting will be on July 5. The Administrator asked that if the Board had anything for the calendar that it is received by June 20. He commented that it takes a long time to get out through the USPS and we want to get it out as soon as possible.

g) Mayor's Report:

Mayor Knickerbocker commented that she was glad the Administrator mentioned the Village calendar. Some people were upset. She understands that they want to get it so that they know when the garbage pickups are. She would like the Village calendar to go on Facebook. She knows that not everybody is on Facebook. We will still be sending it out in the mail. Facebook is just an additional thing. Trustee Zachary noted that the calendar was not on the Village web site on Thursday. The Mayor was in favor of making the cutoff date sooner than the 20th to allow time for it to go to the printer and the Post Office.

Mayor Knickerbocker reported that she and Trustee Funchion went to the State task force meeting at the Town of Cortlandt. She felt encouraged because they spoke about resources that would be available to the community. She was discouraged and very upset that it was an open meeting but was not taped because the State officials did not want it to be taped. She did not realize that until afterward. The Mayor will see what we can do about that the next time. Trustee Zachary suggested that she bring her own tape recorder. The Mayor advised that the next meeting will be in September. There will be other meetings off-line with different municipalities. They did reinforce what the agreement was with the State. In the State budget there is a fund for communities like ours when nuclear power plants are closed. Basically, any municipality that loses 20% of their budget is eligible. For the first year they will compensate 80% of the loss. Each year it goes down 10% for the following 6 years. She advised that in our first year we will be losing \$450,000. With the State supplementing that, we are looking at \$90,000. The Mayor commented that it is a nice transition but not where we want to go. We are working on it. The school district will be eligible. The Town of Cortlandt will not be because they are only losing 2% of their budget, \$1 million. The Mayor commented that it is good to hear that the school district is eligible. They are also allowed through the State budget to save more money for that day. She commented that we all have our own issues that we have to be working on. She was happy to get it in writing and in her hands.

The next State task force meeting is not until September. They are talking about economic development. The Mayor wants people to understand that the property cannot be redeveloped for quite some time. She commented that what they are not understanding and what frustrates her is that there are almost 240 acres there. The property that is being used now is going to be needed for the decommissioning as the structures and everything are taken down. She noted that she is talking about the property at the end of Bleakley Avenue to the right of the old main

entrance. It is 60 acres to the right of our ball field. She noted that property has never been used by them and now never will be. The Mayor wants the economic development people to look at that. There are other properties in the Village that we will be researching. She commented that there is a lot going on. The Board is looking at everything.

Mayor Knickerbocker reported that Buchanan 2021 will probably start in September. There are still a few positions open if anyone is interested. The Town of Cortlandt has a task force but this one is very specific to the Village of Buchanan. We have specific needs and a direction we have to go in. This group will be looking at the Village and seeing what we can do differently.

Mayor Knickerbocker reported that on Friday she will be in an all-day meeting on the closing of Indian Point by Entergy. There have been a lot of meetings, fact finding and information to be collected. She commented that after 5 months we have come pretty far. She wanted to have a meeting this month. She would like to have an update meeting with State Senator Murphy and Assemblywoman Sandy Galef from the State legislature coming here to give us their insight. The Mayor is still working on that and will let everyone know what happens.

Mayor Knickerbocker reported that on July 4 the City of Peekskill will have a beautiful parade and fireworks. They are talking about maybe not having it after this year. Between the parade and fireworks it cost \$45,000. They are doing fund raising. The Mayor asked everyone to contribute what they can. The Mayor noted that our Lent's Cove looks over toward where the fireworks are. It is normally closed at dusk. The fireworks start at 9:15 PM. What we do on July 4 is to allow people to come there to see the fireworks. She cautioned that it gets very dark there. If people do come, she recommends bringing a flashlight and a chair.

h) Trustee's Reports

Trustee Zachary reported that there is a Workshop next Tuesday to discuss enforcement issues. He encouraged residents to come to that meeting.

Trustee Zachary reported that the Comprehensive Plan Committee asked people in the survey what are the most important issues for the Village Board to act on in the coming years. 40% of the responses said that Code enforcement was one of the important issues. It is a hot topic. The survey confirmed it. Trustee Zachary noted that sometimes we have homes where the owner does not live there. In enforcing property maintenance Codes we generally think that if it gets to that point there is a procedure where the person is given 5 days to correct the situation. If they do not, it goes back to the Village Board for advisement and eventually they can be fined. He commented that we always think of that as being addressed to the owner of the property. Actually our Code says "the residents" which it defines as people who rent as well. So actually the fine can be passed on to the occupant even if they are renters. There are no exclusions.

Trustee Zachary announced that the Comprehensive Plan will meet on Tuesday, June 20 at 6:30 PM at the Village Hall. Village Attorney Porteus asked if he had enough people on the committee. Trustee Zachary commented that they lost a few people. Mike Wenz advised that they have one person who would like to join. Trustee Zachary was going to go back to somebody who left because of a situation that has since been taken care of. Trustee Zachary is going to ask that person to come back.

Trustee Pasquale reported on the pool. He encouraged everyone to drive by and see the nice mural. Mayor Knickerbocker would like to bring in the kids who did the mural and present them with a certificate of appreciation and put a picture of the mural on Facebook.

Trustee Pasquale reported that a couple of weeks ago he attended the Hendrick Hudson School District Board meeting. They were giving out tenures. He congratulated the teachers and staff who were tenured.

Trustee Jackson wanted to acknowledge all those who came out for the Memorial Day Parade. It was held inside of the Verplanck Fire House because of the rain. There was a nice turnout. Former mayor Sean Murray presided as Commander of the American Legion Post. Trustee Jackson commented that it is small town America. It is the Hudson Valley where people take the time out to remember those who made the ultimate sacrifice and to thank them for the freedoms we enjoy today. He commented that all three fire departments - Buchanan, Montrose and Verplanck - do a terrific job and they should be commended for their continued sacrifices going out day and night for the calls in support of their neighbors and the Tri-Village area. Trustee Jackson commented that a couple of months ago, there were some elderly people in Yorktown who passed away in a fire. You never know what is going to happen. He saluted all those who came out for the Memorial Day Parade. He represented the Village of Buchanan. Frank Farrell represented the Town of Cortlandt. Mayor Knickerbocker commented that we always thank our volunteers. We are very fortunate here with our ambulance and our fire department. We live in a great community.

Trustee Jackson reported that this Friday at 2 PM the Vietnam Veterans monument will be unveiled at the Cortlandt Town Hall. He will be in attendance. It is in remembrance of the 58,000 individuals from the Vietnam War era that we lost. He commented that we pray for and are concerned for any of our service men and women who are in harm's way today.

Trustee Funchion wanted to point out that our Mayor is really working hard on all the problems with Entergy. He commented that the amount of meetings she has been at is phenomenal. He has been with her at some of them. He commented that she is a forceful voice for all of us here

in Buchanan and we have a good leader for years to come in helping us to get through this tough time.

Trustee Funchion reminded that today is the anniversary of the D-Day invasion of Normandy. He commented so many young men died on that day. It is unbelievable. He commented that if anybody has a chance to visit there, you do not come away without tears in your eyes seeing the enormity of lives that were lost. Trustee Funchion will be attending the Vietnam Memorial unveiling with Trustee Jackson. He commented that he did not serve but too many of his high school classmates died in Vietnam. He attended the Memorial Day commemoration on May 23 at the Morabito Community Center. He was glad that they emphasized the distinction between Memorial Day and Veterans Day. Memorial Day is for those who are not alive and Veterans Day is for those who are alive including those who came back but who suffered physical or mental loss. He commented that people tend to forget the families that live with the deaths of their sons and daughters. He commented that these events are always well done and are nice events.

Trustee Funchion reported that Buchanan Day will be on September 23. Anyone who would like to get involved can give him a call. They appreciate any volunteers. They are going forward with a few different venues. He hopes that everybody puts it on their calendar.

Trustee Funchion reported that he and the Mayor attended a lot of meetings with the State and the Town. The last Town meeting was televised. He did not know how many people watched. It was with the Entergy committee. The representative from the Town of Cortlandt suggested a 10 year phase out after the plant closes. The representative from Entergy responded that they are just like if any other industry. If for example a shoe factory closes they are gone, that's it. Trustee Funchion really dislikes this attitude. He commented that they are not like any other industry. They are basically leaving their "garbage" behind. It is not like Tarrytown [when General Motors left]. They were able to clean up Tarrytown. But the stigma will always be attached to Indian Point as the place where there was a nuclear plant. It is going to be difficult for people to revitalize that area. He emphasized that they own the property. People say let's have a gas fired plant or a factory. Trustee Funchion commented that it is up to Entergy to sell the property and they can do with it whatever they want. They can let it sit for 50-60 years. He commented that it was brought up at the last Village Board meeting that a lot of hearsay goes around. Everybody should have an idea of what we can do. The Mayor is setting up our task force and he hopes they come out with some good ideas. We all have to be in it together and sacrifice together. He commented that as much work as we can do, as much industry and money we can get to come into the area, there is still going to be significant sacrifice and we all have to share that responsibly.

Trustee Funchion believed that the contractors from Con Edison are finished. Village Administrator Hay advised that he reached out to them this week. Trustee Zachary noted that they did not sweep the gravel from the road. Trustee Funchion remarked that they have been very successful at being the most miserable people on the face of the earth. They took 9 weeks to do one block. The first 4 weeks they only came on Mondays. He has to file claims with them because they destroyed stuff on his property. He commented that they do not ask. He feels that it is the problem with contracting out or privatizing things that belong to and should be done by a government agency or quasi-government agency.

Trustee Funchion reported that at the next meeting the Board will talk about no through trucks on Tate Avenue. He hopes we can come up with a plan for that. He sees huge trucks going up and down Tate Avenue.

Trustee Funchion wished everyone a Happy 4th of July. He joked that hopefully Mother Nature will think about having summer for us. He commented that it feels like the end of Fall. Mayor Knickerbocker commented that on the today's news it was reported that today is the coldest day in June in the last 10 years.

Trustee Funchion announced that the luncheon for the Seniors is on June 30 from Noon to 3 PM. He expects that the Board members will all be there.

Trustee Zachary suggested putting the Village calendar on the Buchanan Channel screen. He noted that almost everybody in the Village has either Verizon FIOS or Optimum. He suggested maybe putting the first week of the month on the rolling screen, maybe on a weekly basis, especially the pick up days.

i) Mayor's Report (cont.)

Mayor Knickerbocker thanked Trustees Jackson and Funchion for representing the Village. She could not go to either one of the [Memorial Day] events and she really appreciated their representing the Village. She thanked Trustee Funchion for his comments on all the meetings she has represented us at. She commented it is such a great community. It is worth fighting for. As a team they are going to do that.

Mayor Knickerbocker reported on the implementation of the Code Red system. It is the emergency notification system that we finally have in the Village. We got a grant from Entergy that will cover several years. Code Red will be used if there is an emergency in the Village. We will be able to communicate with residents and tell them what is happening. An example of that need was when we had the helicopter flying over the Village. There was no way to notify residents. The Mayor announced that on Wednesday, June 14 at 4 PM we will be sending out a

test phone message. You will have the option to receive alerts by text message or on your cell phone. Information on that will be sent to all residents.

6. COMMENTS FROM THE FLOOR:

Eileen Absenger, 138 Tate Avenue, commented about Giordano's trucks on Tate Avenue. They seem like they are speeding during the day. They are up and down Tate Avenue all the time. They are big dump trucks. Trustee Zachary wanted to know where that business was based. Ms. Absenger advised they are located at the three houses on Kings Ferry Road across from the library.

Ms. Absenger commented on the meeting that the Mayor went to that was not taped. That was unacceptable to her. She would like to know why the State felt that they did not need to do that. Mayor Knickerbocker commented that even though they could not comment the meeting was open to the public. She did not see what the problem was with taping it so that people could watch it on t.v. to see and hear what is going on. Trustee Zachary feels that there is no reason not to record it unless you do not want to be held accountable. Ms. Absenger feels that it is our right to hear what they have to say. She hoped Town Supervisor Linda Puglisi could correct that. Trustee Zachary noted that it was a public meeting and asked if anyone took minutes. The Mayor believes that minutes were taken. Ms. Absenger asked if those minutes will be on the Town of Cortlandt web site. The Mayor will check.

7. BOARD MEMBER REBUTTALS:

None

8. PROPOSED EXECUTIVE SESSION:

At 8:35 PM a MOTION to enter into Executive Session to discuss a contractual agreement was made by Trustee Funchion, seconded by Trustee Jackson with all in favor.

9. ADJOURNMENT:

At 9:29 PM a MOTION to exit Executive Session was made by Trustee Funchion, seconded by Trustee Jackson with all in favor. Mayor Knickerbocker noted that no decisions were made and no moneys were expended.

At 9:30 PM a MOTION to adjourn this meeting was made by Trustee Funchion, seconded by Trustee Jackson with all in favor.