

VILLAGE OF BUCHANAN

BOARD MEETINGS

SPECIAL BOARD MEETING

Municipal Building

236 Tate Avenue

Buchanan, NY 10511

September 9, 2025

7:15 p.m. to 8:13 p.m.

September 9, 2025

MEMBERS PRESENT:

Theresa Knickerbocker, Mayor

Awilda Baez, Trustee

Anthony Capicotti, Trustee

Steve Laker, Trustee (via Zoom)

Daniel Stewart, Trustee

MEMBERS ABSENT:

Marcus Serrano, Administrator

ALSO PRESENT:

Stephanie Porteus, Village Attorney

George Pommer, Village Engineer

Cynthia Kempter, Village Clerk, Treasurer

Jim Thatcher

John Petroccione

OTHER SPEAKERS:

Richard Funchion

Paola and John Chacon-Paul

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2 (The board meeting commenced at 7:15 p.m.)

3 MS. THERESA KNICKERBOCKER: Welcome to
4 The Village of Buchanan September 9 special board
5 meeting. Please join me in the pledge of
6 allegiance.

7 MULTIPLE: I pledge allegiance to the
8 flag of the United States of America, and to the
9 Republic for which it stands, one nation under
10 God, indivisible, with liberty and justice for
11 all.

12 MS. KNICKERBOCKER: Okay, thank you. On
13 Zoom is Trustee Laker, and the Administrator,
14 Marcus Serrano, is on vacation until the 24th.

15 In case of emergency, please use the
16 exit door to my left, to your right. And, also,
17 do not use the elevator, use the staircase behind
18 the elevator.

19 Under new business -- first, I want to
20 explain why we're having this special meeting.
21 We are going to approve a grant application for
22 some streets in the Village here. There's a \$15
23 million grant that Westchester County has put
24 forward, and we'd like to put some streets in

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2 there, and also possibly receive some money. I
3 believe it's a 50 percent grant, so whatever we
4 can get, you know, we'll go after those grants
5 and get some more infrastructure done.

6 So, first on the agenda is consider to
7 approve the hiring of Jim Thatcher. Is Jim on?

8 MR. DANIEL STEWART: He was on, yeah.
9 He was up on the top.

10 MR. JIM THATCHER: I'm here, Mayor. Can
11 you hear me?

12 MS. KNICKERBOCKER: Hi, Jim. How are
13 you?

14 MR. THATCHER: Hey.

15 MS. KNICKERBOCKER: Thanks for joining
16 us.

17 MR. THATCHER: You're welcome.

18 MS. KNICKERBOCKER: So, you're going to
19 explain to us, we're able, this year, to apply
20 for a grant for our swimming pool. Last year, we
21 weren't able to. We didn't meet the criteria.
22 So, this is round 2 for New York SWIMS. So, if
23 you could just give us an overview.

24 MR. THATCHER: Sure. I'll try to be

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relatively brief. We started talking to Marcus a year ago, more than a year ago, about your pool, both the wading pool and the main pool and some mechanical, filtration, piping. I think the aluminum wading pool is also problematic with the Department of Health. Just a myriad of issues with your pool in terms of its upkeep and keeping it viable for the long term.

So, New York SWIMS is a program that the governor initiated a year ago with at least a couple of rounds of funding through the State Office of Parks and Recreation, but the grant is administered through the Dormitory Authority. Last year, you guys looked like a good candidate, but there was a scoring metric that was pass/fail in order for your application to be even read or considered. And it was based on some census numbers and a need for swimming facilities in the county of which you're in, Westchester County. And that metric calculated to the point where you guys would not, we don't think you guys would have been considered. You wouldn't, you wouldn't have gotten a fair consideration. So, we pulled

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2 back and didn't do that grant application.

3 Fast forward to now, and round 2 has
4 about \$53 million in it statewide. They changed
5 that metric, that initial pass/fail criteria,
6 tweaked it a little bit. So, there's still an
7 emphasis on what they call underserved
8 communities, communities that don't have access
9 to swimming or, or have maybe a greater swimming
10 need, if you will. But they changed the
11 pass/fail to the point where you guys are
12 eligible and you would, at least, be considered.
13 And I think you, I think you still have a decent
14 shot. You're not defined as underserved in terms
15 of your swimming need, but you are a
16 disadvantaged community per the DEC, and you have
17 some other things going for you, well, good and
18 bad. I mean, obviously, with, with what's
19 happened with environmental justice and being a
20 disadvantaged community with Indian Point and all
21 that. But you have some things that make going
22 for certain grants in your favor.

23 So, long story short is that, for your
24 pool and for the issues that you're dealing with,

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this is a capital grant program, design, engineering, bidding, and construction to redo as much of the pool complex as you need to or, or would like to, to make it viable and affordable. You are eligible. And a project in the range of, you know, \$300,000.00 or higher would be eligible for 80% grant funding.

And a lot of the, the first round winners were big cities, you know, Albany, Schenectady, up north. There wasn't much in Westchester County, but out west, Buffalo, Syracuse, some of the, the main largest municipalities that had multi-million-dollar pool reconstruction projects, those have been funded. So, hopefully, they've kind of moved some of the bigger communities out of the way and can kind of dip down lower into the scale so that you guys have a, have a good shot.

I think that's a pretty good synopsis, but it's, you know, on paper, it's really good for your pool and your needs. I, I'm sure it's going to be fairly competitive because pools just haven't been a focus of the state for a long

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2 time. But you will, you will get considered and
3 you will get a fair reading, we hope. So, we
4 resubmitted basically the same proposal from last
5 year that, that Marcus was agreeable to, and
6 we'll kind of run, run with it if you agree to go
7 for it.

8 October 30th is the deadline, and I
9 think Marcus has already supplied us with some of
10 the engineering and assessment reports and some,
11 some details about your pool problems that we can
12 work from. So, I'll, I'll stop there, unless
13 there's questions.

14 MS. KNICKERBOCKER: So, this would be
15 for the kiddie pool and for the main pool, the
16 grant application?

17 MR. THATCHER: Yeah, I think that it
18 should be for both. I think you should try in
19 one swoop to do as much as you need to do for
20 the, for the entire complex. The grant program
21 would also fund sort of, you know, ancillary
22 facilities, like bath houses or fencing. You
23 know, things that sort of are capital related,
24 but around the pool or needed for the pool to

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2 make a complete complex.

3 If you were just to do a splash pad
4 somewhere next to the pool, that wouldn't
5 qualify. You have to at least include a pool, a,
6 a true pool facility in your project. But, you
7 can do some other things like restrooms, bath
8 houses, picnic pavilion or, you know, something
9 that goes with your pool that may need some work,
10 as well. So, you could kind of think of it more
11 holistically, at least, for as much as you, as
12 much as you can stand to do for that, your pool
13 complex.

14 MS. KNICKERBOCKER: Mm-hmm. There's
15 quite a bit that needs to be done, so we, we will
16 look into that. And George Pommer, I see he's on
17 this evening, too. So, we will see what else we
18 can add there. Maybe some of the Board members
19 would like to go down to the pool and maybe get
20 some ideas, too. There might be some more
21 fencing that needs to be done. I'm not sure.
22 We'll also ask the Recreation supervisor to see
23 if there's any --

24 MR. STEWART: We were talking about the

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2 storage facility for the chemicals, as well. So,
3 you know, that, I'm sure that would be part of
4 the project.

5 MS. AWILDA BAEZ: And he did, he did say
6 the restrooms, right?

7 MS. KNICKERBOCKER: Yeah.

8 MS. BAEZ: Okay, good. Because those
9 need to be upgraded.

10 MS. KNICKERBOCKER: So, we have a list,
11 we'll have a list for you.

12 MS. BAEZ: Mm-hmm.

13 MR. THATCHER: Sounds good. Yes, that
14 would be eligible. Anything that makes your pool
15 operate and, you know, viable as a complex.

16 MS. BAEZ: Alright, great.

17 MS. KNICKERBOCKER: Alright, Jim, thank
18 you.

19 MS. BAEZ: Thank you.

20 MR. STEWART: Thank you.

21 MR. THATCHER: You're welcome.

22 MS. KNICKERBOCKER: And I'd like, I'd
23 like to make a motion to approve the hiring of
24 Jim Thatcher and authorizing him to submit a

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2 grant application for New York SWIMS, round 2.

3 Can I have a second?

4 MS. BAEZ: Second.

5 MS. KNICKERBOCKER: All in favor?

6 MULTIPLE: Aye.

7 MS. KNICKERBOCKER: Okay, thank you.

8 Alright, I am going to make a motion to open the
9 public hearing regarding the Complete Streets
10 program. Can I have a second?

11 MS. BAEZ: Second.

12 MS. KNICKERBOCKER: All in favor?

13 MULTIPLE: Aye.

14 MS. KNICKERBOCKER: Okay. So, we've
15 been discussing this for a while, the Complete
16 Streets. Like I just said before, the county has
17 a \$15 million program. We have been dis-, the
18 Board members have been discussing what streets
19 they would like to put the grant in for. One of
20 the grants is across the street from Da Ros on
21 Albany Post Road. Another one is Bannon Avenue
22 and the Kings Ferry intersection, and also Tate
23 Avenue and the Kings Ferry intersection. And the
24 other one is on Westchester Avenue. If that gets

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2 done on Westchester Avenue, it's from 4th Street
3 to the school. That is the only section on
4 Westchester Avenue that does not have a sidewalk,
5 and it's in the school area.

6 So, those were the three that the, the
7 Board came up with. Any comments from the Board
8 members? Okay, okay. Anyone who comes to speak,
9 please give your name and --

10 MR. RICHARD FUNCHION: Richard Funchion,
11 179 Kings Ferry Road. I got the notice in my
12 mailbox, but I don't fully understand what are
13 they going to do. And maybe, correct me if I'm
14 wrong, but somebody in Montrose complained about
15 the intersections of Kings Ferry and Bannon and
16 Kings Ferry and Tate. What, what are we, what,
17 what's the Village doing?

18 MS. KNICKERBOCKER: So, what we're doing
19 is the handicap accessible, it dips down and, you
20 know, it has the little grates on it before it
21 goes into the road.

22 MR. FUNCHION: Because it is already,
23 the, the sidewalk already dips down.

24 MS. KNICKERBOCKER: No, no. You have to

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2 --

3 MR. STEWART: It has to be compliant.

4 MS. KNICKERBOCKER: Yeah, it's, yeah.

5 As Dan said, not ADA-compliant.

6 MR. FUNCHION: Oh, okay. Alright.

7 MS. KNICKERBOCKER: Yeah. That's
8 basically. We're not --

9 MR. STEWART: That's the main reason,
10 Rich.

11 MR. FUNCHION: Okay.

12 MS. KNICKERBOCKER: We're not looking --
13 and then, striping. And, and also striping it.

14 MR. FUNCHION: Right. And being that
15 you're talking about a handicapped person, that
16 intersection, since I've been up here since 1977,
17 has got -- is a disaster. You, you now have
18 dozens of kids up and down. You can't, you get -
19 - you do not get a sightline when you're coming
20 from further up on, on Kings Ferry Road. And
21 they're coming over the hill, people are coming
22 out from Tate, and it's just a matter of time
23 until there's a real accident. So, I wish that,
24 that the parents would stop letting their kids go

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2 out on a busy street, doing wheelies. And it's,
3 it's, it's really, I feel sorry for the, for the
4 kids, because one of them is going to wind up
5 being paralyzed or something. And, and they come
6 around the corner from Kings Ferry to go onto
7 Tate, and the turns are real wide.

8 And this is not to mention about, also
9 what's, it's a thing of life, quality of life, is
10 the amount of cars now and trucks without
11 mufflers has gotten out of hand. They're, I
12 mean, I find, I find like I'm living in a, in a,
13 I don't know, a city street down in New York
14 City, because it's so loud and, and people speed.
15 And the problem is you've got one jurisdiction on
16 one side of the street and another jurisdiction
17 on the other side of the street. So, I don't
18 know, do not know what the solution is, but it's
19 just a matter of time before some people get
20 hurt. And, and that's a very bad place.

21 I know there was one individual on Kings
22 Ferry Road up into the Montrose section that
23 tried for years with the Town of Cortlandt to get
24 speed bumps put in, because it's, it's out of

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2 control. But, so you're saying that this, this
3 thing that's, you're going to put in grating?

4 MS. KNICKERBOCKER: And then, also the
5 walkway line.

6 MR. STEWART: The ADA compliant --

7 MR. FUNCHION: Oh, yeah, the striped
8 lines, you mean?

9 MR. STEWART: Yeah.

10 MR. FUNCHION: Is that the ones that you
11 have to, the car has to stop for?

12 MS. KNICKERBOCKER: No, it's just a
13 crosswalk.

14 MR. FUNCHION: Oh.

15 MR. ANTHONY CAPICOTTI: The reason why
16 we're doing this, actually, is to protect the
17 pedestrians walking across the intersections.
18 The pedestrian crosswalk will be set back. The,
19 the ped ramps now, the pedestrian ramps that are
20 in place right now, actually cast you out into
21 the, into traffic. So, they will be redesigned
22 to, with ADA-compliant tiles to proceed you into
23 the crosswalk, to send you into the crosswalk to
24 the other side, which will line up. They're

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2 actually going to be recessed, the crosswalks
3 will be recessed with a stop bar being five feet
4 back. George has a design that he draw, drew up
5 for both intersections, and we can make that
6 accessible to you, somehow, on the website, if,
7 if that's possible.

8 MR. FUNCHION: The other thing was, that
9 I just noticed coming up here, they took the sign
10 away for Buchanan.

11 MS. KNICKERBOCKER: Well, that, somebody
12 had complained about the sign not --

13 MR. STEWART: The condition, right.

14 MS. KNICKERBOCKER: -- the condition of
15 it, so we're going to reinstall --

16 MR. FUNCHION: Oh, okay. Alright.

17 MS. KNICKERBOCKER: -- another sign,
18 yes.

19 MR. FUNCHION: Alright, thank you very
20 much.

21 MS. KNICKERBOCKER: Yeah, Rich, you're
22 at a, you're at a, a pretty dangerous
23 intersection there. And I know I was coming out
24 of Tate Avenue, taking a left to go to Montrose.

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2 And it's, you've got to move fast because they
3 come up over the hill pretty fast there.

4 MR. FUNCHION: And they're speeding.

5 MS. KNICKERBOCKER: Yeah, probably. I,
6 you know, I, I'm sure they are.

7 MR. FUNCHION: I think there were
8 several incidences where there was crashes and
9 the people coming over the hill are screaming and
10 yelling at people coming out of Tate. And the
11 officers have said, if you weren't speeding,
12 you'd be able to stop.

13 MS. KNICKERBOCKER: So, is there, for
14 years -- I, I just don't remember. I don't
15 travel there that often. Is there -- there used
16 to be a caution light there. Is there anything
17 there anymore?

18 MR. FUNCHION: It's a flashing light
19 there.

20 MS. KNICKERBOCKER: It's a flashing
21 light?

22 MR. FUNCHION: Yeah. But, I mean, you
23 can't put a -- if you put in a regular light, I
24 could never get out of my driveway. You know,

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2 it's, it's a --

3 MS. KNICKERBOCKER: Yeah. Like you
4 said, I don't know what the answer is there.

5 MR. FUNCHION: It's just people having
6 some consideration for the people in the, in the
7 neighborhood. You know, I see this white pickup
8 truck going back and forth [unintelligible]
9 [00:14:56]. It hasn't got a, a muffler on it.
10 And, you know, it disturbs the whole
11 neighborhood. And motorbikes. There are some
12 people on motorbikes, the thing is real quiet.
13 Others have to rev the thing up. And it's, it's
14 just, it's not fair to the people who live here,
15 you know. Thank you.

16 MS. KNICKERBOCKER: Alright. Thanks for
17 your comments, Rich.

18 MR. STEWART: Thank you, Rich.

19 MS. KNICKERBOCKER: Anyone else? Okay.

20 MR. JOHN PAUL: Paola and John Paul from
21 3109 Albany Post Road. I believe that's what
22 you're calling across from Da Ros?

23 MS. KNICKERBOCKER: Yes.

24 MS. PAOLA PAUL: It's not across from Da

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2 Ros.

3 MR. PAUL: Well, you know.

4 MS. KNICKERBOCKER: Well, it's just
5 easier for me to explain to people where the
6 proximity of the area.

7 MR. PAUL: Well, I've been looking into
8 this, and I don't think you guys were given all
9 of the information on this program, so I just
10 have some facts and some just, you know, matter
11 of fact things that we feel about this. I think
12 there's a few important things to mention about
13 the Complete Streets funding.

14 The funding roadway design features
15 include sidewalks, lane striping, bicycle lanes,
16 paved shoulders suitable for use of bicyclists,
17 signage, crosswalks, pedestrian controlled
18 signals, bus pull-offs, curb cuts, raised
19 crosswalks, ramps, and traffic calming measures.
20 So, you can do all of these things, not just
21 sidewalks.

22 The New York DOT already reviewed the
23 shoulder area in front of our property and found
24 that there's no reason to install a sidewalk as

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far as safety and walkability is concerned. Just as important as to what I just mentioned, the Complete Streets funding for New York State encompasses county and state roads. However, it's important to note that the Westchester County program only applies to municipal roads, not state or county roads, just like Albany Post Road.

Now, 3109 Albany Post Road is built in 1910. In 115 years, this property has never had a sidewalk and has never had a pedestrian casualty in front of it, as far as we know. And whilst the Village of Buchanan wishes to install a sidewalk in front of our property, we don't believe that the County or Westchester DOT, West-, New York DOT, would want to destroy private property on a stretch of land that has already been deemed safe for pedestrians. So, we feel that submitting this site for you to get the approval for doing work on our property is not going to make it safer for school children, as Buchanan narrative states, because it's already safe. If the Village would like to discuss

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2 installing a narrow sidewalk in front of our
3 property --

4 MS. PAUL: In front of the wall.

5 MR. PAUL: -- without destruction of the
6 property --

7 MS. PAUL: In front of the wall.

8 MR. PAUL: -- we don't have a problem
9 with that.

10 MS. PAUL: No, we don't. Because we're
11 all for the safety of the children, also.

12 MR. PAUL: So, even though --

13 MS. PAUL: This is not opposing the
14 safety of the children.

15 MR. PAUL: -- they have already deemed
16 it safe, and we see bicycles go by there all
17 hours. We see --

18 MS. PAUL: Children on bikes.

19 MR. PAUL: -- the, the problem is the
20 entrance to where the Carbone's property. That's
21 where we see almost accidents every single day.

22 MS. PAUL: Every single day. And there
23 have been multiple, multiple accidents all the
24 time on that property.

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2 MR. PAUL: The only other fear I have
3 about installing a sidewalk in front of our
4 property, and this is a valid concern, how many
5 times we have been almost rear-ended, rear-ended
6 coming into our property. And there have been
7 several times where a child, teenager, younger,
8 will be walking in front of our driveway, no
9 problem. I slow down, I wait for them to pass.
10 I have had people swerve around me into oncoming
11 lanes to go around me, because they don't know
12 what I'm doing. I'm obviously waiting to pull
13 into my driveway. So, my fear is that installing
14 a major drive-, a major sidewalk in front of our
15 property might create more problems for us and
16 might not help with the safety of the children,
17 as you speak.

18 Now, like I said, DOT already deemed
19 this area safe. I know that, for the town, you
20 guys would love to see sidewalks going all the,
21 you know, all the way across. That's great. But
22 can we figure out a way not to destroy our
23 property?

24 I know it's on a different matter, but

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2 there's already three code violations going on
3 from the Carbone's property that I have discussed
4 with you guys, you know, in the past, that affect
5 our living in there now. It's created that
6 marshland in the back, which was never there
7 before, 25 years ago. Now, we've already been
8 dealing with not having the full use of our
9 property. And to think about you taking more?
10 It's really disturbing. So --

11 MS. PAUL: Which, you would have to move
12 our wall. And I'm not donating any property
13 either.

14 MR. PAUL: So, if there --

15 MS. PAUL: Because there had been
16 mention by Marcus that I had to donate property.
17 That's a no. I'm not donating any property.

18 MR. PAUL: So, our worry is that, if you
19 were going to put, like, an eight-foot sidewalk
20 or something with grass with the sidewalk, you're
21 going to destroy our wall, you're going to
22 destroy our side retaining wall. You're most
23 likely going to remove our tree, and possibly
24 even take out one parking spot, which we have a

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2 small enough driveway as it is. So, please
3 understand where we're coming from.

4 Now, to be honest with everybody, --

5 MS. PAUL: [Unintelligible] [00:20:05]

6 MR. PAUL: -- nobody has ever had a
7 conversation with us about it.

8 MS. PAUL: No, no.

9 MR. PAUL: So, when we heard the other
10 day Marcus saying, oh, we're going to have to go
11 to litigation because we're at a standstill, --

12 MS. PAUL: He didn't discuss anything
13 with us.

14 MR. PAUL: -- nobody ever said a word to
15 us about anything.

16 MS. PAUL: Anything.

17 MS. KNICKERBOCKER: Well, that's news to
18 me.

19 MR. PAUL: So, that's, that's why we're
20 here.

21 MS. PAUL: Yeah, that's why we're herem,
22 so that [unintelligible] [00:20:22].

23 MR. PAUL: That's why we're here, to
24 make sure that everybody is aware of everything

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2 that's going on.

3 MS. PAUL: We could work something, we
4 could work something out, you know. Let's not
5 move the wall, because our wall protects our
6 house.

7 MR. PAUL: That actually was hit by a
8 car many years ago and rebuilt.

9 MS. PAUL: It was hit by a car, by a
10 drunk driver. So, we need that. We need our,
11 our wall there to protect our house from being
12 hit by cars.

13 MR. PAUL: So, even if today is just
14 going to show you the importance of what we feel,
15 not having it there, or, or at least you know
16 that nobody has -- I mean, I sent an e-mail to
17 the two of you a while back. I didn't get a
18 response. I kind of assumed I wouldn't, but --
19 not that it's not a here or there, but at least
20 you know now, definitely. We, besides the
21 initial talking about it when the Carbone project
22 started, and you guys were just talking about it,
23 we weren't even here. I just watched the videos
24 and heard discussion. And then, when I heard you

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2 guys bringing it up again recently, and twice now
3 I've heard it stated that, oh, we haven't been
4 able to get anywhere, we're just going to
5 litigation.

6 MS. PAUL: We were never spoken to.

7 MS. KNICKERBOCKER: Well, that's not --
8 I'm seeing the attorney's face and that's
9 probably news to her, too.

10 MR. PAUL: So, I just want you to be
11 aware that, that we're not, like, looking to, oh,
12 my God, you know, fight, you know. I'm just
13 saying it's, it's never been discussed.

14 MS. PAUL: It's never been discussed
15 with us about what could possibly we do. If
16 you're going to put a small sidewalk in front of
17 our wall, we have no problem with that. We want
18 the children to be safe. We understand, you
19 know. But to, to automatically start talking
20 about litigation and that we don't want to
21 cooperate when nothing has ever been said to us.
22 The last conversation we had was in a planning
23 board meeting where Marcus made a comment that we
24 just had to donate the property, and

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2 [unintelligible] [00:21:57], too. And I was
3 like, the hell I will. No.

4 MR. PAUL: I mean, like I said, our
5 point is, if we can figure out a way that you
6 want to put something there with minimal, you
7 know, interfering with our property. Because
8 we're already having the problem in the back. If
9 you guys would like me to let you know about the
10 code violations, I will have no problem letting
11 you know. But they were in place by the Board
12 members in 2020. I mean, 2000, the year 2000,
13 sorry. So, it's been ongoing. But if you want
14 to know what they are, I could let you know, no
15 problem. I can write you a note saying what they
16 are. I don't know if that's going to help
17 anything. But to have anything further done with
18 the treatment we've already been getting from our
19 neighbor, --

20 MS. PAUL: Not good, not good.

21 MR. PAUL: -- we really don't want to
22 get involved in that. So, like I said, if you
23 can come up with an idea of what we can do that
24 can make us both happy, even if you have an idea

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2 that maybe it's going to move the wall or
3 something, but show us exactly how it's going to
4 affect it. Hopefully, not taking away a parking
5 spot, because, as you see, we like our cars, you
6 know, and we need the spots.

7 Like I said, we don't have a problem
8 with making it safer for people, even though it
9 already is, in our and, obviously, --

10 MS. PAUL: According to the DOT.

11 MR. PAUL: -- New York DOT, it's already
12 safe.

13 MS. PAUL: It's already safe. And it
14 has been for 115 years.

15 MR. PAUL: Yeah. So, I mean, it's just,
16 I just want it to be known that we're not
17 fighting like it's made it seem to be on this.
18 We haven't even been, you know, approached about
19 this. So, we just want to make that, make
20 everybody here aware, anybody that's listening,
21 you guys aware that it's not right, what's going
22 on.

23 MS. BAEZ: So, no one approached you to
24 discuss this?

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2 MR. PAUL: Never.

3 MS. PAUL: We've never been approached.

4 MR. PAUL: Not a one. Only from hearing
5 it through meetings, because I watched the
6 meetings.

7 MS. BAEZ: Mm-hmm.

8 MR. PAUL: That's the only way I've seen
9 it discussed.

10 MS. BAEZ: And who mentioned litigation
11 to you?

12 MR. PAUL: It wasn't mentioned to me,
13 but --

14 MS. PAUL: No.

15 MR. PAUL: -- Marcus, in the past two
16 meetings, you can even go see. And he says, when
17 you say, you stated, hey, how are we on that, the
18 sidewalks? I actually believe, I think you said
19 it, Anthony.

20 MR. CAPICOTTI: I did say it, yeah.

21 MR. PAUL: He says, oh, well, you know,
22 they're not budging on that. Oh, we're just
23 going to have to go to litigation. I was
24 shocked. I was sitting at home, going, wait --

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2 MS. BAEZ: Maybe he was just saying it.

3 MR. PAUL: -- what is this?

4 MS. PAUL: But, if we have to, we have
5 to.

6 MR. PAUL: You know, but --

7 MS. BAEZ: So, listen. I just want to
8 say something. I'm really sorry that the process
9 has been difficult for you and that you have not
10 been informed. Some of what you've said is new
11 to me. So, on my behalf, I, I'll ask that you
12 give us a chance to talk as a Board --

13 MR. PAUL: Sure.

14 MS. BAEZ: -- to see if we can have a
15 happy medium. Okay, I don't think anyone here is
16 trying to disrupt your life or to make things
17 difficult for you. And a lot of what you've said
18 is new to me.

19 MR. PAUL: Okay.

20 MR. STEWART: And, and, and on the other
21 hand, too, if I can just interject here. The way
22 you've just came in and presented yourselves
23 helps. Okay? So, we appreciate you coming in
24 and having the right frame of mind to try and

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2 work it out.

3 MR. PAUL: Yeah. As you can see, I'm a
4 little bit heated. I'm sorry about that.

5 MS. BAEZ: No, you're fine. You have
6 every right to.

7 MS. KNICKERBOCKER: You've explained it
8 very well. We appreciate it.

9 MS. PAUL: We already feel like we're
10 being trampled on with all the construction going
11 on, that the future one in front of us, and the
12 one next to our house, which is going to be very,
13 very disruptive. I mean, like I said, all of
14 this has been upsetting. And every time we come
15 to a Board meeting, we feel like we're being
16 trampled on and that hurts.

17 MR. PAUL: Well, the Planning Board
18 meeting.

19 MS. PAUL: The Planning Board.

20 MS. BAEZ: Oh, yeah, I was going to say.

21 MS. PAUL: The Planning -- you guys have
22 nothing to do with that. But --

23 MR. PAUL: Yeah, the Planning Board.

24 MS. PAUL: -- you know, the Planning

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2 Board meetings, we feel like we're being trampled
3 on. And we're not being heard, we're now being
4 trampled on. And now, they're even making up
5 stories that we have to go to litigation and no
6 one even said anything to us.

7 MR. PAUL: Yeah, yeah.

8 MS. PAUL: All of this is very
9 upsetting.

10 MS. BAEZ: Well, on my behalf, I can say
11 I'm sorry about that. I don't think anyone on
12 this Board had the intention of upsetting you.

13 MS. PAUL: No, I appreciate that.

14 MR. STEWART: And, and I would second
15 that, Awilda. I don't think that was ever the
16 intent --

17 MS. BAEZ: No.

18 MR. STEWART: -- on anybody on the
19 Board. And some of what we're hearing here is,
20 you know --

21 MS. BAEZ: Is new to us.

22 MR. STEWART: Yeah.

23 MS. BAEZ: So, give us a chance to
24 speak, and I, I'll tell you personally, we will

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2 get back to you.

3 MS. PAUL: Okay, thank you.

4 MS. BAEZ: Definitely.

5 MS. KNICKERBOCKER: So, we will have a
6 discussion with the engineer, --

7 MS. BAEZ: Yes,

8 MS. KNICKERBOCKER: -- also. I don't
9 know, Anthony knows more about sidewalks. I
10 don't know if we could make it smaller, maybe a
11 walking path instead, I'm not sure, that it
12 doesn't affect your wall. I'm, you know, I'm not
13 sure. But, you know.

14 MS. PAUL: Yeah. Because it is
15 expensive to move. And I think that, first, in
16 the Planning Board, they had mentioned that
17 Carbone is supposed to take care of all of it.

18 MR. PAUL: But then, he backed out of
19 it.

20 MS. PAUL: But then, he backed out of
21 it.

22 MR. PAUL: Because of a meeting, I
23 learned that.

24 MS. PAUL: Yeah.

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2 MR. PAUL: That's what he told them.

3 MR. CAPICOTTI: Well, that's, that's
4 where, initially, where we went wrong.

5 MR. PAUL: Yeah.

6 MR. CAPICOTTI: The Planning Board
7 should never have given him any approval for
8 anything until this was, this was rectified. And
9 that's where we went wrong. And that's why we
10 are on the hook for this now to try and, to make
11 this right. So, I feel that, amongst ourselves
12 here, we will discuss it.

13 Personally, there's, I don't know if
14 there's been a survey, a layout of curb lines or
15 anything with DOT. I mean, there is drawings, I
16 understand, so I don't know where it would fall,
17 the sidewalk, and how. There's going to be a
18 minimum and a maximum for DOT right-, right-of-
19 ways to, to put sidewalk in. And we can talk
20 with George over that and see how we can make it
21 work with the pre-existing property lines and,
22 and, and property what we, what we need to use,
23 and for the safety of whoever accesses the
24 sidewalk, of course. You know, without impacting

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2 your property.

3 MS. BAEZ: Or your safety.

4 MR. CAPICOTTI: Or your safety.

5 MR. PAUL: Okay. And you just brought
6 up something, which I guess I'll mention now.
7 You said that there has been surveys done, yes.

8 MR. CAPICOTTI: Mm-hmm.

9 MR. PAUL: Three different people came
10 to the, in the front of our house and the sides.
11 And I talked to Marcus about it, because he
12 didn't let us know anyone was coming. I said,
13 please let us know. Second time, nobody, he
14 didn't let us know, people are there again.
15 Third time, he said, okay, there's going to be
16 people in front of your house. From, they're
17 from the DOT. They're just doing something over
18 there from the DOT. I said, okay, great.

19 So, after he's done, I go outside to the
20 front of my property and I had smashed in a metal
21 pipe into where the -- and our retaining wall is
22 here, and I put in a pipe in the ground just to
23 remind myself where the edge of our property is.
24 And I came out and I noticed that there was a

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2 wooden stake with a pink flag put right where I
3 put that pole, post. It was a metal rod about
4 this big. So, I saw it and it said pipe found,
5 corner of property. And I said, I started
6 laughing. I said that's not the corner of the
7 property. I sent Marcus a text, e-mail, saying,
8 Marcus, just to let you know, somebody came by
9 here and they put a marking here, but it's
10 incorrect. I said, if you would like me to show
11 you where it's supposed to go, no problem.
12 Please let me know.

13 Next thing you know, Carbones are in
14 front of our house, staring at the mark.

15 MS. PAUL: [Unintelligible] [00:28:45],
16 yeah.

17 MR. PAUL: The police show up, blaming
18 her for criminal activity across [unintelligible]
19 [00:28:49].

20 MS. PAUL: And, yeah, for, that I was
21 going over and removing [unintelligible]
22 [00:28:52].

23 MS. BAEZ: Oh, my gosh.

24 MS. PAUL: And they went to Da Ros and

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2 they went to Gallon Measure to see --

3 MR. PAUL: See if they had video.

4 MS. PAUL: -- if they had video of me
5 going around moving things. So, I --

6 [CROSSTALK]

7 MS. BAEZ: I am so sorry that you're
8 going through that. Yeah.

9 MR. PAUL: We just said, we're saying
10 the mark is in the wrong place. Why Carbone
11 showed up instead of the DOT, like I was told was
12 going to be there, that's, I don't know.

13 MR. CAPICOTTI: Well, he paid for the
14 survey. That's probably why he showed up.

15 MR. PAUL: Okay.

16 MR. CAPICOTTI: And those are actually
17 illegal to move. But I'm not, I'm not saying you
18 guys moved them. I'm just saying they are
19 illegal to move.

20 MR. PAUL: Yes. Because I put this one
21 on my property.

22 [CROSSTALK]

23 MR. CAPICOTTI: Well, if you -- yeah. I
24 mean, that should have, they should have located

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2 the corner and the property lines.

3 MR. PAUL: Yeah.

4 MR. CAPICOTTI: And, yeah, I, you know -
5 -

6 MS. BAEZ: I don't get it.

7 MR. CAPICOTTI: -- this is a lot of, of
8 information that I have. And once again, I want
9 to reflect on, you did send me an e-mail. And
10 I'm sorry I didn't get back to you on that. And
11 now that this has become an, an issue, you know,
12 and it's always been an issue. I'm not, not
13 saying that it wasn't.

14 MR. PAUL: Yeah.

15 MR. CAPICOTTI: I'm definitely going to
16 look into it and see with, with George, and the
17 rest of us will look into it and see how we can
18 effectively make it safe. Not to say that it's
19 not safe. You already did your due diligence on
20 that. But to make it safe, and for -- because,
21 you know, if you, if you look at the, the
22 properties, right, you're going to have some,
23 whenever, I don't know, eventually we're going to
24 have a property there that's going to have a

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2 crosswalk coming from the school and it's going
3 to have a sidewalk in front of it. So,
4 ultimately, we would like to, for safety issues,
5 because it is a busy road, connect that sidewalk
6 to the, where the Dunkin' Donuts facility is, and
7 then run that all the way down to the AMS
8 project. And aesthetically it would look right,
9 right? And safety wise, it would be the proper
10 thing to do. But we don't want to impact your
11 property. That's not why we're doing it.

12 MR. PAUL: Okay.

13 MS. PAUL: Okay.

14 MR. CAPICOTTI: We're trying to do it
15 the softest way as possible.

16 MR. PAUL: Okay.

17 MR. CAPICOTTI: And, and that's what, we
18 need to include our engineer involved and let the
19 engineering end of it fix this for us. And then
20 we'll bring it to you, present it to you --

21 MS. PAUL: Thank you.

22 MR. CAPICOTTI: -- so you can put your
23 input in and maybe follow up with what you think
24 and, and we'll work together on it.

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2 MR. PAUL: That's great.

3 MS. PAUL: That's great.

4 MR. CAPICOTTI: I think the rest of us -
5 -

6 [CROSSTALK]

7 MS. KNICKERBOCKER: Yeah.

8 MS. BAEZ: They're a lot of work, but I
9 agree 100 percent.

10 MS. KNICKERBOCKER: So, maybe we'll ask
11 you to come back to another Board meeting, a
12 workshop, and then we could all --

13 MS. PAUL: Sure.

14 MS. KNICKERBOCKER: -- work it out.
15 Okay?

16 MR. PAUL: Thank you. The first
17 conversations that were being had, once again, at
18 the meetings we were listening to, that was
19 discussed, what we're talking about, you're going
20 to move the wall, you're going to have to remove
21 the tree, you're going to have to -- and it was
22 like, wait a second. You know, we kind of
23 freaked a little bit about that. But, you know,
24 I'm glad we had this conversation, you know.

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2 MS. BAEZ: Thank you. Thank you.
3 Definitely.

4 MR. CAPICOTTI: Yeah, it should have
5 been done a long time ago. It should have been
6 done a long time ago. And, once again, we'll,
7 we'll -- I mean, I'm, I'm interested in looking
8 into it. I'm sure everybody else is.

9 MS. BAEZ: So am I, so am I.

10 MR. STEWART: Yep, I think we're all in
11 agreement on that. And thank you for your time.

12 MS. KNICKERBOCKER: Yes.

13 MS. BAEZ: And thank you for coming in
14 and explaining that to us. Appreciate it.

15 MR. STEWART: Thank you. Have a good
16 evening.

17 MS. KNICKERBOCKER: So, if there are no
18 other comments, I'd like to make a motion to
19 close the public hearing. A second?

20 MR. STEWART: Second.

21 MS. KNICKERBOCKER: All in favor?

22 MULTIPLE: Aye.

23 MS. KNICKERBOCKER: And so you know, we,
24 we're still going to put in for the grant, but we

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2 might be able to use that to, you know --

3 MR. PAUL: [Unintelligible] [00:32:06]
4 the Westchester County portion is not for state
5 roads, so that might be an issue.

6 MS. KNICKERBOCKER: Supposedly, the
7 Administrator called Westchester County and said
8 that they would include that. So, you know,
9 we'll see. You know, it doesn't guarantee we're
10 going to get the grant either, so.

11 MR. STEWART: But, again, thank you.

12 MS. KNICKERBOCKER: Alright. Alright,
13 thank you.

14 MR. CAPICOTTI: Alright, thank you.

15 MS. KNICKERBOCKER: You, too.

16 Goodnight.

17 MR. STEWART: Bye-bye.

18 MS. KNICKERBOCKER: Okay. Let's -- I
19 guess I could start reading. Okay, so:

20 WHEREAS, the Village of Buchanan,
21 Westchester County, recognizeS the importance of
22 creating safe, accessible, and inclusive
23 transportation infrastructure for all users,
24 including pedestrians, bicyclists, transit

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riders, and motorcyclists, motorists of all ages and abilities, and

WHEREAS, Westchester County has announced the availability of \$15 million in funding through its Complete Streets Municipal Assistance Program to support local municipalities in the design and implementation of various Complete Streets and related self-safety improvement projects on municipal roadways; and

WHEREAS, the Village of Buchanan intends to submit up to three separate applications to the Complete Streets Municipal Assistance Program to secure funding for a local Complete Streets initiative that aligns with the county's goals of enhancing pedestrian and bicycle safety, mobility, and community livability; and

WHEREAS, the Village Board acknowledges that successful implementation of a Complete Streets project after grant award requires collaboration with Westchester County, including entering into an inter-municipal agreement and complying with applicable procurement and design

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standards.

NOW, THEREFORE, be it resolved that the Board of Trustees hereby authorizes the Village Administrator and relevant staff to prepare and submit up to three separate applications to the Westchester County Complete Streets Municipal Assistance Program by September 19, 2025, deadline to support the Village sidewalk and safety improvement project's initiative.

AND NOW, THEREFORE, be it resolved that the Village of Buchanan will work cooperatively with Westchester County throughout the planning, design, and implementation phases of the Complete Streets initiative, including participation in virtual information sessions in coordination with County selected engineering and design firms.

AND, THEREFORE -- AND NOW, THEREFORE, be it resolved, further resolved, that the Board of Trustees supports the principles of Complete Streets and affirms its dedication to improving and providing safe transportation infrastructure for the benefit of all community members.

Can I have a second?

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MS. BAEZ: Second.

MS. KNICKERBOCKER: All in favor?

MULTIPLE: Aye.

MS. KNICKERBOCKER: Alright, thank you.

And, Steve, I apologize. I, I forget when people are on Zoom. I just --

MR. STEPHEN LAKER: No, no problem. I -

-

MS. KNICKERBOCKER: Okay.

MR. LAKER: -- I gave my aye.

MS. KNICKERBOCKER: Okay, good. Thank you. Alrighty. The next is a resolution authori- authorizing applications to the Westchester County -- oh, we just did that. I'm sorry, I apologize. Resolution demonstrating the Village of Buchanan's financial commitment to the sidewalk and safety improvement projects. We have to also have that submitted. So, okay. Just give me a second. Okay.

MS. BAEZ: It's the first one.

MS. CYNTHIA KEMPTER: It's the first one.

MS. KNICKERBOCKER: Cindy, you confused

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me. Switched them around. I'm good. I got it.

WHEREAS, the Village of Buchanan, Westchester County, recognizes the importance of safe and accessible pedestrian and non-vehicle traffic infrastructure for the wellbeing of its residents and visitors; and

WHEREAS, the Village Board has identified the sidewalk and safety improvement projects as a priority initiative to enhance public safety, improve walkability, and support community connectivity to important facilities and destinations;

WHEREAS, the Village intends to pursue a grant funding opportunity through the Complete Streets Municipal Assistance Program administered by Westchester County; and

WHEREAS, the Village of Buchanan is committed to providing necessary local financial support to ensure the successful implementation of the sidewalk and safety improvements project if the County awards grant funding to the Village.

NOW, THEREFORE, be it resolved that the

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Village Board of Trustees hereby authorizes the allocation of municipal funds toward the required match for design of construction projects, for planning, design, and construction phases of the sidewalk and safety improvement projects at an appropriate time after grant funding award, and working with Westchester County.

BE IT FURTHER RESOLVED, that the Village Board directs the Village Administrator -- Administrator and relevant departments to take all necessary actions to proceed with the implementation of the projects in accordance with applicable laws and regulations and the Complete Streets Municipal Assistance Program through Westchester County.

Can I have a second?

MR. STEWART: Second.

MS. KNICKERBOCKER: All in favor?

MULTIPLE: Aye.

MS. KNICKERBOCKER: Thank you. I heard you that time, Steve. Okay. So, the, the Village, so, so the residents know, the Village

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2 has been trying to work out an agreement with
3 CertainTeed for a road impact benefit. And I,
4 we've gotten more information today. We've
5 worked back and forth. There's different
6 requirements that they're asking for that I, I,
7 that are -- that's what they want, is a definite,
8 they want these certain things regarding the
9 LWRP. All their demands, I just, I am sorry, but
10 I just, I can't go along with this. And so, I
11 believe, and I'm going to ask the Board in a
12 minute, I believe we're at an impasse. I don't
13 see us moving this forward. Like I said, we've
14 had traffic studies, we spent money on traffic
15 studies to see what the impacts were on Broadway,
16 and there's just different requirements from them
17 that I don't think is in the Village's best
18 interest.

19 So, I would like to ask anyone if they
20 think that we should continue or go forward with
21 this.

22 MS. BAEZ: No, I don't. We've been
23 going back and forth for over a year. I do find
24 that the CBA is one-sided and there is no benefit

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2 to the Village. I agree 100 percent with what
3 you said. And, at this point, we -- I've said it
4 in e-mails and I've said it to the Board, we are
5 at, at an impasse. They want what they want, we
6 want what the residents need. So, to me, to
7 continue would be fruitless, so my answer is no.

8 MR. STEWART: I would agree with Awilda
9 and the Mayor on that. I, I don't feel the need
10 to move forward on this, not to put the Village
11 in a detrimental situation.

12 MS. BAEZ: Uh-uh.

13 MR. LAKER: I --

14 MR. CAPICOTTI: I -- go ahead, Steven.

15 MR. LAKER: Yeah, just, just real quick.
16 But I, I think I'm the complete opposite of, of
17 the three sent-, you know, statements stated
18 before. I think that CertainTeed is, is now our
19 biggest employer. It, it is a part of the
20 Village, as much as the residents are. You know,
21 community -- business are part of the community
22 just as much. And I think it's ben- beneficial
23 to the residents to have this additional income
24 come in. And the fact that, you know, we

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2 couldn't get it over the finish line, I, I still
3 think that we could work something out with them.
4 And I think that the discussions should continue.

5 MS. KNICKERBOCKER: So, Steve, just,
6 just out of curiosity, how do you think that we
7 can move this forward? How, how do you think we
8 can bring this over the finish line?

9 MR. LAKER: Yeah. I think easily. I
10 think if we put together an agreement that's
11 satisfactory to the Board and we present it to
12 them and say this, this is what we have in mind.
13 And, and, because we have had meetings. They're
14 in Executive session. I won't go into, into too
15 much details. But I believe that we were very
16 close, both sides. And --

17 MS. BAEZ: Oh, no.

18 MR. LAKER: -- somehow, along the way,
19 when it came time to writing up an agreement,
20 things just fell apart. And that's unfortunate.
21 But I think if we put together our own agreement
22 that we think is satisfactory. We had one with
23 Holtec, very similar, and I think we could
24 probably present something similar and work with

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2 them.

3 MR. STEWART: Well, we had a, an
4 agreement in principle verbally from them. They
5 knew what should, should have been in the
6 agreement. But then they went and added on all
7 these additional wants that weren't even
8 discussed. So --

9 MR. LAKER: Well, and then I think, you
10 know, that kind of lays out how I think we
11 handled that poorly. Because I've never had --

12 MS. BAEZ: What?

13 MR. LAKER: -- successful negotiations
14 where I didn't present what I wanted to the other
15 side. I didn't sit back and let the other side
16 dictate what they wanted. So --

17 MS. BAEZ: Well, we had conversations
18 with them, Steve, and we shared with them what
19 the Village's needs were. They listened, walked
20 away, and then wrote their own agreement. So, I
21 don't agree with that. I'm sorry. I think we've
22 said everything we've had to say, and they've
23 gone ahead and done whatever they wanted. So, I
24 still stand by my --

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2 MR. LAKER: But we're, we're talking
3 about, you know, they are a taxpayer in this
4 Village.

5 MS. KNICKERBOCKER: Mm-hmm.

6 MS. BAEZ: So are the businesses here.

7 MR. LAKER: So, we're talking about
8 them, but we're talking about them as if they're
9 an outside entity from our Village.

10 MS. BAEZ: No, I disagree with that.
11 I'm not, not referring to them as an outside
12 entity. I'm referring to them as an entity that
13 wants what they want, regardless of what the
14 Village needs.

15 MR. LAKER: Of course, they do.

16 MS. BAEZ: So, no, I disagree.

17 MR. LAKER: Any entity wants that. Any
18 entity, any -- you know, the Village wants what,
19 what we want, and we should present what we want
20 in an agreement.

21 MS. BAEZ: But we did. But we did.
22 We've had meetings with them. We have.

23 MR. LAKER: We had meetings with --

24 MS. BAEZ: We, we have the lawyer, we

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2 have our engineer, we have our planner.

3 MR. LAKER: Correct. You had meetings
4 with them --

5 MS. BAEZ: They put their heads
6 together, provided their own input, and they
7 still come back with what they want.

8 MR. LAKER: And we sat back and said
9 please provide us with an agreement. And they
10 put in everything that they wanted to. We should
11 have took the initiative to put out the agreement
12 that we want and present it to them.

13 MS. KNICKERBOCKER: Steve, my
14 understanding is that they're not going to cave
15 or, or give in on their demands, several of their
16 demands. If I thought there was a way, or any of
17 us thought there was a way that we could work out
18 some type of an agreement, we would. Remember,
19 we did the traffic studies, the original impacts
20 came in at a very much higher price. Then, it
21 was lessened and discounted and down to
22 \$42,000.00. It, it's just some of the items that
23 they're asking for, I, I firmly believe that they
24 will not budge on. And the items that they won't

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budge on, I think are not in the Village's best interest.

MS. BAEZ: I agree.

MS. KNICKERBOCKER: I mean, we'd all like to get -- this, the original plan was to get money to compensate the Village for the impacts of, of their big trucks on Broadway and the damage that the big trucks do on Broadway. So, the original agreement, and, and Dan alluded to it, was that they would, they understood that there was an impact, and then we, we were just, you know, we were just getting ready to do the zoning and everything, and we understood where they were. And we thought we were pretty much close to an agreement at that time, until they come along with their community benefit. And it, it took a long time, because I kept asking our attorney, so, have they sent the community benefit? Have they sent it? No, no, no, no, no.

So, I, I'm sorry that this fell apart. I, I was, we were all hopeful that the Village would receive some money for the impact, but it, it definitely fell, fell apart. And I just see

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2 what their, with their demands, I, I don't see us
3 coming to an agreement.

4 MS. BAEZ: Stephanie, you've been
5 involved. Do you want to say anything?

6 MR. CAPICOTTI: I'd like to say
7 something, if I can get [unintelligible]
8 [00:44:47].

9 MS. KNICKERBOCKER: Okay, yes, Anthony.
10 Sorry.

11 MR. CAPICOTTI: So, I agree with
12 everybody here, including Steve. And one of my,
13 my biggest problems here is exactly what Steve
14 did say. You know, I feel like we're at an
15 impasse, too. I feel like there's, there's been
16 talks and, yes, I'm done negotiating with them.
17 I feel the same as everybody else. The
18 negotiations were done. They, they have been
19 completed, we came to an agreement. The
20 agreement should have been written by us and we
21 should have submitted it. We gave them the
22 opportunity.

23 Now, of course, they're going to protect
24 themselves and put all kinds of stuff in there

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2 that protects them in the future, and that's what
3 they're looking for, protection, because they're,
4 they're, they're afraid of what could happen to
5 them if, if, in the future, if the Board changes
6 or anything like that. I get it. I understand
7 they want to be protected. But we have to
8 protect our Village.

9 MS. BAEZ: Absolutely.

10 MR. CAPICOTTI: Okay. That's why we
11 should have, out of the best interests of our
12 residents, submitted them what we think the
13 agreement should have been, not what they think
14 the agreement should be. And I still stand with
15 that.

16 MS. BAEZ: But they still, they would
17 have come back with their rebuttals.

18 MR. CAPICOTTI: And they can come back
19 with whatever we (sic) want, and then we could
20 have said, okay, now this is what we want. You
21 can put in what you think is necessary, but this
22 is where we draw the line. We came, we allowed
23 them to protect themselves at every corner that
24 they can by writing their own agreement. I don't

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know who does that. I mean, we, we really, we really should have submitted it ourselves. And I still feel that we can. And if, if we're not going to do it, then I don't think we're doing our due diligence to, to fulfill this negotiation.

MS. STEPHANIE PORTEUS: Can I just say something?

MS. BAEZ: Absolutely.

MS. PORTEUS: I think our agreement would have been what we all thought we agreed to, which Anthony Mirand (phonetic) and I had numerous discussions on, which was \$42,000.00 a year, right, for road improvements. We had been talking with Dave about rezoning and maybe an overlay, or what we were going to do. We're leaving them out of that. We're not touching it, right? We're going to move on to the rest of, you know, Holtec and on. So, that's what the agreement would have looked like. And if you think that they would have said okay, we would have seen this and this and this right attached to it.

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2 MR. CAPICOTTI: I agree. No, no, no
3 doubt about it.

4 MS. PORTEUS: Right.

5 MR. CAPICOTTI: But --

6 MS. PORTEUS: They know what the
7 agreement was.

8 MR. CAPICOTTI: But then, they would
9 know where we're coming from. This is as simple
10 as it gets. This is our agreement. This is as
11 simple as it gets. This is all we want. You
12 can't -- we can't guarantee you protection from
13 anything.

14 MS. PORTEUS: Right.

15 MR. CAPICOTTI: We can't do that. It's
16 impossible. You know, there's too many, too many
17 citizens involved, commu- community members that
18 have put input in, --

19 MS. PORTEUS: Thank you.

20 MR. CAPICOTTI: -- in the LWRP --

21 MS. PORTEUS: Exactly.

22 MR. CAPICOTTI: -- that have, have had
23 input in this. But, ultimately, the LWRP is a
24 state. It, it, it's --

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2 MS. KNICKERBOCKER: It's a state run.

3 MR. CAPICOTTI: It's with the state,
4 correct.

5 MS. KNICKERBOCKER: It's with the
6 Department of State, yeah.

7 MR. CAPICOTTI: So, even, whatever we
8 say, I mean am I wrong to say that the State can
9 come in and say whatever they want after the fact
10 anyway?

11 MS. PORTEUS: They're going to give
12 comments.

13 MS. KNICKERBOCKER: They're going to
14 give comments, recommendations.

15 MS. PORTEUS: Recommendations.

16 MS. KNICKERBOCKER: I spoke to them
17 today. I spoke, called up the Department of
18 State. They are not finished yet with their
19 comments. They're looking probably in the next
20 month to send that back to the community. Then,
21 after that, there's a 60-day pub-, there's a 60-
22 day comment period. I, I, myself, when I got the
23 document, the, the community benefit, was quite
24 surprised. And there is just a major disconnect

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2 and I, I don't see it being reconnected because
3 I'm understanding -- Stephanie, correct me if I'm
4 wrong -- there are, there are items in there,
5 there's no discussion, that's what they want.
6 And that's it.

7 MS. BAEZ: They're non-negotiables.

8 MR. LAKER: It's non-negotiable.

9 MS. BAEZ: They have non-negotiables in
10 it.

11 MR. LAKER: Now, the ones we got today,
12 we obviously haven't talked to --

13 MR. CAPICOTTI: Did you redline it and
14 send it back to them?

15 MR. LAKER: I would redline everything
16 and send it back to them.

17 MR. CAPICOTTI: Did you send it back to
18 them?

19 MR. LAKER: And, and tell them that's
20 either acceptable or not acceptable.

21 MS. PORTEUS: It's not really redlined.
22 It's for you guys.

23 MR. LAKER: But the negotiation part of
24 it is done.

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2 MS. PORTEUS: It was stuff I provided to

3 --

4 [CROSSTALK]

5 MR. CAPICOTTI: But what I'm saying is,
6 so, so you redline their contract and send it
7 back them before we say, oh, this is over.

8 MS. PORTEUS: Okay. But I'll redline
9 everything in it.

10 MR. CAPICOTTI: Then, redline whatever
11 you want.

12 MS. PORTEUS: Everything.

13 MR. CAPICOTTI: And that's exactly what
14 I want you to do. That's doing our due
15 diligence.

16 MS. PORTEUS: The new one? The new one?

17 MR. CAPICOTTI: Yeah. Every, all of
18 them.

19 MS. PORTEUS: Because we talked to
20 Anthony, and I have had this fight for the last
21 month.

22 [CROSSTALK]

23 MR. CAPICOTTI: I don't care. I want
24 Anthony, Paul, all of them to see it.

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MS. PORTEUS: That we've redlined it.

MR. CAPICOTTI: And then I feel like our due diligence is done.

MS. PORTEUS: I'm happy to redline it.

MR. CAPICOTTI: Absolutely. Thank you.

MS. PORTEUS: A hun-, 100 percent.

MS. KNICKERBOCKER: It's all going to be redlined.

MS. BAEZ: And for, for the record, you have had this discussion anyway with their lawyer. No, no, I know what you're saying, I know what you're saying.

MS. PORTEUS: He would like a, he wants infighting. He wants --

MR. CAPICOTTI: I don't care about their lawyer. He works for his client.

MS. BAEZ: I know. But they hired him.

MS. KNICKERBOCKER: So, Stephanie, send back what the, our original agreement was and --

MS. PORTEUS: And then redline all of this.

MS. KNICKERBOCKER: Yeah, yeah. I wouldn't even redline it. Send our agreement.

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2 What we would be willing to sign. And if it's
3 not, then it's not.

4 MS. PORTEUS: So, which one is it?
5 Redline all of this? I could redline.

6 MR. CAPICOTTI: We aren't saying what
7 you should do, but if you, if you --

8 MS. PORTEUS: And say --

9 MR. CAPICOTTI: -- work for us, --

10 MS. PORTEUS: Yeah.

11 MR. CAPICOTTI: -- I say you write your
12 own agreement and we send it, and that's it.

13 MS. KNICKERBOCKER: And just say that's
14 it.

15 MS. BAEZ: A paragraph.

16 MS. KNICKERBOCKER: Probably two
17 sentences.

18 MR. CAPICOTTI: I don't care if it's two
19 sentences or 10 sentences.

20 MS. BAEZ: It could be three sentences.

21 MS. PORTEUS: It would be an agreement
22 to, you know, take them off the rezoning, you
23 know, agenda. Which is what we agreed to, I
24 thought, and then this came through. But I've

1 September 9, 2025

2 had a lot of discussions with him saying, how did
3 this turn into this? Well, you know, we're a
4 corporation. The corporate. We've got to --

5 MR. CAPICOTTI: Because they're looking
6 for protection. They're going to want to invest
7 a ton of money in that facility, and that's what
8 they're looking for, protection. And that's
9 exactly what's going on.

10 MS. PORTEUS: Part of the --

11 MR. CAPICOTTI: We can't offer them a
12 guarantee.

13 MS. KNICKERBOCKER: Right.

14 MS. BAEZ: No.

15 MS. KNICKERBOCKER: But they, they have
16 zoning. They're an as-of-right business.

17 MS. PORTEUS: Definitely, yeah.

18 MS. KNICKERBOCKER: They are permitted
19 to run their business. So, it's, it's not like
20 we're taking away their zoning or, you know. So,
21 it's an as-of-right business, so they're already
22 permitted to do what they do.

23 MS. PORTEUS: They know that. They're
24 well aware.

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2 MR. CAPICOTTI: And nobody is looking to
3 take that away from them.

4 MS. KNICKERBOCKER: No.

5 MS. PORTEUS: No.

6 MR. CAPICOTTI: And I think they know
7 that, from all of us. We all feel the same way
8 about, we want them to stay, as a corporation.

9 MS. PORTEUS: We've spoken to them.
10 We've said it.

11 MR. CAPICOTTI: And we're not looking to
12 take that away from them. We want them to stay,
13 we're happy they're here. They're a good
14 community member. They've, they've, they've,
15 they've got involved in local communities all
16 over the place. And we appreciate all that
17 they've done. But now, we need to get what we
18 need to get for our impact to the roads. And
19 that's what the deal was about. And I think that
20 that's what the agreement should say. Not what
21 they said, what we say.

22 MS. PORTEUS: Okay.

23 MR. STEWART: I agree.

24 MS. PORTEUS: I'll draft two pages and

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2 I'll send it.

3 MS. KNICKERBOCKER: Alright, thank you.

4 MS. PORTEUS: And they're going to send
5 me this back.

6 MS. KNICKERBOCKER: Yes.

7 MR. CAPICOTTI: I don't care. Then,
8 it's done.

9 MS. PORTEUS: Okay. Then it's done?

10 MR. CAPICOTTI: Then, it's done.

11 MS. KNICKERBOCKER: Then it's done.

12 MS. BAEZ: Alright. If that's what it
13 takes, let's do it.

14 MS. PORTEUS: If that's what it takes, I
15 will send, I will draft that tomorrow.

16 MR. CAPICOTTI: Steve, what do you
17 think?

18 MR. LAKER: Yeah, I mean, by taking such
19 a hard stance and just saying no, I think we're
20 doing a disservice to the, to the residents. We
21 have to look at every avenue. I think we put
22 together what we want it to say and send it over
23 to them. If it's no, it's no. I understand that
24 negotiations are finished, but I thought we

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2 finished that months ago. But I just think we
3 need to just look at every avenue and see if we
4 can come to some agreement or not.

5 MR. STEWART: Ste- Steve, just so you
6 know, I think, I think the frustration is coming
7 from, every time we speak with these people, they
8 seem to move the goalposts. And, and it's, so
9 eventually, you have to draw a line in the sand.
10 And that, that's my feeling on it.

11 MR. CAPICOTTI: And this is, this is the
12 line.

13 MR. STEWART: But if, but if --

14 [CROSSTALK]

15 MR. LAKER: And, and now we're drawing
16 our line.

17 MR. STEWART: Right, right. Can, can I
18 finish, please? So, have Stephanie draft up our
19 version. They either take it or they don't.
20 And, and then that's it. But, you know, the
21 goalposts always seem to move with them. Always.

22 MS. BAEZ: Always.

23 MR. CAPICOTTI: We gave them that
24 opportunity. By allowing them to write up the

1 September 9, 2025

2 agreement. We should have wrote the agreement
3 from the beginning. We actually said that to
4 them, get an agreement together and send it back
5 to us. And that's where we went wrong.

6 MS. KNICKERBOCKER: Well, I think, I
7 think because it was "a community benefit
8 agreement," it, it was more of a one-sided
9 agreement. And I think they felt, since they
10 were giving the money to us for the road impacts,
11 that they should also do the, the agreement,
12 because it was their community benefit agreement.
13 That's, that's what I'm thinking, how they were
14 thinking at this time.

15 MR. CAPICOTTI: Then, they should have
16 discussed the CBA stuff --

17 MS. KNICKERBOCKER: Yes.

18 MR. CAPICOTTI: -- that they have in
19 there at our negotiations.

20 MS. KNICKERBOCKER: Yeah. But you know,
21 Anthony, Stephanie kept asking --

22 MS. PORTEUS: Yeah, I know --

23 MS. KNICKERBOCKER: -- for this
24 information for the longest time. Where is the

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2 community benefit? Where is it, where is it,
3 where is it, where is it?

4 MR. CAPICOTTI: No, I get it. I
5 understand.

6 MS. PORTEUS: I get what Anthony is
7 saying, too. They should have been more honest
8 when we were sitting here.

9 MR. CAPICOTTI: They weren't honest when
10 we did our negotiations. With the CBA, with all
11 that stuff they put in there, nobody brought it
12 up at the negotiations. And that's why, if we
13 would have said to them, this is how simple it
14 is.

15 MS. PORTEUS: I'll send it.

16 MR. CAPICOTTI: This is how simple it
17 is. This is what we want, and this how we're,
18 this is, this is all we're going to do, and we're
19 going to get this done, or there's not going to
20 be anything.

21 MS. BAEZ: I'm comfortable with that.

22 MS. PORTEUS: Yeah, so am I.

23 MR. STEWART: So am I. That's fine.

24 MS. KNICKERBOCKER: Very simple. Yep,

1 September 9, 2025

2 very simple. Which we thought was going to be
3 simple like that.

4 MR. CAPICOTTI: Well, I'm sorry that it
5 has to come to this --

6 [CROSSTALK]

7 MR. CAPICOTTI: -- and Stephanie has to
8 do more work, but --

9 MS. KNICKERBOCKER: I just --

10 MS. PORTEUS: I don't mind that. It's
11 just, you know, --

12 MR. CAPICOTTI: I thought it was going
13 to be simple, too. Because none of that BS
14 that's in there came out in the meetings.

15 MR. STEWART: Nope.

16 MS. KNICKERBOCKER: Nope, not at all.

17 MS. PORTEUS: that's what was so
18 frustrating. I'm glad you're saying that,
19 because that was, was, was --

20 MS. BAEZ: Frustrating you.

21 MS. PORTEUS: -- frustrating when I read
22 it. I'm thinking --

23 MR. CAPICOTTI: No, I see you said,
24 wrote, wrote troubling.

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2 MS. PORTEUS: Yes.

3 MR. CAPICOTTI: I see that it's
4 troubling. It's troubling because they
5 bullshitted us.

6 MS. PORTEUS: Yes.

7 MR. CAPICOTTI: Yeah.

8 MS. PORTEUS: And then, today, I get
9 they're rewriting your LWRP and sending it back
10 to the state with what they want.

11 MS. BAEZ: And today, you get the
12 exhibits. Today, you got the exhibits.

13 MR. STEWART: That's what I mean.

14 MS. BAEZ: No, that's ridiculous.

15 MS. KNICKERBOCKER: And I'm, I'm just
16 sorry this had to come to this. I, I didn't
17 expect it was going to derail like this, but.

18 MS. PORTEUS: But if Steve's concerns
19 are correct, then I'll write it and, and we'll
20 see what they do. I don't think they're going to
21 come to the table on it. I think they're going
22 to say, you're kidding me, right? We gave you
23 what we'll, we'll sign.

24 [CROSSTALK]

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MS. BAEZ: And at that point, it's done.

MR. STEWART: Don't, we're telling them,

--

MR. CAPICOTTI: Then, that's it.

MR. STEWART: -- we're telling them
we're not signing what they put in there.

MS. BAEZ: Then, at that point, it
stops.

MS. PORTEUS: That's perfect. I'll do
that tomorrow. I'd be happy to do it.

MS. BAEZ: Thank you.

MS. KNICKERBOCKER: Yeah. I think we
all thought it would be simpler than it ended up
becoming.

MS. PORTEUS: Well, because of the talks
we had. It seemed to be we were in agreement.
And, and somehow --

MS. KNICKERBOCKER: Yesh.

MR. STEWART: Until they moved the
goalposts.

MS. BAEZ: And Stephanie, thank you.

MR. STEWART: Yeah.

MS. BAEZ: Because I know you've gone

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2 back and forth with them.

3 MS. PORTEUS: It's frustrating.

4 MS. BAEZ: I know it is. Trust me, I
5 know.

6 MS. KNICKERBOCKER: You put a lot of
7 time into it.

8 MS. PORTEUS: I said, when did it come
9 to this? Well, you don't understand. We called
10 corporate, we have to answer to corporate. What
11 do I know? You know. So, we had the kind of --

12 MR. CAPICOTTI: Well, maybe corporate
13 will get a copy of our agreement.

14 MS. KNICKERBOCKER: Yeah.

15 MR. CAPICOTTI: And they can think about
16 that.

17 MR. STEWART: Yeah.

18 MS. BAEZ: And they'll send it back.
19 They'll send it back.

20 MS. KNICKERBOCKER: And, if not, then
21 it's over.

22 MS. BAEZ: I know. Yes.

23 MS. PORTEUS: I mean, because the other
24 things that he was writing about, five years

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2 versus your 10-year, we could have worked that
3 out. That was simple stuff.

4 MR. STEWART: Right.

5 MS. KNICKERBOCKER: But then, it, it was
6 only --

7 MS. PORTEUS: [Unintelligible]
8 [00:55:22] do a 10-year, we work it out. But
9 then, when it got to all of this, I was like,
10 there's no point of talking about --

11 MS. BAEZ: And the auditing.

12 MS. PORTEUS: -- the five-year, and the
13 auditing.

14 MS. BAEZ: Oh, no, no, no, no.

15 MS. PORTEUS: There's no point even
16 arguing that because there was so much we
17 couldn't agree to that --

18 MS. BAEZ: And we won't.

19 MS. PORTEUS: -- it got crazy.

20 MS. KNICKERBOCKER: And then, after all
21 this, it was only a five-year agreement, and they
22 would have to agree to re-up it, like
23 unilaterally, they would agree if the, if it was
24 renewed after five years.

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2 MR. CAPICOTTI: Well, they, it says they
3 weren't obligated.

4 MS. BAEZ: And they want reimbursements.
5 Reimbursements.

6 MS. KNICKERBOCKER: Yeah. So it, we,
7 we, --

8 MS. PORTEUS: it just got
9 [unintelligible] [00:55:53].

10 MS. KNICKERBOCKER: This spiraled, yes.

11 MS. BAEZ: Yeah, too much, too much.

12 MR. STEWART: So, we, we're on a path
13 now. We know what to do. Let's just move
14 forward.

15 MS. KNICKERBOCKER: Yep.

16 MR. STEWART: And, hopefully, it ends,
17 it ends up in a positive direction, so.

18 MS. KNICKERBOCKER: Alright, thank you.
19 Steve, did you have anything else? You're good?

20 MR. LAKER: Nothing further. Thank you.

21 MS. KNICKERBOCKER: Okay, thank you.
22 Cindy, you had just a few things for us?

23 MS. KEMPTER: Oh, we do? Oh, you want
24 to talk about it now?

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2 MS. KNICKERBOCKER: Yeah, do it -- yeah,
3 we've got a few minutes. We can, we can do this.

4 MS. KEMPTER: Okay.

5 MS. PORTEUS: Yeah, we're good.

6 MS. KEMPTER: Now, [unintelligible]
7 [00:56:23] just wanted to let you know about the
8 Halloween party. This is what she'd like to do
9 this year. Just a party rather than --

10 MS. KNICKERBOCKER: Oh, no parade this
11 year?

12 MS. KEMPTER: -- rather than a parade.
13 Just down at the pavilion.

14 MS. KNICKERBOCKER: Okay.

15 MS. KEMPTER: And, you know, wear
16 costumes. She wants to have music and candy, and
17 then she would like volunteers to set up their
18 own candy tables.

19 MS. KNICKERBOCKER: Oh, just like the
20 Beautification Committee usually does on the
21 streets.

22 MS. KEMPTER: Right.

23 MS. KNICKERBOCKER: But, instead, to the
24 pavilion.

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2 MS. KEMPTER: Because there's not many
3 people that come around the street. So, she
4 thought in the pavilion --

5 MS. KNICKERBOCKER: Okay.

6 MS. KEMPTER: -- might just be cozier.

7 MR. STEWART: And it's on a Friday night
8 this year, I think, Halloween.

9 MS. KEMPTER: October 26th. I think --

10 MR. STEWART: Oh, she's going to do it
11 on a different date? Okay.

12 MS. KEMPTER: She said to 5:00 p.m.

13 MS. KNICKERBOCKER: Okay.

14 MS. KEMPTER: It's a Saturday.

15 MR. STEWART: Okay.

16 MS. BAEZ: 4:00 to 5:00? Oh, a
17 Saturday, okay.

18 MS. KEMPTER: Yeah, on a Saturday.

19 MS. KNICKERBOCKER: Alright. Well, we
20 could try something different, right?

21 MS. KEMPTER: Yeah, right, that's what
22 she thought. And the other thing was the Cub
23 Scouts wrote her an e-mail. It's a kindergarten
24 den, and they're just looking for a spot for

1 September 9, 2025

2 short meetings, 30-60 minutes, one or two times a
3 month. They want to know if they could use the
4 pavilion starting in October.

5 MS. KNICKERBOCKER: It's going to get a
6 little chilly there.

7 MS. BAEZ: It's going to get cold.

8 MS. KEMPTER: I know, I know.

9 MS. BAEZ: Yeah.

10 MS. KEMPTER: They have insurance. They
11 can pay a fee, if we want. But I just was going
12 to ask you what --

13 MS. KNICKERBOCKER: What about the
14 Board's thoughts -- and these are little, little
15 ones. And we had a movie a couple of years ago
16 in October, and it was bitter cold.

17 MS. BAEZ: Oh, the community one.

18 MS. KNICKERBOCKER: Yeah, yeah.

19 MS. BAEZ: Yeah, the community one.

20 MS. KNICKERBOCKER: On a Tuesday or a
21 Thursday, like a night that we're here.

22 MS. KEMPTER: [Unintelligible]

23 [00:57:49]

24 MS. KNICKERBOCKER: Oh, yes, yes.

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2 MS. BAEZ: Yeah.

3 MS. KNICKERBOCKER: Alright. That's a
4 good idea.

5 MR. STEWART: I would say either one. I
6 have no problem with it, and I wouldn't charge a
7 fee.

8 MS. BAEZ: Me neither.

9 MS. KEMPTER: No fee? No fee.

10 MS. KNICKERBOCKER: Yeah. No, no.

11 MS. KEMPTER: So, they should maybe ask,
12 send an e-mail asking to waive the fee?

13 MS. KNICKERBOCKER: Yeah. Well, when --
14 they want to start in October? Because we, yeah,
15 --

16 MS. KEMPTER: Yeah, they don't have a --

17 MS. KNICKERBOCKER: -- we could approve
18 it at our meeting.

19 MS. KEMPTER: -- list of specific dates
20 or times yet. Or times.

21 MS. KNICKERBOCKER: So, put that on the
22 agenda for us to approve it, and to waive the
23 fee. Okay?

24 MS. KEMPTER: Good. No, that's --

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2 alright.

3 MS. KNICKERBOCKER: I, I can't see them
4 in --

5 MS. BAEZ: No, they're going to be cold.

6 MS. KEMPTER: I know, the little ones.

7 MS. KNICKERBOCKER: No.

8 MS. KEMPTER: Okay, thank you.

9 MS. KNICKERBOCKER: Alright. We're
10 good?

11 MS. KEMPTER: Yep.

12 MS. KNICKERBOCKER: Alright. Anybody
13 else have anything?

14 MS. BAEZ: No, I don't.

15 MS. KNICKERBOCKER: No? I'm good.

16 Alright. So, I'd like to make -- Steve, do you
17 have anything before we go?

18 MR. LAKER: No, nothing tonight. Thank
19 you.

20 MS. KNICKERBOCKER: Okay. Okay, so I'd
21 like to make a motion to close the meeting. Can
22 I have a second?

23 MS. BAEZ: Second.

24 MS. KNICKERBOCKER: All in favor?

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2 MULTIPLE: Aye.

3 MS. KNICKERBOCKER: Have a great
4 Buchanan day.

5 (The public board meeting concluded at
6 8:13 p.m.)

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CERTIFICATE OF ACCURACY

I, Ryan Manaloto, certify that the foregoing transcript of the Special Board meeting of the Village of Buchanan on September 9, 2025, was prepared using the required transcription equipment and is a true and accurate record of the proceedings.

Certified By



Date: September 25, 2025

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