

VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
REGULAR MEETING
JUNE 3, 2003

A Regular Meeting was held by the Board of Trustees on Tuesday, June 3, 2003 at 8:15 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: Twenty-three (23).

Mayor Kinnally: Our first order of business this evening is a brief comment by Trustee Holdstein as to events of the day.

Trustee Holdstein: I just came from our Hastings High School girls' soccer team who, for the third year in a row, competed in the semifinals of the sectionals. Unfortunately, they lost to Pleasantville. I want to congratulate a soccer team that for four years has been incredibly supported by the students, the parents, the community. There are six seniors: Alex Griffin, Katie Berasi, Mattie Yaco, Amanda Solarsh, Zoe Shea, and Gillian Holdstein. The four quad-captains all made all-section. They lost a heartbreaker 2-to-1. We dominated an undefeated Pleasantville team in the second half, and we just could not punch it in. So my hat is off to the whole girls' soccer team. They have had a great five-year run. They played for the championship once, and the semi's twice. A great bunch of kids, and it is great to see a lot of people show up on Reynolds Field 4:30 on a weekday afternoon to support them.

PRESENTATIONS

1. Fenwick Area Drainage Project

Mayor Kinnally: Cliff Gold of CG Engineers has been retained by the Village to perform a study of the Fenwick area drainage problem, and this is his report and recommendation.

Cliff Gold, CG Engineers: Here is a plan showing the overall area, and particularly showing the drainage area limits of all the locations that drain to the specific area in question, which is the stream that follows the blue line on my map. The total area we are dealing with is 190 acres, and it subdivides into various parts as we go along.

Starting at Ravensdale, the biggest flow starts in this area, travels through Dan Rile Park, down Fenwick Road, ponds in the area where Fenwick Road has a low spot at the stream to a depth of some 2 feet to 2-1/2 feet. The water then travels through the Chettih property,

around behind the Ratzenberger property, and down to Branford Road. In storm periods, the water traverses this area in depths of 6 inches to a foot across a fairly wide swath of grassland. At Branford there is a very small culvert, which backs up some of the flow onto the Ratzenberger property. Water travels down Branford and behind homes, and creates some bit of nuisance going through the back yards to the stream. We also have passage of water down through Mr. Kadala's, Ms. McMichael's, past the Gross property to Ashley, and creates flooding in this area not quite as bad as the other areas. It goes through culverts across Farragut Avenue and underneath some private property, into open channel flow down through Village property, then passes down into the Steppingstones area. There is flooding back about to here from the dam. The dam is located here on the Steppingstones property. Flooding backs up to about here. Depths of water in the flooded areas are as much as a foot at the worst conditions. Then the water passes down. The property here has some flooding at the highest levels in his back yard, and then goes under the highway, around back under the highway, down to the Saw Mill River.

This is a plan showing what I call Alternate A.

Mayor Kinnally: Is there anything different in Alternative A from last time?

Mr. Gold: Yes. We have modified a number of things by virtue of your comments at the last meeting, by former Trustee Walrath giving me some needling to make me change some things, and then I changed some things because I felt it was an improvement.

At Dan Rile Park I still have a section where we take flow and bring it down through a channel to a center area. Then we have a side overflow weir, with a bypass line going down Branford to the stream. I used to have a wall along Fenwick Road. I have taken that out because I felt that I would kill some very beautiful trees. So we have moved that to a berm about 100 feet back in the park. There is an open area, and we think we can put that in with a minimal effect on the vegetation. There is also an overflow that goes down from the park, through Fenwick Road, to the Chettih property. In addition, we also have an overflow at the top of the dike for the worst storms. The plan here is for a 10-year frequency storm along Branford and for a 25-year and 100-year relief over that dike.

Mayor Kinnally: You said there is 25- and 100-year relief over the dike. Where does that spill over to?

Mr. Gold: It spills over onto the ground, and then we go down Fenwick. In other words, it is controlled over the dike, and then uncontrolled down the street. In order to do something that is reasonably affordable as we move along we held to a 10-year storm on the handling of

the flow, with provision that if there is a 25-year storm it would flow over the top of this dike and then down the street and out through here with no worse flooding than before.

When I was here last time we were talking about a 25-year storm and we had pipes of 48-inch and 54-inch. It was rather large installations. We have come down now to trying to hold a 10-year storm. Permitting any excess to flow over the top of the dike in a controlled notch, and then flow overland down Fenwick Road, and down the old path.

Trustee Holdstein: What was your reasoning for changing it?

Mr. Gold: Economy. It just became prohibitively expensive.

Mayor Kinnally: Do we now experience flooding problems with 10-year storms?

Mr. Gold: Sure. You have 10-year storms about 10% of the time. You have not experienced a 100-year storm very often. Hurricane Floyd maybe, but that does not happen too often.

I have made some changes at the Chettih property. We stopped there a few weeks ago and had a long discussion with Mr. Chettih and his wife. What we are planning now is to remove the existing 15-inch pipe that cuts across their property kitty-corner, and instead to put in a larger pipe parallel to the one on the edge of their property. We thought we should leave the 18-inch pipe along the edge of their property because that is a heavily shrubbed and very well marked boundary planting, and instead put a 24-inch pipe parallel to that toward the back of the property and then bring it over to a meeting with the existing stream on the Ratzenberger property.

Going further downstream, on Alternate A we have no improvements except for the fact that we put in a curb along Farragut Parkway to try to minimize the amount of water coming down the hill toward Steppingstones.

We also made an effort to minimize the water entering this area. We did that in several ways. Along Ravensdale, we are going to put a curb or a berm along the back of the properties down toward Kent. That should minimize the water coming down over the top of the hill. Where Ravensdale meets Kent we are going to enlarge an inlet. There is a small inlet there, and that permits water to come into this area. If we can put a large inlet there, it will pick up the water and make sure it goes down Ravensdale toward the river. We are showing a swale, a depression in the pavement, across Fenwick Road at Branford. This is to make sure the water continues down Branford in this area, and does not enter the Fenwick Road area. Up at Farragut we are putting a swale across to try and hold the water running down so it goes

down onto the Parkway instead of down Farragut Avenue. Each thing is trying to minimize the water entering this area that has the most flooding.

I am going to go through the next alternative rapidly because it is an extremely expensive one. This is a bypass pipe going down the Fenway and down the Parkway, bypassing the whole area. But I do not think the Village wants to spend \$1 million, so we will put that aside for the moment. It is a maximum project. On B there was also a concept of a dike across above the Steppingstones as a minor impoundment with a bypass pipe going down Nepperhan Avenue down to the creek. Again, that is an extreme condition but I thought I would bring it up one more time.

Alternate C is a more reasonable project. It does not accomplish everything, but it helps quite a bit. The work in Dan Rile Park is much the same. The only difference is that now we are taking the side overflow down Fenwick Road. So we are taking the 10-year storm down Fenwick Road to the creek. We are also improving the Chettih property as I described. We also have the swale across the Fenway, but we have an inlet on each side of the road to pick up any of the water that comes down Branford or Fenway, and avoid it going down to Fenwick Road but pick it up in pipe before it goes down Branford. We have a 15-inch pipe coming down Branford to the creek, and we replace the existing pipe with a 4-by-10 culvert.

Down Fenwick Road we have shown a 42-inch pipe. Instead of the 24 we had on the other plan, we are now at a 42-inch pipe on the Chettih property but in the same configuration. This one is much more in keeping with what we are trying to do.

Mayor Kinnally: But you do not have any improvements beyond the additional inlets and the swale at Branford.

Mr. Gold: I have a pipe going down Branford just to carry the water from the corner down into the stream. A small-diameter pipe, but it would minimize the water coming along Branford or along the back yards. In other words, I would avoid that water that was coming back through the back yards and flooding out areas. That solves the flooding in this location; it solves the flooding in Fenwick Road, and it has about the same effect downstream. Considering that we have put in the Dan Rile Park detention, we do not have any increase in flow downstream with this plan.

Mayor Kinnally: The configuration of the Dan Rile Park detention area is the same under C as A?

Mr. Gold: The only difference is that instead of coming out in the westerly direction with a bypass pipe, we are coming out in the easterly direction with a pipe coming down Fenwick Road.

Mayor Kinnally: And all of that is enclosed. It is not open stream.

Mr. Gold: That is correct. Let me make sure we are of the same mind. This section through the Ratzenberger property I have not enclosed. I left the open stream. Along Fenwick is all in pipe.

Mayor Kinnally: Up to the Chettih property, or through the Chettih property, it is the same configuration as A.

Mr. Gold: All in pipe, yes. In every one of these plans we have removed a piece of the wall in front of the Chettih property. We talked to Mr. Chettih and his wife about that, and I told them if we took that out and put the pipe in there would be no greater flood across his property. In fact, there would be less flooding across his property. He was concerned that if we took that wall out that the flooding across his property would be worse, but I assured him that if we put the pipe in the flooding would be no worse and, in fact, would be far less.

Mayor Kinnally: And you are going to add an inlet at his property.

Mr. Gold: Yes. When we take out this existing 15-inch pipe, we carried the water along Fenwick Road to this location and then down the 42-inch pipe. So there is another piece of pipe that we are putting in right here.

Trustee Swiderski: Compared to Alternative A, can you contrast the effect on the various types of storms in this alternative?

Mr. Gold: A and C have roughly the same effect. They are both handling a 10-year storm. They are both picking it up in Dan Rile Park. But in A we are bringing it down Branford to this culvert. In C we are bringing it down Fenwick and out through the Chettih property.

Mayor Kinnally: Under C are you also providing for the additional curbing, or berming, along Ravensdale?

Mr. Gold: Yes. All of those side diversions are continuing. We had that same swale along Farragut. We have allowed for curbing along Ravensdale. We have allowed for that inlet at Kent, and the curb and berm along Farragut is the same.

Mayor Kinnally: Looking at the left side of Fenwick, is there curbing there that will channel that water on the road and keep it off the property all the way down?

Mr. Testa: That will all be replaced when they put the pipe in, but there is curb there now.

Mayor Kinnally: Once it gets down past the Chettih property, how will it flow to get into the 4-by-10 box culvert over on Branford?

Mr. Gold: It will flow over land.

Mayor Kinnally: How will it be channeled across that land?

Mr. Gold: As it is now, by the banks on each side. Right now, the water courses across their properties, their wide grassy areas. If I were to put in a 100-year storm pipe it would not do that, but with a 10-year storm pipe I will pick up about half the flow in the pipe and the rest of it has to go above the ground. With this wall out of here, the water will come over this low curb and onto the Chettih property and then the Ratzenberger property. Whatever does not go into the pipe will cross the properties on the grass strip, only for the 25- or 100-year storm.

Vincent Bachman, 28 Fenwick Road: At that catch basin, the water bubbles out and it moves the lid off. That is a pretty heavy lid. I am concerned. If that is going to still happen, we have children on that road.

Mr. Gold: The pressure will be relieved. The pipe sizes are such that the water will stay in the pipe and we will have a double inlet so it will not lift it.

Mayor Kinnally: Are you saying that the downstream capacity of the pipe is being increased?

Mr. Gold: Yes. And the inlet capacity increased. We are doubling up the size of that inlet so more water can go in without backing up.

Trustee Holdstein: If you measure from the grate in front of the Chettih property on the street to the height of their wall, I would estimate that is about 18 inches. Would you agree?

Mr. Gold: I would have said more like 2-1/2 feet, 30 inches.

Trustee Holdstein: You mentioned the flooding at 2, 2-1/2 feet. I have stood in it waist-high, so that is probably closer to 3 feet. But if we are saying on one hand that we are going

to remove the wall, but on the other hand we are trying to take water underground, I do not understand, with 18 inches of height to the top of that wall, if we solve the flooding problem then we should not have 18 inches of water that needs to channel over where the wall is supposedly no longer.

Mr. Gold: The intent of the piping is to take the 10-year storm. I would not have to touch the wall if it was only a 10-year storm. But if it gets to be more than a 10-year storm, that street will be again a pocket of water unless we take the wall out.

Mayor Kinnally: Are you removing the entire wall, or just breaching it?

Mr. Gold: About 25 feet of it.

Trustee Holdstein: While you are improving some of the flow underground you still have a massive amount of water that is going across to the top of the Chettih property.

Mr. Gold: That is right.

Trustee Holdstein: And that is going to cascade down to behind the Ratzenberger property, and fill in the stream which runs this way, and then has to bend.

Mr. Gold: We have taken out that piece of bent stream.

Trustee Holdstein: These two pipes, the existing 18-inch clay and the new Chettih 42-inch, are going to be fed by the same catch basin, or two catch basins?

Mr. Testa: There is a manhole and a catch basin.

Mr. Gold: There is one at the 18-inch, and we are going to put a double at the 42.

Trustee Holdstein: The water is going to flow down those two pipes and then you are going to block off, before going into the Ratzenberger property and making the right turn, you are going to end the pipe and skew it diagonal, correct? And both those pipes are going to suddenly bend on that new diagonal placement.

Mr. Gold: That is correct.

Trustee Holdstein: What will that do to the maintaining of the stream on beautiful summer sunny days? Will the water still flow through the 10-inch pipe in some way to continue the natural stream around the Ratzenberger property, or is that going to dry up?

Mr. Testa: That will be filled in. We are going to close it up.

Trustee Holdstein: So the stream that opens up to the back of the Chettih property and does an angled turnaround will dry up and the stream will actually commence here. It will be underground. It will only come above ground at the corner there.

Mr. Gold: It will only go above ground when there is a 25- or a 100-year storm.

Trustee Holdstein: At the Rile Park, the new extension. Is that pipe underground?

Mr. Gold: That is 42-inch underground. This will all be filled with water.

Trustee Holdstein: Which means that water will, from the very moment, be flowing into that pipe.

Mr. Gold: Let me clarify. We start with filling this detention basin. As we fill it, a small amount of water goes out through this 8-inch pipe to keep the stream flowing so we do not dry it up. When the water in the detention basin reaches a certain level, it flows over a side wall here, which is above this area by 6 or 7 feet. So it is a high wall here, flows over that wall into a chamber, and then goes through a 42. Only when that fills up.

Trustee Holdstein: In the last meeting Mr. Crosby raised the point that when you were in the lowest point of Dan Rile Park you are really looking up to the stream. There is quite an elevation from the low point of the park up out to the streets around it. I am concerned about the placement of this wall. We have this relatively nice park. It is not used a lot, but people do like to walk in it, there are a few benches. And we are going to create a walled-in situation. If we just deepen out the park does it create its own natural wall without constructing a wall to hold the water? That way you have the potential of runoff and erosion.

Mr. Gold: The center of this park is considerably lower than Branford and considerably lower than this area, but it is essentially level with here. The low points of the park are essentially the same as this point on Fenwick Road. So I need something. It will not be ugly. It will be a grassed berm with relatively gentle side slopes so it will look like a mound, a grassy slope. That notch in the center may have some stone on it because I do not want it to erode under extreme storms.

Trustee Holdstein: The swale across where Farragut Avenue and Farragut Parkway meet: is it going to be that effective without ruining people's front ends every time they drive across it? I am concerned about the effectiveness of that as one piece of this puzzle.

Mr. Gold: Our intention is to make a shallow, fairly wide depression. I cannot make it deep enough to carry a great deal of the water past because otherwise it will be a hazard. But I can make about a 3- to 4-inch depression, and wide about 4 or 5 feet. It should not be a hazard. But it is important, and it has been brought up by several of your residents, that they would like to reduce the flow coming down here, and that is very effective way of doing it.

Trustee Swiderski: In Proposal C, the pipe that goes down Branford, what situation is that pipe alleviating?

Mr. Gold: Number one, it picks up the water at the intersection and therefore avoids it coming down behind these homes here. Number two, it picks it up at the intersection and does not allow it to get down into the Fenwick Road area, which I am trying to avoid happening.

Trustee Holdstein: At our last meeting, when you talked about the pipe coming down Branford and when it turns to rejoin the stream, you talked about a deeper hole that would help slow the flow at it returns to rejoin the stream. Is that still part of plan C?

Mr. Gold: Yes. If you look at your plan, you will see something called a drop manhole. A drop manhole is a deep manhole from which the pipe goes out flat. The intention is to come in there and destroy the energy and have it come out flat. One of the questions brought up to me several times was that the exit from this culvert should not destroy any of the foliage on the property. By making it a 4-by-10, and by flaring the end I will reduce the velocities and not cause destruction of that foliage.

Trustee Holdstein: The current culvert that travels under Branford is how big?

Mr. Gold: Twenty-four-inch diameter pipe. Very little goes through that pipe. When there is a storm, the water floods over the top of Branford and does not go through the pipe.

Trustee Holdstein: And now instead, you are going to dig out a culvert. Remove the pipe, and create a culvert effect.

Mr. Gold: Most of it now will go through this culvert.

D is a bare bones, minimal effect consideration that former Trustee Walrath insisted I put before you. Nothing would be done except that we would put the curb along Ravensdale to keep the water out there. We put the swale across at the top end of Fenwick Road. We put a curb along the side of Branford. Today we were talking about the possibility of even regrading Branford in this area so water would stay in Branford behind the curb all the way

through. And then removing a part of the wall at the Chettih property. Putting this swale up at the Parkway, and putting the berm down along the lower sections of the Parkway. Essentially what we are doing is minimizing the water entering the area by touching all the sides, but doing nothing to improve this area at all.

Mayor Kinnally: And the bubbling?

Mr. Gold: That would continue. We would reduce it, of course, because we are reducing the water coming into this area.

Trustee Swiderski: And what about Ravensdale?

Mr. Gold: We would do the curbs along Ravensdale.

Trustee Swiderski: And the large manhole?

Mr. Gold: A larger inlet at the corner of Kent is included. This curb, this swale, the curb and berm down below, those were the things that would be in this. The positives are that it costs a lot less money, because we are doing a lot less work. The negatives are that you would probably throw more water downstream for a brief period because there is not detention at all. No detention at Dan Rile Park, no detention in Fenwick. So whatever water would formerly have started in those detention areas would not stop and would go downstream.

Trustee Holdstein: What are you doing on this plan at the intersections of Fenway, Fenwick, and Branford?

Mr. Gold: Just the swale, continuing down into a curb.

Trustee Holdstein: And that would catch water coming down the Fenway, and eliminate some continuing onto Fenwick?

Mr. Gold: We reduce some of the water coming down Fenwick by diverting it down this way. The water coming down Branford would go down and we would not totally eliminate it. All I am depending on is a shallow swale across the road here. But it would reduce it. There would be less water going to the Fenwick area.

The construction cost of D is \$88,000; the capital cost, including engineering and legal or whatever has to be done, would bring it up to \$120,000. Moving back to C, the construction

cost is \$374,000 and the capital cost is \$512,000. A, a \$415,000 construction cost, \$570,000 capital cost. And B, the monster, is \$916,000 construction cost and \$1.25 million capital.

I gave some thought, at Mr. Walrath's request, to the possibility of phasing. That depends in part on a political decision on where you go and how far you go and who's ox is gored. D can be a first phase of C. You could prepare yourself for C, but build just D for now and see how it works. There is a downstream effect, worsening downstream below Branford. If that does not prove to be a serious problem, you could leave it. If it proves to be a serious problem, you could go on to the other parts of C.

Mayor Kinnally: There will be more of a surge.

Mr. Gold: Exactly right. Nobody likes the detention in Fenwick, but it serves to reduce the surging downstream.

Trustee Holdstein: What we do not know is how much will be minimized by the swales and the curbing on Ravensdale.

Mr. Gold: You are exactly on point. I cannot really calculate the effect of those diversions. I can say that those diversions will reduce the flow to this point. But it will not provide for any detention, and therefore whatever water does come in to here goes downstream.

Mayor Kinnally: In D, if you put in the curbing, that curbing would have to be ripped out if you put in C because you are putting in another 15-inch pipe.

Mr. Gold: No, that is not precisely where it is. If I have a curb along here, I can move this pipe out into the street a little further.

Mayor Kinnally: No utilities or anything there?

Mr. Gold: Some, but nothing much. A curb along the side of Branford has a restricting effect. It reduces the amount of water that can come through here, but it is not going to be a total control. This is much more of a control because I pick up almost all the water in those inlets.

Mayor Kinnally: You are taking the surface water off, and eliminating it before it gets down into that area that could saturate it.

Mr. Gold: Right. But if you put the curb in now and you put these diversions around the side in and it works, or helps, that is fine. If it does not work, you may need to do this. Or you may need to put the drainage in.

Trustee Holdstein: One of the things I learned in walking and listening to David and yourself is, everything that we do to obstruct the water downstream has an effect. We have talked about the dam at Steppingstones, about keeping culverts clean, about all these little things that together have an effect. If we go all the way downstream, we have a situation where this stream goes under Farragut and loops back: your last situation. If we could reroute the stream so that it does not, in fact, cross under Farragut, but stays on the same side as Farragut Parkway and just gradually bend it and take it down to the river, I realize it is at the very end of this whole flow, but because everything going back up to Fenwick starting at that point has an effect, would that be of any help in moving this water on a more efficient basis?

Mr. Gold: No. And you are right, except I have to reverse your thinking. It has an effect a certain distance, but not all the way. For example, if this culvert is clogged, it has an effect a certain distance up, not all the way. Now, we find that this culvert is not clogged. We find that down below here where it comes back there is a double culvert, one of which is clogged, so we think we should ask the state to clear that culvert. The dam at Steppingstones has a backwater curve that extends up to about here. It does not affect Fenwick. We did not know that until we started doing the hydraulics. But the effect of the dam is only felt up to perhaps 100 to 200 feet above the Steppingstones garage. WE talked to the Steppingstones property owner, to Mr. Ellis, and to Mr. Nugent. These are the properties that are most severely affected by the dam. We asked them, Do you wish us to consider a channelization, a removal of the dam, or any work in that area? We had an emphatic no. The people in this area do not want us to move machinery through here. I cannot remove any part of that dam without some machinery. I had said to Mr. Walrath that the dam should be lowered to minimize the flooding. But to lower it means that I have to get some equipment in to do it, and that the effect would be a reduced water elevation through this area so there would not be that pretty pond. I am now of the opinion that unless the people in this area petition you to do so, I would not recommend that you do anything with that dam.

Trustee Holdstein: Do the property owners at 20, 22, and 24 Nepperhan, at the same time that they are requesting that you do nothing in that area, are they also indicating that they are getting any flooding in those homes?

Mr. Gold: I do not know about number 20. Mr. Nugent has had water in his basement, but he handles it with a sump pump. Mr. Ellis does the same. Ms. Romer has said that she does not have any flooding in her house.

Trustee Jennings: I would like to go back to Dan Rile Park. The existing 27-inch pipe going from the top of the park at Ravensdale all the way down Fenwick: one of the problems that we are having with the ponding at Fenwick is that water is backing up out of the storm sewer in the street because this pipe is so small and it cannot handle the flow of water. Is that correct?

Mr. Gold: There are two reasons. One is that the water comes down in that pipe and has nowhere to go, and has trouble at the bend. The other reason is that the pipe here, this 18-inch, is too small and there is a backup caused because the water will not come out so it comes up out of that inlet.

Trustee Jennings: That becomes a worse problem when we have a storm that drops a lot of water in a short period of time, right?

Mr. Gold: Oh, yes. The more intense the storm, the worse.

Trustee Jennings: I like the idea of a diversion up in the park. I am thinking about a mechanically controllable way of taking, in those times of intense storms, some of the water flow away from this pipe going down Fenwick and diverting it, ponding it, in the park so as to reduce the backup problem further down Fenwick. It is a small addition to option D that would give us a bit more control in those very heavy storm periods.

Mr. Gold: You are talking about trying to hold some detention water in the park. Unfortunately, I did not know any other way to do it except to build this dike. I need to hold the water behind the dike.

Trustee Jennings: Yes, I get to that next. But first, I want to ask you, can you make a little diversion off of the main pipe? You have to get the water in the park first, then we will worry about the dike.

Mr. Gold: I can open up any part of this pipe into the park. But as soon as I do that, it will flow down through here, right into Fenwick Road.

Trustee Jennings: That depends on how much water we allow to escape into the park, and that in turn depends upon how much we need to relieve the pressure on the 18-inch part of the pipe down on Fenwick. Maybe we will have to build a barrier there, but what I am trying to do is a compromise between D and the earlier options that keeps the cost down. I do not see why you need to build a weir and another pipe coming out of the park. I do not see why you cannot just use the park for those unusual occasions when we have to let the water pond someplace and then evaporate.

Mr. Gold: You are suggesting that we have a way to create the detention but not do the piping. Yes, I can create detention here, but I need the dike to do that. Let us say we follow your reasoning and I do permit the detention and pond the water in the park, but not increase the piping downstream. Once this fills, which will take an hour or so, depending on the degree of the storm you will then have water coming down and, again, we are going to have the inlet here popping off. If we take the wall out, maybe we will not have the flooding in here. But if we take the wall out, then maybe we will have the water coming through. But you will have more water coming through here, on the street, than ever before. And you will have that drain popping off, with a 2-foot head under it.

Trustee Jennings: When you say the park will fill with water in a couple of hours, has that ever happened in any storm we have ever had?

Mr. Gold: In Hurricane Floyd it would have happened very quickly.

Trustee Jennings: We are talking about normal rainstorms that happen to be particularly intense over a short period of time, causing that sort of backup of the drain further down Fenwick. I am talking about a system where we could, in those cases when the weather service tells us this is going to happen, temporarily divert some of the water out of the pipe, into the park. We would not let it get so high as to flood. Maybe you could put a dike of some sort. It might not have to be quite as high as you were envisioning, however. But I do not see why we need the spillover, and another pipe to take the water down. It seems to me you could just let it seep into the ground and evaporate over time.

Mr. Gold: It will not seep. If you have a 10-year storm, you will have water coming, if you have only the dike and you open up the pipe then in the 10-year storm, as soon as this fills, water will come down here on the street. In the 18-inch pipe it will remove that cover from that inlet here. It will flood through the Chettih property.

Trustee Jennings: If the park fills, we turn the valve off and we are back to option B, that is all.

Mr. Gold: I am going to agree with you in one regard. If we are phasing, it is possible to do D, to do just the dike and the work in Dan Rile Park here, and do some inlet work here. In other words, something in between is what you are saying. I call that Phase 2. You would like to make it part of Phase 1 perhaps.

Trustee Jennings: No, I am not there yet. I am just wondering why we cannot have a portion of your concept in the park without the entire plan that you have in A, B, and C.

Mr. Gold: What you are saying is rational. One of my problems was what would be the second phase. Phase 1 was what we talked about with D. What is the next phase if that does not work well? And the big question was, do we build this and this, or this and the work on the Chettih property? It has to be a combination in Phase 2 of detention in Dan Rile Park, and some part of this, to minimize that condition. Now, that is an in-between condition. Maybe the Trustees are going to say adjust it a little bit and give us D-1 or D-2, or whatever we want to call it. As I said to you before, D is \$120,000; C is \$512,000; the in-between is, perhaps, \$250,000 or \$300,000. Yes, there is an in-between. Thank you for going that far.

Jonathon Leviss, 40 Branford: I am on the corner of Fenway/Fenwick and Branford. On both D and C, you have a swale or a diversion of water across Fenwick/Fenway over to Branford. Is there an outlet to enable that to continue down, or is that supposed to be following Branford Road on the surface all the way down to the stream towards the bottom?

Mr. Gold: No. This is planned for just the paved area here. On C, there is an inlet right here. That swale would feed into the inlet, so that any water that is captured by the swale would go into the inlet. On D, we put the swale in and it would probably get caught partially behind the curb.

Mr. Leviss: As you and I have discussed on walks through that area, with many of the people here present, it is actually an uphill between the first house and the second house.

Mr. Gold: There is a rise right here of about 8 inches.

Mr. Leviss: It starts further because the water, at least once every one to two months when we have a storm, comes streaming down the existing swale, races down Branford and makes it to about the midway point on my front yard. If we are talking about diverting more water across Branford we are not talking about needing a curb, we are talking about needing a wall. That has not been addressed yet. That is why I asked if you had planned something to enable the water to go below that, which is not on D.

Mr. Gold: It is on C.

Mr. Leviss: If we are talking about retaining water in Dan Rile, is there a potential impact on mosquito population ?

Mr. Gold: I do not think so because this area would fill rather quickly under an extreme storm. This will fill within an hour. It will drain in half a day, but it will not have any stagnant water. I have done enough of them that I am sure of that.

Bill Ratzenberger, 30 Branford Road: Thanks very much for all the work you all have been doing on this. If budgetary constraints direct the town toward plan D, causing most of the water flow to pick up in the Chettih property and my property, and it changes the dynamics of my property from a reasonably peaceful one to one of problems, what happens then? I am sympathetic to the people on Fenway. But what happens if we go to plan D and all of a sudden the Chettih house and my house are...?

Mr. Gold: I would hope that the Trustees will then have plans ready and available for phase 2 or phase 3. That is how I presented it to them, that you can start with D and then if there is a problem...

Mayor Kinnally: Before we instituted D we would have to go through the what-if scenarios with Cliff. He has hydraulics. He would have to show us the possible impacts.

Mr. Ratzenberger: That would be my last question. What if, as hard as it would be to believe, Cliff is wrong? What happens at those points where there are emergency conditions?

Mayor Kinnally: We will have to see what the effects are. He is going to have to tell us, if this happens, here is a likely scenario of how this water is going to affect them.

Mr. Ratzenberger: I am all for solving the problems in the rest of the neighborhood, but I do not want to shoulder them myself.

Trustee Holdstein: Are we in a potential to negatively affect Chettih and Ratzenberger's properties if we just do D?

Mr. Gold: If you just do D, you are reducing the amount of water coming in here by some amount, but you are taking the wall out and permitting the water to come down without detention and you will be increasing the amount of water coming through in the first surge. There will be more water coming through.

Mark Rossner, 24 Branford: I border on Bill Ratzenberger's property. The stream is close to the property line. Although D does not sound very exciting, it would make a real difference in people's lives. I think it would be a prudent first step, an economical one. And rather than getting flooding two or three or four times a year, people would find it makes a big difference and that the time we have spent on this would be validated. Thanks for all the work that you have spent on this.

Tom Kadala, 25 Branford: I also want to thank you. You have done an incredibly good job. Alternative D seems to be a good choice. In reference to Ratzenberger's question, is there a way to divert the stream so that the elbow section is removed and we can redirect the stream?

Mr. Gold: Yes, I can take the stream and run it where that pipe is.

Mr. Kadala: It might alleviate his problem entirely, or to some degree.

Mr. Gold: Some degree, yes. It would be better. I would rather have a shallower angle for the water. Hydraulically, it is more efficient. But the amount of water coming down is not going to stay in that channel.

Mr. Kadala: The swale on Farragut: unless you slow down traffic the swale could be a problem. The other issue which was not mentioned is maintenance. It probably caused a lot of the problems in the past. Maybe some of the drainage areas were clogged up and that is why the flooding was so exacerbated. I feel that we all came to a critical agreement here that with the removal of the wall the flooding problem in that critical point is now totally removed. We are really looking at how to manage the water.

Mayor Kinnally: I believe Cliff said the removal of the wall, coupled with the increase in the size of the inlet there, is going to deal with removing some of that water. I may be using the wrong word, but I think it was an inlet and he says he is doubling the size of it.

Mr. Kadala: Then when I say I am removing the Chettih's wall completely, I am saying I am eliminating the flooding problem that has all of Fenwick Road so concerned.

Mayor Kinnally: I am not so sure that eliminates it totally.

Mr. Kadala: No, I agree. Obviously, we have to move now. Trustee Holdstein's comments about all the diversions we can do are basically good ideas. Trustee Jennings' comment of perhaps even adding to that benefit factor by increasing some kind of retention pond in Dan Rile: it depends. Our storms are 20 minutes. I cannot see them going for hours. So it has some viability. I can see your point, that if it is full it is useless. But he is saying if it is full, and transferring the flooding problem that existed at Fenwick Road, moving it over to Dan Rile in some regard. All of that put together can create a really good benefit.

Jenny Lee, 59 Ashley Road: While I am not directly affected by any of this, I am in the neighborhood and do use Dan Rile Park. My concerns are not so much with the proposal of D, which does not have any impact on Dan Rile Park; but the idea of putting a berm across

the low end of Dan Rile Park will have significant effect on the trees, the wetlands, silting, a whole range of projects. I am a landscape architect and familiar with some of these issues. It was not clear to me how tall that berm would be at the end.

Mr. Gold: Seven feet at the highest point.

Ms. Lee: Access into Dan Rile Park from Fenwick Road, then, would be completely blocked off, if you have to go up and over a 1-in-2 slope. It significantly changes the use of Dan Rile Park. I also believe that it would significantly change the habitat, or the ecosystem, in Dan Rile Park. Holding water and building a berm is going to impact on the very majestic, large trees in there. Is there a way to dig down in the existing wet area for detention? The only things growing in there are skunk cabbage and things like that. All of the big trees have fallen down because it is too wet. So rather than building a big berm, can we not just excavate in there and create detention that would be sufficient to help the situation?

Mr. Gold: Good questions. As far as access is concerned, I thought of the possibility of putting some steps up and down. I can make them nice flat rock or flagstone, just going up one side and down the other. The second thing that you were talking about was the wet area. You are absolutely right. I have not gotten to the point yet in that detail to know what I would do. But certainly I can remove some of that material and add to my storage. I would love to add to the storage. And my pipe coming out of there would just go to the lowest point possible, so I would make sure nothing stays stagnant.

Ms. Lee: The concern of maintaining a natural berm 7 feet high, with or without steps, it is very shady in there, although many of the trees will come down if we put the berm in, so that might allow for a lot more grass to grow.

Mr. Gold: We picked an area where there are very few trees.

Ms. Lee: Well, there are some very large, significant trees, and the roots go out to the extent of the canopy. Constructing within that zone has a detrimental effect on the life of that tree.

Mr. Gold: I believe this is outside the canopy of these trees.

Ms. Lee: I would have to look specifically at where this is. But I do walk through there and I do enjoy the trees and things like that. Creating a wall at that end, from a user point of view, it becomes a complete bowl and you cannot see through it.

Mr. Gold: Leave your name with Ms. Maggiotto. If I do design, I would like to talk to you.

Walter Haubold, 31 Fenwick Road: The main concern and the main flooding we have there, having lived with this, is that pipeline running through the woods in Dan Rile Park. That is not 27-inch, to my last recollection. It is 32, if you measure it. We measured it.

Mr. Testa: The inside diameter is 27 inches.

Mr. Haubold: I do not want to argue with you, but we would have to check that again. The Hazen and Sawyer report came up with something like a hundred cubic feet per second under pressure out of that area. When you think of trying to divert this or dam it or hold it, that is the worst thing you can do with water. To have that kind of dam, especially an earthen dam, sitting at the end of the street, if that thing lets go it will be more than flooding. It will be a catastrophe. What you really have to do is remove Chettih's wall.

Mr. Gold: Right.

Mr. Haubold: But then you also should put a pipe underneath, a 42-inch. If you did not do anything and the sewer line that goes through Fenwick Road pops up, it starts to flood the area. That is what we have problems with. If every time that happens, and Mr. Chettih's wall is no longer there, he will flood over the curb and give him much more frequent flooding on his lot. There are three things that you can do here. You can leave it alone. The existing stream would still flow all the time, as it does now. That trickle, that babbling brook kind of deal. Anything that comes down Fenwick Road would be piped underneath Chettih's 42. You want to angle that off so it meets the stream between Ratzenberger and Mr. Rossner's property. Angle that off so it comes head-on into that stream in the back of his house, where that could disrupt and hit it. So you have the babbling brook where the existing 18 is. You would have the 42 underneath. So only the 25- or 100-year floods would run over the top of Chettih's property if he takes that wall down. That is probably the simplest.

Mr. Gold: Your idea being to have the first phase include this work.

Mr. Haubold: Yes, we have to. I do not see any other way. You are trying to retain it up in the woods, and then saying when it really gets bad, folks, we have not done anything down here. You are hiding your head in the sand. You have to let it pass. You have to get it to the other end. You cannot keep damming this stuff up. But that would give you the 42 that would drain the street. It gives you the existing condition, where you still have your babbling brook. You do not make a big retention basin in Dan Rile Park. And if you remove the wall, none of us would get flooded.

Mr. Gold: Yes, you will not have the flooding here. Okay, I hear you.

Ali Chettih, 32 Fenwick Road: We do have a lot of solutions that you came up with, and I thank you for that. Alternative D is a little bothersome for me because, as Mr. Kadala acknowledged for the first time, and I thank him for being accommodating this time, basically the solution of the water is going in my basement. But removing the wall, which started as just an aesthetic wall on my property, became my solution to the Fenwick Road problem. I like the C alternative because not only it alleviates the Fenwick Road problem but it does not increase any drainage to the other properties. My question is, on the new pipe that you had said is 40 inches, what are you going to do at the end? Is that going to be closed?

Mr. Gold: We have in mind to bring the 42 down, to connect your 18-inch to it, to bring a 48-inch pipe across here, and connect back in Mr. Ratzenberger's stream right there. We would eliminate this piece in here.

Mr. Chettih: So all that open channel would be closed.

Mr. Gold: Yes. In major storms, the water will still go across the top.

Mr. Chettih: My problem with taking the wall completely without the work, in the last six or seven years I already lost about 5 inches of my yard. Now you can see a big portion of the pipe in the middle of my yard. Before, we could not see it. If you take that wall I am going to be losing probably 10 inches off the yard. What are you going to do with the erosion if you come up with alternative D? There would be serious erosions problems on my property.

Mr. Gold: I will have to talk to the Trustees about the possibility of making this phase 2. We will have to review that with them.

Bill Crosby, 20 Branford Road: I live next to Mr. Rossner. This proposed swale: there is a slope upward. I challenge his ability to do it. The water comes down from Ravensdale against the curb, down around Fenway, and this swale works very effectively. If it is possible to do it, that would cut a large volume off. The positive to that is, yes, it would slow down cars. Two, this swale is unnecessary because there is no curb along the park and the water is absorbed by the grass on the side. Most of the volume of water comes across the Fenway, blocked by the curb here, through this swale. There is very little that comes around here. So if you look at the two curbs and runoff, all of the water comes down in that direction. Very little comes down here. So that swale, to me, is not as effective. Three, the 10-year. We have lived here for 30 years; there have only been between three and five times that this property has flooded. The next comment has to do with curbing along Farragut Avenue. There was a curb there, and it was approximately 5 or 6 inches high. Every time the state re-paved, they repaved over the current pavement. So you have three macadam repavements and no curb, so the water flows over into here.

Will Gutterman, 394 Farragut Avenue: I am concerned that the cheapest alternative, D, addresses the smallest area of flooding. I am focusing on your comments that you are worried about downstream, which there is a lot downstream, as you know. There will be more water there. Is that true?

Mr. Gold: Sure, there is more. If we are restricted to D, then there is the least amount of improvement.

Mr. Gutterman: To the smallest amount of area. My other question was about A. Can you describe what the berm along Nepperhan would look like?

Mr. Gold: It was a small berm, about 4 or 5 feet high, across the Village property from the parkway to the avenue, from Farragut Avenue to the Farragut Parkway. And then there would be a wide-pass pipe along Nepperhan.

Tish Romer, Steppingstones property: You had a very accurate representation of our situation down there with the dam and so on. Mr. Gold, thank you for that, and for all the work you have done here. I am concerned about two things. Alternative D I am very concerned about because you have said that it is going to bring more water downstream with less control. And, of course, we cannot take any more water down there. I think you are aware of that. There is water in three basements.

Mr. Gold: The Mayor's terminology was the best. It is the initial surge. Eventually, the water is going to all go down no matter what it is, but initially, without any detention, the surge will be larger coming downstream.

Ms. Romer: According to the Hazen and Sawyer report, the cubic feet per second that the water moves up in the Fenwick is 65% lesser than the cubic feet per second than the water moves down at Steppingstones because it has increased in drop and also in volume by then.

Mr. Gold: Your figures are about right. They are almost double.

Ms. Romer: So, obviously, we do not want any more water or any faster.

Mr. Gold: I cannot stop the water. I can only change its velocity.

Ms. Romer: Mr. Walrath told me at one point that any changes upstream would bring more water downstream to the Steppingstones area. So I have to question some of these things.

Mr. Gold: I promised you that I would not bring any more water downstream with my solutions. D does not do it for you, but C would.

Ms. Romer: Will the engineering specifications of these plans be available for us to look at? I know the Board has things in hand, but it was very hard to follow a lot of the presentation.

Mayor Kinnally: This whole process has been quite transparent. Whatever is available to the Board will be available to the public. There are no engineering specifications. What you see is what we have.

Ms. Romer: What is the process?

Mayor Kinnally: We have not gotten to that yet. We are going to have public comments and then we will get to the next step.

Mr. Gold: With the comments made tonight, I would like to throw together a draft report and have the Trustees look at that and give me your input before we make it public. I do not know if that is possible but I do not want to create controversy unnecessarily. It will not be much different from what we are talking about right now, but just the framing and the phasing and the approach to how it would be done I would like to put it to the Board as a whole.

Mayor Kinnally: All right, give us a draft. Then we will have a work session for comments.

Village Manager Hess: I am not sure you want to take a draft and then decide where you want to go with it. Let the engineer give you his alternatives and discuss those at the time. Do not preselect the alternative. Let the alternative sit out there, have your final public comments.

Mayor Kinnally: Why do not you and Neil talk about it, and then come up with something. This has been productive. There have a number of very good comments from both the Board and the public that Cliff has reacted to. I want to give him an opportunity to assimilate all of this. Speed is not as important as thoroughness here.

Trustee Swiderski: What is going to happen in the next few steps? You will pass us something preliminarily?

Mr. Gold: I will start with Mr. Hess, and if he is satisfied and thinks it is reasonable, then I will go to the next step, a copy for the Board. If the Board chooses to make it public, that would be their choice.

Trustee Swiderski: And then we would publish this new agreed-upon version for another comment period.

Mr. Gold: After we do the draft, tell me what you do not like about that, then I will make it final, then it is published.

Trustee Swiderski: Then we will have another comment period?

Mr. Gold: Yes. I do not know if we need another public discussion, but we do need further study.

2. Boulanger Plaza Repaving/Renovation

Christina Griffin, Architect: We are here to present our plans for improvements to Boulanger Plaza. We have not changed the configuration in significant ways, mostly because we have kept the same number of parking spaces. There are minimal clearances as it is, so it is very difficult to add more spaces and it is very difficult to do more with this space. But we have tried to look at opportunities to enhance the area.

We have developed the entrance area to create something that might feel like a real plaza with stone walls to help screen the parking area from Main Street. We have taken a look at the back of the businesses facing the parking lot; we all know that many people enter these businesses from the back. These are some of the most significant businesses in the downtown that draw a lot of traffic: the paper shop, the stationery store, the coffee shop, the newspaper, the pharmacy, a dress shop, and a hardware store. We examined traffic patterns. There are several businesses that have very large trucks that park along the businesses and unload. The Center Restaurant brings all their food in and out, and the hardware store has a lot of delivery traffic. The businesses from the pharmacy to the stationery store may have some spaces where they bring their cars in and out, but they actually come over the property line. So we felt that a paved area would not only improve the look of the area, but could also be used, if it is flush with the whole parking area, for loading.

We also took a look at developing the entrance to this alleyway. We know that there is some pedestrian movement coming down this alleyway, so creating a suggestion of a path would be an important part of the plan. We found that the center path, which is not very useful because all the meters are there, could be increased by about 18 inches because we have a bit of extra space on the east side. The meters are gone now and after a lot of discussion with the business owners, we have located the ticket dispenser in the center of the lot.

Trustee Holdstein: Did you say you widened this strip 18 inches from what existed?

Ms. Griffin: Yes. The walk has been widened 18 inches. It used to be 5 feet and now it is 6 feet 6. We have added five lampposts and three trees along this path. These are staggered so we would have clearance for a wheelchair to come down the path.

We tried to maximize the paved area and still retain the number of parking spaces that we have. The curbs are related to maintaining the angle parking. These proposed entrance walls will only be about three feet high for visibility. I have a photograph of something that inspired me for this project. There is a property in Yonkers at St. John's church where they have combined brick and granite. We have a lot of examples of this. We have one of the most beautiful buildings, the fire house on Main Street, that uses brick and granite. We have a very rich-colored brick on Manzi's Restaurant. So the idea here is for a combination of bricks with granite inserted as panels between the brick pillars, and a brick sidewalk with concrete edging to make that transition from this area to the concrete sidewalk.

We had a study done by an engineer of the rear wall; we have a really significant crack here. We know that we must remove about 20 or 15 linear feet. We are showing a concave shape because it would be a stronger wall of reinforced concrete. And again have a combination of granite to tie into the existing granite wall that we are able to retain because most of the lower wall is in good shape, and combine that with brick, which would be a common theme throughout this area. The entire upper wall has to be replaced. It is leaning outward 2 to 10 inches, and the engineer said it has to be torn down. The lower wall has cracks and will have to be repointed, but it is at least 18 inches thick, and most of it is in good shape. The engineer used a plumb bob to measure how far the wall was from the vertical plane and most of the wall is actually leaning inward, which is the correct shape for it.

We have had many meetings with the business owners. We have had three public meetings, and I have met with many of the adjacent property owners individually to inform them about the project, but also to see where the overlap would be. There is quite a bit of overlap on this project. The parking lot pavement goes about 30 inches into their properties as it is. So there needs to be discussion about that, and whether we might consider going all the way in so we have more paved area instead of just having this little strip in front of these properties. It would really help to improve this and make this an attractive streetscape.

We have been trying to address problems with the adjacent property past the north wall, the VFW property. When we rebuild the upper wall we are going to have to cut back the paved area and at least put in a new foundation. But we also have to improve the drainage because it is insufficient. There is one catch basin that is not always working. Our budget has taken into account a new paved area up there, but there needs to be some discussion about who has responsibility for that. We met with the owners of the VFW property, and they are aware of what needs to be done.

We have separated our construction budget into three components. One is the main renovation of the main parking area. Two is replacing walls and improving this area up here, which also includes a new black PVC chain link fence, which we hope to put behind some kind of a hedge, a greenspace, and also improving the drainage and redoing the pavement above the wall. The third component is the paved areas that go into the adjacent properties.

We have recommended to business owners, and to the Village working together with these property owners to help them, or encourage them, to improve these areas by putting some screening around the waste dumpster areas. We have been received favorably. I think there is now an awareness that this area could be much more attractive.

We have a budget number that includes all the paved areas that we are showing here for the main renovation project: \$193,000 roughly. The rear wall replacement, fixing the lower wall and an entire upper wall, drainage that involves the paved area, is \$209,000. Then we have a number set aside for paving these areas that belong to these property owners adjacent to Boulanger Plaza, which would be \$24,000.

We considered relocating the handicapped spaces closer to the center where there is the ticket dispenser, and closer to the places where people might want to travel. But we would have to lose one space.

Village Manager Hess: If you left the handicapped spaces where they are you could have a two-headed meter at that location so they would not have to go across to a meter machine.

Trustee Holdstein: I know of one, and there might be more than one, utility pole. Is it still there, or are you moving it?

Village Manager Hess: There is a light pole. It is not a utility pole, but it looks like they are running some cable off of it. As far as I know all the power is underground there.

Trustee Holdstein: Was there any consideration of adding more than one station for picking up your parking ticket?

Village Clerk Maggiotto: The cost is over \$8,000 per machine.

Village Manager Hess: Eventually we would like to remove the meters off Warburton, off Main Street, and have these machines.

Trustee Holdstein: The decorative pavers for Main Street: it does not look like it is half as many as for the parking lot, yet it is almost twice the price.

Ms. Griffin: We have, in the last category, the decorative pavement that goes from Boulanger's property line up to the storefronts.

Mayor Kinnally: Which is a component of the store owners.

Trustee Holdstein: Then I am even more baffled that we have decorative pavers \$15,000 for Main Street, the entrance to the plaza. Then you have an expenditure of \$28,000 for the parking lot, which does not include the center walk, which is \$18,000. So if a good chunk of this stuff up on the top is for the businesses, where is the \$28,000 worth?

Donna Gutkin, Landscape Designer: It includes all the pavers from the property line as well as this paved area down by the new wall.

Trustee Holdstein: Visually, it does not look like the numbers make sense.

Village Manager Hess: All the square footage is listed.

Trustee Swiderski: A comment on the parking spaces supposedly not lost or gained. At Greenleaf there is always a car parked and there are always cars parked at least in a couple of these storefronts. The idea of a villagescape there is very attractive, but if from day one there are delivery cars up on the brick pavement, very expensive pavers, in the pedestrian traffic way this villagescape is already negated to some degree. Unless those cars are parked in parking spaces, there is a loss of parking space in that case.

Ms. Griffin: I disagree because this will be totally flush to bring cars onto the paved area. If you look closely, we have chosen certain areas where you cannot really have a little parking spot on those properties. There is only 11 feet.

Trustee Holdstein: After you do that, and as nice as that looks, I think we should require that there be no cars allowed in that space.

Mayor Kinnally: Some of it is private property.

Village Manager Hess: But there still would be no parking allowed there. In fact, the owner of one of properties where two cars are parked has already indicated that he will take it out of there.

Trustee Swiderski: That comment about the cars parked right there up against the buildings is linked to my second comment, which is to me the attraction of what you have done:

suddenly you have made the rear ends of ugly buildings into something that might be quite attractive. Whose responsibility is it to put up the awnings and paint old surfaces?

Ms. Griffin: We are hoping that we could have an improvement campaign. I felt that the properties that are included in this broad arch here, the paved areas, we have selected because these are areas where you could not possibly have a legal parking spot. This is really just for loading. There is a lot of traffic at the Center Restaurant, but it is also right next to that major passageway. We know that his dumpster area can be covered. I have talked to Milton about it, and he is very open to these ideas. The pharmacy has a small car, and even though he only has about 11 feet, he probably could come in for deliveries. The stationery store could be a wonderful storefront, a great display window filled with toys. This is an alleyway that they use for collection of garbage, and I spoke to Larry Marone who manages the buildings. He is on board with this, interested in seeing what they can do and possibly even finding something to enhance this building to improve that stucco area: maybe some kind of signage here. Larry told me the wall is falling down. We keep finding problems with adjacent areas that need to be addressed because we do not want to put new paved areas up against a wall that is collapsing, even though it is a very small wall. So we need to talk about that. This wall is actually on their property.

Mayor Kinnally: But the process and the cooperation with the property owners and the business owners has been positive?

Ms. Griffin: Yes. I went out of my way to meet with them independently. Bruce was here, and we have discussed his requirements for loading. I think as long as businesses can function properly, and that was their major concern, and as long as we are all working cooperatively on this, it is going to be received positively.

Mayor Kinnally: All the lighting is in the middle. Will that be sufficient or are you considering some floodlighting on the buildings?

Ms. Griffin: It is so hard to locate lamp posts, and we are very concerned about lamp posts that might be hit by delivery trucks. If you consider putting them on the walls, you are putting them on someone's property. So we do not have any lighting proposed for this area at the moment. If the storefronts were enhanced, maybe their lighting for their properties could be enhanced. It is hard to find a place for lighting, so we only have them down the middle aisle. We have a retaining wall on the east that we could possibly put lamps on. Sometimes floodlights are not the best answer because they can be harsh, create a lot of glare, and maybe give you a lot of light but it is not a comfortable type of lighting.

Trustee Jennings: I like the concept very much. I have noticed over the years that those park benches are used very often. All day long, and in the evening in particular, people are sitting there. It is a nice area, and it is great to enhance that. The stone benches that you are proposing, as long as you are careful to make them deep enough so they would be comfortable to sit on, I think that would be fine. Are you planning to take the special pavers all the way out to the existing sidewalk by the Hastings Center Restaurant in that pass-through area?

Ms. Griffin: It is a challenge to decide where this stops and how it relates to the adjacent paved areas. We introduced the idea of concrete banding and borders so that you have a mix and then eventually go to a concrete sidewalk. At some point you are going to replace the pavers on the perimeter of our sidewalks. The most challenging area is that alleyway past the Center Restaurant because those are granite pavers. Ideally we would like to go all the way down. But we have not accounted for that.

Trustee Jennings: It costs us more money, but I was going to suggest that you go all the way out because I think that would be very nice. We may not be able to afford it, but I would not mind seeing the pavers extend on the far side of Hastings Hardware's building and out that way, too, instead of stopping there. You have these rectangles across the parking lot, the driving area. Is this a pedestrian area?

Ms. Griffin: Yes. We noticed there is so much traffic when we cross the parking lot, but it is impossible to have a real path all the way across. So we thought we would just give the suggestion of a passageway, maybe by flush granite or brick pavers.

Trustee Jennings: Since you have this opening now in the middle and a walkway which you can actually walk on because there are not any parking meters obstructing your progress, I think people are going to come up Main Street, instead of going around the corner and over to the other side of Warburton, they are going to cut across here and go down the middle to where the pay machine is and then cut across and go straight out. If you could define, at least on that side, the crosswalk, you would have a natural pathway. I was wondering about extending the pavers all the way across to the pay machine.

Ms. Griffin: We have been a little concerned about encouraging pedestrian traffic straight through the parking space. I know it will happen, but people will weave through. It would certainly make it a stronger statement, but I am not sure if it is really necessary. But we could consider it.

Trustee Apel: I heard your rationale for why the handicapped parking is at the end and why it is not in the middle, but it is still not fair for the handicapped person. Now, they have to

walk all the way to the other side. If they are parked over here and they have to go to the hardware store, they have to now traipse over.

Trustee Swiderski: Just leave a parking meter there.

Trustee Apel: But they are going to have to walk the farthest unless they are in the middle.

Village Manager Hess: You are assuming they are going to the hardware store and they are not going to Festivities or the bagel store.

Ms. Griffin: We have to lose one spot if we put the handicapped spaces here because they take up too much space. Even though you have gained one here, you will lose one on one side.

Trustee Apel: Yes, but if you put the handicapped spaces there you will actually have more space for people that are going to the meter and now crossing to those cross areas.

Ms. Griffin: Yes, we know that. If you are willing to have one less space, that is a great benefit to the handicapped spot. You could use their access area as a walkway to the ticket dispenser.

Trustee Apel: Are we losing one space or two?

Ms. Griffin: One. One more thing: I wish that you could think of the bigger picture. It would be good to have, even if it is not done at one time, an overall picture of how all these paved areas throughout the Village will be treated.

Mayor Kinnally: Paved areas along the streets are a recurring problem. The thought is the easy part, the payment is the hard part. But this may be the catalyst for us to start thinking of areas beyond this parking area.

Bruce Aluisio, Hastings Electric: Moving that handicapped spot is a very good idea. That spot is empty probably 75% of the time, and it is wider. It would be easier getting in and out, especially women with carriages, to put money in that meter. My only other two problems are, one, I want to make sure that the drainage is done right in the back here because we have been flooded out there years ago. When they repaved the parking lot the last time they had to repave it because they eliminated that little swale, because the water comes out of there like gangbusters. My big concern is this wall. I have a little disagreement with your engineer, for that lower wall is in bad shape and also this part over here by Manzi's. That fell down about 6 or 7 years ago. The Village repaired that. This wall is not high, so it is not holding a lot

up. But this wall here, to do any work on top of this existing wall and not take care of the bottom wall to me is money thrown away. This bottom wall does have cracks in it. There is a big joint in it right on this section right over here. But I think before anything gets done there, I think you have got to re-engineer this wall. The rest looks good.

Village Manager Hess: Bruce, they are looking at removing that lower section of wall where the large crack is. My question is can we phase this project: do the wall replacements initially and then the balance of the improvements as a phase two?

Ms. Griffin: Absolutely. We have looked at that, and found that the upper wall can be built from the VFW property and you could keep the lower wall in place. We looked at that carefully. We talked to the engineer, we talked to a mason. You could also redo this part of the wall. So you could phase it, and it is probably a good idea.

Mayor Kinnally: My suggestion is that everybody consider what has been presented tonight, both orally and graphically, and give any other comments or suggestions to Neil, who then can pass them along to Christina and Donna. We can do that in the next week. It certainly is great progress. It is right in the middle of the downtown, and it can set the tone for what we want to do down there.

Trustee Swiderski: Given that we are looking at a new development on Main Street two buildings away, I think it is completely appropriate. There is going to be a serious revamping of that whole section of Main Street.

APPOINTMENTS

Mayor Kinnally: I would like to announce the following appointments: Brian Murphy to the Zoning Board of Appeals; Michael Ankuda, reappointment to the Draper Park Board; and Barbara Fox, reappointment to the Police Commission. I thank them all for agreeing to serve.

APPROVAL OF WARRANTS

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

Multi-Fund No. 80-2002-03 \$120,449.00
Multi-Fund No. 81-2002-03 \$ 4,670.42

50:03 YOUTH COUNCIL MEMBERSHIP

Village Manager Hess: A number of people are interested in joining the Youth Council. It is suggested that we increase the membership from seven members to nine members. We have discussed this with the Chair of the Youth Council, who is in agreement.

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 increase the number of members of the Youth Council from seven (7) to nine (9).

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

51:03 INTER-MUNICIPAL AGREEMENT POLICE TASK FORCE

Village Manager Hess: You have a copy of the draft agreement; however, I have not gotten the recommendations back from the acting chief or Village attorney's office yet, so I am asking that this be tabled until the June 17 meeting.

On MOTION of Trustee Holdstein, SECONDED by Trustee Jennings with a voice vote of all in favor, Resolution 51:03 was tabled.

52:03 PUBLIC HEARING TREE PRESERVATION LAW

Village Manager Hess: The tree preservation law requires that the Conservation Commission Chair appoint three members to serve as a Tree Board. There was a suggestion from Mr. Wolf to amend the tree law, separate out the Tree Board as a separate board, and that is what this amendment would do.

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 schedule a Public Hearing for Tuesday, June 17, 2003 at 8:00 p.m. to consider the advisability of amending the Tree Preservation Local Law.

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

53:03 SPECIAL MEETING COMMUNITY CENTER ARCHITECT

Village Manager Hess: The *ad hoc* committee that was established after our joint meeting with the Board of Education has met on four occasions. It has come to some conclusions relative to a proposed option and had reviewed proposals from architects. It is our intention in hiring the architect prior to July 1 to ensure that we receive an additional \$180,000 in grant funds from the county. Hiring the architect and authorizing the design work at this point does not commit the Board to the project. It commits to get the design done, and provides that the Board at a later date, probably in early 2004, would make a decision on whether or not to proceed with bids and to do construction.

Trustee Swiderski: Does the selection of the architect or this grant funding assume in any way the continued existence of the current structure?

Village Manager Hess: The committee looked at all four options. It came down to either option 3 or option 4. Option 3 was a renovation with an addition. Option 4 was demolition and a new building. They have a recommendation which will be coming to the Board, and also their review of the architects and their recommended selection.

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

RESOLVED: that the Mayor and Board of Trustees schedule a Special Meeting for Tuesday, June 10, 2003 at 8:00 p.m. to engage the services of an architect for the design of the Community Center.

ROLL CALL VOTE	AYE	NAY
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: We will be accepting bids on the Chemka Pool renovation on July 8. Hopefully, the bids will be at a better price than they were a year ago.

We are potholing throughout the Village now.

I have asked Susan to speak with Concrete Images in Bomanite to take a look at the flaking situation on the stamped concrete which was done by a different contractor, who went out of business for a reason, to give us a price, and maybe we could look at coordinating it with Boulanger. Everybody notices all the flaking that is happening all over. I assume the salt this year just ripped off the top crust along a lot of the areas.

Spring Thing is this Saturday from noon to 6 downtown. I would like a resolution calling for nice weather. There are all sorts of new things going on. We will have bands in a number of locations: some jazz, some rock-n-roll. It should be a great event this weekend.

BOARD DISCUSSION AND COMMENTS

1. Update on the Waterfront

Mayor Kinnally: The comment period on the settlement term sheet of the Riverkeeper's suit has closed. The Village attorney, in conjunction with Malcolm Pirnie, is trying to finalize the question and answers that came out of the public meeting. The input from Malcolm Pirnie is important but our liaison at Malcolm Pirnie has not been in the office for quite a bit of time. We have identified four items of great concern to the community: monitoring of the site during and after the remediation; the utilization of some of the existing structures; ARCO having a say in the use of the trust fund; and there is a fourth one. We have reached out to ARCO and the Riverkeeper to engage them in discussion. We are awaiting a response from ARCO on this.

I am hoping to receive the PRAP by the end of June. I am also hoping that there will be a PRAP for the Uhlich site at or about the same time as the ARCO PRAP comes down. I have had discussions, and Neil has had discussions, with the owner of the Uhlich site as far as the possible acquisition of that site by the Village. Susan and I had a discussion with Mobil two years ago. They are still trying to consolidate and coordinate what they are doing internally, but we are reaching out to them also. We are looking globally to see what we can do in having control over that entire site.

Stuart Kadenhead, 5 Valley Place: I wanted to speak briefly about the Anaconda buildings. I spoke with George Heitzman of the DEC this week. There was some concern that the DEC, in its PRAP, was going to issue a ruling that all the buildings had to come down, and therefore any effort that we made to preserve them would be rendered moot. This is the e-mail that he sent to me:

“Thank you for you e-mail. I also received copies of the public comments to the Village concerning the settlement, and I see that building preservation is on the minds of many people. Let me first clarify the DEC's role with respect to the settlement and the selection of the final remedy for the site. The DEC is not a party to the settlement; it has no standing to approve or reject it. The DEC will be independently releasing a proposed cleanup plan for the site that will be subject to a separate public review and comment process. The technical elements of the DEC plan may not match the terms of the Village's settlement with ARCO. Many elements of the settlement are related to future development of the site and are not necessary for remediation. For instance, it is unlikely that the DEC will require five feet of cover or raising the site above the 100-year flood plain as remedial measures. In past decrees the DEC has maintained that viable buildings with impermeable foundations and proper drainage systems are equivalent to soil covers. Buildings have been demolished when a source of contamination must be removed from beneath them. The extent to which buildings must be removed from the Hastings site will depend on the degree of contaminant removal versus long-term management with a cover system. I encourage you to review and comment on the DEC's Remedial Action Plan when it is released; however, for issues that go beyond remediation your comments must be addressed directly to the Village.”

Mayor Kinnally: George has said nothing there new.

Mr. Kadenhead: What seems new to me is that he seems to be saying that as far as the DEC is concerned there is no reason why these buildings necessarily have to come down if they are not over contaminated spots.

Mayor Kinnally: Assuming that the foundations, I think he said, are viable.

Mr. Kadenhead: I wanted to get clarification from him on if a building had a small amount of contamination underneath it, is there any reason from the DEC's point of view that we could not dig out underneath that building. So I called him back and he said one of the comments was that these things can be engineered, and I would agree fully with that. You could bore horizontally to try to get it out, you could sheet off part of the buildings, put up structural supports and dig through the slab. The DEC only says that the contaminated soil must come out. The means and methods of achieving that soil removal is up to whoever is doing the digging. If it can be engineered without taking the buildings down, then go ahead. Do you have any comment on that?

Mayor Kinnally: No, but we are one of three parties. We said that we are going to raise it with the other parties, and we will do that. Which brings us to, which buildings?

Mr. Kadenhead: I have a map here that shows some of the buildings and the contaminated areas and, as you can see, building 52. It is the one that was parallel to the southbound platform. It has a very, very small area of contamination. Building 51 has a little bit more, but there is no reason why you could not truncate that building and still keep it up. The administration building is completely unaffected.

Mayor Kinnally: Building 52 may be in the way of a slurry wall. Building 51, that area there is in the way. That would have to go. The problem with building 15 is that it interferes with the promenade around the entire site and there would not be any setback either from the cove or from the river. The practical problem with all of this is that leaving all of these buildings on the site will impinge upon not only, maybe, the cleanup of the site but the development of the site. That is why you have to get the input of ARCO in this, and I will do that. I promise you we will talk to ARCO. None of this is news to ARCO, but from where I stand I think it would be highly unlikely to keep the existing buildings on this site other than the metal buildings.

Mr. Kadenhead: ARCO was involved in the planning of the LWRP, which called for the reuse of buildings 51 and 52.

Mayor Kinnally: They were part of the RPA initiative.

Mr. Kadenhead: So all along the plan was just to let them do whatever they wanted with the buildings. Was that just a game?

Mayor Kinnally: All along the plan was not to let them do whatever they wanted to do with the buildings. The RPA initiative was separate and apart from the litigation having to do with the Riverkeeper's suite and the negotiations.

Mr. Kadenhead: What role does it play, if any, in what is going to happen to the site?

Mayor Kinnally: The RPA was a community-based planning study. It is a wish list. A lot of it has to do with what the community would like to see down there, which is divorced from the realities of financing, of engineering. There is no question but that consensus of the community was that they would like to see some of the buildings utilized. However, we also have the lawsuit, and the lawsuit was not on the same track as the RPA initiative. The lawsuit has to do with a dangerous condition on the site, and the negotiations for the settlement of the lawsuit addressed the remediation of those dangerous conditions. One of the things that the parties to the lawsuit, and some outside groups in the Village and of the

stakeholders, would like to see is a cap put on the entire site. We will address the issue with the other litigants to see how they want it addressed. ARCO is going to have some concerns. I do not know about the feasibility of covering part of the site and using the existing foundations. The real difficulty is, what if we say we want to keep X building, and we save that building, and the developer says I cannot work with that building being there. It is the developer's right to say that. Then what? If the building has to come down, for whatever reason, the question that I am sure ARCO is going to ask is, Well, you are not expecting us to come in and remediate that site at this point, and cover it over and put the cap on it.

Mr. Kadenhead: One of the things that we could say is that these buildings could definitely be candidates to be put on the National Register, and there would be financial benefits to anybody who wanted to develop the site based on that.

Mayor Kinnally: What is the time frame of putting them on the National Register?

Mr. Kadenhead: The next submission period is next November. I would have to do a little more research to see exactly how long it takes. The criterion for these buildings is right on the money. I think there is very little chance that they would not be put on the National Register. Let me read you the five key points. Building must be associated with events that have made a significant contribution to the broad patterns of our history. The industrial history of the Hudson Valley is represented in these buildings. Associated with the lives of persons significant in our past. Embody the distinctive characteristic of a type, period, method of construction that possesses high artistic values, represents a significant, distinguishable entity. These things are a matter of interpretation. In my view, they are very attractive buildings. You may have a different point of view.

Mayor Kinnally: My first concern is getting the site cleaned up. I do not want to jeopardize having this site isolated, cleaned up, and getting it ready for redevelopment. Having said that, the issue is going to be raised with the other parties. But I cannot see all four of those buildings remaining on the site because it is a significant area. We have been talking about a promenade that will front the entire site since 1987. That would knock out 15 totally.

Village Manager Hess: Fifteen has some structural problems.

Mayor Kinnally: The area around the cove is the most prime valuable spot. It would severely hamstring a developer to say that 15 had to stay.

Village Manager Hess: You are not considering the water tower? I see you did not mark that on your map.

Mr. Kadenhead: The water tower? No, I am not talking about that tonight.

Douglas Alligood, 157 Rosedale: Different developers can address and assess the entire site. One might say, I need all the buildings gone, and that would be scheme A. A progressive developer might say that a mixture of building types, a variety of ages and uses, will foster a variety of uses which will make the site more economically viable for that developer and ultimately benefit the town at large. We should seek the widest variety of alternatives at this point so that a future developer and the design team can come to the table with all of their creative ability and creative vision and maximize the possibilities rather than limiting ourselves at this time.

EXECUTIVE SESSION

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

ADJOURNMENT

On MOTION of Trustee Apel, SECONDED by Trustee Swiderski with a voice vote of all in favor, Mayor Kinnally adjourned the Regular Meeting at 11:30 p.m.