

VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
REGULAR MEETING
MARCH 19, 2002

A Regular Meeting was held by the Board of Trustees on Tuesday, March 19, 2002 at 8:10 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

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

CITIZENS: Five (5)

PRESENTATION - Farmers' Market

Mayor Kinnally: Our first order of business this evening is a presentation of the Farmers' Market, and Sue Smith is here. I think this is coming into our fourth or fifth year?

Sue Smith: Fifth. Amazing how time flies. You got a packet which included a cover memo and the consultant's report from last year, and the summary of the two questionnaires done last fall. They confirmed the location, and that is my main reason for coming tonight: to request permission to have the Market meet in the library lot once again and to extend the season to try two weeks earlier; this would fit with the Spring Thing, strawberry season, plants, and baked goods. There would not be a huge array of vegetables, but there would be enough to sell. Some of the farmers would plant accordingly, to have things to sell earlier.

We do not need to request a financial contribution this year because we have gotten ourselves into a pretty good place financially. We appreciate very much that you have done it for the previous years, but I think we can cut the cord at this point. That does not mean that next year we might not have to come back. But we are feeling like we are a mature market. We have a very steady, stable shopper base, people who come back week after week and it is busy all morning long. Vendors are very well satisfied.

Trustee Jennings: I was interested in one of the findings, that mostly we draw from Hastings and Yonkers. I wonder how we can get people from the north.

Ms. Smith: We are trying to expand it through advertising in *The Enterprise* on all four pages, and try to have it on all the calendar if they have the space. We are also trying to do more in North Yonkers also because that is a good potential spot.

Trustee Holdstein: I am pleased to say that, as opposed to previous years, I have absolutely no questions and just a ringing endorsement, and a bravo, and go forward.

Trustee Apel: I have been to the Market and it is really great. A lot of good stuff there, so you are doing a good job.

Trustee Walrath: No questions. It is great.

Mayor Kinnally: It has become a fixture downtown. People look forward to it each spring and early summer, and are disappointed when it closes down in the fall. Congratulations to you and to the merchants.

Ms. Smith: Everybody will be back this year except the organic farmer, but we have another organic farmer; we felt it was important to come up with someone else. I am the spokesperson, but we have a committee of people from Hastings who work on this. Without a group of volunteers, it would not happen.

Trustee Holdstein: Does each vendor pay a fee, and those fees support your advertising?

Ms. Smith: Vendor fees are the main source of income. We also encourage people to be a friend of the Market with a contribution, and we sell shopping bags. Vendors pay a flat fee depending on their size and the nature of the business. The prepared foods, the wine, and the baked goods have a slightly higher cost than the farmer. It is based on a 10 by 10 size. If you have two tents, then you pay more: \$35 and \$45. That seems to be fine with them. They are making enough money to justify being a small farmer.

Trustee Jennings: Are there any issues with the library landscaping work, and the other work being done at the library?

Ms. Smith: We had been concerned in the fall but it worked out fine with the timing and the work is all on the other side of the building. The people in the library appreciate the Market. It provides a nice synergy for people going to the library or the Market. We get a lot of people doing both things.

Mayor Kinnally: Thank you very much.

APPROVAL OF MINUTES

Trustee Apel: Page 5, where I am speaking: “your” instead of “you.”

Trustee Walrath: Page 4, where I am speaking: take the first “you budgeted it” out and put a was before higher.

On MOTION of Trustee Holdstein, SECONDED by Trustee Jennings with a voice vote of all in favor, the minutes of the Special Meeting of February 26, 2002 were approved as amended.

On MOTION of Trustee Walrath, SECONDED by Trustee Apel with a voice vote of all in favor, the minutes of the Public Hearing of March 5, 2002 were approved as presented.

Trustee Walrath: Page 9, where Mr. Hess is speaking. We all had a Schedule B from the compost circulation. That would be hard to follow if you did not have Schedule B for reference.

Mayor Kinnally: We could put a note in parentheses referencing Schedule B.

On MOTION of Trustee Walrath, SECONDED by Trustee Jennings with a voice vote of all in favor, the minutes of the Regular Meeting of March 5, 2002 were approved as amended.

APPROVAL OF WARRANTS

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

Multi-Fund No. 75-2001-02	\$ 35,102.53
Multi-Fund No. 76-2001-02	\$455,869.89
Multi-Fund No. 78-2001-02	\$ 66,066.09

21:02 PUBLIC HEARING POOL AND RECREATION FEES

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 for March 26, 2002 at 8:00 p.m. or shortly thereafter to consider the advisability of increasing pool and recreation fees.

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

22:02 CHANGE OF MEETING DATE BOARD OF TRUSTEES

Village Manager Hess: The state managers' conference is that week, and both Susan and I will be attending. There are five Tuesdays in the month, so we suggest moving the meeting to the 28th.

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

RESOLVED: that the Mayor and Board of Trustees change the date of the Regular Meeting of the Board of Trustees from May 21, 2002 to May 28, 2002.

ROLL CALL VOTE	AYE	NAY
Trustee Marjorie Apel	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: We have had some significant events that will affect the budget. We received notification that our Workers' Compensation rate in 2002-2003 will be \$198,786. That is \$20,786 more than was in the budget, which was already increased significantly. The increase is state-wide. I assume the number of claims relative to 9-11 must have been staggering.

Interest rates continue to decrease. One day the interest rate exceeded 2%, but we averaged 1.87% for the month in our investments.

The Parks and Recreation Commission will discuss Community Center renovations at their April 1 meeting. The Youth Advisory Committee recommendations have been passed on to the Commission. The Youth Advisory Committee is sponsoring the third annual Bonsai Tournament at the school. All proceeds will go to the fire department.

Village-wide cleanup day has been scheduled for Saturday, April 6 from 9 to noon. We urge people and organizations to contact Linda Knies to sign up for your spot. You may want to consider dedicating Marinello Cove that day, or we could have a group do cleanup at the Cove.

We are going to have a joint meeting with the Planning Board on April 8 to present the downtown zoning recommendations to the Board.

BOARD DISCUSSION AND COMMENTS

1. Update on the Waterfront

Mayor Kinnally: We closed on Marinello Cove on March 15. It was a very enjoyable closing. The two owners from Rockland County were there, and they were very pleased that we were getting it and interested in what we were going to do with it. I got a strong feeling that the meetings where we outlined what we wanted to do in going forward with the taking for municipal purposes had a great effect on them. They realized that the people in the community were behind this and were committed to use it in connection with water-dependent activity.

We have a meeting tomorrow with representatives of Exxon/Mobil to discuss the conveyance of their site for the Rivers & Estuaries Center or, if that does not come through, the use of the site by the Village for municipal purposes. We are going into that meeting armed with the backing of the people in the community, not only the committee that is working on the Rivers & Estuaries Center, but also the RPA planning initiative and all the information that was amassed in that document. It shows a consensus of the community develop it in a positive fashion that will benefit the entire Village from an economic, commercial, residential, and recreational standpoint.

There was another settlement meeting among ARCO, the Riverkeeper, and the Village last week. Mark Chertok had reported that following the joint meeting in December or January, there was a follow-up meeting involving the technical people and it was very contentious. He said the feeling of the participants at the meeting last week was completely different. It was a very positive meeting. There was significant discussion about excavation depths, the engineering involved in the excavation, and the technology. Another meeting is scheduled for April 1 or 2.

I spoke to Erin Crotty, the commissioner of the DEC. She has scheduled a meeting with Waterfront Watch April 1, and I hope to be meeting with her and George Heitzman after that. They are expecting a comprehensive report from the DEC outlining where they are in the process. They are still saying a PRAP for the summer.

Trustee Walrath: But we still have not seen the feasibility studies.

Mayor Kinnally: That is right. That is part of the comprehensive report I am hoping to get. Part of the delay is that they are trying to get everyone to move closer on the feasibility. There is a tremendous amount of give-and-take between ARCO and the state, similar to what is going on in trying to settle the Riverkeeper's suit. The DEC is not working with us on the settlement because they are not a party to the suit, but the information is pretty much the same. To the extent that we exchange more information in the settlement discussions, that same information is

being shared with the DEC. I do not know if there will be a lag between the feasibility study, the PRAP, and the ROD.

Trustee Walrath: If they have to have the feasibility study out for comment before the PRAP, it would be nice if we had advance warning.

Julius Chemka, 8 Ridgedell Avenue: I cannot stress enough the importance of the Rivers & Estuaries meeting you are having. I would like the Board and the Mayor to write a letter to the governor, or John Cahill, his first assistant. This is very important to Hastings. It may cost us taxes, but I am willing to pay those taxes for my children, my children's children. If we could put some pressure. Pataki has been here. He wanted to fix up our waterfront, make it a beautiful place. This is the first step, and it fits right in with our RPA agenda. I am here tonight as a member of the committee to try to persuade you to go forward really hard and show the rest of the state what we have to offer. I cannot say how much we need something like that in this community. It would be a great addition to Hastings.

Mayor Kinnally: We are meeting with Mobil tomorrow and Uhlich on Monday. I spoke to Erin Crotty about this two weeks ago because we need information from the DEC to fill out the application. I took the opportunity to lobby her. I have explained to John Cahill at length what this means to our community. When I saw him last Friday I mentioned that not only were we interested in what was going to happen with the Rivers & Estuaries Center, but we had that day purchased Marinello Cove. I said it might be interesting for the governor to come down and see what we are going to do there.

2. Metro-North Train Station

Mayor Kinnally: MTA has promised to get me the particulars of what they want to do at the train station. Mark Mannix, our liaison, did not have all the information, but he was quite interested and promised that he, or the person who is dealing with the real estate side of it, would get back to me. I spoke to him about cleanliness around the station, in particular the spur behind the southbound platform. He said that the facilities people would take care of that.

I also indicated that I knew a new timetable was coming out in April and asked him how we could have input into additional service, in particular express trains in the evening to Hastings. He said if we got input from the commuters perhaps it could be incorporated in the schedule next October. I am going to draft up a flier and have the flier distributed in the parking lots and hand it out to the commuters on the platforms in the morning to solicit the information.

3. Cable Television

Mayor Kinnally: I had a conversation with Emily Spaulding of Cablevision last week that covered high-speed cable, the excessive fees that we are paying Cablevision, and the Yankee games. There was no mistaking the message: get the Yankees on television, not as a premium channel. I invited her here to talk to the community about service, fees, and the Yankees. The Yankee problem is something that she said is still fluid.

4. Rivers & Estuaries Center

Susan Maggiotto, Chair, Rivers & Estuaries Center Committee: At your meeting on February 19 I gave you an update on the site visit we had here February 11 by the selection team. The Mayor and Trustee Holdstein were not here for that meeting, but I covered the details in the memo I sent you, so I will not go over it except to reiterate how seriously interested the site selection committee appeared to be in Hastings. Subsequent to the meeting we received a list of questions, most of them technical. Our committee—Meg Walker, Julie Chemka, Sue Smith, Ed Weinstein, and now Trustee Walrath—has been working on those questions. As Julie Chemka said, we are so excited that we are in contention for this. Our committee is convinced that it would be such a positive thing to have the institute here. The institute would act as the linchpin for full development of the site. At the meeting on the 19th Trustee Jennings talked about the momentum that would start with any development, and the Center seems to be the likeliest thing to happen at this point. We need at this point an enthusiastic endorsement from the Board. I know there are some outstanding questions, and we would like to address some of them tonight.

We do not have concerns that they are going to take over too much of the site. They know what our plan is, and one of the reasons they liked our site so much is because we have a vision for the waterfront. Implicit in their enthusiasm for this site is their recognition that they would be part of something larger. However, there are concerns about the fact that it is a non-profit use and would not bring tax revenues to the site. As part of the RPA plan an extensive market study was done. Meg will give us an analysis of the market study and how it relates to the Centers.

Meg Walker, Planning Consultant, member, Rivers & Estuaries Center Committee: In preparation for the waterfront workshops, RPA hired real estate consultants Abeles, Philips, Preiss & Shapiro to undertake a market study. It looked at all of the uses that the citizens of Hastings had mentioned would be nice to have on the waterfront: marina, hotel, conference center, housing, assisted living, retail, restaurants, offices. The upshot was that the only thing that would be guaranteed to make a profit and produce tax revenues would be housing. Many of us were surprised to hear that. Other uses were break even uses requiring a profit-making use such as housing to catalyze them. Yet most of us at the waterfront workshop said we do not want a lot of housing. We came up with 250 units of housing. That does not pay for all the

amenities that we want to see there. RPA estimated that the public amenities, the parkland, the infrastructure and transportation facilities, would cost \$45 million. Development would pay for \$21 million, leaving a \$24 million shortfall. That \$24 million shortfall is what we have to seek in public funds to pay for the good things that we want to see there.

An institute that would generate this much enthusiasm and this much interest as the Rivers & Estuaries Center would be guaranteed to be a magnet that would bring other for-profit uses to the waterfront that would not necessarily locate there: inns, conference centers, restaurants, retail, and would not preclude the housing. Even more importantly it would help offset the costs of the things we really want there, like the parkland, and a marina, and an esplanade, and the infrastructure, which would cost a considerable amount. It ends up being a partnership. This committee sees us getting a lot more than a Rivers & Estuaries Center. We would get a lot of the things that we wanted in the RPA plan, and it is going to be a struggle to get those things otherwise.

Our waterfront is never going to be the tax generator that Anaconda was. We are never going to see it providing 17% of our tax revenues. As Julie eloquently said, we are willing to sacrifice a little bit as well. Not to say we want our taxes to go up, but a not-for-profit use compensated by some for-profit uses may end up being a break-even in the end, and help to pay for all of the amenities, and the parkland, that we want to see down there. It may be years before we get this waterfront developed. The Center could really move this along much faster. If the state decides they want the Center in Hastings, the state is going to commit to a cleanup much more quickly than if we did not have such a high profile, state-sponsored institute on our waterfront.

Mayor Kinnally: The fact that we have integrated the Center into our vision of the site is a strong selling point with the selection committee; this community has given thought to what we want on the waterfront even before the governor came out with his proposal.

Trustee Jennings: The logic of what was said is very persuasive. It seems to be exactly right. I do not know what a letter from the Board would do in a selection process undoubtedly as complex as this one, but I cannot see any harm in it. Everything we can do to persuade them that we, as a community, are really serious would seem to be to the good.

Trustee Apel: I concur. Anything we can do to move this process along, and show them that we are behind the project, could only add to that. It would show that the community is really interested, and I think that would be helpful.

Trustee Walrath: Although the Center is a non-profit institution, it would make the for-profit portion of the waterfront financially viable and it would contribute to the infrastructure. I agree

that a strong endorsement of the Board could not hurt. It might be very important that they see that this board believes its village is 100% behind it. I would be very glad to vote for that.

Mayor Kinnally: I think it is a requirement. If we go in with a tepid endorsement, they are going to move on, because they need to have not only the community but the leadership of the community behind it. We have talked about development and what happens if we build it and they do not come. The Center will be a beehive of activity that is going to legitimize the site. Hastings is on the map already, but it is going to put the site on the map. It is going to be an enticement to any private developer to feed off that energy.

Trustee Holdstein: How would getting the institute help pay for the infrastructure and construction of the non-institute part?

Village Planner Walker: The Center wants to have a marina, parkland, an inn and conference center, and restaurants, and these are many of the things that people said they particularly wanted to see on our waterfront. The costs of building and maintaining a park or a marina to the Village alone are quite high. Our thinking is that it could be a partnership between the Center and the Village, to build and maintain a park and a marina. We would want to know that these amenities are going to be available for the community to use. From our initial discussions with them, the idea that a Center that is integrated into a community and into waterfront development is very attractive to them. They are not looking for an exclusive campus-like setting or a separate enclave. They want to integrate into something that is larger than their institute. This could be a means for us to get the things that we want on the waterfront as well.

Trustee Holdstein: If they are involved in the building of an inn, who owns the inn? Is it a part of this not-for-profit, and therefore does the inn also become a non-taxable entity on the waterfront?

Mayor Kinnally: If it is a profit-making venture inside a not-for-profit, we would insist on a payment in lieu of taxes.

Trustee Holdstein: I am in no way opposed to the concept. I still have some questions and issues, and I need to get more information. I am going to request that Susan and I find some time for me to get caught up to what I missed last week. For my six years on the Board and 17 years in this community, we have debated over many property issues. There is a strong feeling in the community of not wanting to give up greenspace, but also wanting top-flight services and amenities, the best that we can do in a village of 8,000. We have often looked at the waterfront as the one place that we can get some tax relief. I need to get to that place to recognize that we are not giving up a potential large quantity of taxable revenue today and tomorrow and in the future that this Village needs, and has been functioning without since Anaconda left. I respect

that Julie Chemka can say that he, and I am sure many others, are willing to pay that. But we have a responsibility to look at the total Village, and can everybody afford to do that, and keep the Village as diverse as we would like it to be.

Mayor Kinnally: I would like a green light from the Board to be able to say to Exxon/Mobil tomorrow that a majority of the Board is behind this to go to the next step, to see if they will convey the property to us, either for the Rivers & Estuaries Institute or for municipal purposes.

Trustee Holdstein: Clearly, you have that majority based on the comments here today, and I have no problem with that.

Mayor Kinnally: You are behind us in getting the property.

Trustee Holdstein: Absolutely.

Mr. Chemka: I would like to congratulate the Board for their decision here tonight. If you do write the letter, Mr. Mayor, I would suggest that we send copies to all our legislators: the state, the representatives, and the senators. The more people that know we are after that property, it will be a shot in the arm to use.

Trustee Holdstein: I agree. A letter to our U.S. senators, I think Clinton and Schumer should hear about this. Perhaps there is federal aid that could be attached.

Mayor Kinnally: We will send it to all the legislators from Washington to Albany.

RECESS - 9:20 P.M. TO 9:35 P.M.

23:02 CERTIFICATION OF ELECTION RESULTS

Mayor Kinnally: The results if the election are Michael Holdstein 186; Bruce Jennings 195.

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 hereby accept the Election Results and that Michael Holdstein and Bruce Jennings are declared Trustees for a term of two (2) official years each.

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

BOARD DISCUSSION AND COMMENTS (cont'd.)

Mayor Kinnally: Anything else on the Rivers & Estuaries Center? We will have Susan write a letter for my signature to demonstrate that the Board and the community are behind us.

5. Waterfront Community Lecture Series

Trustee Jennings: The cleanup and the development of the waterfront is something we can see coming. So often something happens suddenly, and we have to react, but on this one, we do not. We are going to soon be caught up in a great deal of discussion about specific things, the state cleanup, for example. What occasioned this proposal was the idea that before we get caught up in the details and the momentum of the next three or four years' worth of important decisions, we could avail ourselves of our local expertise and talent, and the other experts in the metropolitan area, and design a series of offerings that would give us a broad picture and context for the decisions and plans we have to make.

The waterfront over the next few years will span a spectrum from environmental and public health issues on the one hand, to the newest thinking about brownfield development, the new urbanism, local and regional planning, architecture, and civic design on the other hand, and everything in between. I would like to start a process that would involve people from the community planning a series of events over the next several months that would give the community a jump-start primer in the questions we are going to be facing by bringing the best thinking that we can bring to Hastings to share their ideas. This will prepare us all to be better citizens, better decision-makers, better participants, better leaders in this important process.

It can also plug into some educational objectives in the curriculum of our high school. I would like to see this be a cooperative venture between the Village and the school district. We have, in our waterfront, a living laboratory that a whole generation of high school students can take advantage of for the benefit of their educational experience.

That is a second prong of this, but the primary prong is that it is an opportunity to prepare us for the challenge of citizenship in the next few years.

Mayor Kinnally: It is an interesting concept. It would get everybody involved and would feed off of what we did with the RPA in having a broad-based community effort to learn the challenges that lie ahead and some of the solutions.

Trustee Jennings: It is a logical follow-up to the RPA procedure and also takes a page out of the book of the crisis forum committee. The series of lectures on responding to 9-11 demonstrated that when we have interesting people, and a series of offerings that are about something that has touched people deeply, there is a community response. The amount of talk about it in the community was significant. With the waterfront we have something, not the same as the tragedy of September 11th, of course, but something else that touches people deeply and is deeply interesting to the people of this community. I am optimistic about the response.

Trustee Holdstein: How would you go about designing this, to frame out the topics?

Trustee Jennings: There are many groups and individuals in the Village who have tremendous expertise on these matters. But I am attracted to a volunteer committee process that would be open to those who already have a burning interest and a lot of experience but would also be open to newcomers who want to get more involved or would be able to help us locate a particular expert that might fit into the program. This would not be done from the top down by the Trustees or any other group, but an *ad hoc*, grassroots effort.

The content is so rich, I have no doubt that we will spin out twice as many programs as we can possibly put on. What we really need are those 10, 20, 30 excited and committed people that make this like a snowball. It begins to roll, and people sign on, and that is the energy that will make this happen. The content will fall into place.

Mayor Kinnally: I think it is great, and I will say run with it. Let us see if you can develop it.

6. Other

Trustee Apel: We received a letter concerning the New York insurance reciprocal program. Considering that we are in the throes of our budget, and looking to save money, we might want to discuss this.

Village Manager Hess: I gave that to Bob Schnibbe, and he is putting together something to check these out. We are also looking at Workers' Compensation.

Trustee Apel: Bruce's idea is a wonderful idea. Any time we can get together and discuss things in advance is a much better way of handling anything. The community will be

appreciative of being able to come together and discuss any one of related topics as they relate to the waterfront. Thank you for spending the time to come up with a proposal.

Trustee Walrath: Regarding Fenwick Road, Michael and I had a meeting a week ago Saturday and I had another one last Saturday with people in the area particularly affected. We got some good feedback, and I am going to incorporate those into the draft. In the old literature I found that there had been a complaint filed about ponding of water that comes down Fenwick to Branford Road. I put in there that we would include evaluation of trying to catch that water and carry it down to the stream on the south side of Branford Road.

Other suggestions that came up are to include the retention basin which was in the report that Hazen and Sawyer did in 1986, and the use of Dan Rile Park as a retention basin, or a portion of the park. My understanding was that the problem started at the low point on Fenwick Road. People said when they get a heavy storm it flows out of the ground up at Dan Rile Park and comes down Fenwick. Somebody said you could kayak down Fenwick. So I am going to call for examining channel capacity on Fenwick Road from Dan Rile Park downstream.

There was a question raised as to the flooding that occurs at the corner of Fenwick and Kent. I do not think I need to make it a special scope item, but I will have the engineer find out if that is an inadequate pipe size between there and the low point on Fenwick, or whether it is just that when Fenwick fills up at its low point you cannot get any water down from the other spot.

The last one, and I will put this in the scope, on Farragut Avenue after it branches off the Parkway, somebody suggested, and I think it is an excellent idea, that we try to keep the water that is flowing down Farragut Avenue in a very steep slope there toward Ashley on Farragut as curb flow and bring it down to discharge into the stream after the culvert that goes under Farragut. Keep it on surface, if we can, with perhaps asphalt curbing and a slight hump where Ashley joins Farragut so that it does not go into Ashley, go into a stream there, and back up.

Village Manager Hess: That section will be due for resurfacing in a couple of years anyway, so tying in with this project you would just change the pitch. You would not even have to put in blacktop curbing. You would just have to repair some of the concrete curbing that is along there, and put a catch basin just to the east of the current small catch basin that is near 350.

Trustee Walrath: If nobody has any question about it, then we will incorporate it into the scope that we send out as part of the RFP.

Mayor Kinnally: Great. I would say go ahead.

Trustee Apel: Last night's fire prevention forum was quite an eye-opener. I want to thank Neil for putting this together, and inviting the fire chiefs to give presentations. We all came away with the concept that if there is a fire you better report it very quickly. The more you see, the more appreciation you have for the volunteer firemen. We are so lucky to have them here to go out and protect us, and to help us with keeping safe. They will come and take a look around your house, and give you suggestions, or work with you on planning an exit plan. Materials were handed out, and the forum will be on WHOH.

Trustee Walrath: As one of the non-subscribers to our cable provider, I suggest that we have copies of tapes of significant events in the library.

Village Manager Hess: People can also access WHOH over the Internet.

Trustee Holdstein: With our renovated library, we could have a section that would have copies of these things, and it could be well-marked as Village forums or series.

Michael Ambrozek, 16 Sheldon Place: I am very pleased to hear about this progress on the waterfront, potentially with Exxon. I certainly would encourage the Board to go down this path. I do not know how this ties in with the cleanup. Obviously, we would need to make sure that there would be a cleanup process involved before we acquired the land. This is only one of the three owners of all of the waterfront property. I do not know whether the other owners could be approached in the same way.

Mayor Kinnally: We have approached BP/Amoco, and we have an agreement in principle from them that they are interested in doing this. But their property is not really the property we are after. It is Uhlich and Exxon/Mobil.

Mr. Ambrozek: Do we have an agreement on how to clean up any of these properties?

Mayor Kinnally: No. That is part of what is happening. The DEC is coming up with record of decision how it will be cleaned up. After that comes down, then you have the technical development stage.

Mr. Ambrozek: We seem to have these two possible paths for BP/Amoco. On the one hand, there is the DEC cleanup, and then on the other hand there is this settlement you are talking about of the case from the Riverkeeper. I would be concerned that we do not end up with a cleanup that would be less extensive than what would be at least mandated by the DEC.

Mayor Kinnally: The cleanup is not going to be resolved in the Riverkeeper's suit. The cleanup will be resolved by the DEC.

Mr. Ambrozek: I thought I saw two paths there, but there is not.

Mayor Kinnally: There are two paths, but one has nothing to do with the other, in that the settlement among the parties in the Riverkeeper lawsuit cannot trump what the DEC is going to do. It may buttress it, but it cannot trump it. The DEC has the final say. One of the things we are trying to do in the Riverkeeper settlement is to see whether or not there are certain areas of agreement, or ranges, such that the parties may not appeal whatever the DEC comes down with.

ADJOURNMENT

On MOTION of Trustee Apel, SECONDED by Trustee Walrath with a voice vote of all in favor, Mayor Kinnally adjourned the Regular Meeting at 10:15 p.m.