

**Village of Buchanan
Mayor & Board of Trustees
Board Meeting
January 7, 2020**

PRESENT:

Mayor Theresa Knickerbocker
Trustees Richard A. Funchion, Duane Jackson, Nicolas Zachary and Cesare Pasquale
Interim Village Administrator Marcus Serrano
Village Attorney Stephanie V. Porteus
Village Board Secretary Susan F. Matthews
Village Clerk Cynthia Kempter

1. PLEDGE OF ALLEGIANCE:

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

MOMENT OF SILENCE:

Mayor Knickerbocker called for a Moment of Silence led by Trustee Jackson for those men and women who are in harm's way defending our way of life.

2. APPROVE MINUTES:

November 5, 2019 Regular Board Meeting: A MOTION to approve these minutes as presented was made by Trustee Funchion, seconded by Trustee Jackson with all in favor.

November 19, 2019 Special Meeting: A MOTION to approve these minutes as presented was made by Trustee Funchion, seconded by Trustee Jackson with all in favor and Trustee Funchion abstaining as he was not present.

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

Former Mayor Sean Murray, 205 Gallagher Street, commented on agenda item 4(a). He did not remember if there has been a resolution before to accept the resignation of a board member; specifically referring to the one last month. He wanted to know why this one was different. Mayor Knickerbocker advised that we have a new Administrator. The Interim Village Administrator advised that when a Board member resigns, it is done to make the public aware. He put it on the agenda. Former Mayor Murray commented that when a Board member sends a letter of resignation they may include things concerning their reason that are not intended to be shared with other than the Mayor and Village Board. He wanted to know if this was going to be a new policy. He commented that if it is, those who may be resigning should be aware because their thoughts and feelings at the time may not be for the public's view. He added that employee matters such as hiring and firing should be done in Executive Session and not in public.

Former Mayor Murray commented on item 4(g). He wanted to know if this Public Hearing is for a new bond or for information about a permissive referendum to borrow \$1 million that was passed last month. The Interim Administrator advised that Board has been discussing this for a while. Most other municipalities have a separate Sewer Fund or sewer districts. We have never had one here. The idea is to create a Sewer Fund to attribute all the expenses like the sewer pump station into a separate fund. Currently they are in the General Fund. With a Sewer Fund there would be a water bill and a sewer bill.

Former Mayor Murray feels that this Public Hearing is basically to enact a new tax. Because we do not have sewer meters, it is going to be based on your gallon-age. So this would be creating a new tax to create a new district. The Interim Administrator advised that it is a reallocation of expenses. You are going to pay your taxes and your water bill. Mayor Knickerbocker explained that it is not an additional tax. The Board is not looking to do that.

Mayor Knickerbocker asked the Board if they wished to remove item 4(a) from the agenda. Trustee Zachary noted that Planning and Zoning Board appointments are made by the Mayor and the Village Board does not vote on them. Trustee Funchion agreed.

4. NEW BUSINESS:

a. RESOLUTION ACCEPTING RESIGNATION OF PLANNING BOARD MEMBER.

A MOTION to remove item 4(a) from the agenda was made by Trustee Zachary, seconded by Trustee Pasquale with all in favor.

Mayor Knickerbocker asked for patience as we have a new Administrator. He comes with a lot of experience with a lot of other municipalities. He has a lot of good suggestions and is just trying to get us up to speed on all subjects. Trustee Zachary commented that in the past members come and go. The Mayor could refer to it in her report. It did not require a Resolution.

b. 2020-1 RESOLUTION APPOINTING REGISTRAR AND DEPUTY REGISTRAR OF VITAL STATICS:

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

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

c. 2020-2 RESOLUTION STATING POLLING PLACES AND HOURS FOR THE NEXT VILLAGE ELECTION

Trustee Funchion 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.

d. 2020-3 RESOLUTION SCHEDULING A PUBLIC HEARING ON A PROPOSED LOCAL LAW OVERRIDING THE NYS PROPERTY TAX CAP

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

Mayor Knickerbocker noted that we do this every year. She commented that things are changing. We have to do this beforehand in case we have to override the cap. In response to a question by Trustee Zachary, the Interim Administrator confirmed that a Public Hearing is required for this. Trustee Zachary asked if the State has given us the tax cap figure for this year. It is usually 1.5%. The Interim Administrator advised that he has not received it yet.

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

e. 2020-4 RESOLUTION AMENDING THE CAPITAL FUND BUDGET

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

The Interim Administrator commented that when funds were allocated for capital projects in prior years, it was done in the proper way. On the audit report they were all under one line. The auditors advised that allocations need to be shown under specific projects. This is to adjust the books as they now should be. He advised that if the Board wants to reallocate these monies to other projects we now have the ability to do that.

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

f. 2020-5 RESOLUTION RETAINING THE SERVICES OF THE LAW OFFICE OF JEFFREY E. STORCH AS BOND COUNSEL

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

Trustee Zachary thought, based on previous discussions, that the attorney's name was Bond. The Interim Administrator advised that is a different person. They are in different firms but work together. Mr. Bond was the Special Counsel who helped us get the resolution done for the SEQR process. We also had to do the Notice of Intent to recoup the money from the project we are going to do. We now need a bond counsel to actually go to bond.

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

g. 2020-6 RESOLUTION SCHEDULING A PUBLIC HEARING ON A PROPOSED SEWER FUND

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

Mayor Knickerbocker explained that this is not an additional tax. It is recommended that we do this for accounting purposes. Other municipalities do it. In Peekskill the water bill shows the sewer amount that you pay. She thinks it is a good idea. She commented that eventually we might be taking in other municipalities. We would then have a sewer district that we are setting up with that. We are having a Public Hearing. The Mayor recommended that everyone come out and voice their opinions.

Trustee Zachary noted that the cost of operating the Sewage Treatment Plant is coming out of the general taxation. He wanted to know if our tax bills would then be itemized. This is not changing what people are paying, just the accounting to put it into separate Sewer and Water Funds. He estimates that your sewer cost will be around ¼ of what you pay for your water bill. That would be removed from your general tax bill. Trustee Zachary thinks that there may be a lot of confusion. Some people might assume that their general tax bill should be going down because of this but it might be in a year when taxes are going up. He likes the idea of doing this because in the future we will be able to work with our sewer district in a more efficient way. Also having it itemized allows people to better see why they are paying what they are. The Interim Administrator advised that when we get into the budget process, he is going to have more detail presentations so we can all see where our money goes. Trustee Zachary thinks that while basing it on your water sewage is not a perfect correlation, it was the only one the Board could come up with. He commented that for a one person household or someone who does a lot of gardening or pool fillings, it may not reflect what they are actually putting back into the sewer system.

Trustee Jackson asked if this was posted on the Village web site. The Interim Administrator confirmed that it is, and on Facebook and part of the agenda.

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

5. INFORMATION FROM OFFICERS & DEPARTMENTS:

a. Justice Court Reports – November 2019

Received and filed.

Mayor Knickerbocker noted the amounts received were \$761.00 and \$1,310.00.

b. Police Report – November 2019

Received and filed. Mayor Knickerbocker noted that there were 142 total calls.

c. Planning Board Minutes – October 24, 2019

Received and filed.

d. Zoning Board Minutes – October 9, 2019 and November 13, 2019

Received and filed.

e. Attorney's Report:

Village Attorney Porteus gave an update on the Westchester Industrial Complex (WIC). They have been in court for quite a while. They will be back on January 21. They hired a new counsel who asked for time for motions. No motions were filed. The prosecutor hopes to get the final date on January 21. The owner of WIC wants to take it to trial and if the trial is

unsuccessful for him, he wants to go to the Appellate Division. There have been previous trial dates but they were pushed out.

f. Administrator's Report:

Interim Village Administrator Serrano reported on the Citizens Advisory Committee. He is starting to create a web site so that people can access the documents. There is a meeting on January 15. It will be videotaped. He is working on the Village's I.T. security. He will update the Board further in Executive Session.

The Interim Administrator noted that there is a DEC consent order on the Sewage Treatment Plant. The Interim Administrator thinks that the DEC is overreaching. They want all the sewer lines in the Village to be investigated and scoped. That would be a considerable expense. Mayor Knickerbocker added that they are doing it throughout all the communities in the County. The Interim Administrator experienced this in other communities down County but the issue there was with overflows. That does not happen here. Our Village Engineer has requested a face to face meeting with the DEC to get a better understanding of what they are looking for.

The Interim Administrator commented that they work as a team in the Village offices. He commended Village Clerk Cindy Kempster. He commented that there has been a lack of staff training. We are addressing a couple of OSHA violations. They are not major but must be abated by the end of March. The Interim Administrator is arranging for training. He is working with the Fire Department and Village Attorney on the LOSAT program for the Fire Department. He met with their Trustees and we are working very well together. He expects that the Board will get a proposed change of policy to the point structure at the next meeting. The Village will be getting a list of the qualified people in the Fire Department who fit the point structure. The Mayor noted that we are supposed to review that every year. She asked the Interim Administrator if the Board should have separate meeting with them to get this resolved. Village Attorney Porteus advised that she will be reviewing the point system, which was written in 1991 and will write the Board a memo on it. The Interim Administrator noted that there has been miscommunication which was nobody's fault. The volunteer force is fantastic. There should be no hard feelings.

The Interim Administrator reported that the next budget will be revised and will be more user friendly with detailed presentations and graphs. The Board can then talk in more detail about how the money is spent.

The Interim Administrator will be meeting with the DOT on January 13 about their intentions on Route 9A. Hopefully we will hear their actual plan and time line. He wants to discuss sidewalks and the transition between the blocks and Route 9A. Mayor Knickerbocker noted that we put in for a grant for sidewalks on Route 9A. We are hoping to hear about getting the money for that before the State begins work on Route 9A. The Interim Administrator will also have a meeting with Siemens on January 13 about their scope of work and how they got to their bottom line number. We are still waiting on the grant award for the work on the pavilion. The contractor will hold the competitive pricing. The Interim Administrator is still meeting with the Police Department regarding negotiations. We are trying to avoid arbitration. We will have

more meetings with the mediator. The Interim Administrator has a meeting with the Planner on January 14.

In response to a question by Trustee Jackson, the Interim Administrator advised that all our employees have completed the Sexual Harassment training. Only a couple of board members have not. The policemen did it on-line. The Highway Department did it in house. Trustee Zachary wanted to know if the OSHA requirement was 10 or 30 hours. The Interim Administrator advised that it was 15 hours. He commented that we have not used the assets that we could have used. We will be meeting with PERMA. They do all the training for free.

g. Police Chief's Report:

Mayor Knickerbocker called on Police Chief Johansen to bring a matter to the attention of the Village residents.

Police Chief Eric Johansen reported on an incident that occurred early Christmas morning. A resident alerted the Police Department about two people in the resident's vehicle that was parked in their driveway. They were looking for property to steal out of people's cars. Officer Regg, who was on duty at that time, responded. They were chased away before he arrived. Office Regg patrolled the Village in search and found them attempting to leave the Village. One person fled on foot. Officer Regg was able to detain the other and contacted the Peekskill Police for assistance. Working together, they found a taxi in the Village which led to the apprehension of the other person. One was a 13 year old from a neighboring community. He was in possession of a lot of property stolen from other vehicles. Because of the alert resident who called the police, they were able to recover a lot of stolen property. It is believed that these two are responsible for other incidents in the Tri-Villages. Our Police Department is working with the State Police on that. Chief Johansen commended Officer Regg for his excellent police work. He asked residents to note that this was at 2 and 3 o'clock in the morning. Chief Johansen reminded everyone to lock their cars. He commented that people would be surprised at what is left in unlocked cars: laptops, cellphones and other things that are extremely valuable. Mayor Knickerbocker thanked Officer Regg and the Peekskill Police Department for the good job they did. She commented that times are changing. She remembered when we left our doors open and would never think of locking our car doors. She noted that cars in Verplanck were broken into and packages are being taken from people's porches.

h. Mayor's Report:

Mayor Knickerbocker announced that on February 4 Norma Drummond from the County will be coming to talk about the Census, how important it is and getting people to be Census takers.

The Mayor reported that last month she, the Village Attorney and Interim Village Administrator traveled up to Vermont to the nuclear power plant being decommissioned by North Star. She feels that it was well worth the 3 hour trip. It was a smaller plant than Indian Point. The Mayor reported that they went to one of their Citizens Advisory Panel meetings. She commented that what was interesting was speaking to the residents. One of the things that made her feel good is that they saw the same things that we are going through now but one of the people said that

their community is going to get through this and it is going to be okay. The Mayor has asked them to come here next month and share what they experienced with us so we can understand what is coming for us.

The Mayor noted that one difference is that when this was done there the State of Vermont was an intervener. Here the State of New York is not. When the decommissioning there is done, the land is going to be given back to the community. It was an arrangement already done. Their plans are to redevelop the property. It is being paid by the decommissioning company. NorthStar is working with the community. They are taking the parts, which have some radioactivity in them, and putting them into metal containers which are going to be shipped by train to Texas and buried.

Mayor Knickerbocker asked all the residents to attend our Citizens Advisory Panel at 6 PM on January 15. It will be held on the second floor at Village Hall. A representative of Holtec will there. It will be videotaped.

i. Trustees' Reports:

Trustee Jackson reported that there has been an increase in passengers throwing trash out of their cars. He asked Chief Johansen to alert his officers. The Chief advised that they cannot issue a ticket but they could speak to them. Trustee Jackson told residents to be aware that this trash gets into our storm drains and washed down into the lake. He reminded people to curb their dogs.

Trustee Jackson reported on the Historical Society. There will be a reenactment on January 18 at 2 PM at the Van Cortlandt Historical Society. It is on the First Rhode Island Regiment which was made up of 139 free black men who fought the Battle of Pine Bridge in 1781. Trustee Jackson will be a participant. They will be in the uniforms of the period.

Trustee Funchion hoped that everyone had a great Christmas and New Year. He suggested that it might be better to have our Christmas Tree lighting on a Saturday rather than a Sunday. They were expecting a lot more people. But it was still very nice tree lighting and everyone had a nice time. Trustee Funchion attended the Village employees' Christmas party. He said it was great to spend time with the workers who do so much for the Village and he thanked them for their services throughout the year. Mayor Knickerbocker thanked Interim Village Administrator Serrano for paying for the employees' party. Trustee Funchion attended the Seniors' Christmas Party which was a nice affair.

Trustee Funchion reported that he completed the Sexual Harassment training. It was a lot shorter than the one he did when he worked in the Federal government.

Trustee Funchion commented that everybody should enjoy the Martin Luther King Day weekend but also remember the great strides that he made for our country.

Trustee Zachary suggested that for the Christmas Tree Lighting while we are waiting for a new tree on the Circle to grow to size, we could have people volunteer the use of their tree and move the location accordingly. He noted that a few years ago, the tree in Rockefeller Center came

from the Village. Mayor Knickerbocker advised that unfortunately the tree in the Circle is dying and has to be replaced.

Trustee Zachary reported that the ban on plastic bags in New York State becomes effective on March 1. . People will need to bring a reusable bag to the supermarket or there will be a charge for them. Trustee Funchion noted that it is already in effect in Dutchess County.

Trustee Zachary reminded to be aware of people walking in the streets in the dark. They should walk against oncoming traffic. Even if you are careful, they are hard to see especially if they are wearing dark clothes. People should be careful and wear something visible.

Trustee Zachary would like to discuss proposed zoning changes at the January 28 Workshop. He is meeting with the Planner on January 14. The Planner will be at our Workshop on January 28. This will involve the main changes proposed for an overlay on Route 9A, including Tate Avenue and part of White Street, to facilitate positive development and increase pedestrian access. The changes are intended to remove obstacles for developers. He encouraged people to come to this meeting if they are interested.

Trustee Zachary reported that the local Waterfront Revitalization Plan kickoff is on the January 29. This is the Village and the Town of Cortlandt. We got grant money to explore the revitalization of the riverfront property from Route 9A to the river. They hired a consultant who will be starting up on January 29.

Trustee Pasquale wished everyone a Happy and healthy New Year. He added to Trustee Jackson's comments about garbage being thrown out of cars. He has noticed that the joggers and walkers on Tate Avenue pick up the empty containers and thanked them for doing that. He especially notices debris on Tate Avenue because he lives there.

Trustee Pasquale thanked Police Chief Johansen for his report. Excellent work is being done by the Officer Regg. Trustee Pasquale reported that he speaks with Sergeant Farrell about the calls made by our police. On December 12, Detective Loertscher participated in a lock down drill at Hendrick Hudson High School. In November, Detective Loertscher and Officer Regg responded to a call at the Buchanan/Verplanck School about a person in the playground who the staff did not recognize. The person was located and it was found that he was the Guardian of a student there and was not aware of the proper procedure to check in at the school. Officer Palmietto had a meeting with the Boy Scouts. Trustee Pasquale recalled when a police officer came to his Boy Scout meeting when he was a youth. That was what made him want to become a police officer.

6. COMMENTS FROM THE FLOOR:

Former Mayor Sean Murray, Gallagher Street, referred to the proposed zoning changes mentioned by Trustee Zachary in his report and wanted to know what others he may be proposing. Trustee Zachary advised that one has to do with considering zoning changes to the undeveloped portion of Indian Point because it is currently zoned only for the peaceful use of atomic energy. He commented that it is not exactly clear where we would go on that but the idea is that we would like to give a sense of what the Village would like to see there going

forward. Another would be a proposed overlay zone on Route 9A. In response to a question from Former Mayor Murray, Trustee Zachary confirmed that these proposed changes would be for the C1, C2 and M1 districts and not for the R10 or R7.5. It is basically from the southern border of the Village to Tate Avenue, and from the Circle to Tate Avenue and to White Street. He offered to send Mr. Murray copies of the rough drafts he made for the discussion with the Village Board. Mr. Murray declined. He commented that there had been rumors of changes to residential parcels concerning parking on the grass. Trustee Zachary advised that we did some parking regulations a couple of years ago and it is already in the Village Code that you are not supposed to park on the lawn.

Trustee Jackson commented that there was discussion about looking at the height of possible new buildings in the commercial area.

Former Mayor Murray commented that when he was in the Village office he saw a notice regarding a permissive referendum. Then he saw that on December 17 a resolution was passed for a permissive referendum for the \$1 million for the Fourth Street pump station. He wanted to know if that was correct. Interim Village Administrator Serrano advised that is required for any bond referendum. Former Mayor Murray commented that is a decision of the Village Board or it could be a ballot measure. The Interim Administrator advised that under State law, a bond referendum is automatically required any time you do a bond resolution. Former Mayor Murray commented that you can do a permissive referendum and that we have done that before. He noted that in 2008 he had proposed a permissive referendum for the sewage treatment plant and the roads. It was voted down and became a ballot measure. When the permissive referendum was proposed, a Public Hearing was held. He asked the Board why there was no Public Hearing for this one.

Mayor Knickerbocker commented that the problem with the sewage pumping station is that it has not been updated since it was put in back in the 1960s. We are in a tough situation. Former Mayor Murray commented has no doubt that the money needs to be spent. He checked all the Village Board meeting agendas going back to June 2018 and has watched all the televised meetings. He again asked why there was no Public Hearing. The resolution was passed at the Special Meeting on December 17. He thought that there had to be a comment period. One question that he would have asked was what is the Village's undesignated fund balance for fiscal year 2018 and what is projected for 2019?

Mayor Knickerbocker commented that we voted on the resolution for the bond because we desperately need to do it. It is ready to fail. She commented that she understands what Former Mayor Murray is saying but we were getting into an emergency situation. Mr. Murray asked what the amount is in the undesignated fund. He noted that it was \$1.8 million when he left office in 2010. The Mayor replied that she is going back to that time. There were two bonds that that the Board did. One was for road paving on Bleakley Avenue. We did that. We never used the \$1 million bond for the Sewage Treatment Plant. Instead of using that to upgrade the plant to the new technology, over \$900,000 came out of our fund balance to upgrade the plant. The Mayor commented that hurt the Village tremendously. Former Mayor Murray commented that \$900,000 did not come out of that because a portion was paid on the O&M budget from

Entergy. We borrowed \$600,000 from that fund. It was supposed to be paid back to the General Fund in 2014. He wanted to know if that was done. The Mayor advised that it was not; that money was used.

The Interim Administrator advised that no Public Hearing is necessary for a bond resolution. Former Mayor Murray commented that the Village has had three requests for a public referendum. Two were for the bond issue and one was for dissolution of the court system. So that the public would be aware, he asked that the process for a public referendum be explained. The Interim Administrator advised that 10% of the registered voters can sign a petition to mandate a referendum. Former Mayor Murray added that they can come to Village Hall and sign it. He commented that he had asked several people and they did not know that. He commented that in the past here, we have operated in an open and transparent way, especially when we are borrowing \$1 million that will have to be paid back when we have lost 30-40% of our tax revenue. He commented that our elected officials do not know how much is in the undesignated fund balance. Trustee Zachary commented that it is much lower than when Former Mayor Murray left office because of some unplanned expenses. It did dip to an uncomfortably low amount. He noted that the figure is available. He does not recall it at the moment.

Former Mayor Murray wanted to know why we would attempt to recoup repairs on the Fourth Street pump station that have already been paid for. Trustee Zachary advised that certain ones were. The reason was that because the fund balance was so low, we wanted to put as much of that work as possible into the bond itself. On the question by Mr. Murray on the decision to refinance, Trustee Zachary replied that it might have been fiscally dangerous not to.

Mayor Knickerbocker commented that things are being alluded to as to why it was not televised. The Mayor made that decision. We do not normally televise the Workshops. The main reason this one would have been was because Norma Drummond from the County was going to come with information about the census. Because she was not coming, Mayor Knickerbocker made a decision not to spend the \$300 to televise it. Former Mayor Murray noted that the referendum was passed at a Special Meeting, not a Workshop. The Mayor agreed that was correct and that she made a mistake. She should have kept it televised. She will get back with what we spent rehabbing the Sewage Treatment Plant's old technology which we should have upgraded because the DEC now wants that done.

Former Mayor Murray commented that all of that was done when the current members were on the Village Board. It was decided to do it that way because our sewage contract with Entergy provides for a percentage of the operation and maintenance costs to be billed to them. They will not take a capital improvement. We had upgraded the plant with new fans. We did not put in the bubble diffusers. By doing that, we saved hundreds of thousands of dollars that we did not have the taxes for. The residents did not have to pay for it because we billed Entergy. It took an extra 3 years but we saved hundreds of thousands of dollars. The dissolved oxygen levels met the DEC requirements. The Mayor advised that they did not all the time. We have a company in there now taking care of that. Former Mayor Murray commented that we are supposed to have our own operators here. The Mayor agreed. She advised that we did not have

the qualified people so we had to hire someone. There were several issues. Former Mayor Murray agreed. He commented that the reason we do not have a sewer district is because the County will not have a sewer district with only one municipality. There was a study done in 2013 to turn our plant into a pump station and transfer the sewage to Peekskill. It was approximately \$2.4 million to tie in. He commented that the Board could have done the same thing with a sewer district and created a sewer district tax and the operation for it. He wanted to know if we are going to pass another bond to do more repairs to the sewage treatment plant. The Mayor advised that it is for the Fourth Street pump station, not the sewage treatment plant. Former Mayor Murray noted that it was said that the plant did not meet the DEC requirements and has the wrong technology. So the next thing will be to pass another bond to do repairs to it. The Mayor advised that there are other options she is looking into. Former Mayor Murray commented that the mayor who had the issue with that is no longer here. Mayor Knickerbocker commented that the City of Peekskill does not want us to have it transferred to Westchester County because they want to leave it for their future development. We have to go through the City of Peekskill and they are not interested in tying into that plant because they are doing a lot of development. It is similar to when Somers or Yorktown tried to hook in there. Former Mayor Murray noted that the sewage treatment plant in Peekskill is the County's. He gave the history.

Mayor Knickerbocker asked Former Mayor Murray what other options he might propose for the pumping station. Former Mayor Murray advised that he would get back to the Mayor and Board with that. The Mayor advised that she will get back to him with the expenditure from the General Fund for the rehab.

Reed Outhouse, 241 Westchester Avenue, commented on the way the December 17 Village Board meeting was conducted. He was at the December 3rd Village Board meeting and spoke about his opinion to televise the Workshop, Planning and Zoning Board meetings. He feels that there is a lot of information and discussion at the Workshop meetings that the residents would benefit from. At that December 3 meeting the Mayor announced that on December 17 a representative from the County was going to talk about the Census and there would be a presentation from Sustainable Westchester. The meeting was going to be televised. Nothing was said about voting on a bond for \$1 million. Also nothing was said about hiring two out of town residents for the Highway Department. He commented that he found by chance reading the agenda on the Village web site on December 17 that that night's meeting was no longer a Workshop but a Special Meeting with an agenda. He saw the names of the two people being hired and the \$1 million dollar bond. He asked how he and the average Village resident would have known about that meeting. He commented that we have 2 Village cable t.v. channels, a Facebook page, a Code Red system and a Village web page. He did not see it on any of them. He noted that on the web site this was not on the first page but 2 or 3 pages in. He feels that this is a lack of transparency. There are no minutes on the web site. He finds it suspicious that the t.v. coverage was cancelled because now most Village residents do not know what happened at that meeting.

Mr. Outhouse thinks that there was no good reason for the change in our hiring policy of giving first choice to residents of the Village. He commented that deviates from decades of hiring

Village residents. There were 3 residents who questioned the Board that night on that decision. He did not fault the new hires (*who were in the audience*). He did e-mail the Interim Village Administrator about the advertising for these jobs. He received a reply from the Village Clerk advising that the advertising of meetings like this includes a sign by the elevator in Village Hall, an e-mail to the Journal News and the Village web site. Mr. Outhouse could not find it in the Journal News. Mayor Knickerbocker advised that the notice of the meeting was submitted to the Journal News which is the official Village newspaper but it is up to them to print it or not. Mr. Outhouse commented that posting it in the Village Hall only reaches those people who happen to come there for other things. Finding it on the web site requires navigating through pages to see if anything has changed. He felt that this was not transparent and was done on purpose. He commented that the residents deserve the right to know. As for the cancellation of the t.v. coverage, he commented that it was going to be televised because of the presentation by the County on the census, then cancelled when that was not going to happen. He asked if that was more important to our residents than the two votes that the Board took that night. \$300 could be spent to televise Norma Drummond's presentation but not a \$1 million bond expenditure. He thinks it was more important to have televised the hiring of the two people from outside the Village. Mr. Outhouse commented that they obviously got personal invitations to be present at that meeting because they were here with friends.

Mr. Outhouse commented that looking back at previous years going back to 2016 the Village Board did not hold any Special Meetings. There were 5 in 2019. A couple were for personnel issues where he assumed the public could not be present. But there was at least one other where the Board voted on Village business.

Mr. Outhouse commented that the Village residents did not have a chance to see the presentation from Sustainable Westchester. He wanted people to be careful about that because in Peekskill the City Council voted to accept them into the City of Peekskill. They call it an opt out program. The city signed a paper that changes all the residents' electric providers without their knowing it. He was told that some people saw rate increases of 80%. He wanted the Village residents to be aware of that. Mayor Knickerbocker advised that we are not going with them.

Mayor Knickerbocker disagreed with Mr. Outhouse. She commented that the Village Board has been very transparent. She takes full responsibility for the last meeting not being televised. The only reason was that she did not want to spend the \$300. She commented that she knew why Mr. Outhouse was upset. For full transparency, his son was one of the applicants for the Highway Department position who did not get hired. She commented that this Village Board works very hard and if there have been Special Meetings it is because there are a lot of things going on in the Village. We are going above and beyond. Mr. Outhouse wanted to know how she knew his son applied for the job and if that information could be disclosed. Village Attorney Porteus advised that he could submit a FOIL to learn who the applicants were. What he is not privy to is what the Board discusses in Executive Session.

Mayor Knickerbocker advised that at the next budget meeting, they can discuss videotaping all the meetings. If the Board so decides, we can do that. It costs \$300 per meeting. The budgets are going to get tighter. Mr. Outhouse reiterated that his concern was that the meeting was

originally advertised as a Workshop. That means that the Board would be discussing various matters but not voting on anything. That change was not pushed out to Village residents. He commented that the way the change was posted might have been what was legally required but we have multiple means of communication to our residents that were not used. The Mayor explained that concerning the hiring we had a decision to make for the Highway Department. The Highway Foreman was short of staff and wanted to get these people hired. She commented that we could have waited until the January Village Board meeting but he wanted to get them hired sooner rather than later.

Trustee Zachary agreed that there should have been more of an effort to get the word to the people. He has thought of the Code Red system being more for emergency situations. He now agrees that we could use it when it is too late to get out an effective announcement. He wants it known that the Board was not trying to mislead anyone or do anything under the covers. He agrees that the Workshops should be televised. It would be good for the residents. In his report at every regular Board meeting, he always mentions the upcoming Workshop and matters for discussion. He would find it to be a useful reminder since we are not doing verbatim minutes any longer. Concerning the bond resolution, there was a time factor we were not aware of that necessitated getting it passed before the January meeting in order to include previous expenditures. We needed to include as much of the expense for the unplanned rebuilding of the Fourth Street pump station.

Former Mayor Sean Murray noted the Fund Balance. He wanted to know what the auditor said in his report concerning the health of the budget and the community, and the future liabilities. Did they say that it was good at only 2-3% of the operating budget? He thinks that is low. He commented that some communities have laws that the Reserve Fund cannot go below 5%. New York State frowns on having greater than 30%. It was his understanding in the past that we had a 15%-25 % Fund Balance. He is surprised that we only have \$200,000 out of a \$6.5 million operating budget excluding the Water budget. He was surprised that the auditors said that the health of the Village's finances was good and still be able to maintain a bond rating. The Interim Administrator advised that there is no bond rating. You get a non-rated debt service. That was what was done with the last bond. He agrees that the Fund Balance is extremely low and he has been advising the Village Board of that. The idea is to build it back up. The Water Fund is also low. The auditors do not tell you the fiscal health of the Village. They look to make sure that there is no loss of money and that the books are proper. The State Comptroller does fiscal stress monitoring. That report will come out in the next couple of months. The State will tell us if we are fiscally stressed or not. The Interim Administrator believes that we should be concerned about that and need to build that fund back up. The auditors do not tell you what the fund balance should be. They tell you where you stand right now. Former Mayor Murray wanted to know if previous reports gave indication that we were becoming stressed. Mayor Knickerbocker noted that we recently found out that there were 3 years of no reports. Former Mayor Murray commented that there are reports available to the Village Board every year where you see a comparison of 3 years and 2 years. You would see declining assets.

Former Mayor Murray announced that he will be resigning as Chairman of the Buchanan Democratic Committee the day after the Village elections. He announced that as Chairman, he will not be endorsing nor will be signing any nominating petitions or acceptance of nominations for the Democratic Party. He will not be releasing any funds for reelection. He will submit his letter of resignation next week with the initiating date he noted. He commented that if Trustee Jackson cares to take over the funds, they will be released to him. If not, Former Mayor Murray will donate it. Mayor Knickerbocker thanked him for his service.

7. EXECUTIVE SESSION:

At 9:17 PM a MOTION to enter into Executive Session to discuss personnel issues was made by Trustee Funchion, seconded by Trustee Pasquale with all in favor.

8. ADJOURNMENT:

At 9:45 PM a MOTION to return from Executive Session and adjourn this meeting was made by Trustee Jackson, seconded by Trustee Funchion with all in favor.