

**Village of Buchanan
Mayor & Board of Trustees
Regular Meeting
October 1, 2024**

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

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

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:

August 6, 2024 Board Meeting and August 27, 2024 Workshop Meeting

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

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

4. NEW BUSINESS:

- a. Consider a Motion to Approve Change Order #2 in the amount of \$35,300.00; Change Order #3 in the amount of \$118,100.00 and Change Order #4 in the amount of \$2,814.44 in reference to the 2024 Road Improvement Project as Recommended by the Village Engineer.

Village Engineer Pommer stated for change order #2 there was drainage found discharging into private property and want to relocate that drainage into the Village right of way. Change order #3 is for the new design of the Tate Avenue parking lot. Change order #4 is for the new asphalt on Rockledge Avenue where there was some sinking.

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

- b. Consider a Motion Accepting the Proposal from Northern Fence Co., Inc. in the Amount of \$11,740.00 to Replace the Fourth Street Pump Station Front Fence & Gate as Recommended by the Village Engineer.

There were four bids on the fence.

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

- c. Consider a Motion to Schedule a Public Hearing on November 6, 2024 Regarding the Altice Franchise Agreement.

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

- d. 2024-15 Resolution Authorizing the Mayor to Execute a Payment in Lieu of Tax ("PILOT") Agreement with Nuclear Asset Management Company, LLC and Holtec Decommissioning International, LLC.

Village Attorney Porteus stated that this is an eight-year agreement at \$1,6000,00.00 per year. This goes into effect June 1, 2025.

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

WHEREAS, after negotiations with NUCLEAR ASSET MANAGEMENT COMPANY, LLC and HOLTEC DECOMMISSIONING INTERNATIONAL, LLC (the "Company") owner of Indian Point 2 & 3 and associated property, and equipment, (the "Facility"), a Payment in Lieu of Tax ("PILOT") Agreement has been received and reviewed by the Board of Trustees of the Village of Buchanan (the "Village"); and

WHEREAS, New York Real Property Tax Law ("RPTL") Section 485 permits the exemption from taxation of nuclear-powered electric generating and formerly generating facilities upon adoption of a local law or resolution by any tax jurisdiction in which such a facility is located to confer the exemption and to authorize said tax jurisdiction to enter into an agreement with the owner of such a facility to provide for payments in lieu of taxes; and

WHEREAS, pursuant to Local Law 5 of 2022, duly adopted on May 3, 2022, the Village provided for exemption of nuclear-power electric generating and formerly generating facilities from taxation, special ad valorem levies and special assessments imposed by or within the Village; and

WHEREAS, the PILOT Agreement, annexed hereto, will be for a period of eight (8) years and will exempt the Facility from the real property tax assessment rolls of the Village of Buchanan as authorized by Section 485 of the Real Property Tax Law of the State of New York; and

WHEREAS, the proposed PILOT provides for a payment of \$ 12,800,000.00 over the life of the Agreement to the Village of Buchanan and will provide for a stable stream of revenue.

NOW BE IT THEREFORE RESOLVED that the Village Board approves the proposed PILOT Agreement providing for annual payments as set forth in such Agreement; and

BE IT FURTHER RESOLVED that the Mayor of the Village of Buchanan is hereby authorized to execute and deliver the foregoing PILOT Agreement on behalf of the Village of Buchanan; and

BE IT FURTHER RESOLVED that this Resolution shall be effective immediately.

Carried by the Following Votes:

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

NAYS: None

- e. Consider a Motion Authorizing the Mayor to sign the TraCS Use and Dissemination Agreement Between NYS Police, the County of Westchester Department of Public Safety and the Village of Buchanan Police Department.

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 Remove Probationary Active Member Joseph Ortiz from the Fire Department Membership and Add Kelly Ferry to Active Status.

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

- g. A Motion to Hire DTS Provident for a Fee of \$2,500.00 for a Traffic Study.

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

COMMENTS:

Mayor Knickerbocker stated that we were planning on scheduling a public hearing on the M2 rezoning, but there were interested parties that have submitted comments and we would like to take time and review the comments before scheduling a public hearing.

5. INFORMATION FROM OFFICERS & DEPARTMENTS:

a. Justice Reports – August 2024

Received and filed.

b. Police Report – August 2024

Received and filed.

c. Highway Report – August 2024

Received and filed.

d. Wastewater Treatment Plant – August 2024

Received and filed.

e. Building Department – August 2024.

Received and filed.

f. Buchanan Engine Company – August 2024

Received and filed.

g. Planning Board – June 27, 2024 and July 25, 2024

Received and filed.

h. Zoning Board – July 10, 2024 minutes

Received and filed.

i. Prosecutor's Report – None

j. Attorney's Report

Village Attorney Porteus has nothing to report.

k. Administrator's Report

Village Administrator Serrano stated that anyone that wants an absentee ballot can get one at Village Hall or the Board of Elections. The Planning Board will be having a public hearing on 300 White Street for change of use. The lights at the intersection of Broadway and Bleakley Avenue have been replaced. DASNY approved the grant for the boiler, but there is still paperwork to be done. The boiler at Village Hall is done and working. The sewer pipe lining will be done by Thanksgiving.

l. Mayor's Report

Mayor Knickerbocker thanked everyone that was involved in Buchanan Day. Buchanan Engine Co. #1 gave out smoke alarms and cooked the hamburgers and hot dogs. The Police Department gave out ice cream. CertainTeed donated the t-shirts and Cortlandt Ambulance Corp was there. She thanked John Palmietto for handing out the recreation survey. It was nice to see our community come together and enjoy the day. The Fire House inspection is this Friday at 6:00 P.M. Mayor Knickerbocker stated that she was asked a lot of questions about Indian Point. People were hopeful that Indian Point would be restarted again after the article in the newspaper came out. Unfortunately, the decommissioning is too far along for that to happen.

m. Trustee's Report

Trustee Capicotti thanked Mayor Knickerbocker for her work on Buchanan Day. He thanked the sponsors also. He thanked Attorney Porteus for getting the PILOT agreement done.

Trustee Stewart thanked the Board for their work on the PILOT. It was nice to see the Board work together. He stated that Buchanan Day was a well-attended event and well run.

Trustee Wheeler stated that Buchanan Day was great. All the kids had lots of fun. He stated the new fire truck should be here by the end of November.

Trustee Baez stated that 16 recreation surveys were received back and 26 people responded by the survey monkey link. The recreation committee will be analyzing the results and providing a comprehensive report to the Board as to what their recommendations are. Trustee Baez questioned if there is a strain on the budget due to pickleball. Village Administrator Serrano stated the short answer is absolutely not. Trustee Baez replied that there is misinformation

floating around. She wanted to make it public that the pickleball lessons are not setting us back. She wants to stop the nonsense and move forward. The residents are very happy and are enjoying the lessons.

Mayor Knickerbocker thanked Village Attorney Porteus for all her efforts on working with the PILOT.

6. COMMENTS FROM THE FLOOR:

Gary Bell, 230 Henry Street, made public comment regarding AMS in reference to residents being 55 and above, the entrance being on Craft Lane and the union issue.

Tania Drezek, 222 Travis Avenue, made public comment regarding pickleball.

7. EXECUTIVE SESSION:

At 8:15 P.M. a Motion to enter into Executive Session to discuss negotiations was made by Mayor Knickerbocker, seconded by Trustee Stewart with all in favor.

8. ADJOURNMENT

At 8:22 P.M. a Motion to exit executive session was made by Mayor Knickerbocker, seconded by Trustee Stewart with all in favor.

At 8:22 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.