

**Village of Buchanan
Mayor & Board of Trustees
Regular Meeting
March 3, 2020**

PRESENT:

Mayor Theresa Knickerbocker
Trustees Richard A. Funchion and Nicolas Zachary
Interim Village Administrator Marcus Serrano
Village Attorney Stephanie V. Porteus
Village Board Secretary Susan F. Matthews
Police Chief Eric Johansen
Village Clerk Cynthia Kempter

ABSENT:

Trustees Duane Jackson (vacation)
Trustee Cesare Pasquale (sick)

1. PLEDGE OF ALLEGIANCE:

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

MOMENT OF SILENCE:

Mayor Knickerbocker called for a moment of silence for the passing of long time resident John Wessells. He was a 20 year employee of the Village Highway Department and a member of the Buchanan Seniors.

ABSENCES & VIRUS ADVISORY:

The Mayor announced that Trustee Jackson is on vacation. Trustee Pasquale was very sick. The Mayor directed him to stay home and to not come to the meeting. She said that with the Coronavirus going around, it is very important that we do not panic. We do have to be very vigilant. She, the Administrator, the County Executive and other elected officials over all have talked about masks and what to do if you are symptomatic. It is important to stay away from people and that we wash our hands for at least 20 seconds. She noted that people are panicking and disinfectant is difficult to find. Senior Citizens and people with respiratory issues, like asthma, and compromised immune systems, are especially susceptible. Compounding this is that this is still the flu and cold season.

2. PRESENTATION: DISCUSSION OF A PROPOSAL FROM DOWNSTATE JUNIORS VBC TO INSTALL SAND VOLLEYBALL COURTS AT LENTS COVE PARK.

A presentation was given by Joel Stanford of the Downstate Juniors Volleyball Club. They are a non-profit girls' volleyball club out of Peekskill. There are up to 10 high school Seniors. Last year there were 140 kids. There is no adult program. They could open this up to residents and others in the area. They have been looking for a location closer to their home for many years which is why they are here tonight. He presented a rendering of an 80 x 200 foot field that they would like to put in at Lent's Cove. It would allow 4 full sized sand courts. Their juniors' program would go from mid-May through July. They would have a combination of youth and adult volleyball leagues all through the Spring and summer, weather permitting. It would be opened to play to the Village residents and others in the area. Mr. Stanford commented that there is nothing of this grade in the area. Peekskill put in a couple of sand courts a few years ago but did not follow some basic instructions on how to put them up which impaired their usefulness. There have also been complaints from parents of the Junior league players. He commented that what they want to put in at Lent's Cove is close to what the professionals play on. The design is the same as that used at several colleges. Mr. Stanford advised that they would provide the cost, do the design, installation, supply the material and work with the Village Engineer to meet all the Village's criteria. The current cost estimate is between \$150,000 and \$250,000. It is a special, high grade sand and very expensive. The first quote from the supplier was \$120,000. Mr. Stanford commented that the costs were \$150,000 and if they can get a long term arrangement from the Village, he believes they can do it. He commented that if they were looking to put in cheaper sand then they could just continue travelling to courts they are using today. They would like to be here because this is their home area. Many of their players come from this area. Every player on the Hendrick Hudson High School team plays on their club. Their team coach had planned to be here tonight but she had a fire in her house just days ago.

Trustee Zachary asked about the sand. Mr. Stanford advised that it is dug down 2 feet. There is a cloth the length of the court. It attaches to a flexible cord. They are removable and can be adjusted. There will be a flexible cover around the boundary where it is the most dangerous. It is the same as used in college installations. Trustee Zachary asked if they would need to take down the outfield fence. Interim Village Administrator Serrano advised that it would stay as is. Trustee Zachary thinks it is a great idea. He commented that because this is a public park that there needs to be some public access. That would have to be written into the agreement. Mr. Stanford agreed. They would like to use it from Monday to Thursday from 5 PM to 8 PM from mid-May through mid-July. They would love to run adult and junior tournaments on the weekends and open it to Village residents or anyone else. It would be \$30 to play for the day. They will leave the nets and everything up during the season for anyone to use. Mr. Stanford suggested setting up some type of reservation system operated by either the Village or his group.

Trustee Funchion wanted to know how they would protect it from vandalism. Mr. Stanford advised that during the season it stays open and free. The courts are designed with drainage. They cover them with tarps when the weather turns in October or November. Trustee Funchion wanted to know if there would be regular maintenance. Mr. Stanford said that they would like to have access to or build a storage shed to keep tools to keep the sand and

area clear of wood or debris. Otherwise it is just mowing the grass. On the question by Trustee Zachary, the Administrator advised that there would be a gate.

Mayor Knickerbocker advised that we would have to look at liability insurance and what the agreement looks like. Trustee Zachary wanted to know how that would work if both the volleyball club and the Village were using it. Mr. Standford advised that they have a general liability policy with Philadelphia Insurance. He has spoken with them and coverage for the Village can be added to the policy at no cost to the Village. In addition, most of the club's activities are part of USA Volleyball. There is secondary coverage through them. All of the club's activities would be covered through them. The Administrator advised that if the courts will be available to the public then liability insurance will be required. Mr. Standford noted that they put weatherproof pads on the poles so the chances for getting hurt are minimized. The Mayor commented that it is important to have a sign up or reservation process for when the public would use the court. Trustee Zachary agreed. Mr. Standford advised that currently they do the scheduling for the 5 different high schools whom they rent from, plus the Somers Sports Arena and some municipalities.

The Administrator advised that he and the Village Attorney will work out a proposed agreement with Mr. Standford which would then come before the Board if we decide to move forward on this. Mayor Knickerbocker asked about the proposed duration of a long term agreement. Mr. Standford would like to see something along 10 years. They are a non-profit. It is just to cover the cost of the program. Currently they rent the courts from the City of Peekskill for a very low cost: \$2500 to use it for 2 hours twice per week for 2 months. So for them, part of this investment is convenience and it would be a good thing for the Village. There are a lot of conversations at the state level about bringing beach volleyball as a high school sport. It already is in some states. Mr. Standford could foresee that here. He is the head coach at Irvington. They are trying to put courts in there. Briarcliff has a project under way.

Trustee Funchion wanted to know how many people use it at once time. Mr. Standford advised that their program is two-on-two on each court. When they run practice they have up to 16 people on the court. You may have 50 kids at one time during practices. For adults, it could be two-on-two to six-on-six. The Mayor noted that for many years we had used this space for an adult softball league. She was on the Hendrick Hudson High School varsity team. But it seems that people are not as active in sports. She would like to see the kids playing and involved in sports. She thinks this would be something nice for our community. We have to work out the details. Trustees Funchion and Zachary agreed. Mr. Standford commented that they have teams at all levels up to competing at a national level.

Trustee Zachary noted that we will have an Earth Day/Park Clean Up Day on April 18. They could have some of the volleyball players' help. Mr. Standford agreed that we could get them involved. They have community service hours' requirements in high school. .

There were no comments or questions from the audience. Mayor Knickerbocker thanked Mr. Standford.

3. APPROVE MINUTES:

January 7, 2020 Regular Board meeting: Trustee Zachary corrected Page 6, paragraph 1: change “13” to “30” hours; and Page 8, paragraph 4, change “Revitalization Fund” to “Revitalization Plan”. A Motion to approve these minutes as amended was made by Trustee Funchion, seconded by Trustee Zachary with all in favor and Trustees Jackson and Pasquale absent.

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

None

5. OLD BUSINESS:

a. CONSIDER A MOTION TO CONTINUE THE PUBLIC HEARING REGARDING CHARGING SEWER RENTS BASED ON WATER CONSUMPTION AND CONNECTION FEES FOR THE PURPOSE TO COVER THE COSTS OF OPERATION, MAINTENANCE AND REPAIRS FOR THE VILLAGE OF BUCHANAN SEWER SYSTEM INCLUDING THE SEWER TREATMENT PLANT.

At 7:55 PM a MOTION to open the Public Hearing was made by Trustee Funchion, seconded by Trustee Zachary with all in favor and Trustees Jackson and Pasquale absent.

The Administrator noted the municipalities in the County that have a Sewer Fund. They include Croton and Peekskill. The question was raised in the Board’s discussion. Sewer funds have been around since villages and towns have been incorporated. Mayor Knickerbocker commented that this explains why we are interested in doing this. Historically these municipalities recover the costs of sewer services through property taxes. They determined that using water consumption volume as a basis for a separate sewer charge was a more accurate way of billing consumers while encouraging water conservation and potentially reducing residents’ taxes. This also allows them to raise capital for essential sewer project upgrades. The Administrator commented that when the tax cap came out, a lot of municipalities jumped into this. They could not raise taxes but they could transfer expenses into the Sewer Fund. He noted the City of New Rochelle as an example. They use a per unit charge. They calculate how many bedrooms you have then charge a fee for each. He noted that they have a lot of big apartment buildings. The Administrator thinks it is unfair because you could have two units with the same number of bedrooms but a different number of residents – a family with kids vs. a single adult, for example - who will have very different water usage but would pay the same fee. Trustee Zachary agrees that water usage seems more accurate.

The Administrator reiterated that with a Sewer Fund the money can only be used for sewer projects. The Mayor noted that it is coming out of the general budget into a Sewer Fund. Out of the Sewer Fund would come everything related to the sewer system from operating expenses to capital improvements. The Administrator explained how it would affect us. Our current Sewer Fund costs approximately \$800,000. Based on current water usage about 25.21% of the water bill is used for the sewer. If everything stayed the same and with Indian Point shutting down and the PILOT payment being reduced by almost \$400,000, taxes would

normally go down by \$480. If you got a water bill for \$100, \$25 of it would be for the sewer. At the same time, your Village tax would see a probable double digit impact due to Indian Point. The impact to the taxes would be less with a Sewer Fund based on water usage. Indian Point pays about \$1 million in water fees. If that went away, your sewer bill would be 32.8% of your water bill. He noted that one difference with the Village is that unlike other municipalities we have our own sewage treatment plant and control our own sewer whereas other municipalities pay a County sewer tax. He showed comparative examples of how that would mean that with a Sewer Fund our percentage of the water bill would be lower than other municipalities even in what he described as a worst case scenario.

The Administrator wants to get this information out to the Board and the public. He is recommending that the Village Board approve the Sewer Fund to allow a more in depth discussion of the “what if” impacts between the Water, Sewer and General Funds as we work through the budget process. He advised that if it is not approved tonight, he will not have time to do that with this upcoming budget. If it is approved, we can have that discussion and the Board can still decide not to do that with this budget.

Trustee Zachary commented that the Board has to sift through the options. They are a little complicated concerning how to distribute the taxes, such as whether we do one straight bill or even out the tax increases over the years. He thinks that the idea of basing your sewer bill on your water usage is equitable. It would be a lot fairer than what is currently done where everyone is paying a certain amount in taxes regardless of whether they use 100 gallons or 1,000 gallons per month. He thinks that we need to understand that whatever it costs us to operate the sewer system, that amount will be the same whether we distribute it through sewer rents on the water bills or the general taxation. He commented that how we break down that money and distribute it within the budget is more complicated. But the general idea is good and he is in favor. Trustee Funchion agreed. Mayor Knickerbocker is in favor. She commented that when we run the numbers for the budget if we feel that it is not the right thing to do, then we can still back out if it not in the best interest of the Village.

Former Mayor Sean Murray, 205 Gallagher Street, is not in favor of the proposed Sewer Fund. He knows that a lot of municipalities have this but we are only one of 3 or 4 in the county who operate our own sewer plant. The others are built and run by the County. He commented that if the Board does this as proposed, you are basically taking 20% of the budget and exempting it from the New York State tax cap. You would not be able to take a person from the Sewage Treatment Plant and have him do general work for the Village because they would be being paid from a separate, Sewer Fund. Likewise, you could not use equipment from the Sewage Treatment Plant for other work. The Administrator responded that in other municipalities the person’s time would be allocated to different departments. We budget a person to a full time job. If the person is moved around, you allocate the time sheet to the expense where they are used. Mr. Murray commented that when that budget line is going to run out, you are going to take it out of the General Fund and supplement this sewer rent fund. The Administrator agreed that if the Sewer Fund has a deficit, you would have to lend the money for one year. Then you recoup it with interest and increase the rates

to cover that cost. Mr. Murray believes that would be increasing a tax, the Sewer Fund rates, outside of the 2% tax cap to pay for money you borrowed from the General Fund that was already budgeted for and taxed. The Administrator advised that it is the same with the Water Fund. When needed, we transfer money from the Water Fund to the General Fund and vice versa. He commented that the idea is to budget appropriately so that does not become a need.

Mr. Murray thinks that the Administrator has the estimated amounts to be able to tell us now the new tax rate if this legislation is passed. Mr. Murray fears that this is a mechanism being used to raise money for the General Fund outside the 2% tax cap and the normal tax rate. The Administrator commented that we are never going to make the 2% tax cap. Mr. Murray agreed and noted that we never met it before. He feels that before this legislation is passed, we should know what our tax rate is now and what the effect of the tax rate will be once the legislation is passed. You cannot pass it, then work out what you are going to charge the public later. The Administrator advised that is part of the budget process. We can adopt the law but that does not mean we have to move forward with it. He advised that as for having an estimated number right now, there are contingencies and unknowns that have to be plugged in in the budget process. Mr. Murray believes that we should know our effective tax rate at all times. That includes if this proposal were implemented. Trustee Zachary agreed that when we come to the budget process we should be able to say that the tax per assessed \$1,000 has gone down a certain amount because of the switch to sewer rents, and has gone up a certain amount because of the need to raise taxes due to the loss of revenue from Entergy. The Administrator noted that with an \$800,000 reduction you are looking at a 36% decrease in our general tax base. We are losing \$400,000 in the PILOT payment and infrastructure. Mr. Murray feels that this is being used to supplement the General Fund because it is exempt from the budget hearing process. The Administrator advised that the Sewer Fund and the Water Fund are part of the budget process. Mr. Murray commented that the sewer rate could be arbitrarily raised without a hearing process. The Administrator advised that it has to be approved by a Public Hearing to have the decision. Mr. Murray commented that in the other municipalities their costs are fixed because they do not own their own sewage treatment plant. They get a bill from the County. We have the variations of manpower and infrastructure issues. Trustee Zachary commented that in a perfect world we would have done this last year. The Administrator commented that in his experience no increase in the sewer rate would ever be done outside of the budget process.

Mr. Murray noted that we already bill Entergy on the operation of the sewage treatment plant based on flow calculations. That is per a contract signed in 1984. He asked if they have even been contacted about this. It seems to him that they would be double billed. He noted that we have had to justify our billing to Entergy in the past. We have always been able to do that. They take most of the water. He does not think there is a justification for double billing them for sewage. When you use these calculations for billing to set these rates, if they are going to be exempt from it, they will be exempt from a substantial portion. The Administrator advised that is a separate agreement. He will be having a legal discussion with the Village Attorney and Entergy. Mr. Murray feels that we should have that legal

interpretation before the Board votes on this. He also feels that the absence of two Trustees is another reason the Board should not vote on this tonight.

In response to the Mayor, Village Attorney Porteus advised that she has not looked at the 1984 agreement with Entergy and that the Administrator has advised that it was not included in his calculations. The Administrator noted that Entergy will be gone in 2 or 3 years. The Mayor noted that the first plant closes in April of this year. We do not yet know if Holtec is buying. If not there will be minimal usage over there, basically just for security. The Administrator advised that he took that into account. Trustee Zachary commented that in general this is coming out of the taxes of the people who are paying them based on the tax levy. Entergy is subject to a PILOT so it seems to him that this should be done without them. The Mayor reiterated that if we vote on this tonight we do not have to utilize it. It gives us options. Trustee Zachary agreed. He noted that every year we adopt a resolution to go past the 2% tax cap but there are years where we do not.

The Mayor directed the Administrator to prepare alternate budget proposals, with and without a Sewer Fund, so the Board and the residents can more easily compare. The budget must be approved by May.

There were no further comments from the floor or the Board.

At 8:30 PM a MOTION to close the Public Hearing was made by Trustee Zachary, seconded by Trustee Funchion with all in favor and Trustees Jackson and Pasquale absent.

6. NEW BUSINESS:

a. 20-10 RESOLUTION TO ADOPT LOCAL LAW #2 TO ADD ARTICLE III, §155-38 to VILLAGE CODE.

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

A MOTION to adopt the resolution as presented was made by Trustee Zachary, seconded by Trustee Funchion with all in favor and Trustees Jackson and Pasquale absent.

b. 20-11 RESOLUTION AUTHORIZING INTER-MUNICIPAL AGREEMENTS WITH THE TOWN OF CORTLANDT.

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

She noted that we do this every year. It allows the Town to include the Village in bids and for the sharing of equipment.

A MOTION to adopt the resolution as presented was made by Trustee Funchion, seconded by Trustee Zachary with all in favor and Trustees Jackson and Pasquale absent.

c. DUE TO A VACANT POSITION ON THE PLANNING BOARD, THE MAYOR HEREBY APPOINTS EILEEN ABSENGER TO THE PLANNING BOARD, EFFECTIVE MARCH 4, 2020, TO FILL THE UNEXPIRED TERM ENDING APRIL 4, 2022 AT AN ANNUAL SALARY OF \$2,175.

Mayor Knickerbocker read the above. She noted that Ms. Absenger attends all the meetings and has for years. She is aware of all the things that are going on. She thanked Ms. Absenger for agreeing to serve.

Mayor Knickerbocker announced that there are openings on the Planning and the Zoning Boards. Anyone who would like to serve on either board should contact her or the Village office. They will explain what it would entail.

d. PURSUANT TO SECTION 5-508 OF THE VILLAGE LAW, THE PUBLIC HEARING ON THE 2020-2021 TENTATIVE BUDGET WILL BE ON APRIL 9, 2020 AT 7:30 PM AT THE VILLAGE HALL.

Mayor Knickerbocker read the above.

A MOTION to approve this was made by Trustee Funchion, seconded by Trustee Zachary with all in favor and Trustees Jackson and Pasquale absent.

The Board members agreed to meet on March 10 at 7 PM for a discussion on the budget. The Mayor advised that the public will be notified. The Administrator will focus on what the impact on the budget would be with the PILOT revenue loss and how a Sewer Fund would affect that.

Trustee Zachary noted that March 24 is the monthly Workshop. The last Newsletter had the wrong date. The Administrator advised that a correction was e-mailed and it is on the Village web site. He will be ready to present the overall budget the week of March 16. He requested another meeting that week. Following discussion, the Board agreed to meet on Tuesday, March 10, at 7 PM to discuss the PILOT loss.

e. CONSIDERATION OF A MOTION TO RELEASE AN RFP FOR INSURANCE BROKER.

Mayor Knickerbocker read the above.

The Administrator believes that that there are a lot more resources that we could get. He wants to prepare a list of exactly what we need including a detailed scope of services.

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

f. CONSIDER A MOTION TO APPOINT CYNTHIA KEMPTER AS TREASURER AT AN ANNUAL STIPEND OF \$5,000.

Mayor Knickerbocker read the above. A MOTION to approve this as presented was made by Trustee Funchion, seconded by Trustee Zachary with all in favor and Trustees Jackson and Pasquale absent.

- g. CONSIDER A MOTION TO AUTHORIZE THE APPROVAL OF THE PROPOSAL FROM FREDERICK P. CLARK ASSOCIATES, WHICH WOULD INCLUDE IMPLEMENTATION OF COMPREHENSIVE MASTER PLAN IN THE C-1 AND C-2 ZONING DISTRICTS FOR A COST NOT TO EXCEED \$9,000, REVIEW OF PROPOSED LOCAL WATERFRONT REVITALIZATION PLAN (LWRP) FOR A COST NOT TO EXCEED \$1,000 AS WELL AS THE REVIEW OF THE ZONING OF THE NORTHERNMOST PORTION OF TAX PARCEL 43.10-2-1 FOR A COST NOT TO EXCEED \$9,500.**

Mayor Knickerbocker read the above.

Trustee Funchion wanted to know what we would be paying them to do. The Administrator advised that our planner, working with Trustee Zachary, will look at potential rezoning around the Route 9A corridor, mixed use development and what the impact would be. That would require a SEQR process, going to the Planning Board and the County, and public meetings with the Village Board and the property owners to discuss the positives and negatives. For the green area of Indian Point, it is currently zoned M1. Trustee Funchion noted that we discussed that at our last meeting. Trustee Zachary commented that the Planner gave us a proposal. The Administrator explained that the idea is to look at what type of development the Board and the public would want there so that when Holtec tries to sell it to somebody, they know what could be built. Trustee Zachary advised that the planner will draft the local law, draft architectural guidelines, prepare maps and do whatever is necessary for the SEQR process. The Administrator advised that they will have one or two meetings with the public. We are in the process of the LWRP grant. The entire Village is in the LWRP. He advised that if you are talking about rezoning, it is better to do it now as part of the process. If we did it later on, then we would have to go back to the State to reopen the LWRP. That creates an issue because it is a new layer of regulations.

Mayor Knickerbocker commented that in the M1 zone we can take some things out of the current uses and replace it.

The MOTION to approve this was made by Trustee Funchion, seconded by Trustee Zachary with all in favor and Trustees Jackson and Pasquale absent.

- h. CONSIDER A MOTION TO CALL FOR A PUBLIC HEARING REGARDING AMENDING §211-19 OF THE VILLAGE CODE BY ADDING SUBSECTION (F). PENALTIES FOR OFFENSES AS FOLLOWS:**

“Every person, firm or corporation guilty of violating any provision of this article shall be punishable by a fine as follows: first offense warning, second offense \$25, third offense \$50, fourth offense \$100, fifth offense and all additional offenses \$250.”

Mayor Knickerbocker read the above. She advised that we are setting up Public Hearings.

Village Attorney Porteus advised that a section of penalties was inadvertently removed. She has added back all the omissions. Trustee Zachary commented that we were revising that section and inadvertently left this out. The Village Attorney advised that if the Board wanted to revise it, to do so now so that the penalties can be published. Copies have been sent to all the Board members. Mayor Knickerbocker advised that next month we will be discussing everything at a Public Hearing.

A MOTION to schedule a Public Hearing was made by Trustee Funchion, seconded by Trustee Zachary with all in favor and Trustees Jackson and Pasquale absent.

7. INFORMATION FROM OFFICERS & DEPARTMENTS:

a. Justice Court Reports – February 2020

Received and Filed. Mayor Knickerbocker reported that the reported amounts were \$5,482.00 and \$1,056.00.

b. Police Report – January 2020

Received and filed. Mayor Knickerbocker reported that there were 81 moving summonses, 28 parking summonses and a total of 127 calls.

c. Attorney’s Report

Village Attorney Porteus reported on a matter before the Justice Court for several years. The judge has recused herself from the WIC matter. It will be sent to a local jurisdiction and tried there.

We are drafting two petitions of legislation to help the jurisdiction after the shutdown of Entergy. Village Attorney Porteus, Mayor Knickerbocker and Interim Village Administrator Serrano met with Assemblywoman Sandy Galef and her team. One piece of legislation is to allow the PILOT to continue. The way the law is drafted, the PILOT ends with the shutdown of Indian Point 3. The Village Attorney thinks that the Legislature will put it through. We are asking them to change the real property law to have the spent fuel casks and pools deemed as real property. The Village Attorney, Mayor and Administrator also spoke to State Senator Hareckham’s team. They are waiting for Assemblywoman Galef’s staff to okay the law. Then they will jointly sponsor the bill and put it through. Mayor Knickerbocker commented that we have talked about this for 3 years. Nuclear power plants elsewhere in the country have done it. It is up to the State to allow us to do it. This was passed in the State Senate last year but there was a stumbling block. That was a different form of legislation. The Mayor commented that this one is what we really need. She thanked the Village Attorney and the Administrator for their persistence in educating the lawmakers on what it means to our community and how it should be

written so that it does benefit our community. Village Attorney Porteus noted that we were not asked for input before. She commented that speaking with Assemblywoman Galef's and State Senator Harckham's team, it did not cross their mind to ask the local communities. The way the law went through last year, we were going to tax the spent nuclear fuel which is worth nothing. She commented that this year we went at them. We were joined by representatives of the Town of Cortlandt in drafting the legislation and meeting with the elected officials.

Mayor Knickerbocker advised that at the Federal level the Stranded Act is still in motion and not yet settled.

d. Administrator's Report

Interim Village Administrator Serrano reported that we had a presentation at our last Workshop from an applicant about a bottle and can return center. He has called to find out if the Village Board is going to move forward. The Administrator wanted to know if we would look at rezoning it for one tenant, or tell him that we are not thinking of rezoning. The applicant wants something in this area and would like an answer soon so he can move on this. The Mayor wants to get input from our planner. The Village Attorney does not think we should entertain a request from a tenant. An owner might come in and ask for a specific use on their property. She advised that if the Board is thinking about amending the Schedule of Uses now, it might be something to entertain from the landlord.

Trustee Zachary explained that when you change the zoning for one person it is called spot zoning. It is not a recommended practice. There are things in our Code that are outdated. He commented that a year or so ago we had a bio-tech company who came here and wanted to put in a DNA testing facility on Greentown Road. It was not in our current Code. They had a very short window and did not want to wait 6 months for us to redo it. He commented that there are things in the Code that no longer exist and new things that are not in the Code. It could be something general, like technology companies that could be allowed in this zone. But to change the Code for one specific person could get us in trouble or open a can of worms. Trustee Zachary reiterated that he thinks that the Schedule of Use Regulations merits a complete review. For example, the Code currently allows machine shops. He thinks this proposed recycling center was a good use and would be less impact than a machine shop. But when the Code was written recycling was not in anyone's considerations. He recommended advising the applicant that we will be reviewing the Code and to come back in 6 months.

The Administrator reported on the Village calendar. He commented that Cindy and Sharon in the Village office have been fantastic. He did not like the PDF format calendar. We now have an interactive one. Cindy and Sharon can modify it if something has changed or been cancelled. The Administrator is working on a section for the agenda. There is no expense to the Village. Our IT consultant helped design it but the application and storage are free. People can sign up and receive the calendar and any changes by e-mail. Mayor

Knickerbocker asked if we can give people a flyer with a link to the web site when they come in to the Village office to pay their water bill or taxes.

The Administrator reported that now that we have a new Fire Inspector, there are 260 businesses at WIC that have to be inspected. He inspected 12 or 13. 11 failed the inspection. There are properties that have never had fire inspections. Our Building Inspector has issued 3 building permits and 12 C.O.'s. He inspected 5 complaints of property maintenance issues; issued 10 violations for commercial vehicles parked on the front lawns; dealt with 10 complaints of illegal occupancy and is processing those to go to court.

The Administrator reported that the Sewage Treatment Plant treated 7 million nine hundred and fifteen gallons. The sludge removal reports have been sent to the Department of Health showing 98-99% efficiency.

The Highway Department has continued the required manhole inspections and is doing the pre-construction meetings for the Fourth Street Pumping Station. The Highway Foreman will supervise that work. Last month we had an electrical outage. The backup generators worked as planned.

Mayor Knickerbocker reported that she, the Administrator and Trustee Zachary recently met with the NYS DOT. The Administrator advised that they confirmed a crosswalk on Bleakley Avenue and will redo the curb so that people will be off the road and no longer on the shoulder. They plan to begin work in the area in March. They will give us a 2 week look forward which we will put on our web site.

The Administrator reported that the application forms for the grant application for the sidewalks have been given to the Village Engineer for some required information.

e. Mayor's Report

Mayor Knickerbocker reported that there was a report from the office of the Inspector General with their review of the NRC's analysis of the Algonquin Pipeline that was put through our Village and area. The Mayor summarized the review as having found the NRC analysis deeply flawed. She has asked for a meeting in this area for the NRC to come here and explain what happened and what they are doing going forward. She commented that it is for transparency with the public. Transparency is important with the pipeline and the decommissioning of the nuclear plant to avoid unfounded fear. She has asked them to come in April or May to one of the Citizens Advisory Panels. There are people who are asking for the pipeline to be shut down until there is an analysis. The Mayor has joined with other elected officials in asking for an independent analysis by an independent organization. It is about the safety of our community.

Mayor Knickerbocker attended the Saint Patrick's Day Committee dinner party on Saturday night. It was a lot of fun. The Saint Patrick's Day Parade will be on Sunday, March 8 at 2 PM. The forecast is for good weather.

Mayor Knickerbocker announced that this year Election Day will be Wednesday, March 18. In New York State if Saint Patrick's Day falls on the same Tuesday as Election Day, then Election Day is the following day. Mayor Knickerbocker and Trustees Zachary and Funchion are running for re-election unopposed. She advised that it is everyone's right to vote. Trustee Funchion noted that you also have the right to write in someone else.

f. Trustees' Reports:

Trustee Funchion reported on the upcoming Saint Patrick's Day Parade. It will be on March 8 at 2 PM. He thanked Beth Renda for doing so much. Several of the committee members had illness, accidents or a death in the family so she did a lot of the work on her own. He wished everyone a Happy Saint Patrick's Day.

Trustee Zachary reported that we have been looking to clean up the parking on the section of Route 9A prior to the repaving. The State will be putting up No Parking signs on the west side of Route 9A from Tate to Bleakley Avenues. It is going to resolve a big part of what we were looking to do.

Trustee Zachary reported on the Local Waterfront Revitalization Project (LWRP). It is a State grant to develop community waterfront revitalization plans. It looks at the whole municipality, the Village and the Town of Cortlandt (but not Peekskill), from the river to Washington Street. It is like a Master Plan specifically for waterfront revitalization. They look at the whole Village's and Town's access to the waterfront. They are also looking at possible uses for the Entergy property. There is a monthly meeting, open to the public. They will alternate between the Village Hall and Town Hall. There will be 2 or 3 Public Hearings. There is a link on the Village web site with current information and schedules.

Trustee Zachary gave a favorable review on the food at a new Greek restaurant in the Croton Commons Shopping Center: Piato Greek Kitchen. He also noted that you can save up to 40 cents per gallon on gas if you go to Croton compared to our immediate area. Mayor Knickerbocker noted that there is also a price comparison app for this.

8. COMMENTS FROM THE FLOOR:

Eileen Absenger, 138 Tate Avenue, looks forward to being on the Planning Board. She asked if there will be minutes from the December 17 Special Meeting and was assured that there will be. She advised that you can make your own hand sanitizer using 2/3 rubbing alcohol and 1/3 Aloe Vera.

9. EXECUTIVE SESSION:

At 9:23 PM a MOTION to enter into Executive Session to discuss a contractual agreement was made by Trustee Funchion, seconded by Trustee Zachary with all in favor and Trustees Jackson and Pasquale absent.

10. ADJOURNMENT:

At 10:40 PM a MOTION to exit the Executive Session and adjourn the meeting was made by Trustee Funchion, seconded by Trustee Zachary with all in favor and Trustees Jackson and Pasquale absent.