

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK**  
**BOARD OF TRUSTEES**  
**REGULAR MEETING**  
**APRIL 1, 2003**

A Regular Meeting was held by the Board of Trustees on Tuesday, April 1, 2003 at 8:55 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

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

**CITIZENS:** Eight (8).

**APPOINTMENT - Cable Committee**

**Mayor Kinnally:** Robert Palumbo has agreed to join the Cable Committee.

**APPROVAL OF MINUTES**

On MOTION of Trustee Jennings, SECONDED by Trustee Apel with a voice vote of all in favor, the Minutes of the Regular Meeting of March 18, 2003 were approved as presented.

On MOTION of Trustee Holdstein, SECONDED by Trustee Jennings with a voice vote of all in favor, the Minutes of the Public Hearing of March 25, 2003 were approved as presented.

**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. 68-2002-03 \$141,161.05  
Multi-Fund No. 70-2002-03 \$ 69,379.91  
Multi-Fund No. 71-2002-03 \$ 1,650.00

**34:03 BOND REFUNDING**

**Village Manager Hess:** This resolution allows us to refinance the 1994 bond issue at a point where we could save at least 3%. Now we are at about 2.5%; it takes about 3% to make financial sense because of the costs involved in refinancing. After adoption we have to go through the procedure of posting and legal notification, but if the market comes down again we would be able to refinance in a very short period of time. This was suggested by our financial advisors, Public Finance Associates, who have handled our last several bond issues.

**Trustee Swiderski:** Does the resolution bind us to use a particular agent for the refinancing?

**Village Manager Hess:** No. You can rebid the issue.

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

**RESOLVED:** that the Mayor and Board of Trustees approve the bond resolution as attached authorizing the issuance pursuant to Section 90.10 of the Local Finance Law of refunding bonds of the Village of Hastings-on-Hudson, to be designated substantially "Public Improvement Refunding (Serial) Bonds", and providing for other matters in relation thereto and the payment of the bonds to be refunded thereby.

<b>ROLL CALL VOTE</b>	<b>AYE</b>	<b>NAY</b>
Trustee Michael Holdstein	X	
Trustee Bruce Jennings	X	
Trustee Marjorie Apel	X	
Trustee Peter Swiderski	X	
Mayor Wm. Lee Kinnally, Jr.	X	

**35:03 SPECIAL COUNSEL - PLANNING BOARD REVIEW OF A & F BUILDERS PROJECTS**

**Village Manager Hess:** This approves establishment of the escrow account and authorizes the Planning Board to hire counsel. They have received a proposal from Mark Chertok of Sive, Paget & Riesel and recommend that he be hired for that work. The escrow account will be funded by the applicant.

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

**RESOLVED:** that the Mayor and Board of Trustees approve the proposal of Mark Chertok of Sive, Paget & Riesel, P.C. to serve as Special Counsel to the Planning Board for review of the applications of A. & F. Builders for a maximum fee of \$25,000 to be paid through an escrow account funded by the applicant.

<b>ROLL CALL VOTE</b>	<b>AYE</b>	<b>NAY</b>
Trustee Michael Holdstein	X	
Trustee Bruce Jennings	X	
Trustee Marjorie Apel	X	
Trustee Peter Swiderski	X	
Mayor Wm. Lee Kinnally, Jr.	X	

### **36:03 CHANGE OF MEETING DATE**

**Village Manager Hess:** That week I will be away at the state managers' conference and Susan will be attending her daughter's graduation that evening. So we are asking that the meeting be changed to the following Tuesday.

**Mayor Kinnally:** That is the day after Memorial Day. Any comments by the Board or the public?

On MOTION of Trustee Jennings, SECONDED by Trustee Holdstein 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 20, 2003 to May 27, 2003.

<b>ROLL CALL VOTE</b>	<b>AYE</b>	<b>NAY</b>
Trustee Michael Holdstein	X	
Trustee Bruce Jennings	X	
Trustee Marjorie Apel	X	
Trustee Peter Swiderski	X	
Mayor Wm. Lee Kinnally, Jr.	X	

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

**Village Manager Hess:** I want to congratulate the Mayor on Kinnally Cove. I think the Board gave a wonderful recognition to Lee. I also want to congratulate the new fire chief, Ron Gagliardi, who took office tonight replacing Les Jenkins. The new chief is Anthony Gentile; first assistant chief is Steve Pecylak; second assistant chief is Jeff Bannon; and our new third assistant chief is Ron Gagliardi.

We received a \$25,000 grant from Senator Spano and Assemblyman Brodsky for the fire department to cover communications and air packs. We are starting very shortly our inspection of restaurants throughout the Village. We felt with the fire that occurred recently in Rhode Island that we should re-look at our restaurant inspections, since several of these restaurants do have entertainment, and that we update all the inspection records.

The comptroller's proposal for pension funding for this coming year is only a one-year reduction. The costs go back up to 11 and 15% in 2004. There is a bill pending from the governor which is at 4% and smooths out the increase over a five-year period. The New York Conference of Mayors is developing a bill which will cap the increase at 4.5% and allow future increases to be borrowed over a five-year period. I do not believe bonding for this situation is a good financial idea for the Village, nor for any municipality. But once I get a chance to review those other bills, we will have some recommendations for the Board.

The winter weather has wrought havoc on our streets. We have been filling potholes the last two weeks. If we do not get to your favorite pothole shortly, please give me a call or e-mail and we will be sure and get it done. We do not have hot-mix at this point. We are using cold-mix until the plants reopen.

## **BOARD DISCUSSION AND COMMENTS**

### **1. Affordable Housing Update**

**Sue Smith, Affordable Housing Committee:** Congratulations to all of you, and to the Mayor; I agree that naming the cove for the Mayor was a very good idea. We are a month short of completion of the two houses on Warburton Avenue. We are on budget and we are going to be very happy with the result. You will get an invitation to an open house within a month or so, so you can see it for yourself inside and out.

The Village has been named for an award in May for affordable housing by the Westchester Interfaith Housing Corporation; it is a wonderful honor to be recognized. Sometimes we are frustrated that we have not seen more affordable housing built in Hastings, but when we look at ourselves compared with other small villages, we have accomplished a lot. We have a very supportive Village Board, and this is recognition for what the Village Board has done to establish an Affordable Housing Committee, to be supportive of us with a gift of land on Warburton Avenue, with creating an affordable housing policy with a 10% set-aside with new development: all those ingredients that make it possible to begin to create affordable housing. I want to thank you.

We are always looking for other sites. As you know, 9-A is a possibility with the Ginsburg proposal, and on Warburton and Division Street A&F Corporation is working with us to bring that property to a formal proposal before the Planning Board. Jim is going to talk about where we are with that process.

**Trustee Holdstein:** Are both of the houses on Warburton spoken for?

**Ms. Smith:** Yes, they have been for some time. We went through an application process for both the owners and the renters, and then they had to go through an income eligibility process. Two of the four people are firemen, I am happy to say.

**James Keane, Affordable Housing Committee:** Allow me to offer my congratulations also to Peter and Marge and, of course, the Mayor. You have done terrific work on the waterfront and you deserve that award.

I am here tonight on behalf of the Hastings-on-Hudson Affordable Housing Fund to report on the status on our project at 422 Warburton at Division. The Affordable Housing Committee was interested in this site long before the Town foreclosed in 1996. Since then the Town Board and Supervisor Feiner have been very supportive of us and patient as we worked on various reuse schemes, the most feasible one of which is now before us with the A&F project. Our Fund is negotiating purchase contracts with the Town to buy the site. You will remember the purchase price the Town Board talked about when they came here last year. I am happy to report that the negotiations have resulted in a fair purchase price; the Village will not have to pay anything and the Town will get credit for four of the affordable housing units that will go toward the Town's affordable housing quota; I think that is a fair trade-off.

The Town is going to sell property to the Fund, the Fund will simultaneously sell it to A&F at the same price, plus A&F will make a contribution per unit toward the Fund so they will have seed money going forward into the future. If A&F drops out for any reason, the Fund will still have the contract with the Town. We intend to scramble and go to the County and other entities who have a stake in providing affordable housing in Hastings to come up with the purchase price. We would have to start again with the developer, but at least we will have control of the site.

A&F has submitted its proposal to the Planning Board. There are four townhouse-style buildings with 18 units in total; 11 will be affordable and there will be commercial on the ground floor space. There may be modifications to this as you go through the process, but the fund believes that we have nailed down an opportunity to turn what is an eyesore into

something that is going to get back on the tax roll and is going to meet a pressing need and be a benefit to the Village.

**Mayor Kinnally:** Congratulation, Jim. It is absolutely wonderful. I know what the number was that the Town had bandied about here, and this looks like a tremendous win for the Village and for the affordable housing impetus here. Thanks to you and Sue, and everybody else on the committee for doing this.

**Mr. Keaney:** Let us remember that the Town has been really supportive on this for many years, and Paul deserves credit for that.

**Trustee Holdstein:** Of the 11 units in the new site, Hastings will get credit for seven and Greenburgh will get credit for four.

**Mr. Keaney:** That is correct.

**Trustee Holdstein:** When this developer first came, there was some linkage between that site and the property that he is pursuing on Main Street. Was the deal that he would have more units of affordable in this site, and then not have any on Main Street? Was there not some linkage? Because otherwise, the 10% law would kick in on this as well.

**Village Manager Hess:** They are linked together. His 10% represents the units from Main Street, and I think he has a proposal on West Main also.

**Ms. Smith:** The third site is totally separate and not part of this. He is proposing a linkage that all the affordable units would be on Warburton and Division Street. However, there are more than he is obligated to provide, and that is because the site is being provided by the Town at a good price and because the committee got him into it to begin with, and is partnering with him, not financially, but in terms of the applications for grant money and all the other efforts. So we come out with more than we would have if he just did what he was required to do on the two sites. We come out with 11 instead of four or five.

**Trustee Holdstein:** So he can partner with the Village and get grant money even though he is an independent, for-profit developer.

**Ms. Smith:** Not with the Village, actually. It is with our corporate entity, which is a non-profit organization, which he needs as a way to access the government grants.

**Mayor Kinnally:** We have come so far with this. I do not know what the final design will be, and we leave it up to the Planning Board and the ARB, but that has been an eyesore, non-productive area for as long as I can remember. It is just tremendous if we can turn this around and start the renaissance of that whole area. It is a great opportunity.

## **2. Farmers' Market**

**Ms. Smith:** It is that time of year to ask you for the use of the library lot again. We had a fabulous year last year with the Market. The vendors are happy, the customers are happy. It has really become a Village institution. The same volunteer committee is working on it again. We think it is a great spot to have it, and we cannot imagine any better one. The only negative about it was the visibility, and I think people know where we are now. All the banners around town, and the action of people coming and going with their bags of goodies has done the job. It takes a few years to get that point across, but we have certainly accomplished it.

**Mayor Kinnally:** Well, they have a following. The vendors last year were fabulous. People have identified who they like and the vendors understand they can make money. We have a pretty good core of vendors coming.

**Ms. Smith:** They all want to come back and we are pleased that a new one will be coming. They love Hastings. They love the people of Hastings. It is not just that they do good business, it is that they have such nice relationships with people. It is a very sociable atmosphere, and the vendors like that as well. So it serves everybody's purposes. Parking is the issue that always is the negative possibility. As I said in my memo, it is what it is. There are a few people who are unhappy, but it is generally the same people. People who come to the Market go a little farther. A lot of them are walking. People ride their bikes. People are pulling little wagons with kids and the groceries in it. And there are a lot of people who are parking down the hill. People learn the kind of hours that are better to come. There is a lot of give-and-take on all sides about that. We certainly appreciate the police, who are very inconvenienced, and the neighbors who make do for the couple of hours of the Market.

**Mayor Kinnally:** The fears of the merchants that the Market was taking customers away have been allayed. I see people leaving, walking up into the Village. People from other communities spend time here also.

**Ms. Smith:** Even the vendors go into town.

**Trustee Holdstein:** As one several years ago who raised issues related to the location, I hear no complaints from anybody. While some people, like the police and some of the neighbors on Maple, are inconvenienced, they seem to accept it as a minor inconvenience. I was very concerned about the logistics of the location, but I think it has been a tremendous success.

**Ms. Smith:** The Market starts June 7 and ends the Saturday before Thanksgiving, November 22.

### **3. Update on the Waterfront**

**Mayor Kinnally:** We are continuing negotiations with ARCO. The last few yards are the toughest. I am trying to get a conference call with Sandy Stash. In today's *New York Times* there is a story about the ARCO cleanup in Missoula, Montana. Our costs pale in comparison; we are small change, so I am pushing to get a lot for us here.

### **ADJOURNMENT**

On MOTION of Trustee Swiderski, SECONDED by Trustee Holdstein with a voice vote of all in favor, Mayor Kinnally adjourned the Regular Meeting at 9:20 p.m.