

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

PRESENT:

Mayor Theresa Knickerbocker

Trustees Richard A. Funchion, Duane M. Jackson, Cesare Pasquale and Nicolas Zachary

Village Administrator Kevin Hay

Village Attorney Stephanie V. Porteus

Village Board Secretary Susan Matthews

1. PLEDGE OF ALLEGIANCE:

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

2. APPROVE MINTUES:

March 15, 2016 Workshop Meeting: Mayor Knickerbocker made a correction on Page 25, paragraph 2; line 11 should be \$38,000 per unit. Trustee Zachary and the Mayor commended Secretary Susan Matthews for the way she handled everyone talking at the same time. A MOTION to approve these minutes as amended was made by Trustee Jackson, seconded by Trustee Funchion with all in favor.

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

None

4. NEW BUSINESS:

a. 16-31 RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN INTER-MUNICIPAL AGREEMENT WITH HENDRICK HUDSON SCHOOL DISTRICT FOR THE PURCHASE OF GASOLINE AND DIESEL FUEL.

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

Mayor Knickerbocker noted that this is a 5 year agreement. The Village has done this for many years. We purchase fuel for our vehicles at the high school fueling depot over by the bus center. We get the benefit of the State bid. She commented that the more people purchasing, the better the price.

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

b. 16-32 RESOLUTION AWARDING SLUDGE REMOVAL CONTRACT.

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

Mayor Knickerbocker noted that there were three bidders. Fred A. Cook, Jr. Inc. had the lowest bid with a unit price of \$99.00 per 1,000 gallons and was awarded the contract. She also read the other bids received.

Trustee Zachary noted that the total amount has gone down a bit from years ago. He wanted to know if that is because of the de-watering. Village Administrator Hay advised that our sludge has to be removed to a separate site. Fred Cook does the de-watering at their plant here. They take in septic and all sorts of other waste. They de-water and filtrate it. The Administrator advised that a few years ago we were having some issues at our Sewage Treatment Plant. We decided that we did not want our sludge coming back through the process and de-watering would thicken it so much. It gets carted away to a facility in New Jersey. It is a big processing plant. Mayor Knickerbocker commented that they have been using a better process there that eliminates more of the water. The Administrator advised that last year it was \$108 per 1,000 gallons. Now it is \$99 per 1,000 gallons.

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

c. 16-33 RESOLUTION AUTHORIZING THE PURCHASE OF A VILLAGE VEHICLE.

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

The Mayor advised that this is a lease agreement. It is a 2014 vehicle. But it has a stainless steel bed and she noted that we have been having problems with that rusting out. The Village Administrator advised that it is an advantage getting an older model with the stainless steel body which is an area that tends to rust out. This 2014 vehicle has not been used.

Trustee Zachary wanted clarification on a “lease/purchase”. He commented that with a regular lease at the end of the term you do not own the vehicle but you pay a certain amount of money. At the end of these 5 years we will own this vehicle. The Administrator advised that it is similar to what we did with the police vehicle. There are 4 years of payments and at the end of the 4 years we pay something like \$1.00. This is a very similar process. It is 5 years which is more than the useful life of the vehicle. Mayor Knickerbocker believes the payment will be \$13,800

over 5 years. She noted that these are very expensive vehicles, over \$65,000. It is a needed piece of equipment. In reply to a question from Trustee Zachary, the Administrator advised that it is budgeted for in the Street Equipment line. We now have to include this in our budget each year. The Mayor commented that we needed to replace that vehicle.

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

d. 16-34 RESOLUTION AUTHORIZING THE ADOPTION OF THE WESTCHESTER COUNT HAZARD MITIGATION PLAN.

Mayor Knickerbocker read the Resolution (*copy attached*). The Mayor asked the Administrator to explain the mitigation plan.

Village Administrator Hay advised that this was the grant with the County. FEMA now requires that we have a hazard mitigation plan in order to get funding from grants or reimbursements after storms. He noted that after Hurricanes Irene and Sandy we were reimbursed for the time of the Police and Highway Departments, for their overtime and equipment use. We also got money to replace the swales that were washed out on Bleakley Avenue. Going forward Westchester County reached out to us because they had received money to work with the grant with all the other municipalities. Some of them went out on their own but that cost more money. The Administrator commented that the right way to go seems to be to work with the County. They wanted to look at areas that had been hit with flooding over the last decade and areas that need to be improved. They put together a plan with the engineering firm they had on this project. The plan they drafted was approved by FEMA. It then has to be adopted by all the municipalities. That is where we are right now.

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

5. INFORMATION FROM OFFICERS & DEPARTMENTS:

- a) Justice Court Report – May 2016
Received and filed.

Mayor Knickerbocker noted that the amount received was \$2,928.00

- b) Fire Inspector's Report – June 22, 2016
Received and filed.

c) Planning Board Minutes – December 2015

Received and filed.

Mayor Knickerbocker noted the date of this report and commented that we have to talk about that. She also noted that this has nothing to do with the Village Board's Secretary.

d) Attorney's Report

Village Attorney Porteus addressed Trustee Zachary about the billboard that he thought was Metro North's. She does not think that it is. They do not have any record of having that billboard. She advised that it took a while for her to find whom to talk to. Trustee Zachary commented that it is on Metro North's right of way. Mayor Knickerbocker commented that somebody should be receiving some money. Village Attorney Porteus advised that they are saying that they do not have a billboard on their property in our Village. They asked her to take a picture of it. She wanted to know if the Board had any more information on this that she may not have. The Mayor noted that it is on Route 9A as you are coming into the Village from the north. It is right by the train tracks on the right side. Trustee Zachary noted that the Village property line is another 100-200 feet up from that but that it is definitely still within the Village. The Mayor commented that it is in the Village but if Metro North is not taking ownership of it then it must be ours. Trustee Zachary commented unless someone is camping out on their property and they do not know it. Village Attorney Porteus will take a photo of it. The Mayor commented that with the previous Village Board there were two other billboards on the Route 9A corridor within the Village. A law was passed and they were taken down. We have that one that Trustee Zachary brought up wanting to know why it is still there. The Mayor advised that we will come back to this.

e) Administrator's Report

Village Administrator Hay reported that we wanted to get our paving done earlier this year. The road way improvement project bid will be set for a bid opening of July 22. Packets will be available for all contractors on July 8 at the Village office. We will have it on the agenda for the August meeting to adopt the lowest bidder. We can then move forward with that by the end of August or early September.

The Administrator reported that the auditors will be here for a preliminary audit at the end of this week. They will be back in September for the full audit.

The Administrator reported that he received an e-mail today advising that Spectra will be detouring on Bleakley Avenue to dig up the road. It is on the Buchanan Channel screen and Facebook. The detour will go down Louisa Street, across and along John Walsh Boulevard.

Mayor Knickerbocker advised that anybody who travels Bleakley Avenue, do not travel there for 5 days. Local traffic can get up to just before Greentown Road because they are going to be crossing in that area. If you are at or going to the end of Bleakley Avenue, make arrangements to come in the back way because you cannot go through Bleakley Avenue for 5 days. The Mayor commented that this is part of the phase of the 42 inch pipe line.

f) Mayor's Report

Mayor Knickerbocker reported that the Village Administrator had received a complaint this morning. Over the weekend somebody was walking where the construction is on Tate Avenue. They fell and injured themselves. She noted that the Administrator had mentioned that we are working on the bid. Depending on how we can line up with the contractor, we will be the paving all of Tate Avenue from Fourth Street to Kings Ferry Road sometime in August if we are lucky or in September. In the meantime, the Con Ed contractor was out today filling in holes. The Mayor commented that she knows that everyone likes to walk on Tate Avenue but she is asking everyone to please avoid that area for another month until the Village has time to come through and completely repave it. She is sure that everyone will be happy when it is repaved. She asked everyone to please be a little patient while we are in the process. Please try to avoid walking in that area for now. It is uneven surfaces. Maybe do a different route.

Mayor Knickerbocker commented that there is something that she brings up every summer. It is crazy but she has to. She has been getting a lot of complaints about people walking their dogs on other people's properties. She commented that when we are talking about walking dogs we are saying to be considerate to our neighbors. The Mayor commented that she does not know how else to say it other than people complained about when they have dog poop on their lawns. She asks everyone to please be considerate. Do not have your dog go on people's shrubs and lawns. People in the Village are getting really upset. Some people take very good care of their lawns. The Mayor feels that this is a conversation that she really should not have to have. But she has to because of the amount of complaints. Another reason why she is asking this is because a lot of these people are very upset and they want to start putting "Curb Your Dog" signs on their lawns. The Mayor thinks that it would look ugly to see those signs all over the Village. So be considerate of your neighbors. Let your dog go on the curb or on the road. Stay off people's lawns and shrubs.

Mayor Knickerbocker wished everyone a safe and happy summer time.

g) Trustees' Reports

Trustee Jackson reminded everyone that school is out. There are kids on bikes now. So be mindful of the kids on bikes on the roadways.

Trustee Jackson reminded that trash in the gutters goes into the lake. Be mindful of trash in front of your house or down the street. If you see trash in the street, be a good neighbor and pick it up.

Trustee Jackson reported that he got a call from some folks in Oregon who are related to James Buchanan. They are in communication and are going to send us memorabilia and pictures from his estate. We are supplying them with some information on our Historical Society and the great work that Fran Stein did when he was the head of our Historical Society. Trustee Jackson said that they are always looking for folks to come and be a part of the Historical Society. They will be doing their second annual Open House in October. They have invited the Fourth and Fifth Graders to participate. They are going to enlarge it a little more this year. The Historical Society is looking for volunteers to keep Buchanan's history alive and well.

Trustee Funchion wanted to respond to a recent article in the Journal News. In addition, he wants to point out more particulars concerning his vote on the affordable housing proposal. He wanted to go over some of the individuals involved. He commented that he basically wanted to clarify all these things for the t.v. audience because information has been thrown out willy-nilly. There is no consistency. He wants to put out a time line.

Trustee Funchion commented that concerning the individuals involved, leading the way is James Johnson who is the paid attorney by HUD. Trustee Funchion commented that he ventures to say that he is a midtown Manhattan attorney and a partner in a firm who probably makes anywhere between \$400-\$800 per hour. He is a partner in this particular law firm and his specialty is representing white collar suspected criminals. Trustee Funchion commented that one of his biggest cases was when he represented Toyota in that situation where their cars would not stop. Trustee Funchion commented so Mr. Johnson was on the side of big business there. He lives in a very wealthy neighborhood in northern New Jersey in which Trustee Funchion doubts that there is very much affordable housing. He commented that Mr. Johnson knows nothing about our community. So for him to make comments about our community is way out of line.

Trustee Funchion commented that we then have Mr. Alexander Roberts who in his first encounter with us called us "un-American". He uses the term "not in my neighborhood" which has the appearance that we are a prejudiced people. This was his first encounter with us. Trustee Funchion commented that as someone who has done a lot of negotiations, this is not the way to start in with a community. He commented that here also this individual knows nothing about our area. Trustee Funchion commented that Mr. Roberts threatened us like a thug or an organized crime muscle man. He threatened us with law suits that would accumulate such an amount that our Village would not be able to sustain itself. Trustee Funchion commented that this is a supposed negotiator. This is a supposed champion of affordable housing. Trustee Funchion commented that Mr. Roberts refused to see what our community is like. He came out with statistics that were totally wrong about our community. Trustee Funchion commented that our

community is diverse and accepting of everybody. He commented that Mr. Roberts' wife is a big shot in one of the Wall Street firms and he lives in a nice big house in Tarrytown overlooking the Hudson River. Trustee Funchion hopes that Mr. Roberts likes it if affordable housing comes along and says that they will take his property and put up a 10 story affordable housing there. He is sure that Mr. Roberts would have something else to say to that.

Trustee Funchion finds it extremely disappointing that when we are talking about affordable housing, noting that we are talking about helping out people who need help, that these two individuals are making huge money off the Federal government; and the Federal government is funded by the tax payer. He feels that for them this whole affordable housing is about them and lining their pockets.

Trustee Funchion commented that we have Glen Griffin, the owner of the property. Trustee Funchion commented that he is not the only one to say that this man made a bad business decision and now wants the taxpayers to not only bail him out but to make him a huge profit. He paid \$675,000 for this piece of property. Then his initial attempt was to get from the County \$2.7 million for this property. Trustee Funchion commented guess whose money that is? It is our money. He commented why should we be bailing this man out? The County promised us nothing. He commented that he sat there in front of County Executive Astorino who said that all they will give us is hook ups for sewer and electricity. Nothing else. Trustee Funchion commented that Mr. Balter is a business man who is not very honest with us up front. He feels that Mr. Balter is in it for profit as they are all in it for money to line their pockets to the detriment of our Village.

Trustee Funchion commented we then have the article that was in the Journal News. He commented that it is another paper owned by Rupert Murdoch so he does not know how much you can trust any of them. Trustee Funchion commented that his articles are misleading at the least. He noted that his fellow Trustee was taken to task because he changed his mind reportedly because of the amount of taxes. Trustee Funchion commented that is bordering on a lie. At the very least, it is misleading because he knows that is not the reason why Trustee Jackson changed his mind. Trustee Funchion commented that David McKay Wilson [the columnist who wrote the article] said he did not want people divided. Trustee Funchion commented that he was the person who sat on the floor here and tried to intimidate people by taking pictures of their faces. He said that we did not want people from outside of our Village to have any access to this affordable housing. Trustee Funchion said, again that was not true. It was said that we discouraged Mr. Griffin from building a recreational place or a recycling plant. Trustee Funchion said, again false. We did not discourage him from anything. We thought that Senior housing at the inception of his request was more do-able or palatable than the other two. Trustee Funchion commented that he cannot say how the rest of the members on the Board felt about that but he certainly was not discouraging Mr. Griffin from putting up a hockey rink if he wanted to.

Trustee Funchion commented that it was also reported in the newspaper that he had known that there were three people on the Board that were going to vote against this. Trustee Funchion cannot figure out how he gets the three people because he never said which way he was going to vote until the last day. So again, more misleading information especially by Mr. David McKay Wilson.

Trustee Funchion wanted to let people know what went on here. On March 3, 2014, Mr. Griffin initially came and talked to the Board. He came with a very sad case stating that he was getting taxed on his property every year and was getting nothing out of it. Trustee Funchion commented that he thinks that they all felt kind of bad about that. Mr. Griffin gave the Board these choices and asked which the Board thought were the better of them. Trustee Funchion commented that we did not discourage any of them. Then in October 2014 is when he brought in Miller Associates. They wanted to have 66 units with 10% affordable housing. Most of the Board was for that at that particular point. Then it changed to 33 units. Then it went to Mr. Balter where all 66 units were affordable housing. Trustee Funchion commented that there was no negotiation. We did not sit down and negotiate like you would negotiate when you are buying a car. He commented that it was all Balter's and Griffin's side because they wanted to make a profit and they felt that they were not going to be able to get by with the huge \$2.7 million that he was going to get for the property. So they had to lower their expectations. But they were still going to make a huge amount of money. Trustee Funchion commented that Mr. Balter was the one who changed it all affordable housing.

Then the County came in on April 15. There were two individuals, two professional people from the County to explain about affordable housing. They said there would be no special housing for people from Buchanan, Cortlandt or Peekskill. It would be totally done by lottery and that most of their advertising for this would be down in New York City. Trustee Funchion commented that he knows that at that particular point when the County representative spoke about Bronxville, he asked why there would be only 2 units in Bronxville. She said that property was very expensive to buy in Bronxville. Trustee Funchion commented that she underlined for him what has been problematic with all kinds of housing. He is all for different types of housing as soon as he sees it on Fifth Avenue, wealthy neighborhoods. He commented to look at the hypocrisy of 2 in Bronxville and 66 here in Buchanan. He commented that again there was talk of incentives. There were no incentives. He commented that he got it from the horse's mouth. He noted that the newspaper article talked about what County Executive Astorino said to us. It was 12 units. There was no negotiation. Not as far as Trustee Funchion was concerned.

Trustee Funchion commented that these people that he outlined wanted the most bang for their buck. Mr. Johnson and Mr. Balter and Mr. Roberts are made out to be proponents of social justice. He feels that they are only out to make money and further their careers. He feels that they are hypocrites because they know that we already have affordable housing and already are

integrated. He commented that we are the dumping ground for the pipe line and West Point Partners. It is easy to pick on a small working class community and that is what they are doing, picking on small working class community. He commented that at the end of that article Mr. Roberts talked about coming together. Trustee Funchion finds it ironic that the only person who took it apart is Mr. Roberts. He came in here and called us “un-American”. Trustee Funchion finds that insulting. He finds him rude and a phony.

To sum up, Trustee Funchion commented that he was forced to vote because economically we could be just done as a Village. He apologizes to all that he had to do that. That is what he felt from the bottom of his heart at that time. He is disgusted with all the parties that he mentioned. He feels that everyone that he mentioned are all out for themselves. He commented that they could not give two craps for our Village.

Trustee Zachary said to save the date for Buchanan Day on September 24. The next committee meeting will be on Monday, July 11 at 7 PM at the Highway Department building. Anybody that would like to participate either right now as they plan or on that weekend is welcome. They will need volunteers on that weekend. Leave him a note in the Village Hall or contact him at his Village e-mail address.

Trustee Zachary reported that the Board did start a discussion at the last Workshop about issues with people having too many commercial vehicles or trailers on their properties. The Board is considering and weighing options. He does not want residents to panic because he is sure that there is someone who has a 20 foot boat who is thinking that they are going to make them get rid of their boat. The Board is trying to balance it out. With a village of 850 homes there have been about 20 complaints. He commented that some people abuse their neighbors by having too much on their property. He commented that speaking for himself and probably for a lot of people on the Board that he does not want to make everybody get rid of everything. He understands that people will have a commercial pickup truck, one trailer or a boat. They are looking at a property with like 5 vehicles parked on it. They are looking for a balance to protect everybody’s rights. They do not want everybody to panic at this point. They do not want everybody to get rid of their boats. He commented that the Board is looking at it and reviewing it. There will be more on this as we go forward.

Mayor Knickerbocker advised that there will be a Public Hearing scheduled because it is part of our Code. We will be scheduling a Public Hearing so anyone who has comments should come at that time. Trustee Zachary commented that will probably not be for a couple of months because we will need to have at least one or two Workshops to discuss this and look at the options.

Trustee Pasquale reported that they are in the process now of working out having a pool party in August. He will be working with Mayor Knickerbocker and whoever else wants to be involved.

They are not yet sure of the date and are working on it. As soon as they get all the particulars, they will put it out there. It should be a good affair.

Trustee Pasquale reported that he had the pleasure of attending the Senior's luncheon with the Mayor last week. The food was good and he liked the new DJ. He is a good guy.

Trustee Pasquale commented that if people noticed a lot of cars today parked on the street on Tate Avenue, unfortunately another young person overdosed on drugs. He commented that this is something we are seeing so much of lately. He asked parents, friends and families if they see any of their young people acting differently or hanging out with the wrong kinds of guys to get in their face and find out what is going down. Every week when he was a police officer in Harlem, they got so many of those. He commented that there is nothing worse than dealing with a drug overdose, especially the ones who do not make it.

6. COMMENTS FROM THE FLOOR:

John Mattis, Tate Avenue, commented that what Trustee Funchion reported was very informative. It is good that the people of Buchanan can now fully understand what happened. He commented that Trustee Funchion did leave one thing out. If Alex Roberts of Community Housing Innovations sued us, they pretty much have unlimited pockets because they would get a grant from the government to pay their legal fees whereas our taxpayers would have to pay. So they would sue a government that the taxpayers would have to fund with government money. He also noted that Rupert Murdoch does not own the Journal News. It is the Gannett chain. Trustee Zachary thought he had bought Gannett. Mayor Knickerbocker advised that the paper was Lo-Hud. [A person in the audience advised that the purchase had not yet gone through].

Walter Neurauter, 182 Fourth Street, commented that Trustee Funchion was right. This is an amazing Village. That is why he chose to live here. He commented that everything from the hospitality and the neighbors, Trustee Funchion was correct.

Mr. Neurauter commented that Trustee Pasquale was right too concerning the whole narcotics issue. He feels that we need to form some sort of an outreach program. He thinks that we need some sort of community organization with mentoring or some kind of police liaison. He commented that when he grew up in Ossining they had police officers who patrolled the streets. It was their job if they saw the kids to get out and play a little basketball, shoot the breeze and talk, and form the relationship with them and maybe circumvent some of these issues in the future.

Mr. Neurauter asked when the Workshops would be concerning the trailers, boats and motor homes. He commented that he has a vested interest. Mayor Knickerbocker advised that the next Workshop is on July 26.

7. BOARD MEMBER REBUTTALS:

None

8. EXECUTIVE SESSION:

At 8:15 PM a MOTION to enter into Executive Session to discuss an employee issue was made by Trustee Zachary, seconded by Trustee Funchion with all in favor.

9. ADJOURNMENT:

Mayor Knickerbocker advised that no decisions were made and no monies were spent.

At 8:55 PM a MOTION to exit the Executive Session and adjourn this meeting was made by Trustee Funchion, seconded by Trustee Jackson with all in favor.