

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
PUBLIC HEARING
AUGUST 19, 2008**

A Public Hearing was held by the Board of Trustees on Tuesday, August 19, 2008 at 8:00 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: Six (6).

Mayor Kinnally declared the Board in session for the purpose of conducting a Public Hearing in accordance with the legal notice that appeared in the August 15, 2008 issue of *The Rivertowns Enterprise* to consider the advisability of adopting Proposed Local Law No. 26 amending the Code of the Village of Hastings-on-Hudson Chapter 282 (Vehicles and Traffic) by adding a new section prohibiting parking on a street or public place for more than 14 consecutive days without being moved.

Mayor Kinnally: Anyone wishing to speak either in favor of, or in opposition to, the proposed local law please come forward and give your name and address for the record.

Mr. Perih, Harvard Lane: I do not have any opposition. I just want a clarification. The term “public parking area”: could we define that?

Village Attorney Stecich: I assume any of the parking lots in the Village.

Mr. Perih: So this would be a publicly-owned parking lot.

Village Attorney Stecich: Yes.

Mr. Perih: A municipal parking lot?

Village Attorney Stecich: Yes.

Trustee Swiderski: Just a clarification. You’re referring to a public place?

Mr. Perih: Yes, sir. This would be a publicly-owned parking area.

Trustee McLaughlin: No, the wording of the law is “public place,” not publicly-owned parking area.

Mayor Kinnally: Rights-of-way, a street.

Village Attorney Stecich: No. Any street or public parking area, it says.

Mr. Perih: The published version said public place.

Village Attorney Stecich: Yes, it says “in a public parking area.” Maybe if you explained why you think the language is unclear it would trigger something, because it could be clarified.

Mr. Perih: I used to live in an apartment. It was privately-owned land, but we had public areas. I was wondering if a parking lot for an apartment building or other private property . .

Mayor Kinnally: But that is private property.

Mr. Perih: So this is municipal, publicly-owned parking.

Village Attorney Stecich: Yes.

Mr. Perih: Would it be possible to include that in the language? Not for our benefit because we are clear on that, but this law might be on the books for 85 years and our grandkids might appreciate that.

Village Attorney Stecich: Let me take a look at the language.

Mayor Kinnally: The intent is not to regulate private property.

Village Attorney Stecich: It is possible that there is another section in that chapter that it is amending that may clarify that. If not, we could just add wording to it. It is a good point.

Mr. Perih: And the definition of “being moved.” I move my car every day and I put it back in the same spot. If an observer were to come by at a time of the day when I was home they might say, well, here is a car that has not been moved. If I get in my car and I move it three inches forward, does that constitute being moved?

Village Attorney Stecich: The way I think this is going to work is that if, after whatever this period is, 14 days, they will tell somebody. I am sure this is going to be a complaint-generated law. You are not going to have the police going out and measuring, but if

somebody complains then the police will come out. They are used to observing stuff like this, and they will just come out.

Mr. Perih: So if I park in the same spot every night, that is not a problem.

Village Attorney Stecich: No, I do not think that is going to be an issue.

Hearing no further comments, Mayor Kinnally asked for a motion to close the Public Hearing.

CLOSE OF PUBLIC HEARING

On MOTION of Trustee McLaughlin, SECONDED by Trustee Swiderski with a voice vote of all in favor, Mayor Kinnally closed the Public Hearing at 8:05 p.m.