

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
REGULAR MEETING
JANUARY 8, 2002**

A Regular Meeting was held by the Board of Trustees on Tuesday, January 8, 2002 at 8:15 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

PRESENT: Mayor Wm. Lee Kinnally, Jr., Trustee David Walrath, Trustee Bruce Jennings, Trustee Marjorie Apel, Village Manager Neil P. Hess, Deputy Village Attorney Ed Lammers, and Village Clerk Susan Maggiotto.

ABSENT: Trustee Michael Holdstein

CITIZENS: Two (2)

Mayor Kinnally: Trustee Holdstein is out on business.

APPROVAL OF MINUTES

Trustee Walrath: The first resolution, 81:01, does not have anybody proposing or seconding it.

On MOTION of Trustee Jennings, SECONDED by Trustee Apel with a voice vote of all in favor, the minutes of the Regular Meeting of December 18, 2001 were approved as amended.

APPROVAL OF WARRANTS

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

Multi-Fund No. 55-2001-02	\$194,602.82
Multi-Fund No. 56-2001-02	\$200,016.02
Multi-Fund No. 57-2001-02	\$ 60,603.36
Multi-Fund No. 58-2001-02	\$225,067.93

1:02 PUBLIC HEARING MORATORIUM EXTENSION

Village Manager Hess: We received a recommendation from the Planning Board through the Village Attorney's office to extend the moratorium for an additional 90 days. The proposed review is almost complete. They plan to make recommendations to the Zoning Board, Planning Board, and Board of Trustees for review shortly. They believe they can complete their work within 90 days. The moratorium has a waiver provision, and there have been waivers granted by the Planning Board during the period of the moratorium; it has appeared to work out very well.

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

RESOLVED: that the Mayor and Board of Trustees schedule a Public Hearing on Tuesday, Jan. 22, 2002 at 8:00 p.m. to consider the extension for ninety (90) days of the temporary moratorium on development in the Village's Central Commercial (CC), Limited Commercial (LC), and Central Office (CO) Districts and on Ridge Street and on Washington Avenue west of Warburton Avenue.

ROLL CALL VOTE	AYE	NAY
Trustee Marjorie Apel	X	
Trustee Michael Holdstein		Absent
Trustee David Walrath	X	
Trustee Bruce Jennings	X	
Mayor Wm. Lee Kinnally, Jr.	X	

2:02 AUTHORIZATION TO SELL EXCESS VEHICLES

Village Manager Hess: The Superintendent of Public Works, Mr. Gunther, has provided this list of vehicles that have been replaced and are currently excess.

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

RESOLVED: that the Mayor and Board of Trustees declare the following as excess vehicles and authorize the Village Manager to sell same by public bid: 1990 Chevrolet 30 Series Bus; 1994 Chevrolet Caprice; 1994 Ford Aerostar Van; 1989 Ford E-350 Small Bucket Truck; 1993 Chevrolet Caprice; and 1989 Ford F-350 Stake Body Truck.

ROLL CALL VOTE	AYE	NAY
Trustee Marjorie Apel	X	
Trustee Michael Holdstein		Absent
Trustee David Walrath	X	
Trustee Bruce Jennings	X	
Mayor Wm. Lee Kinnally, Jr.	X	

3:02 DESIGNATE GENERAL VILLAGE ELECTION DAY

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 designate Tuesday, March 19, 2002 as General Village Election Day, for the purpose of electing two (2) Trustees for a term of two (2) official years each.

ROLL CALL VOTE	AYE	NAY
Trustee Marjorie Apel	X	
Trustee Michael Holdstein		Absent
Trustee David Walrath	X	
Trustee Bruce Jennings	X	
Mayor Wm. Lee Kinnally, Jr.	X	

4:02 DESIGNATE ELECTION DISTRICTS

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

RESOLVED: that the Mayor and Board of Trustees designate the following Election Districts for the General Village Election Day, to be held on Tuesday, March 19, 2002:

<u>DISTRICT</u>	<u>PLACE</u>	<u>ADDRESS</u>
18 TH	HARMON COMMUNITY CENTER	44 MAIN STREET
19 TH	AMERICAN LEGION HALL	FARRAGUT AVENUE
20 TH	ANDRUS MEMORIAL HOME	185 OLD BROADWAY
21 ST	PROTECTION ENGINE NO. 1	573 WARBURTON AVE.
22 ND	HARMON COMMUNITY CENTER	44 MAIN STREET
23 RD	RIVERVIEW MANOR HOSE CO. NO. 3	83 EUCLID AVENUE
52 ND	UNIONTOWN HOSE CO. NO. 2	25 ROSE STREET
59 TH	AMERICAN LEGION HALL	FARRAGUT AVENUE

And be it further

RESOLVED: that the polls are to be open between the hours of 7:00 a.m. and 9:00 p.m. at said places.

ROLL CALL VOTE	AYE	NAY
Trustee Marjorie Apel	X	
Trustee Michael Holdstein		Absent
Trustee David Walrath	X	
Trustee Bruce Jennings	X	
Mayor Wm. Lee Kinnally, Jr.	X	

5:02 GRIEVANCE DAY

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 designate Tuesday, February 19, 2002 as Grievance Day, from 5:00 PM to 9:00 PM in the Conference Room, Municipal Building, 7 Maple Avenue, Hastings-on-Hudson, New York, and be it further

RESOLVED: that the Board of Assessment Review will meet at such designated time and place for the purpose of completing the Assessment Roll and of hearing and determining complaints in relation thereto.

ROLL CALL VOTE	AYE	NAY
Trustee Marjorie Apel	X	
Trustee Michael Holdstein		Absent
Trustee David Walrath	X	
Trustee Bruce Jennings	X	
Mayor Wm. Lee Kinnally, Jr.	X	

6:02 TAX LIEN SALE

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

RESOLVED: that the Mayor and Board of Trustees designate Tuesday, March 19, 2002 as the Tax Lien Sale date at 10:00 a.m. in the Village Clerk's Office, Municipal Building, 7 Maple Avenue, Hastings-on-Hudson, New York.

ROLL CALL VOTE	AYE	NAY
Trustee Marjorie Apel	X	
Trustee Michael Holdstein		Absent
Trustee David Walrath	X	
Trustee Bruce Jennings	X	
Mayor Wm. Lee Kinnally, Jr.	X	

7:02 INDIAN POINT SUPPORT RESOLUTION - REMOVED FROM AGENDA

Mayor Kinnally: I was in contact with County Legislator Abinanti, and we are in agreement that more work has to be done. Nothing is pending before the county board at this time.

VILLAGE MANAGER'S REPORT

Village Manager Hess: I will have an analysis of our capital needs for the January 22 meeting. We are working on the 2002-2003 budget. If there is any information the Board would like to pass along, either operationally or from a capital standpoint, for consideration, please do so.

The Parks and Recreation Commission last night endorsed a final pool plan which will be forwarded to the Board of Trustees. We will ask Ward Associates, the Parks and Recreation Commission, and the pool committee to meet with the Board. We can have a work session January 29 to discuss the pool, and, hopefully, the Community Center. The Parks and Recreation Commission has not made a final recommendation on the Community Center and the Youth Advisory Committee has not made a recommendation. I am hoping to have their recommendations prior to any final discussions the Board might have.

I will defer to the Mayor for his comments on the next item.

Mayor Kinnally: We, unfortunately, started the year off with a very large fire on Warburton Avenue on the evening of New Year's. The alarm came in about 12:30 that morning, and the firemen were on the scene until 10 or 11 o'clock the next day. It was one of the largest fires that I can remember in Hastings, and it was one scary fire. It was bitterly cold that night, and I talked to a number of the firemen at the scene that morning. I made a comment that you guys are crazy, but thank you for being crazy. My idea of service is not holding a nozzle and getting sprayed all over when it is 25 degrees out. They did one heck of a job, not only our people, but also volunteer firemen from the surrounding communities: Elmsford, Ardsley, Dobbs Ferry, Irvington. The Red Cross was there, and they set up shop at Protection Engine and took care of people. They are continuing to help out with people as far as placement for living.

We talk in the abstract about the fire department, but when you see them in action protecting our community, it really is remarkable. My hat is off to all of them for being there at all hours of the day or night, whether it is a holiday or not. It was really magnificent. We have had some big fires in the Village: Main Street, Maple Avenue, Jordan Road. These were dangerous fires. There was a very high likelihood that the fire on Warburton was going to spread to the south. They kept the fire from spreading to the building on the corner of Warburton and Washington.

My thanks also to the police department—people who were not on duty showed up—and to public works and to our Building Inspector, Joe Hernandez. I was talking to other municipalities in the county who had heard what had happened, and they had nothing but praise for all our people. The Manager was there. We used, for the first time, our new bus. Everybody worked incredibly well together, not only in the Village, but with all of the other entities that responded to the fire, Con Edison included.

Village Manager Hess: If you remember the fire at King Pizza on the corner of Spring and Warburton years ago, the fire department did a magnificent job then, and each time they are out there they do a great job. We have had three fires here since August, and if you read the newspaper or watch local television there are fires going on all over right now, starting from people overusing extension cords, to the case over on Main Street, which was candles. They are not sure of the cause on Warburton, although they believe that it had to do with the stove, but not necessarily that it was used for heating based on the way people were dressed and the lack of any complaints about heating at that building.

We started the safety inspection program on every multi-residential building in the Village five or six years ago. We have inspected every multi-residential building in the Village at least twice, including all the commercials, and we tell them where they may have problems and what they can do. But individual homeowners have to be prepared, know the fire exits, make sure the smoke alarms are functioning, and change the batteries every six months.

Trustee Jennings: I would like to add my appreciation to the fire department, the police department, and other Village personnel who responded to the fire, and, we should add, others who responded in helping the families who had to move out of their apartments due to the fire. It is my understanding that the Youth Advocate and Youth Employment personnel were very helpful. They bought clothes for kids who had to leave the building with their pajamas and not much else. A couple of the churches and other community groups came forward with help. We are a generous community, and when disasters strike we are able to support one another.

Trustee Apel: I want to say how proud I am of the firemen and policemen and all the other workers that came together to help people in this situation. It is the season in which people think they are cold, and sometimes they end up in this type of tragedy. It reminds us to be ever-

vigilant, and to check to make sure that things are running well in our own house. I have a concern for people who are having a problem in these buildings and they are cold. They are supposed to call, and things can be done. We can work with them to make sure they are getting the heat that they are supposed to be getting.

Mayor Kinnally: I gave Bill Finkeldey and Nancy Gagliardi a call to see what was being done in connection with the kids, and they were well on their way to taking care of their needs. The generosity and the spirit here is incredible. To the extent that people's needs are not being taken care of now, I urge them to give any of us a call. Out of this disaster comes the lesson that this community is prepared for anything and when the need arises we have both the paid staff and the volunteer staff to take care of what is necessary.

BOARD DISCUSSION AND COMMENTS

1. Update on the Waterfront

Mayor Kinnally: George Heitzman of DEC has informed me that they are behind in a number of things, that he would have a draft of the fact sheet to me soon, and that they were in receipt of a peer review of certain proposals and engineering data that been submitted by BP/Amoco for the cleanup of the site. The state wants to retain experts to assist in assessing what is happening, but because of budget restrictions and the lack of funding of the Superfund, they have not been able to do so. They do not expect a PRAP until late spring or summer. I would like to have an executive session next Tuesday night with counsel to review the PRAP, the cleanup on the waterfront, the Riverkeeper's suit, which is coming up for trial in February, and the application for rezoning on 9A from Ginsburg.

EXECUTIVE SESSION

On MOTION of Trustee Jennings, SECONDED by Trustee Walrath with a voice vote of all in favor, the Board scheduled an Executive Session for January 15, 2002 at 8:00 p.m.

EXECUTIVE SESSION

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

Mayor Kinnally: We received today a draft contract of sale from counsel for the owners of Marinello Cove. I will go over it with Village Attorney Murphy tomorrow. I would hope to have this signed within a week.

2. Other

Trustee Walrath: The access study related to the bridges over the railroad track: we have funding, but I understand that those bridges are presently a town maintenance responsibility.

Village Manager Hess: I had forwarded the Board a memo from the Village Attorney indicating that the responsibility for bridge maintenance rests with the town.

Trustee Walrath: What are the implications of that?

Village Manager Hess: It is a state law. The bridges within villages belong to the town unless they are a county bridge, such as the Warburton Avenue bridge or Rowley's bridge.

Trustee Walrath: Are we going to be held up from looking at the access portion of it?

Village Manager Hess: I do not think so. We can use a portion of the grant for the feasibility study. But there is going to have to be a threshold decision made whether the Village takes the lead with overall costs to the Village in the neighborhood of \$250 to \$400 thousand as a local share on construction, or whether we want the Town of Greenburgh to do that. We could work cooperatively with the Town of Greenburgh and provide through the grant and the study, and still let the Town of Greenburgh maintain responsibility.

The town board wants to meet with us relative to the Target scoping session in Yonkers since there has been a push for an alternate access to the Austin Avenue project; I have forwarded to the Board the supplemental DEIS information. We could invite them here for a joint work session and put the bridge on as a discussion item also.

Mayor Kinnally: Let us put it down for January 14 preliminarily.

Village Manager Hess: I will contact Paul tomorrow.

Trustee Walrath: In Mary Allison's tale on the quarry and its history she came up with an astounding statement that the quarry trail belongs to Anaconda and, therefore, presently, BP/Amoco. I would like to investigate the history before we move too much further.

I am getting the feeling that the county GIS people, because of security considerations, are doing a great deal of bureaucratic pondering over the maps I have been touting. They are about finished, and my last conversation with county GIS was that they were not sure when they could move on distributing them.

Mayor Kinnally: Who is dragging their feet?

Trustee Walrath: They are produced by the county GIS system, which are the people we hired to help implement our GIS. This is an informal indication from their employees.

Village Manager Hess: They are developing a policy county-wide because of certain security concerns. They are going to set up levels of information to provide communities.

Mayor Kinnally: A new police officer, Heather Smolenski, has been sworn in, and she started last Thursday. She and the second-newest officer Marcos Acosto worked very well this weekend on a sensitive matter; our police department has been strengthened by their addition. We are at full strength now, for the first time in about five years. We were plagued with retirements, injuries, and resignations. Our thanks to the police department for sticking with us during this troubling time, and welcome to Heather and to Marcos.

We received notice under SEQRA from Yonkers that there will be a scoping session January 22 for a revision to the plan involving the Austin Avenue project to substitute a Target store for the multiplex originally intended on the site. The scoping session will provide guidance to the applicant as to which items of potentially adverse environmental impact are to be addressed in the DEIS. The draft scope is available for review. This ties in with what we will be talking about with the town board next Monday.

RECESS 9:00 P.M. - RECONVENE 9:05 P.M.

Mayor Kinnally: Mr. Hess has advised me that the Safety Council is not prepared to meet with us this evening. They will report to us at our next meeting, and we will have a complete review of the actions outlined in their recommendations.

PUBLIC COMMENTS

There were no public comments.

ADJOURNMENT

On MOTION of Trustee Walrath, SECONDED by Trustee Apel with a voice vote of all in favor, Mayor Kinnally adjourned the Regular Meeting at 9:05 p.m.