

**Village of Buchanan
Mayor & Board of Trustees
Board Meeting
January 5, 2016**

PRESENT:

Mayor Theresa Knickerbocker
Trustees Nicolas Zachary, Richard A. Funchion, Duane M. Jackson and Cesare Pasquale
Village Administrator Kevin Hay
Village Attorney Stephanie V. Porteus

Glenn Griffin, Property Owner

ABSENT:

Village Board Secretary Susan F. Matthews

1. PLEDGE OF ALLEGIANCE:

Mayor Knickerbocker opened the meeting at 7:30 PM, welcomed everyone and informed them of the fire regulations.

2. APPROVE MINUTES

November 4, 2015 Regular Board meeting: Mayor Knickerbocker amended Page 2, change “secure a bond” to “secure a grant”. The Mayor amended Page 33, paragraph 3, change “see everyone” to “hear everyone”. Ref. Page 13, paragraph 1, Trustee Funchion said that what he wanted to say is “Trustee Funchion said that if it goes down to the County as is, he does not agree with it”. Trustee Funchion amended Page 13, paragraph 1 to replace the comma after “legalese” with the word “or”. Trustee Zachary amended Page 24, paragraph 2, to replace “was shown to” to “shows”. A MOTION to accept these minutes as amended was made by Trustee Funchion, seconded by Trustee Zachary with all in favor.

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

None.

4. OLD BUSINESS:

a. PUBLIC HEARING ON PROPOSED ZONING CHANGE ALLOWING A SENIOR MULTI-FAMILY PROJECT

At 7:35 PM a MOTION to open the Public Hearing was made by Trustee Funchion, seconded by Trustee Pasquale with all in favor.

Mayor Knickerbocker announced that just like the last time there will be ground rules for the Public Hearing. Each speaker will be allowed 5 minutes. A sign up list is going around the room and everyone who wishes to speak must sign in. The names will be called in order from that list. The Mayor commented that we all have our own opinions and comments which is fine. This is the United States of America. She asked everyone to be courteous to one another. The Mayor advised that if you have already spoken, the Board has your comments but if you have any other new comments, they would like to hear those also. There will be no vote this evening.

The Mayor said that her understanding from a newspaper article is that that the property owner and the developer have asked the housing monitor for Westchester County to become involved. Mayor Knickerbocker has not been able to meet with County Executive Astorino. She is going to meet with him on January 15. When she comes to the February Board meeting, she will explain what was discussed at that time.

Mayor Knickerbocker said that there is a Public Hearing tonight and the Board will be more than happy to listen to the audiences' comments. The Mayor wanted to know if the applicant or property owner was present and found that he was. The Mayor noted that Glen Griffin is the property owner and the applicant. She invited Mr. Griffin to speak before the Board started taking comments from the public. Mr. Griffin did not wish to speak. The Mayor said that this Public Hearing has been held open for a while to make sure we get all the comments from everyone who would like to comment. The Board will take comments tonight in order according to the sign up list.

Mayor Knickerbocker asked Alex Roberts to introduce who he is and explain his role. She noted that at the Workshop he had mentioned that he was working with the previous developer, Bill Balter. She was not sure if that is still the case.

Alex Roberts commented that where we are right now is that he has an assignment of the project and that he is the contract vendee for the project from Glen Griffin. He advised that basically, he is Executive Director of Community Housing Renovations, a not-for-profit agency based in White Plains. They have been around for about 25 years. They have 230 employees and a budget of 24 million dollars per year. He wanted to talk about their feelings and wanted the Board to hear from other people who are from the area to balance what was heard at the last hearing which he commented was pretty one-sided at the time. To start, he wanted to give a little background. He noted that a re-zoning of the property from commercial to industrial to multi-family for Seniors has been before the Village for over 2 years. He commented that it went through the Planning Board with a recommendation for a 66 unit development for people age 55

and older. This was consistent with the Village's 2005 Master Plan and as stated in the recommendation of the Village's own Planning Board dated November 24, 2014. It said, "The Village Planning Board voted and 4 of the 5 members support the zoning petition and finds that the proposed use is consistent with the Village's historic and future planning policies and housing objectives". Mr. Roberts commented that negotiating in good faith, the developer agreed to increase the age to 62 just to get the approval. He also agreed to other improvements including a new bay for the fire house and the County Planning Board has also formally supported this development. Mr. Roberts commented there is a demonstrated need for affordable Senior housing in Buchanan and the surrounding areas. He did a little bit of research on this. He found that 61% of home owners 65 years and older in Buchanan are "housing cost burdened", which is nearly double the rate in Westchester County which is 35%. It means they are paying more than 30% of their income on housing and that is a real burden on them and where are they going to go? Trustee Zachary asked if Mr. Roberts was saying that if you are spending 35% or more of your income on housing, you are "cost burdened". Mr. Roberts advised that it is considered "cost burdened" by HUD.

Mr. Roberts commented that in Buchanan the number of residents aged 65 and over increased by 17% since the 2000 Census. There is very little affordable housing in Buchanan as indicated by the fact that only 6.5% of the homes on the market are affordable to a family of 4 at 80% of the area median income, which is about \$85,000. Only 6.5% of the homes that are on the market for sale today are affordable to a family making \$85,000 a year. He commented that it is worthy of note that Buchanan has not produced one unit of affordable housing since 1990 towards its obligation of 56 units according to the Westchester County Housing Allocation Plan and its latest update in 2012. He commented that despite the demonstrated need and recommendation of the Village Planning Board and the County Planning Board, some members of the Village Board have announced their opposition to the project. His appearance and those of others here tonight from the Workforce Housing Coalition and others would like to give the Board a chance to reconsider needed affordable Senior housing in the Village and in our County. He commented that a vocal minority of the community has come out against the proposal because they say it might benefit outsiders. He commented that members of this Board in previous hearings have made statements that market rate apartments might be okay but not affordable. Others have made statements indicating their preference against wide marketing of the units in Hispanic newspapers or in more diverse areas containing African-Americans, such as New York City. He commented that nobody is fooled by the complaints of the quote "heavy burden" that 66 Senior apartments might place on services. He commented that we all know what this is about and that is why the HUD monitor asked the County to detail what it is doing to encourage the Village Board to approve this proposal, citing the County's obligation to commence litigation if necessary to promote the goals of the consent decree. He commented that the County's response which was released today notes that to receive any County discretionary funds, and that is called everything but health and safety, the Village would have to quote "actively further

implementation of the settlement agreement through its land use regulations and other affirmative measures to assist the development of affordable housing.” He commented that what that means is that any requests for funding such as your application for Lent’s [Cove] park would likely be denied without approving this zoning change request. He commented that they are very firm on that, the County is. He commented that he can tell you, your attorney can tell you, that based upon the record the Village is vulnerable to a fair housing complaint. The developer who has an impeccable reputation throughout Westchester County pulled out because he does not want to fight. Mr. Roberts commented that he demonstrated real compromise and that the Board’s approval does not even approve a project. It only approves a zoning change. Any proposal would have get a special permit and go through the regular site plan approval which is not easy to do, as the Board knows. He commented that they do not want to fight either. Mr. Roberts commented that their simple request is that you do the right thing for an inclusive town, Village and County. He said to speak with the County Executive next week. Mr. Roberts understands that the Mayor has a meeting with him and let us find a way to work together to make this a success for everyone. He said that he had some documents including the maps showing the demographic statistics. He thanked the Board. Mayor Knickerbocker thanked him.

Eileen Absenger, 138 Tate Avenue, noted that we had no recording secretary present. Mayor Knickerbocker advised that this meeting is being filmed and taped and that the Secretary will give us the full minutes. Ms. Absenger said that she is a resident of Buchanan for 67 years. She is very disappointed in the comments both from the reporting, the reporters in the papers, on the internet and especially the comment at the past Workshop by Mr. Roberts. This is a Public Hearing as we know for re-zoning from M1 commercial to residential, multi-family Senior housing. She believed that our present zoning is 5 units per acre. She believes that the 2 acre buildable lot that Mr. Griffin has should remain, to preserve not only the density and the character of the Village which is primarily single family, a small group of 2 family houses and an even smaller group of multi-family, a smattering throughout the Village. This would help preserve our services. It would not impact them and she thinks that it should remain as is. She thanked the Mayor and the Board.

Mayor Knickerbocker thanked her and thanked her for bringing up the zoning and different things. She commented that she is also very disappointed in the Village of Buchanan being painted as anti-Senior, bigoted and whatever the comments were. She too is a life-long resident here. She has seen many changes here in the Village. When she was younger, she would see that a lot of times people’s families would take over the houses. So you would not see any change in the Village. Over the past 10-15 years we are seeing people mostly from down County who are coming here, purchasing homes and as was stated last time, we are seeing young families come here because they like the small community charm. They do not like the bulk housing, so that is what they want. That is why they come here.

Mayor Knickerbocker commented that she did have a discussion with the previous developer and they talked about 44 units. At that time she said to him that 44 units is still 4-5 times our density so that is not something we are looking for. We are not looking for big buildings. It is not according to our zoning and our density. She understands that the man is a business man. There is a bottom line number that he has to have to make a profit, so she guesses that anything less than that - she guesses that was his bottom line - he felt was not worth his money or time. It was not worth his while. She commented that he is a businessman. He is looking to make money. She has no problem with that. She commented that we live in capitalist country and welcome to the United States of America once again. She commented that yes, she and he did have a discussion about lowering the units from 66 to 44 but she guesses that did not work for him. She commented that again, we are not talking about the user here. We are talking about the use. She commented that we are a very friendly community. We just recently had someone who moved into our Village, a very nice gentleman. She does not know if he is black or African-American, she is not sure; but a beautiful family. He joined our Fire Department. He has become a part of our community. She commented that she has never seen anything different than that. We are very warm and welcoming and a very tight knit community too. She commented that she is disappointed in those comments. She wanted to put that out there. That is not us. She is going to not make a lot of comments. She commented that the Board is interested in hearing the comments from the public. We are still in a Public Hearing but she felt that she had to address that.

Mary Ann Sorese, 10 Glenn Street, Ossining, thanked the Board for the chance to speak. She is a resident of the Village of Ossining and a board chair for the non-profit ISCA housing network in the community where she lives. She is speaking on behalf of the proposed housing project proposed by Wilder-Balter Partners and Glen Griffin because she believes that more affordable Senior housing is desperately needed in our area and that the community of Buchanan provides the ideal conditions for the development to happen. She commented that Buchanan is a very desirable place to live. It is quiet, safe, pedestrian friendly and provides easy access to public transportation. These qualities are what Seniors look for and very much need as they strive to age in place in communities instead of institutional settings. She commented that unfortunately what Buchanan does not have is affordable rental housing. The median rent in this community is over \$1500 per month and the number of units at half that rate is just a small hand full. She commented that Senior citizens in your community right now are facing burdensome costs related to housing expenses which forces them to make stressful decisions between meeting housing costs obligations versus other expenses like drug costs. The Village has the opportunity to correct this reality within this community. By approving a zoning change which was recommended by the Village's own Planning Board last summer, the Village Board has an opportunity to not only bring to fruition a concept encouraged in the Village's Master Plan but to also create viable housing opportunities for Seniors who still have so much to offer the community. She recognizes that change can often trigger fear within the community but fear

around creating affordable rental housing for Seniors is just unfounded. Voices of opposition have said that the project will attract people from far outside the area including New York City because of the requirements to market the units more broadly. One of the projects that ISCA completed in Ossining recently required similar marketing requirements but in the end, the majority of applicants and eventually the tenants selected through the lottery process were actually residents of Westchester. She commented that the reality is that prospective tenants already have roots in the community where they live and their preference is not to be uprooted so significantly that they have to start from scratch. This is even more the case for Seniors and she encouraged the Board to put aside these concerns and create an opportunity to welcome Seniors into new housing here in Buchanan that they can afford and can thrive in. She thanked the Board. The Mayor thanked her.

Next on the list was Pedro Rivera, 157 First Street, but he did not comment. Next on the list was Serge Del Rosso who did not comment.

Mayor Knickerbocker announced that if anyone else wanted to speak, there is a sign up list outside.

Cara Sullivan, 9 Pheasant Run, commented that she has been a Buchanan resident for 8 years. She said that her questions were more about the zoning. She really did not understand a lot about what it means to re-zone that property. She commented that she is also listening to a couple of different things and everyone is talking about what is best for the Seniors. She commented that absolutely Seniors need the best possible housing for everyone but the property as she understands it is a massive flood risk and right across from the power plant. There are no sidewalks to get anywhere. She commented that we are going to ask these Seniors to go down Bleakley Avenue, to go up Route 9A to get to Welcher Avenue. It does not seem like there is really a town that we are trying to put them in. She is not entirely sure how this is the best for the Seniors if we are trying to create a thriving community for them. It seems to her like we are just using up space and throwing them into it. She does not really feel how this is in their best interest. Her questions specifically and what she does not understand is what is the benefit to the Village to have this property for industrial use verses a residential use. She asked if there is a benefit to her as a taxpayer?

Ms. Sullivan said that she has a list of questions which she will read. She does not know if they can be answered here. Concerning the history of the property, she wanted to know if it has been proposed for other uses in the past that meet the industrial zoning. If that did not follow through, she was curious why. She is also curious about what is the benefit to the community to reduce property which is zoned for industrial use? What are the drawbacks to that? What is the benefit to the community to increase the property which is zoned for residential use? What are the drawbacks to that?

She commented that we lost one developer. She wanted to know has a new one come on. Mayor Knickerbocker advised that the gentleman who spoke first, Mr. Roberts, would be the developer. She had heard differently but she understands that Mr. Balter is still involved.

Ms. Sullivan wanted to know how is this development going to compare to Round Top in Montrose? She commented that there has been a lot of the chatter around town. A lot of people are very concerned about that. She wanted to know when Round Top was proposed, did that start out in a very similar fashion? She commented that there is a lot of talk around the community about how Round Top has not benefitted anyone in the Town of Cortlandt or the Hendrick Hudson School District. So she thinks a lot of the fear and concerns stems from that comparison. She thinks it would be great to have clarity there.

She wanted to know why 66 units? She commented that Mayor Knickerbocker covered that a little bit. What happens to property value in the Village? She would love to understand a little bit more about that. What is the long-term impact? What safeguards are in place to protect the community from being resource constrained.

She wanted to know what is the actual demand in the community from Buchanan residents or Town of Cortlandt residents and how does this impact the houses currently for sale in the Village of Buchanan? She commented that if you drive on Westchester Avenue, there are a lot of really beautiful old houses that have been around since our beautiful community was developed, which was founded by hard working people that had no money. They had just a dream and they really just wanted to do what was best for their families. They came here to what is perceived to be an isolated community but is really just a bunch of hard working people that want the best for ourselves, our community, our state and our country. She wants to know why the County feels that Buchanan is the best location for this development. Excluding cities, because there are a good amount of cities in Westchester County, what is going on in Chappaqua, Briarcliff, Croton, Bronxville, Irvington, Pound Ridge and Rye?

She wanted to know if the Seniors who live in this development are in the custody of a minor, what happens to our school system and are we prepared to deal with that.

She commented that another big thing is that the Governor is very concerned about the power plant and would love to shut that down and here we are putting these Seniors right across the street from it. She is not entirely sure how that is beneficial to the Seniors. She would love to understand a little bit more about how the business owners on John Walsh Boulevard feel about this development and how is that going to impact their business? She commented that we see a lot of businesses come and go and then we see a lot of empty store fronts in our area and that is not helping anyone. She does not want this to turn into.....because there is a lot of fear and misunderstanding about what is being proposed with regards to re-zoning as well as with regard

if it is re-zoned for residential use, what goes in there? If we have businesses leaving our area, what is that going to do to the rest of us? She would love some clarification on all of that.

Mayor Knickerbocker commented that she can answer some of them. Some she cannot. She cannot tell how the business owners feel. She commented that one thing she can tell you, we are not and have not been considered one of the exclusionary communities in the County. She believes Tuckahoe, Pelham Manor, Bronxville and she thinks Mount Pleasant. So we were never tagged as an exclusionary area. She commented that our statistics have changed since 2000. Currently there are still 4 communities that have not. She commented that, and she knows it was mentioned, we have opportunities here in the Village that not only help our Seniors who are home owners if they are able. They can have accessory apartments. Not only does that help them financially but it also helps someone else to get an apartment usually at a reasonable cost. She commented that we have two family houses here, and as Ms. Absenger mentioned, some multi-family, a very small amount.

The Mayor guesses that the benefit to the Village would be having more Senior residents. She is not sure she has the answer to the proposed other uses, other industrial uses. She is not sure of too much of the history of the property.

Compared to Round Top, the Mayor does not know. She cannot compare it to that. The only thing she can tell her is that this project would be specifically for Seniors, 62 plus, and there would be no one under the age of 19 in the building. She is not sure but she does think with the rentals that there would be an impact with the houses for sale because these are rentals. These people would not be buying houses.

The Mayor also wanted to mention that Mr. Roberts said that we are not on the map at all. She advised that we are, with affordable housing. Last year the County bought a house at 230 Westchester Avenue here in the Village. There is a house that went through the whole process. It is an affordable housing property. So people who went through the whole process of being able to buy that property fit certain terms. They were able to under the affordable housing. Also last month the County bought another piece of property. She believes it is 176 Henry Street. They are currently doing some renovations that will also go up as an affordable house. So people who fit a certain criteria will be able to buy that house. So there will be home ownership. So there are two places we know of already. Also there is another potential piece of property that the County does technically own and most likely will rehab eventually. That is the house on White Street. Eventually they will rehab that and that will also be either two-family for rentals or a residence. Somebody will move in according to the affordable housing standards under income. She commented that there is a whole bunch of criteria. So there will be another house that will fit those criteria also.

Concerning Buchanan being the best place, the Mayor commented that we talked about the exclusionary markets which are not complying at all. We have tried to over the years, and have kind of succeeded in a way, to become more of the mixed community. We welcome everyone. We love our Seniors here. The Seniors are great here. They are a great group of people. She commented so of course we are not excluding or trying to chase away Seniors. That is so totally false.

The Mayor commented that the power plant was mentioned. She believes the storage pads from this property are about 1500 feet away from the property. The property has changed over the years. Just this last year on the other side of this property there is a carting company, a garbage disposal company that has started their business there. That is just on the other side of the mountain there. We have our sewage treatment plant that is in very close proximity. The Mayor commented that we are doing our due diligence here on the Board. We are trying to figure out if this is the best use for this piece of property. That is what we are here for. We are being asked for a zoning change so we have to look at all the aspects of it. That is what our job is here. She wanted to know if she answered 99% of Ms. Sullivan's questions.

Trustee Zachary commented that he had just a couple of other things regarding Ms. Sullivan's questions. One had to do with the tax implication. He commented that people have thrown around some numbers. There was an article in the Journal News that some people may have seen. It indicated that the commercial property would give us more in taxes. He has not seen anything to document that. He commented that in fact currently the commercial properties that are part of that industrial complex pay anywhere from \$6,000 to about \$20,000; the \$20,000 being a double or triple lot. The estimated tax for this as a residential development would be \$40,000. He did not think that the \$20,000 difference one way or the other is a reason to be for or against this. He commented that this is not going to give us Indian Point type taxes. While people have brought up the tax implication, he thinks there are much bigger issues. He commented that every dollar in the budget counts but he does not think the difference to the Village in taxes would be the deciding factor on this development.

Mayor Knickerbocker commented that we have been looking into the impacts on our services and she knows some people have "poo-pooed" that but that is part of what this Board does. That is part of their job to look at our fire services and police services. She commented that she got "boo-hoed" on that. But we have to look at the whole picture; what are the pros and what are the cons. She commented that the Village Board represents the Village of Buchanan and yes, we do understand there is a regional need for Senior housing. She gets that. She noted that everyone here on this Board is a Senior. She commented that it is not like we are 19 year old kids and we do not have a care in the world. Some of the Board members have parents. We know the struggles. These people are on fixed incomes and we get that. The economy never rebounded since 2008. These are tough times for a lot of people so we do understand the need.

She commented that she is sure there is a way that we can. There are possibilities of ways of helping them. She commented but we are looking at all the impacts. So you cannot fault this Board for doing their job. We have to look at everything. That is what we are elected to do.

The Mayor welcomed people to comment. She thought there would be a lot of people that like to speak. Everyone's input into this until we make a decision but thank you

Tino DeSilva, 2 Donahue Court, commented that he lived around here his whole life and has lived in Buchanan for 10 years. He thinks that Ms. Sullivan hit the nail on the head. What is the benefit to the Village of Buchanan? He did not attend any other Board meetings but his wife did and he watched some of it on television. He understands that we may need another cop and there are some fire house issues and who knows what else? He commented that the Village is going to need to put something out and really not get much back in return. He heard a number like \$35,000 in taxes or whatever. But to him, to help elderly people is fantastic but he also understands that it is not just restricted to the local elderly people or northern Westchester or even Westchester County. He understands it is a lottery system and anyone from anywhere can move here which is fine but we are not really taking care of our own first. He commented that again he does not see a benefit to the Village of Buchanan. He sees a benefit to the property owner, to the developer and to the people who are concerned about the elderly, the social type people. He gets that. But for the Village and its tax payers, there is nothing in it for us. There is absolutely nothing in it for us unless someone can tell him what is in it for the Village. He has not heard that from his wife having attended previous meetings and what he saw on the play back of the previous Board meeting on television. He has not heard anyone say one benefit for the Village of Buchanan. He cannot be for this. He commented that personally the only way that he would be for it is if we say we fill it up with Buchanan resident firsts, Town residents second, northern Westchester third. That he could see. He commented but going 9 counties wide and just getting into a lottery system, why should we do that? Why should the Village of Buchanan do that for basically for nothing?

Mayor Knickerbocker commented that speaking to a few people on the Master Plan Committee, they said that the original intent of this property was what you are seeing. It was for as people were aging they could sell their homes and move into the Village. There was no other thought. It was just a very basic thought on that. It was not 100 units or 200 units. It was nothing like that. She commented that is why we have had these Public Hearings. We are trying to get the pros and the cons and everyone's input into this before we make a decision.

Serge Del Rosso, Planning Assistant with Community Housing Renovations, commented that he has been looking into this proposed development for quite a while. He wanted to quickly address the environmental concerns that were brought up earlier. He commented that he actually pulled some maps off the Westchester County GIS system that our County Planning Department

maintains. He noted that the one he had with him was a protected wetlands and there is a flood plain that extends around down here, around the inlet from the Hudson River. But the flood plain does not extend over to the proposed site of the development. It is not within any flood plains and he does not see any substantial flood risk from the GIS system. It is pretty extensive in showing where those flood plains are and where the risks are. It is also not anywhere near any DEC environmentally protected wetlands so he does not see how it could be a serious flood risk and does not see how it could really be a serious environmental detriment, especially considering it is right next to Indian Point. He commented that is just his two cents. Mayor Knickerbocker thanked him for his comments.

Joe Tropiano, Burke Court, commented that he was previously a member of the Village Board. He commented that while he was a Trustee on the Board, they always seemed to get comments from the State and the County on what we should do, what we are mandated to do, and it goes on and on and on. Now also in the newspapers we find that Buchanan is always the one that seems to be burdened with some kind of problems. He commented that we do not make problems. The newspapers make them and then we have to live by it. He commented that the people on the Board are subject to a lot of this and so are our residents. Our residents have done anything they can to make anybody comfortable in this town. We have single families. We have apartments and we have other group homes which we take care of. And there has never been a problem. So there is no reason why we should come and have this type of publicity in this Village. Now, just recently we had the Indian Point skirmish. They want to shut down Indian Point. What we are doing here is that we are trying to change a zone to accommodate people that are going to live right outside Indian Point. He commented that this is not fair to them because you are putting them in a situation which is not fair to them. There was a rally. They want to shut down Indian Point saying that it is not safe. Down the street we have the gypsum plant. Up the street from Broadway, we also have a recovery plant which is not in our Village but is right next to it. So now Buchanan is subject to that. He commented that the lady who spoke before [*Ms. Sorese*] said it is close to transportation. Mr. Tropiano did not know of any transportation where this property is going to be developed. He commented, to where? All we are going to have is people who move in there looking over a marsh, looking over an atomic energy plant, looking over a beer distributor down there, a recovery plant and also a laundry plant, and truck traffic going up and down Broadway. He commented that people on Bleakley Avenue right now are subject to a lot of traffic. So if we now put 40 units in there, what are we going have? These people have to get out of there to go shopping and so forth and how are they going to get there? They are going to have to have a car which means more traffic on Bleakley Avenue or on Broadway for all those people. He just does not understand why we are even trying to develop. He commented that when the property was purchased, we knew what it was zoned and he thinks that the owner knew what was zoned. If he can come up with something constructive, maybe we can work with him. But the housing situation is not the answer there. He commented that we do not need the housing there because it is not going to benefit anybody there. The people who would be living

there are not going to have any benefits. He commented that concerning the services, as the Police Chief had mentioned another time, is the fact that he will have to put on more people. The Fire Department will have to expand. There are the ambulance services. These are the things we have to look at, which the Board is doing. He just does not understand why Buchanan should always be the Village that does not do anything for anybody. He commented that he is a Senior and he has a good Senior group and has some of these Seniors here now. He commented that you cannot subject these people and put a housing there. It is not going to benefit anything. It is going to make it just not the best place to live especially when we keep having rallies to shut down Indian Point which gets to be a little sickening after a while. Mayor Knickerbocker thanked Mr. Tropiano. She noted that the proposal is for 66 units.

Tina Zerello, Westchester Avenue, commented that normally she did not speak out loud in front of anybody. She felt that at this point she has been in the Village for over 30 years. She knows community housing innovations. She noted that she lives across the street from 230 Westchester Avenue. She commented that they are wonderful people. But it has nothing to do with the people. It does not have anything to do with that. It has to do with the character in the Village of Buchanan. There is no land left. There is no space left. It is great. She commented that the person that does benefit from it is the developer and the people that have their hands in the jar. Not the Village or people of Buchanan but the developer. She commented but when the first gentleman from community housing spoke [Mr. Roberts], he kind of gave her the feeling of threat that the proposal for Lent's Cove has been stopped because the County is going to get involved. But she can remember County Executive Rob Astorino saying in one of his meetings that he was not going to allow zoning changes to be forced and it would have to be something that would have to come from the Board themselves because what is the point of the Board members all having positions here if they do not have that decision? She commented that they were elected into these positions and yet they are silent because the bully comes in and says this is what you can and cannot do and if you don't do it, we are going to stop you here; we are not going to loan you any more money; we are not going to get you anything and we are going to take you to court; because those were the fighting words she heard from the first minute she walked in here. She commented that this is the first time she has been to any of these meetings and she is disturbed that the first thing he used is that we were prejudiced. We are not. We are far from it. There is no room for that. It is called a community and that is what it is always been. Her husband grew up here from the time he was a baby. So when she talks about living here, she talks about people. She knows all your faces. She has seen you all. She smiles at you. She knows who you are. She enjoys just the smile whether she knows your name or not. But she does know that this is her village. This belongs to the people, not to community housing, not to the developer, not to people who want come in and strong arm the Board and tell them "Okay, Duane Jackson, Richard Funchion, Nick Zachary, you got elected but you do not have a voice". Same thing with everybody. She commented that means to her as a taxpayer that she has no voice and that disturbs her because she is not prejudiced and she does not like being called

prejudiced and she does not like being put in that position where the Board is put in a position where they are squeezed because that is exactly what they are going to experience. She asked if Chappaqua, Briarcliff, Pleasantville, and Bedford – she has not seen anybody else changing their zoning laws - and if they have, show her. Show her the paperwork that shows her each individual zoning change that has taken place and then maybe she can kind of agree with it. She commented but as far as Mr. Roberts' company, Community Housing, she has nothing bad to say about it. She commented that the people across the street from her have visited her house. The little boys play with her grandson. So they are good people. It has nothing to do with the color of their skin, where they have come from or who they are. It is the character of this Village and when the Board allows people to come in and tell you when you can and cannot do your job, you might as well close the Village down and let some organization take it over.

Mayor Knickerbocker thanked her. To follow up with that, she commented that she knows County Executive Rob Astorino has said that he believes in home rule. The community makes the decision.

John Mattis, Tate Avenue, commented that in terms of the zoning change, it is for the entire M1 district in the Village. It is not just site specific. From what he understands, you are not supposed to look at a specific project. You are supposed to look generically at the properties, any of them that are M1. And there are more than just that one. He commented so if you look at this, you look at it as not as do we want people to come in. Certainly we welcome people. Young people have moved in here recently. We welcome everybody. We know there is a need for Seniors. But you have to look at a zoning change as the character of the Village and as Tina Zerello just said so eloquently and as some others have said, the character is not high density/high rise. There are none in this Village. Secondly, you have to look at the density. The maximum density is 5 units per acre. There are only 2 buildable acres. He believes there are 7 total but only 2 are buildable. So 66 units on 2 acres is 33 units per acre. That is over 6 and a half times the density that we have anywhere else in the Village. And that is more housing units than have been built in this Village for over 40 years. He commented can you absorb that? The last thing he wanted to talk about are the services. He commented that our Police Chief said that we will probably have to increase by one policeman. A policeman with benefits costs about \$150,000 a year. \$20,000 of costs in this village is a 1% increase in taxes. So you are looking at a potential 7.5% increase in taxes to accommodate this project. He asked is that fair to the Seniors that you are trying to help out here, to raise their taxes like that and to buck against the tax cap that has been imposed by the Governor? He commented, and then Mr. Roberts was very strong armed in what he said. He commented, but Mr. Roberts did not say something else that he said at a work session that really incensed Mr. Mattis. There is a threat of a lawsuit tonight but he told the Board in a work session that it would be un-American for them to vote against this. This is the United States of America where people have their own right to their own beliefs

and their own decisions whatever you do. He commented that for somebody to say that you are un-American if you do not vote for it is totally out of line. Mayor Knickerbocker thanked him.

Mary Ingenito commented that she is a Senior citizen and we have the greatest group of people you could possibly meet. She does not like anybody writing about us that we are this, that and the other. She wants to say that this man who spoke first [Mr. Roberts] comes in with his fur lined coat, you know darn well he is not living in the Village. He is living in a grand, big old house. He does not have what he is trying to do to this village. She asked Mr. Roberts if he lived beside a whole bunch of tall buildings. Mr. Roberts said that he did. He said that he lives in Tarrytown right down the street from a group home and low income housing. She remarked that he was saving his money then so he can afford that nice coat. She commented that she feels bullied in this Village, she really does. She commented that you can tell by the group at the back of the room. They do not belong here. They are here to push their agenda and that is it and she does not like it.

Mayor Knickerbocker commented that is why we have Public Hearings. We cannot limit the conversations to just the residents in the Village under the First Amendment freedom of speech. We want to have all the input so we can make an educated decision on this zoning change.

Mayor Knickerbocker commented that she could only allow a person to speak once. She asked Mr. Mattis what he missed and that he did not use up his 5 minutes but to be brief.

John Mattis commented that we do welcome everyone and the way to welcome the Seniors is to stay within the zoning that you have for families. If the Board wants to re-zone this to residential from commercial, make it a maximum of 5 units per buildable acre. Give them 10 units. We are filling a need to give some housing to Seniors. You are not changing the character of the Village and you are not putting an undue strain on the services. That is a good compromise. Mayor Knickerbocker thanked him for his comment.

Mayor Knickerbocker asked Glen Griffin if he wanted to say something. She commented that she knows that he said at first that he did not want to.

Glen Griffin, the property owner, commented that this has been exhausting for him from the very beginning. He came to the Village Board two and a half or three years ago and gave the Board 4 proposals. He commented that this was the Board's choice. So he brought it to the Board saying that he wanted tax relief and that he wanted to get rid of the property. He commented that the Board said that this would be the best bet for the property. He commented that came from the Board. It did not come from him. He commented that he brought them the best builder that there is in Westchester County. They have compromised up and down to accommodate the Board. He apologizes to every single person in the Village of Buchanan. This is his property.

He has the right to do it and he does not mean to offend anybody in this community whatsoever. He is just trying to get something pushed through that he thinks has more benefits than detriments. That is it. He commented that is all he has to say and if the Board does not want him to build the property, that is fine. Just give him his money, whatever he has into it, and they can have it back. He does not want to make ten cents on it. He would be happy to do that for the Village. If the Board has a better use for it, he will do anything they want. If they can do that for him, he said just do it quickly. He commented that if not, if he had known that this was going to be such a problem and it was going to take 3 years and is going to take another year and keep going on, he keeps paying taxes and he gets no relief here. If the Board had told him 3 years ago that they want a soccer stadium, or a hockey rink, or flex buildings, or a motel, he would have done it. It would have been built and he would have been out of this already. He commented that he does not care what goes in there but please make a decision. He thinks the Seniors are the best option. That is what he feels. He can go on and on and on about the benefits. He said he really has had enough of this. He thanked the Board. Mayor Knickerbocker thanked him.

Mayor Knickerbocker said if there were no further comments, she is going to read something. She said she would like to address some of the reports she has read in media, including USA Today, LoHud and social media sites. According to what she has read, the Village has been painted as a bunch of Senior hating bigots who refuse to acknowledge that Seniors deserve suitable housing. She commented that in fact a letter written by Westchester County requesting that the Village meet with the County Executive and his staff to discuss this proposed zoning amendment and the concept project notes that the HUD housing monitor cited Mr. McKay Wilson's now infamous article entitled "Times Square Hero Opposes Buchanan Senior Housing". When demanding that the County take action with respect to Mr. Griffin's proposal, she finds it troubling that the housing monitor believes that the County should attempt to force this Village to accept whatever project Mr. Griffin and his people put in front of us. Second, as far as the character of our 1.2 square mile village is concerned, currently our zoning law allows for a maximum of 5 units per acre. Mr. Griffin has requested that we not only re-zone his property from light industrial to residential but also allow density at nearly 6 times what is otherwise allowable in the Village. That most certainly would have a dramatic and very different effect on the current character of our community. Moreover it would open the door to have numerous additional applications come before this Board. While the need of Seniors for housing is valid, so is the concern of our current residents who purchased here and live here for specific reasons. It is a balancing act. Third, we have taken a hard look at potential impacts including impacts to our Police Department, our ambulance corps, taxes, recreation facilities and traffic. That is our job to the taxpayers who elected us. She commented that while the newspaper articles try to vilify us for taking that hard look, it is our job. While discussions regarding the affordable housing aspect of the proposal certainly took place, those discussions were valid. We wanted to know what the tax impact would be by renting units at affordable rate versus market rates. We want to know what the chances are that our own residents would have at actually

being able to live in the new housing. Those were and are valid concerns whether the owner or project sponsor likes it or not. The Mayor would also like to know that while in 2000 it appears that this Village was less racially, ethnically and socially mixed in 2010, our “minority population” increased 300 percent. We have a wonderful mixture of cultures. It is just everyone gets along. She commented that she is so happy and honored to be the mayor here of such a wonderful community. We have never been tagged as being exclusionary even by the housing monitor so to paint this village and its citizens as a bunch of racist, bigoted people is unfair and inappropriate to say the very least. She commented that Mr. Griffin and whoever his project sponsor is would stand to make a lot of money from this project. That is good for them. She commented that like she said before, good for them. This is a capitalist country. People want to make money. She commented that this is what this is all about. She commented that we are still not so clear whether it is good for this Village and these residents are just as entitled to have their needs heard and their rights protected as Mr. Griffin and his current day sponsor.

The Mayor said if there are no other comments, she would like a Motion to adjourn the Public Hearing. We will reconvene next month. We will reopen it again next month and she believes we will be taking a vote next month after she speaks to County Executive Astorino.

At 8:28 PM Trustee Funchion made a MOTION to adjourn the Public Hearing, seconded by Trustee Zachary with all in favor.

4a. EXECUTIVE SESSION:

Mayor Knickerbocker announced that we would take a few minutes break. The Board will go into Executive Session to discuss current litigation and when they come back, they will continue the meeting. She thanked everyone for coming. She said we had a very good turn out tonight.

At 8:40 PM, a MOTION to go into Executive Session to discuss litigation made by Trustee Zachary, seconded by Trustee Funchion with all in favor.

At 9:00 PM, a MOTION to return to the Board meeting was made by Trustee Funchion, seconded by Trustee Zachary with all in favor.

5. NEW BUSINESS:

a. 16-01 RESOLUTION STATING POLLING PLACES AND HOURS FOR NEXT VILLAGE ELECTION.

Trustee Jackson 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.

b. 16-02 RESOLUTION STATING THAT THERE SHALL BE NO REGISTRATION DAY FOR VILLAGE ELECTIONS.

Trustee Zachary read this Resolution (*copy attached*). [NOTE: The Mayor noted that this was read out of order, after item c].

The Mayor asked the Administrator to explain this. Village Administrator Hay advised that we seem to be one of the last communities that have a Registration Day anymore. He knows that in the recent past some people just wanted to be registered in the Village and not County-wide but going forward now, nobody has Registration Day. We use the County's Board of Elections voter list. We have to pass a resolution 60 days before for every election going past that so the 15th was the deadline so we are before that deadline.

Trustee Zachary noted that we should also point out that it was stated the last time that when we hold these Registration Days we get maybe 2 people for the whole day. People can register by other means. The Village was paying to have people here all day for that and it was not cost effective. The Administrator advised that going forward anyone can come down to the Village office and we have the form there. It is a simple form. You fill it out, fold it in half and mail it to the County Board of Elections and you will be on the registration list.

Mayor Knickerbocker advised that to vote here in the Village you would have had to have lived here within 30 days. There could be somebody who moves in and the registration from Westchester County shows that they live in White Plains, for example. They would have to produce some type of a driver's license, or document, or Con Edison bill, or something showing that Buchanan is their residence. This is just clarification for people who moved within the 30 days.

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

c. 16-03 RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN IMA BETWEEN THREE MUNICIPALITIES FOR THE MAINTENANCE OF THE 911 REMEMBRANCE MEMORIAL.

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

Trustee Jackson asked if we did this when it was first done. The Administrator advised that we did this in December of last year. But since then it was passed over to Croton and they had some changes, so we just got it back. Speaking to the Mayor, we thought it would be better to bring it before the Board again. He advised that the only change was that it broke out how the sharing was going to be - the 75%, 20% and 5% - which was the same ratio which we made our contribution. It is based on population. That was the only change that Croton asked for. It came back to us again so we are authorizing the Mayor to do it again. In answer to Trustee Jackson's question, we did do it last December. Trustee Jackson asked if this was to be done without a price tag attached to it. The Administrator guessed the maintenance will vary from year to year. It depends on what is going to be required of the statue. It needs to be waxed each year and there are certain other things that need to be done, and the sharing of the costs of the ceremony. Our 5% would be very minimal. He thinks that last year it was some of the staff from Croton setting up water and cookies. Other than that there were not significant costs on the ceremony aspect of it.

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

6. INFORMATION FROM OFFICERS AND DEPARTMENTS:

a) Justice Court Report – November 2015

Received and filed.

Mayor Knickerbocker noted that the amount collected was about \$4400 for the month.

b) Wastewater Report – November 2015

Received and filed.

c) Fire Inspector's Report – November 2015

Received and filed.

d) Planning Board Minutes – October 15, 2015

Received and filed.

e) Attorney's Report

Village Attorney Porteus had nothing further to report.

f) Administrator's Report

Village Administrator Hay reported on the LED project. He was contacted by them and they are going to have a meeting with him this Friday to go over the map and the inventory and

to talk about the next phase which would be the installation phase. The Administrator advised that we are moving forward with that project. They expected no longer than a month and a half or two months to get it completed and installed.

The Administrator reported on solar and energy improvements. We are going to Siemens (*sp?*) Industries who is the same one that the Hendrick Hudson School District has. He is meeting with them on Friday morning to go over their options to see what would be beneficial to the Village.

The Administrator reported that the pool roof has been completed.

The Administrator reported that the brick re-pointing at the Village Hall is going well. The grinding phasers are probably on the second floor of the building because we have had such favorable weather.

g) Mayor's Report

Mayor Knickerbocker reported that she had nothing further to report. She wished everyone a Happy and healthy and a peaceful New Year.

h) Trustee's Reports

Trustee Jackson wished everyone a Happy New Year. He hoped they would get out of it for better or worse and it is all good to be here in the new year

Trustee Jackson wanted to bring to the attention of our residents that we had developed a little movie piece by the Buchanan Historical Society which is being played on a regular basis on the Buchanan Channel and will continue to be posted for at least another month or so. He commented if you get a chance to look at it and have some comments about it, they are going to be working on a Phase 2 of it. As always, they are always looking for people to sign up and become a part of the Historical Society.

Trustee Jackson commented that the cold weather is here, right here and right now. He said to be conscious of that and of things that are going on in your own household. He would like to give his continued support to the men and women of the Buchanan Fire Department and all that they do, as well as our police force, to keep our Village safe and secure. He said thank you to all our guys and gals.

Trustee Funchion gave a "shout out" to Recreation Supervisor Nancy Bayer who held a very nice tree lighting ceremony this year. Everyone who came out enjoyed it.

Trustee Funchion reported that he has been busily employed doing the police contract. He hopes that we can come to some kind of resolution before it gets too far out of hand.

Trustee Funchion thanked Village Administrator Hay who put together the employees' luncheon right before Christmas. It was a nice time to get together with everybody to say hello and to get a chance to point out how the Board appreciates the work that the employees in the Village do. Trustee Funchion wished everyone a Happy New Year.

Trustee Zachary wished everyone a Happy New Year and special "shout out" to everybody who is 50 or under and a special "shout out" to everyone who is 51 or over. Mayor Knickerbocker joked that she thought everyone was covered; that he did not want to be exclusionary.

Trustee Pasquale wished everyone a very Happy New Year.

7. COMMENTS FROM THE FLOOR:

Angela Outhouse commented that although she does not live here, she is a tax payer of two properties in Buchanan at 200 Park Street and 236 Church Street. She wanted to make it clear that she is speaking for herself and not speaking for the Fire Department or any other entities that she is a member of. She noted that she will say this all throughout this. She commented that at the November Village Board meeting, Captain Singer of CCVAC basically spoke to refute some things that she said at previous Board meetings. She wanted to address some of the things that he said. She commented that she is not going to say that he lied but she will say that he misled the Board. He said there were 180 calls in Buchanan as of that date. There were actually 106. There were 117 for the entire year. He said there is no problem with response times; that the medic arrives in 7 minutes and that stops the clock. She FOIL'ed all the calls in Buchanan of which as she said, there was 117. She gave a copy to the Board (*copy attached*). She noted that every single highlight in yellow is a medic response time greater than the 7 minutes he says. She cited the various times. One response was actually 48 minutes. Everything highlighted in green and also in yellow are CCVAC response times. The circled ones are greater than 8 minutes, which is the standard. She commented that of all the responses highlighted in yellow, the issue is that in 2008 the emergency services system evaluation was conducted by Westchester County. They asked for a study. They hired a private consultant because they were upset about the response times for ambulance corps. She commented that in their recommendation they stated that the time of the call should not be stopped when the medic gets there. It should be stopped when a transporting unit arrives on the scene, not the medic as the medic needs assistance and it results in the medic not being available for other calls. She quoted from the document ".....that one of the major obstacles to service delivery is the time of transport unit from when the medic gets there and initiates patient care and then has to wait for an ambulance for them to transport..."

In 2011 the Westchester Regional EMS Council stated that the recommendations by the consultant are still not being followed. So now in November of 2015, 6 years later, [Mr. Singer] is still stating that medic is there 7 minutes and then stops the response time and that is not completely accurate. Ms. Outhouse commented that he stated that the Fire Department is not to provide patient care. She commented that is not a fact. And although she is not speaking for the Fire Department, in this spreadsheet and these calls on numerous occasions where the Fire Department is there before the medic and the Ambulance Corps. She commented, so what exactly is the Fire Department supposed to be doing? They are CPR certified. There are EMTs. She commented that they are there to start patient care, so that is not true. He also did not reflect the fact that the police are often there first. They start patient care. There are many times they have patient care. She commented that they talk about having a defibrillator in the car. She asked for what? They are not part of the mutual aid response. She commented that as an EMT if she responds with anybody, she has the duty to act. If there is no other EMT there, she has a duty to act. She commented that she did tell Mr. Singer that it was always her intention to rejoin CCVAC so when she spoke that day she was speaking as if she would have been a member; that if she was there, the ambulance could respond. If [her husband] Bob was there or her son, she said they have all recertified. It was an example. She commented that she was speaking “as if”. She was not saying that she would be a rogue EMT running around providing care to random people. That was not ever her intention. She commented, however on the flip side of that Mr. Singer said that the ambulance corps was going to donate equipment to stock the ATV that the Fire Department bought to go to the pipeline. She commented, so why are they stocking equipment if they do not want anyone to perform patient care that is not them. She remarked, are they stocking it for decoration? That is a total contradiction to what he said. She commented that additionally he touts that they have an awesome relationship with the Fire Department. If that is true, why are they turning away Fire Department members instead of working together and being a team that is under new signs, now one in Buchanan by the hardware store, that say “Be a lifesaver. Join our team”. She commented that that she guesses that means that you can only join their team if you have no opinions and speak your mind about it. She asked if the Board wanted to have the papers she brought. Mayor Knickerbocker said that she could leave the papers with the Village Administrator so if any Board members wanted to read it, they could. The Mayor thanked her for her comments. She commented that she knows that Ms. Outhouse was responding to something that was said and that Ms. Outhouse also knows that the Village of Buchanan does not have any contractual relationship with CCVAC but that we do have a contractual relationship with our Fire Department.

Mayor Knickerbocker asked the Police Chief if he wanted to comment concerning the police response. The Police Chief did not. The Mayor commented that she knows that for years, noting that she can go back many, many years, that our Police Department would usually be the first on the scene. Years ago we did not have defibrillators but they would have at least oxygen to stabilize or help. The Mayor commented that is how we have done things.

Bob Outhouse, property owner at 200 Park Street and 236 Church Street, commented that the moral of this, and it has been shown over these last Public Hearings that we have had, is if you are going to put out information to make sure your facts are correct. He commented that regardless of what you are talking about - fire, EMS, police, environmental – to make sure that the people are getting the correct information. That is important. He commented that although that book is pretty well laid out, it did not take his wife much time to go through it. It is correct. It is FOIL'ed material and that is what he would like to see because if the people see that and that gives the Board the ammunition to make their decisions factually and truthfully. There is no rebuttal. He commented that is the moral of the story. If you are going to stand up here and put out information, make sure that it is right. We are on camera. We are going to FOIL it tomorrow. People will say “What did he say? Let's FOIL it and make sure that it is right” because if it is not right, we may be misleading the correct decisions.

8. BOARD MEMBER REBUTTALS:

Trustee Zachary wanted to make a brief comment as far as quoting statistics. He would like to make a general comment because he has listened to a lot of people talk tonight and a lot of people like to throw out numbers and a lot of people do not necessarily have a solid basis for those numbers. Whether they spoke for this project or against it is not his point. But he thinks that the Board has to be diligent to take any numbers that people give and either ask for verification of those numbers or take them with a grain of salt because as he was discussing with another Board member earlier, it is very easy to take statistics and apply them to show whatever it is that you want to show. He commented that statistics are very easily used toward anyone's advantage. It is part of the due diligence that the Board has to do to be careful with people just quoting numbers.

Mayor Knickerbocker said that she would like to state that her numbers were correct. She wanted that on the record.

9. ADJOURNMENT:

At 9:25 PM a MOTION to adjourn was made by Trustee Funchion, seconded by Trustee Jackson with all in favor.

Mayor Knickerbocker thanked everyone and said to have a great Buchanan day.