

**Village of Buchanan
Mayor & Board of Trustees
Regular Meeting
February 6, 2024**

PRESENT: (This meeting was held live and via Zoom)

Mayor Theresa Knickerbocker
Trustees Anthony Capicotti, Steven Laker, Daniel Stewart, Robert Wheeler
Village Administrator Marcus Serrano
Village Attorney Stephanie Porteus
Village Planner David Smith
Village Engineer George Pommer
Village Traffic Engineer Phil Grealy
Village Clerk, Treasurer Cynthia Kempter
Deputy Village Clerk Sharon Murphy
Building Inspector Peter Cook

OTHERS:

Mark Weingarten, Partner in DelBello Donnellan Weingarten Wise & Wiederkehr, LLP
Stuart Lachs, Architect, Perkins Eastman
Peter Feroe, Senior Technical Director, AKR
Kevin Masciovecchio, JMC, PLLC
Ryan Sutherland, AMS

1. PLEDGE OF ALLEGIANCE:

Mayor Knickerbocker called the meeting to order at 7:00 P.M. She led the Pledge of Allegiance.

2. APPROVE MINUTES:

December 5, 2023 Special Meeting
December 5, 2023 Board Meeting

A motion to approve these minutes as presented was made by Mayor Knickerbocker, seconded by Trustee Laker with all in favor.

3. COMMENTS FROM THE FLOOR (agenda items only): None

4. NEW BUSINESS:

a. Presentation by AMS.

Mayor Knickerbocker explained that tonight there is a presentation by AMS. The public hearing was noticed in the newspaper, but there was a problem with sending out the notices that were to be certified, return receipt. There will not be a public hearing tonight, but we will allow for comments.

Mark Weingarten gave a presentation representing AMS in conjunction with the request for site development plan, special permit and steep slopes permit approval to permit the construction of 148 multifamily homes on the approximately six-acre site located at the intersection of Albany Post Road and Craft Lane. Stuart Lachs showed a power point of the architectural features of the building. Kevin Masciovecchio gave a presentation on the design of the building and land. Mayor Knickerbocker suggested a few benches on the walking path. Mayor Knickerbocker mentioned the lack of proposed retail. Mark Weingarten stated that in order to do a commercial space they would need more parking; so, they would need to cut into the steep slopes. The compromise is that they designed the site so retail can be put there in the future. If they find they have extra parking spaces available, they would be willing to have retail there. Mayor Knickerbocker requested more of a buffer on 9A to cover the parking lot such as putting an arborvitae type tree there. Mayor Knickerbocker asked the distance from the building to the railroads tracks and the transmission lines. Kevin Masciovecchio stated that it is over 100 feet to the transmission lines and the tracks are past that. Trustee Capicotti thanked them for a great presentation. He hopes that they will be using union trade for the construction. He hopes that in the future there will be a retail space there. Trustee Laker thanked them for their presentation and is looking forward to what the public has to say and appreciates the investment into our community.

Eileen Absenger, 138 Tate Avenue, questioned the one-way traffic flow turning right when leaving the front of the building.

Diane Tangen, 240 Catherine Street, stated that she is very much in favor of this project and thanked the Board and the Planning Board for their hard work. It will be a benefit to the Village.

b. Consider a Motion Scheduling a Public Hearing on March 5, 2024 Regarding a Special Permit and Site Plan.

A motion to approve a Public Hearing on March 5, 2024 was made by Mayor Knickerbocker, seconded by Trustee Stewart with all in favor.

A motion to direct David Smith to prepare the resolution was made by Trustee Laker, seconded by Trustee Stewart, with all in favor.

- c. Consider a Motion to Enter into an Agreement with Westchester County for the Use of Voting Machines for the March 19, 2024 General Village Election.

A motion to approve this as presented was made by Mayor Knickerbocker, seconded by Trustee Capicotti with all in favor.

- d. Consider a Motion to Appoint Election Inspectors for the March 19, 2024 General Village Election at a Rate of \$300 for Inspector and \$150 for Alternate.

A motion to approve this as presented was made by Mayor Knickerbocker, seconded by Trustee Laker with all in favor.

- e. Consider a Motion Authorizing the Mayor to Sign the IMA with the County Regarding the Enhanced 911 Service.

A motion to approve this as presented was made by Mayor Knickerbocker, seconded by Trustee Stewart with all in favor.

- f. Consider a Motion to Approve the Volunteer Firefighters that have met the Required 50 Points for the Service Award Program as Provided by the Village of Buchanan Fire Department.

A motion to approve this as presented was made by Mayor Knickerbocker, seconded by Trustee Stewart with all in favor and Trustee Wheeler abstaining.

- g. Consider a Motion to Approve New Camp Rates.

Buchanan resident:	First or Second Session	\$335.00
Buchanan resident:	Both sessions:	\$620.00
Buchanan resident sibling discount:	First or Second Session	\$301.00
Buchanan resident sibling discount:	Both Sessions	\$558.00
Nonresident:	First or Second Session	\$503.00
Nonresident:	Both sessions:	\$956.00
Nonresident sibling discount:	First or Second Session	\$452.00
Nonresident sibling discount:	Both Sessions	\$860.00

A motion to approve this as presented was made by Mayor Knickerbocker, seconded by Trustee Capicotti with all in favor.

h. Consider a Motion to Approve the Cost of the Digital Sign.

Village Administrator stated that the sign is \$21,165. The price for the electrician is \$2,346.32.

A motion to approve this as presented was made by Mayor Knickerbocker, seconded by Trustee Wheeler with all in favor.

i. 2024-05 Resolution Amending Contract for the Sale of Village Land with JANC Associates.

A motion to approve this as presented was made by Mayor Knickerbocker, seconded by Trustee Laker with all in favor.

WHEREAS, on October 4, 2023, the Village of Buchanan (“Seller”) entered into a Contract of Sale with Janc Associates (“Buyer”) for the sale of Village owned property described as being located at the northwest corner of Albany Post Road and Bleakley Avenue, Buchanan, NY 10511 which provided, in part, that the Buyer’s Due Diligence period was expire in One Hundred and Twenty (120) Days; and

WHEREAS, the Buyer has requested that the Due Diligence period be extended to May 1st, 2024; and

WHEREAS, the Village agrees to extend the Due Diligence period as requested by the Buyer.

NOW, THEREFORE, BE IT RESOLVED, that the Due Diligence period described in the Contract of Sale between the Village of Buchanan and Janc Associates dated October 4, 2023 is amended to extend the Due Diligence period to May 1, 2024.

Carried by the Following Votes:

AYES: Mayor Knickerbocker, Trustee Capicotti, Trustee Laker,
Trustee Stewart, Trustee Wheeler

NAYS: None

j. 2024-06 Resolution Recommending the MTA Evaluate Establishing West Side Access from Westchester County and the Bronx Through the Hudson Line to Penn Station.

A motion to approve this as presented was made by Mayor Knickerbocker, seconded by Trustee Stewart with all in favor.

WHEREAS, the Village of Buchanan understands the importance of taking actions which will reduce carbon emissions, improve public transportation options, enhance economic opportunity for our residents, and reduce congestion; and

WHEREAS, the Village of Buchanan notes that the West Side Access program promises significant improvements to Westchester County and the Bronx by linking Metro North’s New Haven Line service with Penn Station on the west side; and

WHEREAS, similar improvements are being done to improve transportation for Amtrak along Metro North's Hudson Line, which runs through several crucial Hudson River communities within Westchester; and

WHEREAS, a parallel initiative to connect the Hudson Line to Penn Station could be accomplished, promising reduced carbon emissions, improved public transportation options, enhancing economic opportunity for Hudson River communities and the Bronx, and reducing congestion; and

NOW THEREFORE, BE IT RESOLVED THAT, the Village of Buchanan recommends that the Metropolitan Transportation Authority undertake a comprehensive study to evaluate the feasibility and potential benefits of establishing west side access from Westchester County and the Bronx through the Hudson Line to Penn Station;

BE IT FURTHER RESOLVED THAT, after considerable deliberation, the Village of Buchanan recommends that New York State conduct this study and feasibility assessment and that the results of it be presented to regional stakeholders and residents.

Carried by the Following Votes:

AYES: Mayor Knickerbocker, Trustee Capicotti, Trustee Laker,
Trustee Stewart, Trustee Wheeler

NAYS: None

k. Discussion on Grants.

Village Administrator Serrano explained that the proposal for the WQIP grant is \$4,600; for the WIA grant and IMG grant it is \$4,200 each.

Consider a Motion to Hire C.T. Male Grant Writers for the WQIP grant (\$4,600); the WIA grant (\$4,200) and the IMG grant (\$4,200).

A motion to approve this as presented was made by Mayor Knickerbocker, seconded by Trustee Stewart with all in favor.

l. Discussion on Crosswalks.

Mayor Knickerbocker explained that the Village met with Supervisor Becker and some of his staff and the Town offered to pay half for the cross walks on the bottom of Kings Ferry Road/Bannon Avenue and Kings Ferry Road/Tate Avenue. Village Engineer Pommer stated the project would cost approximately \$35,000 each. The Town of Cortlandt will solicit bidders to see if they can get a better price.

5. INFORMATION FROM OFFICERS & DEPARTMENTS:

a. Justice Reports –December 2023

Received and filed.

- b. Police Report – December 2023

Received and filed.

- c. Highway Report – December 2023

Received and filed.

- d. Wastewater Treatment Plant – December 2023

Received and filed.

- e. Building Department – December 2023

Received and filed.

- f. Buchanan Engine Company – December 2023

Received and filed.

- g. Zoning Board – October 11, 2023 minutes

Received and filed.

- h. Prosecutor’s Report – None

- i. Attorney’s Report

Village Attorney Porteus stated that the Prosecutor reached out to her concerning some incomplete matters with AAA. Village Attorney Porteus spoke with AAA council. The final CO was issued and signed today and will be exchanged hand to hand with our check tomorrow. This concludes this matter. Village Attorney Porteus, Village Administrator Serrano, Village Engineer Pommer and Building Inspector Cook had a pre-planning meeting with two applicants that will be coming before the Planning Board.

- j. Administrator’s Report

Village Administrator Serrano stated that there are a couple Planning Board and Zoning Board applications.

k. Mayor's Report

Mayor Knickerbocker is meeting with a representative of Senator Gillibrand's office to discuss federal money for Indian Point. She is hoping the Village can organize an Earth Day clean up on April 20 and have students from the High School help clean up for community service credit. The first meeting of the Recreation Committee was held last week. They will be meeting again on February 15th. Mayor Knickerbocker thanked Scott Horton, Randy Hesselgrave, Matt Mallory and Mike Giuliano for the beautiful Valentine hearts at the circle. She attended the NYCOM meeting in Albany yesterday. Mayor Knickerbocker stated for the audience that the Village has been served a lawsuit that occurred last year. It is in the insurance carriers' hands to defend it.

l. Trustee's Report

Trustee Capicotti wants the public to know that the public hearing for the AMS property has been extended until next month. He is 100% behind this project. Trustee Capicotti stated that we need volunteers for the St. Patrick's Day parade.

Trustee Wheeler also stated that the AMS project is good for the Village.

Trustee Laker stated that the AMS project has been before the Board since April 2022. They are here to be a partner of ours and are making a significant investment in the Village. He thanked Deputy Clerk Murphy for getting the Facebook page back up.

Trustee Stewart thanked AMS for coming in and doing another presentation. He is fully behind this project and will move the Village into the future. It will be a positive addition to our community. Trustee Laker and Trustee Stewart have been working on the St. Patrick's Day Parade, but they do need volunteers. The parade is March 10 at 2:00 P.M. and there will be a brunch before the parade at the fire house.

6. COMMENTS FROM THE FLOOR:

Diane Tangen, 240 Catherine Street, made public comment about the federal government should be paying the Village for storing the nuclear waste. She made comment that sidewalks are not being shoveled in a timely manner.

Lisa Wenz, 206 Tate Avenue, reminded everyone that there is a DOB Indian Point meeting on February 29th from 6:00 P.M. to 8:30 P.M. at the Cortlandt Town Hall.

Paul Woolweaver, plant manager at CertainTeed 350 Broadway. He questioned the status of the draft LWRP and the ongoing consideration of existing zoning location along the waterfront, primarily the M2 district.

Anthony Morando from Cuddy & Feder, Attorney for Certain Teed, stated that they are trying to open the dialog regarding the LWRP because a lot happens behind the scenes and they don't want to show up too late in the process when they are trying to have proactive conversations now.

7. EXECUTIVE SESSION:

At 9:35 P.M. a Motion to enter into Executive Session to discuss negotiations and personnel was made by Mayor Knickerbocker, seconded by Trustee Stewart with all in favor.

8. ADJOURNMENT

At 9:54 P.M. a Motion to exit executive session was made by Mayor Knickerbocker, seconded by Trustee Capicotti with all in favor.

At 9:54 P.M. a Motion to adjourn this meeting was made by Mayor Knickerbocker, seconded by Trustee Laker with all in favor. No monies were expended.