

Mayor & Board of Trustees
Village Board Meeting
July 3, 2018

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

ABSENT:

Village Board Secretary Susan F. Matthews

Mayor Knickerbocker noted that this meeting is being taped for the secretary.

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. **APPROVE MINUTES:**

May 1, 2018 Regular Board Meeting: Trustee Zachary had a correction to page 19, 7 lines up in reference to adopting the Village Budget. The vote was 3 to 2 in favor and not 3 to 1. 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. **NEW BUSINESS:**

a. 18-34 RESOLUTION AUTHORIZING ENGINEER TO PREPARE SPECIFICATIONS AND FOR THE CLERK TO ADVERTISE BIDS FOR ROADWAY WORK.

Mayor Knickerbocker advised that this is something that we do every year. The Village Administrator and Village Engineer were out today looking at different things to prepare for the road work.

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

Trustee Zachary had a question about the last time work was done by his end of Tate Avenue. He was not sure if this was our regular crack sealing or when they did one side of the road and

sealed the joint down the middle. He commented that all that stuff came up the first time the plow came through. There were long black tar ribbons from the plow on the lawn and all over. He wanted to point that out if we will be using the same paving contractor. The Administrator advised that was done by Con Edison. Part of the specification was that they seal that crack on that part of the lane, so it was whomever they used as their contractor at that time. We use someone different. Trustee Zachary commented that normally crack sealing is not a part of the road contract. The Administrator advised that it is on State bid. All we have to do is contact whoever is the winner on the State bid. We usually have certain amount of roads and we do it separately.

Trustee Funchion commented that he spoke to a Con Edison person who was there to check if things were done properly. He asked the person if he worked for Con Edison and was told that he did. Trustee Funchion was told that all the work was done by a contractor. Trustee Funchion showed him the damage they had done to his driveway and the house. They ripped off part of an electrical outlet that he had on the outside. They took out a meter and stuffed it back in with some substance that all oozed out and came down the side of the house. He asked this person who to call if you have been a victim of a Con Ed contractor. He said the gentleman was very good. He told Trustee Funchion to call Con Edison and ask for the department that handles restoration if there is any damage to somebody's property or house. Trustee Funchion commented that he cannot say enough about how bad their contractors were. They were foul mouthed and you could not understand them. They started work without even asking people. He commented that it is a good example of how if you start contracting out, you lose control. He feels that Con Edison lost control. The contractor says to talk to Con Ed and the consumer gets caught in between everything. Trustee Knickerbocker agreed that we had a lot of problems with that subcontractor at the time.

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

b. 18-35 RESOLUTION SETTING A PUBLIC HEARING TO AMEND SECTION 163-4 ENTITLED "PLACEMENT FOR COLLECTION; STORAGE; REFUSE CONTAINERS" OF THE CODE OF THE VILLAGE OF BUCHANAN.

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

Mayor Knickerbocker advised that we are just setting a Public Hearing for this. She explained that we have been having problems throughout the Village with animals, birds and everything getting into the plastic bags that are left out at the curb. It is creating a public health hazard to have this garbage all over the place. What we are looking to do is to eliminate plastic bags being put out for garbage collection. You would now have to have a regular garbage container. Currently our Code also allows plastic bags. Trustee Jackson commented that the trash also gets into the catch basins and goes into the lake. It is a whole stream of things that happen. Trustee Zachary commented that to him it is a common sense thing that if you have food items in a plastic bag that you do not put it out or that you put it out just before the truck comes. He puts out plastic bags with non-food items all the time. He understands the issue and does not

want to see the garbage all over. He has some hesitation with the change because it seems to him like more of a judgment issue and that maybe there is some way to enforce that people do not put food items out in plastic bags. He will leave it for the Public Hearing. The Mayor commented that her understanding is that other municipalities are saying to completely eliminate all plastic bags even in the other containers. She does not want to do that.

Trustee Pasquale wanted to know if this affected contractor bags like would be put out for bulk pick up. It is something that needs to be addressed for household items. Trustee Zachary commented that this would be if you do work yourself because contractors are supposed to take the bag with them. Village Attorney Porteus advised that we would leave plastic bags in there for non-food items only. Mayor Knickerbocker advised that this will be something that will be discussed at the Public Hearing. The public can come out to voice their concerns and opinions

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

c. 18-36 RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT WITH LOCAL 456 I.B.T.

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

Mayor Knickerbocker explained that as part of our licensing to operate the Waste Water Treatment Plan, we are supposed to have 2 licensed employees there. Currently we do not. We have one who is working on getting his license. We are temporarily using an outside company to run the operations of the plant.

Trustee Zachary noted that in the attached letter which the Mayor would be signing, there is a term saying: "parties agree that this subcontracting of work is at the sufferance of Local 456." He wanted to know what they mean by the term "sufferance". Village Attorney Porteus advised that what they are saying is that they are giving up a right and we are acknowledging that they have the right to go after us for this, but they are going to say we are allowing you to do this temporarily because we know you need to. Trustee Zachary noted that this is a 6 month agreement after which we might revisit it. The Village Attorney advised that is correct, if we need to keep the company over there longer until we get a second licensed person. Trustee Zachary commented that he was a union guy for years and supports unions but he thinks we have a problem here. We had issues with the last 2 operators. One was good but there were other issues at the plant. Right now he thinks that the plant has to be well run by a professional consulting group that is providing these operators and with the prospect of trying to get money and redoing this plant he thinks that we need a level of oversight that we might have a hard time getting.

Village Attorney Porteus explained that the Village understands that part of the reason for entering into this agreement is because the Village - Mayor Knickerbocker, Village Administrator Hay and herself - met with the union would like to create a competitive position where the people would take the County test and have a real licensed operator. Then they would be part of the union coming in and already be licensed and experienced as opposed to what we

have been doing. It would be off the County test and list. They all agree that what has been going on is no longer working and puts us at risk because we never have 2 licensed people. Because one is training, we have to have an outside company to oversee it all. The union was nice enough to say that the only objection they would have was if we did not make them part of the bargaining unit and bring them. We are going to do that.

Mayor Knickerbocker commented that going forward with the Sewage Treatment Plant, we mentioned grants and there are a lot of upgrades that we are going to be working on. Allied Control has been doing a great job over there. The Mayor commented that she wanted to sign the agreement for the union and that we are working here in good faith.

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

5. INFORMATION FROM OFFICERS AND DEPARTMENTS:

a) Justice Court Report – May 2018

Received and filed. There was \$2,729.00 on one report and \$310.00 on the other.

a) Fire Inspector's Report – May 2018

Received and filed.

b) Police Reports – March-May 2018

Received and filed.

c) Attorney's Report

Village Attorney Porteus had nothing new to report this evening.

d) Administrator's Report

Village Administrator Hay reported that the Bannon Avenue water pit has been completed. They replaced the valves and updated the pit which needed a lot of work. The one last item to finish up is the repaving. They will cut out the patch and repave.

The Water Meter project is moving along as well. Contracts have been signed and the meters have been ordered. Next Tuesday, the Administrator will be participating in a pre-project meeting with the Village Engineer and the contractor. He will have more information at the Workshop as to how the process is going to go down. Mayor Knickerbocker asked when they

are looking at starting. The Administrator advised said that the only piece that complicates this is how long it is going to take to get the meters. The contract says that once they receive the meters, they have 120 days to complete the project. He will have more details at the next Board meeting and the Workshop.

The auditors will be coming next Monday and Tuesday to start their preliminary work on our audit. They usually come in the beginning of July. Then they come for a week in the beginning of September/October to do the bulk of the work. We usually get the final report by the end of the calendar year.

We have the consultants at the Wastewater Treatment Plant. Things are working out well with our employee and them. We have made some progress. The flights that were damaged with the ice on the sludge collection system have been repaired. We installed baffle boards which was the project that we have to complete by July. It is to slow the flow coming into the plant. We implemented one of their suggestions which was to move the aerators a little bit to see if we got better mixing which we did. The Administrator commented that those are 3 things alone that got done this month that are really helping us out on the checklist that the Department of Health wants to see done.

Mayor Knickerbocker thanked Village Administrator Hay.

e) Mayor's Report:

Mayor Knickerbocker reported that our 90th Birthday picnic turned out really great. It was a lot of fun. Over 450 people came. The Mayor thanked Entergy who sponsored and paid for the whole event. It was very generous and we really appreciate their support over the years with the events we have. She thanked our volunteers, Cindy Kempter and Sharon Murphy in the Village office who were great. They were on top of everything and did a lot of work. Colleen Murphy was another volunteer and we had other volunteers who stepped up to help with different things. It was a great community event. It was good to see a lot of people there. The Mayor interviewed a lot of people which was interesting. She got to meet new residents. The food was great. Sansota did the cooking for us. Everything turned out well. It was a perfect day and a great way to celebrate the Village's 90th birthday.

The City of Peekskill is having a fireworks show on July 4th. The Peekskill/Hudson Valley Chamber of Commerce will be having fireworks on August 4. Mayor Knickerbocker wants the residents to know that if you go over to Lent's Cove you will be able to see the fireworks very well there. Bring a chair and maybe some insect repellent depending on what kind of a day it is. We always have a good time and it is a really nice place to see the fireworks.

Mayor Knickerbocker said "Happy Birthday to the United State of America". We are facing some challenges. She thanked everyone who fights for our freedoms all over the world. We thank them for their sacrifices. This is the greatest country in the world. She commented that as Trustee Jackson always says, "Freedom isn't free". We really appreciate those who fight for our freedoms because it is because of those people that we enjoy all our freedoms. We are going through our challenges but we are going to be fine and come out in a better place.

f) Trustee's Reports:

Trustee Jackson gave kudos to the Village office staff and all the volunteers for the Village's 90th Birthday Party. He was here for our 75th anniversary and we had a great time then as well. He gave a shout out to the other elected officials who were there: Assemblywoman Sandy Galef, County Legislator John Testa and State Senator Murphy. He commented that they made their presence known, marched with us and showed their involvement in the community. They work for us. The Fire Department showed up in full force as always and he thanked them for the great job that they do.

Trustee Jackson reported that there was a catch basin sinking in down on Lake Drive. He meant to bring it to their attention but before he could the Highway Department guys were out there setting up cones. They stay on top of the job. One of the things he enjoys in this Village is that people are mindful of the cosmetic things to make sure that they are shored up. He commended the Highway Department and Village Highway Foreman Wheeler for the great job they do.

Trustee Jackson reported that the Historical Society is going to do a time line in October. It is going to be a 25 year time period. They will be collecting items from the Seniors, the Fire Department, Police Department and students at the B/V School. He might bring in our Recreation Supervisor to get items from that department. He discussed it with the Village Administrator today. It will be a lot of fun. In 25 years, we will all open it up together.

Trustee Jackson wished everyone a great 4th of July. He commented that freedom is not free and we should celebrate all is one and one is all because that is what we are here.

Trustee Funchion reported on Buchanan's 90th Birthday celebration. The weather was fantastic, the food was great and everyone enjoyed it.

Trustee Funchion reminded that Buchanan Day will be on Saturday, September 22. He hopes that the weather is good and that a lot of people come out for it.

Trustee Funchion noted that on Sunday he was at the Village pool and it was packed even after 5 PM. It was even hard to get a parking space. He commented that all the lifeguards working there were very polite. It was a good day at the pool when he was there. The Mayor commented that was good to hear.

Trustee Funchion commented that as the Mayor said, on July 4th we have a lot to be thankful for in America. He cautioned that if you are going to play with firecrackers and fireworks to remember that you have neighbors. There is a time when you should stop with the fireworks. He noted that dogs are really bothered by fireworks and that adds a lot of noise. If you do it in the early evening it is fine but 10 PM or 11 PM is pushing it. As for people who are putting up rockets into the sky, most of the municipalities that have them do them over the river and big open space. The other night someone opened up rockets on the street. He hoped that our police would be looking for that because rockets can be dangerous and could catch a house on fire or hurt somebody or hit a car. All of us as neighbors should work and live together and enjoy the holiday. Mayor Knickerbocker added that New York State now allows fireworks but in our Village Code we do not. She commented that she is not condoning it but if you are going to use

them on Sunday to be safe and take precautions to not let anyone get hurt. Trustee Pasquale noted that New York State law only allows ground fireworks but rockets and anything that flies in the air are still illegal.

Trustee Zachary reported on a favorable article in the Real Estate section of the NY Times. You can Google search “New York Times Real Estate, Buchanan” and it will come up. It emphasizes that houses around here are selling quickly. He commented that when the announcement came out that Indian Point was closing, people said “Sell! Get out of here! Everything is going to go down and you are going to see real estate signs all over.” He noted that in his report 2 or 3 months ago, we were discussing that it has not been the case. Counter to everything he is seeing and hearing, houses are being bought. Whatever comes onto the market is being bought up fast. He thinks that the long range vision here is that property values in this area are going to be maintained and probably go higher. He commented that his wife saw an exchange in an internet chat room where somebody was asked if they had looked at Buchanan. They replied that they did but the house they looked at was sold already. They said that if you see anything listed you had better buy it fast. Trustee Zachary does not think that we need to worry about a real estate bust in Buchanan. Mayor Knickerbocker wants to put that New York Times article on the Village’s Facebook. She noted that one of the people interviewed in the article is Mr. Ferguson. He has been a resident since January. She welcomed him and thanked him for coming to Buchanan. Mr. Ferguson said that he was proud to be here.

Trustee Zachary commented that because he likes to go out to eat, he likes to bring to the attention of our residents places he has tried. He commented that we do not have much here but there is a lot nearby. There is a little place just past the Kia dealership on Route 202 called The Little Cabin Sandwich Shop. He commented that they make the most amazing sandwiches with all fresh ingredients. Trustee Zachary said that the people who used to run Taste Restaurant in Buchanan were in California for a while but are now back in our area. They have opened up a little place across from the VA Hospital called Crab Cake. It just opened this week. They have lobster rolls and seafood dishes. Trustee Zachary said that it is not an elaborate menu but he thought that the chef was talented and it is close by. Mayor Knickerbocker commented that we need to get those people into the Village.

Trustee Zachary wanted to know if the Building Inspector would be at the next Workshop to discuss enforcement issues. The Mayor advised that he was on the agenda. Trustee Zachary wants residents to know what will be discussed because the meetings are not televised. He will bring an update about bringing the farmer’s market into the Village. He also asked if the specifics of the multi-family house issue, especially illegal apartments, would be brought up since the Building Inspector would be present and they could continue the discussion.

Trustee Pasquale hopes that everyone enjoys their 4th of July holiday tomorrow.

Trustee Pasquale reported that about a week before the Board meetings he talks to Police Chief Tubbs and they go over some incidents that the Police Department handled during the month. Trustee Pasquale is given six or seven which he likes to read at our Board meetings so that everybody is aware of what our Police Department does. He reported the following from this

past month: On June 6 at 3:55 PM, Officer Budde responded to a Fourth Street residence for a medical emergency and rendered first aid until the ambulance arrived. On June 10 at 3:15 PM, Officer Budde responded to a report of a suspicious subject flying a drone in the area of Indian Point. He did a thorough check of the area but the subject left prior to his arrival. On June 12 at 8:25 AM Officer Farrell responded to a Tate Avenue resident who reported a suspicious person in a vehicle near a bus stop. The officer located the person who explained that he waits at that location until after the bus leaves because he picks up his grandson at a residence near the bus stop and does not want to interfere with the bus. Officer Farrell verified the subject's statement. On June 12 at 4 PM Officer Budde arrested a 41 year old Peekskill resident on a warrant. He was arraigned in Village court and released on bail. On June 12 at 7:35 PM Officer Budde responded to a Lindsey Avenue address where a resident has fallen through an old set of exterior stairs and the neighbor was keeping her from falling any further. Officer Budde notified the Fire Department and ambulance to respond. The resident was extricated from the stairs and taken to the hospital. On June 16 at 9:25 AM Officer Farrell responded to a First Street resident who reported a skunk out in the day time. Officer Farrell determined that the skunk was either sick or injured. He darted and euthanized the animal. On June 19 at 9:15 AM Officer Farrell finds that as an apparent prank someone had placed numerous construction barricades into the driving lanes on Albany Post Road. Officer Farrell removed the barricades to prevent any accidents. On June 19 at 7:20 AM Officer Farrell arrested a 24 year old Village resident for driving with a suspended license as well as several other vehicle and traffic violations. On June 21 at 9:35 PM Officer Budde arrested an 18 year old Peekskill resident for driving with 5 suspensions of his license and numerous other vehicle and traffic violations. The vehicle was impounded and the subject was released on bail. On June 25 at 8:45 AM Officer Farrell responds to a Tate Avenue residence where a woman had locked herself out of her house. On speaking with her, Officer Farrell learned that she had her garage door opener locked inside her car. Officer Farrell was able to unlock the car allowing the resident to gain access to her house through the garage. On June 28 at 1:20 PM Officer Farrell responded to a Seward Street resident for a medical emergency. He rendered aid to the victim until he was transported by ambulance to the hospital.

6. COMMENTS FROM THE FLOOR:

Reverend Linda Willie, 277 Church Street, said that she began as the new pastor of the Trinity Boscobel United Methodist Church on Sunday. Mayor Knickerbocker welcomed her to Buchanan and said that they have to sit down and have a chat. Reverend Willie said she was excited to be here. The Mayor commented that this is a great community and that the Reverend is going to love these people. Reverend Willie hopes to be here for many years to come. The members of the Board welcomed her.

Diane Tangen, Catherine Street, commented that she came to say thanks. She read this about the 4th of July: "I was going to complain about the heat today but then I realized it isn't 120 degrees, I am not 5700 miles from home. I am not dressed in full uniform. I am not carrying 70 plus pounds of gear and there is little chance of me driving over a bomb today. Thanks."

Ms. Tangen thanked the Board for demolishing the White Street house that perched for many administrations. Mayor Knickerbocker commented that it was a challenge. Ms. Tangen

commented that there is one at the end of her street on Bannan Avenue that she knows is probably even more of a challenge. The Mayor commented that it is closer to getting resolved than the last one. The last surviving person of the family died not too long ago. She thinks that is now going to take a different turn.

Ms. Tangen thanked all the departments. She thinks that the Village looks great. Every time she goes by Lent's Cove she thinks how great it looks. The Beautification Committee has done such a good job on the flower tubs and the Circle. She has seen them working out there in the heat. She wishes there was a Welcome to Buchanan sign out there on Broadway and another one in the Village. She thinks that it would be nice because our Village does look so nice and she is proud to live here.

Ms. Tangen commented that she saw the May Board meeting and thinks that it was probably one of the most interesting meetings she has seen in such a long time. She had never heard the rumor about the Police Department. She felt that it was so eye opening. She was glad to hear when the woman spoke up to say that the Police Department goes to the B/V School, which to her has always been such an amazing opportunity that we have the school in our Village. She commented that only half of our children go there. Her children never went there. They go to Frank G. Lindsey School. However when children see a policeman and get to know them, they are not going to have a fear of policemen. She commented that today as we know in the news, there are problems sometimes with the police and the community. She also thinks that one of the problems is that there has not been transparency when it came to the Police Department. She thinks that it is great that Trustee Pasquale tells us what our Police Department did. She has lived here all her life and only called the police three times but did so twice this month; for an animal underneath their porch and for a pit bull that was loose as she was walking in the afternoon. She commented that the dog did bite somebody after that. Ms. Tangen would like to have the Police Chief come to the meetings and give the report so that people saw the Police Chief himself. She commented that her suggestion is not about the person but the position. Mayor Knickerbocker commented that we have asked and he will be at our meetings in case there are questions or comments that he could answer immediately.

Ms. Tangen thinks thought that the water meters were changed not so many years ago. Hers was outside. They used to come in to her house. The Administrator advised that they put the remote reader on the outside. They have changed them along the way if people think they are not reading accurately.

Ms. Tangen commented that the shoulder of the road at the end of Catherine Street is awful. She saw the State DOT doing some of the potholes. They did not touch the end of her street. It is really terrible. Mayor Knickerbocker advised that the State has told us that they are doing a lot of work. They have a big project coming up. They will be repaving the whole road next year. They are trying to finish all the infrastructure beneath. She commented that we have to put up with it for another year.

Mayor Knickerbocker commented that we used to have a sign coming into the Village on Broadway. We are very fortunate. Peekskill is going to extend their path right up to the gate

that goes down to the ramp. They are going to follow through a little bit into Buchanan and finish their path right at our entrance. She commented that we did not want to do anything until we know exactly how that is going to look and how that is going to be finished. She and the Administrator are working on getting two new signs, one coming in by the high school and one by the iron bridge. With the Beautification Committee, we are planning on moving that flower box by Spectra before the iron bridge. The Mayor commented that it looks terrible. It is just not the place for it any more. There are a few places that we did look at. We are trying to work with the Highway Department so that we can get a new flower box and we will then move everything out of there.

7. EXECUTIVE SESSION:

At 8:19 PM a MOTION to enter into Executive Session was made by Trustee Funchion, seconded by Trustee Pasquale with all in favor. Mayor Knickerbocker noted that no monies will be expended.

8. ADJOURNMENT:

At 8:30 PM a MOTION to exit the Executive Session was made by Trustee Funchion, seconded by Trustee Pasquale with all in favor.

At 8:31 PM, a MOTION to adjourn this meeting was made by Trustee Funchion, seconded by Trustee Pasquale with all in favor.