

Mayor & Board of Trustees
Village Board Organizational Meeting
April 3, 2018

PRESENT:

Mayor Theresa Knickerbocker
Trustees Richard A. Funchion, Duane M. Jackson and Nicolas Zachary
Village Administrator Kevin Hay
Village Attorney Stephanie V. Porteus
Village Board Secretary Susan F. Matthews
Highway Foreman Bobby Wheeler

ABSENT:

Cesare Pasquale - vacation

1. PLEDGE OF ALLEGIANCE:

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

2. READ RESULTS OF THE MARCH 20, 2018 VILLAGE ELECTION:

Mayor Knickerbocker read the results of the Village election (*copy attached*).

3. ADMINISTER OATH OF OFFICE TO NEWLY ELECTED OFFICIALS

Village Attorney Porteus administered the Oath of Office to Mayor Theresa Knickerbocker.

Mayor Knickerbocker administered the Oath of Office to Trustees Richard Funchion and Nicolas Zachary.

Mayor Knickerbocker commented that when thinking about the swearing in ceremony this evening she thought about everything that is going on in the country, the chaos, dissension and fighting. She wanted to re-read the Oath of Office. She noted that most public officials take this oath in which they say "I will support the Constitution of the United States". She commented that United States law supersedes the Village law and the Constitution of the State of New York and, noting that she is not pointing fingers, it is important to understand that we all take that Oath of Office and we are all to abide by it.

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

None

5. APPOINT DEPUTY MAYOR:

Mayor Knickerbocker appointed Trustee Richard Funchion as Deputy Mayor.

Trustee Funchion thanked the Mayor and said that it is a privilege to work with her. He knows how hard she works for the Village. He commented that everybody on the Board are all one going forward facing all this hardship together. He commented that we will get through it and with her as Mayor we stand a good chance to come out on the positive side.

Mayor Knickerbocker commented that last month she had a confirmed case of the flu. Deputy Mayor Funchion stood in for her at the Saint Patrick's Day Parade dinner. She missed that and last month's Board meetings. He stood in for her and she appreciates it. He always does a good job and she thanked him.

6. MAYOR'S ANNUAL APPOINTMENTS (including Planning and Zoning Board):

Mayor Knickerbocker noted that she must read all of the following because it gets read into our records.

Assessment Review Board:

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

Annual Appointments:

Mayor Knickerbocker announced that she appointed James Siermarco to the Planning Board. He has served on the Planning Board before and he will be an asset to the Village. Sean Murray will be Chairman of the Planning Board. Gary Bell will be appointed to the Zoning Board of Appeals and be its Chairman.

Mayor Knickerbocker announced that there is an opening on the Zoning Board. If anyone is interested, they should contact the Mayor or send their resume' to the Village Hall.

The Mayor read the appointments and reappointments (*copy attached*).

A MOTION to adopt these appointments was made by Trustee Funchion, seconded by Trustee Jackson with all in favor and Trustee Pasquale absent.

Committees for the Official Year 2018-2019: (*copy attached*)

These are mayoral appointments and no vote was necessary.

7. 18-15 RESOLUTION TO ESTABLISH MEETING DATES, SPECIAL MEETING PROCEDURES AND ADOPTION OF THE RULES OF PROCEDURE AND THE OPEN MEETINGS LAW; SET DATE FOR PUBLIC HEARING ON TENTATIVE VILLAGE

BUDGET; DESIGNATE VILLAGE DEPOSITORIES; DESIGNATE OFFICIAL VILLAGE NEWSPAPER; ESTABLISH MILEAGE ALLOWANCE RATE FOR REIMBURSEMENT; ADOPTING THE VILLAGE PROCUREMENT POLICY; AND AUTHORIZING OFFICERS AND EMPLOYEES OF THE VILLAGE TO ATTEND CONFERENCES AND SEMINARS.

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

Mayor Knickerbocker announced that the Public Hearing on the tentative Village Budget will be on Tuesday, April 10, 2018. She noted that some of the conferences and seminars are for our police officers.

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

8. COMMENTS FROM THE BOARD MEMBERS:

Trustee Zachary congratulated the Mayor and Trustee Funchion and thanked them for their willingness to serve and for getting re-elected. He commented that it is a very important thing for the Village. A lot of people are not willing to put in that time. He always likes to thank the other Board members for the time they put in. He agrees with Trustee Funchion that we are all going to work together. The Mayor is working very hard and everybody is involved. Trustee Zachary commented that we do not have to agree on everything but have to have open dialog and communication. He sees it as a wealth when we have different ideas. Sometimes it is not comfortable but he thinks that a little disagreement is constructive. It makes you defend your position and really look at things. It is in the best interest of all of us. He commented that even if we disagree at times, we work together and get things done. Trustee Zachary commented that the Board values community input. We get small crowds at the meetings. Other people watch on-line. There is a link on the Village web site. He commented that community input is invaluable. He cited a recent example, when a couple of people lent their perspective on something. Recently the Board approved a small expenditure to put some benches in front of the Village Hall and make a little park. The benches will make it more comfortable. He thought that they should be facing the street. Two mothers made a very simple point to him to have the benches face the park instead so that they can see their children while they are playing. Trustee Zachary commented that is a simple example but the Board likes ideas, especially on more consequential things like how do we rise to the changes going forward with the loss of tax revenue from Entergy. He always likes to see input here. He asked residents to stay involved and keep the Board on our toes.

Trustee Funchion thanked the Mayor for his appointment as Deputy Mayor. He hopes that he will be worthy. He commented that he is always here to back up what the Mayor does. He agrees with everything Trustee Zachary said. He wants to thank the people in the Village of Buchanan for the privilege of working for them. He commented that even though no one ran

against him, he is not taking anything for granted. He commented that the Board is working hard to make sure that we get through this whole process with Entergy and come out in a positive manner. He is confident that we will because we have already done a lot of ground work. He commented that he and everybody on the Board spent a lot of time on the internet looking up cases and precedents from elsewhere as far as Entergy closing down. He also wants to thank the families who are sitting at home who support the Board members going out at different hours and to different places. He would not be here without his wife. He thanked her very much for her support and that of his family and the Board. He wanted to emphasize that the Board members are here to serve the community. We are public servants. He concurs with Trustee Zachary in encouraging residents to come up and talk with the Board members. He noted Trustee Zachary's comments about the comments from some residents on the benches being a simple thing yet very helpful. If people see a way to save money or different ways to do things, they should come up to the Board and tell them. We as a community have to work on this all together and get through it all together. He believes that we will.

Trustee Funchion wanted to give a "shout out" to the Saint Patrick's Day Parade Committee for the dinner and parade. It is very hard work. They did a fine job. He commented that one committee ends and one begins, that being for Buchanan Day. Mayor Knickerbocker added that this will be the Village's 90th Anniversary party. Trustee Funchion commented that they look forward to those things. He thanked the community very much for the privilege of serving them.

Trustee Jackson commented that democracy is alive and well in Buchanan and that is a good thing. He commented that we are a small village with a lot of great values. Democracy has been under attack in the world from all sorts of folks who think that our experiment called America is doomed to fail. Trustee Jackson commented to let him state here and now, we are about the work of the people. He thanked everyone who came out to vote and everyone who ran, to show interest in our democracy. He commented as [former Speaker of the House of Representatives] Tip O'Neil always used to say, "All politics are local" to which Trustee Jackson added that we are about as local as we can get. We have challenges ahead of us but we will rise to the occasion. Those challenges will be daunting but with us working all together, we will meet those challenges. He commented that the French philosopher Alex de Tocqueville talked about America, this point of contradictions, in the early 1800s; this grand experiment that the Founding Fathers laid out for us to become. As we work toward those goals of becoming the best that we all can be, the best country that we can be, that shining light on the hill, Trustee Jackson is excited to be a part of that on the local level and he is excited for everyone in the Village at this time and this moment that we will meet the challenges.

Trustee Jackson thanks the people in the audience who tirelessly continue to come to be a voice to see what you see and do not see in the Village to keep us accountable to you. He commented that is how democracy works and we are all neighbors at heart. Trustee Jackson thanked them

for their participation. He congratulated the Mayor and Trustees. He commented that the best is yet to come.

Mayor Knickerbocker thanked everyone who came out to vote. That is what democracy is all about. There are people in other countries who would like to vote but cannot. She thanked everyone who keeps our Village running smoothly and provides our services, like our Highway Department Foreman, our Police Department. We have wonderful services. We have a great community. The Mayor thanked Cindy Kempter in the Village office. When Village Administrator Hay was out following his surgery, Cindy covered a lot of his duties. She also thanked Sharon in the office. The Mayor did not want to forget anyone. She thanked all our services, our Fire Department and our Recreation Supervisor who keeps things fun. She thanked Village Attorney Porteus who has gone above and beyond for the Village. The Mayor commented that we have adopted her and Village Administrator Hay. They are very concerned and want to see our community prosper and do well. They are like family to us. The Mayor joked that she drives Village Administrator Hay crazy on a daily basis. The Administrator and Village Attorney are assets to us in the Village. She thanked Village Board Secretary Susan Matthews noting that she has been with us for many years and does a great job. She thanked the Planning and Zoning Boards who work for the best interest of the Village; our Building Inspector and all of our employees and everyone who helps run the Village and makes us a great community. We cannot do it without our residents. They are great, really good people and that is why we work so hard. She commented that as Trustee Funchion said, we are public servants. We are not politicians. This is our home. Our friends and family live here. We want to make sure that our community prospers and we want it to do well.

Mayor Knickerbocker gave an update on the Entergy closing. She wants everyone to understand that this is not political. She is not a registered Democrat or Republican. She is registered as an Independent. She is seeing all of our elected officials coming together to work for our community. She is so very impressed with what is going on. She commented that State Senator Murphy is a fighter. She cannot say enough about him. She got to know him just after the closing of Entergy. He is a fighter. He does not stop. She thanks him because we were not going to get the funding into the Cessation Funding and he would not let go of it. Before the budget was settled there was \$24 million put into the Cessation Fund. It is a fund that helps in the transition when the plant closes. Coal plants can also use it. The \$24 million was very important because we will probably be tapping into it in 2021. The Mayor commented that it is not the complete answer but it helps us with the transition. She was really impressed with our new County Executive who is a Democrat who backed him up and said yes, that money needs to be put in there for our communities. Assemblywoman Sandy Galef was involved. The Mayor commented that with everyone working together that is how we get things done. She commented that these communities might become the role model for the country because you see so much going on but nothing happening. We are seeing things move here. She was very pleased when she got the phone call on Saturday advising that the money was in the State

budget. The County Executive was at the last Cortlandt Task Force Meeting. It made her feel good knowing that there are other people that are supporting us. He is offering legal advice and they are lobbying. We are also going to do some lobbying. Assemblywoman Sandy Galef is introducing a bill. Currently the spent fuel rods that are over there now cannot be assessed because they are not considered real property or permanent structures. The Mayor commented that we all know that they are not going away fast. Assemblywoman Galef is introducing a bill in the Assembly that hopefully will allow us to assess spent fuel and we will be able to tax it and get revenue on that. We will say we are in agreement. Representative Nita Lowey has introduced legislation and co-sponsored the Stranded Act which also pertains to spent fuel to either assess it or have the Department of Energy compensate us for it. The next meeting of the State Task Force is April 12. D. L. English, the consulting company that the State hired, will be giving their report on the redevelopment of the Entergy property. There are 3 parcels. They will report on their thoughts on if it can be redeveloped and what we could put on there. The Mayor commented that it is nice. We are looking for economic development. We must remember that Entergy owns the property. It is not ready for redevelopment but we will be ready when it is. The Mayor commented that we are looking at redeveloping other pieces of property in the Village. The Buchanan 2021 Committee is meeting regularly. Bob Wheeler and Eileen Absenger are present tonight. The committee is doing a great job looking at redevelopment, the decommissioning of the property and whatever else may come up. It is a community advisory board. They are also looking at ways to mitigate our loss here. The Mayor commented that they are an integral part of this piece of the puzzle. There are a lot of balls in the air, a lot of things happening. The Mayor is not overly nervous. If there was nothing happening she would be nervous but there are things in motion. There is nothing completely settled but we are working on an array of different things. We are all going to work together, our community and Board. It is "all hands on deck". April 2020 is when the first plant, Unit 2, is scheduled to go down. So we have 2 years to work out something. She will continue to update everyone as she has more information.

The Mayor commented that as Trustee Funchion alluded to, it is our Village's 90th birthday party. She announced to save the date of Saturday, June 16. We are having a Village of Buchanan 90th Birthday Party. We will be having a picnic at the pavilion. It will be free to residents. It will be in our Newsletter. You have to register at the Village Hall and show Id. There will be entertainment. There will be bouncy castles. She jokingly added for "big kids" too. It should be a good community day to see neighbors, have fun and get together to celebrate our Village's 90th birthday.

9. NEW BUSINESS:

Mayor Knickerbocker noted that we do not normally have Resolutions at the Organizational Meeting but we have to get the following done.

a) 18-16 RESOLUTION SCHEDULING A PUBLIC HEARING ON A PROPOSED LOCAL LAW OVERRIDING THE NYS PROPERTY TAX CAP.

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

Trustee Zachary advised that we do this every year. Sometimes we do not need this override and sometimes we do. It is a precautionary thing to put in place should we require it.

A MOTION to adopt this Resolution as read was made by Trustee Zachary, seconded by Trustee Jackson with all in favor and Trustee Pasquale absent.

b) 18-17 RESOLUTION SUPPORTING NYS ASSEMBLY BILL A4687.

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

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

11. COMMENTS FROM THE FLOOR:

Diane Tangen, 240 Catherine Street, commented on an article in the Northern Westchester Examiner a few weeks ago about safe storage of spent fuel at Indian Point. In a Letter to the Editor a person was concerned that there are safer alternatives to the method they are going to use. Ms. Tangen cited them as described in the article. The writer of this letter was concerned about their proximity to the Algonquin pipeline. Ms. Tangen saw another article in the Journal News concerning the pipeline. It said that in 2016 Governor Cuomo was having a risk assessment done. He has not yet released the results. Assemblywoman Galef and State Senator Murphy are pressing for its release. That made Ms. Tangen think that she had been thinking about the revenue but she now thinks that we have to be just as concerned about safety. She received a letter from Representative Nita Lowey who said that she was doing everything she could to mitigate the closing of Indian Point and noted the 3 pieces of legislation that she has introduced. The first is the Safe & Secure Decommissioning Act. That would insure that spent fuel would remain safe and secure until a permanent storage facility is operational. The second one is the Removal of Nuclear Waste From Our Communities Act. It would authorize the NRC to license interim storage facilities elsewhere in the country in the absence of a central repository. Ms. Tangen commented that the Federal government has let us down because there is no central repository in the near future. She could not find any in any other country either. The third is the Redistribution of Fines To Our Communities Act. This would redistribute safety related fines levied on plant owners to support the local tax base of a closed nuclear plant. Ms. Tangen commented that it was like opening a Pandora's Box. She commented that with the Nuclear Waste Policy Act they are supposed to have the safe and secure repository. All of those plants were assessed from 1982 to 2012. There is over \$30 billion in that fund. Each year it generates \$1.2 billion in interest. Ms. Tangen wanted to know if that is the funds she talks about in the fines.

Mayor Knickerbocker advised that Representative Lowey was talking about 2 things. She did not define for monies because we are not sure if we are going to get money from the Department of Energy for the Stranded Act. She has co-sponsored the Stranded Act. What that says is that since the Federal government has not found a permanent repository, noting that she knows that President Trump has put in another \$100 million to re-look at Yucca Mountain, it has taken 30 years and Yucca Mountain still is not open. Yucca Mountain is not going to own it. The Mayor commented that is only one part of the problem. When we get into the situation of the interim storage, they are looking at interim storage in west Texas east of New Mexico. As a Board and a community we would like that spent fuel taken off the property at Indian Point. Then we can start to redevelop it. It is 100 acres that we cannot touch at all. The Mayor commented that what you see in that article that is starting to happen is that people have their own opinions. She commented that everyone is suddenly going to start becoming an “expert” on how this spent fuel should be done. She commented that we are not in favor in any way, shape or form of having that spent fuel scattered all over the property. There are many reasons for that. We want it to be safe and secure. She commented to imagine how many people would be needed to secure that if it were scattered over 240 acres of the property. There is a lot of waterfront. It is not a secure situation. A lot of the Buchanan 2021 Committee have gone to see the storage pads. It is very hi-tech security where they are putting it on those pads. So if we cannot have it taken off then we want to be compensated for it.

Ms. Tangen’s understanding is that it is only good for 100 years and that the nuclear activity can actually be for 1 million years. The reason for Yucca Mountain not being open is because Nevada vetoed it. They were allowed to veto it. Congress overrode it. Nevada brought them to court. The court ruled in Nevada’s favor because the containment at Yucca Mountain was only good for 700,000 years. The Mayor advised that there were also some geological problems. Ms. Tangen commented that only Finland is close to having an underground storage. She commented that if she knew back then what she knows now she would not have been favor of having a nuclear plant here. The Mayor noted that Indian Point was one of the first nuclear power plants in the country. In the late 1950s and early 1960s nuclear energy was the new thing in energy in this country. She commented that in other countries they reuse nuclear fuel. She commented that what they are talking about in that article is basically encasing it in cement and its staying there for perpetuity. The Department of Energy is responsible and they need to take care of the spent fuel. Ms. Tangen commented that the different Federal agencies involved each claim that it is another agency’s responsibility. The Mayor commented that we are just on the forefront of this. She has been in contact with other communities who have gone through this. We all want to see the results of the pipeline risk assessment. She commented that this is our community. We live here. We want it to be safe. Ms. Tangen commented that she is writing a letter to Representative Lowey with all the concerns she expressed here tonight. Trustee Zachary wanted to know if what she had read was a Letter To The Editor or a news article. Ms. Tangen advised

that one was a Letter To The Editor. Trustee Zachary wanted to know if it was from an organization or an individual. Ms. Tangen advised that it was from Paula Clair from Garrison.

Mayor Knickerbocker advised that Entergy does use the Holtec system. They are planning on storing it on 2 pads. Ms. Tangen wanted to know if the spent fuel rods would be safer in the containment building. The Mayor advised that they would not. She commented that she was in a meeting in Garrison where they were discussing decommissioning. She happened to mention that she recalled a 2002 report that said that when the spent fuel is removed from the site it would be taken by barge down the Hudson, under the bridge to a port in New Jersey where it would be transported by rail. She said that caused considerable concern. She left feeling that the spent fuel is going to be here for a long time because there is going to be fighting over how it is going to be transported out of there. So that is why we need to be sure that it will be safe and secure. Trustee Zachary commented that they have to refuel every couple of years and for years when they needed new fuel it was brought in. But no one was advertising how it was being moved. He commented that it has obviously been moved without problems. Ms. Tangen wanted to know what the fund being proposed by Assemblywoman Galef is for. The Mayor advised that it is to allow the spent fuel casks to be assessed as property. Representative Lowey co-sponsored the Stranded Act. Entergy alone has paid \$500 million into that fund.

Ms. Tangen expressed her thanks and appreciation to the Mayor and the Board for their willingness to serve our community.

12. ADJOURNMENT:

At 8:35 PM a MOTION to adjourn this meeting was made by Trustee Zachary, seconded by Trustee Jackson with all in favor and Trustee Pasquale absent.