

VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
REGULAR MEETING
MARCH 21, 2000

A Regular Meeting was held by the Board of Trustees on Tuesday, March 21, 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 Michael Holdstein, Trustee David Walrath, Village Manager Neil P. Hess, and Village Clerk Susan Maggiotto.

CITIZENS: Four (4)

PRESENTATION

Mayor Kinnally: We are presenting the President's Student Service Award to Challie Stillman, a volunteer summer intern. We have a letter from the President, an award certificate, and a pin in recognition of outstanding service and commitment. Challie's program was to work with Meg Walker, our planning consultant, and I thank you for all the time that you gave to our Village and the many hours of volunteer service.

APPROVAL OF MINUTES

On MOTION of Trustee Walrath, **SECONDED** by Trustee DeVita with a voice vote of all in favor, the minutes of the Public Hearing of February 15, 2000 were approved as presented.

Trustee Walrath: Page 8, "do" is missing after "I." It says "I not know."

Village Manager Hess: Page 1, the discussion of the meter monies: There is more discussion, and we discovered that the amounts were \$3 every two weeks. In parentheses, there should be a note that we checked it afterwards.

On MOTION of Trustee Holdstein, **SECONDED** by Trustee Walrath with a voice vote of all in favor, the minutes of the Regular Meeting of February 15, 2000 were approved as amended.

On MOTION of Trustee DeVita, **SECONDED** by Trustee Walrath with a voice vote of all in favor, the minutes of the Special Meeting of February 29, 2000 were approved as presented.

On MOTION of Trustee Walrath, **SECONDED** by Trustee DeVita with a voice vote of all in favor, the minutes of the Regular Meeting of March 7, 2000 were approved as presented.

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:

Multi-Fund No. 101-1999-00	\$ 88,652.03
Multi-Fund No. 102-1999-00	\$149,612.24
Multi-Fund No. 103-1999-00	\$187,769.03

23:00 PARKS AND RECREATION FEES

Mayor Kinnally: This was the subject of a Public Hearing on February 15. Any comments by the Board to these proposed changes? Any public comment?

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

RESOLVED: that the Mayor and Board of Trustees increase Parks and Recreation Fees as follows:

<u>PROGRAM</u>	<u>CURRENT FEE</u>	<u>PROPOSED FEE</u>
Tee Ball	\$30.00	\$40.00
Co-Ed Soccer	\$30.00	\$40.00
Boys Baseball	\$30.00	\$40.00
Girls Softball	\$30.00	\$40.00
Boys/Girls Basketball	\$30.00	\$40.00
Santa Breakfast	\$10.00	\$11.00
Turkey Trot-Pre	\$12.00	\$14.00
Turkey Trot-Post	\$11.00	\$15.00
Swim Team	- 0 -	\$50.00

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

24:00 TRAFFIC SAFETY GRANT

Village Manager Hess: This is an intermunicipal agreement that will reimburse the Village for overtime costs for police for special enforcement activities such as seatbelts and child restraints.

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

RESOLVED: that the Mayor and Board of Trustees authorize the Village Manager to execute an inter-municipal agreement with the County of Westchester for a Selective Enforcement for Traffic Safety Grant in the amount of \$2,900.00.

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

26:00 MUNICIPAL BUILDING CLEANING SERVICE

Village Manager Hess: We advertised for bids for the cleaning of the Municipal Building and sent out specifications to four or five of the major firms. Reliable Cleaning was the only bidder, for \$1,566 per month. Reliable has been our service for four months at \$1,299 per month. We have specified additional services such as window cleaning and carpet shampooing. We recommend Reliable Cleaners. They have done an excellent job so far.

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

RESOLVED: that the Mayor and Board of Trustees award the bid for cleaning of the Municipal Building to Reliable Cleaners in the amount of \$1,566.00 per month.

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

27:00 2000 FARMERS' MARKET

Sue Smith, Farmer's Market: To clarify the choice of location for the record: There is no place in Hastings that has everything that we need, but the committee prefers the municipal building lot even though visibility is an issue. It is safer and has growing room so we were able to have a larger market. We have to try to overcome the lack of visibility by signage, publicity, and keeping it in the same spot year after year.

Trustee Holdstein: Did you hear from anybody from the library regarding parking concerns?

Ms. Smith: I have had discussions with them and they felt that it was a very good relationship for them, that it really improved their business. There were a few people who were not happy with having to walk a little further, but we provide handicapped spots during the Market. The library gave everyone taking out a book a notice about the parking changes.

Village Manager Hess: I noticed more families with children than when it was in the street.

Ms. Smith: We have some activities for the kids, and you do not have to worry about your kids because it is enclosed space. It is more open so there is more wandering around, and the sociability is a lot greater than it would be on the street.

Trustee Walrath: We provide some parking spots reserved for library patrons that ordinarily would be metered parking. That mitigates that problem to some extent. The Friends of the Library have had a booth right outside. It has been a good relation between the Market and the library.

Ms. Smith: They started selling used books in the fall, and I think they are going to do it again this year because it was successful; they had a built-in audience of people ready to shop.

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

RESOLVED: that the Mayor and Board of Trustees approve the use of the Municipal Building parking lot for the 2000 Farmers' Market on Saturdays during the spring, summer, and early fall.

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

25:00 DONALD PARK FIRE PROTECTION DISTRICT CONTRACT

Mayor Kinnally: We have a draft of the contract with the Town of Greenburgh. Chief Schnibbe is here to discuss it.

Bob Schnibbe, Hastings Fire Chief: For many years the Village has been in contract with the Town of Greenburgh to provide fire protection east of the double line on Saw Mill River Road from Yonkers to the Ardsley Village line. Mr. Hess has negotiated a favorable increase for both the Village and the Fire Department and we appreciate it. It looks like everything is in order. Our calls have increased over there with the increase in construction.

Mayor Kinnally: I also thank Neil for negotiating a good one for the Village. Not only is there an increase this year, but there are built-in increases for the next two years. Those increases reflect the increased costs that the Village will incur in connection with providing fire services both in the Village and outside the Village.

Trustee Holdstein: Do we have a law or policy for fines for repeated false alarms?

Village Manager Hess: We have it inside the corporate limits of the Village, but we cannot enforce our law outside the corporate limits of the Village.

Fire Chief Schnibbe: We are running into control of fire suppression over there, not Building Code enforcement or Fire Code enforcement or alarm loss. We have been investigating that. I have spoken to couple of chiefs in Greenburgh and they do not want to have an alarm law because increased calls increases their productivity.

Trustee Walrath: Could we ask the town to adopt, if they have not already, something similar to our own law?

Village Manager Hess: Even if we requested the Town Board to do that, there would probably be objections, but we can make the request and see what happens with it.

Trustee Holdstein: Did I hear you say that the chiefs in Greenburgh would not want that law on repeated calls?

Fire Chief Schnibbe: They are satisfied with the way the situation is now. They do not seem overburdened by it. They have their own tax-setting base. They have nothing to do with the Town contract.

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

RESOLVED: that the Mayor and Board of Trustees authorize the Mayor to execute a contract with the Town of Greenburgh for the Donald Park Fire Protection District for the years 2000-2002.

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

Mayor Kinnally: I would like to take this opportunity to commend the Fire Department on a job, once again, well done. We had a tragic fire on Warburton Avenue early Sunday morning with a fatality. But the prompt and professional response of our volunteer fire department limited the damage in the building and prevented the spread to any adjacent buildings. The turnout and the ability to keep the fire under control is a credit to the Chief and to the other chiefs and members of the department.

VILLAGE MANAGER'S REPORT

Village Manager Hess: Regarding commuter parking, we have approximately 15 people on the waiting list, and the number of available spaces at River Street would seem to indicate that we could oversell a few more. I would like to recommend to the Board that we sell another five permits. Metro North has indicated we could oversell by 200%, but that is not practical. Now we are oversold by about 20 to 25%, and there is still, on a daily basis, a number of spaces open. I would like to accommodate as many commuters as possible: oversell by another five, see how it is in a couple of weeks, and come back to the Board with some further recommendations.

Trustee Holdstein: That lot is both resident and non-resident. Do you know what percentage on the waiting list are resident and non-resident?

Village Manager Hess: I do not. We have been doing the waiting list as they come in, so it would be whoever the top five are on the list. We cannot discriminate in that lot.

Trustee Holdstein: How many spaces have you observed on a daily basis have been open on that lot?

Village Manager Hess: Anywhere from seven to 10. Mondays seem to be the heaviest day, but we have five or six open even then. The weather has been better and more people are walking to the train now, which seems to help.

Trustee Holdstein: Do we set ourselves up for a problem next fall when it gets cool again, in this particular lot, if we oversell the other five spaces?

Trustee Walrath: If we squeeze this closer, is there any way to provide, on the peak day when everybody decides to use it at once, a safety valve for the last person by notifying them that they are permitted to park somewhere else?

Village Manager Hess: The overflow is Steinschneider.

Mayor Kinnally: Or the overflow goes north of the paved parking. We have not had that problem, though. Our experience has been that people have been able to park.

Village Manager Hess: We have just had more people wanting parking spaces than the Village can sell.

Trustee Holdstein: Do we need a resolution authorizing the oversell?

Village Manager Hess: Just a motion, or an indication.

Mayor Kinnally: Is everybody in favor of allowing the selling of five additional permits?

[VOICE VOTE AFFIRMATIVE]

Village Manager Hess: The Southside project is moving at a snail's pace. I am holding one check now, and a second check which is being processed will be held, until they complete the area of Maud's, the bomanite, give us a new schedule which has been promised to us for the last two weeks, and the lights.

BOARD DISCUSSION AND COMMENTS

1. Update on the Waterfront

Mayor Kinnally: We may have a meeting with ARCO next week. I am in receipt of a letter from ARCO, to which is attached project schedule projections for the building demolition on the waterfront, with discussion in the letter concerning the RPA planning initiative. Have we received anything from the Department of State on the grant award?

Village Manager Hess: No. They said the end of the month.

Mayor Kinnally: I am going to find out from the DEC whether all the sampling was done and whether the DEC has signed off on the project. That is a condition that has to be met before we can go forward on the demolition. Their time line has demolition commencing on July 5, but that is dependent upon the review by the DEC, the approval by the DEC, and getting a contractor in place, none of which, to my knowledge, has taken place.

2. Affordable Housing Deed Restriction Language

Mayor Kinnally: Further comments have been given by the Affordable Housing Committee to our attorney. Information has to be reviewed, both from the Affordable Housing Committee and from the county, so I am going to ask that this item be taken off the agenda and we will address it on the 4th or the 18th.

Village Manager Hess: Could I ask Ms. Smith one question? The attachment to the letter from Astoria: is that right of first refusal based on the outstanding mortgage?

Ms. Smith: As I understand it, the Committee would have the right of first refusal in the event of a foreclosure. Language stipulating that it would remain affordable and be for a certain income group has to be integrated into that. There is a piece about two different ways to calculate a resale price. One would be determined by the Committee's formula. And they would have to recoup any outstanding mortgage, and the costs of the foreclosure process.

Village Manager Hess: If Astoria wants to be a player in the affordable housing aspect, I do not want them turning around on a foreclosure and offering it back to the Affordable Housing Committee at a profit. As long as they get their mortgage out of it they should be happy.

Ms. Smith: That is right, and we agree. But they are looking very much to project themselves and the ability to move quickly. It does mean that the Committee will have to continue to be very active and vigilant, and to keep a current list of eligible people. I know

we are agonizing over some of the details in talking with the lawyers, but it has not been an issue in other places, which is reassuring. We will come back for more discussion in a couple of weeks.

3. Parking - Steinschneider Lot

Village Manager Hess: When the change was made in February in the Steinschneider lot we indicated that we would see how it was during non-vacation periods. It has averaged two vehicles, and the maximum that we have had has been five vehicles.

A suggestion was made at a meeting to allow parking without a permit after 11:30 a.m., which appears to be a reasonable compromise considering the number of people that are using that lot. I would like the Board to consider that option and we will set it for a later agenda.

Mayor Kinnally: With the encouragement to some of the store owners to use these spaces and get them out of the metered areas. Let us convey that to the Chamber put it down for the 18th of April.

4. Other

Trustee Keaney: There was an article in the paper recently that the FTC has withdrawn its lawsuit against the BP/ARCO merger. With the Board's approval we had engaged the help of Congressman Ben Gilman to get the FTC to look into the possibility of requiring financial conditions on the merger. They declined, saying it is an environmental issue, which, of course, it is. It looks like the merger is going to go ahead, which means we are going to be dealing with not just ARCO in Los Angeles but combined BP/Amoco/ARCO out of London. I hope this does not mean additional delays and questions about the financial wherewithal. But it is something to keep in mind, that we are not dealing with the same people we were before.

Trustee Holdstein: Con Ed's testing on Washington Avenue: where is that going?

Village Manager Hess: The testing was completed: no rock. Because of the change in the weather, the work is not imminent. I am trying to get them to do it when the schools are out. I am trying to work with them on widening upper Washington, and putting in curbing.

Trustee Keaney: They did promise, as you recall, that they would give us the name of their plumber who would be responsible to cure any problems that they cause.

Trustee Walrath: The new curb that was installed with the new gas main on Villard wound up higher than the sidewalk. Are they finished?

Mayor Kinnally: I also have a concern with the sidewalk. Neil indicated that the sidewalks are the adjacent property owners' responsibility. But between the existing sidewalk and the curbing millings from other parts of the Village were put in. That is loosening up and being eroded. I see a continuing problem on that street. We are going to have that whole area resurfaced, and curbing probably replaced on the east side of the street around St. Matthews, and that radius where it turns up the hill. It is one of the steepest spots in the Village.

Regarding Cablevision: Raf Zaratzian, who is behind the camera tonight, talked to Cablevision recently, expressing concerns that had been raised about the move of our beloved Channel 16 to Channel 73. I am in receipt of a letter of March 16 to Raf from Emilie Spaulding, the director of government and community affairs at Cablevision. The letter states:

“In response to our telephone conversation, we would like to provide some additional information that will answer questions you received from cable customers concerning our channel realignment on March 28. We very much appreciate your feedback and suggestions.

Everyone who takes basic service will still be able to get the community channels, public access, education, and government channels at no additional charge. Channel 14 will move to 71, 15 to 72, and 16 to 73. If customers have a cable-ready TV set, and no converter box, the community channels will be unscrambled beginning at midnight on the evening before the realignment date. The realignment process will cause some individual channel disruptions as they are each moved, but customers will still be able to get the community channels for no additional charges once the changes are made.

If cable customers have a converter box, they will continue to be able to get the community channels when channels 71, 72, and 73 become unscrambled on the realignment date.

If a customer has such an old TV or VCR, and neither tunes in as high as channel 76, Cablevision will provide a tuner at no charge. That tuner will enable the old TV sets to receive up through channel 76. A customer should call Cablevision if they need assistance installing the tuner. We will troubleshoot the situation over the phone, or send someone out at no charge. There is no monthly charge for the tuner.

Further, Cablevision would be pleased to install a tuner ahead of time, even if the switch hasn't occurred. The subscribers will still be able to watch the community channels at the old location, then at the new location when the

change occurs. Cablevision has a communications campaign to let people know of the changes, and are sending out another letter to every customer as a reminder. In addition, we are working with committees and municipalities to buy stationery, business cards, or to assist in every way possible to help build viewership for the community channels.

We would be pleased to come to the Municipal Building for an informational open house on any day or evening you suggest after realignment would be appropriate if you receive many questions from residents. Village officials and staff, don't hesitate to call, at (914) 966-0730 if you have any further suggestions or questions."

Village Manager Hess: We are going to make a request to Cablevision that we have several of the boxes here for people either to pick up, or we can go to their house to help them set up. We can also show people how to reset their televisions. It is a matter of going to your menu auto-select on the 28th, and it will automatically bring in all the channels that are not scrambled. Some people I referred directly to Emilie Spaulding have said that she did an outstanding job and they came away very pleased. We will have our WHOH stationery and business cards replaced by Cablevision at no cost.

RECESS

Mayor Kinnally recessed the Regular Meeting at 9:00 p.m. to await election results.

RECONVENE

The Regular Meeting reconvened at 9:30 p.m.

28:00 CERTIFICATION OF ELECTION RESULTS

Mayor Kinnally reported the following election results:

For Village Justice:

MICHAEL MCELROY	289
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For Two Trustee Offices:

MICHAEL HOLDSTEIN	250
BRUCE JENNINGS	246

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

RESOLVED: that the Mayor and Board of Trustees hereby accept the Election Results and that Michael McElroy is declared Village Justice for a term of four (4) official years and that Michael Holdstein and Bruce Jennings are declared Trustees for a term of two (2) official years each.

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

Mayor Kinnally: I welcome Bruce to the Board for what I hope will be an enjoyable two years and much more after that, and Michael back for another two years. Jim Keaney has been a wonderful Trustee for six years on the Board, and for six years on the Planning Board and the Affordable Housing Committee, chair of the LWRP, chair of Hastings 1999, and in so many other roles that are unsung. His impact on this community has been felt as long as he has been in our Village, and will be felt for years to come. Jim, a lot more will be said in weeks to come, but thank you very much for a splendid job. You have been a great Trustee, a great friend, a great confidante, and a wonderful resource to this community. Jim's wit, Jim's intelligence, and just his hard work and dedication have been wonderful. Thank you very much.

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 9:35 p.m.