

VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
REGULAR MEETING
OCTOBER 17, 2000

A Regular Meeting was held by the Board of Trustees on Tuesday, October 17, 2000 at 9:40 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

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

CITIZENS: Five (5)

APPOINTMENTS - Conservation Commission, Affordable Housing Committee, Youth Advisory Committee

Mayor Kinnally: We have a list of appointments this evening: to the Conservation Commission, Sandeep Mehrotra; to the Affordable Housing Committee, James Keaney; and to the Youth Advisory Committee, from the 12th grade, Jed Bloom and Chris Shkreli, Co-Chair, Hasp Representative, Joshua Baron; from the 11th grade, Sarah Heyward, Private School Representative, Kaitlin Cole, Jaclyn Melillo, and Carlo Dellaverson; from the 10th grade, Jennifer Kelly and Alexandra Lewis; and from the 9th grade Charlene Holmes, Kimberly Kaiser, and Isabel Stephens.

I thank everyone for volunteering to serve our community, and wish them the best of luck. Our Village thrives on our volunteers, and I am delighted to see, especially, the younger people getting involved in our community.

APPROVAL OF MINUTES

On MOTION of Trustee Walrath, SECONDED by Trustee Holdstein, with a voice vote of all in favor the Minutes for the Public Hearing of September 19, 2000 on Proposed Local Law No. 2 of 2000 were approved as presented.

On MOTION of Trustee DeVita, SECONDED by Trustee Walrath, with a voice vote of all in favor the Minutes for the Public Hearing of September 19, 2000 on Proposed Local Law No. 3 of 2000 were approved as presented.

On MOTION of Trustee Holdstein, SECONDED by Trustee Jennings, with a voice vote of all in favor the minutes for the Regular Meeting of September 19, 2000 were approved as presented.

On MOTION of Trustee DeVita, SECONDED by Trustee Holdstein, with a voice vote of all in favor the minutes for the Regular Meeting of October 3, 2000 were approved as presented.

APPROVAL OF WARRANTS

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

Multi-Fund No. 36-2000-01 \$ 17,411.38
Multi-Fund No. 37-2000-01 \$ 3,783.18
Multi-Fund No. 38-2000-01 \$251,235.71

87:00 GRANT REQUEST AUTHORIZATION - GRAHAM WINDHAM ACQUISITION

Village Manager Hess: In August you authorized me to submit grants for approximately \$300,000 to the state for this acquisition. This would be in addition to other grants that we have applied for, and can be used as matching funds towards the other grants. The purchase price is in the neighborhood of \$600,000. Our grant requests outstanding are over \$400,000.

Trustee Holdstein: While I continue to feel that the Village Manager does an exceptional job with the Village's finances, we have a lot of things on our plate. We are getting ready to do a major bonding, and we have discussed major projects such as the pool and Marinello Cove. I am concerned whether this acquisition from a financial standpoint is in our best interest, even with the assistance of grant money. I am going to cast a nay vote, not because I am not in favor of acquiring greenspace, but because I have a concern with other issues that we have not reached resolution on in terms of funding.

Vanessa Merton, 111 Pinecrest Road: I would like to understand better what is proposed to be acquired. I share some doubts about whether it makes sense for the Village to seek grants for this kind of acquisition at this time.

Mayor Kinnally: This is in the southerly portion of the Village, and it goes from an area from the west side of the Croton Aqueduct across Warburton Avenue down to, and including, some underwater property at the Hudson River, and north up to around Rowley's Bridge. It is now owned by Graham-Windham, and part of it would be incorporated into our trailway system and would be greenspace in the community. It would also forestall development in that area.

Ms. Merton: We have other areas of town, and other areas of space, that would be more prudent and a much better investment for the community to acquire open greenspace.

Mayor Kinnally: This is property that is available. There is not much property in the Village that is up for sale at the present time. Neil, do you want to give background on how this property came to our attention?

Village Manager Hess: There are 14-1/4 acres for sale, including about eight acres that a developer would like to purchase and build on, which would produce about 16 units on the east side of Warburton Avenue. It has some beautiful waterfront property on the west side of Warburton Avenue, and is part of a connection to what we want to do with the trailway system through there.

Trustee Walrath: We are planning a trailway from the south end of Southside that we can complete on existing owned property because we own the north side of Rowley's Brook up to the Aqueduct. The next area south of Rowley's Brook is an absolutely fantastic spot. To preserve that would be almost worth it by itself. This trailway would give access to that area. But it is Graham property now, and it is a relatively level spot on a bluff above the railroad tracks with fantastic views across the river. It would be a terrific thing to have access to for the Village. There are a lot of possibilities for the rest of the land. I would like to see it even used as affordable housing sites. The grant may prevent us, but I would like to see it worked out that way if we possibly could. It is a very sizeable tract, and we could do quite a few things with it.

Mayor Kinnally: We are not deciding tonight to acquire the property. This is a grant application to look at the possible acquisition of the site. It is an available parcel of land. Given the pressure on building that Yonkers is experiencing just south of our border, it might be prudent for us to forestall that and to acquire property to keep it for municipal proposes.

Trustee Holdstein: Are there steep slope issues on that buildable eight acres?

Village Manager Hess: Not on the eight acres. On part of the other acreage, there are.

Trustee Holdstein: Is the lower half non-buildable?

Village Manager Hess: The access to those areas from Warburton is steep.

Trustee Walrath: I think they are buildable. It is a very difficult site, but I have looked at property that Ginsburg had developed near the railroad station in Dobbs Ferry, and he is

working from up above. You could do the same thing here. It has access problems, but you could build on that site by standing up on Warburton and dropping things down.

Trustee Holdstein: If we acquire it for open space, can we then take a portion of it to develop as affordable housing? Or have we locked ourselves out of that by acquiring it with grant money?

Village Manager Hess: I would have to look at the regulations.

Ms. Merton: Have we sought grants for other sites?

Mayor Kinnally: Not at this point. This is available waterfront property and from a planning standpoint seems to be consistent with the LWRP and other initiatives that the Village has undertaken. It fits within the definition of what is funded under the Estuary Management Plan.

Trustee Walrath: The Vision Plan calls for keeping that area so that nothing intrudes on the open feeling coming into Hastings.

Mayor Kinnally: Other than Marinello cove, which we are looking into, waterfront property is not available at the present time. The question has been raised about what, if anything, could be done with the property for other than open space. It will be inquired into before the application is filed. We are also looking at a property to the south of the Anaconda site: the Mobil property. We have met with the Mobil people. That is other open space that the Village has taken some initiative to acquire.

Ms. Merton: Sometimes when you make an application, and they give you a grant, that is the last time they want to hear from you for 10 or 20 years because they feel you have had yours and it is time to spread it around. I remain perplexed as to whether buying all of this property is necessary and essential at this time when there are questions about the future of the waterfront, particularly if we are thinking about acquiring something as major as Mobil.

Mayor Kinnally: I told Mobil that we were interested in having the site conveyed. We are not interested in purchasing the site so we would not need, necessarily, help. But we met with Paula Marshman of the Department of State and were not dissuaded from making applications of this type. Because of what the Village has been doing, our applications are looked at with favor. They are consistent with what the governor wants to see in the Hudson Valley, and with our Vision Plan and the LWRP. We are not going to run out of capital in Albany. To the contrary: the more that we show a community-backed approach to acquiring

and developing waterfront property, developing in the general sense of having a plan, the more credibility we get in Albany.

Ms. Merton: What is the status on Marinello Cove?

Mayor Kinnally: A letter that is necessary to start the process has been sent to the owners, and the Village will, after consultation with counsel, and public hearings, move toward acquiring that site via condemnation: eminent domain.

Ms. Merton: Would we need to compensate them?

Mayor Kinnally: We would need to do whatever the courts say we have to do.

Ms. Merton: Do we have funds available?

Mayor Kinnally: Not at this point. It would be a capital acquisition, and we would address the issue of funding when it is necessary.

Trustee Jennings: I share the feeling that we need to review in a strategic way all our plans and our bonded indebtedness. However, authorizing the Village Manager to move forward with a grant application does not lock us into anything. We should not preclude seeking grant support out of that concern. I would support this resolution. But we need to be strategic and cautious about the indebtedness we incur for the Village.

Michael Abrozek, 16 Sheldon Place: Could we look at how we could maximize our returns? This property is very desirable for the Village to have some greenspace. Some of it might be less desirable. Maybe Graham-Windham can sell this in two lots so some could be developed, and use grant funds to achieve the greenspace that we are looking for as well.

Mayor Kinnally: That is up to Graham.

Trustee Holdstein: My concern is that if we put in the application and get the funding, and then change our mind, does it hurt our standing?

Village Manager Hess: The Board unanimously authorized a previous grant request on this very same parcel for \$300,000 to New York State Parks. It is not inconsistent authorizing additional funding for this project. You have the right if grant funds are approved to change your mind, but the next application they are going to take a much more serious look at.

Trustee Holdstein: I believe it was a 4-1 vote.

Trustee Walrath: We should meet the application deadline, but we should try to resolve this before the grant is processed. Let us address the questions that Trustee Holdstein has raised as to where this fits in with the long term scheme of things.

Mayor Kinnally: Spending any money, going to the market for bonds, taking on indebtedness is certainly something we should look at very carefully. Maybe we are running a risk if we change our minds later on, but we have a pretty good track record of going forward with these proposals and seeing what is there. I would take that risk on this one.

Trustee Holdstein: If we were to put in the application, and then withdraw it, would that preclude the potential of the black mark?

Village Manager Hess: I do not think that would be a problem. If the Board determines that it does not want to acquire the property, we will withdraw the application.

Trustee Holdstein: I would propose a work session to discuss these issues.

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

RESOLVED: that the Mayor and Board of Trustees authorize Neil P. Hess as Village Manager of the Village of Hastings-on-Hudson to file an application for funds from the Hudson River Estuary Program in accordance with the provisions of the Hudson River Estuary Management Act (11-0306 Environmental Conservation Law) in an amount not to exceed \$100,000, and upon approval of said request to enter into and execute a project agreement with the Hudson River Estuary program for such financial assistance to this municipality for acquisition of Graham/Windham property on the Hudson River.

ROLL CALL VOTE:	AYE	NAY
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: Marco Gennarelli is going to be leaving Hastings to go to Mamaroneck as Town Highway Superintendent. He will be formally appointed tomorrow evening. He will be probably vacating his position here in two to three weeks.

People are reminded of the waterfront initiative this weekend at Hillside.

We are going to start construction of the skate park the last week in October, and it should be open the first week in November. We will have a small dedication ceremony. We will have additional discussion on skate park rules, and registration will open shortly.

Mayor Kinnally: We wish Marco the best of luck in Mamaroneck, and thank him for his services to the community as head of DPW and as head of the Building Department for the past 10 years.

BOARD DISCUSSION AND COMMENTS

1. Update on the Waterfront

Mayor Kinnally: The Village Attorney will be giving us an outline of the steps that need to be taken by the Village consistent with the law to acquire Marinello Cove.

2. Other

Trustee Walrath: The construction on the Rowley's Brook Trail has started. We are going to finish up this week with the access road that is going to be the northern part of the trail. As soon as we have notified the people who live near the southern part, the DPW will mow its way down to Rowley's Brook so we can have the cleanup, which is scheduled for Nov. 18.

Trustee Holdstein: Regarding the extensive public hearing this evening about ongoing safety, traffic, and pedestrian/car issues around our school complexes, we are going to re-look at all these issues, as I think this Board always does, and try to be receptive to the right, and best, thing that we can. Clearly the issue is that all of us have to take a greater concern for driving more slowly, driving more carefully, and being aware and concerned for our neighbors' children as closely as we are of our own children. We can try to encourage some changes in patterns. But people still have to do what they can to facilitate a safer street situation.

Ms. Merton: There has been an analysis done by ARCO and filed with the DEC of the data generated by sampling that took place during the last winter. Has that information been made available to the Village, or has the Village made a request?

Mayor Kinnally: Counsel has attempted to get it without success. After discussion with counsel, I am going to make a direct request of ARCO to make that available to us. If any of the ARCO people are going to be at the waterfront conference this weekend, I will have direct discussions with them on that. We do intend to get it.

EXECUTIVE SESSION

On MOTION of Trustee Holdstein, SECONDED by Trustee Walrath, with a voice vote of all in favor the Board scheduled an Executive Session immediately following the Regular Meeting to discuss personnel, litigation, and land acquisition.

ADJOURNMENT

On MOTION of Trustee Holdstein, SECONDED by Trustee Walrath, with a voice vote of all in favor Mayor Kinnally adjourned the Regular Meeting at 10:25 p.m.