

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

A Regular Meeting and was held by the Board of Trustees on Tuesday, March 6, 2007 at 9:15 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

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

ABSENT: Trustee Jeremiah Quinlan.

CITIZENS: Nine (9).

APPROVAL OF MINUTES

On MOTION of Trustee McLaughlin, SECONDED by Trustee Swiderski with a voice vote of all in favor, the Minutes of the Regular Meeting of February 20, 2007 were approved as presented.

APPROVAL OF WARRANTS

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

Multi-Fund No. 53-2006-07 \$229,486.33
Multi-Fund No. 54-2006-07 \$ 21,963.88
Multi-Fund No. 55-2006-07 \$ 7,167.56

PUBLIC COMMENTS

Mayor Kinnally: We will have public comments now on items that are not otherwise on our agenda. Anyone wishing to come forward please do so at this point. If not, we will move on to resolutions.

23:07 SCHEDULE PUBLIC HEARING 2007-08 BUDGET

Village Manager Frobel: This is our public hearing. We will be looking to hear from the community at that time. I will be presenting the budget to the Trustees on March 20. We are looking to hold a series of work sessions sometime during the week of March 27, looking to adopt the budget perhaps as early as April 27 and have it in place no later than May 1.

On MOTION of Trustee Swiderski, SECONDED by Trustee McLaughlin 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 10, 2007 at 8:00 p.m. or shortly thereafter to consider the proposed 2007 - 2008 Budget.

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

24:07 CHANGE OF MEETING DATES

Mayor Kinnally: This is necessitated by the fact that the second night of Passover will be on April 3, and also that is the week that schools are closed. So we are moving everything one week forward one week in the month of April.

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

RESOLVED: that the Mayor and Board of Trustees change the dates of the Regular Meetings from April 3 and 17, 2007 to April 10 and 24, 2007, and of the Organizational Meeting from April 3 to April 10, 2007.

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

Mayor Kinnally: We will move on to the Manager's report, but coming on the heels of the change of the meeting dates, let me also discuss some meeting dates and issues that we have to take up.

I had a meeting with the cable commission and with representatives of Verizon to discuss the open items on the Verizon franchise agreement. Significant progress in clarification was made and obtained. Some additional information is still coming in from Verizon and, in fact, this evening two representatives of Verizon were here and chatted with me before the meeting. It would appear that by the end of this week the information that we have requested from Verizon, and some of the points that we are still looking for agreement with Verizon, will be obtained. To that end, and subject to obtaining that information and that clarification and the points that we want in the franchise agreement, I am suggesting that the public hearing on the Verizon franchise be closed as of March 20. We would entertain that motion on March 20. Written comments would be accepted up to and including the end of business on March 16.

To the extent that we get that information that we are looking for, I would request at the March 20 meeting a motion for a special meeting to consider the adoption and the awarding of the franchise agreement to Verizon on March 27. The public hearing was before this board. It makes a lot of sense, if we get all the information, that that franchise agreement be awarded by this board rather than having a new member have to get up to speed on the negotiations and all of the particulars of the franchise agreement. So not only will we have a presentation and a work session of the budget that night, we will have a special meeting to consider the adoption of the Verizon franchise agreement.

In addition, the LWRP report is expected by the end of the week. That report will incorporate many of the comments and changes that have been obtained since the initial distribution of the LWRP draft report. Phil Karmel and the Manager and I met with counsel and with Angie Witkowski in February. A suggestion has been made by Phil Karmel that it is time for a hearing to have a public discussion of the LWRP draft report. To that end, we are suggesting that a session be held in the high school on the evening of April 11. There will be formal action on that on the 20th when we get the report.

Trustee McLaughlin: When will these changes be available on-line?

Mayor Kinnally: As soon as we get the report. Angie is hoping to have it by the end of the week. As soon as we get the Verizon draft franchise agreement, that will also be available on-line. That was one of the things we have been urging Verizon: that we will not put it on for a public hearing unless we have had it in time for the public to review that document. They would give us black-line copies so the public could readily see the changes that have been made.

Trustee McLaughlin: Perhaps Mr. Frobel can see that an e-mail is sent out to the Village list to tell people that these documents are available on-line the day they are posted.

VILLAGE MANAGER'S REPORT

Village Manager Frobel: Not a lot of visible progress on the Community Center over the last period for reporting. Most of the work continues to be in the interior. Some disappointments. We have not yet brought power to the site. Though Con Ed has made great strides towards reaching that goal, we are relying on generators to keep the building warm and allow the workers to continue on the interior, although we are restricted. We hope to have power by the end of the week, which will allow us to fire up the furnace and bring the building up to a consistent temperature which will allow us to plaster the walls, tape them, and paint.

I received word today that we received partial funding for a grant from the Hudson River Valley Greenway, \$2,000. This will allow us to do some work on the Rowley's Bridge trail. They did not fund the request for an update to our map and brochure. This grant requires a \$2,000 match, either cash or in-kind services.

Mayor Kinnally: Do we have any update on the parking lot? Striping, modifications to the machines, visors for the machines?

Village Manager Frobel: I have not yet had a meeting with the company representative. Susan has sent out a reminder to him that I need to meet with him on those issues. The cold weather has prevented removing one of the lines so you can see better the impact in terms of removing the white lines leading up to re-striping the lot. Susan has discussed with the Town of Greenburgh the purchase of six signs to let motorists know about the pay stations. We have not ordered those signs yet. Although the appearance is fine, we need to discuss the location of where those signs would be.

Mayor Kinnally: Are you going to hold off ordering them pending the discussion on the location?

Village Manager Frobel: I would like to. It is difficult because you need to place them where people can see them and they are not blocked by parked cars. But we do not want to destroy the integrity and the effort we have made to make it a very attractive facility. Unfortunately, we are leaning towards placing them on the poles in the center island.

Mayor Kinnally: Oh, gosh.

Village Manager Frobel: We were afraid that would be your reaction, Mayor, and that is why I was hesitant to bring it up. But I knew we did need to discuss it with the group. If you print them on the wall they can be blocked by a van. It does not lend itself to locating them

in spots that are not obtrusive, and I do not know how else to place them. But we are very reluctant to place them on the poles because we have the flowers we want to place there and they look very nice. Although these signs are very nice, they are going to be signs. There is no getting around that.

Mayor Kinnally: How large will these signs be?

Village Clerk Manager Maggiotto: Just standard.

Village Manager Frobel: Blue, with white lettering.

Mayor Kinnally: In Larkin Plaza in Yonkers the signs are on the pay stations: Pay Here or Pay Station.

Village Manager Frobel: A sign can be mounted on the pay station itself. There is a device on the top that seems to lend itself to a sign.

Trustee Apel: There is a problem with that because you have them on the front, and then you have it going in the side. If you drive in and you do not see it, you are just going to go out the other side. Another problem is that people are still under the misunderstanding that they have to go back with their ticket.

Mayor Kinnally: Do the instructions say you do not have to take your ticket back? That would be the easiest point, the point of purchase.

Trustee McLaughlin: In last Friday's *Enterprise* the inquiring reporter asked people about it. Somebody specifically said, I don't like having to take the ticket back to the car.

Trustee Apel: We need some sort of marketing. It might be good to put something in the newspaper to counter that.

Village Clerk Manager Maggiotto: We could put temporary signs on the pay stations until people get used to the idea.

Mayor Kinnally: But I do not want them to be permanent signs because it is going to detract from the aesthetics of the place.

Trustee McLaughlin: I have heard complaints that the areas around the pay stations have not been shoveled and people have difficulty standing there.

Village Manager Frobel: That was brought to my attention as well. I have spoken with Michael, and they are aware that that is a priority to get that clear to bare pavement so that people can easily access the machine. That was a mistake on our part.

BOARD DISCUSSION AND COMMENTS

Mayor Kinnally: I have received a communication from environmental counsel concerning the waterfront, and I would like to have a brief executive session this evening on advice of counsel.

EXECUTIVE SESSION

On MOTION of Trustee Apel, SECONDED by Trustee Swiderski with a voice vote of all in favor, the Board scheduled an Executive Session immediately following the Regular Meeting for advice of counsel.

1. Update on the Waterfront

Mayor Kinnally: I have not heard from ARCO this week. A meeting has been tentatively scheduled with counsel for ARCO and our counsel, Dave Kalet, and Fran to talk about some of the general items that had been discussed. We are going to receive from Malcolm Pirnie an assessment of the engineering costs to look into the infrastructure. If you will remember, when ARCO was here they said that we should look at what we want to do on the site so they can design around it, and they gave us a deadline, September or something. We pointed out that this is going to cost money. They asked for a budget, and we will be receiving that draft from Malcolm Pirnie for the budget for engineering costs that would be incurred by the Village in complying with ARCO's request that we give them input into the infrastructure siting on the waterfront before they do their remediation plan. I expect that we will have that by the meeting on the 20th.

Trustee Swiderski: It did not make it onto the agenda, but there has been a request from the group that is working to preserve the buildings for the Board to consider supporting their move to seek historic registry status. It is something worth considering. We have received advice that it will not have a negative impact on the property in the sense that it might restrict future use if, in the end, it is determined that the building should come down. On the other hand, if it contributes to the effort of the group to identify possible sources of funding, that seems worthwhile. I would be happy to consider such a proposal before the Board. In the interest of taking a step on that, what would we do?

Village Attorney Stecich: I would like to clarify. Was that advice you thought you got from me?

Trustee Swiderski: Yes, that was the advice I thought I got from you.

Village Attorney Stecich: I want to clarify. It does not mean that it would not make any difference. It is an extra hurdle that you would have to jump if, at some point, the buildings are on the registry. Let me back up by saying that it certainly cannot get on the federal registry if the property owner opposes it getting listed. In the Pataki administration you did not get on the state registry if the owner opposed a designation except in rare cases. I spoke again today with the man who is in charge of the state historic preservation organization. In January he had indicated that he did not know if that policy would change. Today he did not say it would change, but he suggested that the policy might be different under the new commissioner, who is more preservationist-friendly. But whether it is on the registry or not, once you have raised the issue, if it is an eligible building, there are certain criteria that have to be met. You still have to take into consideration that it is a historic building.

Trustee McLaughlin: But I understand that in no way does this abridge ARCO's rights as the property owner.

Village Attorney Stecich: It should not affect the cleanup. What I was going to get to was a thing that could make a difference. If any state or federal permitting is required, not for the cleanup but let us say for a walkway or esplanade over the Hudson River, then you are going to need state permitting for that. Before the state can grant the permit they have to take into consideration the historic status of the building, even if this esplanade has nothing to do with the building. It has to go before SHPO, and they want you to consider alternatives. Is there a way to do it that might be more respectful of the building? And if whoever wants to take the building down and modify the building shows that there is no reasonable alternative, then they would be able to get their permit. But it depends on a lot of things. Nobody should get the impression that this is like the New York City landmark preservation law, because it is not. Where there are strong landmark laws they are local, either village landmark laws or city landmark laws.

But it would just mean an extra hurdle. I certainly did not mean to leave the impression that it would make no difference that it is designated or eligible. It does not matter whether it is designated or eligible. Once the historic status of it has been recognized it has to be taken into consideration in any state or federal permit that is granted.

Mayor Kinnally: For the whole site.

Village Attorney Stecich: Yes, even if it has nothing to do with the building.

Trustee Swiderski: With that advice and understanding, it still merits a discussion. What would happen next? Do we bring this for public discussion, or is it a Board resolution?

Mayor Kinnally: You need a resolution, and then we can have discussion on it. Has anyone on the committee approached ARCO about this?

Stuart Cadenhead, 5 Valley Place: I broached it in a Board meeting several months ago. So I would say the short answer is yes.

Mayor Kinnally: They responded?

Mr. Cadenhead: No, they did not respond.

Mayor Kinnally: Do you want to take that up directly with Dave?

Mr. Cadenhead: Perhaps. Does that preclude the discussion that I am hoping you are going to have?

Mayor Kinnally: It does not preclude, but it may make it easier.

Mr. Cadenhead: May I make two points briefly? First, ARCO has the right to reject this designation if they so choose, and we certainly recognize that. Taking that into consideration, it is fair that it should be considered, because if they decide it is not in their interest they can just reject it.

The second point is that in all of the documentation that they have produced over the last year this fact has been front and center, it is on the front page of their Website, it is in the opening comments of the report they submitted last week: in 1989 the buildings were considered not eligible. So clearly they view this as significant. It is only fair that since they have made it such an issue we should be allowed to take another look at it.

Mayor Kinnally: But will you raise it with them and see what their reaction is?

Mr. Cadenhead: I will raise it with them, but I do not think that should preclude the Board's discussion of it.

Mayor Kinnally: One has nothing to do with the other at this point.

Mr. Cadenhead: I was wondering why you brought it up now.

Mayor Kinnally: Because that is what we are talking about. It is only fair to go to any property owner and say this is what we are considering doing with your property.

Mr. Cadenhead: I said it to him several months ago, but I will be happy to put it in writing.

Mayor Kinnally: The problem is you did not get a response from them. Ask Dave what his response is because it is going to be taken up by the Board.

Mr. Cadenhead: Let me say for the record that Dave has been terrific with our group. He has taken us on tours of the waterfront, he has been very responsive to any contact that I have made to him. So that is not something I am unwilling to do.

Trustee Swiderski: I agree. As a simple courtesy it is the right thing to do, though it does not preclude one way or another whether we discuss it or not. But is their property, and since we are about to engage in a discussion about it they should at least have explicit notification.

Trustee McLaughlin: In that case, may I ask that it be on the agenda for our next regular meeting?

Mayor Kinnally: That is election night. Do you want to have it on the agenda for that night?

Trustee McLaughlin: Fine with me.

Trustee Swiderski: Sure.

Trustee McLaughlin: Trustee Quinlan had asked me if I could have it on the agenda while he was away; he was hoping that we would discuss it and he would be able to vote on it when he returned. I had been under the impression that it would be on tonight's agenda.

Mayor Kinnally: I do not know if it will be on for action. We can certainly have the resolution, but we will have it on for discussion that evening.

Mr. Cadenhead: I thought it was going to be on for resolution at the next meeting.

Mayor Kinnally: You may not get a second. Maybe the Board will consider at that point they are not ready. I am not precluding it. I do not know what the Board is going to want that evening. I get your agendas and you are one of the most organized committees that I

have ever seen. I have been waiting for discussion about going to a funding source to do whatever we want to do. Do you have an interim report on that?

Mr. Cadenhead: We have made application for a couple of grants. We do not have anything to report at this point. It has been three months. We are ramping up to that. I feel confident that we will have something, but at this time we do not.

Mayor Kinnally: You have made applications for grants?

Mr. Cadenhead: We have made an application for a grant, yes.

Mayor Kinnally: And has that been cleared with the Village?

Mr. Cadenhead: It was discussed with Fran, yes.

Mayor Kinnally: Did we sign off on it, Fran?

Village Manager Frobel: No, we have not signed off on anything.

Mr. Cadenhead: I was not a party to this discussion, but I understand from Bruce Levy that there was some discussion of the procedures for this grant...

Village Manager Frobel: The procedures, yes. I explained to him that some grants do require Board resolution. Yes, I did discuss that.

Mr. Cadenhead: And my understanding was that any individual is free to make the initial application. Should it then proceed to the next step, it would require a Board resolution.

Mayor Kinnally: Do we have a copy of the application?

Village Manager Frobel: No.

Mr. Cadenhead: I can get you one.

Mayor Kinnally: Was it submitted under the aegis of the Village?

Mr. Cadenhead: No, under the aegis of an individual.

Mayor Kinnally: And what is that funding for?

Mr. Cadenhead: It is a \$10,000 grant. We have discussed using it to examine the feasibility of certain options, the financial tax value of certain options that we might consider. We have made a list of different possible uses of the building, which we are going to narrow down based on considerations like traffic, etc. Our hope is that once we get it narrowed down to five or six good options we might have the funds in place to take a hard, honest look at the tax return to the Village. So we were hoping maybe we would use the money for that.

Mayor Kinnally: Okay. One of the problems I am having is that ARCO has given us somewhat of a window as far as stabilizing this building.

Mr. Cadenhead: Since the cleanup has been delayed, does that affect the size of the window? And if it does not, why?

Mayor Kinnally: It may affect the size of the window, but my problem is that while we continue to deal with the cleanup the property is not remaining the same; it is deteriorating.

Mr. Cadenhead: It is deteriorating in what way?

Mayor Kinnally: It is exposed to the elements, and there has been no remediation to stabilize.

Mr. Cadenhead: It has been exposed to the elements for 100 years. Are you referring to the damage done over the last year?

Mayor Kinnally: No, I am talking about the normal wear and tear on buildings that are not being maintained.

Mr. Cadenhead: It has stood for 100 years, though. It will stand for another four.

Mayor Kinnally: Good point. Let us hope. Okay, but that is the funding we are looking for, I thought.

Mr. Cadenhead: After I saw your quotes in *The Enterprise* I looked at the Board's resolution. It was not clear to me that we were specifically to come up with short-term stabilization funding. That was not in the wording of the resolution.

Trustee Swiderski: So what is your objective?

Mr. Cadenhead: If I may quote from the resolution, it is to explore various options for preserving the buildings. It was not specifically targeted towards coming up with short-term or long-term funding. It was just to explore options towards that end. And to the best of our ability we have been working very hard to try to do that.

Mayor Kinnally: I do not want anybody spinning wheels and I am not saying you have to go for short-term or long-term. But I do not know what the source is going to be at this point to stabilize those buildings, and then to put the money in to tide those buildings over until such time as development is going to occur.

Mr. Cadenhead: There are two separate issues. The short-term stabilization costs, our window just expanded by four years, if I am not mistaken. The cleanup has been delayed until 2012. So any funding issue that needs to be resolved quickly has to do with the short-term stabilization of the buildings. Is that a correct assumption on my part?

Mayor Kinnally: No, I think it is both. It is short-term and long-term.

Mr. Cadenhead: But I feel as if you are asking me to give you progress on where the money is going to come from in the short term.

Mayor Kinnally: Short or long, if you can address either of them. It does not matter to me.

Mr. Cadenhead: I cannot address them yet, no.

Mayor Kinnally: And that is one of the frustrations I think that ARCO has. ARCO says, fine, we are all in favor of whatever we can identify in the buildings. But I do not know if they are coming up with any of the money.

Mr. Cadenhead: As I said before, ARCO has been very helpful and they have always been available to us. I have to, however, express my disappointment with this latest report that they produced. If I am not mistaken, it was done without the previous knowledge of the Board. Is that correct?

Mayor Kinnally: We did not have previous knowledge of the initial report.

Mr. Cadenhead: That was the report that was prepared as part of the consent decree. We were expecting that report.

Mayor Kinnally: What did the Board know about the Domani report? Before the fact, I do not think the Board knew anything about it. It was commissioned by ARCO under a blueprint from ARCO.

Mr. Cadenhead: Right. And the point is, there is no new information in the report, as far as I know. Are you aware of any new information that is in that report?

Mayor Kinnally: Yes, it seems to me it is a more dire assessment of the prognosis of the building.

Mr. Cadenhead: But in terms of new factual information, there is nothing new.

Mayor Kinnally: I thought the factual information about the deterioration of the buildings was different.

Mr. Cadenhead: You would have to point that out to me.

Mayor Kinnally: I am not in a position to do it, but that is my assessment. That they took what Hutton said and elaborated more, and they are saying that...

Mr. Cadenhead: They point out that Hutton says the buildings are damaged. That is the quote in the Domani. But what Hutton actually says is that the buildings were damaged by ARCO during the demolition of the adjacent buildings, and the report says that damage needs to be addressed because steel trusses have been exposed. If any short-term stabilization is required it is because ARCO, when they demolished the adjacent buildings, did not do so with an eye towards preserving the buildings. They did it in such a way that the steel was exposed, certain structural elements were in danger. It is my position that if any short-term stabilization costs are to be incurred, and ARCO has estimated those between \$1 and \$2 million, that it is their responsibility to put that money in.

Mayor Kinnally: Have you discussed that with them?

Mr. Cadenhead: I have a feeling we will be discussing it soon.

Trustee McLaughlin: It would strike me that this is not something that Dave Kalet can speak to.

Mr. Cadenhead: I think that is probably correct. I do not know who else to speak to, though. I would be happy to contact somebody else if you know of a more appropriate person.

Mayor Kinnally: I think he would identify that person.

Mr. Cadenhead: So maybe I should ask him who would be the appropriate person to contact with that request. I will do that.

Trustee Swiderski: What are we doing here? That sounds dangerously like an authorization. Is this the position of the Village, to see that money?

Mayor Kinnally: No. All I said is, get the information. I did not want him to contact them. I think that is something the Village has to do.

Trustee Swiderski: It is certainly a negotiating position, but it is not one that we are authorized yet to make.

Mayor Kinnally: Not at all. You want to ask Dave who it would be that we would contact. But it is not an authorization.

Mr. Cadenhead: But I should not ask Dave for the \$2 million.

Mayor Kinnally: To be very explicit, no, absolutely not, because I do not know if it is the Board's position that we request that or if it is their responsibility. It is private property and we would want to get advice of counsel on this. Short of it being a danger to the health, safety, and welfare of the community I do not know if we can require them to maintain the buildings.

Trustee Swiderski: It may be premature to make that request. If that is part of a strategy where we ask for the short-term, and the group identifies long-term potential with possible interested parties, if it becomes part of the strategy, it is absolutely a tenable strategy. But it does not sound like we are there yet.

Mayor Kinnally: I do not think so. Does anybody feel we are there yet?

Trustee McLaughlin: No.

Trustee Apel: No.

Mayor Kinnally: Thank you. So we will have that on for the March 20.

2. 2007 Farmers' Market

Sue Smith, 645 Broadway: This is the 10th year for the Farmers' Market, which seems pretty amazing to me. I would like to introduce to you the new director for the market, Pascale Le Draoulec. She lives in Hastings, on Ridgedell. You will be seeing a lot of her this summer.

Again, we wish to ask your permission to use the library lot for the market season, which would start the first Saturday in June. The traditional season has gone to the Saturday before Thanksgiving. We would like to consider the possibility of having it until the Saturday before Christmas. We are talking about a possible indoor site for that. The vendors, who love Hastings, said it would be great to go longer. We are all thinking it is so cold, and particularly up there. But they seem to think it is worth it, that the customers respond so well to the holiday shopping period. We have not made a total commitment to that, and we cannot do it unless we have a place to hold it. We would like to assess the regular shoppers once the season starts and get some sense if they think they would continue to patronize the market before we make a decision about it.

Mayor Kinnally: Any possible candidates for spaces?

Ms. Smith: We are talking about possibly going to ARCO for where the helmet people were, and there has been an initial contact made to them.

Mayor Kinnally: I do not know how much warmer it is in there.

Ms. Smith: At least the wind is not hitting you straight out like it is today. But having that gorgeous setting and the cool breezes, and trees, a place to picnic, and a safe environment for families and kids because it is very much a social and a family time. Not to worry about traffic is lovely. There is parking right down the hill, the police are nearby, there are public bathrooms, there is a nice synergy with the library. People can come and do two errands at once. The only negative is for the people who live here, and for the police. It is a difficulty on Saturday mornings for them; we very much appreciate that they put up with that in good humor. It is not visible, but because it has been in that location for so long people know about it, and we have banners and signs, and all of our publicity explains where it is. So we have overcome that one marketing negative pretty well.

Mayor Kinnally: We still have the problems with the parking and the neighbors.

Ms. Smith: I appreciate that. Unfortunately, that is a result of success. If you find parking spaces on Saturday it means it is not a very lively place to be and there is not much happening. That is not good for anybody. When we did the assessment, and we will be doing it again this summer, a lot of people do walk and ride bikes. But there is parking right down the hill, so it is not as if there is no other parking overflow place if people are willing to do it. And it is free, which we keep telling them, which is nice.

Kelly Topilnycky, 18 Maple Avenue: I live right here, bottom of the driveway. I support the market. Mother-in-law goes to the market, I go to the market. I do not support the location. The parking on our street is dangerous. I have seen an elderly woman get hit in the driveway because the person coming down the driveway was not paying attention. There is not parking for handicapped people. You have a lot of senior citizens that come who have to trek up the driveway. They do not park up the driveway because how do they get back down. You have pedestrians walking up and down the driveway, makes it extra dangerous. You have families. Occasionally they have entertainment, which brings in more people. You are talking probably about 200 people.

If you moved it down the hill, where you have additional parking, the people would follow. You have a much wider parking lot where you could add vendors. They have maxed out the space up here for vendors and patrons. There are times that people cannot find parking so they leave. Or you have drop-offs and then they either sit there in their cars or they drive around the block until the person comes back down. The parking is just not adequate for the following that the Farmers' Market has. I ask it every year because we are the ones who are forced to deal with the parking situation. Everybody who lives on this street is struggling to find parking. The people who work in the Village, own businesses, park on our street. The commuters who take the train park on our street. The street is full every single day. The only day that is light parking is Sunday.

The police are also an issue. They mark off about a dozen meters for their personal cars and police cars. We have about 75 spaces on our street altogether, from North Street to Spring, and it is not enough to handle the additional people with the Farmers' Market. I do not find that moving the Farmers' Market down the hill would be such a negative impact on people going into the Village. People drive here and, yes, people walk here, but it is not that much further down the hill. And you could increase the vendors. You would also increase patronage because people would find it easier to pull in and park and go to the Farmers' Market. I would like you to consider the possibility of having it moved. If you do decide to continue to have it on Maple Avenue, there are not adequate handicapped areas for the elderly and disabled people to park. They block off one or two spaces but the elderly people do not want to drive up the driveway and then have to back down.

Mayor Kinnally: Sue, have you considered alternate sites?

Ms. Smith: We did, particularly when we started and we tried to find something in the Village. We talked with Bank of New York about it, although as the market is now it is probably too small. That was not a possibility. We talked about the Zinsser parking lot. Our goal was to encourage people to come into Hastings and to shop in Hastings. Markets are looked at as a way to bring energy to the downtown of a community. A lot of places look at that as a spark plug to get things going. The Zinsser lot has a lot of parking, but that is about all it has got. It is a sea of concrete; there are no bathrooms there. It is nothing compared to a place with a breeze and a few trees and a bit of shade. But the main thing is that it is disconnected from the Village. You say that people would walk from one to the other. People do not even want to park when they have to walk up the hill to get to the market. So it means moving your car twice if you are going to go into the Village. I think we have always felt it loses its identity as being part of the downtown.

The only place that might work is, when the waterfront is developed, if there was a venue that was part of the waterfront that would still feel like it was part of something important to Hastings. The parking lot is a no-man's land in terms of people, we have felt. I do not have any studies to show that, but you do not walk from there into the Village generally. If you are at the Farmers' Market you are likely to go to the Village and come back and forth. Also we have the benefit of the library.

A huge number of people also say they go to the Village as well as to the market. They do the two things at the same time. A lot of people from out of town, also. So it seems to have been synergy for the downtown, although some of the shopkeepers are not overly enthusiastic about the market and we try to work on that. There is less of that now than there was when we started up. At one point we talked about closing off Spring Street, but you cannot be on a hill, and that would not be good for circulation of traffic either. So sure, we can talk about other locations.

Mayor Kinnally: We have had events at the Zinsser lot, including the flea market, and it was ghastly hot down there. That is one of the problems: the radiated heat from that lot, when you get into June, July, and August.

Trustee McLaughlin: I also had wondered why the market was not at the station lot. Looking at the aerial view of the Village here, I realize that the lawn of the VFW is hilly, but it does look like it is bigger than the library parking lot.

Mayor Kinnally: You could not get the trucks in there.

Ms. Smith: Most of them need to do that. But also flat is important, which is hard in a village like this.

Trustee McLaughlin: What is the lot behind Whitman Street? Is that behind St. Matthews?

Mayor Kinnally: That is not a flat area at all. It is cordoned off now because of the construction. There is another area beyond that which used to be a playground for 555 and 565, but St. Matthews is not interested in opening that up at this point.

Ms. Smith: We have, at the top of the hill, two spots for the handicapped because there does seem to be a need for it. But it is nerve-wracking when some people pull up here and then one of us has to be sure to help them turn around and get out. It is not much used.

Trustee Apel: Has any of this been discussed with the Chamber of Commerce?

Ms. Smith: The Chamber of Commerce is having a meeting next week. We had been initially sponsored by the Chamber, until they disbanded. We have gone back to them because it is good to have the market have some connection with another local organization. They are going to undertake the discussion about that next week, so we will know more later. It does not change the way we do the market. They do not give us any money or whatever.

Trustee Swiderski: This is a well-written report from Mrs. Topilnycky. The ideas regarding the designated parking, there are things we could do to make life easier for Maple Avenue and visitors to the market. The point is well taken about the personal police vehicles. We can do things about that, ask those be parked downhill. Lost money from covered meters. All these are good points. Even if we cannot or do not want to designate something full-time for handicapped, a blue hood on the nearest meters indicating that those are for handicapped. There are tactical moves offered here that are all thoughtful and useful, and we should consider them. It is not easy to relocate the market, the market is a huge benefit, and I am biased because I use it as often as I can. But on the other hand, it should not have the impact it does. And if we can ameliorate that through these thoughtful measures, we should do it. If Sue could take a look at these suggestions and perhaps talk to the police chief and others. A number of these are actionable with little or no expense.

Village Manager Frobel: I will sit down with Sue and see what we can accomplish in small steps, and give the Farmers' Market the assurance they can use the parking lot for the year, understanding that Sue and I will work towards looking at some of this.

Mayor Kinnally: You can reach out to the Chamber also.

Trustee Swiderski: Is there a formal Maple Street association? I am asking because your point number five regarding local residents who are disabled, if there was a committee or a group that could also provide input on what that number may be.

Ms. Topilnycky: No, there is no group. I have lived here 17 years and my husband has lived here for 55. There are some elderly sisters that live near on Spring Street.

Trustee Apel: We have the disabled committee. They should look into this.

Trustee Swiderski: It would be useful if you want to get a benchmark. Do we need two handicapped parking spots, or five, for these Saturdays? That sort of input will be valuable.

Mayor Kinnally: My suggestion is that we digest this and revisit it on the 20th.

Ms. Smith: I will talk with Fran in the meantime and we will see how we might accomplish some of these things.

Pascale Le Draoulec, 3 Ridgedell Avenue: I deal with the parking problem on Maple, too, because people work in the Village and they park on my street. I know it is a nightmare, but I want to remind the Board that the current location is pretty magical. When you walk up that driveway and you see the Palisades across the way, and the river, it is all part of the appeal of the market. It is what makes it unique and it is what makes a Hastings market as opposed to just a parking lot market. The visual appeal is a large part of why people come. If the goal of the market is to bring more business to the downtown area, certainly having a picture postcard market helps. There is a lot of sentimental attachment to that location, and I think you need to bear that in mind when you are thinking about moving it.

3. Proposed Extension of Ridge Street

Mayor Kinnally: We will assume a familiarity with the original plan. Are there any changes since you were last here?

Peter Wolf: We are here to discuss and, hopefully, obtain approval for the extension of Ridge Street for 66 feet and to discuss the easement. We lived at 433 Warburton Avenue about five years ago and we loved the neighborhood. So we asked the owners, if they ever wanted to sell that we would be interested. The opportunity arose, and about a half-year ago we purchased the house. Our intention was to bring this building into the 21st century. I would like to take a broad view of the parking conundrum that we experienced, not only because we experienced it but because it is endemic to that area and a lot of other areas in Hastings. We remember the parking problem very well because it actually influenced

whether we would go out or not on a Friday or Saturday night, with the prospect of spending at least 15 minutes looking for a parking place.

This building was built in 1915. In 1915 there was one car for every 40 Americans. Someone who lived there was likely to have walked to work, very possibly on the waterfront, and therefore off-street parking was not a consideration. Today there are 31 cars for every 40 Americans. The building has a width of 25 feet. According to the zoning requirements, there are 8-foot setbacks. And if you are going to talk about off-street parking, you are going to talk about a driveway of 8 to 12 feet which, obviously, leaves no room for a building. Unless, of course, you want to pull a mobile home into the driveway that you have just built. There is a preponderance of 25-foot wide buildings in the neighborhood. Some of these buildings have up to eight units. More than likely the situation is going to get worse. Generally speaking, Americans still have the love affair with the car and right across the street there are 14 units going up. Even if there were adequate parking there, and I am not saying there is, you have the question of guests and other people that are going to come.

We realized that the building could not exist as it is. It does not comply with the codes, it is dilapidated, it probably was not built with any great foresight and probably did not have very good materials and workmanship to begin with. But it is grandfathered. There are great problems in that it does not comply with fire code. There are no hallways in that building, the windows are on a zero lot line, and the ceiling is about 6 foot 10 inches in the top floor.

Mayor Kinnally: If you could address yourself to the parking and the extension of Ridge Street.

Mr. Wolf: I just wanted to get to the end, which is the dilemma that according to the zoning we have to change the building and therefore would be required to have four off-street parking places according to the zoning code. That is the conundrum.

Mayor Kinnally: And where will you have the four parking spaces?

Mr. Wolf: We devised a creative solution. Originally we wanted to build a driveway off of Warburton to have two spaces; however, we will need county permission for a curb cut. And we wanted to have two spaces off of Ridge Street, which is why we wanted the 60 foot extension, 66 foot extension. This is why we are seeking Board of Trustees approval.

Mayor Kinnally: But at this point now, on the Warburton Avenue side you do not have any parking off-street.

Mr. Wolf: We have been to the Planning Board, Zoning Board, Board of Trustees, and Safety Council. When we were at the Planning Board they were less than enthusiastic about having a driveway. We thought that since we have to get permission from the county anyway that we would take it off the table, which they seemed to be somewhat relieved with. We may bring it back, we may not. But we have got permission from the Planning Board, based on the fact that there is not a driveway or any parking off of Warburton. We went to the Zoning Board and we presented the plan, now without the driveway off of Warburton. We got approval from the Zoning Board.

Village Attorney Stecich: You got a variance, Peter.

Mr. Wolf: I'm sorry, the variances. But that was contingent on the Board of Trustees approving the Ridge Street extension so that we could have two spaces.

Mayor Kinnally: Let us assume that the Board of Trustees, for sake of argument, approves what you are looking for and you have two parking spaces behind the building. Where are the other two off-street parking spaces going to be?

Mr. Wolf: As it stands now, there are not any. However, with the extension of Ridge Street we are adding four spaces, additional spaces, to the two on our property so that there is a net gain of six spaces.

Mayor Kinnally: So you will be using two spaces on Ridge Street to satisfy your four off-street parking spaces?

Mr. Wolf: That is correct.

Mayor Kinnally: But they are on-street. Two of them will be on-street.

Mr. Wolf: No. Two will be on the property, four will be on the street. There will be additional four spaces.

Mayor Kinnally: You need four off-street parking spaces?

Village Attorney Stecich: They do, but they got a variance from the Zoning Board of Appeals to permit them to have only two parking spaces, and they got all their variances provided that the Board of Trustees approve the extension of Ridge Street as they have proposed it.

Christina Griffin: Simply because that is the only way to get access to those two spaces. One is dependent on the other.

Trustee Swiderski: And the four on Ridge Street would be on the west side of Ridge?

Mr. Wolf: Three of them would be opposite the striped area at the current end of Ridge Street, which is striped because there is a very small turnaround. We are also offering an easement with a much larger turnaround. So you would have those three spaces, plus an additional fourth space on the extension. Then there would be an area where you would need to make a hammerhead turn, so that would only provide for one more space.

Ms. Griffin: This is in direct response to something we read about. There is a line about looking ways to give a turnaround and add a few parking spaces to Ridge Street. We measured the street and we found that by changing the no-parking zone to parallel parking, because this existing turnaround would not be used anymore, you could add four more parking spaces on the street. You would have a no-parking zone, and then a turnaround here. We would extend that retaining wall and also extend the guardrail at the edge of the street.

Mayor Kinnally: Who will be paying for the extension and the improvements?

Mr. Wolf: We will. We are proposing that we would pay to have the extension constructed, which includes the paving of the road, the retaining wall, etc. We would also construct the turnaround on our property, which would then become an easement for the Village. The Village would then, according to our proposal, maintain the road. There would be a nominal cost for the easement; the Village is paying right now for the easement for the existing turnaround. But this is a far more suitable turnaround.

Mayor Kinnally: Is that area, as it currently exists with the retaining wall, a sufficient area in which to make a turnaround?

Mr. Wolf: Yes, it is. We are not sure why it did not happen, but there was one other extension of a paper street in Hastings over the last few years that did not come in front of the Board of Trustees. In any case, we measured it, and the area that we are offering is at least 10% larger than that is.

Ms. Griffin: This is at the end of Pearl Street. The owner added a new house, extended the street, and there is 30 feet to turn around up to their driveway. We are providing 33 feet from the existing curb to where the turnaround ends on our property. That is sufficient if you measure how far a car comes in. One advantage to this space here is there was a lot more room to maneuver.

Mr. Wolf: We presented this to the Safety Council. I understand they sent a report to Fran Frobels saying there is no objection from a safety standpoint.

Mayor Kinnally: What about drainage for the road?

Ms. Griffin: We are planning to add drywells under this section of the road with the drain tied into those drywells. There is an existing catch basin. This is sloping away from it, and you will not be able to tie into it. So this is going to be self-sufficient to have its own system underneath the paved area.

Mayor Kinnally: Would that be near the western part of the road?

Ms. Griffin: Towards the end. The street starts to slope down this way slightly. And then we will slope it into the drain and there will be four drywells under the street. It is impossible to tie into the existing catch basin because of the slope.

Village Attorney Stecich: Who was the civil engineer on these drawings? They are not sealed.

Ms. Griffin: John Dedyo. He has been on a long vacation, and I have been trying to get him to come back to seal the drawings. He has to review everything before we make our final submission.

Trustee Apel: I have a question about drainage that you are putting in. Is there a maintenance to a catch basin? How do you keep it clean? Does it have to be dug up every once in awhile?

Ms. Griffin: I know there is an overflow, and you can flush them out. I think that is how it usually done, rather than opening them up.

Trustee Apel: Because we would be responsible for that maintenance.

Mayor Kinnally: Would the Village be responsible for the maintenance of the drywell on the street?

Mr. Wolf: Yes, we would be responsible for the area where the easement is because that is our property. But the 66 feet is Village property, so the Village would be responsible for the road.

Mayor Kinnally: Only if the Village chooses to take it as dedicated roadway. We could choose not to take it as dedicated roadway.

Mr. Wolf: Correct. There could be another solution.

Ms. Griffin: Mr. Frobels mentioned that a Village consulting engineer could look at this.

Trustee McLaughlin: I am curious as to how far south Ridge Street could extend.

Ms. Griffin: Beyond our property there is a 50 foot lot and probably another 30 feet, maybe 80 linear feet.

Trustee McLaughlin: As I recall it, the grade slopes away very steeply moving east as you move south so the area available for a paper road dwindles. Am I right on that?

Ms. Griffin: I think so.

Mayor Kinnally: For a paved road you are about at the limit where they have it there.

Trustee Swiderski: With work you could extend it, but it would require major work.

Mayor Kinnally: It falls off precipitously at that point on the west side. Do you have this staked out at this point, the southerly, easterly, or westerly point down there?

Ms. Griffin: We could stake it up.

Mayor Kinnally: If you could, just for the paved area, up to where the curbing would be on the south, east, and west side.

Mr. Wolf: I recollect you saying that you are familiar with the Ridge Street report, but I just want to underscore that the report said that the Village should remain vigilant with respect to opportunities for additional parking, which is on page one. On page three, under the recommendations, it said a turnaround should be constructed at the end of Ridge Street, and the off-street parking requirement for new construction should be reduced. Those are under the summary recommendations on page three.

Mayor Kinnally: Board, what is your pleasure? We could discuss it, we can digest it, we can get more information from the engineer.

Trustee Swiderski: Anything that gives the Village 66 feet of free paved road with four parking spots on it, two off-road, especially in a neighborhood that complains about a lack of parking, it is win-win squared.

Mayor Kinnally: You are only picking up two spaces, though.

Trustee Swiderski: You are picking up six because right now there are none.

Mayor Kinnally: No, on that roadway you are only picking up four spaces.

Trustee Swiderski: On that roadway you are picking up four. You are also picking up the two off-road. Right now there is none, so the Village has just picked up, the magical fairy waved its wand and paid for the creation of, six spots. So in that regard, it is hard for me not to view it favorably. The only thing that gives me any sort of uncomfortable itch is the storm drain issue. As we head into the storm management big deal that I suspect is on the horizon and we are not dealing with yet, and I don't know if this has been factored in or if it should be or if it needs to be, given that downstream from this is the Hudson and how much that factors into this in an overflow situation: it is the only pause to consider I have. Therefore, having the Village engineer weigh in seems sensible. Short of that, I cannot detect a downside. I suspect, given who is involved, it will be reasonably aesthetically pleasing.

Trustee Apel: I agree with Peter. I think it is a very well thought out proposal. I do not know who makes the approval on the storm drainage.

Village Manager Frobel: We have a consulting engineer that we are in a relationship with on the storm water management. We would call on them to review this work to make sure it is best management practices and the letter of the law.

Trustee McLaughlin: I am curious as to whether we are likely to be asked, not by Mr. Wolf but in the future, to extend Ridge Street beyond this point. It sounds to me like it really cannot be extended any further. Am I right?

Mayor Kinnally: That is right.

Village Attorney Stecich: Have you talked to the fire department?

Ms. Griffin: To the Safety Council.

Village Attorney Stecich: This is, in some ways, a bigger turnaround but in other ways not, given that a fire truck is very long. I could see how it might be easier for the fire truck to do

a three-point turn out of that deeper turnaround than the shallower turnaround. I think it would be helpful to have somebody from the fire department look at it and make sure that the turnaround would work for fire trucks.

Village Manager Frobel: They would probably end up backing out, as do garbage trucks.

Village Attorney Stecich: In any event, while it is bigger, dimensionally it is quite different and it could make a difference for long trucks.

Mr. Wolf: There are two points. One is that this building is still accessed from Warburton,. It is still pretty much the same place that it was, but it is on Warburton. The second thing is that we went over these things during the Safety Council meeting.

Mayor Kinnally: All right, the sense of the Board? Let Fran and the engineering people take a look at this?

Mr. Wolf: Could we have a resolution subject to approval by the consulting engineer?

Mayor Kinnally: I do not feel comfortable with that because we do not have enough information at this point. Let us have John and whatever engineers take a look at this.

Ms. Griffin: I could give you all the drainage information for your review and make sure that we have the engineer's seal on that.

Mayor Kinnally: Christina and Peter, you have the extension of Unilock wall. Will that be at grade, or does that have to be filled up?

Ms. Griffin: The natural grade tips down towards the south. So I thought we would follow it mostly because I want it to look like it ties in nicely with the existing wall, and then continue the guardrail going down. Make it as seamless as possible. We have to tear out some of what is there so that we can weave new in with existing.

Mayor Kinnally: If you can stake it out, I would urge everyone to go and take a look at the property. This is fine, but it is flat. If you go down there you see a much different idea. If you could stake out where the driveway is going to be also, that would be great.

Ms. Griffin: I can do that. It will not be as difficult as getting on the roof in the ice and putting balloons up for the neighbors.

4. Other

Trustee Apel: I attended the Public Health Board meeting. The board is seeking to think about more ways that they can help the community, offer information. They were entertaining perhaps working with Raf and offering interviews on television or public interest programs. They are going to be coming up with other things they would like to do. They will get back to us and write a report. They have made a request that we add more people to their board, perhaps change some of the mix. I would think we need to talk to the chair of the board. We are dealing with doctors that are coming and going and do not all get to the meetings. They need more people to come for discussion, so if we make the commission larger they would be very happy.

Mayor Kinnally: I received an announcement today from the New York State Department of Public Service that Cablevision has received a temporary operating license through August 28, 2007. Cablevision discussions are moving forward, and we would expect to have a draft franchise agreement with Cablevision within the next six weeks or so. We will have a public hearing, and we hope to award a franchise in the spring or early summer to Cablevision.

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 11:00 p.m.