

**Village of Buchanan**  
**Mayor & Board of Trustees Meeting**  
**July 2, 2019**

**PRESENT:**

Mayor Theresa Knickerbocker  
Trustees Richard A. Funchion, Duane Jackson, Cesare Pasquale and Nicolas Zachary  
Village Administrator Kevin Hay  
Village Attorney Stephanie V. Porteus  
Police Chief Eric G. Johansen  
Village Board Secretary Susan F. Matthews

**1. PLEDGE OF ALLEGIANCE:**

Mayor Knickerbocker called the meeting to order at 7:37 PM. She led the Pledge of Allegiance and informed everyone of the fire regulations.

**MOMENT OF SILENCE:**

Mayor Knickerbocker called for a Moment of Silence for Joe Chapyak who passed away a few days ago. He was a past Fire Chief and 50 year member of Buchanan Engine Company, and Fire Inspector for the Village of Buchanan. Mayor Knickerbocker expressed thanks for his service to the Village.

**2. APPROVE MINUTES:**

April 9, 2019 Budget Public Hearing: A MOTION to adopt these minutes as presented was made by Trustee Funchion, seconded by Trustee Zachary with all in favor.

April 30, 2019 Special Meeting – Budget Adoption: A MOTION to adopt these minutes as presented was made by Trustee Funchion, seconded by Trustee Jackson with all in favor.

May 7, 2019 Regular Board Meeting: A MOTION to adopt these minutes as presented was made by Trustee Jackson, seconded by Trustee Pasquale with all in favor.

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

Eileen Absenger, Tate Avenue, commented that they did not have agendas in the audience. Mayor Knickerbocker read the items on the agenda.

**4. NEW BUSINESS:**

**a. RESOLUTION ADOPTING EMPLOYEE POLICIES & PROCEDURES.**

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

Trustee Zachary commented that this was discussed in the April Workshop. He wanted to determine if certain parts had been modified. He noted that page 5 refers to an attached form but the form is not attached. Village Administrator Hay advised that he has all the attachments including the Village vehicle policy. Trustee Zachary noted that page 22 states that no part-time employee will work more than 6 months in any 12 month period. He wanted to know if that ties our hands if we should decide to get a part-time office worker. The Administrator advised that was a previous policy. It was intended more for the Highway Department. He noted that we already have part-time employees, our Recreation Supervisor, Police Chief and Seniors' Director. This is for seasonal employees. Mayor Knickerbocker wanted to know if a part-time employee works more than 6 months do we then have to pay them as a full time? The Administrator thinks that we would. Village Attorney Porteus recommended that the Board table this resolution at this time to resolve their questions. The Mayor agreed that we are not yet ready to vote on this. We will resolve the questions at our next Workshop.

A MOTION to table this resolution was made by Trustee Jackson, seconded by Trustee Zachary with all in favor. Mayor Knickerbocker advised that this will be voted on in August.

**b. 19-26 RESOLUTION ACCEPTING A PROPOSAL FOR AUDITING SERVICES:**

Trustees Funchion read the resolution (*copy attached*).

Mayor Knickerbocker noted that we have used this company for years to audit the Village's finances.

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

**c. 19-27 RESOLUTION RETAINING A FIRM TO COMPLETE A JOINT LOCAL WATERFRONT REVITALIZATION PLAN (LWRP) WITH THE TOWN OF CORTLANDT.**

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

Mayor Knickerbocker commented that we are happy to be able to be involved. The first meeting will be in September. Trustee Zachary is going to be the lead for us and will report back on the meeting. We have a group of people who are going to be on the panel.

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

**d. 19-28 RESOLUTION AUTHORIZING THE VILLAGE CLERK TO ADVERTISE FOR BIDS FOR THE 4<sup>TH</sup> STREET PUMP STATION REPAIR WORK AFTER RECEIVING THE SPECIFICATIONS FROM THE VILLAGE ENGINEER.**

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

Mayor Knickerbocker reported that we have some substantial work to do at this pump station. Trustee Jackson wanted the public to know that the Administrator had spoken about this before. It is in disrepair. We are being proactive by doing the work now. He thanked Village Administrator Hay for advising us on that.

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

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

### a) Justice Court Report – May 2019

Received and filed. Mayor Knickerbocker noted that \$5,364.00 was received in May.

### b) Police Report – May 2019

Received and filed. Mayor Knickerbocker noted that Chief Johansen is here to answer any questions.

### c) Attorney's Report

Village Attorney Porteus advised that we are still waiting to hear back from counsel for the Fire Department regarding the contract to provide fire protection services to the residents. We have been waiting for some time. She advised that by next month we should become more aggressive. She will reach out and try to get them moving.

The Village Attorney reported that neither the Planning nor Zoning Boards have had a meeting for 6 months. She is not clear as to why. One or two matters are working through the courts.

The Village Attorney recommended that the Village Board write a letter to the Village Court. She commented that every time she is here on Tuesday night there are people lined up for the court but you cannot get in. She commented that people are being issued tickets and wasting week after week sitting there. She suggested writing a letter to let the court know of the Board's concerns. Trustee Zachary commented that the situation is irresponsible and not fair. Some people may have to pay a babysitter. They get a ticket to appear for a certain court date. He commented that maybe it is the coordination between the ticket writing and when they have to go to court. The Village Attorney noted that there is no telephone number to reach the Court Clerk and that she is a paid employee. The Village Attorney asked the Village Board if they would like her to write the letter. Trustee Funchion asked if the ticket is written out and the person is supposed to appear in court but the judge is not there, is the ticket then dismissed? The Village Attorney advised that it is not. They can show up at the next court date and ask that the ticket be dismissed because there was no one there. She is not sure that the people coming in are aware of that. These are tickets and they are not hiring attorneys. People keep coming back because they are

afraid they will lose their license. She commented that she has had some people talk with her in the hallway and tell her that they have been coming back for 3 weeks. Trustee Zachary thinks they probably had the option to mail it in. Some of them could have an issue with English. He wanted to know if there is some way to walk in with the ticket and if they were not contesting it, to pay it here. The Village Attorney advised that the Court Clerk is supposed to be here to take those. The Administrator advised that if they just wanted to plead guilty and pay the fine they can do that in the Village office. But if we do not know the amount then it must go to the Village Court. Mayor Knickerbocker advised that this is something we will address.

d) Administrator's Report:

Mayor Knickerbocker said that our Village Administrator has been here for 10 years. Tonight is his last Board meeting.

Village Administrator Hay reported that they started to do repairs on the ground water infiltration at the Bleakley Avenue pumping station. We were unable to complete it because when we started to dig it up there was too much ground water coming in. We have completed the project. He talked to Allied Pollution. We are now saving 20,000 gallons of water that had been infiltrating the system. Our flows are coming down. We also did significant repairs on the Con Ed property where a lot of water had been seeping into our system. A lot of progress has been made there.

The Administrator asked the Board if they made any decisions to move forward on the purchase of a new garbage truck. There is a 6-8 month build out on that piece of equipment.

The Administrator advised that in the Executive Session he will give a quick update on each of the contracts. Mayor Knickerbocker advised that the Board has to go into Executive Session about personnel issues and negotiations.

Mayor Knickerbocker thanked Village Administrator Hay for his service to the Village of Buchanan and said that we wish him the best of luck in his new position. She said that we are still here in Buchanan and to come and visit.

e) Police Chief's Report:

Police Chief Johansen commented that one of his main responsibilities is to insure that the department and its officers operate in the most professional manner possible. As part of that they have gone to a company to assist in the rewriting and adoption of policies that are considered the industry's best practices. This company is a leading provider of policy in the industry and is recognized for providing best practices as well as Federal and State mandated rules and regulations. That makes our policies defensible. We will begin training on the new policy manual so that our officers are up to date. Chief Johansen commented that our officers are outstanding and know their job well. It is his pleasure to provide direction about their job and how they go about their business.

Chief Johansen reported that computers have just been installed into our police cars. He commented one of the things brought to his attention when he took over was a perception by some of the people who were pulled over and ticketed that police officers were on their phones. They were actually looking up the license and registration information. People had a mistaken impression that the officer was on his phone. Chief Johansen thanked the Board for authorizing the funds to get the computers and TRACS in our police cars. This will improve the process and make it more efficient. Everything is instantly transmitted to the court who can transmit it to DCJS and the Department of Motor Vehicles.

Chief Johansen reminded that the 4<sup>th</sup> of July is 2 days away. He reminded to use safety protocols when you are celebrating. Leave the fireworks to the professionals. Unfortunately the fireworks are out there and are easy to find. But they are very dangerous. Every year you read about tragedies. There are fireworks displays in the area that you can enjoy. He asked that everyone exercise discretion and have a safe and happy holiday. He reminded to keep an eye on the neighbors, especially the elderly, during the summer months. Watch out with small and young kids. We hear about tragedies where people leave their children in the car. When it is 75 degrees but in the sun, in a matter of minutes the temperature can get up to 110 degrees inside the car.

Trustee Zachary referred to the 8 animal complaints in the monthly report. He wanted to know if these were coyotes and asked for an update on them. Chief Johansen advised that he is aware that they have been sighted in the Village but no complaints have been reported. The calls in the report were for domestic animals. One was for a chicken and how loud it was. It was an issue between neighbors. Mayor Knickerbocker commented that years ago there was someone who had chickens on Henry Street and the rooster used to crow at 4:30 AM.

Mayor Knickerbocker thanked Chief Johansen for his report. She commented that this Board has been very good about bringing the Village forward and up to current things. We are still working on that. It is important for our Police Department to be on the cutting edge. She thanked him for following through. The Chief thanked her and the Board for supporting the Police Department.

f) Mayor's Report:

Mayor Knickerbocker announced that Peekskill will have a firework displays on July 4. Every year we thank them. It can be seen at Lent's Cove which will be open. We have a nice group of people to see the fireworks with.

Mayor Knickerbocker announced that when the weather gets very hot, we open the second floor of Village Hall during the day as a cooling center. People are welcome to enjoy the air conditioning and stay cool.

Mayor Knickerbocker reported that they had their first Citizens Advisory Panel for the decommissioning of Indian Point. It went well. Some of the people representing our Village on the panel are Eileen Absenger, Reed Outhouse and Trustee Funchion. The decommissioning of the power plant is a big upcoming event for the Village. There will be

another meeting in the Fall in September or October. The NRC has agreed to come to do some of the meeting and have been very supportive. The Mayor had a conversation with them last week about the operation of the plant. She and Trustee Funchion have met with Holtec, the company looking to buy Indian Point and do the decommissioning. It was a very interesting conversation and she thinks that they understand what the Village is looking for.

Mayor Knickerbocker asked for an update on the road work being done by the State on Route 9A. Her understanding was that they were repaving the whole road. But she has observed that on the Albany Post Road they have re-dug the temporary patch and now made it a permanent patch. They told the Administrator that they were going to repave the whole road. The Administrator advised that they were going to do some minor drainage work because we had brought some issues to their attention. They talked about a pop up drain but that would be side work. They were supposed to be coming through and doing the whole road. They might be taking out the temporary patch and putting in some binder. They talked about re-striping and other work. He thinks that what they are doing now is prep work. He will reach out to them and find out.

g) Trustees' Reports:

Trustee Jackson gave some safety reminders. School is out. We should be careful of children on their bikes. People revving their motorcycles and cars should go easy. He wished everyone a great 4<sup>th</sup> of July.

Trustee Funchion reported that they attended an event at the Continental plant. They have installed solar energy and will be giving some of the power to the local towns. Trustee Funchion commented that it is a shame that most other companies are not as responsible.

Trustee Funchion and Mayor Knickerbocker were in attendance when Holtec made their initial visit to the Village and the Town of Cortlandt. They are based in Camden, New Jersey. They emphasized that the people who run the plant and the people who shut it down have totally different skill sets. Trustee Funchion reported that an interesting question was raised at the Citizens Advisory Panel meeting. It was in the Journal News recently. It is what happens if this organization starts the project and they go out of business. The Journal News says that the tax payers will be stuck. Holtec is going to get approximately \$2 million. Trustee Funchion assumes that there are people coming who will probably be staying in the area and spending money here. He hopes they will be responsible and work with the Village about helping us with the taxes. He also noted the comments from Entergy that Holtec is not interested in knocking down buildings that have nothing to do with nuclear power. He noted that the administration building is pretty large. Maybe it could draw in a different business.

Trustee Funchion attended the Veterans' Picnic at the pavilion. It was great to see all the veterans. He spoke to a few. A lot commented that maybe they should do it on a Saturday so the younger veterans can come. There are basically retired veterans going now. Trustee Funchion commented that it is always nice to see the community come together to honor the people who gave up their time and their families also.

Trustee Funchion wished everyone a happy and safe 4<sup>th</sup> of July.

Trustee Funchion commented that speaking of animals, the deer are getting bigger and bigger. He lives across from Carter's Funeral Home which he described as a gourmet restaurant for them. He saw one today that is as big as a moose.

Trustee Funchion told Village Administrator Hay that it has been a joy working with him. He is going to be sorely missed by the Village Board and Village employees. Trustee Funchion said that Village Administrator Hay treated everybody professionally and with kindness and caring. Trustee Funchion wished him the best of luck and a great future. Mayor Knickerbocker thinks that Kevin is going to miss us too.

Mayor Knickerbocker said that there have been comments on the \$2 million. She does not want people panicking. The NRC has oversight on the spending of the money. The post-shutdown decommissioning report is being done now. It will be finalized by the end of this year. It is the road map of how it is to be decommissioned and the cost. This company is looking at if this is going to be \$2 million or \$1.5 million. If it does come in at \$2 million and if Holtec feels that it is not enough money, the decommissioning will be delayed so that money can build.

Trustee Zachary had nothing to report. He was away so he did not go to any meetings or events. He thanked Village Administrator Hay. He said that they worked hard over the last 10 years to get the Village on track and to bring us into the 20<sup>th</sup> Century. He commented that nobody had a bigger role than Village Administrator Hay. It has been great and Trustee Zachary wishes him the best of luck.

Trustee Pasquale wished everybody a happy and safe 4<sup>th</sup> of July. He and Mayor Knickerbocker attended the Seniors' Installation luncheon on Friday. It was a pleasure to attend and the food is always good.

Trustee Pasquale thanked the Administrator for all the help he has given to him personally, for all the time he took out of his busy schedule to answer questions and to sit go over things in his office. Trustee Pasquale commented that the reason he does not ask questions is because whatever questions he has have always been answered. It has been super. He appreciates everything Village Administrator Hay has done. He gave the Administrator an appreciative hug.

Trustee Pasquale reported selected items from the monthly Police Report. On May 26, Officer Budde was doing a "Buckle Up" detail on Albany Post Road when he observed a person driving without a seat belt. The person had a suspended New York license, was arrested and issued a summons. On May 28, Detective Loertscher responded to a report by a Village resident of a missing child. The child was located by the mother safe and in good health. On May 29, Officer Tiernan stopped a vehicle traveling on Bleakly Avenue at a high rate of speed. The person had a suspended license, was arrested and given a summons. Trustee Pasquale referred to the "Buckle Up Initiative". He noted that Officer Farrell said there were 33 seat belt summonses given and one arrest was made in a month's time.

**6. COMMENTS FROM THE FLOOR:**

Eileen Absenger, 138 Tate Avenue, commented that she saw a lot of chickens at a house across from her yard. There is a coop but she does not know how many chickens are there. There is no rooster that she has heard. Mayor Knickerbocker noted that we have discussed the question of chickens once before. Per our Code, people are allowed to have a certain number of chickens per square foot. You cannot have a chicken farm. Trustee Jackson said that they should be in the coop. Ms. Absenger saw them by the coop. They are possibly fenced in. Trustee Pasquale commented that they do not usually venture far away from their house.

Ms. Absenger commented that the deer on her yard has triplet fawns. They are growing at a rapid speed. There are no coyotes. She cautioned anybody going on Tate Avenue because the deer are crossing all over the place. They do not look. They follow and run. Trustee Zachary commented that sometimes you see a deer cross the road but especially when there are fawns there are a couple more. So if you see one deer cross the road, remember that there may be more. He commented that they are getting bold and smart and comfortable. Ms. Absenger noted that it is illegal to feed the deer. She noted that they are selling “deer corn” in the store.

**7. EXECUTIVE SESSION:**

At 8:24 PM a MOTION to enter into Executive Session was made by Trustee Funchion, seconded by Trustee Pasquale with all in favor. Mayor Knickerbocker noted that they will be discussing personnel and contractual issues.

**8. ADJOURNMENT:**

At 9:30 PM a MOTION to exit Executive Session and adjourn the meeting was made by Trustee Funchion and seconded by Trustee Jackson with all in favor.