

**Village of Buchanan
Mayor & Board of Trustees
Regular Meeting
July 2, 2024**

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

Mayor Theresa Knickerbocker
Trustees Awilda Baez, Daniel Stewart, Robert Wheeler
Village Administrator Marcus Serrano
Village Attorney Stephanie Porteus
Village Engineer George Pommer (via zoom)
Village Clerk, Treasurer Cynthia Kempter

ABSENT:

Trustee Anthony Capicotti

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:

May 28, 2024 Village Board Workshop

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

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

Paul Woolweaver of CertainTeed Gypsum made public comment about the M2 zoning change.

Anthony Morando, attorney with Cuddy & Feder, made public comment about weighing in on the proposed zoning changes before it went out to all the agencies. He questioned if the CertainTeed parcel has to be included in the re-zoning.

4. NEW BUSINESS:

- a. Consider a Motion to Award a Bid for the Roadway Improvement Project 2024.

This motion has been tabled. Village Engineer Pommer stated that he has been in contact with the low bidder which is significantly lower than the second bidder. They have asked him to clarify his bid.

- b. Consider a Motion to Award a Bid to Pizzella Bros., Inc. for the 2024 Gate Valve Replacement Project.

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

Village Engineer Pommer showed different options for the Fat Sal's parking lot. Village Engineer Pommer had a meeting with the Westchester Hills. Since then, the curbs have been completed and they did some restoration work. On July 8th they plan to start milling and paving.

- c. 2024-11 Resolution Declaring Notice of Intent to Act as Lead Agency for Proposed Zoning Text and Map Amendments to Create New Zoning Designations – WD – Waterfront Development and WD Industrial Overlay for the Properties Located on the West Side of Broadway (and also Known and Designated on the Tax Map of the Town of Cortlandt as Section 43.10, Block 2, Lots 1 and 2 and Section 43.10, Block 1, Lots 1 and 2 and Section 43.17 Block 1 Lot 1).

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

WHEREAS, the Village of Buchanan is a duly incorporated Village in the State of New York and under New York State Village Law the Village Board of Trustees (the "Village Board") is the responsible entity for amending the Village Code and Zoning Map; and

WHEREAS, given the recent closing and decommissioning of the former Indian Point Energy Center (IPEC) the Village is desirous of providing the opportunity for redevelopment that is in keeping with recent development trends for similar Hudson River waterfronts located within the Hudson River Valley; and

WHEREAS, the Village Board has commissioned the drafting of proposed zoning text and map amendments that would allow for a reimagined waterfront or would otherwise permit an existing industrial use to continue to operate for the properties located west of Broadway (the "Proposed Action") (the "Proposed Zoning Amendments"); and

WHEREAS, the Village Board has discussed the Proposed Zoning Amendments during regularly scheduled meetings; and

WHEREAS, Article XII, Section 211-53 of the Code of the Village of Buchanan

provides for the process and procedures for amendments to the Village's Zoning Code, and a draft of the Proposed Zoning Amendments along with other supporting documentation has been prepared for public review and comment; and

WHEREAS, the Village Board, under Section 7-700 of New York State Village Law and Article XII §211-53 of the Code of the Village of Buchanan, is the only duly authorized legislative body that has the authority to approve the Proposed Zoning Amendments; and

WHEREAS, after a review of the Proposed Action, the Village Board acknowledges that there are other interested and involved agencies, as those terms are defined under the State Environmental Quality Review Act ("SEQRA" or Part 617 of the NYS CRR), that should be notified of the Village Board's Intent to Act as Lead Agency; and

NOW, THEREFORE, BE IT RESOLVED, the Village Board pursuant to Part 617.6 of the NYS CRR, and §83-11 of the Village Code hereby determines that the Proposed Action is subject to SEQRA and is a Type I Action; and

BE IT FURTHER RESOLVED, that the following agencies identified by the EAF and using all due diligence, are Interested or Involved agencies for the Proposed Action and should be provided a copy of this Notice of Intent to Act as Lead Agency:

Village of Buchanan Planning Board
Town of Cortlandt
City of Peekskill
Buchanan Fire District
Verplanck Fire District
Westchester County Department of Health
Westchester County Department of Planning
New York State Department of Environmental Conservation
New York State Department of State; and
United States Nuclear Regulatory Commission; and

BE IT FURTHER RESOLVED, that the Village Board hereby directs that a Lead Agency Coordination Notice be circulated among the Interested and Involved agencies together with a copy of this resolution, the Proposed Zoning Amendments, the EAF, and such other information as is appropriate, indicating the Village Board's intent to assume the role of Lead Agency for the Proposed Action under SEQRA, and that a minimum of 30 days from the circulation of Lead Agency Coordination Notice to comment on the Board's Intent to Act as Lead Agency and that any correspondence on this matter be directed to the Village Administrator's Office, 236 Tate Avenue, Buchanan, NY 10511.

Carried by the Following Votes:

AYES: Mayor Knickerbocker, Trustee Baez, Trustee Stewart, Trustee Wheeler
NAYS: None
ABSENT: Trustee Capicotti

- d. Consider a Motion to Increase Lifeguard pay by \$1.00.

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

5. INFORMATION FROM OFFICERS & DEPARTMENTS:

- a. Justice Reports – None.
- b. Police Report – May 2024
Received and filed.
- c. Highway Report – May 2024
Received and filed.
- d. Wastewater Treatment Plant – May 2024
Received and filed.
- e. Building Department – May 2024.
Received and filed.
- f. Buchanan Engine Company – May 2024
Received and filed.
- g. Planning Board – May 23, 2024 minutes
Received and filed.
- h. Zoning Board – May 15, 2024 minutes
Received and filed.
- i. Prosecutor's Report – None
- j. Attorney's Report

Village Attorney Porteus had a conversation with counsel for Holtec. We had a couple of additional questions and they will get back to us shortly.

k. Administrator's Report

Village Administrator Serrano stated that he notified the Town of Cortlandt of the Board's decision regarding the crosswalks and has not received a response back. Village Administrator Serrano spoke with Survey Monkey. It will be \$900/year if the Board wants to move forward with that. The WIIA grant was submitted. WQIP is due on July 31st. The trench has been done for the digital sign and the electrician is coming to run the electrical line. The DPW will be doing the footings for the sign. There was a fence that had to be repaired at the pool.

l. Mayor's Report

Mayor Knickerbocker stated that Congressman Lawler did a letter of support for the WIIA grant. When we do the WQIP grant it would be appropriate to ask him for a letter of support. We did receive a letter of support from Senator Harckham and Assemblywomen Levenberg for the WIIA grant. Mayor Knickerbocker would like to get a price for the fence around the pump station on 4th Street. Mayor Knickerbocker stated that we should be doing several surveys this year. The recreation committee is interested in sending out a survey to the residents to see what they are interested in. Mayor Knickerbocker stated that Senator Harckham has \$100,000 for the Village. She would like to use that money to paint the pavilion. The fire escape at Village Hall needs to be addressed and the highway garage also needs to be painted. Mayor Knickerbocker apologized to the public because last week the Board went into executive session for something we didn't have to go into executive session for. They discussed the Building Inspector and Assistant Building Inspector salaries and hours. The Board is working on the 211 Waiver for the Administrator. She wished everyone a happy and safe 4th of July.

m. Trustee's Report

Trustee Baez stated that as the liaison to the school, she wanted to thank Jill Davis, Director of the Hendrick Hudson Library, Superintendent Tromblee, and Margaret Ruller, Executive Director of Curriculum and Instruction for always having ongoing conversations with her about how we can support the students that are new to the community as well as the parents. Trustee Baez thanked Alexa Fisher, pool director and Jacqueline Pasquale, recreation supervisor. She went to the pool the day after the black out and Alexa was already onboard with the lifeguards cleaning the pool and ensuring that the residents could use it in a safe and clean manner. Trustee Baez stated that she will be meeting with the recreation committee at the next meeting. In regards to pickleball, she suggested

an effective and low-cost way to start up. We could put tape on the ground and set it up for pickleball and see how many residents come out to play. She also found an instructor who is not expensive that is willing to come out and teach people how to play pickleball. She wished everyone a happy 4th of July.

Trustee Wheeler stated that he saw DPW working on the old tennis court. They cleaned it up and resurface it and it looks great. He said that school is out, so just be aware of the children are out and about. He said that the annual Buchanan Engine golf outing is September 6th and is in memory of Moe Merritt. He wished everyone a happy 4th of July.

Trustee Stewart asked about the update on the cell tower. Mayor Knickerbocker replied that they are waiting for the lease. There has been some interest expressed by Verizon, ATT&T and T-Mobile. Trustee Stewart stated that he has three people interested in participating in the Business and Economic Committee and is waiting on a few others. Trustee Stewart would like to make a motion to move the 211 Waiver process along. The Board needs to review and revise the waiver and set a timeline for getting this done. We should begin to advertisement in NYCOM and GFOA for the position.

Mayor Knickerbocker replied that she called the Civil Service Department that handles the 211 Waiver and there is no meeting in August. If we submit it in September, they will have an answer in October. Trustee Wheeler mentioned that we have done waivers a few times. Mayor Knickerbocker and Village Administrator Serrano had further discussion about the 211 Waiver.

6. COMMENTS FROM THE FLOOR:

John Bell, 208 First Street, made public comment about the Village Engineer's drawing of the Fat Sal's parking lot. He made comment about people parking at the corners. He made comment about having a pedestrian/bike path on Tate Avenue.

Lisa Wenz, 206 Tate Avenue, agreed with Mr. Bell about Tate Avenue being dangerous. She made public comment about improving the playground behind the highway garage.

Eileen Absenger, 138 Tate Avenue, made public comment about other municipalities putting moratoriums on battery operated facilities.

7. EXECUTIVE SESSION:

At 8:29 P.M. a Motion to enter into Executive Session to discuss personnel was made by Mayor Knickerbocker, seconded by Trustee Baez with all in favor and Trustee Capicotti absent.

8. ADJOURNMENT

At 8:59 P.M. a Motion to exit executive session was made by Mayor Knickerbocker, seconded by Trustee Wheeler with all in favor and Trustee Capicotti absent.

At 8:59 P.M. a Motion to adjourn this meeting was made by Mayor Knickerbocker, seconded by Trustee Wheeler with all in favor and Trustee Capicotti absent. No monies were expended.