

**Village of Buchanan
Mayor & Board of Trustees
Special Meeting
December 17, 2019**

PRESENT:

Mayor Theresa Knickerbocker
Trustees Richard A. Funchion, Duane Jackson, Cesare Pasquale and Nicolas Zachary
Interim Village Administrator Marcus Serrano
Village Clerk Cynthia Kempter
Village Board Secretary Susan F. Matthews

ABSENT:

Village Attorney Stephanie V. Porteus

Mayor Knickerbocker announced that normally this would be a Workshop Meeting but there is necessary business the Board must take care of before the end of the year so that is why it is a Special Meeting.

1. PLEDGE OF ALLEGIANCE:

Mayor Knickerbocker called the meeting to order at 7:35 PM. She led the Pledge of Allegiance and informed every one of the fire regulations.

2. PRESENTATION - Sustainable Westchester:

Sustainable Westchester's summary brochure for Buchanan noted the opportunity to be part of the County partnership and to pick one opt-in program. They are inviting Buchanan to be a part of Sustainable Westchester.

Dan Welsch and Michel De La Fontaine, both Program Directors of Sustainable Westchester gave a presentation. It is a membership based non-profit in Westchester based in Mt. Kisco. It is a 501-C3 corporation. It is municipalities coming together as a shared service. The Board of Directors is made up of largely elected officials along with some specialty professionals. Mr. Welsch noted that he is also on the Town Board in Lewisboro. He described their various initiatives and what they offer to participating municipalities, and what they see as the benefits. Annual dues are \$1,000. They want to hear the type of things that we are interested in doing and address them. Mr. De La Fontaine talked about business and development possibilities for Indian Point including the manufacturing of off-shore wind farm machinery. Mayor Knickerbocker told them that a couple of months ago we had a presentation from a company that was interested in some of the property. She asked their thoughts on a gas fired plant. Mr. De La Fontaine commented that they are not pushing any one technology but look for solutions and comment on them. If there is a thermal plant that could be converted, he said to invite them to the table and they will comment on it.

The Mayor advised that we do not own the property. It is 240 acres. The company that is buying it is Holtec. The Post Shutdown Decommissioning Activities Report (PSDAR) will be out this week. That will be the road map of how the decommissioning happens. At that time we will have a better picture if there is any property that we will be able to do anything with. Then it is up to the NRC to give unrestricted use of the property. The future is not clear at this time on the uses but she said it was nice that they came in to give us some thoughts. The Mayor believes this will still be an energy center because across the street are all the transmission lines going down County and into New York City. She thinks that when all is said and done that we will still have a part of the energy puzzle. Mr. De La Fontaine said that the storage fees are going to be the key to unlock all these renewables. Mr. Welsch talked about moving away from fossil fuel and the initiatives Sustainable Westchester is taking.

When Mr. Welsch described their opt-out energy program, Mayor Knickerbocker asked if this is what Peekskill was in. She commented that people there were very upset that they had to opt out after they were put in. The decision was made for them. People are still talking about it. Mr. Welsch said that they could go back to what they had. They now have 27 municipalities involved and about 115,000 accounts, about one third of the County. They are primarily residential but some small businesses also are involved. Trustee Jackson asked about the savings seen by those 115,000 accounts. Mr. Welsch advised that since 2016 on average they eked out about \$2 per account per month. They are locking in at a fixed rate. It is a modest savings but competitive pricing. He explained how their programs relate to pricing, the factors affecting energy pricing and how they advise their customers related to energy prices. Trustee Jackson asked about the environmental impact. Mr. Welsch and Mr. De La Fontaine commented about their initiatives related to reducing the environmental impact. In response to a question by Trustee Jackson about deregulation, Mr. Welsch commented on the experiences following deregulation and how Sustainable Westchester deals with that.

Trustee Zachary wanted to know if all the energy producers feed into the power grid then how does this reduce the carbon footprint. Mr. Welsch explained how their programs support this. In response to the question by Trustee Zachary, Mr. Welsch commented on the objectives of their initiatives. In New York State the current percentage of renewable power coming from the grid is 28%, mostly from hydroelectric. They talked about solar energy projects they are involved with to bring solar power from upstate to Westchester and what is known as community solar versus individuals having to add solar and the benefits to the consumer. There is one in Montrose where they saved money on their energy bill. Mr. De La Fontaine commented that these community solar installations can be put on municipal properties like a landfill or a parking lot or a large roof space. They have help from NYSERTA, and NYPA is very interested. Mr. Welsch commented that when they were running the roof top solar program there was considerable interest. But in the end only 20% of those who signed up could go through with it because of the shade on their house or that they lived in dwellings such as a condo where they did not have control of the roof. The State set up this new program to allow people like that to receive the benefits even if they could not install solar themselves.

Trustee Jackson wanted to know which of our neighboring communities are among the 27 currently involved with Sustainable Westchester. Mr. Welsch advised that the Towns of Cortlandt and Yorktown are not. Peekskill, Croton and the Town and Village of Ossining are in as are most of the river towns. They are currently in discussion with Yonkers. Trustee Zachary asked why they believe those other municipalities have not joined. Mr. Welsch commented that in the beginning this was a pretty courageous move and people were not comfortable to do it. They wanted to see what it was. Some did not want to make the decision for their residents. He commented that Sustainable Westchester was able to get over these hurdles. Municipalities come to understand how it works. Mr. Welsch advised that they are having an assembly on January 22 and invited the Village Board to come and talk to people who have gone through the experience.

The Mayor thanked them for giving us something to think about.

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

Reed Outhouse, 241 Westchester Avenue, commented that tonight's meeting was on the Village calendar as a Workshop. Mayor Knickerbocker explained that it was changed to a Special Meeting because there were things that necessarily had to be taken care of before the end of the year. She noted that it was advertised.

Mr. Outhouse asked whether the Laborer position in the Highway Department was advertised as a single position or multiple ones. Mayor Knickerbocker advised that it was for two positions. Village Clerk Kempter advised that it was for "laborer". Mr. Outhouse commented that it was beneficial for the residents to know how many people they were hiring. He wanted to know how many applications there were in total and how many were Village residents. Also how it was advertised. The Mayor advised that it was in the Newsletter and the Village Clerk added that it was on Indeed.com. The Mayor advised that there were 70 applicants and thinks that 8-10 were Village residents. Mr. Outhouse wanted to know if most of the applicants from the Village met the minimum requirements. The Mayor thinks that they did. Mr. Outhouse commented that for decades we gave preference to Village residents. He wanted to know if this has changed and if so, why. The Mayor advised that we want the most qualified. It was pointed out that we can pick who we want but we cannot turn around and say that we do it that way. You cannot specifically just narrow down a field. Trustee Zachary commented that they wanted the most qualified of the applicants. Mr. Outhouse wanted to know how long these positions have been open. The Mayor noted that one person resigned suddenly this past summer and the other has been retired a year and a half. Mr. Outhouse asked if the Highway Department is now fully staffed. The Mayor's understanding is that we might be a position short. Highway Foreman Wheeler commented that there were 10 people when he first started working here. For the last 6 years we have about 8. In response to a question by Trustee Jackson on the current environment, the Highway Foreman advised that we are where we need to be but can always use another body.

Mr. Outhouse commented that he had gone through all the lines on the budget. He wanted to know if there were positions taken out of the budget. Mayor Knickerbocker advised that [the retiree's] position was still in the budget. He left after the budget was adopted. Mr. Outhouse

commented that that position had salary and benefits but when the last budget was done, the Board did not fill the position. He wanted to know what happened to that salary and benefits. Trustee Zachary advised that all that money is in the General Fund. We had several unexpected cost overruns. Mr. Outhouse commented that appeared a little disingenuous to him because the position was not being filled but was still included in the budget. Then our taxes were increased. The Mayor commented that we have had cost overruns over the past couple of years. We pay our employees well. She noted retirement related expenses for our retiring Police Chief and expenses for our former Village Administrator. There were cost overruns on the sewage treatment plant. She wanted to know if Mr. Outhouse was assuming that the salaries we saved from the unfilled positions created a surplus. Mr. Outhouse said he did not. His concern was that when the budget was being reviewed in detail and the resulting tax increase determined, there was no mention of that money being in there. The Mayor commented that we have trimmed our budget so tight that it is difficult to set money aside. We were always planning to fill those positions. She commented that it was not an easy negotiation with the union to settle the contract. That needed to be done first before we hired anyone. We can now finally do that.

The Mayor advised that in addition to the hiring of the two laborers, we required a Special Meeting tonight because we have an issue with our Fourth Street pumping station. It is the original equipment from the 1960s. Now we need \$1 million's worth of work on it even though 6 months ago we were told that it would be about \$300,000.

Mr. Outhouse said that answered his questions. He feels that we should hire from within the Village and give them preference because they are property owners and tax payers here. He thinks that because we have done that in the past that there is no legal reason why not. He noted that other municipalities have residency requirements. He commented that he is not disparaging those who were just hired but if we open it up [geographically] how far do we go? He said to consider if someone lives outside the Village and our Highway Department has to call someone in versus someone who lives in the Village who could walk to work if needed. He feels that now that this precedent has been set that it is another direction the Village is going in away from what it used to be.

Mr. Outhouse would like to see all the Village Board meetings televised. Mayor Knickerbocker advised that at the budget meeting it can be discussed about paying \$300 a meeting.

4. NEW BUSINESS:

a. 19-53 RESOLUTION APPOINTING TWO LABORERS

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

Mayor Knickerbocker noted that they would be starting on the back of the garbage truck.

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

Both of the new employees were present. They were greeted by the Mayor who told them that this is all about taking care of the residents of this great community. The Interim Village Administrator advised that we will now work on the Civil Service paperwork.

b. 19-54 RESOLUTION ADOPTING NEGATIVE DECLARATION IN CONNECTION WITH FOURTH STREET SEWAGE PUMP STATION IMPROVEMENTS PROJECT

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

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

Trustee Zachary wanted to know if anything will have to be pumped out of there while this work is being done and if so will it be pumped into a containment vessel. The Interim Administrator advised that it will be. Trustee Zachary noted that the declaration says that there are no adjacent bodies of water. He thought there was a pond there. The Interim Administrator advised that he is correct and that incorrect reference will be modified in the resolution to instead state that there will be no negative impact.

c. 19-55 RESOLUTION AUTHORIZING THE ISSUANCE OF UP TO \$1,000,000 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE VILLAGE OF BUCHANAN, COUNTY OF WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE COSTS OF THE RECONSTRUCTION OF THE FOURTH STREET SEWER PUMP STATION, IN AND FOR THE VILLAGE.

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

The Mayor asked the Interim Village Administrator to explain the resolution. The Interim Administrator explained that this will start the process to authorize us to do a bond or BAN. We will do a BAN first which will be for 1 year, then go to a bond for the long term. This resolution will allow the Village to borrow up to \$1 million dollars. He noted that does not mean that we have to spend it. Mayor Knickerbocker noted that the contractor came in at \$800,000 and this will also cover other fees in case there are cost overruns.

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

5. COMMENTS FROM THE FLOOR:

Mayor Knickerbocker apologized that the Sustainable Westchester presentation took one hour which was longer than expected. They had told her it would be about 10 minutes.

Michael Wenz, 202 First Street, wanted to know how many of the 8-10 applicants from Village residents were qualified for the position of sanitation laborer and if they were all interviewed. Mayor Knickerbocker commented that she did not have an exact number. She was not part of

the review process. She does not know who all was interviewed. Trustee Zachary commented that from the 70 or 80 resume's, the process brought it down to 10 finalists. The Village Board narrowed it down to 6 people who were interviewed. Mr. Wenz wanted to know how many of those 6 could be in a snow plow in 5 minutes. The Mayor advised that one was from Lake Peekskill and one from Mohegan Lake. Mr. Wenz suggested that Village residents be considered first and interviewed because other municipalities have residency requirements in their hiring policies. The Mayor commented that she understood what he said and noted that they looked for the most qualified people to be on the back of the garbage truck. Mr. Wenz asked if their skill sets qualified them for the future when they get off the garage truck. The Mayor advised that they do have other skills. She noted that Mr. Wenz was one of the applicants who is a resident. Mr. Wenz commented that he was a carpenter for 22 years. He feels that he would have been an asset to the Village but was not considered for an interview.

Eileen Absenger, 138 Tate Avenue, agreed that there should be a requirement for Village residency. She recognizes that it might reduce the pool of possible applicants but that making it a requirement should be looked at if it is not impairing the law. She had nothing against the applicants who were appointed. She is sure that the Village Board did their job in hiring the right people but that it leaves a lot to be desired. Mayor Knickerbocker commented that the Village Board did what it thought was in the best interest of the Village. She was sorry if anyone is offended or not happy.

Mayor's Report:

Mayor Knickerbocker announced that January 15 is our first Citizens Advisory Panel (CAP) meeting with Holtec. They will discuss the Post Shutdown Decommissioning Activities Report. Originally it was going to be at the Village Hall. There are 28 people on the panel. It is open to the public. There will not be a public comment period. The Mayor reported that Representative Nita Lowey has obtained \$15 million for economic development, only, for communities such as ours who are facing nuclear power plant closings. It is a competitive bid. We could file to get money for economic development here in the Village. The Mayor commented that it is difficult because we do not have a lot of property that can be developed. Hopefully some might become available after the PSDAR and discussion with Holtec. Unit 2 will be closing by the end of April 2020. The Mayor commented that it is probably one of the toughest times that the Village has faced. There is a lot to work on in the years to come. The Village Board is "all hands on deck" working together for the best interests of the Village.

Trustee Zachary would like to see zoning on the agenda for the next Workshop in January. He has given copies of his proposed changes to the Interim Administrator. He noted that this is a starting point. He welcomes comments and opinions. This would include re-zoning of Indian Point as it is now for nuclear energy only. Include what we would like to see and what type of businesses we prefer to see for economic development. It is a parcel that will need a full Environmental Impact Statement and SEQR review. However after reviewing the requirements, he does not believe that is needed for an overlay zone on Route 9A and White Street and Tate Avenue from the Circle at Route 9A. According to GIS, it came out to 22.5 acres which is less than the criteria requires. There is a parcel currently being looked at across

from the High School. That is going to require a review. He thinks that could be excluded from the overlay zone. The Mayor advised that has already been sold. The Interim Administrator will discuss Trustee Zachary's conclusions with the Village Attorney. He also recommends consulting with our Planner. It also must be reviewed by the County. Trustee Zachary commented that there are a few people, mostly older homes, looking for zoning relief for pre-existing setbacks. The Code needs to be revised and a review standard defined.

Mayor Knickerbocker noted that we are also getting close to the discussions on the budget.

Eileen Absenger, 138 Tate Avenue, wanted to know if we have heard anything concerning the school budget after the closing of Indian Point 2 in the Spring. The Interim Administrator advised that the information is on the school web site. A newsletter was sent to the parents. They are looking for a 7% increase per year.

Ms. Absenger asked if the tattoo parlor that recently opened at the Village Circle was a permitted use. The Mayor will check. Ms. Absenger also wanted to know if Casabella was a permitted use because it had previously been a restaurant and deli. Trustee Funchion advised that they went to the Zoning Board. Trustee Zachary believes that if the Building Inspector thought that it was not an approved use that it would have required a variance. The Village Board did discuss that. Mike Wenz believed that they came in for a "change of use" permit. Trustee Zachary advised that the uses that are allowed by right do not require any Planning or Zoning process.

6. EXECUTIVE SESSION:

At 9:10 PM a MOTION to enter into Executive Session to discuss personnel issues was made by Trustee Funchion, seconded by Trustee Pasquale with all in favor.

The Mayor wished everyone a Merry Christmas and a Happy New Year.

7. ADJOURNMENT:

At 10:25 PM a MOTION to adjourn this meeting was made by Trustee Pasquale, seconded by Trustee Zachary with all in favor.