

VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
REGULAR MEETING
FEBRUARY 6, 2007

A Regular Meeting was held by the Board of Trustees on Tuesday, February 6, 2007 at 8:06 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

PRESENT: Mayor Wm. Lee Kinnally, Jr., Trustee Marjorie Apel, Trustee Peter Swiderski, Trustee Jeremiah Quinlan, Trustee Diggitt McLaughlin, Village Manager Francis A. Frobel, Village Attorney Marianne Stecich, and Deputy Village Clerk Linda Knies.

CITIZENS: Ten (10).

APPOINTMENTS

Mayor Kinnally: The first item is the appointment of Ellen Hendrickx to the Architectural Review Board and Christy Pennoyer to the Conservation Commission. I thank Christy and Ellen for agreeing to serve, and for all the people who are giving their time and energies to our Village.

APPROVAL OF MINUTES

Trustee Apel: Page 10, next to my name I do not know what G-4 means. It should be eliminated.

On MOTION of Trustee Apel, SECONDED by Trustee McLaughlin with a voice vote of all in favor, the Minutes of the Regular Meeting of January 23, 2007 were approved as amended.

PUBLIC COMMENTS

Mayor Kinnally: We discussed at a work session a week ago a suggestion that Jerry Quinlan had made concerning changing our order of business to put public comments closer to the beginning of the meeting. The Board agreed to do that on an experimental basis through the organizational meeting in April when the new Board comes on. So we are going to move up public comments to the beginning of the meeting, subject to the following: we would limit the public comments to items that are not otherwise on the agenda, and limit the speakers to three minutes for public comments on matters that are not on the agenda. As to those matters that are on the agenda, we have public comments when the item is before us. So if anybody has any public comments on items that are not on our agenda we are opening up the floor at this point. Any public comments?

APPROVAL OF WARRANTS

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

Multi-Fund No. 49-2006-07 \$37,329.11

11:07 RETURN OF ACCOUNT AND AFFIDAVIT

Mayor Kinnally: This is an affidavit from the Village Clerk attesting to outstanding taxes that are due and owing from people who own real property in the Village. The taxes were due by December 31, 2006 and this is an accounting to us of those outstanding taxes.

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

RESOLVED: that the Mayor and Board of Trustees certify and approve the Return of Account and Affidavit as attached for the Village 2006-07 tax roll.

ROLL CALL VOTE	AYE	NAY
Trustee Marjorie Apel	X	
Trustee Peter Swiderski	X	
Trustee Jeremiah Quinlan	X	
Trustee Diggitt McLaughlin	X	
Mayor Wm. Lee Kinnally, Jr.	X	

12:07 SCHEDULE REOPENING OF PUBLIC HEARING –REZONING OF PROPERTY ON SAW MILL RIVER ROAD AND HOLLY PLACE AND ZONING CODE AMENDMENT

Mayor Kinnally: This is a modification to the pending application that has been submitted to shrink the zone and the various parcels that are subject to the rezoning. This is to reopen the public hearing and to schedule the continuation of the public hearing for March 6.

Trustee Swiderski: When would this be remanded to the Planning Board?

Village Attorney Stecich: My recommendation would be if you vote on having the public hearing tonight that you then also refer to the Planning Board and the Zoning Board for

report and recommendation. At the last meeting of the Zoning Board I told them they had before them the rezoning to the MR-C, so there was no point spending time on that since it has been changed.

Trustee McLaughlin: Perhaps you could explain why we are reopening the hearing.

Mayor Kinnally: Because it is an amendment to the application made by the applicant and counsel to shrink the zone, taking a number of parcels in the prior application out, and to change the application to an MR-O zone, which would be a little more restrictive from what was originally proposed in the application.

Trustee McLaughlin: But people who have been heard do not necessarily have to restate their case because it is still on the record.

Mayor Kinnally: That is right. All comments that were made at the prior public hearing will be part of the record and considered by the Board in their deliberations on the application. And also, whatever record we have here is available to both the Planning Board and the Zoning Board.

Caroline Caruso, 45 Marion Avenue: Why would the public hearing be continued if the application is, in fact, different?

Mayor Kinnally: It is a modification of the prior application. It would be continued so all of the comments and the information...

Ms. Caruso: But were the comments not on a different application?

Mayor Kinnally: Yes, and no. It pertains to the same property. It would be a duplication of effort if we forced all the people who had comments previously to come back and repeat those comments. The concerns that the people in the neighborhood have over the density, over changing the character of the street from residential to commercial, apply equally. So we thought that we would reopen it and save time and money rather than reinventing the whole thing.

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 reopen the Public Hearing of January 9, 2007 on Tuesday, March 6, 2007 at 8:00 p.m. to consider the advisability of rezoning four (4) properties from Two-Family

Residence (2R) to Multi-Family Residence/Office (MR-O): 15 Holly Place, 33 Saw Mill River Road, 1327 Saw Mill River Road, and 1337 Saw Mill River Road; and enacting new Zoning Code regulations to permit self-storage use by special permit.

ROLL CALL VOTE	AYE	NAY
Trustee Marjorie Apel	X	
Trustee Peter Swiderski	X	
Trustee Jeremiah Quinlan	X	
Trustee Diggitt McLaughlin	X	
Mayor Wm. Lee Kinnally, Jr.	X	

13:07 AGREEMENT FOR UTILITY ACCOUNTS ANALYSIS

Village Manager Frobel: I have been looking into the advisability of joining with five other communities to have an audit done of our utility accounts. This is something that towns do periodically to make sure that we are paying our fair share. The consultant fees would be paid by any of the monies that we would recapture. If nothing is realized, then there would be no fee paid.

Mayor Kinnally: We have done this before a number of years ago. It does not cost us anything. Whatever we recover we share 33% with the company that recovers the money. I think it is a good idea, and let us see what my colleagues think.

Trustee Apel: We do not know if we all individually, as communities, might be getting back a different amount of money. Are we going to be paying our share of the 33% prorated based upon what we actually get back, or are we just dividing it?

Village Manager Frobel: No, only what we realize.

Mayor Kinnally: Each municipality gets 67% of what they get back.

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 authorize the Village Manager to sign the Agreement as attached between the Villages of Hastings-on-Hudson, Ardsley, Briarcliff Manor, Croton-on-Hudson, and Scarsdale, and the City of New Rochelle, and Computel Consultants, to retain the

professional services of Computel Consultants to provide utility billing analysis services; and to pay Computel Consultants a fee of thirty-three percent (33%) of recovered refunds and/or credits.

ROLL CALL VOTE	AYE	NAY
Trustee Marjorie Apel	X	
Trustee Peter Swiderski	X	
Trustee Jeremiah Quinlan	X	
Trustee Diggitt McLaughlin	X	
Mayor Wm. Lee Kinnally, Jr.	X	

14:07 ENGINEERING SERVICES – KINNALLY COVE

Village Manager Frobel: We are continuing in our efforts to get all the necessary permits for the development of the Cove. I briefed you a few months ago, indicating that the DEC and the Army Corps are pleased with the work submitted on our behalf by the consultants thus far. The DEC requires some additional work, however, entailing some additional detail on the plans for the tidal marsh, even though that is planned to be accomplished in phase 3. And we would like to add the landscaping plan to the drawings, which would ultimately go out for bid consideration. So in light of that, there are some additional fees that we need to pay the consulting engineers that the Village has retained to assist us in this project.

Mayor Kinnally: And we have funds available through the trust fund?

Village Manager Frobel: We do. That project is paid through a variety of grants that the Village has acquired over the past several years, but the shortfall is monies that we were looking to turn to that trust fund to help us in that endeavor. A large match is required on the part of the Village, and this is a perfect source of money that could be used for this work.

Trustee Swiderski: Regarding a match, what is that?

Village Manager Frobel: When we received the grants as far back as 2003, maybe beyond, the grant we received requires a match from the Village either in cash or in-kind, upwards of \$100,000. That was never budgeted over those years, so there is still a shortfall. This trust would be a perfect source to find the money to match that grant.

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 amend the contract of February 7, 2005 with McLaren Engineering Group for engineering services for Kinnally Cove Improvements in the amount of \$9,500 for additional services, to be paid from the Hudson River Environmental Trust Fund.

ROLL CALL VOTE	AYE	NAY
Trustee Marjorie Apel	X	
Trustee Peter Swiderski	X	
Trustee Jeremiah Quinlan	X	
Trustee Diggitt McLaughlin	X	
Mayor Wm. Lee Kinnally, Jr.	X	

Trustee Swiderski: Lee, regarding the \$1.6 million sitting in that account: who is the trustee of that account?

Mayor Kinnally: It is ARCO, the Village, and the Riverkeeper.

Trustee Swiderski: And it requires their approval, so we are not guaranteed an automatic approval.

Village Manager Frobel: We asked the question last fall and received a verbal approval. But in conversation today with our legal counsel, all the documents have not been executed, but the parties agree to release the money for this purpose.

15:07 AUTHORIZATION TO BID - QUARRY TRAIL DEVELOPMENT

Village Manager Frobel: The quarry trail development continues to move forward. A quit claim deed has been recorded. We are proceeding to spend down the \$75,000 grant received a number of years ago. We recently retained a surveyor who has marked out the trail so that we know the boundaries. The next step would be to develop specifications to go out to bid and get some prices. Dr. Hubbard has helped me in that endeavor. We have a draft of those specifications. I am looking for your approval to move forward.

Trustee Swiderski: Who pays for it? Pure grant money? No match?

Village Manager Frobel: There is a match required, but we believe we could accomplish it a lot with in-kind. We have got a group of volunteers going out on February 17. Part of their time can be counted towards our match, Angie's time, my time, Fred Hubbard's time, DPW time. We do not see a shortfall in this project, so far anyway.

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

RESOLVED: that the Mayor and Board of Trustees authorize the Village Manager to accept bids for the development of the Quarry Trail.

ROLL CALL VOTE	AYE	NAY
Trustee Marjorie Apel	X	
Trustee Peter Swiderski	X	
Trustee Jeremiah Quinlan	X	
Trustee Diggitt McLaughlin	X	
Mayor Wm. Lee Kinnally, Jr.	X	

16:07 LEASE AGREEMENT - TELEPHONE SYSTEM FOR VILLAGE OFFICES

Village Manager Frobel: Last year during the budget deliberation process I discussed the need for an upgrade to our phone system. The existing phone system was purchased by the Village in 1990. It was upgraded on two occasions in the early 2000s. It is time now for another upgrade. With the installation of a new phone system at the Community Center we felt it would be wise to do all these telecommunication needs in one package. Raf has headed up a team of employees who have worked since last fall meeting with various vendors, preparing a request for a proposal, getting prices from vendors, figuring out which would be the best way to address our telecommunication needs, hopefully for the next several years. I have asked Raf to go over the process and to talk about his recommendation.

Village Technology Director Zaratzian: Previously, we had four independent phone systems that made it difficult to communicate between the buildings. Since we have a fiber network connecting all these buildings, and voice-over IP technology which uses that network has become so common, we thought the best way to move forward would be to integrate these buildings over this network. One of the most important parts about it would be the ability for the Community Center, in the case of emergencies, to still be self-sufficient. We said there would have to be a connection besides our fiber network between the two systems: one in this building and one in the Community Center. So that was what we used as our baseline when we went to these companies and said we are looking for a phone system.

Three companies came back with proposals. One was a company, Avaya IP Office Suite, from a company that we used to get equipment for state grants, CDWG. The other one was Broadview Networks from Rye Brook, with a Nortel BCM-400 and BCM-50 system. The

third one was Superior Communications of White Plains with an Inter-Tel 5000 server. We went through each one of these systems, did research on them, analyzed how it would integrate with us, and concluded that with cost, installation, and services the Inter-Tel 5000 system would be the best for its durability, capabilities, and overall product.

Trustee Swiderski: It is a Unix-based system?

Village Technology Director Zaratzian: It is a Linux-based system. Our whole Web server/e-mail server is on a Linux-based system. Everything is Web-based, so everything can be serviced through a Web base. I will be able to program phones over the system without any problems, just as I do with the Web: interface for the e-mail, for the firewalls, for everything else that we deal with with our servers. One of the reasons I do not want to go with the IP phone system was it was based on a Windows 2003 server. I love Windows 2003 servers, but I worry about virus attacks, I worry about having to reboot the server a lot to clear the caches out, and so forth. The Linux-based system seemed to hold up better for long periods of time. That is why the Inter-Tel 5000 series seemed so great. It is based on a Linux-based system, where when you reboot it goes right back to where it was and you do not have to worry about anything.

Trustee Swiderski: The lease is for 12 months. It adds up to exactly the amount...

Village Technology Director Zaratzian: There is no financing.

Trustee Swiderski: ...if we were to purchase it. And then we own it. So why is it a lease?

Village Technology Director Zaratzian: It is a lease because for state comptroller reasons, they prefer leasing equipment with RFPs, and that is why we did it.

Village Manager Frobel: To avoid any financing and, at the end of the day, you own the system. So it is just spread out over a 12-month period.

Trustee Swiderski: It is basically an installment contract. I do not understand why they even bother to call it a lease.

Village Manager Frobel: I am not sure. I know when we met a year ago I advised you that we would structure this over two fiscal years to minimize the impact. We have about half of the cost of the funding for the current year, and next year the budget we are putting together will have the other payment over the next six months. So it has worked out well. The vendors were willing to work that way with us.

Mayor Kinnally: Raf, the flexibility and expansion potential of this is much greater than what we have now?

Village Technology Director Zaratzian: I had them bring us a unit so you could see. The unit itself looks like this, and this is one of their IP phones. This phone is actually connecting up over the Internet right now to Superior's phone system which is an Inter-Tel system. Somebody could take their phone home and connect right into our network and get their phone calls, if they wanted to, from home. It also would work over a wireless network. It gives us great expandability. If we have to move for some reason, as long as there is a connection to the Internet we can set this phone system up anywhere. Unlimited voicemail. The police officers will all have their own voicemails, which is one of the things they wanted. Our current system is just to its limit. It cannot handle it.

Trustee Swiderski: So the servers are just there for the voicemail.

Village Technology Director Zaratzian: Yes, and routing calls through the IP.

Mayor Kinnally: Thank you, Raf. I know you put a lot of time into this, and Fran.

Village Manager Frobel: He did put a lot of time into it. Raf, the installation? What is the vendor's commitment with the Community Center?

Village Technology Director Zaratzian: This vendor has committed to start as soon as we sign the papers; in three weeks they will start. They have also committed, if we provide them with wire for the Community Center, to wire it for data and networking.

Trustee McLaughlin: Why is the library not included?

Village Technology Director Zaratzian: We are getting great rates on phone lines from LightPath, which is a county contract. The county contract was first given to the library system. Their phone system has been upgraded and is already on LightPath, saving them a lot of money. There is already a fiber link to the library. Once the system is up and running, and we determine everybody is happy with it, if the library wants to join us we would bring their phone lines into our building and then connect it to our server and give them IP phones.

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 authorize the Village Manager to enter into a lease agreement for the purchase of a village-wide

telephone system Inter-Tel 5000, with Superior Communications Inc., 2 Tibbitts Avenue, White Plains, NY., in the amount of \$4,496.25 per month for one year.

ROLL CALL VOTE	AYE	NAY
Trustee Marjorie Apel	X	
Trustee Peter Swiderski	X	
Trustee Jeremiah Quinlan	X	
Trustee Diggitt McLaughlin	X	
Mayor Wm. Lee Kinnally, Jr.	X	

17:07 APPOINTMENT OF ELECTION INSPECTORS - DEMOCRATIC

On MOTION of Trustee Quinlan, SECONDED by Trustee McLaughlin 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 20, 2007 as Democratic Inspectors: Viola Kepcher, Agnes Matzura, John Russo, Elizabeth Waczek, Laura Gardner, and Karen Jacobs.

ROLL CALL VOTE	AYE	NAY
Trustee Marjorie Apel	X	
Trustee Peter Swiderski	X	
Trustee Jeremiah Quinlan	X	
Trustee Diggitt McLaughlin	X	
Mayor Wm. Lee Kinnally, Jr.	X	

18:07 APPOINTMENT OF ELECTION INSPECTORS - REPUBLICAN

On MOTION of Trustee Quinlan, SECONDED by Trustee McLaughlin 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 20, 2007 as Republican Inspectors: Roberta Bennett, Jan Gustafson, Timothy Hays, Walter Honovich, Mary Matzura, Eleanor McGinige, and alternate Jean Hornbostel.

ROLL CALL VOTE	AYE	NAY
Trustee Marjorie Apel	X	
Trustee Peter Swiderski	X	
Trustee Jeremiah Quinlan	X	
Trustee Diggitt McLaughlin	X	
Mayor Wm. Lee Kinnally, Jr.	X	

VILLAGE MANAGER'S REPORT

Village Manager Frobel: We should have the Community Center roof completed within the next two weeks. The plumbing work inside the building is complete. You may notice that there were two pieces of glass in the building that have not yet been installed. They are a curved type glass; there has been some difficulty and perhaps a backorder. But those are the only remaining pieces of glass that need to be installed. The building is entirely weather-tight. There is good plastic covering those openings, so there is no danger there. Con Ed will energize the power lines to the site tomorrow. We expect to have the meter installed on Thursday. There will be stairway installation over the next couple of weeks. The elevator installation will start once we get power to the site. Sheetrocking continues, some interior door installation, and, on balance, everything is moving along pretty well.

I had a call late today from Metro-North. Beginning Friday night at 7 p.m. a large crane will arrive at the train station to begin the work of removing the passenger overpass. They will work throughout the night. They hope to be complete by 8 a.m. Saturday morning. We will be in communication tomorrow with our police and fire to go over all the details. People will be able to travel there, but they are going to try to limit traffic around the site during the times they will be removing that overpass.

Trustee Apel: Do they know about the elevator?

Mayor Kinnally: They are expecting by the end of February that the elevators would be in use. They will start on the other platform in April with a target of completing that by the end of December. Then they will proceed to demolish the current platform.

BOARD DISCUSSION AND COMMENTS

1. Update on the Waterfront

Fred Yaeger, ARCO Liaison: Dave Kalet, the remediation project manager for Atlantic Richfield, will be here at the next Trustees meeting to give a detailed update on the latest activities. We have been conducting some tours of the site. This week we had scheduled a tour of your building preservation group led by Stuart Cadenhead. Because of the cold weather we postponed that, and we will reschedule when Dave is in. We found that when people come to the site and Dave explains what is going on, they see the buildings, they see all the activity, they get a good understanding of the complexities of what we are doing.

We have never had other elected officials besides those in the village of Hastings come down to the waterfront to get an understanding of what is going on. We are planning, and hopefully that is supported by this body, to have County Executive Andy Spano, Congressman Eliot Engel, the state senator and assemblyman. We feel in terms of open communications, to have these elected officials see what is going on and get an update, and then gain further support from them. When the weather gets warmer, we will probably be taking down Building 57. That is that small building adjacent to the water tower. It is in very poor condition. The bricks are coming off, the roof is partially collapsed, and it is a tremendous safety issue for workers.

Trustee McLaughlin: I wanted to thank you, Fred, for so diligently making sure that I saw the waterfront. I would like to encourage as many people as you invite to take advantage of the opportunity. After all the years that we have been talking about the waterfront I thought I had a good handle on things down there. But I did not understand it nearly as well until I actually walked it with you.

2. Boulanger Plaza Parking Lot

Mayor Kinnally: We have received today a report from Christina Griffin about the problems that we have encountered with the striping of the parking spaces.

Village Manager Frobel: She had hoped to be here this evening, but she had another commitment. For some unknown reason, and we are mystified by it, the subcontractor whom the contractor hired to stripe the lot took it upon himself to deviate from our plans and specifications. In Christina's note she indicates how she had gone out there periodically. I was out there during the day. I made the assumption that the subcontractor could understand and follow the plans. I was not out there measuring spaces. It quite frankly never occurred to me that that was necessary. Be that as it may, there was a range in seven spots from 7 feet,

9 inches to 8 feet. They all should have been 8 feet, 6 inches, as specified. Christina has identified the ones that are woefully undersized and that clearly need to be addressed.

One alternative, which the Board could certainly tell us what to do, would be to remove all the lines. It is a process called “burning it off,” where they heat it and it comes up. It does leave a residue; a type of a shadow would always be there. Another way we have probably all seen occur is to paint over them, which is probably less attractive. We could not re-stripe it until the weather is warmer, until we can rely on temperatures above 45 or 50 for a couple of days.

Another alternative would be to just focus our attention on those corners of the lot that are undersized. There are seven spots. We could remove the paint, have it burned off there, and adjust those spots. If we went with the second alternative that would result in a loss of two additional spots. We had gone into the process hoping to have 58 spots; that is what you had approved in the specifications when it went out. By going with this alternative you would be down to 56. It comes down to aesthetics, if you would. I regret this occurred. I do not know what else to say. We would have liked to have been able to rely on the subcontractor to do his job, but for whatever reason he did not and now we are faced with a situation where we have several spaces that are too small and the alternatives are not very attractive.

Trustee Swiderski: Did we gain any spots along that wall which is supposed to be all compact cars, or did we lose any?

Village Manager Frobel: No. You lost spaces because you used to allow parking along that north wall. You gave that up to help with the deliveries of the trucks, so there was some compromise there to make it a little easier for the merchants. But the compact cars, not really. That did not affect it. As I understand it, the compact car was not as deep a space as the others.

Trustee Swiderski: Okay, it is not a width thing, it is a length thing.

Trustee Apel: The company that did this is responsible to repair everything?

Village Manager Frobel: Yes.

Trustee Apel: Why can we not burn it all off and then it would be the responsibility of the company to put a thin layer of asphalt on that.

Village Manager Frobel: It will not adhere. We explored that. It would be more complicated than that. I can pursue it further, but it would involve scarifying the surface to

make it adhere properly. Otherwise, it would peel up in time. They do not believe it would stick. Due to traffic, and the turning of vehicles, it would never adhere. That would not work either from an aesthetic point of view.

Trustee Apel: It seems to me that it is their fault, and they would have to pay for it, and we want it done right. I do not want to lose two parking spaces and I do not want it to look awful, so it would be up to them to do it right. Otherwise, it is always going to look wrong. No matter what we do, it is going to be wrong.

Village Manager Frobelt: I think in time the lines that were once painted there will fade. Even where you burn it off, in time it will fade. But short-term, you would notice it.

Trustee Swiderski: Are we predestined, if we put this to the right width, to lose two spaces?

Village Manager Frobelt: No. If you make everything the right size you would be back to where you started, the way it should have been the way Christina laid it out.

Trustee Swiderski: Everything on both sides, or only on the side closest to the stores?

Village Manager Frobelt: You would have to do the whole lot. Every one is off, every one would have to be tweaked a little.

Mayor Kinnally: I do not want to make a decision about this tonight, but I would like to have them burn off one line and see what it looks like.

Trustee McLaughlin: In other words, until the weather clears up we cannot take any positive steps for the whole parking lot.

Village Manager Frobelt: Except you could remove the lines.

Trustee McLaughlin: For the entire parking lot, but there would be no way of proceeding with the step of getting new lines. It would be chaotic.

Mayor Kinnally: No, we have to live with this at least through March.

Village Manager Frobelt: To be safe. The least you need is two days of mild temperatures. Well, let me proceed on that.

Trustee Quinlan: If they did re-gouge it, would then the asphalt adhere?

Village Manager Frobel: I do not think there would be a guarantee, but I would have to look at that more closely.

Trustee Quinlan: Obviously, that would be more time-consuming and expensive for them to do, but I do not want to lose two parking spaces and I do not think the Village residents want to lose two parking spaces. They goofed up and they have to make it right, and if that means re-gouging and repaving and re-striping, then so be it. I know they do not want to.

Village Manager Frobel: We have not gotten that far. I know that drainage is a concern, but let us find out just what we are up against in that regard.

Trustee Apel: If the parking lot was older and we had to repave it, would we not have to gouge it and rip it up anyway?

Village Manager Frobel: It was scarified, which is what we did with this. We did not take it down right to bare ground.

Trustee Apel: They will have to redo it. We spent all this money and time and energy, it should be done right.

Trustee Swiderski: You do not want it to look shabby after all that.

Trustee McLaughlin: What are the drainage problems?

Village Manager Frobel: I am not suggesting. I am just saying we want to make sure that the resurfacing would not affect anything adversely. It seems to be working.

Trustee Quinlan: Was the subcontractor hired by the contractor?

Village Manager Frobel: Yes.

Trustee Quinlan: And the subcontractor was just to put the lines in?

Village Manager Frobel: Yes.

Trustee Quinlan: And the contractor was the one who would have to scarify?

Village Manager Frobel: Yes.

Trustee Quinlan: So it is the contractor's responsibility. They hired the contractor.

Village Manager Frobelt: Yes.

Trustee Quinlan: How many days disruption would it be to scarify? Could you find out?

Village Manager Frobelt: I do not know if it could be done in one day. We obviously have not paid the contractor. We have a retainage, which would be an adequate amount to at least take off and repaint the lines. Whether or not it is enough to do everything you have just talked about, I do not think so.

Trustee Quinlan: Lee, I like your idea. Let us see what a faint line looks like.

Mayor Kinnally: Is there a performance bond?

Village Manager Frobelt: There is a bond and there is also a retainage, and the retainage would probably cover most of this but I am not sure it would cover everything that we talked about tonight.

Trustee Swiderski: When people extend the time on the pay station, apparently you lose whatever remaining time there is. Is there a way to program the machine so it works differently?

Village Manager Frobelt: No, because the machine would not know it is the same person. That is not uncommon, the way it is arranged.

Trustee Swiderski: It may not be uncommon; it just happens to be irritating.

Village Manager Frobelt: I understand. But no, it thinks it is a new customer pulling into that slot wanting time, even though you had 10 minutes left perhaps.

Trustee Swiderski: Is there an option where you can do that?

Village Manager Frobelt: I do not know. I could ask. They were there today to make some programming changes on the machine which will make it easier for the user. It was too cold so we were not able to pull some wire so the two machines can speak to each other. That is for our ease of operation.

Trustee Swiderski: If you could ask them if that is an option, because it is a point of irritation for people who do not want to wait until the last minute but do not feel they should be gypped out of 15 or 20 minutes remaining.

Trustee McLaughlin: I have one other thing to bring up about Boulanger, and that is that people are finding that the concrete benches are cold. Jenny Murphy was going to come to the meeting tonight to say that on behalf of the seniors who use that spot as a gathering place, but she could not come.

Mayor Kinnally: They are cold. I do not know about the uncomfortable part of it, but I will take a look at it. It is concrete. Concrete is cold. When it is 10 degrees out, it is cold.

Trustee McLaughlin: It could well be cold into the spring, too. It will retain cold longer than wood would.

Trustee Apel: You could probably put a grid of attractive slat that just sits right on top of the bench.

Trustee McLaughlin: I wonder if this is borrowing trouble, if it would raise the bench unacceptably for older people.

Mayor Kinnally: This has been one of the most difficult things that we have ever dealt with. It really is very upsetting. As I said, if it could go wrong it has gone wrong.

Nina Cangiano, President, Chamber of Commerce: I sent a letter identifying the things that we have been seeing and hearing because we are there all day and we get the brunt of everybody's dissatisfaction. I understand that this has been difficult from day one, and everything that could go wrong did go wrong. But from the merchants' perspective and the Chamber's perspective, we do not want to lose another spot. So whatever can be done to avoid that would be advisable. I agree with Marge. The subcontractor or the contractor, whoever screwed up, should make it right. Your idea is a good one, Mayor, to test one spot.

There are a couple of other things, though. Signage, if you do not live here and it is the first time you have come here. I saw somebody coming from the A&P enter the parking lot from the exit. So we need to get better signage. I think that we had wired another spot for a meter near Hastings Electric. Perhaps we could get that up and running because people are complaining if there are more than three people on line and you are waiting. No one likes to wait more than a minute. When you figure out what you are doing with the re-stripping, we would ask that it be done on a Sunday or a Monday to avoid any further impact if it is going to have to close the parking lot.

Mayor Kinnally: I can guarantee you they will not do the job on a Sunday. And it would not be all in one day, because that asphalt would have to cure before they put paint on it.

Ms. Cangiano: We should pay attention to the calendar. If it is over Passover/Easter, anything that creates an incentive to shop we try to avoid doing anything that is going to impact the parking over those.

Fonda Lefrak, Vice-president, Chamber of Commerce: We had heard from a couple of the stores in the back that delivery trucks are having an impossible time getting around the turnaround. The trucks have been making their deliveries and then backing out because they cannot turn the trucks around.

Mayor Kinnally: I do not understand why they cannot. It is a larger turning radius now than it was before.

Ms. Lefrak: You might want to talk to the people at Hastings Electric. Once it was the Benjamin Moore truck backed onto Main Street and there was a line of cars up Main Street.

Mayor Kinnally: We took out that parking on the north end just to accommodate that. I am surprised, but I will go in and talk to them.

Ms. Lefrak: That was just something we heard. Because of the new configuration of the parking lot, people are tending to avoid it if they can. They are parking at the meters, but they are also parking on the bridge much more than usual. We had discussed at some other meeting looking into striping out spots on the bridge because we could probably get two more spots on each side of that bridge if there were real lines.

Mayor Kinnally: We have to approach the county. That is the county's bridge.

Trustee Quinlan: Is there anything we can do about the benches being cold?

Mayor Kinnally: I do not know. You know what? It has been open a little bit. It is concrete. Christina is here, we can ask her.

Trustee Quinlan: Just think about it. You do not have to answer it tonight. I know it is concrete; concrete is cold. In my opinion, the benches look great.

Christina Griffin, Architect: Those benches were also a decorative element to screen the parking lot. So they are bench-walls, but I will have to put some thought into that.

Village Manager Frobel: Christina, before you arrived we talked about the plaza. One suggestion was that we have the contractor burn off one line so we get a better sense of the appearance. We also talked about the wisdom of scarifying the lot, putting down a tack coat, and then putting a thin layer of topping on it. I know you and I talked about that, whether that is even feasible or practical.

Ms. Griffin: Did you receive the letter that I dropped off today?

Village Manager Frobel: Yes.

Ms. Griffin: Although I have had some feedback from Marquis, and they want to correct the problem, they wanted to use that letter to go to the company that painted the lines and ask them what the options are. I do not know if I have actually given you all the options. But that is probably a good idea, to do a sample. They are waiting for direction, and I can give them that direction tomorrow if you like.

Mayor Kinnally: Okay. And if you can get the other options, that would be wonderful.

3. Other

Trustee Quinlan: Faith Evans, a good friend of mine and a long-time and valuable resident of Hastings-on-Hudson who is also on the board of the Lower Hudson Valley chapter of the New York Civil Liberties Union, has given the Village a framed copy of the Bill of Rights. We want to thank Faith very much for that, and I understand that she framed it herself and she did a very good job. Fran, maybe you could find a great place to hang this, and we want to thank the Civil Liberties Union and Faith Evans.

Mayor Kinnally: This copy of the Bill was printed and distributed as a public service by the Lower Hudson Valley chapter of the New York Civil Liberties Union. Thank you very much to Faith and to the Civil Liberties Union. The bedrock of our democracy.

We had a meeting of the VOC the other night, and I went in place of Peter. A number of items were discussed: the pendency of the appeals, the effect of the stay, the comptroller's decision, and discussions with the town. A subcommittee was appointed to talk to the town about how reallocation will occur. Paul had indicated that there would be a reallocation, and this is to make sure that we are all on the same page. There is a lot of progress in that regard.

Trustee Swiderski: My understanding is that there is some eagerness to get on record the positions of candidates in the next race for Greenburgh on how they stand on relations with

the villages. Work is being done on a questionnaire that will be laid in front of all active candidates, and the results of that questionnaire will be widely shared.

Trustee McLaughlin: Marge pointed that the new Village Website is up and running. I checked it after she told me how good it looked.

Mayor Kinnally: It is great.

Trustee McLaughlin: Speaking of Greenburgh, I was looking around the Website and noticed that you could connect to the Historical Society. I note that Hastings has been part of Greenburgh since something like 1790, which means that there may be a reason to reexamine our reason for being in there since we are no longer a tiny village surrounded by farms.

EXECUTIVE SESSION

On MOTION of Trustee McLaughlin, SECONDED by Trustee Apel with a voice vote of all in favor, the Board scheduled an Executive Session immediately following the Regular Meeting to discuss personnel.

Mayor Kinnally: We have an acceptance of a member of the task force for Ridge Hill. Do you want to discuss it further in executive session?

Trustee McLaughlin: Yes.

Mayor Kinnally: There is a meeting on Thursday scheduled with a representative from Ridge Hill, the mayor of Ardsley, the town supervisor, and the mayor of Yonkers to discuss the task force and where we are going with the whole process.

Mary Scope, who worked here in the court clerk's office for a number of years in the 70s and maybe early 80s, died this week. And Ben Caccia, who was a Village Trustee from 1974 to 1978, passed away last Monday evening. He had moved to Easton, Maryland. In fact, I took Ben's seat on the Board in 1978. I would like to have a moment of silence for them, and to adjourn in their memory.

ADJOURNMENT

On MOTION of Trustee Apel, SECONDED by Trustee Swiderski with a voice vote of all in favor, Mayor Kinnally adjourned the Regular Meeting in memory of Mary Scope and Ben Caccia at 9:30 p.m.