

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK**  
**BOARD OF TRUSTEES**  
**REGULAR MEETING**  
**MARCH 7, 2000**

A Regular Meeting was held by the Board of Trustees on Tuesday, March 7, 2000 at 8:10 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

**PRESENT:** Mayor Wm. Lee Kinnally, Jr., Trustee James B. Keaney, Trustee Elsa C. DeVita, Trustee David Walrath, Village Manager Neil P. Hess, Village Attorney Brian Murphy, and Village Clerk Susan Maggiotto.

**CITIZENS:** Eleven (11)

**PRESENTATION**

**Mayor Kinnally:** We are presenting the President's Student Service Award to Scott Bush, a volunteer summer intern. We have a letter from the President, an award certificate, and a pin in recognition of your service.

**Village Manager Hess:** Scott was an intern in our TV studio over the summer and did an outstanding job assisting Raf in the studio, setting up computers, graphics, doing all sorts of things, and he always had a smile on his face. He was, by far, one of our best interns we have ever had in the Village.

**APPOINTMENTS**

**Mayor Kinnally:** I would like to announce the appointment of Amanda Zeitlin to the Library Board and Maurice Wasserman to the Planning Board. I thank them for volunteering on behalf of the Village, and thank everyone, on behalf of the Village, who serves in volunteer roles for their community.

**FARMER'S MARKET**

**Sue Smith, Farmer's Market Committee:** The Market Committee has begun to plan next year and requests permission to use the library parking lot again. It is a great spot: provides a safe feeling for families, opens a nice configuration between the vendors, has room for additional vendors, and has that river view. A very nice relationship developed with the library; people got books and vegetables, and found that a very compatible combination. The library had numbers quite beyond anything they have had before. The Friends of the Library had a book sale at the same time, so there were some nice neighborhood kinds of things between the library and the Farmer's Market.

The only negative is visibility; we have to work harder in advertising the location. Another drawback is the effect on parking. It is a dislocation for police and some library patrons, and

impacts parking in the neighborhood. I have not heard things from merchants that convince me that it has impacted them in either direction. We tried coupons this year. There was no evidence that lots of people used them. On the other hand, there is no evidence that we have been tough competition. The people who use the market think it is wonderful. My second request will be for a financial contribution.

**Mayor Kinnally:** One of the negatives from last year's comments was that it was adversely affecting some of the merchants. The Village Board and your committee reached out to those merchants. The market brings people downtown, and the more people we get downtown the more the merchants will feel the impact in a positive way. The market draws more business for everybody, so it is positive and is becoming an institution in the community.

**Trustee Keaney:** Will you be continuing to advertise outside the community to bring people from neighboring villages and from north Yonkers?

**Ms. Smith:** Yes. We spent a lot last year on advertising, but we will redirect it somewhat.

**Village Manager Hess:** I have made provision in the budget for \$750.

**Mayor Kinnally:** We wish you success again this year, and we will deal with this on our agenda. Thank you for bringing this service to us.

### **APPROVAL OF WARRANTS**

On MOTION of Trustee Walrath, SECONDED by Trustee Keaney with a voice vote of all in favor, the following warrants were approved:

### **APPROVAL OF WARRANTS**

Multi-Fund No. 92-1999-00	\$ 49,392.65
Multi-Fund No. 93-1999-00	\$ 76,821.52
Multi-Fund No. 94-1999-00	\$174,456.50
Multi-Fund No. 95-1999-00	\$ 11,554.75
Multi-Fund No. 96-1999-00	\$ 33,500.94
Multi-Fund No. 97-1999-00	\$ 5,204.10
Multi-Fund No. 98-1999-00	\$ 32,976.98
Multi-Fund No. 99-1999-00	\$157,533.16
Multi-Fund No. 100-1999-00	\$ 1,770.00

### **18:00 PROPERTY ASSESSMENT-REVALUATION**

**Mayor Kinnally:** This is the result of a longstanding campaign by municipalities in Westchester, the county, and the Westchester County Municipal Officials to get a standardized revaluation of property. The problems that we wrestle with each year, with *certiorari* proceedings, tax grievances, equalization rates, and the uncertainties in setting a tax rate and in budgeting, cry out for a uniform reassessment of properties throughout the county.

**Trustee Keaney:** We had a resolution about this some years ago. We lose so much in *certioraris* because the system is out of whack to begin with. If we bring it into whack, we would save money in the long run in addition to being fair to everybody. We should adopt this.

On MOTION of Trustee Walrath, SECONDED by Trustee DeVita, the following resolution was duly adopted upon roll call vote:

**WHEREAS** it is in the best interests of all municipalities, school districts, and the county government of Westchester County to participate in a collective revaluation project to establish the most equitable assessment/tax rolls for all property owners and to ensure tax fairness to all; now therefore be it

**RESOLVED:** that the Village of Hastings on Hudson hereby agrees to participate in a county-wide revaluation so long as a minimum of 80 percent of the 25 cities and towns upon which the county bases its tax apportionment agree to do so at the same time on a shared-cost basis with the State, County and possibly school districts as part of a joint inter-municipal agreement.

<b>ROLL CALL VOTE</b>	<b>AYE</b>	<b>NAY</b>
Trustee James B. Keaney	X	
Trustee Elsa C. DeVita	X	
Trustee Michael Holdstein	Absent	
Trustee David Walrath	X	
Mayor Wm. Lee Kinnally, Jr.	X	

**19:00 PUBLIC HEARING - AMEND ZONING CODE ACCESSORY APARTMENTS**

**Village Manager Hess:** The Planning Board has recommended changes in the Zoning Code relative to the renewal of accessory apartments. It indicates: "The Board's chief concern is the required renewal of the accessory apartment permit, which many homeowners find to be

expensive and time-consuming. It also takes up a good deal of the staff's and the Planning Board's time. It appears to the Board to be unnecessary because every accessory apartment that has come up for renewal, and there have been 19 so far, has been approved. There has been only one complaint over the four years that the law has been in existence and that was related to on-street parking and not specifically to the accessory apartment. The Planning Board is, therefore, asking for your review and approval of the proposed amendments."

The proposed amendments will be available prior to the public hearing.

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

**RESOLVED:** that the Mayor and Board of Trustees schedule a Public Hearing on Tuesday, April 4, 2000 at 8:00 PM to consider an amendment to the Zoning Code for Accessory Apartments.

<b>ROLL CALL VOTE</b>	<b>AYE</b>	<b>NAY</b>
Trustee James B. Keaney	X	
Trustee Elsa C. DeVita	X	
Trustee Michael Holdstein	Absent	
Trustee David Walrath	X	
Mayor Wm. Lee Kinnally, Jr.	X	

**20:00 PUBLIC HEARING-PROPOSED 2000-2001 BUDGET**

On MOTION of Trustee DeVita, SECONDED by Trustee Keaney, the following resolution was duly adopted upon roll call vote:

**RESOLVED:** that the Mayor and Board of Trustees schedule a Public Hearing on Tuesday, April 11, 2000 at 8:00 PM for the Proposed 2000-2001 Budget.

<b>ROLL CALL VOTE</b>	<b>AYE</b>	<b>NAY</b>
Trustee James B. Keaney	X	
Trustee Elsa C. DeVita	X	
Trustee Michael Holdstein	Absent	
Trustee David Walrath	X	
Mayor Wm. Lee Kinnally, Jr.	X	

**21:00 CERTIORARI SETTLEMENT- 34 EUCLID AVENUE**

**Village Manager Hess:** We are authorizing the execution of the settlement. We will get a stipulation in the mail with the exact amounts, which will be without interest if paid in 90 days. This has been recommended by our special *certiorari* counsel and the Village Assessor based on information available in the proceeding. It is also consistent with the reduction agreement by the Town of Greenburgh.

**Trustee Walrath:** The last of these is in 1995. Are there further ones in the pipeline?

**Village Manager Hess:** That is possible. I have asked the Village Attorney to put together a complete list of everything outstanding, not only *certioraris* but all existing lawsuits.

On MOTION of Trustee DeVita, SECONDED by Trustee Keaney, the following resolution was duly adopted upon roll call vote:

**WHEREAS,** petitions having been filed by the property owner, below challenging real property tax assessments on the Village's assessment roll with respect to the following parcels:

<u>Property Owner</u>	<u>Address Description</u>	<u>Year (s)</u>
Lary Greiner, Inc.	34 Euclid Avenue Hastings on Hudson Sheet 17/Section 11 Block 646/Lot 53	1994, 1995

**WHEREAS,** petitioner's court challenge is now pending in Supreme Court Westchester County; and

**WHEREAS,** the Village and the property owner have reached a mutually agreeable resolution; now therefore be it

**RESOLVED:** the office of the Village Attorney is authorized to execute a settlement on behalf of the Village for assessments as follows:

<u>Assessment Year</u>	<u>Original Assessment</u>	<u>Revised Assessment</u>	<u>Reduction</u>
1994	26,500	20,500	6,000
1995	26,500	20,500	6,000

**ROLL CALL VOTE**

**AYE**

**NAY**



Trustee James B. Keaney	X
Trustee Elsa C. DeVita	X
Trustee Michael Holdstein	Absent
Trustee David Walrath	X
Mayor Wm. Lee Kinnally, Jr.	X

### **VILLAGE MANAGER'S REPORT**

**Village Manager Hess:** We have been granted an entry permit by Metro North, so we will notify the contractor tomorrow and proceed. The east side of Southside will be finished before the contractor proceeds up Washington Avenue. The bomanite will be installed starting in two weeks.

We have received a \$2,900 coordinated grant with Westchester County providing funds for specialized enforcement of things like seatbelts and child restraints. It will pay for overtime to set up these programs. We will have an intermunicipal agreement on the next agenda.

Parking at Steinschneider: Prior to the school vacation we averaged about two commuters per day in the lot, and my observation this week is again two to three. Saturday quite a few people were parked in the free spaces, and a number of the cars were merchants or employees' cars. I think that is positive because it opens up the metered spaces in the balance of the downtown. We would like a few more weeks to review it so we can have some specific numbers to give back to the Board and the merchants in the immediate area of Steinschneider.

**Sue Smith, 26 Lefurgy Avenue:** The question was raised at a Chamber meeting if permits are available to merchants or employees not residents of Hastings.

**Village Manager Hess:** I would have to take a look at it but I believe there is a provision in the Code that allows people who work in the Village to get a parking permit.

**Ms. Smith:** They thought it might be a good place for employee parking.

**Village Manager Hess:** We would prefer that merchants and employees park on Maple Avenue in the long term meters because we normally average 10 to 15 open spaces per day in that area. We will not preclude that idea, but another one has been expressed that if the parking area is not used by 11:30, then it be opened up for free parking. We have to consider also how those spaces could be available during the holiday period.

The superintendent of schools and I met. One item on both our agendas was pedestrian traffic safety around the middle and high school. The school will work with us cooperatively in developing a pedestrian traffic report. We will have a joint review and provide our findings

and recommendations to the Safety Council. We plan to have a joint meeting of the boards in late May or early June. We hope to have all the results together by that time. We hope to have professionals, traffic engineers, do research on child pedestrian patterns, try to put all this information together, and come up with recommendations. We will try to get the PTA involved.

**Trustee Walrath:** Can the school tell us where students are coming from?

**Village Manager Hess:** We have done this before. I could ask them where students are located, the grades, and we can lay those out on a map. These patterns do change over time, so we want to be very specific in our recommendations in terms of pedestrian and vehicle traffic.

**Trustee Walrath:** A group has already presented some ideas to us. We could get them to work on the study.

**Village Manager Hess:** I would like to get people without preconceived ideas.

**Trustee Walrath:** Volunteers would minimize costs. I would think a great many people are willing to devote time.

**Village Manager Hess:** We will take a look at that. I would like to get traffic professionals to do the counts, observations, patterns.

**Trustee Walrath:** The LWRP set an example for this. We had the professionals but also there was a great deal of volunteer labor. I was hoping we could get something like that here.

## **BOARD DISCUSSION AND COMMENTS**

### **1. Update on the Waterfront**

**Mayor Kinnally:** The core sampling prior to the demolition is ongoing. I believe the date on which the contractor would be on-site is somewhere in June or July of this year. We will have a better idea of the schedule at the next meeting.

**Village Manager Hess:** A copy of the work plan is available at the repository at the library.

**Mayor Kinnally:** We did not get the grant we had applied for through the Office of Parks and Recreation with the state. I have sent all of our rejections, plus a note, to Commissioner Cahill at the DEC and reminded him that we are still looking for funding so that we can have the Marinello Cove be Village property.



**Trustee Walrath:** Do we know anything further on the paperwork on the grants we have received already?

**Village Manager Hess:** The grants person at the Department of State said it is toward the top and it will be almost a month before we get our grant. You do not have to wait to move forward since you have over \$20,000 left on the first grant.

**Trustee Walrath:** I am not concerned about the LWRP, but the workshop which we proposed with the RPA.

**Village Manager Hess:** There is a lot of groundwork to be laid before we even get the contracts. We do not have to wait for the contracts from the state to start. They have to revise their proposal. We have to set up the structure of the advisory committee, something that the mayor and Sandy Stash should talk about at their meeting.

**Mayor Kinnally:** I do not see the likelihood of having community forums until next fall.

**Village Manager Hess:** The planning of the workshops could take place between now and early May, and the workshops could be scheduled in late May or early June. I asked Meg to talk to RPA so we can start moving on this.

## **2. Cropsey Painting**

**Mayor Kinnally:** I had a meeting with a representative of the Historical Society about the litigation over the Cropsey painting, and a discussion with one member of the School Board. Those discussions were off the record, so I am not going to get into the particulars. I bring it up to say that a number of people are looking into what might be done with the ultimate disposition of the painting. We hope there is some way of resolving the issue and keeping the painting in the Village. I will share some of the discussions with the Board in Executive Session, but I am not free to do so in public at the present time.

## **3. Safety Council Report**

**Mayor Kinnally:** We have the minutes from the Safety Council meeting of February 3. Two items are before us: parking control signs on Farragut and pedestrian safety on Washington Avenue. There were a number of complaints from motorists that vehicles are parking along the northbound side of Farragut prior to, and after, school hours, and that is creating an unsafe condition. The recommendation is that signs be installed limiting parking on the northbound side of Farragut for a distance of 185 feet from the corner of Hillside. The Village engineers determine that this is a sufficient amount of space to eliminate the problem. There would be no parking or standing on school days.

**Building Inspector Gennarelli:** This would be from Hillside to a driveway at number 25 Farragut. There will be a few spaces available between the driveway and the parking lot of the Lutheran Church..

**Trustee Walrath:** There would be parking between the minister's house and the entrance to the parking lot at the Lutheran church?

**Building Inspector Gennarelli:** Three or four spaces.

**Trustee Walrath:** Why don't we carry it right down to the intersection?

**Building Inspector Gennarelli:** There are times when the church parks some cars on Farragut during the week. Nursery school is going on, so they let a few cars overflow out to the street during school hours.

**Trustee Walrath:** I do not understand how the traffic problems would be eliminated. I have heard people complain about not being able to pull out of Hillside onto Farragut in the morning. I thought we were aiming at opening it all the way to the Five Point intersection.

**Building Inspector Gennarelli:** The problem is by Hillside Avenue, when somebody parks on the east side of Farragut north of Hillside. The traffic has to merge into one lane after the stop signs.

**Trustee Walrath:** But would that not also be true by the church?

**Building Inspector Gennarelli:** We do not seem to have a problem with parking there. All of a sudden two cars appeared near Hillside, and that is what created the problem.

**Mayor Kinnally:** The other issue is pedestrian safety on Washington Avenue. There are large rocks placed in the front of the houses on the southeastern portion of Washington Avenue close to Broadway. Have those been removed, Marco?

**Building Inspector Gennarelli:** I wanted to get some input from the Board first on that. I believe they were put there by the people who are residing in those houses.

**Village Manager Hess:** People were pulling off the street on the grass area, so they put the boulders there to discourage that. One possibility is having curbing put in when Con Ed has it ripped up anyway for the new gas main. Also, we could have that portion of the roadway widened a bit. This will not take legislation, but Marco did not want to do anything until the Board had a chance to review it.

Does it make sense to expand the no parking regulation on Farragut to no stopping also, and

do the same on the west side of Farragut, which appears to be the problem during pickup times? In the afternoon people stop to pick up children, and that narrows up that whole area.

**Police Chief Marsic:** I think we looked at that, and we decided that slowing down traffic around school was a benefit.

**Village Manager Hess:** It is not a matter of slowing, because the stop signs slow down the traffic. It is a matter of people going from two lanes to one lane in both directions. You have traffic backed up down to the Five Corners because of cars parked along there.

**Chief Marsic:** We did consider that. We figured the parents have to have place to pick up the kids aside from the access road in front of the school.

**Village Manager Hess:** If you are not going to restrict stopping you could still have cars north of Hillside stopping to pick up their children.

**Chief Marsic:** Yes.

**Mayor Kinnally:** We will deal with the issue of the parking on Farragut through local law, and will have a Public Hearing at another opportunity to investigate this.

#### **4. Affordable Housing Deed Restriction Language**

**Mayor Kinnally:** Marianne has forwarded a memorandum addressing the items that we had discussed last time. Trustee Holdstein is out of town on business; I think he has to be part of that discussion.

**Village Manager Hess:** Not everyone has the attachment from Astoria; the Board cannot make any decision on this tonight, since they have not seen it. There is not only the right of first refusal but the Affordable Housing Development Fund has a right to cure the default before foreclosure. If there is foreclosure, they are giving the Affordable Housing Fund a right of first refusal. But what they are not tying down is what the Affordable Housing Fund has to pay in terms of the foreclosure. I think that has to be very specific that it is the amount of the outstanding mortgage, not a market price that the bank determines.

That appeared to be the only problem I saw with their response to the deed restriction.

#### **EXECUTIVE SESSION**

On MOTION of Trustee Keaney, SECONDED by Trustee DeVita with a voice vote of all in favor, the Board scheduled an Executive Session immediately following the Regular Meeting

to discuss land acquisition, litigation, and personnel.

**ADJOURNMENT**

On MOTION of Trustee Keaney, SECONDED by Trustee Walrath with a voice vote of all in favor, Mayor Kinnally adjourned the Regular Meeting at 9:15.