

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK**  
**BOARD OF TRUSTEES**  
**REGULAR MEETING**  
**APRIL 25, 2000**

A Regular Meeting was held by the Board of Trustees on Tuesday, April 25, 2000 at 8:10 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

**PRESENT:** Mayor Wm. Lee Kinnally, Jr., Trustee Elsa C. DeVita, Trustee Michael Holdstein (8:15 p.m.), Trustee David Walrath, Trustee Bruce Jennings, Village Manager Neil P. Hess, Village Attorney Brian Murphy, and Village Clerk Susan Maggiotto.

**CITIZENS:** Eleven (11)

**PRESENTATION - DR. FRED HUBBARD**

**Mayor Kinnally:** We received a proposal dated April 16, 2000 on a recommendation for a new trail; Dr. Hubbard will discuss it in detail.

**Dr. Fred Hubbard:** I have proposed a feasibility study to investigate the possibility of developing a trail. The idea came from many years of experience in Hastings in exploring the opportunities we have of looking at the natural history aspects of this wonderful village. The idea also came from work that I did for the Hastings Historical Society in connection with Rowley's Bridge. That idea in turn came from former mayor Chemka, who told me of his experiences as a boy in playing in this area. He also tipped me off to interviewing Jack Lynch, a former trustee who also played in this area as a boy.

I have investigated this area over many, many years and I have put together a statement with topics that could be discussed in the study. It also identifies both problems that would be created if a trailway were established and the benefits to the Village. A study could be completed in about one month. If the Board approves the study I could begin to work with the cooperation of various officials in the Village.

**Mayor Kinnally:** Thank you very much. It is a very intriguing proposal that is well worth pursuing. This is a great area of the Village that is inaccessible.

**Trustee Walrath:** We walked it earlier this year with the Trailways Committee, and Dr. Hubbard traced it with the Hudson River Greenway Trail consultant. Are you recommending to do the level portion first?

**Dr. Hubbard:** Yes, it would be done in phases.

**Mayor Kinnally:** The consensus of the Board is that we go ahead with it, and we recommend it, and thank you for it. We look forward to a report.

### **APPROVAL OF MINUTES**

**Trustee Walrath:** On the second page in my comments on Trustee Keaney: "...I am sure you will continue to serve whenever somebody wants to knock something off." I think I said, "..wants to consult," or something like that.

On MOTION of Trustee DeVita, SECONDED by Trustee Walrath with a voice vote of all in favor, the minutes of the Organizational Meeting of April 4, 2000 were approved as amended.

On MOTION of Trustee Walrath, SECONDED by Trustee Jennings with a voice vote of all in favor, the minutes of the Public Hearing of April 4, 2000 were approved as presented.

On MOTION of Trustee Holdstein, SECONDED by Trustee Walrath with a voice vote of all in favor, the minutes of the Regular Meeting of April 4, 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 Public Hearing of April 11, 2000 were approved as presented.

### **APPROVAL OF WARRANTS**

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

Multi-Fund No. 111-1999-00	\$ 32,272.00
Multi-Fund No. 112-1999-00	\$ 834.19
Multi-Fund No. 113-1999-00	\$ 4,178.38
Multi-Fund No. 114-1999-00	\$ 19,428.15
Multi-Fund No. 115-1999-00	\$ 32,498.85
Multi-Fund No. 116-1999-00	\$ 26,497.98
Multi-Fund No. 117-1999-00	\$170,728.39
Multi-Fund No. 118-1999-00	\$ 55,175.97
Multi-Fund No. 119-1999-00	\$ 5,082.22
Multi-Fund No. 120-1999-00	\$ 13,592.28
Multi-Fund No. 121-1999-00	\$ 9,745.81

### **35:00 ADOPTION OF BUDGET AND TAX RATE - FISCAL YEAR 2000-01**

**Village Manager Hess:** There is a slight change in the numbers: a \$2000 decrease in the property tax total and a \$2000 increase in appropriated surplus, based on the final assessment figures from the Village Assessor; the tax rate remains the same.

**Mayor Kinnally:** This year we have a reduction of 1% in the property tax rate from last year; it is a tribute to the efficiency of the Village and the effective management of Mr. Hess. I want to thank him and his staff: Raf, Linda Knies, and the department heads who helped pull this together. The budget process is a lengthy and very open process. We get a proposed budget from the manager well before the statutory period, to give the Board and the public an opportunity to review the projected revenues and expenditures, programs, etc.

**Village Manager Hess:** For 19 years I have tried to provide the budget to the Board by the end of February, about a month before the legal due date, so the public and the Board have adequate time to review and discuss the proposed spending plan. I want to thank the Board for the amount of time it commits to review of the budget. We have weekly meetings totalling 20-24 hours of public budget review.

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 adopt the 2000-01 Village Budget as follows:

**APPROPRIATIONS**

General Fund	\$7,913,847
Pool Fund	228,500
Library Fund	444,650
Draper Fund	<u>40,700</u>
	\$8,627,697

**REVENUES**

Property Tax	\$5,162,061
State Aid	392,100
Sales Tax	700,000
Surplus	440,836
Other	<u>1,932,700</u>
	\$8,627,697

And be it further

**RESOLVED:** that the property tax rate be established at \$121.22 per thousand of assessed valuation.

<b>ROLL CALL VOTE:</b>	<b>AYE</b>	<b>NAY</b>
Trustee Elsa C. DeVita	X	
Trustee Michael Holdstein	X	
Trustee David Walrath	X	
Trustee Bruce Jennings	X	
Mayor Wm. Lee Kinnally, Jr.	X	

**Mayor Kinnally:** The adoption of the budget and tax rate does not foreclose discussion on how or if we will spend money on capital projects and improvements to parks. We do not fund the majority of capital projects at this time. We discuss throughout the year whether or not we should make improvements and whether we will borrow or take the money out of operational funds or surplus.

### **36:00 APPROVAL OF CONTRACT - LWRP CONSULTANT**

**Village Manager Hess:** The LWRP interviewed three sets of consultants to assist in completion of their coastal management program. They have recommended Cashin Associates of Long Island for Board approval.

**Trustee Holdstein:** Village Planner Walker outlines different dollar amounts from grants and future grants totaling \$28,000: what, if any, part of that will be funded by the Village?

**Village Manager Hess:** None. It will all be covered by the grants. We submitted a revised budget to the New York Department of State today. We can charge against, and get reimbursed for, in-kind services: my time, Meg's time, the volunteer consultants' time, as part of the LWRP. We can use those funds to help fund the additional project for Cashin.

**Trustee Holdstein:** There was a time table of 12 months; with Cashin's involvement, will we then have a completed LWRP, or what step does this take us to?

**Village Manager Hess:** His work, putting together a final document for consideration, will be completed within 12 months. It will take additional time to have the coastal zone program approved by the local legislative body—yourselves—and the Department of State.

**Trustee Walrath:** It would not get us the zoning changes needed to implement it. If we need any consultation in preparing zoning changes, that is not covered in here.

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 approve the proposal of Cashin Associates, P.C. of Hauppauge, New York to assist in the completion of the Local Waterfront Revitalization Project (LWRP) for the amount of \$28,500, subject to approval of the contract.

<b>ROLL CALL VOTE:</b>	<b>AYE</b>	<b>NAY</b>
Trustee Elsa C. DeVita	X	
Trustee Michael Holdstein	X	
Trustee David Walrath	X	
Trustee Bruce Jennings	X	
Mayor Wm. Lee Kinnally, Jr.	X	

**37:00 PARKING - STEINSCHNEIDER LOT**

**Village Manager Hess:** At the meeting several weeks ago I asked the Board to think about this proposal made during a public discussion we had relative to the change at Steinschneider lot. My review indicates that we normally have three cars parked in that lot during the day with a maximum of five cars. Mr. Reinhertz made a suggestion that we consider opening up those spaces after 11:30 a.m. It appears to be workable. It would help the restaurants as well as the stores. We are recommending the change.

**Mayor Kinnally:** Has this been passed by the Chamber? Have they been notified?

**Village Manager Hess:** No.

**Mayor Kinnally:** A number of the members of the Chamber and of the merchants were quite vocal about taking these spaces out of circulation. But it does not appear that it is adversely affecting the parking in that area.

**Village Manager Hess:** It does not appear that way so far. This would provide at least a majority of those 17 spaces back to the downtown area, and could be beneficial from the standpoint of employees. On Saturdays employees and merchants park in that lower level because it is free parking. It is freeing up metered spaces in other areas of the downtown. Hopefully it will create the same situation during the week after 11:30 a.m.

**Mayor Kinnally:** I am not opposed to this at all. I would suggest that we put this back on our agenda early in October because we will be coming up on the holidays at that time, and tell the Chamber we are going to revisit it.

**Trustee Holdstein:** Was there some rationale for 11:30 a.m.? Is there a turnover at that point?

**Village Manager Hess:** People come in for the delis or restaurants some time after 11:30 a.m.. A majority of the everyday commuters are in the lots by 8:30 a.m.

**Trustee Walrath:** The most serious concern with the people who spoke among the merchants was December, so it is very well that we are planning to review this pre-holidays.

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

**RESOLVED:** that the Mayor and Board of Trustees approve that the 17 parking spaces designated as prepaid permit parking Monday through Friday on the west side of the Steinschneider Lot will be free parking open to the public after 11:30 a.m.

<b>ROLL CALL VOTE:</b>	<b>AYE</b>	<b>NAY</b>
Trustee Elsa C. DeVita	X	
Trustee Michael Holdstein	X	
Trustee David Walrath	X	
Trustee Bruce Jennings	X	
Mayor Wm. Lee Kinnally, Jr.	X	

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

**Village Manager Hess:** I have been notified by the Westchester County Department of Health that they are going to begin applying larvacide in our catch basins the week of May 6 to avoid the spread of West Nile Virus by mosquitoes. They are going to determine on a case-by-case basis the different control agents to use. They have given us information on two control agents, but we do not have the MSDS sheets on those; we only have the MSDS sheets on the tablets.

I also received today information picked up by Michele Hertz. I have asked Michele to serve as a committee of one in helping to get the information out to various groups and

organizations in the Village on ways to eliminate breeding grounds. Michele has been kind enough to attend the sessions at the Health Department and the sessions with the Westchester County Board to bring us back information. I want to publicly thank Michele for her assistance.

Last week we received two awards from Westchester County on recycling. One was for having the most pounds per person in the county; at 415 pounds we were the first community to exceed 400 pounds. The other award was for the community that recycles the most in Westchester County, which amounted to 66.73% of all waste produced in the Village. I want to again thank the community for their commitment to recycling, and also our Public Works Department which does the work to pick up everything and process the recyclables.

We received our final contracts on the \$35,000 grant for the library. They are proceeding to meet with their consultant, Jim Lothrop, on the program that the Board approved last month.

We had a meeting with our mechanical consultants, our architects, and the HVAC contractor about the heating system in this building. We may have to make some changes in the system. We have two zones in this building, with three thermostats that do not seem to be coordinated properly. We are hoping the consultants can figure it out. We have a new furnace but we did not redo the piping in this building. The zones essentially remained the same as they were in 1929, and the use of the building was much different then. This entire floor was the library. The police station was located in a different part of the building. The court was downstairs. With a cold winter's experience here, there are some things we are going to have to take a look at. I hope to have a report within the next month.

**Trustee Holdstein:** Is this something that should have been better analyzed by the architects in anticipation of the fact that we have revamped the usage?

**Village Manager Hess:** Without having all the information I do not want to lay blame anyplace at this point. But I would think that the sub-consultant who designed the heating/ventilating system will have to bear some responsibility for not foreseeing some of the problems.

## **BOARD DISCUSSION AND COMMENT**

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

**Mayor Kinnally:** The steering committee of the RPA initiative met tonight and proposed a schedule of meetings between now and September, with a preliminary date of September 23 and 24 for the first workshop session. We are moving ahead in structuring this initiative, and are also looking at contracting with an economic consultant.

We received notification from the state that our request for a cathodic application to the bulkhead that is going to be installed on the southern portion of the waterfront has been turned down. David, they said they could apply that in the future. Is that feasible to retrofit? I do not like the idea of letting any corrosion get started.

**Trustee Walrath:** It sounds like a good topic for the next stakeholders meeting. We should be asking when that is going to be. I think it would be well to comment. I will draft something.

## **2. License to Vend - "Pink Panther"**

**Mayor Kinnally:** There is an application for an annual vending permit, which is generally issued by the Village Clerk. A number of people have submitted written statements in connection with this application. This is to operate a vending truck on Saw Mill River Road, south of Ravensdale on the west side of Saw Mill River Road .

**Richard Fontana, attorney representing Pink Panther:** I would like to introduce Magdalena Toledo. She is the Pink Panther, and she operates her taco and hot dog stand at the location you stated. We would like to thank the Trustees for giving us an opportunity to appeal the decision not to renew her vending license, a license that she has had and has renewed for the last seven years.

The location is just south of Jackson Avenue on Saw Mill River Road opposite the north end of the Minozzi Monument property. The monument business is further south; on the north end Mr. Minozzi operates an open yard and two garages from what I can see. Before she was there, another truck occupied the same spot for approximately 30 years: a Mr. Danny Glover and Danny, Jr. There is another hot dog truck operating on the same side of the road perhaps 2/10ths of a mile further south.

Magdalena is a hard-working woman. She has a son in the first year of college. She and her sister work six days a week. The hot dog truck is open from 11 a.m. 4 p.m. It is, in fact, her lifeline. Because of that truck, she has been able to support herself and her son. Her customers appreciate her service, her smile, and her food. In only two days she was able to obtain the signatures on a petition of about 70 people.

**Mayor Kinnally:** It will be part of the record.

**Mr. Fontana:** The principal complainer in this matter is a company called Aesthetic Landscaping, directly across the street from her truck. When Magdalena started seven years ago Mr. Minozzi asked her if she would be kind enough to move her truck a little further north. She did that willingly. There has been no other complaint to her from Mr. Minozzi.



About three years ago Mr. Minozzi rented the north end of his property to Aesthetic Landscaping. That company is in the gardening business and a lot of Latinos used to work for them. One of those employees went out in direct competition to Aesthetic Landscaping, a man by the name of George. She served George before he left the Aesthetic Landscaping business and she continued to serve him afterwards. About two years ago the owner of Aesthetic Landscaping, Mr. Tim Downey, came across the street to Magdalena and told her to stop serving George. She said she could not; he is one of her customers. He said, "If you don't I'll have your license." And here we are about two years later with a license revocation.

I am not accusing the Village in any way of participating in any, perhaps, anti-Latino bias. But I submit to you that there is an undercurrent here. And perhaps the Pink Panther taco stand is not aesthetic enough for Aesthetic Landscaping. I am sure you will be sensitive to this. Of the three letters in front of you, the one by Aesthetic Landscaping is the most vitriolic and longest. After she received copies of the three letters, she spoke to Mr. Minozzi. He said that he did not want to hurt her in any way but he did not want to lose his tenants, referring to the two tenants on the north end of his property. The three letters are very similar. They were all drafted within five days of each other: March 11, 14, and 16. It seems to me there is almost common authorship. They are all well-drafted, intelligent, and have the same themes. What are those themes, and what can Magdalena do about it? Because, indeed, she wants to do something about it to the extent that she can.

The three principal problems appear to be alleged litter, alleged hazardous traffic conditions, and a parking problem. Magdalena has put up anti-litter signs in the last month or two. She has three garbage pails with plastic inserts. One is in her truck that she takes up every day. The others are permanent, and every night she takes the plastic lining out of those pails and brings them home with her. She will add a fourth, if it is the Council's direction. She will ask her patrons not to litter and will police the area three times a day, if you so direct. There has never been a litter complaint in seven years. The Hastings police have never received any complaint about litter. They have never had to go out to that spot. That is why I say it is an "alleged" litter problem.

I also spoke to the Police Department with regard to the hazardous traffic. They have never had to attribute any accident in this location to her truck.

**Village Manager Hess:** Who did you speak to in the Police Department?

**Mr. Fontana:** Lieutenant Vincent Schiavone. In the photographs you will see there is plenty of space between her truck and the roadway. There is parking on her side, both in front and behind her truck. The traffic, she tells me, has not changed in the last seven years. Even though Home Depot and Stew Leonard's have opened up, she has not noticed any changes in the traffic. It is the same traffic in front of her truck as it is for the other truck a little further

south that we referred to. So if there is a traffic problem on this road it is a traffic for both of these vehicles. I submit to you that there is no traffic problem.

**Village Manager Hess:** What is the date of these pictures?

**Mr. Fontana:** It was between last week and today.

**Village Manager Hess:** Was this area policed by you prior to taking this picture?

**Mr. Fontana:** [to Ms. Toledo] Did you pick up litter before those pictures were taken?

**Village Manager Hess:** No? So this is the same condition that existed when we received those letters?

**Mr. Fontana:** You see some signs in there that say "Please Don't Litter."

**Village Manager Hess:** There will also be placed into the record pictures from when we received the complaints. Are those pictures dated?

**Mr. Fontana:** No. If the litter is a problem it is a correctable problem. With regard to traffic, the photographs show that it is hardly a problem for people to pull in and pull out any more than it is to pull in and pull out of a parking space. I have asked Magdalena if there were any accidents she is aware of. In seven years there has only been one accident, that was not attributable to her presence in any way. If you look at the photographs you will see some holes in the pavement. That is a natural speed bump. People are not going to pull in and pull out quickly with those holes right there. I do not think there is a hazardous traffic problem.

Regarding parking, on her side of the street there is no problem parking. She has seen people park across the street on the Minozzi side. It is not easy for Mr. Minozzi and his tenants. Trucks will park across the property and block access. She has promised that if she sees anybody doing that, she will tell that person, I can't serve you: move your truck or you are not going to get lunch. Mr. Minozzi says that he wants to "...improve his properties with plantings and traffic islands." That makes a lot of sense, and perhaps it can be a three-way partnership. Magdalena can contribute some money toward that venture; perhaps Aesthetic Landscaping can contribute. They can put up large planters so that trailer trucks cannot pull in.

The bottom line is that the Police Department knows that Magdalena is a good business person. She runs a clean place. She will try to run it cleaner, if necessary. We have no problem with the Board saying you can have this permit for another year if you do A, B, C, and D. She wants to be a good neighbor, and she asks you to put on some conditions and watch it for a year and see what happens.

**Laura Moore, 29 Saw Mill River Road:** I have lived south of both trucks for eight years. The areas around the trucks are always clean. In other areas, there is dumping into the woods off to the side of the road and construction waste along Saw Mill River Road on the Hastings side. I have seen Magdalena out there cleaning up. Every time the river floods, debris is in a basin behind her truck, which she really cannot help. As far as litter is concerned, I do not think there is a major problem with her litter. Dumping out of car windows onto Saw Mill River Road is not primarily done by customers of either one of those trucks. I pick up McDonald's bags off my front yard and beer cans, and I know that those are not sold there.

As far as the traffic on Saw Mill River Road, that is 9-A, and that is how it is. You have to put up with the traffic that is regularly on 9-A. She has more adequate parking than the other hot dog truck, so I do not see where parking is a major problem for just her truck.

**Tom Minozzi, 150 Saw Mill River Road:** I am not looking to hurt anybody. I do not care what people do for their business, and how they make a livelihood. I never went to the police for many of the issues that were described here. That is not our style. We have been quiet people on that side of town, and we have dealt with the things that we had to deal with. We clean up the river and we always clean from Ravensdale towards Jackson Avenue all the way past the Manor House. Cleanliness is not the issue. The issue is blocking of the driveways and my parking lot. She has been asked many times over the course of the years; I am not about to go running to the police every time I have a little incident. I have gotten into many confrontations with tractor trailers, truckers, and other people blocking my driveway and asking them to leave and I have to put my tail between my legs and walk away. I am not going to get killed over an issue. It is really the blocking of the driveway issue. A little bit of cleanliness, yes, but that could be overcome.

**Village Manager Hess:** Blocking of the driveways on that side of the street is a Town of Greenburgh police issue, not a Hastings police issue.

**Tim Downey, 525 Farragut Parkway:** I would like to submit a few photos. I will rise above counsel's comments because they are a distortion of the truth. This is an issue that has been ongoing for two years or more. I have had numerous conversations with Magdalena, her husband, employees who work with her, patrons, asking them not to block the driveway and to pick up their litter. I have worked with Magdalena to increase parking on the shoulder, clearing brush and trees, chipping up the debris, putting down road grindings, improving the shoulder on her side.

About a year ago I came to the Village and spoke to a Village official about the issue. It may appear there is a suddenness to the letters, but I wanted to time it with the renewal date of the permit so it would not get diluted or lost and would have greater impact.

I have no intention to hurt her directly. If the outcome stays as the decision is now there may be some pain felt temporarily by her, but temporary pain should not outweigh the conduct of the patrons and the people who run that facility. Even with the signs and trash barrel I have seen patrons throw coffee cups and napkins out their car windows.

The greater concern is safety. I witnessed a collision as the result of a patron pulling out and checking traffic, and I know of other accidents. There is probably something flawed in the reporting of accidents there. Greenburgh should have records of accidents occurring there. Standing at the truck you are only seven to nine feet, 11 feet, away from vehicles rushing by. I do not know if the Department of Transportation would even allow this. There is a responsibility and a cause of liability to the Village to allow this to continue. With the growth of the biker path on the old railroad bed, you will regularly see cyclists coming over Ravensdale. I foresee a very real possibility of patrons because of their proximity to the traffic getting struck by a vehicle. It is avoidable and it is incumbent to look at that issue, above the "your land, my land, litter," which are important. We have worked over two years to try to abate this, but it has not worked. It was time to bring the issue to your attention.

**Dr. Slate, 150 Saw Mill River Road:** One's ability to conduct business, to be fruitful, by no means should outweigh someone else's. Magdalena is a very nice woman. She has a nice restaurant she opened up in Irvington. She is really hustling. I am very scared that there is going to be a fatality there. What really scares me is the Dobbs Ferry shooting. We have everything in place there. I am a big man and I have people yelling at, screaming at me. One fellow even pushed me against his bus. I exercised proper decorum and I, like Mr. Minozzi, walked away. It is not worth my life. The litter: it has been policed by Mr. Minozzi, myself, Tim Downey. Traffic flies down Saw Mill River Road and is a hazard; I am very scared.

**Mr. Downey:** A valiant effort is now being done in the name of litter and traffic control, but for the two or three years prior to this, it was complete chaos. There was no concern for neighbors, the environment, or the traffic until they felt threatened and had to react. They have cleaned up, but there are still things appearing daily. There is no way they are going to change the behavior of the people who come there.

**Mr. Fontana:** Magdalena does not own a restaurant in Irvington. She works there at night. With regard to the safety and traffic, it is the same safety and traffic issues for Magdalena.

**Francesca Kosick, 150 Saw Mill River Road:** I have witnessed on many occasions after people eat their lunch they walk across the street to Mr. Minozzi's property and use his facilities as a restroom. That is not something that I like to see.

**Mayor Kinnally:** We were supplied with a packet of materials submitted by people in opposition to the application, and some correspondence that was generated by Mr. Hess. We

should take a look at the site. The current permit expires on the 30th. I think we should extend it at least until next Tuesday.

**Trustee Holdstein:** Will people sit 10, 15 minutes eating their meal in your space?

**Mr. Minozzi:** Absolutely.

**Trustee Holdstein:** Are there signs on your property that it is private property?

**Mr. Minozzi:** No. I do not feel I need to say that it is private property. There are laws saying you are not supposed to block driveways. If they eat in my parking lot, maybe I should put up a sign, but I do not like to put up those kinds of signs.

**Trustee Holdstein:** One of Mr. Downey's letters indicates his reaching out to the old CIBA property owners; there is a large lot across the street from the property. Has there been any dialogue with the owners of that site?

**Mr. Downey:** I secured several names of people to talk to and gave them to Magdalena.

**Mayor Kinnally:** My suggestion is that we extend this administratively, at least until next Tuesday when the Board should have a better idea of what has been going on.

Mr. Fontana, if you want to boil down what you said in a very short statement and forward it, in writing, to the Board.

### **PUBLIC COMMENTS**

**John Siborowski, 443 Warburton Avenue:** I am here as a representative of the Hastings Southside & Athletic Club at 113 Southside Avenue. We have had an ongoing problem, perhaps the last month or month-and-a-half with the sidewalks. We do not understand why the contractor will not finish a section of the sidewalk from the south side of the parking lot up to the driveway of our building at 113. It is presenting quite a problem. We have our largest fund raiser this coming weekend. It is a 10-inch drop. It is gravel. It is a complete hazard for anybody to walk on. We have a lot of senior citizens and young children coming, and we really do not want them walking out into the road.

**Manager Hess:** We will check on it. I believe that is because he is waiting for some radius curb before finishing the sidewalk. He has the majority of the curbing coming in tomorrow, and he is expecting the final radius curbing, I believe, next week. At least that was his schedule.

### **EXECUTIVE SESSION**

On MOTION of Trustee Jennings, 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 personnel and litigation.

**ADJOURNMENT**

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