

Mayor & Board of Trustees
Village Board Meeting
December 4, 2018

PRESENT:

Mayor Theresa Knickerbocker
Trustees Duane Jackson, Cesare Pasquale and Nicholas Zachary
Village Administrator Kevin Hay
Village Attorney Stephanie V. Porteus
Village Board Secretary Susan F. Matthews

ABSENT:

Trustee Richard A. Funchion on vacation

1. PLEDGE OF ALLEGIANCE:

Mayor Knickerbocker called the meeting to order at 7:30 PM. She led the Pledge of Allegiance and informed everyone of the fire regulations.

MOMENT OF SILENCE:

Mayor Knickerbocker held a Moment of Silence for the passing of former President George H.W. Bush and for the veterans of Pearl Harbor and the 2,000 Americans who lost their lives there in WWII.

2. APPROVE MINUTES:

October 2, 2018 Regular Board Meeting: Mayor Knickerbocker amended her report on page 7 to add that she did get to testify that day. A MOTION to approve these minutes as amended was made by Trustee Zachary, seconded by Trustee Jackson with all in favor and Trustee Funchion absent.

October 23, 2018 Workshop: A MOTION to approve these minutes as presented was made by Trustee Jackson, seconded by Trustee Pasquale with all in favor and Trustee Funchion absent.

Mayor Knickerbocker thanked Trustee Funchion for serving as Acting Mayor while she was recovering from surgery. He chaired the Village Board meetings and attended meetings on her behalf. He did a great job.

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

None.

4. NEW BUSINESS:

a. 18-52 RESOLUTION SCHEDULING A PUBLIC HEARING ON A PROPOSED LOCAL LAW OVERRIDING THE NYS PROPERTY TAX CAP.

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

Mayor Knickerbocker explained that this is something we do every year. It is recommended by NYCOM. We try to meet the 2% Tax Cap but this has to be in place if we have to go over it.

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

b. 18-53 RESOLUTION DECLARING A VILLAGE VEHICLE SURPLUS AND AUTHORIZING THE VILLAGE ADMINISTRATOR TO REQUEST PROPOSALS.

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

The 1997 Ford dump truck has been put out to surplus. Mayor Knickerbocker commented that we really get good use out of our vehicles. This one is now 20 years old and we would have to put a lot of money into its maintenance. Trustee Zachary asked how we request proposals prior to scrapping it. Village Administrator Hay advised that we have a spot for bids on the Village web site. He noted that the truck does run.

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

c. 18-54 RESOLUTION AUTHORIZING A VILLAGE FACILITY USE.

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

Mayor Knickerbocker noted that it is something we do every year. After the St. Patrick's Day Parade, we meet at the pavilion and they have cookies and hot chocolate.

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

d. 18-55 RESOLUTION AUTHORIZING THE MAYOR TO SIGN A MEMORANDUM OF UNDERSTANDING WITH THE COUNTY.

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

This is an asset for the Village. It helps our Village Clerk's office and gives us access to on-line land records. The Mayor commented that it is a good shared service. In reply to a question from Trustee Zachary, the Administrator advised that this is separate from the GIS system. This also includes foreclosure records. There is no cost to the Village.

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

e. 18-56 RESOLUTION AUTHORIZING ENHANCED LIFE INSURANCE COVERAGE FOR VOLUNTEER FIREFIGHTERS.

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

Village Attorney Porteus gave an overview. This is a bill passed by the legislature and signed into law by the Governor. It is an unfunded mandate. It mandates enhanced coverage for volunteer firefighters who have been active for 5 years who come down with certain types of cancer. The law is specific. Not everybody will be covered. She has worked with Buchanan Engine Company. They looked at their records and advised that 20 firefighters might need this coverage. The Administrator has gotten quotes for insurance to become effective January 1, 2019. The Village Attorney noted that the Fire Department knows that there are strict requirements and that they have to have good record keeping regarding times of active membership.

Trustee Jackson commented on the lessons learned from experience in retrospect following 9/11. There are so many things that we did not know and found out later. Mayor Knickerbocker commented that hopefully nobody will ever need to use this but it is there for them if they do. Trustee Zachary commented that we are talking about under \$3,000 per year. We have been hit with much larger financial burdens. He asked if we will have a chance to review our choice of insurance carrier every year. Village Attorney Porteus believes that we would. She added that it covers the eligible firefighter for an additional 60 months after they retire as long as the department has maintained the records. Trustee Pasquale commented that from his experience with the NYPD and 9/11 Fund that records have to be meticulously kept. Their physicals have to be up to date. The Village Attorney advised that she has been in discussion with Ed Burns III who told her that the Buchanan Engine Company began a spreadsheet and they know the requirements needed by law. Trustee Jackson added as a volunteer firefighter that they do a yearly physical. The Village Attorney advised that they also have to do a mandatory mask fit testing.

Trustee Zachary asked how much coverage they would get for the \$137.00 that we would pay per firefighter per year. The Administrator explained the rates and advised that there would be a lifetime maximum of \$50,000.

Mayor Knickerbocker commented that the Board asked a lot of good questions. People in the audience will understand this better.

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

5. INFORMATION FROM OFFICERS & DEPARTMENTS:

a) Justice Court Report – October 2018

Received and filed. Mayor Knickerbocker noted that there were two reports: one for \$6,716.00 and one for \$3,835.00.

b) Fire Inspector's Report – October 2018

Received and filed.

c) Attorney's Report:

Village Attorney Porteus had nothing to report but does have a report for Executive Session.

d) Administrator's Report:

Village Administrator Hay reported that 500 out of the 750 water meters have been done. It will carry over to December. We will continue to send out a last request letter to arrange access.

We are still working to get access to the manhole on Con Edison property.

The Administrator reported that the auditors are here doing the 2017-2018 audit. We should receive the report 3 months after that.

We closed out the LED Street Light project. We will make a payment this year. Our yearly payment is \$25,000. From the studies they have done so far we have saved approximately 111,387 kwh for a savings of \$27,846 which covers the cost of the changeover. Mayor Knickerbocker asked about the decorative lights. The Administrator advised that is included in the Siemens project. They closed out in 2016 about 2 years ago.

e) Mayor's Report:

Mayor Knickerbocker thanked Deputy Mayor Funchion for taking over for her while she was recovering from her surgery. He covered a few meetings and Veterans' events.

The Mayor commented that at the last meeting she mentioned that she was going to give a best and worst case scenario concerning where we stand with the closing of Entergy. At our last Workshop there was a question on where is the status of the closing. Everything is still in process and still moving forward.

The Mayor met with our new County Executive, George Latimer. He is interested in supporting the Village. She will be meeting with his staff next week. The Mayor noted that he was here about a month ago. He understood the needs of the Village. The Mayor will be setting up her next meeting with his staff. In January Assemblywoman Sandy Galef will introduce legislation about the spent fuel casks. We do not currently tax it so this legislation would go through the State Legislature and allow affected communities to tax the spent fuel in New York State. The Mayor noted that Ohio already taxes the spent fuel. The reason it has not been here is because it is not technically considered long term but is considered temporary. But we know that we are going to be stuck with a lot of spent fuel.

Concerning the Cessation Fund, the Mayor is not sure where we are going with that. It is set up from the State to help communities that have lost their coal and nuclear power plants. The Mayor commented that we are fortunate that last year State Senator Murphy got an additional \$24 million into the funding. The first time we will be able to tap it will be in 2022. We hope that the State keeps funding that because right now it is being drained by coal plants that have ceased operations. We are going to push to be sure that it continues to be funded because when 2022 comes we will get 80% of the loss of our revenue. The Mayor commented there is an opportunity to potentially renegotiate something with Entergy. It is on the table.

The Mayor commented that she also has some good news. She has been able to be part of a coalition with approximately 60 other municipalities who have lost their nuclear power plant or are potentially losing them. The Mayor will be in a group meeting with them at the beginning of the year. They will work together to go after money from the Federal government for the spent fuel. The Federal government has \$36 billion in a fund that is supposed to be used as a final repository for the spent fuel. There is no repository and none on the horizon. So if we are going to be a de facto storage facility then we should be compensated.

The Mayor commented that the worst case scenario is that if nothing happens at all the taxes in the Village will double. She knows that a lot of people say, “No big deal”. She commented that we need to understand that the people who are saying that are the people who are paying \$500, \$600 or \$700 per year for full services here in the Village. So for them it is reasonable to spend \$1400 or \$1500. We are concerned about people who spend a lot more. What we do not want to see, and what we do see around the country, is when these power plants close communities become ghost towns. People leave because they cannot afford to keep their houses. If that happens it is going to affect our real estate and our community. The Mayor commented that we have to be fair to everybody. She commented that this Village Board works for everybody whether you are paying \$500 or \$2500 per year for full services. We need to be considerate and understand that different people pay different amounts of taxes. We have to be concerned about all our citizens.

Mayor Knickerbocker reported that we had a very nice turn out at our Christmas Tree Lighting. Even though the weather was bad, it did not dampen our spirits. Everyone came back to Village Hall for hot chocolate and cookies. Santa was here. We had raffles from different businesses in the community. The Buchanan PBA raffled off two bikes. We had a lot of fun. The Mayor commented that a little friend of hers on Westchester Avenue won a Christmas tree from the Buchanan Home Center for the second year in a row. Mayor Knickerbocker gave a special thanks to Recreation Supervisor Nancy Bayer and her “elves” for organizing the event, and Eileen Absenger who was in charge of hot chocolate. Two talented Trustees, Duane Jackson and Cesare Pasquale, showed their previously hidden talents and sang really well. It is a great event. It is the community getting together. Everyone had a good time.

Mayor Knickerbocker wished everyone the merriest of Christmases, the happiest of holidays and a Happy, healthy New Year.

Trustee's Reports:

Trustee Jackson agreed with the Mayor that despite the weather we had a great turn out at our Christmas Tree Lighting. He noted that there are so many young families and little kids moving into our Village.

Trustee Jackson commented that as for what we face going forward, our proximity to New York City as a suburban community is a very good selling point. He noted that in his neighborhood on Lake Drive the recent "move ins" have been young people who did not have children when they moved here but do now. He believes that in the long run we will be all right. There will be some growing pains as we move forward. He believes that the services we have here - our Highway and Police Departments, our Village office staff - you just do not get in today's world at the price they come at today. Those are good selling points. He thinks that as we go into 2019 there will be situations and we will deal with them. But we will be okay.

Trustee Jackson said that in 1988 he met President George H.W. Bush. He remembers that the President said to him, "Gosh, you are a tall guy." He will be missed. He was our last war time president. He was shot down in battle in WWII and survived. His wife Barbara was a Westchester native.

Trustee Pasquale commented that it was fantastic seeing all those children at the Christmas Tree Lighting. It was a nice turn out considering the weather. He commented that the Mayor can also really sing.

Trustee Pasquale reported that last month we had Police Chief Tubbs with us who announced his retirement. He caught Trustee Pasquale off guard. Trustee Pasquale wishes him all the best in his retirement. He served us for 38 years and was a dedicated servant and police officer. Trustee Pasquale commented that you tell them they did a good job and they say it is part of the job, but the best compliment you can give him is to personally thank him for his service and for making Buchanan safe.

Trustee Pasquale reported that last week he attended a forum on recreational marijuana that Assemblywoman Sandy Galef held at the Cortlandt Town Hall. He attended with Trustee Zachary and Village Attorney Porteus. There were four speakers: the Chief of Staff of the Rockefeller Institute of Government, a PhD who represented Smart Approaches To Marijuana and had worked in the Clinton and Bush administrations, an attorney who is an advocate for cannabis, and a neurologist who is Chief of Neurosurgery at St. John's Riverside Hospital. Trustee Pasquale commented that the forum was an eye opener. He recommended that if they have these forums again people should go.

The Mayor wanted to know what the general sentiment was of people in the audience. Trustee Pasquale commented that they did not allow questions. They had you write

down a few questions and a few were read. It was basically a panel that talked for about 2 hours. What he took away from the panel was that there was one young lady who was “pro” and the other three were against it. Trustee Pasquale took particular note of what the doctor said about the effects on the body and brain because he heard things that he had never thought about.

Trustee Pasquale reported selected entries from the Police Report. On Monday, November 19 Officer Budde stopped a Peekskill man for speeding on Albany Post Road. He was found to have a suspended license and was placed under arrest. That same day Officer Budde responded to a call about a raccoon acting strangely on White Street. The animal was found and euthanized with a dart gun. On November 19, Officer Tiernan, our new police officer, responded to a medical emergency on Henry Street. He rendered aid and stayed until EMTs arrived and transported the person to the hospital.

Trustee Jackson said there was an emergency incident that happened just 3 hours ago on Lake Drive. Officer Courtney Loertscher responded. There was a back pack in the middle of the street that had no owner. There was stuff laying around. It was determined that it was a neighbor’s who was contacted. It turned out that the wife put the back pack on the roof of the car and drove off forgetting that it was there. Officer Loertscher took the time to professionally take care of this. Trustee Jackson commented that this is some of the things you get with community policing.

Trustee Pasquale wished everyone Happy Holidays, a Merry Christmas and a Happy New Year.

Trustee Zachary thanked Assemblywoman Galef for the forum that she had. He thought it was well done and useful. The audience could write questions but there was no back and forth. Trustee Zachary believes this is going to come up in the New York State legislature because recreational marijuana is now legal in 13 or 14 states and is legal nationwide in Canada. Trustee Zachary thinks it is something people go into either in favor of or against right away. He personally supports it. By listening to this forum, he better understood the reasons why people are opposed. He commented that he cannot criticize people who are opposed but thinks that you cannot criticize those who are for it.

He commented that among the positives were that you are taking something out of the street that is now being done illegally and controlling it. You have a better sense of the dosing and are not risking things being made with impurities. He thinks that the possibility of raising tax revenue is a positive. But how much it would really raise or how much would be needed for in-house drug programs makes that revenue benefit questionable. Currently there are a lot of people in prison for personal use of marijuana. We are spending a lot of money keeping them in prison.

Trustee Zachary personally thinks there are parallels to other things that are legal like alcohol. He thinks that the same as with alcohol most people would use marijuana

casually but there are those who could not control it and would become over users. He commented that we constantly hear in the news about people drinking and driving and causing accidents and deaths. He has a hard time imagining that marijuana could ever equate to that. He commented that because of the similarity he has a hard time reconciling in his head why one should be legal and the other illegal. He fully respects people who are opposed to it because there are good reasons for and against. One of his concerns against it is the effect on the brain, especially younger people whose brains are still developing. He would not want to see increased use among young people. He would want age limits like with alcohol. He commented that when you are driving with alcohol you get a breathalyzer. There is no test for marijuana.

Trustee Zachary recommends that anyone who becomes aware of these informational forums attend.

Trustee Zachary wished everyone Happy Holidays, Happy Hanukkah and a Merry Christmas and a Happy New Year.

Trustee Jackson commented that, reminded by the announcement of this Friday being the anniversary of the attack on Pearl Harbor, his father was a sailor. His mother was one of the first black WACS (Women's Army Corps) in 1941, at Fort Bragg. She was a nurse. They met in San Francisco. Two months ago we lost George Paul, a Buchanan resident and a WWII Army veteran who was 93 years of age. Trustee Jackson said to take pause to remember and celebrate those we have with us and those who have made the ultimate sacrifice for our freedom. He commented that if we had lost WWII he does not think we would be talking the same type of English we speak today. As he always says, freedom is not free.

6. COMMENTS FROM THE FLOOR:

Eileen Absenger, 138 Tate Avenue, thanked Mayor Knickerbocker for her update on the Entergy closing. She appreciates what the Mayor does. She wanted to know where the Board found out about Assemblywoman Galef's forum. Trustee Zachary advised that he received an e-mail from Assemblywoman Galef about a week before. We put the flyer up in the Village Hall. It was not up for too long. Ms. Absenger asked if it could be put on the Village Facebook page. She commented that it is up to the young parents coming up in Elementary school to know what their kids are going to be up against with their brains and bodies. She thinks that once you regulate it, it is going to be more expensive and they are going to go the black market or whoever their dealer is. She commented that those states that have regulated it have found that it does not work as well as they thought. Trustee Pasquale commented that the neurologist at this forum did say that between the ages of 18 and 25 is when the brain is still developing. That is where they see a lot of stuff going on with the brain between those ages and he spoke at length about the possible damage that could be done by this.

7. EXECUTIVE SESSION:

At 8:35 PM a MOTION to enter into Executive Session to discuss personnel issues was made by Trustee Jackson, seconded by Trustee Zachary with all in favor and Trustee Funchion absent.

Mayor Knickerbocker wished everyone a great Buchanan day!

8. ADJOURNMENT:

At 9:35 PM a MOTION to exit Executive Session and adjourn this meeting was made by Trustee Jackson, seconded by Trustee Zachary with all in favor and Trustee Funchion absent.