

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
REGULAR MEETING
MARCH 6, 2001**

A Regular Meeting was held by the Board of Trustees on Tuesday, March 6, 2001 at 8:17 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 Deputy Village Manager Susan Maggiotto.

CITIZENS: Five (5)

APPOINTMENTS

Mayor Kinnally: The first item is the announcement of an appointment of Bill Smith to our Planning Board. I welcome him to the Board. This is to fill out the unexpired term of Abba Tor, and his term will run from now until the first organizational meeting at the beginning of April.

Village Manager Hess: Abba should be appointed to a five-year term as alternate. I welcome Bill and thank him for taking time to work with us. It is one of the more important boards and commissions in the Village.

APPROVAL OF MINUTES

Trustee Holdstein: Page 1: last paragraph, the word "it" has been omitted. Page 12, where I am speaking, add the words "site" and "project" after 9-A and Andrus.

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 20, 2001 were approved as amended.

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. 86-2000-01	\$ 14,691.88
Multi-Fund No. 87-2000-01	\$ 923.26
Multi-Fund No. 88-2000-01	\$ 27,191.08
Multi-Fund No. 89-2000-01	\$185,100.79

**21:01 OWNER/ARCHITECT AGREEMENT AMENDMENT LIBRARY ADDITION
AND RENOVATIONS**

Village Manager Hess: In your packet is a letter from Mr. Lothrop detailing the changes that would be necessary to the agreement for an increase of 25%, and a copy of an amended plan on the proposed alteration and addition. I will turn it over to the Library Board. They have met with Mr. Lothrop relative to the amended Agreement and the fee.

Stephen Underberg, Hastings Library Board: The architect has worked since our last meeting long and hard to look not only at the small piece of addition but to reexamine the entire library and to see what he could do with this additional space.

Sue Feir, the director, and I spent a good number of hours going over this plan with the architect. The first thing you may notice is the major visual change. They have changed the shape of the new room to take better advantage of the views looking south, west, and southwest, and even getting a view southeast into the park. The space includes the 25% additional that you requested. By changing this space and adding a space east of it for an office, they were able to take the planned director's office and add enough space to make it function as a Library Board room the once a month we need it for meetings and a public room the rest of the time.

Two of the windows in the octagon have little boxes extending beyond them. Those are window views for children. They are very low with sitting space so the kids can see out just as the adults do through the other windows. What we have also gained by making it an octagon is two little triangles in the corners, which are important storage spaces. We have been able move the elevator into the new section so that the elevator can be part of the new construction. We do not have to build an elevator in the old building. This will save us in money. On the lower level the elevator comes out in the same direction on both levels. This makes it possible for us to build a less expensive elevator because we only need one door.

The entry vestibule is built out a little bit. This was planned all the time. We know that ADA requirements have us look at this; in order to get someone in a wheelchair through the two doors this has to be expanded. We will probably wind up with electrically operated sliders that split in the middle and open both left and right to make wheelchair access easier. It has also gotten a little deeper. We have new fieldstone here and we want to be very careful of how we treat this. We will patch in new fieldstone to match it.

Trustee Holdstein: Where you indicate children's seating, it would be my hope that the four windows looking in the different directions would be floor-to-ceiling glass, which would be spectacular. Is that practical?

Mr. Underberg: We are trying to expand our book collection for children. By not making this floor to ceiling we have a low level for board books, or picture books, which are the books that the littlest kids go after. We would want them to have complete, free access. The other windows would go from ceiling down close to the floor, about 2-1/2 to 3 feet. In the two cutouts it would be more floor-to-ceiling, about a foot from the floor.

On the lower level we have been able to accomplish several things. Entering from the vestibule there is no longer a need to go into the middle of the multi-purpose room to go into the community room. We have made the entryway right as you come into the multi-purpose room so that these two rooms become individually useable. We have expanded the closets in the community room to make them hold more chairs and tables.

The storage room here would be for additional furniture and things that we need for these rooms. This storage would be library storage, although it is flexible. We still store newspapers and books that are donated for the Friends, and they are worked on down here. We have added the kitchen implements into the staff lounge so we do not need an additional kitchen. This is how we were able to put the door to the elevator facing the same way on both levels. This corner is electrical storage, telephones and so forth.

Mayor Kinnally: Could the vestibule area be moved farther east so that there is also access to the elevator as you come in the vestibule without having to go through the building proper?

Mr. Underberg: That would increase the cost of the elevator.

Mayor Kinnally: It may increase the cost, but it is more accessible than having to go through the whole building.

Mr. Underberg: Most people using this door are coming for this level.

Mayor Kinnally: Not necessarily. Somebody coming off of Maple Avenue in a wheelchair could come up that ramp into the building through that access, and go up into the library.

Mr. Underberg: Generally speaking, when the lower level is not being used for anything, that access is closed.

Mayor Kinnally: If the vestibule were moved east, then upstairs you pick up additional room next to the director's office, although it may mean that there is too much bulk on that side.

Trustee Holdstein: It would add another 8 feet by about 10 or 11. I see what the Mayor is saying. I kind of agree.

Mayor Kinnally: I do not know what the cost would be, but it is just something to throw out.

Mr. Underberg: If it goes beyond the 25% then we did not even look at that.

Trustee Walrath: Is it the intent that the director's office would cantilever out a bit? It looks as though it sticks out to the east beyond the vestibule below it.

Mr. Underberg: Yes, that was done purposely in order to give her the space for a credenza and file storage. It matches the lower level.

Marjorie Apel, 111 Rosedale: Where are people supposed to hang their coats downstairs when they come in for events?

Mr. Underberg: Right here.

Ms. Apel: How many is that going to be able to support?

Mr. Underberg: I cannot give you the number on that.

Ms. Apel: In the library upstairs where are they supposed to put their coats? Just throw them over the chairs?

Mr. Underberg: In the vestibule area.

Ms. Apel: If I hang my clothes in the vestibule, who is watching my stuff?

Mayor Kinnally: I do not know where they put it now.

Village Manager Hess: We do not have coat check.

Ms. Apel: Can the larger quiet room be divided in half, so we could have two groups in there? I was on library committees since the inception of the library at the college I work at. Students now want to study as a team and they do not necessarily work quietly in the library.

Mr. Underberg: The room is glass, and we have no plans at the moment to put an additional piece of glass in. One of the ideas of that room was to make it completely visible, to make the

Palisades beyond it completely visible from the library. So that upper right hand corner of the room is completely made of glass. We have no plans to split it.

Mayor Kinnally: It is for people who want to go away from the noise of the library. We do not see the library as being necessarily a quiet place anymore.

Ms. Apel: I am anticipating the need for more group study work. That seems to be what library advisors are telling us, that due to multi-purpose teamwork I would presume that teachers in the school are going to be giving kids team work to do. That is the way kids are learning today.

Thom Forbes, Library Board: We have tried to react to the way people are actually using the library. We have a lot of study groups going on right now. We are setting aside these rooms where people who want quiet can get away from those students. But you will see on any afternoon that kids throughout the library are commandeering tables.

Ms. Apel: Will those tables have computer cords?

Mr. Forbes: Yes. What this does is set up the option so you have flexibility. There is only so much capacity that you can have in a library. This could be used as a study group or it can be used as individual sites where people are plugging in on-line. The same here. People can go in here and have a meeting, or it can be a quiet room. But you have flexibility.

Trustee Holdstein: I feel from my own experience in the library that we critically need these two corner rooms for quiet. As Thom just alluded, there is a general buzz in the library. It is very different from the public library that I went to growing up, which was 90% absolutely quiet and they had separate rooms if you wanted to talk. Our library has evolved to a place where we need a quiet room for people who do not want to be distracted by the buzz of the library and the vibrancy that it has in its normal state. I see kids and hear them, when I am trying to quietly read, doing their projects. That is terrific, and that is why I am very much in favor of the quiet room.

On the lower level it is important that we look at potential pathways to the rear door. Otherwise that egress really has no real purpose unless there is a fire reason.

Mayor Kinnally: It is safety. I do not want to pave any more through the park and I do not know how you could bring it around the back. I do not know if there is enough room.

Trustee Holdstein: If there were two separate functions you could have people enter the community room from the rear door.

Mayor Kinnally: I see it more as an emergency exit than a primary exit.

Trustee Holdstein: But even as an emergency, it should be a level area.

Village Manager Hess: This is going to be down about 8 feet from its current level. So you are going to have a difference in elevation from the middle of the library down to this area, which is going to drop down drastically.

Trustee Walrath: How will the multi-purpose room on the lower floor or the program room on the upper floor be used when they are not for general library use? It might add to space where a group wanted to work together on something.

Sue Feir, Library Director: We had an opportunity to talk about this with Trustee Jennings the other day, and we are responding to three requests from the community: views, more community space, and children's services. This was expressed repeatedly. The upstairs room we envision will be pretty constantly filled with children. We are overflowing at this point. And at some point there will be organized programs, but the rest of the time the furniture and the accouterments will be inviting to families.

The downstairs room, given the number of requests we turn down now from the Village and other interested groups, we believe there will be fairly constant usage to warrant these expansions. We had always talked about staffing considerations with Village Manager Hess. We were not going to build a building so large that it would greatly increase the need to staff it. We spoke with Trustee Jennings about perhaps cameras downstairs to supplement staffing concerns. All of this is open for discussion. But we want to balance increasing our programs and building a building that is appropriate for the needs of Hastings.

Mayor Kinnally: The two rooms downstairs are not going to be open as a matter of course when the library is in operation. They will be not be for spillover people. They will be used for supervised meetings.

Trustee Walrath: But with supervision, if you had a large group that was working on a project together in the multi-purpose room, supervision problems are answered.

Mayor Kinnally: But they cannot look to the Village for that supervision.

Ms. Feir: There are questions that we will clarify over the next months. We are looking at a concept of how we want to approach library services. We will work out guidelines with the Village Manager and the Trustees so that everybody feels that they have access to the building in

a safe and efficient manner. But I think this room is going to be requested so often that it is going to be a moot point in terms of spillover. Plus, we will have reorganized the upstairs, not only making it more patron-appropriate but gaining room upstairs without changing the footprint.

Ms. Apel: If you have two separate functions going on at the same time downstairs, there is no way to close off the multi-purpose room. If you come in the vestibule, you are walking into whatever that function is because it is an open space.

Mr. Underberg: We might be able to solve it with portable screens.

Trustee Holdstein: Is the current plan furniture-specific?

Mr. Underberg: We are not at the point of furniture-specific yet. It would be inappropriate at this point.

Mr. Forbes: The Library Board is looking seriously at having a major fund raising drive in the next six or eight months to provide funds for most of the refurbishing. We are going ahead with the beautification of the outside of the building and the addition of new space, and we want the furniture also to look beautiful. That is an expense that the library is looking to take care of. As this is a preliminary plan, it is more done to give you a sense of how we see major areas being utilized. As for furniture, it is open to discussion.

Mayor Kinnally: Thank you for the presentation. We want to move to consideration of the amendment. The amendment came about following our discussion at our last meeting where we talked for the first time substantively about the 25% addition and came up with a guesstimate of what the additional cost would be. We wanted also to address the lump sum payment to the architect.

Mr. Underberg: The architect has proposed a \$15,000 fee for the additional 25%, which he has guesstimated at \$100,000. I want to clarify that the fee is not exclusively for the work that he has done in the last two weeks; it is also for the work going forward that is required with the increased detail of this project. The lump sum of \$165,000 that we had previously agreed to is not quite 15% of the total contract estimate of \$1.2 million. His total fee of \$180,000 is still less than 15% of the total cost that we have estimated for this project. Our feeling is that we are in a bit of an anomalous position vis-a-vis the Village because we are not strictly a Village department. Unlike many departments that would come to the Board, present a project, and then ask for go-ahead, we came to you with an architect in place. We had a selection process. Lothrop is the person who appealed to us the most. We liked what he had done at other libraries.

Rather than being on a per diem basis or itemization we agreed for him to name a fee, which is how we did the original sketches the Board paid for. The Library Board is of the mind that what he is asking for is quite reasonable given both the work he has put in the last couple of weeks and the work going forward.

Mayor Kinnally: If there are change orders that increase the cost of the project, will his fee get increased?

Mr. Underberg: No. What we agreed to is a lump sum payment and that is what he is receiving.

Trustee Walrath: If we make any changes from the time we approve this amendment we will pay for them. The AIA standard form is very clear in that extent. We defined the work in the contract approved two weeks ago according to the drawings that he had prepared; the Library Board had paid his fees up to that point. I would think that the Library Board may have an agreement with him that they are still thrashing out. If so, they can still make some changes in this without incurring additional costs.

Village Manager Hess: Change orders normally happens after a construction contract is let for changes necessitated by something unforeseen, for example, finding asbestos. If a change order is the result of something that the architect or engineer did incorrectly, my opinion has always been that we are not going to pay any additional for redesign. But you always have unforeseen things, and that is the reason for a 10% contingency in the construction budget.

Trustee Walrath: If the scope is changed anywhere during the design, once the starting point is settled, or if unforeseen circumstances cause him additional work, he is entitled to additional compensation.

Village Manager Hess: It is important that the final plan be thought out well in terms of what the Library Board wants so you do not end up with a change in scope after the fact which necessitates change orders.

Trustee Holdstein: If, for example the Library Board wants to extend the vestibule as the Mayor suggested and the cost goes up, would his fee go up also?

Village Manager Hess: If there is a change in scope.

Trustee Walrath: I am reluctant to interfere because it is basically their contract, but I am suggesting that there might be some negotiation to a number less than \$15,000. Let them be

sure that he genuinely has additional costs that correspond to the additional fee so it isn't just a windfall, that because we made the library a little bit bigger, his percent profit goes up.

Trustee Holdstein: If we have a \$12,000 addition to have asbestos removed, would he be entitled to say that is an additional cost and bump his fee?

Village Manager Hess: No, because he cannot deal with asbestos. We would have to contract with a different type of architect that deals with abatement.

Trustee Jennings: Since extending the vestibule and perhaps the librarian's office above it and changing the elevator access have been brought up this evening and strike me as worth considering, I wonder about this process we seem to be getting into of small incremental changes. I realize we are under time pressure, but I wish we could come up with a design, get an architectural fee established to it, and move forward, rather than have additional good ideas to deal with. If we approve this new amendment and then want to do something with the Mayor's suggestion, we would be looking at another additional architectural fee in a few weeks.

Village Manager Hess: Possibly. Or the Library Board could ask Mr. Lothrop a question: if we increase the vestibule, do the elevator this way, and have to reduce the octagon room so we are still within 25%, is it possible to shift some things around?

Trustee Jennings: You mean you might ask him to accommodate this last change within the current \$180,000?

Trustee Walrath: It is not a matter of the 25%, really. It is a matter of the thinking. I am not sure that he has fully justified the \$15,000 additional fee, because we have no idea what his additional costs are. That is what I have suggested to people I have talked with on the Board. If it is still up in the air, and it does not delay the project in any way, I would suggest maybe try another couple of weeks to get it pinned down.

Mr. Frank: David, I am unclear what specifics you would like. We presented tonight a plan that he came up with in response to requests that we made.

Trustee Walrath: I have not seen the results of any negotiation with him wherein he has justified the additional \$15,000. Whatever his percent profit was on the original job I would like to make sure that the percent profit stays about the same.

Mr. Frank: We did not ask him to itemize costs. We did not ask him for a per diem charge.

Trustee Walrath: He has them in the contract already for any extra work; at this point he is claiming extra work.

Mr. Frank: We have changed the scope of the job.

Trustee Walrath: I understand. And his per diem costs might be one perfectly reasonable way to justify the \$15,000 if that is what it should be. I have seen no basis for saying it should be \$15,000 other than it is \$100,000 extra work and the previous fee was 15% of the previous estimate.

Mayor Kinnally: I do not know how we can debate this or how we can come to any resolution tonight. How would you quantify it or justify it?

Trustee Walrath: What I thought might have happened is that he would have explained his per diem costs for extra work. Right here we see the product of it. And then, he would point out anything in the future that is going to take more time to do because the design is different. I see nothing like this. All I see is a general statement that therefore we feel justified in proposing a 15% of \$100,000 fee increase. And, incidentally, it was not rounded down. It was rounded up. The number is still slightly under \$1.2 million and his proposed fee is \$180,000. As I recall, \$165,000 was rounded up slightly.

Mr. Underberg: You, the Village Manager, the architect, the director, and I met and you asked him similar questions. At one point the architect said that he would be happy to open his books, to show you any of the costs that he has, his profit margins, etc. Is that not adequate?

Trustee Walrath: If you wanted to do it, it would be fine. I try to give you some bargaining tools. From that meeting, it looked to me as though his profit margin was about 20%, and I would be perfectly satisfied if his profit margin stays at 20%. I have not seen anything to tell me what it does to his profit margin to give him an additional \$15,000. I do not even know if this is the basis for the proposed amendment to the contract. I am also troubled by the fact that we have had suggestions here tonight which keep it sort of fluid.

Mayor Kinnally: If you do not want to have any more suggestions we should not have any more public comment on it. I would hope we will get a better project by discussing it.

Trustee Walrath: I was not debating that at all.

Trustee Holdstein: I would like to address my fellow Trustee to move over this hump. I spent 10 minutes with the members that are here this evening with the same question, and I had the

same concerns. I do not have them anymore. I am convinced now, considering all the time and thought that has gone into it, that rather than trying to go backwards and figure out a per diem for Lothrop and his team to have gotten to this point, we are better off in the way that they have structured the billing.

Trustee Walrath: I was not proposing a per diem. I have seen the same things, and I agree with everything you have said except I do not draw the final conclusion. I am reluctant to press my case any further because this is basically their contract.

Mayor Kinnally: You have said that you need additional information to make a decision to justify the additional \$15,000.

Trustee Walrath: I can either abstain or vote no. I said over and over, I would like Mr. Lothrop to have presented some basis of what additional costs he has already incurred, and will incur, because the project is 25% larger in its area and \$100,000 more expensive. I see nothing of that, and I do not necessarily need to. I am not sure I am even going to vote. If we bring it to a vote tonight, then I would vote against it. I am troubled that there was not really a negotiation about the fee. I feel strongly about these things, but I think I would have been much happier, the principles I am trying to apply here, to apply them to a Village contract rather than a library contract. I am happy to have a vote. I am not going to ask that it be tabled.

Mr. Forbes: I was just going to reiterate we have asked him not to do this on an itemized basis. When we went back to him with this 25% increase, he said let's throw out everything I've done and see how we can best utilize this 25% that you're asking for. That was a lot of work, and it was on a rush basis, and we believe, as a Board, that it was worth it. It reminds me of somebody who walked up to Picasso and said, "Could you do a drawing for me?" And he whipped out something on a napkin, and the guy said, "Could I have that?" And he said, "Sure, it's a thousand dollars." And he said, "A thousand dollars! It took you a minute." And he said, "It didn't take me a minute. It took me 75 years." And I think that is what we are getting from Lothrop.

Trustee Walrath: I hear your point, Thom. But this is saying whatever a design professional says should be the fee should be the fee. I come from the other side of the fence, and I do not automatically accept that. It may be fully justified, but I have not seen numbers. I am trying to do something for the procurement of technical services, but I did not mean it to be on your architect. I meant to establish a more general approach. At this point from my Trustee position, I am volunteering my comments. That is all. I do not want to get in the way of moving ahead.

Trustee Jennings: I met with the Library Board members on Saturday for quite some time and had a conversation on these matters, as Trustee Holdstein did before the meeting. I am persuaded that the amount of work and the redesign that has already been done is persuasive to justify the fee being requested. I would reserve the right to scrutinize future additional fees on a case by case basis. This redesign, after the 25% increase was suggested, was more than just tinkering with the added part of the footprint. It covered the entire plan, and has ramifications all the way through the job.

Trustee Walrath: The plan has been improved. There is no question about it.

Mayor Kinnally: Lost in all of this is the scope of the project and the work product that has come out so far. I think it is great. The Library Board solicited the public's input. They, together with the staff, see how the building is used at this point and how it can be used more efficiently and more widely by the community. The product is something that will hold the Village for the next 25 to 50 years, and will not only look great but will work very well and be accessible to many people in the community. Part of that is the imagination and the expertise of the professionals that we have gone to and the people with expertise on the Board. The concept is remarkable. A lot of the credit has to go to the architect, and I do not have a problem with the additional money. I think the flat fee is a fair one. If the scope of the project increases, I would expect we would have to pay more money both to the contractor and to the architect. We have traveled a long road and what we have here now is far better than I ever anticipated we would get.

Trustee Walrath: My faith in my fellow Trustees' observations, and my faith in this Board, I will probably vote yes. The question is called.

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

RESOLVED: that the Mayor and Board of Trustees approve for signature by the President of the Library Board of Trustees the Owner/Architect Agreement Amendment with Lothrop Associates for the Library Addition and Renovations.

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

22:01 GRANT APPLICATION DESIGN AND CONSTRUCTION OF QUARRY TRAIL

Village Manager Hess: When we first set up the Trailways Committee about ten years ago, Jamie Cameron and I and some other people walked all the existing trails in the Village, and also walked over to the quarry. We knew there was an old rail spur that went down from the quarry underneath the Aqueduct, underneath Warburton Avenue, under the bridge, and comes down next to the Public Works garage. That is what is called Quarry Road. We talked about the potential of having that as part of a trail and being able to connect the Aqueduct, and we have talked about it over the years. Trustee Walrath is liaison to the Trailways Committee and maybe interim Chair; they have put this as a high priority in terms of potential grants. The Recreation Trails Program became available through New York State Parks and, in meeting with the Committee and Meg, they felt that this was the most appropriate application to file. The application had to be filed by February 28, so I am coming to the Board after the fact in terms of a Resolution. There is no local share. We are doing it all through volunteers to come up with our \$20,000 share. The \$80,000 would be supplied by the state. I recommend approval.

Trustee Walrath: We have already applied to a different organization for a grant on this. I think it is going to be a fantastic trail if we can manage to swing it. We worked very hard to find some way of doing it within the budget. Presuming we get this, I think we can do it.

Village Manager Hess: Eventually it would be a great connection between the Aqueduct and the waterfront.

Trustee Walrath: I would like to see us dig up part of the history of the thing. There are wonderful photographs of the thing when it was in operation, and I would love to see us get weatherproof versions of that and put them along the trail to let people see what it looked like back when you could walk down from the quarry to the waterfront.

Mayor Kinnally: I think it is a great application. The more applications we put in and the way that we design our applications to show not only the contribution from the Village but also the commitment by the Village to open space and the environment, the more it helps us get a track record in Albany.

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

RESOLVED: That Neil Hess, as Village Manager of the Village of Hastings-on-Hudson, is hereby authorized and directed to file an application for funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of the Recreational Trails Program, in an amount not to exceed \$80,000, and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to this Municipality for the design and construction of a new pedestrian trail on the Village right-of-way known as Quarry Road to link the Old Croton Aqueduct State Historic Park to Southside Avenue and, via Zinsser Bridge, to the Hastings Hudson River waterfront.

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	

23:01 SNOW AND ICE AGREEMENT EXTENSION NYSDOT

Village Manager Hess: We get reimbursed for snow and ice removal by the state for Broadway and the county for Farragut Avenue and Warburton Avenue. This amount would increase our reimbursement from the state by approximately \$193 over a two year period. The past four years, considering the winters, these amounts were more than adequate. This year it is certainly not adequate in terms of our cost. Even though it is a small amount, they are proposing to extend the contracts for another two years and index them up by approximately 12% over the two years. I recommend approval. But we still should, through NYCOM and through the Westchester County Municipal Officials, continue to lobby the state for increased funding for snow and ice removal.

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 authorize the Village Manager to sign the Snow and Ice Agreement Extension for the 2001/2002 and 2002/2003 snow season with the New York State Department of Transportation.

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	

24:01 PUBLIC HEARING EMINENT DOMAIN PROCEEDING MARINELLO COVE

Mayor Kinnally: This is the next step in our process of seeking to acquire by eminent domain what is know as Marinello Cove. This will give the community an opportunity to get input into the process and to demonstrate the public use to which the property would be put.

Trustee Holdstein: Why are we having this Hearing?

Mayor Kinnally: Because the law requires it first and foremost. But we have to solicit from the community, among other things, the public nature of the use to which this would be put and how it fits in with plans that we have in the surrounding community for recreational open space, etc.

Trustee Holdstein: So part of the process of this eminent domain would be submitting the minutes of this meeting as part of it to, I guess, the Department of State. So it is important that people come out and express why they feel it is important for the Village to obtain this property?

Mayor Kinnally: Not just how they feel, but how it will fit in with the use that the community anticipates this to be put. We will put into the record various documents and statements by ourselves and other groups, not only in the Village but also in surrounding areas, who would be interested in the use. It is important for people to come out and to support this, and to demonstrate that this is vital to us, and will be used for public purposes.

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 for Tuesday, April 24, 2001 at 8:00 p.m. or shortly thereafter for consideration of the advisability of acquiring pursuant to New York State eminent

domain procedures the property known as Marinello Cove, designated on the Village Tax Map as Sheet 13, Parcel 116.

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: Our e-mail list is up to 315. We now have forms on the Web site that can be submitted directly on the Web: recreation program applications, alarm system registration, "dark house" for the police, "Tell it to Village Hall." Parking permit stickers can be downloaded and the completed form returned to the police station. David Cru, our summer intern, has been working on these.

The Downtown Partnership will hold a meeting on Mar. 29 at 6:00 p.m. at the Community Center. Every one of the downtown business community is invited to this meeting; it is an open forum on the future of the downtown.

New regulations have been developed by the Government Accounting Standards Board, a new financial model for financial reporting and budgeting which the Village has to comply with by 2004. They are totally changing the way accounting will be done in New York State. It is one of the major topics of discussion at the state managers' meeting this year. It will be very significant to us, and hopefully our software vendors will be thinking about it.

Trustee Walrath: You mentioned a summer intern. I noticed in the paper the Dobbs Ferry school district was advertising and looking for positions. Does our school district do anything similar to that, or do we encourage them to do it?

Village Manager Hess: We had one of the Dobbs Ferry interns here last year. We did not actually go to Dobbs Ferry to get the intern. They offer internships, which they receive credit for. Previously, it was only for college students. We have opened it up to high school students also here. And I know we have had a couple of the high school students. We have a number of internships available here whether it is in the technology area, the TV studio, the police

department, my office, finance. We have had a broad range of interns over the years. We have had a fairly successful internship program.

BOARD DISCUSSION AND COMMENTS

1. Update on the Waterfront

Mayor Kinnally: The governor has nominated Erin Crotty to succeed John Cahill as the Commissioner of the DEC. Erin is no stranger to the Village. She has met with us on a number of occasions. She has been directly involved with us on the preliminaries for the cleanup. From our standpoint, it is a very good nomination. She is well-versed on what has happened here in the past, not only with the cleanup of the subsurface conditions but also with the bulkhead and Building 15. I will be reaching out to her as soon as she is confirmed. Neil, were you successful in reaching George Heitzman?

Village Manager Hess: No, but I left a message for him, so we could get a long-term schedule.

Mayor Kinnally: In my discussions with John Cahill before he left we talked about what will happen with GE now that the Bush administration has taken over. The EPA has come out very strongly in saying that the PCBs have to be removed from the Hudson River. That is under review in Washington as is generally the case when a new administration comes in.

2. PCB Cleanup Support Resolution

SUPPORT OF EPA'S REASSESSMENT OF PCB's IN HUDSON RIVER AND EVALUATION OF POTENTIAL REMEDIAL ACTIONS

Mayor Kinnally: The cleanup with GE will directly affect what will happen here. I have a Resolution that has been forwarded to us by Mayor Bob Elliott of Croton supporting the EPA's reassessment of PCB' in the Hudson River and the evaluation of potential remedial actions. They would like us to pass this Resolution, and forward it to our elected representatives and various public interest groups.

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

WHEREAS, the health and beauty of the Hudson River is critical to the economic vitality of our community and the Hudson River is a treasured asset; and

WHEREAS, the Hudson River has been designated an American Heritage River, and the Valley as a National Heritage Area; and

WHEREAS, nearly 200 miles of the Hudson River, from Hudson Falls to New York City, are a federal Superfund site due to the polychlorinated biphenyl (PCB) contamination; and

WHEREAS, PCB's are the most significant contaminant limiting full use and enjoyment of the Hudson River; and

WHEREAS, PCB's were banned in 1976 because of a variety of known and suspected impacts on humans and wildlife; and

WHEREAS, PCB's remain in the Hudson River exposing humans and wildlife to their effects; and

WHEREAS, an estimated \$40 million annually has been lost over the last twenty years because of the closure of Hudson River commercial fisheries and restrictions on recreationally caught fish. As a result, the Hudson Valley has lost an important cultural heritage and way of life and the economic vitality of the Hudson River region continues to be hampered by the limitations on recreational use of the River and the stigma of PCB contamination; and

WHEREAS, U.S. Environmental Protection Agency (EPA) Superfund officials determined in February, 1997 that PCB "hot spots" in the sediment of the upper Hudson are the "dominant source" of PCB contamination to the River, and that microbial breakdown will not rid the River of PCB's; and

WHEREAS, the EPA's Hudson River Reassessment has determined that without remediation, present levels of contamination will continue indefinitely; now therefore be it

RESOLVED: that the Village of Hastings-on-Hudson hereby expresses support for the findings of the proposed remediation plan in the Hudson River Reassessment being conducted by the U.S. EPA under the Superfund, and urges EPA to complete the Reassessment and issue a Record of Decision (ROD) without delay, including the evaluation and timely implementation of remedial actions, which include environmental dredging, that can most

effectively restore the Hudson River, as well as the evaluation of traditional disposal methods as well as innovative technologies that can be used to destroy PCB's, and be if further

RESOLVED: that the Village of Hastings-on-Hudson urges that the U.S. EPA fully consider public opinion and complete the Hudson River Reassessment as expeditiously as possible.

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	

Mayor Kinnally: I would request that the Clerk send copies of the Resolution to the persons and entities listed here except change John Cahill to Erin Crotty.

3. Other

Trustee Walrath: Trustee Holdstein and I met with the people concerned with the Fenwick drainage problems on Saturday. We are at the point where we should be considering a scope for an engineer. We need to look at the slope of the stream channel in relation to people's properties and see how deep we are going to be in the ground. I told the people we would try to make whatever happens along the route as acceptable to each of them as possible. We brought in the people who live on Ravensdale, where we believe that we can intercept some of the flow down to Fenwick and send it down an existing sewer to the Saw Mill River zone. We may need some minor work there, but the large work will be along the existing stream. Almost all of the property owners along the stream attended, and I have talked with the one who did not attend.

April 7 is Village Cleanup day, and it will extend to some trailways as well as many of the usual spots. Trustee Holdstein and I discovered a new one: the Village land between Farragut Parkway and Farragut Avenue, about opposite High Street. We walked through there looking at the stream and the branch that comes in from the other side of Farragut Parkway. It will be a wonderful spot for a trail after we get the streams under control. It is lovely, wooded, and low enough so that you do not even feel you are walking along the edge of Farragut Parkway.

Trustee Holdstein: The meeting was terrific, and Dave is going to work on some scoping things. I want to put a document together for the rest of the Board on the meeting and people's responses. Dave and I walked from Ravensdale to the Saw Mill, literally to the very end. As David just alluded, there are some great spots further down and some areas that could be beautifully linked to some of the other trailways. But we also discovered some major issues that we will take up with the Village Manager: it seems to be a home for old machinery. Walter Hubble has a letter to the Village dated from 1965. It is high time we try to get this addressed and in addressing it we can also create some other positives in that part of the Village.

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 a bid on negotiations, personnel, and land acquisition.

ADJOURNMENT

On MOTION of Trustee Walrath, SECONDED by Trustee Jennings with a voice vote of all in favor, Mayor Kinnally adjourned the Regular Meeting at 10:05 p.m.