

VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
REGULAR MEETING
APRIL 1, 2008

A Regular Meeting was held by the Board of Trustees on Tuesday, April 1, 2008 at 8:12 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

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

CITIZENS: Twenty-one (21).

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 March 4, 2008 were approved as presented.

On MOTION of Trustee Goodman, SECONDED by Trustee McLaughlin with a voice vote of all in favor, the Minutes of the Regular Meeting of March 18, 2008 were approved as presented.

APPROVAL OF WARRANTS

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

Multi-Fund No. 65-2007-08 \$ 51,713.60
Multi-Fund No. 67-2007-08 \$ 37,712.28

PUBLIC COMMENTS

Stephen Kanor, 101 Lefurgy Avenue: I sent a lot of correspondence to members of the Board. Did not hear from anybody, but Mr. Frobel has gone out of his way to provide me with extensive information about the complaints I have in the town.

Mayor Kinnally: And that would be why you did not hear from us, since Mr. Frobel has taken care of it.

Mr. Kanor: That is what I assumed.

We claim that we do not have the manpower, the time, the money to do minor things, minor repairs, around town. Many of them, I will point out, are safety issues, but we do have the money to run the street sweeper up and down Warburton Avenue. I have pictures of Warburton taken Monday before the street sweeping. The streets are spotless. If you do not believe me, Thursday they will be sweeping the opposite side of Warburton Avenue, compulsively. It has been going on forever. If you go look at them, do not take my word for it or trust the photography, the streets are spotless.

The use of a street sweeper, the machinery, the manpower, the money, and the pollution is ridiculous. Mr. Frobel pointed out to me that there are times when there are heavy leaves and that might need to be done. But if you look at those streets today they are spotless. I have pictures after the street cleaning on Monday. It does not have to be done.

We have other things in town that *do* have to be done. For example, we have to have somebody smart enough to learn how to paint the crossing lines. I complained last year about them not being there, and a short while ago they were painted. The lines in the middle of town are obliterated. Look at the lines by the school; they are obliterated. I do not know what the DPW knows about painting. I can paint those lines. I can get a paint that will last. If there is a comment about heavy traffic, Fifth Avenue has heavy traffic and has lines that last. There is something wrong with how things are carried out.

The corner where I have complained about for three years now, the corner of Warburton and Main, has that tremendous bump out of the road waiting for somebody to break their ankle. A trivial fix. To break the corners in Boulanger Plaza, I would be glad to do it. It will take me 15 minutes with a grinder so the tires are not abraded. On Lefurgy Avenue, it is wonderful that we got the money eventually to fix the dangerous things where the kids come to school. But if you look at the corner of Lefurgy and the drop-off, some kid is going to drop off there. Nothing has been done for the safety.

The town is literally a shambles. People have told me that they are ashamed of the way it looks. It really does not reflect a town of any elegance. I feel like one of the old guys that I used to look at 20, 30 years ago here complaining. But these are safety issues, they are economic issues. I do not get why this is not logically done. People have talked to me. For example, the meters in Boulanger Plaza. Try working with them. Why can we not just do a trivial correction so that the display is not in the sun. These are not major issues or costly issues. I feel very frustrated in having to get up here and say something.

Village Manager Frobel: I tried to address most of your concerns. In fact, some of the things you have mentioned here tonight I did address to you in your correspondence.

Mr. Kanor: You did.

Village Manager Frobel: We will look at our street sweeping schedule. If there are some streets that need less sweeping than others, we will adjust accordingly. I am working with the director on that. The other concerns, again I have addressed them at the Boulanger Plaza. The angles you talk about were part of the design. We are not looking to grind down those corners or change it. That is the way it was designed. It was intended to look the way it does.

Mr. Kanor: But the sharpness of it is penetrating tires.

Village Manager Frobel: I have not gotten any complaints, and I have to view that it is being accepted by the community from an aesthetic point of view. It looks pleasing. It is what the community decided to build.

Mr. Kanor: Certainly it looks nice.

Village Manager Frobel: As far as the meters go in the plaza, I think we have worked all the bugs out. I have not had any complaints in months now from the citizens as to how those machines work. We are getting full compliance. I have had no complaints from the meter personnel or the police officers responsible for keeping those machines running for us. So I am somewhat at a loss for some of your concerns.

Mr. Kanor: If you stand by the machine and you listen to people, I was there last week and the sun was shining and I could not see it. I was not the sole person that could not see the thing. I said the hell with this, I know how to put the money in, but I cannot see it.

Village Manager Frobel: We have changed the size of the font. We have darkened the text so that it is very legible. I have not heard the complaints you have. I, too, wander through there and try to listen to the citizens using it; I am seeing compliance and not complaints.

Mr. Kanor: Well, how do we address the Lefurgy problem? I know that somehow in the future we might get some money, but there is a drop-off there which is pretty severe.

Village Manager Frobel: I mentioned to you in my letter that we will address it. Whether or not we get this grant, that needs to be addressed and we will take care of that.

Mr. Kanor: I guess it is more that I saw the sweeper go by.

Village Manager Frobel: As I said, I will look at the scheduling and if we can do some streets less than others, we will adjust accordingly.

Mr. Kanor: Could you just tell me for a second about the paint.

Village Manager Frobel: We use a DOT standard paint. It is what the industry recommends, it is what is required and allowed under the state and federal DOT regulations. I will agree with you that in my years of being in this business I have seen paints that do not last as long as they used to; it has to be painted more frequently. We have an outside contractor who does all the line striping. This has worked out fairly well, but we will have to address them perhaps in the late spring.

Mr. Kanor: I certainly appreciate your expertise and response. Thank you.

John Gonder, 153 James Street: I used your parking lot, Boulanger, one time. I think it was in December, and the sun was high. I could not read it. Someone helped me. I stay out of Boulanger parking lot. But I am here to ask you if you have any information about the deer committee. If you did not, maybe you could give it to the Comprehensive Plan Committee. One of your people from Hunter was on James Street near Pulver's Woods today, a young man.

Village Manager Frobel: We reported to you last week at our meeting that we will have a report before this group on April 15.

28:08 SCHEDULE SPECIAL MEETING – ADOPTION OF 2008 - 2009 BUDGET

Village Manager Frobel: We have to adopt the budget no later than May 1. This will allow us the maximum amount of time, taking advantage of several Tuesdays in April to analyze completely the budget.

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

RESOLVED: that the Mayor and Board of Trustees schedule a Special Meeting for Tuesday, April 29, 2008 at 8:00 p.m. to adopt the 2008 - 2009 Village Budget.

ROLL CALL VOTE	AYE	NAY
Trustee Peter Swiderski	X	
Trustee Jeremiah Quinlan	X	
Trustee Diggitt McLaughlin	X	

Trustee Danielle Goodman X
Mayor Wm. Lee Kinnally, Jr. X

29:08 FARMERS' MARKET

Village Manager Frobel: At your last meeting you directed us to speak with the Safety Council to look at some modifications to Maple Avenue that would accommodate more easily this service. I attended their meeting last week when the Safety Council, at some length, discussed the situation. Their conclusion is that we would not be well served by closing the street off entirely. The Chief is here tonight and I have asked him to elaborate. There was a suggestion that at one end of the street sawhorses would be put up, and we would encourage persons trying to reach the Farmers' Market to continue down the street and park in the commuter lot.

Police Chief O'Sullivan: At the Safety Council meeting on March 27 the possibility of closing Maple Avenue to all through traffic except local residents was discussed. However, the council felt that to close the street completely might present a greater danger at the north end, at North Avenue, where vehicles would be coming in off Warburton down North Street. When they hit Maple they would have to turn around and go back out, and we thought that might be a hazard. However, we did come to the conclusion that we might block off Maple at Spring Street to stop all northbound traffic, with the exception of residents who live on the street. We would have horses there that would be manned. There would be signs with pointed arrows down to Zinsser to the free parking there.

Mayor Kinnally: How would you route the traffic at that point, Chief? Where would you have the sawhorses such that they could make that turn?

Police Chief O'Sullivan: They would be right on Maple at the intersection with Spring. When cars came down Spring, they would be directed down Southside to the lot.

Mayor Kinnally: Thank you, Chief. Any comments from the Board?

Trustee Swiderski: A number of members of the Board have been contacted regarding a possible issue around ADA [Americans with Disabilities Act] compliance. That has raised some concerns, and I would like to ask for a brief adjournment for advice of counsel because until I have some clarification on that I would not be comfortable voting one way or another.

[Recess 8:35 p.m.]
[Resume 8:50 p.m.]

Mayor Kinnally: Questions have been raised about the applicability of the Americans with Disabilities Act and the New York State Human Rights Law on the parking lot operation for the Farmers' Market and the effect it has on the operation of the library and our compliance. We have reached out to various resources, all of whom are as unenlightened as we are on this. It is the Board's feeling that it would be a benefit to all of us if we could use the next two weeks to see if we can get some more clarity on this issue. My suggestion is that we table this until our meeting on April 15 to give us the opportunity to get some more information on the issue of compliance with those two statutes.

Trustee Swiderski: I wish it were a technicality, but there are facts on which we have to ask for further interpretation. Because they are not manufactured, they are real, we would all be remiss to ignore that.

Female Voice: Could you tell us what the issues are, please?

Mayor Kinnally: The issues are whether or not there is compliance. Whether the operation of the market in the way it is being run at the present time might pose a problem with the Village's compliance with the Americans with Disabilities Act and the State Human Rights Law. We have been unable to get much information from either the federal or the state level to assist us in making that determination. Marianne believes that she would be better able to give us some advice if she has two more weeks.

I am asking Sue Smith, if you have to go to another area of the Village, the Zinsser parking lot, does that affect your ability to attract and recruit the vendors that you have?

Ms. Smith: Certainly, being in a different location will have that effect. The people who are disabled in some way, who have come by wheelchair in the past . . .

Mayor Kinnally: I am talking about the vendors.

Ms. Smith: I think it will. If any of you have been around long enough to remember a flea market that was there a number of years ago. We know what that environment is like on a warm day. That is going to affect people who have food.

Mayor Kinnally: Some people are talking about putting it back underneath the bridge, where there would be shade.

Ms. Smith: Where it really would not be seen.

Mayor Kinnally: Unfortunately.

Costanza Majol, 15 Hopke Avenue: I have never heard of this issue before of the disabled people. I came here today because I heard that there was a possibility of the market being moved. I have read many times in *The Enterprise* different types of complaints of people, that they do not like the market. It seems it would be like a bad thing or an obstacle.

Mayor Kinnally: You are right. I do not want to get into a discussion at this point.

Ms. Majol: But in light of this new issue, they seem to bring issues because they are looking for them or to kill the most successful enterprise in this town.

Mayor Kinnally: Without saying whether you are right or wrong, we have to look into issues of compliance with the federal and state laws. Because we do not have enough information, my suggestion would be that we not even take comment on this. When we get all of the information, then we will have a more enlightened conversation.

Thom Forbes, 4 Ridgedell Avenue: I want to make one point that addresses this specifically. I do not know what the issue is on the ADA compliance, but if it involves getting into and out of the library I want to point out that during the renovation we built a ramp up to the library. There is a box there where disabled people can buzz themselves in. There is an elevator that takes you up to the floor.

Mayor Kinnally: It is part of what is going into the mix here. Thank you.

Pascal le Draoulec, Director, Farmers' Market: You did ask Sue a question about would it affect the market if we moved. When you go away and think about this over the next two weeks, I want you to consider these things. What makes the market successful is not just vendors selling fish or cheese or salad or whatever. What made the Market successful last year was the fact that there were so many things like the children's yoga and crafts and the knife sharpener, all of these possible because of electricity and because of grass and shade.

Mayor Kinnally: But you are getting into whether or not we should have it there. I do not even want to get involved in that.

Ms. Le Draoulec: But you are asking if it would impact us.

Mayor Kinnally: I asked if it would impact the vendors.

Ms. Le Draoulec: This is what I am getting at. Please let me finish my thought.

This is what is going on. If the market is not successful we do not get our pick of vendors. We have to get whoever we can get. We have tried to get a fish vendor at the market for 11 years, and it was not until this last summer we were so successful that word got out in the agricultural community and people were asking to join the market. We were able to raise the bar and raise the quality of the market and of the vendors because of the successful aspects of the market that are tied directly to the locale, with the synergy with the library, the view of the river. All these things make the market successful: let the vendors make money, and make good vendors want to come. If you want to turn the market into a less successful enterprise, you will if you move us to a generic parking lot.

Trustee Swiderski: You probably recognize my face from coming to the market almost every Saturday. For six years I have had no trouble in eagerly voting in favor. That, in this particular question, is immaterial, unfortunately. And it breaks my heart. When we swear on the Bible that we are going to uphold the Constitution we also are, by dint of where we are sitting, in a position of having to uphold the law if we believe something is in abeyance. It has nothing to do with the merits. That is what is so heartbreaking here. It is simply that if a legitimate, real concern is raised that we cannot address, it does not leave us any choice. That legitimate question was raised, and we do not have an answer. We need to hear more, and once we hear more we will be able to determine that. It is certainly no eagerness in moving forward on that step, but is something we have to do.

Trustee Goodman: I would like to thank Counsel for looking into this.

Nina Hogan, 21 Pleasant Avenue, Farmers' Market: We are setting up our vendors for the summer and we have to let them know if there is going to be a market or not. I realize you need the two weeks, but I do not know if we will get the vendors we want if we wait that long. Is there any way to do this a little quicker?

Mayor Kinnally: We are going to other levels of government to get an opinion, and I am not confident that even within these two weeks we will be able to do it. But we are going to impress upon them that we have a very small window here, and if they can accommodate us. And Marianne is going to continue her research. Our next regular Board meeting is April 15. We have an organizational meeting next week and a work session on the budget, so I do not see our doing it next week. April 15 is probably the most realistic date.

On MOTION of Trustee Swiderski, SECONDED by Trustee Goodman with a voice vote of all in favor, Resolution 29:08 was tabled.

30:08 RESCHEDULE PUBLIC HEARING FOR PROPOSED VILLAGE BUDGET

Mayor Kinnally: This is consistent with what the Manager recently said about how we were proceeding with reviewing our budget.

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

RESOLVED: that the Mayor and Board of Trustees reschedule the Public Hearing to consider the proposed 2008 – 2009 Village Budget from April 8 to April 15, 2008, at 8:00 p.m.

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

Trustee Swiderski: Is there any point in extending the flexibility of offering the second lot if they should choose, in the next two weeks, to move to that lot instead, or is it premature?

Mayor Kinnally: I think it is premature, and we would have to give a heads-up to the people in the area around the lot, for the same reasons we would want to give consideration to the people on Maple Avenue.

Trustee Swiderski: In terms of timing, I imagine the Farmers' Market has planning considerations. If the market has to move, they would need to know where they could move to. And if there are public hearings, etc., and they need to be noticed, maybe we should initiate that process tonight preemptively so that happens.

Mayor Kinnally: I do not know if we need a public hearing on this. It's just a discussion.

Trustee Swiderski: But you said a public notice to the neighbors immediately.

Mayor Kinnally: Sure, we can do that tonight: say that we will consider alternate sites. We can probably send something out on the Village e-mail list, and a crawl on our programming. Some people have suggested Draper Park as a possible site.

Trustee McLaughlin: With Draper Park, is there electricity? And how do we feel about moving trucks across the meadow every week?

Trustee Swiderski: And parking for all the customers.

Mayor Kinnally: I do not know if there is electricity at the parking lot.

Trustee McLaughlin: In the next week, can we get answers on all that so that we have our alternative sites, we know what we are doing?

Village Manager Frobel: I will work with the promoters of the market.

Trustee Swiderski: St. Matt's was also proposed.

Mayor Kinnally: We have approached St. Matthew on a number of occasions for use of areas, and they have not been receptive to accommodating it. The parking lot in the back of St. Matthew, from a walking standpoint, is very dangerous.

Trustee Goodman: If Marianne got a quicker opinion, could she not notify us, and we have a special meeting?

Mayor Kinnally: We could have a special meeting, but it would be next week, probably.

Trustee McLaughlin: It sounds like one week would make a difference to the Market.

Mayor Kinnally: It might make a difference, but I would be very surprised if any other level of government is going to come back to us with a written opinion in less than a week.

Trustee McLaughlin: Let us say two weeks from tonight we have the answer that the Farmers' Market cannot use the library lot. We do not want to be on square one of finding another site. We would want to have all our questions about alternative sites answered and presented to the Farmers' Market during this time so that they can immediately move.

Mayor Kinnally: They already know that one of the items under consideration is underneath the bridge. I am sure they are planning their contingencies.

Village Manager Frobel: As recently as today I spoke to Sue Smith about that possibility.

Kevin Dawkins, 126 Washington Avenue: This is the first I have heard that Draper Park might be considered as a site. I would ask, as somebody with a vested interest in what

happens to Draper Park, if you would carefully read the will and make sure that that would be an appropriate use of the park. I do not know if other Board members know, but if the Village is found to be in violation of the will they will lose the property; the owners of the houses will lose their houses. I ask you to do that with great trepidation and care to make sure that would be a legally possible alternative.

Has the Village been cited for being noncompliant with ADA?

Mayor Kinnally: No.

Mr. Dawkins: I only know a little bit about the ADA, and a little bit of knowledge can be a dangerous thing. But it would seem to me if it was like a building code violation that there might be some grace period of time to rectify it. I cannot imagine that someone from the federal government would shut everything down at a moment's notice. Since there has been no violation practice that has been cited but people have raised the possibility that this might be an issue, rather than take the draconian measure of moving everything on such short notice, it might be advisable to permit things to continue as they are since we are not in violation of anything knowingly. If that issue is proven to be the case, then ask for some reasonable amount of time to rectify it.

Mayor Kinnally: Fran had asked that we make an exception to our preference not to vote on items in which we have had a public hearing. Because of budgetary considerations, he has asked that we consider the adoption of the Recreation Department camp fees at this Board meeting. Marianne, maybe while Fran is giving his Manager's report you can craft some language that we adopt these fees.

VILLAGE MANAGER'S REPORT

Village Manager Frobel: We held our pre-construction conference this week with county officials, the contractor and Village staff, for the work at 422 Warburton Avenue. The contractor has already begun mobilization with equipment on site. It was a productive meeting. We went over the planned schedule and the process that they will be following. We did receive some good word from the county. The prices for the work came in very favorably, so much so that we may be able to do beyond that which was specified. We are looking to make some improvements to the sidewalks on Warburton. The sidewalks have been lifted due to some trees. There is an opportunity there to do some work at the county expense as part of this project. We will be doing the specifications and getting some prices from the contractor for that additional work.

I met with the lawn maintenance businesses last week. I had invited them to sit down with myself and staff members to speak about our leaf blower ordinance. I wanted to let them know, in my correspondence I had given them a copy of the ordinance, that we will be practicing the enforcement and watching their behavior closely over the next several weeks, making sure they are in compliance, and that we would be looking for any modifications to that ordinance, if so desirable. I also indicated to them that we would be receptive to any suggestions they might have. One item which has already been pointed out to me is that they believe the starting time of 9 a.m. is too late. They point to the fact that we can start town operations at 7, other contractors and other businesses can start at 7, while they are restricted to 9. Be that as it may, that is the law, they understand it, and they are complying.

We submitted today, on the deadline, our application for Safe Routes to School. As I mentioned to you, it will be very competitive. We already know there are very limited monies, but just so you are aware that application has been submitted.

31:08 CAMP FEES

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

RESOLVED: that the Mayor and Board of Trustees adopt the following schedule of fees for the Recreation Department camp program.

<u>PROGRAM</u>	<u>CURRENT FEE</u>	<u>PROPOSED FEE</u>
Hillside Camp/Combo Camp		
Early Bird Full Season	\$462	\$500
Early Bird Weekly	\$ 86	\$ 93
Regular Full Season	\$495	\$537
Regular Weekly	\$ 92	\$100
Early Learning Camp		
Early Bird Full Season	\$297	\$322
Early Bird Weekly	\$ 72	\$ 78
Regular Full Season	\$314	\$341
Regular Weekly	\$ 77	\$ 84
Sports Camp		
Early Bird Full Season	\$250	\$270
Early Bird Weekly	\$ 65	\$ 71
Regular Full Season	\$270	\$293
Regular Weekly	\$ 70	\$ 76

After Camp		
Full Season	\$288	\$313
Weekly	\$ 72	\$ 79
Daily	\$ 18	\$ 20

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

BOARD DISCUSSION AND COMMENTS

1. Update on the Waterfront

Mayor Kinnally: I am hoping to have a report by the end of April from ARCO and from the DEC on the additional testing on the land and in the river adjacent to the shore. I will be reaching out to Mark Chertok, our environmental counsel, to the people at ARCO, and also to our contacts at the DEC to get both a timetable and the results of the testing, and to get a better timetable of when we can expect to have a report on the design being done on the site. Part of the delay in getting additional information on the design is the recognition by at least ARCO, I do not know by the DEC, that it would be beneficial to have more testing.

2. Update on the Comprehensive Plan Committee

Trustee Quinlan: One of the issues will be how much money we plan to spend on an expert, if any. We will save that discussion to when we discuss the Comprehensive Plan during the budget process.

Mayor Kinnally: Have they put a budget request in?

Village Manager Frobel: Yes.

3. Proposed Cablevision Agreement

Mayor Kinnally: Bob Perlstein, who is the chair of the Cable Commission, is here this evening. We have received a draft of a proposed franchise agreement between the Village

and Cablevision of Southern Westchester, Inc. I have asked Bob to come here tonight to answer any questions the Board may have, and give a brief report.

Robert Perlstein, Terrace Drive: The other members of the committee who are here are Paul Hammons, Kevin Dawkins, and our cameraman, Raf Zaratzian. We have an agreement that is the product of compromise. It is not a perfect agreement. There are things we did not get which we would want, and things that we wanted and did get. Unless we were to engage in another four-year negotiation this is probably as good as it is going to be. The Village gets a franchise fee. Cablevision will also collect and pay us a substantial amount of money which will go to our television operation. We have ironed out most of the boilerplate language which was providing problems for us.

Trustee Quinlan: I had a discussion with Bob earlier, and he laid out the agreement. I think it is very favorable for the Village.

Trustee Goodman: Thanks for your hard work. No questions.

Mayor Kinnally: Among the issues that we had was whether or not the Donald Park area would be getting the feed of our public access channel. We had discussions with them, and I think we will get that without getting the language in the agreement. But the practical effect of it is that programming will be available.

Village Technology Director Zaratzian: We will be taking over Channel 77 for the school district, and the programming will come that way. WHOH, Channel 75, which is a government access channel, will remain only in the political boundaries. We will produce programming on 77 that will go for the whole district.

Mayor Kinnally: Beyond the Village, and that is one of the things we had set out to accomplish. And the PEG payments are coming to the Village?

Mr. Perlstein: They will. In fact, in the first year we should be receiving \$61,000 or \$62,000 which is, in effect, is our money.

Mayor Kinnally: If the Board agrees, we will put this on for a vote at our next meeting on April 15.

Trustee Goodman: I had a question on the possibility of senior discounts.

Mr. Perlstein: We received a request, and we made the request of Cablevision. Their response is that they are simply no longer, under any circumstances, doing this. I am sorry about that.

Mayor Kinnally: And the net money, I believe, when they were doing it was \$2 off the basic service. There was no discount on any step-up from there.

Mr. Perlstein: I think it was \$1.50.

Mayor Kinnally: Thank you, Bob. Thank you to all that worked long and hard. I am hoping, now that we appear to be on the threshold of doing something with Cablevision, that Verizon will reengage us. We cannot do anything with a proposed franchise agreement with Verizon until Verizon reapplies for a franchise with the Village. They took it off the table last fall. I had received a communication from John Butler recently. I told him that we would be discussing it tonight and would most likely be voting on the Cablevision franchise agreement on April 15. Is the Board in agreement that we should have it on for action on the 15th? Yes? So Fran, if you could put that on our agenda.

4. Proposed Local Laws Relating to Building Construction, Building Permits, and Certificates of Occupancy

Village Attorney Stecich: I provided the Board with four draft local laws to implement a provision in the state executive law that requires every municipality to enact code provisions for the administration and enforcement of the uniform fire prevention and building code. We are all operating under the uniform fire prevention and building code. That has the substantive rules, but does not have the rules for enforcement. This is something we probably should have done several months ago. There is not a real urgency, but we should do it sooner rather than later.

Our code does deal with many of the administration enforcement issues. Some of them need to be modified, and other provisions need to be added. The reason I had the four separate local laws is that there are amendments to four different chapters of the code. Part of the changes are in the zoning code, part are in the building construction code, part are in the fire prevention code, and then part are in the section on appearance tickets. The memo I submitted explains what each of them does. I went over them with Jim Drumm, the Fire Inspector, and Deven Sharma. I have incorporated their changes. I do not think anything in here is controversial. I do not know if you set it for a public hearing. We had another bunch of amendments pending with the zoning code, and we could consider them all together.

Mayor Kinnally: Do it all at once. Where are we on that as far as being ready?

Village Attorney Stecich: The Board said last time that they wanted to have a work session for me to explain them.

Trustee Quinlan: Marianne, your memo clarifies when temporary certificates of occupancy may be issued. Could you point out where that is, and explain it a bit?

Village Attorney Stecich: It would be in the zoning code section. It is the first of the local laws of page 10. Right now, the section on temporary certificates of occupancy, this is how the code reads: "Under such rules and regulations as may be established by the Board of Trustees, a temporary certificate of occupancy may be issued by the Village Manager for part of a building for a stated period not to exceed six months." Language I proposed was: "In no event, however, shall a temporary certificate of occupancy be issued unless the Building Inspector determines that the building or structure, or the portion thereof, covered by the temporary certificate may be occupied safely; that any fire protection equipment that has been installed is operational; and that all required means of egress from the building or structure have been provided."

Trustee Quinlan: So the only language that is being added is what you just read.

Village Attorney Stecich: That language came from a model law provided by the Department of State, which regulates the building code.

Trustee Quinlan: And that is the only place where it goes. Just out of curiosity, except as provided in 295-51, we can talk about that later. I have to look that up and see what that says. It says here: not to exceed. I will have to look that up. I can do that on my own. We do not have to waste time doing it. I just wanted to know where it was. Thank you very much, and that clarifies the question I had.

Mayor Kinnally: Fran, you want to put this on on its own, or do we want to bundle it with something else?

Village Manager Frobel: I would like to put it on on its own so we can continue to move forward. The other items may take a little more discussion.

On MOTION of Trustee Swiderski, SECONDED by Trustee Goodman 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 15, 2008, to consider the advisability of adopting

Proposed Local Laws No. 4, 5, 6, and 7 of 2008 Relating to Building Construction, Building Permits, and Certificates of Occupancy in the Village Code and Zoning Code.

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

5. Summary Report on Transportation Plan Work Sessions

Trustee Swiderski: I would like to roll this over since my notes are at home.

6. Boardmember Rules of Procedure

Mayor Kinnally: I believe the sense of the Board on this is that they want to look at rules of procedure for boards and commissions other than the Board of Trustees. ? We will work on that at a work session some night.

7. County Road Repaving

Mayor Kinnally: I want to add one other Board discussion having to do with the paving. The responsibility of maintaining Warburton Avenue and Farragut Parkway is the county's. I had requested county legislator Tom Abinanti to come down on Saturday. I took a tour of both streets with him, showed him issues having to do with paving, sidewalk maintenance for the area of the sidewalk over the Warburton Avenue bridge, and problems we have with Farragut, especially the area from Hillside to the Five Corners since that area was repaved by the county a number of years ago. It is on Legislator Abinanti's to-do list. He had asked that the Village supply him a list of those things the Village has been doing to maintain either the road or the sidewalks in the last number of years. He asked why we fixed the sidewalks on the Warburton Avenue bridge, and I told him that when people are complaining, and the sidewalk is in an unsafe condition, we cannot wait for the county to come. That was a polite way of saying we knew that the county would not come so we took it upon ourselves to do that, as we did also with the Ravensdale bridge. So we will see what we can do to get the county to assume the responsibility that they have in maintaining these roads. People will probably remember that part of Warburton was redone by the county last year.

Trustee Swiderski: The first VOC subcommittee meeting with the Greenburgh Town board will happen this Thursday, most likely in the offices here, with David Koenigsburg, myself, Francis Sheehan, and Kevin Morgan meeting to establish an agenda for these monthly meetings as well as topics of cooperation such as joint purchases of asphalt, where economies of scale could benefit the whole Town and the individual villages.

Trustee Goodman: The Economic Development Committee is having a forum April 10 at the James Harmon Community Center. The topic is “Economic Development in the Hudson Valley: Where Does Hastings Fit In?”

ADJOURNMENT

On MOTION of Trustee McLaughlin, SECONDED by Trustee Goodman with a voice vote of all in favor, Mayor Kinnally adjourned the Regular Meeting at 9:35 p.m.