

VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
REGULAR MEETING
FEBRUARY 21, 2006

A Regular Meeting was held by the Board of Trustees on Tuesday, February 21, 2006 at 8:10 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

PRESENT: Mayor Wm. Lee Kinnally, Jr., Trustee Marjorie Apel, Trustee Peter Swiderski, Village Manager Francis A. Frobel, Village Attorney Brian Murphy, and Village Clerk Susan Maggiotto.

ABSENT: Trustee Michael Holdstein and Trustee Bruce Jennings.

CITIZENS: Three (3).

Mayor Kinnally: Trustee Holdstein is out of town on business this evening, and Trustee Jennings is home ill with the flu.

PRESENTATION - Lothrop Associates - James V. Harmon Community Center

Jim Lothrop, Lothrop Associates: The building is going to be primarily surfaced with brick, with some accented stonework, metal roofing, and metal doors and windows. There are three renderings to show you what the building could look like in different versions.

When we were finalizing the design it was our feeling that we should make this building appropriate for the Village, so we started by looking the brick in the town, and there was not any consistent color. The Village Hall and the library are a red, very traditional brick. But the whole north side of the street across from the Community Center is a variety of more brownish-colored bricks, with the exception of the Food Emporium, which is a redder brick. Next to us is the fire station, and that has stone facing on the front, but sort of a red brick on the side. We contacted Steven Tilly, the architect for the building across the street, and were told that this [sample exhibited] was essentially the brick that they were using. It did not match any of the brick on the street, so we looked at different samples and arrived at our recommendation. We thought this brick [sample exhibited] picked up the brown tones of the First National Bank building across the street. We were trying to blend the street together as best we could, recognizing the prominence of the new building across the street.

This sample is the accented stone in the renderings. We had suggested a zinc-colored metal roof and a mill finish aluminum for doors and windows, complementing the other colors.. We had heard about an interest in a more traditional brick. Here is a traditional red brick [sample exhibited], similar to Village Hall, with the variety of colors that come in a traditional brick. This would still go fine with the stone panels. If you are decide on this

traditional brick color, the windows and doors should be more the traditional white like Village Hall. The roofing color could be the same zinc color, or if you wanted to be more traditional, it probably could be a darker gray color. Our goal is to find out what is most appropriate for the Village.

Trustee Swiderski: Has the Architectural Review Board weighed in?

Christina Griffin, Architectural Review Board Chair: I will share with you the comments that the Board had when we reviewed this. Going down Main Street you have a variety of brick and a variety of materials in general. You have a very dark red with a great range in color at 19 Main. Right next to it you have First National Bank, which is one of the most outstanding old buildings we have in town; it has a light-brown and a limestone-colored stone. The new building at 45 Main will have this color, but the design of that building has many panels of different materials: metal, stone. It has some dark-green trim and some mahogany color. There is a range of about seven colors, so this is probably not even the primary color of the building. Riolo's building has some red brick with white trim. The Ambulance Corps building has the dark red and white; it is kind of a theme of the Village Hall and the library. But right next to the Community Center is the firehouse, which is a lovely, warm, gray granite with a little bit of brick detail.

We liked his scheme a lot because it reminded us of First National Bank. There are so many different colors on the street, and this idea integrates a whole color scheme, not having that contrast of white and red that you have at the Municipal Building. You have to decide what the theme of the building is. But this definitely has a softer look, where you have warm gray and cream. The brick has a range of color in it, unlike these other samples. You might want to get a bigger sample out in the light to look at more carefully because sometimes the colors change a little bit. The ARB was unanimous in liking the color scheme.

Mayor Kinnally: Can we put up a larger sample on the site?

Mr. Lothrop: Let me refer this to Vince Lisanti, who is handling the day-to-day construction operations.

Vincent Lisanti, Lothrop Associates: This is a custom, made-to-order brick. The contractor is waiting for us to make a selection so that he can order the brick. Last time I checked there was a minimum order of 1,000 or so. We can get all kinds of boards like this from the manufacturer, certainly. But I would have to check again to see if we can get enough to do a sample panel.

Mayor Kinnally: Putting this outdoors may change things; perhaps we could get it up there on Saturday to take a look at it. I understand what you are saying about the red. I was the proponent of the red. The red sample is very flat. It does not have the character that the brick on this building or the brick on the library does as far as the definition in the brick.

Mr. Lisanti: If you saw this on a large panel you would realize there is a lot of variety to it. It is hard to see it in here in this light, but you see the dark flash right there and you see the dark edges to it. There really is quite a color contrast. If we put this outside in the daylight you would probably find this close to the brick on this building.

Trustee Swiderski: Is that new, or is that an antique brick?

Mr. Lisanti: It is a new brick, but it is made in a traditional way.

Trustee Apel: Did you like the library better? Would you want to see the library brick?

Mayor Kinnally: I am not sure. The color scheme I thought was interesting was the facing on the auxiliary buildings at the train station on the new platform. It is a red and a brown mixture. I know you are saying that a larger sample outside would show the definition. Maybe it is not very good brick, but I was looking for something that would stand out. My initial reaction to the panel behind you was that I liked the accent on the top very much, but I thought that the brown was too blah.

Ms. Griffin: Maybe you could look at something that is a little more intense in color. This is almost monotone.

Trustee Apel: Are there any buildings in the area that have this brick on it, or similar brick?

Mr. Lothrop: I do not know. There are an infinite variety of bricks that we could choose from. We do have a schedule and we do want to keep it moving. My suggestion is to leave you these samples, look at them wherever you want, as quickly as you possibly can, and give us your feelings. If then you have a direction that you would like us to consider, we would be glad to try to get other samples.

Mayor Kinnally: You have got to give us a deadline because we only work to the deadlines.

Mr. Lisanti: We are up against a time line right now. The contractor is asking us every day for this, so really there is no time. I would say by the end of the week, to be reasonable. But we really are in a crunch here.

Mr. Lothrop: Why do we not give you through the weekend, if possible. He is not going to do anything with it Friday afternoon, so if we gave it to him on Monday morning that would probably be, hopefully, sufficient.

Mayor Kinnally: We will look at it on Saturday morning.

APPROVAL OF WARRANTS

On MOTION of , SECONDED by with a voice vote of all in favor, the following Warrants were approved:

Multi-Fund No. 52-2005-06 \$ 87,868.04

Multi-Fund No. 53-2005-06 \$147,482.29

20:06 SCHEDULE PUBLIC HEARING – 2006 - 2007 BUDGET

Mayor Kinnally: This is for the statutory hearing. How much will we have accomplished at this point as far as presentation of the budget?

Village Manager Frobel: I will get you the budget by March 20, and we have a good two weeks after that prior to this public hearing.

Mayor Kinnally: And we will continue our work sessions thereafter?

Village Manager Frobel: Yes, leading up to adopting the budget by May 1.

On MOTION of Trustee Apel, SECONDED by Trustee Swiderski the following Resolution was duly adopted upon roll call vote:

RESOLVED: that the Mayor and Board of Trustees schedule a Public Hearing for Tuesday, April 11, 2006 at 8:00 p.m. or shortly thereafter to consider the proposed 2006 - 2007 Budget.

ROLL CALL VOTE

AYE

NAY

Trustee Michael Holdstein

Absent

Trustee Bruce Jennings

Absent

Trustee Marjorie Apel

X

Trustee Peter Swiderski X
Mayor Wm. Lee Kinnally, Jr. X

21:06 SCHEDULE PUBLIC HEARING – SENIOR CITIZEN/DISABLED RENT INCREASE EXEMPTION

Mayor Kinnally: We have had discussion on this and presentations by Jenny Murphy about the qualifications, the exposure of the Village, the cost. I think we are ready to move on this.

Trustee Swiderski: This is the public hearing. At that same session, we can have a vote?

Mayor Kinnally: We usually do not on the same evening except if it is urgent. I do not know when this would be effective anyway.

Village Attorney Murphy: Normally it would be effective for the next tax year. The renter makes application when their lease comes up for renewal, and that will be during diverse times throughout the year.

Mayor Kinnally: As far as budgeting for this, it would be for the new year anyway. So we could deal with it on March 21.

On MOTION of Trustee Apel, SECONDED by Trustee Swiderski the following Resolution was duly adopted upon roll call vote:

RESOLVED: that the Mayor and Board of Trustees schedule a Public Hearing for Tuesday, Mar. 7, at 8:00 p.m. to consider the advisability of adopting Proposed Local Law No. 1 of 2006 Adoption of Senior Citizen/Disabled Rent Increase Exemption.

ROLL CALL VOTE	AYE	NAY
Trustee Michael Holdstein		Absent
Trustee Bruce Jennings		Absent
Trustee Marjorie Apel	X	
Trustee Peter Swiderski	X	
Mayor Wm. Lee Kinnally, Jr.	X	

22:06 VILLAGE ELECTION INSPECTORS – REPUBLICAN

On MOTION of Trustee Apel, SECONDED by Trustee Swiderski the following Resolution was duly adopted upon roll call vote:

RESOLVED: that the Mayor and Board of Trustees appoint the following Village Elections Inspectors for General Village Election Day, Tuesday, March 21, 2006 as Republican Inspectors: Roberta Bennett, Jan Gustafson, Walter Honovich, Sally Trued, Mary Matzura, Eleanor McGinagle, and alternate Jean Hornbostel.

ROLL CALL VOTE	AYE	NAY
Trustee Michael Holdstein		Absent
Trustee Bruce Jennings		Absent
Trustee Marjorie Apel	X	
Trustee Peter Swiderski	X	
Mayor Wm. Lee Kinnally, Jr.	X	

23:06 VILLAGE ELECTION INSPECTORS – DEMOCRATIC

On MOTION of Trustee Apel, SECONDED by Trustee Swiderski the following Resolution was duly adopted upon roll call vote:

RESOLVED: that the Mayor and Board of Trustees appoint the following Village Elections Inspectors for General Village Election Day, Tuesday, March 21, 2006 as Democratic Inspectors: Laura Gardner, Karen Jacobs, Viola Kepcher, Agnes Matzura, Cindy Metzger, John Russo, and alternate Elizabeth Waczek.

ROLL CALL VOTE	AYE	NAY
Trustee Michael Holdstein		Absent
Trustee Bruce Jennings		Absent
Trustee Marjorie Apel	X	
Trustee Peter Swiderski	X	
Mayor Wm. Lee Kinnally, Jr.	X	

24:06 SCHEDULE SPECIAL JOINT MEETING WITH PLANNING BOARD

Mayor Kinnally: This matter has been the subject of a lengthy discussion and public hearing process before the Planning Board. The Planning Board asked for a joint meeting to consider a number of items. Our public hearing has not been closed. This would allow us to consider it in conjunction with the Planning Board and enable us to answer a number of questions that would arise both from the public and from ourselves.

Trustee Apel: On the information we got it says concept plan for approval. I was not under the impression that we were doing approvals, but just getting information and having a discussion.

Mayor Kinnally: This is a legal notice under SEQRA. I do not believe that we are going to take any action that evening. Does it indicate that they are going to approve it that night?

Trustee Apel: It says a joint public meeting of the Planning Board and the Board of Trustees on the proposed action, and the description of the action was the concept. I got the feeling that it was concept plan approval of proposed development.

Mayor Kinnally: We are not taking any action that night.

Trustee Swiderski: I went to the Planning Board on Thursday specifically to hear what this session had to do with it. I asked what they saw as the outcome of this meeting. They have accepted the FEIS and it will be presented to us prior to this meeting. It is a chance for us and the public to ask questions of the Planning Board. But I was somewhat nervous trying to understand what the goal of this meeting was. They did say that was the entire purpose.

Mayor Kinnally: But we are not going to do anything that night other than participate in a joint public hearing.

On MOTION of Trustee Apel, SECONDED by Trustee Swiderski the following Resolution was duly adopted upon roll call vote:

RESOLVED: that the Mayor and Board of Trustees schedule a joint public meeting with the Planning Board on March 2, 2006 at 8:15 p.m. at the Municipal Building to consider the following proposed action: Applications for site plan review and other approvals for the development of a mixed-use, live/work development known as MUPDD Saw Mill Lofts.

ROLL CALL VOTE

AYE

NAY

Trustee Michael Holdstein		Absent
Trustee Bruce Jennings		Absent
Trustee Marjorie Apel	X	
Trustee Peter Swiderski	X	
Mayor Wm. Lee Kinnally, Jr.	X	

VILLAGE MANAGER'S REPORT

Village Manager Frobel: I do not have anything.

Mayor Kinnally: Budget is coming along?

Village Manager Frobel: Budget is coming along fine. We are working on that every day. We had our meeting scheduled to be a workshop last Wednesday evening with the residents on the Hillside Woods rehabilitation of the existing trails. I will have a report to you within the next couple of days after we have a chance to digest our notes.

BOARD DISCUSSION AND COMMENTS

1. Update on the Waterfront

Fred Yaeger, ARCO liaison: On the OU-1, the land aspect, the remedial design is firmly on track for an August, 2006 submittal of the 50% design report. In the next two weeks we need to obtain some additional samples, so there will be drilling in the early part of March to fill in some of the data gaps resulting from our previous drilling this past fall.

With regard to the OU-2, the water aspect, we are planning to submit an OU-2 focused feasibility study at the end of this month, maybe in early March the latest, to NYSDEC to share field data and our perspectives on the remedy selection criteria. We are also presenting additional data and an interpretive analysis on why much of the copper residuals do not present a current or future environmental public health risk. This submittal will be public. We expect to fill in all the questions that NYSDEC has presented to us, and we expect NYSDEC to issue a revised PRAP after they have completed their internal reviews.

Trustee Swiderski: Copper in the land, or in the water?

Mr. Yaeger: I believe it is in the water.

Trustee Swiderski: That OU-2 document that you are submitting, what is it?

Mr. Yaeger: It is called the OU-2 Focused Feasibility Study. It is being devised now to determine the aspect of dredging and what will be done in terms of what minerals and PCBs and where they are located.

Trustee Swiderski: But is it indicating the current condition, or is it a review of possible alternative ways of cleaning it up?

Mr. Yaeger: It is going to be both. It is going to review what is presently found in the water, and then also remedies to fix it.

Trustee Swiderski: Was there any provision by the state of a recommended remedy, or is this you taking a first step to get the discussion going?

Mr. Yaeger: Both the Atlantic Richfield Company and NYSDEC have been conducting mutual discussions on an ongoing basis. So we want to work out what would be feasible from NYSDEC's standpoint, from the Village's standpoint, and from ours. We are trying to find out what everybody really wants and what we feel can be done.

Hutton Associates, the architectural firm, has completed their study regarding the three structures in terms of historical preservation for Building 51, 52, and the water tower. We would like to have a public meeting on that at the convenience of the Board of Trustees. I understand the elections will be on March 21, so whenever time might be convenient to the Mayor and to the Trustees I can arrange for Dave Kalet, for Hutton Associates people, and Ray D'Hollander to make a presentation.

Trustee Swiderski: Any developments on the southern part?

Mayor Kinnally: Mark called me yesterday, had some questions about the site, and is in the process of drafting. He will have something to us quickly. I will follow up with him.

2. Other

Trustee Swiderski: Despite an assumption on our part that the Town Board would not file the appeal, they went ahead and did, knocking your socks off. It was very welcome news. We have since then reached out to the Town Board to have an informal meeting to begin to discuss what next steps make sense. We are not convinced that their proposal for mediation is necessarily the best way to address what we think needs to happen next. We have yet to agree on a date, but I think it was an important step in knitting together a relationship that is

definitely frayed. The fact that they are standing up and representing a majority of this town was a good move.

Mayor Kinnally: There are still questions about whether mediation goes forward. But we take comfort in the fact that there has been some progress on moving forward with the appeal and, as you said, repairing some of the damage that has been done.

The LWRP steering committee will meet on February 27 to review and comment on the draft, timetable for public review, and the next steps to finalize the revised LWRP draft plan. Phil and the committee and Angie have been working to try to get this thing finalized, and have put a lot of time and thought into it. There is substantial progress.

An item was brought to my attention by Jim Drumm, the fire inspector. Jason Doty has been a seasonal employee with the Village since 2001 and a member of Engine 46, Riverview Manor, since August, 2005. The night of the snow emergency on February 11 and 12 he stood standby duty in the firehouse for 20 hours. Not unusual because the firemen do that when there is an exceptional storm and they want to make sure that if an alarm comes in they can respond quickly. What was unusual about this is that within 12 hours after his standby duty he was en route to the Philippine Islands with his U.S. Army Reserve unit, the 854th Combat Engineering Battalion, for deployment on a humanitarian and security mission. I would assume that he is part of the rescue with that dreadful mudslide incident in the Philippines. But when we say that we have a number of people who serve our community, they not only serve our community but also our country. This is an example of extraordinary service, and our hats are off to Mr. Doty. I hope he comes back safe and sound soon.

EXECUTIVE SESSION

On MOTION of Trustee Apel, SECONDED by Southside with a voice vote of all in favor, the Board scheduled an Executive Session in the 2nd floor conference room for Tuesday, February 28, 2006 at 8:00 p.m. to consider personnel matters and a proposed professional services contract.

ADJOURNMENT

On MOTION of Trustee Apel, SECONDED by Trustee Swiderski with a voice vote of all in favor, Mayor Kinnally adjourned the Regular Meeting at 8:50 p.m.