

**Village of Buchanan
Mayor & Board of Trustees
Special Meeting & Regular Meeting
January 7, 2025**

SPECIAL MEETING:

PRESENT:

Mayor Theresa Knickerbocker
Trustees Awilda Baez, Anthony Capicotti, Daniel Stewart, Robert Wheeler
Village Clerk, Treasurer Cynthia Kempter

Mayor Knickerbocker called the meeting to order at 6:39 P.M.

At 6:39 P.M. a Motion to enter into executive session regarding negotiations was made by Mayor Knickerbocker, seconded by Trustee Stewart with all in favor.

At 7:00 P.M. a Motion to exit executive session was made Mayor Knickerbocker, seconded by Trustee Stewart, with all in favor. No monies were expended.

REGULAR MEETING

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

Mayor Theresa Knickerbocker
Trustees Awilda Baez, Anthony Capicotti, Daniel Stewart, Robert Wheeler (via zoom)
Village Administrator Marcus Serrano (via zoom)
Village Attorney Stephanie Porteus
Village Engineer, George Pommer (via zoom)
Village Planner, David Smith
Village Clerk, Treasurer Cynthia Kempter
Deputy Village Clerk, Sharon Murphy
Deputy Treasurer Dominic Evangelista
Recreation Supervisor Jacqueline Pasquale

OTHERS:

Brian Dempsey, Partner in DTS Provident

1. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by the newly elected Officers of the Buchanan Engine Company.

2. SWEARING IN OF FIRE CHIEFS:

Mayor Knickerbocker swore in Chief Robert Outhouse, 1st Assistant Fire Chief Kieran Outhouse and 2nd Assistant Fire Chief Michael Eichler, Jr. Mayor Knickerbocker said that we are very fortunate in Buchanan to have such a great group of volunteers and we appreciate your dedication and the time you put in to the fire house.

3. APPROVE MINUTES:

November 6, 2024 Board Meeting, November 6, 2024 Special Meeting and November 26, 2024 Workshop Meeting

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

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

Nick Zachary made public comment about the review of the traffic situation on Tate Avenue. He mentioned that the corner of Kings Ferry Road and Tate Avenue is a problem, as well as the other end of Tate Avenue near the fitness center.

5. NEW BUSINESS:

a. Discussion of Truck Traffic on Broadway

Brian Dempsey, a licensed profession engineer, gave a presentation on the draft study to look at the pavement sections along Broadway, especially in the vicinity of the CertainTeed driveway to Bleakley Avenue and to the Village border to the north. They conducted automatic traffic recorder counts for a week which counted the type of vehicles, the number of vehicles and their speed. They also did a manual traffic count at the CertainTeed driveway.

Village Planner Smith stated that the Village asked Mr. Dempsey to prepare this analysis because they are currently undergoing an evaluation of rezoning that portion west of Broadway that includes the former Indian Point facility, the

CertainTeed property and Lents Cove. The current proposed zoning strategy for that area looks at a waterfront development district for the Indian Point property and recognizing that the CertainTeed property is an active existing industrial use, it was proposed to have an overlay district that would allow them to operate but under a special permit. The Village now understands the amount of truck traffic, the type of truck traffic and the weights involved and how it impacts the road life over time. There have been ongoing discussions with CertainTeed with respect to this issue. There are a couple of different alternatives that the Village can evaluate as part of the process. One is to leave the proposed zoning in place and allow for a special permit. One is to engage in an agreement with CertainTeed that would allow for the Village to evaluate the ongoing cost because of the operations and have some select compensation to the Village as a result of the additional wear and tear to the road. If that is an alternative than we would evaluate if we could keep the zoning in place with a slight modification that would allow CertainTeed to remain in place.

- b. Discussion Regarding Buchanan Engine Company No. 1, Inc. Statement of Authority to Provide Public EMS.

This has been tabled until the Board gets more information.

- c. Consider a Motion to Accept the Offer of \$120,000.00 for the 2009 Spartan Furion EV1 Rescue from McDowell County Rescue Squad in Marion, NC.

Fire Chief Outhouse mentioned that there is an agreement with Signal 5 where they get 6% of the purchase price for selling the vehicles. The net price for the 2009 Rescue vehicle will be \$112,80.00. The net for the 1991 pumper will be \$23,500.00. Village Administrator Serrano stated that the money will go into the capital fund for vehicle replacement.

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

- d. Consider a Motion to Accept the Offer of \$25,000.00 for the 1991 Pierce Lance 1250/750 Pumper from Glen Gardner Volunteer Fire Company No. 1 in Glen Gardner, NJ.

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

- e. Consider a Motion to Retain the Services of John Petroccione Regarding the Pool at a cost of \$15,000.

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

f. Consider a Motion to Increase Camp Fees.

Recreation Supervisor Jacqueline Pasquale spoke about raising the rates at the camp by \$20.00.

RESIDENTS:

PAYMENT IN FULL:	3 weeks = \$355	6 weeks = \$660
Sibling discount:	3 weeks = \$320	6 weeks = \$576

NON-RESIDENTS:

PAYMENT IN FULL:	3 weeks = \$523	6 weeks = \$996
Sibling discount:	3 weeks = \$471	6 weeks = \$898

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

g. 2025-01 Resolution Stating Polling Places and Hours for the Next Village Election.

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

WHEREAS, the next General Village Election shall be held on Tuesday, March 18, 2025; and

WHEREAS, according to New York State Election Law, §15-104, Sub 3, the Board of Trustees of the Village shall adopt a resolution which states the polling place in each election district and the hours during which the polls shall be open;

NOW BE IT THEREFORE RESOLVED, that the polling places for the next General Village Election for District No. I and No. II are located in the Community Room on the 2nd floor of the Municipal Building, 236 Tate Avenue, Buchanan, NY; and

BE IT FURTHER RESOLVED, that the hours which the polls shall be open will be between the hours of 6:00 a.m. and 9:00 p.m.

Carried by the Following Votes:

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

NAYS: None

- h. Consider a Motion to Open the Public Hearing Overriding the NYS Property Tax Cap.

A Motion to open the public hearing was made by Mayor Knickerbocker, seconded by Trustee Stewart, with all in favor.

There were no comments.

A Motion to close the public hearing was made by Mayor Knickerbocker, seconded by Trustee Capicotti, with all in favor.

- i. 2025-02 Resolution to Adopt Local Law #1 – 2025 Overriding the Property Tax Cap.

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

WHEREAS, the State Legislature and the Governor enacted legislation that establishes a “property tax levy cap” on the amount that a local government’s property tax levy can increase each year; and

WHEREAS, under this law, the total amount to be raised through property taxes charged on the municipality’s taxable assessed value of property, will be capped at 2 percent or the rate of inflation, whichever is less, with some exceptions; and

WHEREAS, the state legislation provides for local governments to override the cap to protect the Village from unforeseen financial circumstances; and

WHEREAS, state legislation requires that in the event that an override is necessary, the law enabling it must already have been adopted by the Board of Trustees; and

WHEREAS, Local Law Introductory No. 1 of 2025 has been drafted to override the “property tax levy cap” law enacted by State Legislature if necessary; and

WHEREAS, a Public Hearing was held and closed on January 7, 2025.

NOW, THEREFORE BE IT RESOLVED: that the Village Board of Trustees hereby adopts Local Law No. 1-2025 to override the “property tax levy cap” law enacted by State Legislature; and

BE IT FURTHER RESOLVED that the Village Clerk be and hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Village of Buchanan, and to give due notice of the adoption of said local law to the Secretary of State of the State of New York.

Carried by the Following Votes:

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

NAYS: None

- j. Consider a Motion to Call for a Public Hearing on February 4, 2025 Regarding Parking Restrictions on Certain Intersections.

A Motion to call for a public hearing on February 4, 2025 was made by Mayor Knickerbocker, seconded by Trustee Stewart, with all in favor.

- k. Consider a Motion to Approve the Carry-Over of One Seasonal Worker Until January 31, 2025.

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

- l. Consider a Motion for the Signing and Resubmitting of the Village Administrator Waiver to the State.

A Motion to approve this as presented was made by Mayor Knickerbocker, seconded by Trustee Wheeler, with all in favor and Mayor Knickerbocker not voting.

- m. Consider a Motion to Approve the 266 White Street Sale Proceeds.

Mayor Knickerbocker explained that there is a tax lien on the property. The total liens for the Town and the Village were \$83,000.00. The property was sold. The Town will receive \$61,620.00 and the Village will receive \$16,380.00

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

- n. Discussion on Dog Licenses.

Mayor Knickerbocker was contacted by the State. They are looking for the Village to have either an agreement with the Town of Cortlandt or to hire a dog control officer. Village Attorney Porteus stated that the Village is permitted to pass a resolution having the Town of Cortlandt use their dog control officer. Mayor Knickerbocker stated that many years ago the Village had an agreement with the Town for a nominal fee of \$4,000.00. Village Attorney Porteus will research this further. It will be discussed at the next workshop.

6. INFORMATION FROM OFFICERS & DEPARTMENTS:

- a. Justice Reports – November 2024

Received and filed.

- b. Police Report – November 2024

Received and filed.

- c. Highway Report – November 2024

Received and filed.

- d. Wastewater Treatment Plant – November 2024

Received and filed.

- e. Building Department – November 2024.

Received and filed.

- f. Buchanan Engine Company – November 2024

Received and filed.

- g. Prosecutor's Report – None

- h. Attorney's Report

Village Attorney Porteus gave an update on the John Doe case. They made their motion and submitted their brief to the Court of Appeals. We are waiting on a decision from the court.

- i. Administrator's Report

Village Administrator Serrano stated that the \$100,000 CREST grant from Senator Harckham's office doesn't qualify to repaint the pavilion. The money can be allocated to another project. Village Administrator Serrano said that the company that is interested in the Village property on the corner of Bleakley Avenue and Albany Post Road have done some review and they can only put about eight units on that site. They would like to talk to the Board in executive session to negotiate a price.

- j. Mayor's Report

Mayor Knickerbocker stated that she was contacted by the cell tower company. They are moving along and working out the lease issues with our consultant. Verizon has agreed to come on to the cell tower.

- k. Trustee's Report

Trustee Baez stated that she is in contact with the Superintendent. She is trying to provide services to the new students who are learning english as a second language. She will have an update from the recreation committee at the next meeting.

Trustee Capicotti stated that we have big things coming up and working together as a team we can get a lot accomplished.

Trustee Stewart congratulated the newly elected officers of the Buchanan Engine Company. The St. Patrick's Day Parade committee will meet January 16th at 7:00 P.M. at the Buchanan fire house.

Trustee Wheeler asked when the waiver for the administrator will be sent. Village Clerk Kempter replied that once it is signed it is ready to be sent to the State.

7. COMMENTS FROM THE FLOOR: None

8. ADJOURNMENT

At 8:29 P.M. a Motion to adjourn this meeting was made by Mayor Knickerbocker, seconded by Trustee Capicotti with all in favor. No monies were expended.