

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK**  
**BOARD OF TRUSTEES**  
**REGULAR MEETING**  
**FEBRUARY 17, 2004**

A Regular Meeting was held by the Board of Trustees on Tuesday, February 17, 2004 at 8:10 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:** Ten (10).

**DISCUSSION** - Pool Turnaround

**Mayor Kinnally:** The first item of business is a discussion on the pool turnaround that was before the Board at our last regular board meeting. Some people in the community, especially the adjacent neighbors, have some comments.

**Robin Stern, 86 Hillside:** I am in the neighborhood. Is this already a done deal?

**Mayor Kinnally:** We approved it at our last Board meeting, but people said that they want us to reconsider it, so we thought it would be appropriate to have it come before us tonight.

**Ms. Stern:** Does that mean that you are going re-vote on it?

**Mayor Kinnally:** I do not know. It depends on what comes out this evening.

**Ms. Stern:** This must be frustrating for you because we only come down here when there is something in our neighborhood. But I had no idea that this was being voted on. The turnaround was part of the process of the pool. There have been a lot of changes; it was too expensive, and then you had to go back. It is not a matter of blaming anybody, but it has also been frustrating for us to keep up with what has been happening. I thought you had taken the turnaround out. I would have come to an earlier meeting if I had known about it. I only heard about it a couple of days ago. I am sure that is why there are not more people here.

My biggest concern is that I am nervous about Hillside Woods. I am mostly never in favor of chopping the woods down. It came up a few years ago with the school board wanting to make a bigger parking lot up there. We came to the school board and said please do not do that, and they took it out. It may seem like a small area but, for me, Hillside Woods is like our jewel. I felt that way about the Burke Estate, too. Now we have Hillside, and I do not like to see any of that chopped down. I have feelings about that: like that is our Central Park

and I do not think it should be messed with. Is it really going to help? What are the reasons why we need it? I live there so I know all the traffic stuff, but it is not clear to me.

**Mayor Kinnally:** This was in and out of discussion over a period of time. One of the times we talked about it, Neil said that we can do it with our own forces so it was not included in the bid package. It was surprising to me to see the 2001 proposal that shows a turnaround in the middle of the road. I had no recollection of seeing it before. Which is not surprising because this was something that came to us from Parks and Recreation, and I am sure they considered many variations of the theme. Even just on the location of the pools we had any number of iterations. It was a work in process all along.

But the concerns over the problems with traffic and circulation and, more importantly, safety have always been percolating. The question was how were we going to address them. It has been in and out of discussions over a long period of time. I tried to come up with a time line going through my file and I could not, because dealing with Ward, with Parks and Recreation, and Ray Gomes, a lot happened over a long period of time.

**Ms. Stern:** Why are we putting it there?

**Mayor Kinnally:** It is supposed to improve circulation and safety to allow a turnaround and a safe drop-off. So you do not have people backing up and buses causing problems.

**Ms. Stern:** So mostly the buses?

**Mayor Kinnally:** It is a combination of a number of things.

**Village Manager Hess:** The feeling of the Parks and Recreation Commission, and their pool committee also, was there had to be an area that people could safely turn around and drop off their children, where trucks making deliveries could have a turnaround without having to go in the parking lot and try to back through. During heavy usage buses and trucks backing up are very dangerous. They originally had a total circle, which was about twice this large. It would allow for bus turnarounds, trucks, delivery trucks. Parents dropping off children could go around the circle, pull on the other side, drop off their children, as opposed to either dropping them off on the east side of the road and having the children cross the road, which I have seen happen quite a bit, or go up into the parking lot, turn around, and come down the west side of the road to drop off their children. The rotary plan, which is what Mrs. Klein showed me a week ago, had never come to the Board. That original proposal from Ward was somehow changed by the Parks and Recreation Commission. Michael had seen it because he was liaison to the Commission at that time, in 2001.

What we had in the bids both times, and what was posted at the pool all last summer after the award of the bids, was this plan with the bus turnaround. It is basically a safety issue. No other reason other than to improve the safety for dropping off children, or buses coming in, and for delivery trucks. Not to make it more convenient for buses or delivery trucks, but to make it safer for children and seniors who are at the pool. I had heard a comment that we have not had to use buses that often. But in the last 20 years we have had to use buses four times because Hillside School was closed to our camps. This past year was really horrendous because they were doing work at all three schools and we were all over the place. What is going to happen five years from now up at Hillside, I do not know.

Our main concern, and the main concern of the Parks and Recreation Commission, was safety, and that is what they proposed. When we took our second set of bids last July, after the first ones were rejected, the Board indicated that once we got under construction if we could do the turnaround for safety's sake, and do part of the resurfacing with our street resurfacing budget in the general fund, they would reconsider it. In December of last year we received a number of change orders from our general contractor, so I asked for a price to re-institute the turnaround. In January we received that change order, discussed it, and then it was considered by the Board on February 3.

**Ms. Stern:** How much with the bus add-on?

**Village Manager Hess:** \$28,600, I believe.

**Mayor Kinnally:** We may be overstating it to say it is a bus turnaround. It is a turnaround for vehicles that would otherwise be clogging up the area. And it is a safety issue. I am not saying it is the right solution, but I do not know of any other solution because the road is so narrow there. You have the tennis players, people coming down with kids in tow and whatever else they are bringing to the pool. It is difficult.

**Trustee Jennings:** I also think that the term "bus turnaround" is a misnomer and creates confusion. I remember thinking, when we discussed this earlier, that one of the principal safety hazards we would be able to avoid involved those parents who have older children they drop off at the pool. Now you have to go up through the parking lot and come back down in order to leave. There have been several times on weekend afternoons in particular when that parking lot is so full it is hard to get your car around the loop. And I do not know how many near-miss accidents, fender-benders, I have seen where people are backing out of a parking space and somebody is cruising around. We are not going to solve that 100% because people are going to want to go up there and park, and they will be cruising. But at least we can eliminate the number of cars that are just dropping their kids off by allowing

them to do it much further down where the traffic patterns are much safer and much easier to deal with.

**Ms. Stern:** I do not agree that the traffic pattern is much safer in that spot. It is a really narrow spot, and I do not think it is going to solve the problem. That is just my first take on it. I live right at the bottom of the hill, and, yes, the parking lot fills up, but if we are talking about cars, cars can negotiate that. Buses are a different thing. The idea would be to make it more pedestrian friendly. We want to encourage walking. I would build a sidewalk on the south bottom side. There is no sidewalk at the bottom, and that is what causes a problem. The parking lot gets full and people park up and down the street. That is always going to be a problem. The other huge thing on that road is the speed. You would not think that people could speed on that road. You do not need the turnaround. If you could just slow people down, you would not have as much problems. The only way to do that is to put in speed tables, and it would be much cheaper. This is just a big devastation of our woods and I do not like that. The summertime is only three months out of the year. You are doing this huge project for three months. Another way to deal with that would be to close Far Lane and then you are encouraging people to walk.

**Amy Blackwell, 5 Valley Place:** We found out about this last week. As far as I am concerned, that is too late and the change order was signed on January 15. It went to vote on February 3. I am wondering what the protocol is, if any was followed, in terms of alerting people in the vicinity.

**Mayor Kinnally:** This was posted since last summer. The turnaround in the woods has been up there. We questioned the head of Parks and Recreation, and he said this is what was up there. And what is the protocol? We announce our agendas. We post them on the Web. We have it on WHOH. Do we notify anybody within a certain radius? We try to, but this is not something that came out of the blue. I was surprised when I heard from the community that this other alternative was the only one the community knew about. They knew more than I did, but this alternative as far as I know never came before the Board of Trustees.

**Ms. Blackwell:** The one in the middle of the road?

**Mayor Kinnally:** Yes.

**Ms. Blackwell:** My concern is that you have the community that lives by the pool that frequents the pool. And those of us that we spoke with did not know, and I went to the pool every day last year. I guess I missed that, and I guess my entire neighborhood did. We are a community that is trying to advocate walkability. Instead of using monies in this respect, use

them for making sidewalks and crosswalks that are clearly marked yield to pedestrians, which is a state law. As a walker to the pool with a stroller and a five-year-old, I find that it is unsafe to walk on the streets. There is no accessible way besides the street to get there. I am concerned that perhaps not all the options were looked at, so I would like for it to perhaps be postponed.

**Marilyn Beck, 14 Valley Place:** This is the first time my husband and I have come up here in 11 years. That is how passionate we feel about this, and disheartened as well. I have had many discussions with Ray Gomes regarding safety issues at the pool. We discussed a turnaround. He mentioned it to me at least last summer, maybe even the summer before, and it was a small turnaround. I was not happy, but taking everything into account I could accept it if I had to. But a small turnaround turned into some humongous turnaround, from my point of view, to accommodate buses which infrequently go there. To make it large enough so that buses can be accommodated so that maybe in the future we will need them if there is construction—I have trouble finding the wisdom in that. It was a small turnaround. He showed me dimensions back then. This has now mushroomed into this large devastation of the woods. This is the area where our children have played in. They've made play houses there. These woods are cherished by everybody here in the community. I am assuming that is why people move here, and we are do not understand why this mushroomed into the size that it is now. I hope that we can get some wisdom from the turnaround at Hillside School which on a daily basis people do not drive in the way they should. They double, they triple, they drive in all directions, and it is a tremendous safety hazard. I am not sure that a turnaround is the answer. But if it is necessary it should be scaled down without destroying all the woods there.

**Wayt Thomas, 89 Farragut:** There is always a good reason to take another little piece of the woods, whether it is at the Middle School, or at Hillside School, or the pool. From now till eternity there will always be a reason to take a little piece here, a little piece there. We should try hard not to do that. Maybe it would be better to shift the turnaround back to the middle. That would accomplish two goals. It slow down traffic going both directions and would better use the space to the west side, to the brook side, which does not have trees on it for a good space and is poorly utilized now, and would lessen the incursion into the woods on the east side. The point about a sidewalk along the west side of the road between the road and the brook was well taken, for kids going to school as well as to the pool.

I would put on my hat as a member of the Tree Preservation Board, and this the first I have heard about it. If the Conservation Commission and Tree Preservation Board are to act in an advisory capacity, we have to be asked questions upon which we can offer our advice. I am

very disappointed that I had to hear about this from a round-about source rather than from the Village itself.

**Fred Hubbard, 29 Maple Avenue:** Inspection of the proposed bus turnaround at the Chemka Pool Road, east of the pool entrance, was made by the Village naturalist before renovation began last year and again in February of this year. This statement reports on findings. The area marked for the turnaround is a 60 by 60 foot semicircle gravel roadway. It is located at the base of a southwest-facing slope of about 30 to 40 degrees. Drainage from this tree-covered slope runs to the south and west, and generally levels off toward Far Lane Drive. There is no drainage outlet. The area in question is usually moist, but not marshy. North of the turnaround area a rocky slope extends upward toward the paved foot path to Hillside School. A water tower, the site of the former Jewish Mental Health Society Hospital, is above the paved foot path to Hillside School. In this 60 by 60 foot semicircle area marked by the contractor and the landscape architect, there are plane trees, tulip trees, sugar maples, and black cherry; not very significant. The largest trees are in the range of 8 to 14 inches diameter. One tree has fallen within the designated area. A large tulip tree is just southwest of the turnaround area, outside the boundary. It is 48 inches in diameter. The architect's sketch of the turnaround within the designated area shows four trees to remain. One of these is being strangled by wisteria vines. They range in diameter from 6 inches to 14 inches. Three trees shown in diagram are within the designated area, and indicated to be removed. They range in diameter from 6 to 10 inches. A patch of dogwood violets just north of the designated area will flower in early April. The patch is one of about four on public land in the Village.

The proposed turnaround will endanger the tall tulip tree and a 12-inch diameter oak on the east edge of the proposed road. Substantial excavation will be required of the slope to make a level roadway. Rock on the north edge of the roadway will need to be removed or cut, possibly threatening the dogwood violets.

**Sandra Jenkins, 11 Valley Place:** I have lived in that area for 33 years, and the main issue with the pool is the traffic. We have had not only young people, but adults, speeding up and down that road. When I saw this plan, which I believe never came before the Board, I thought it was a good plan because it had the turnaround in the middle of the road and it only violated the woods maybe 10 feet on each side of the road. I thought this is an excellent turnaround because it would not only be a safety feature for dropping off the children, but it would slow the traffic down on the hill. Now that I see the turnaround is completely in the woods, I do not have the same feeling. I feel the children are still going to be out on the road; they are going to be crossing the road and it is a hazard for them. I see them going to school

in the morning. They do not have a sidewalk to walk on. I think if we put in speed bumps and sidewalks it would be more beneficial for the people than a turnaround.

**Christy Pinnoyer, 58 Villard:** I had understood it was a school bus turnaround, but it seems that it is for cars.

**Mayor Kinnally:** It will accommodate buses, but that is not the purpose.

**Ms. Pinnoyer:** I had thought that it did not make sense to have a school bus turnaround in that site, so I do not have any comments, except that I think it is too bad to go into the woods, to cut down trees, and I do think it makes more sense to have it in the middle of the road so it will slow down everybody. If school buses do need to deliver kids to the pool, where would they be coming from?

**Village Manager Hess:** When there is construction at Hillside we cannot have our camps there, so the children are at other locations, like the high school and the middle school.

**Ms. Pinnoyer:** The high school is exactly 2/10ths of a mile.

**Village Manager Hess:** When you have small children, we have to deliver them by bus.

**Ms. Pinnoyer:** That seems to me really a waste of money to put in a school bus turnaround when the walking is good for kids. I think it is a sorry state of affairs that we would be spending money for that.

**Village Manager Hess:** This past year, because of work at the schools, we had to have our smaller camps over at Andrus, so we had to deliver them from there. We have swim teams that come here for meets, or we go to meets.

**Ms. Pinnoyer:** Could they not use the Hillside turnaround and walk down that 2/10ths of a mile path from Hillside?

**Village Manager Hess:** But we should not get hung up on just a bus turnaround. We have delivery trucks. We have parents that drop off their children.

**Ms. Pinnoyer:** That I am aware of, but I think the central turnaround makes more sense than the one on the side.

**Village Manager Hess:** But that was never designed as a drop-off area. If you look at the dimensions, the width of that circle down below is only 10 feet wide. If you think about a 10-foot wide circle, how are people going to go around this circle, stop, and drop off their children? And it is about 20 feet farther south than what is proposed on this turnaround.

**Ms. Pinnoyer:** I do not see why there could not be a path on the west side of it to allow them to walk up once they got dropped around on that side.

**Village Manager Hess:** There is a brook over there.

**Ms. Pinnoyer:** I know. But between the circle and the brook.

**Village Manager Hess:** If you look at the original proposal, which called for a complete turnaround which went into the west side also, it is much bigger than this plan.

**Ms. Pinnoyer:** Having school buses come into that road is really an absurd idea, ever, and I think the Hillside turnaround should be used for school buses. We should not even think of making it possible for school buses to use that road.

**Village Manager Hess:** I do not know how you are going to deliver small children to the pool after camps.

**Ms. Pinnoyer:** They could walk from the Hillside turnaround down that little path by the school.

**Village Manager Hess:** I think a lot of parents would object to having their four-year-olds walking up there.

**Don Wemer, 22 Clunie Avenue:** I was involved with the pool committee since 2001 or 2002. I have been to 15 private meetings when we were just parents talking about putting a bubble over it. I sat on the Rec Commission meetings. I looked at that pool poster up at the pool for the entire year. I coach the swim team. There is a tremendous need for a safe area up there. I have seen brakes hit. I have had to back school buses down that could not deliver swim teams and got stuck because there is just no way to get them down. I did hear a good thing tonight. I do think sidewalks would be a great asset because there is not any place to walk. Originally the scope of the turnaround was very big. I do not know if this is big enough or small enough, but I do know it should be big enough for a bus to drop off children, a fire truck to get in there. We have people who are abusing the system that are parking in the handicapped zones to unload their kids. We have kids that just hang out there and run



out. I think that a turnaround of some kind is a tremendous need and would be a tremendous asset in terms of the safety of our children and our seniors.

**Kathy Sullivan, 17 Wilson Place:** My son was involved with the swim team, and I know Don is very familiar with the area. I am confused because I do not think the turnaround is on the right side of the road. If I am going to drive in I am going to curl around and drop my child off who has to cross over.

**Village Manager Hess:** You will come in the circle and make a left so you are on the west side of the street to drop off your children, so you do not have to drive up, go around, and come back down.

**Ms. Sullivan:** So you are making an area midway in this narrow road where people are going to turn and cross over traffic again with their cars. Right now when I drive up and go into the lot, at least I am going in a one-way traffic pattern. Here, I am going to have people come around and curve across right in front of the pool where there is a lot of congestion. People are going to come down from the parking lot and drop off their kids. There are going to be kids crossing over and people going up to the parking lot just to park. It seems in the wrong place. We spoke as a community group a few days ago, and no one really questions the need for the turnaround. It seems to serve a lot of purposes. But we feel there should be more time given to the proper placement of it. People have expressed concern about the parkland. We are fairly new to town, and we see the parks as a great asset to the Village. I think we should reconsider this, and look at the traffic patterns. You have added congestion to a very congested area.

**Lindsay Taylor, 10 Valley Place:** Did anyone look at expanding the parking lot?

**Village Manager Hess:** That was part of our first bid; we ran into a lot of rock problems and it would have required a complete retaining wall. It was very expensive to add only about 20 spaces. This year the Hillside parking lot will be available again as overflow parking for people. We try to get our staff to park there to free up spaces.

**Ms. Taylor:** I would like to say not to cut into the woods as much as possible. Places where there is concrete already would be more acceptable than someplace new.

**Roger Torda, 17 Wilson Place:** What are the delivery trucks that you are concerned about? I wonder if most of the deliveries might be made at times of day when there is not a lot of congestion there.

**Village Manager Hess:** We have chemicals delivered to the pool, and other items, by trucks. We open the pool at 6 or 7 o'clock in the morning and we are open quite a few hours a day.

**Mr. Torda:** Do you have any numbers on how many deliveries?

**Village Manager Hess:** No, I do not.

**Mr. Torda:** I wonder if there is really any knowledge about how many parents drop off children. I live nearby and enjoy the pool a lot, and it seems like it is mostly families. I am sure there are some number of drop-offs. But I am wondering if there are any numbers that might have been for a count of that.

**Village Manager Hess:** No, just personal observation.

**Mr. Torda:** Just through an accident of design perhaps this is a relatively easy turn to make as it stands now. Maybe we have run out of parking spots up there, but as the parking lot is designed I have never experienced a problem making that turn. I wonder if that is not something that might be continued until there is another round of planning for a proper turnaround down below. It seems like it is not an immediate problem. I give a lot of weight to Don's observations. But I would like to point out that in the morning, for the swim practice, I did observe a lot of parents dropping off kids; it spans 10 or 15 minutes, and I have never noticed any particular congestion problem.

**Ms. Stein:** I agree that there should not be buses going up that road. But I do not see anything wrong with sending them up to Hillside. The swim team can certainly walk down. And four-year-olds are supervised by more people. They have a higher ratio of camper to counselor. I do not think it would be a problem. Peter might be the only one up there with elementary school-aged kids. That turnaround at Hillside is a horrendous, scary, awful place.

**Mayor Kinnally:** One of the reasons why it is a horrendous, scary place is because buses are parked there and people are not supposed to go by when the buses are parked there.

**Ms. Stein:** No, the reason is that people do not obey the traffic laws, and we all know that. No one will obey the traffic laws of that circle. Everyone will dump their kids out there, they will be running across. If they do not obey them up on top, why would they obey them down there? They are not going to do it. People just do not obey the traffic laws.

**Trustee Holdstein:** Just like people do not walk.

**Ms. Stein:** You cannot make them. I agree with you.

**Trustee Holdstein:** That is right. How many people walked here tonight?

**Ms. Stein:** You always ask that question.

**Mayor Kinnally:** Well, it is a fair question. Did you walk tonight?

**Trustee Holdstein:** You tell me people will not obey traffic laws. They also will not walk. I do not walk.

**Mayor Kinnally:** I walked here tonight.

**Ms. Stein:** I have never said make people do anything.

**Trustee Holdstein:** Pie in the sky is one thing. Reality is another.

**Village Manager Hess:** There was a comment that the Conservation Commission and Tree Board should have been involved. They were. A member of the Conservation Commission, who was also a member of the Tree Board at that time, is liaison to the Parks and Recreation Commission and was for the two years of review before it was recommended to the Village Board. So there was a representative on Conservation at all those meetings. Whether or not that person told anybody else, I cannot say. But he was a voting member of the Parks and Recreation Commission. He was also on the former Tree Board and on the Conservation Commission.

Sidewalks on the west side: there is a plan in the budget that I am proposing for a sidewalk on the west side of that road. The county has told us that, as part of their trailway system they are going to develop from the Putnam all the way over to the Croton Aqueduct, they are going to construct a sidewalk along Far Lane with a connection to Chauncey Lane.

**Ms. Stein:** Could we possibly do the sidewalk and speed bumps first?

**Mayor Kinnally:** Nobody has said anything about speed bumps here. I have serious reservations about speed bumps in a public road.

**Ms. Stein:** They are not speed bumps. They are speed tables. And they are right on Northfield in Dobbs Ferry.

**Village Manager Hess:** We are taking a look at that, but that is a separate issue from this. When I had talked to Mrs. Klein, I told her we would look at bumper strips. She also mentioned a problem with the people going up there at night. After the facility is closed at

night, the gate at the bottom will be closed and locked. I always thought it had been. She indicated it has not been in a number of years. So it will be, to prevent people driving up there.

**Trustee Holdstein:** Early on, I sat as the liaison for the Parks and Recreation Commission; I sat with Jacques and with Don at many of those meetings. I have heard a lot of things tonight, none of which have to do with the reason for the turnaround. They may all be very valid pieces of information. That initial plan some of you saw, that I saw, along with a lot of other plans that you probably have never seen, with the circle in the middle, was not about calming traffic. Issues of speeding and traffic were not what this turnaround was about as it was discussed by the Parks and Recreation Commission, by the pool committee, or anybody else. It was about an effective movement of traffic, and safety in dropping off, and getting a flow of traffic. Issues of speeding had nothing to do with that. Whether we add sidewalks or speed bumps or any of these other things, that is all secondary. It has nothing to do with why a turnaround was discussed by the committee who started this process three years ago and spent a lot of Monday nights working on it and changing it. And we had issues as it relates to budget. I am not denying that there are not issues there, but we got to focus on why it was designed and what it was put in there for.

**Trustee Apel:** I want to thank everyone for coming out and bringing up these issues that are your concerns. It is hard for me to understand some of the things that go on up there because I am not at the pool, and I do not drive up to the pool. I am not in the neighborhood when people are walking around, or when the camp is moving the children around. My main concern is for the safety of the children. I am pleased to hear about the sidewalk. I think that is very important. As far as the turnaround, I have not heard any suggestions of anything else that can be done. We are at an impasse here because you cannot take the trucks and the buses and the cars that are going around up in the upper level in terms of moving around during the summer. That is when the problems are. So to alleviate traffic, the suggestion by the experts is that we should have something on the side. I think people have brought up valid points about are people really going to do that. Are they going to use it as a drop-off point, and then children are going to run across? I would appreciate more discussion on this. I would like to have some more input and information before we go ahead on it.

**Trustee Swiderski:** There are two issues here for me. One is the substance of the proposal before us. The second is an issue of process.

On the substance of the proposal that we looked at and which I and everybody else on the Board voted yes on, clearly at the time that we voted we felt that it was a good idea. I am less convinced that the process was what it should have been. It is there that I feel guilty personally because I know many of you and many of the people in that area. The fact that

this was going to be different than what you expected was not made clear enough. I know from the number of e-mails I got that the people here are a small percentage of the people who care about this issue, and many of you are on vacation this week. The number of people who have become involved means somewhere along the way we need to do better in the future. That is both a personal commitment on my part, but also as a Board we should think about better ways of advertising changes of this sort in a way that accommodates public more participation more readily.

On the process part, maybe we did not do so well. On the substance of the proposal, tonight is the first time I have seen this roundabout in the middle of the road. These two different diagrams are not of the same scale, and they do not have scale marks on them so I cannot judge easily. But from what I can see, the roundabout we approved does not dig into the woods more than another 10 or 15 feet than the original proposal. Therefore, the relative attractiveness of this original proposal is not there for me. I do not see what we gain by looking at it more carefully. I know what we will lose, which is once you get to digging up asphalt and laying new road bed, the \$28,000 for this particular roundabout will pale in comparison to the cost of a proper road bed, paved and graded. I am not sure revisiting this process to examine that proposal makes much sense to me. I do not want another year to go by without a turnaround. I do use the pool. This summer I had the pleasure of being without work, so I used it almost every day. I can speak to the fact that it is not a crowded road, but restricted lines of sight in the parking lot make safety an issue. I have slammed on the brakes at least once because kids run out from between cars and I do not want to even go there about hitting a child. So right there you have lost me as far as reconsidering the concept of the turnaround.

In relation to the current proposal, I see a couple of modifications involving painted crosswalks to accommodate reality, which is people will let kids out where they should not, even on that turnaround. And a stop sign so that traffic heading down on the road will stop as they come to the turnaround. But the basic concept I cannot fault. Safety is paramount to me. If I were to be asked to vote again tonight on this idea, I would vote yes. On the process, once again, I have a problem. I am embarrassed, and I am going to try to do something about that.

**Trustee Jennings:** We are taking one step of a multi-step process. The point of the turnaround is, as Mike Holdstein stated, traffic management, flow management, and safety. But there remain many other unaddressed and unsolved safety and traffic issues even if we do this turnaround. I have heard the situation described this evening, and in a number of e-mail messages I have received over the last several days, as an either/or choice. I see many of the points raised more as a both/and rather than an either/or. I would like to see additional measures taken for safety and speed reduction, and I will support them. I support the concept

of a sidewalk going down the roadway. We should look into the way we control the traffic once the renovations are completed in terms of strips, stop signs, crosswalks, and the like. That is not part of what is before us now. That comes later, and we will address it.

I am concerned by some of Dr. Hubbard's analysis, particularly in terms of that tulip tree that he said may be endangered. The other trees and vegetation there seem not to be ecologically very significant, but I would hope that all steps would be taken to protect that tulip tree. I have not been given any information yet by anyone to indicate that it cannot be protected and preserved. If I found out that it could not be, then that would affect my decision. So let us be careful, and be sure that it is not damaged.

I am still in favor of it for traffic management and circulation purposes. Cars, buses, trucks, deliveries, and so forth, whatever it is that appropriately comes up there, the traffic flow will be better with this turnaround rather than bringing people up into a full parking lot. But this is only one in a series of things that we are going to do to try to make it a safe, attractive, user-friendly facility. Our pool is a very important part of our community, just as our greenspace and our woods are. We want to make it as safe and as attractive to use as we possibly can, and that is what we are all trying to do here.

**Trustee Holdstein:** I happen to agree with my two fellow Trustees on the right. I am absolutely in favor of this, and I have heard a lot of things this evening that are a little off the point. Ms. Stern says she is nervous about Hillside Woods. Like everybody else, I have a whole lot of e-mails. I do not know if this gentleman's e-mail is accurate, but he was in support of this and said that the use of 3,600 square feet for safety issues versus 36 million square feet of Hillside Woods seems like a fair trade-off. I do not know why you would be nervous about Hillside Woods. When Wayt says, a little piece here and a little piece there, that is fanning a flame where there is not even a spark. With the largest open space of any community in Westchester County, taking 3,600 square feet next to this pool for a valid safety reason is hardly a reason to be nervous about the greater Hillside Woods, which was purchased by this community to remain as greenspace.

I was at the site yesterday. I walked around and tried to see the site in the middle of winter. The paved area will be barely seen and it will be landscaped. It could be barely seen from the end house on Valley Place and the back of the Kleins', if the Kleins is the yellow house on the corner. Someone mentioned their children playing in the woods there. I cannot see where this little section is going to affect kids going into that wooded area and playing. At one time, the tennis courts probably had trees on them. At one time, the pool parking lot probably had trees on it. And at one time, the pool probably had trees growing there. I do not think we are devastating Hillside Woods by taking 3,600 square feet to do what this Board has felt, and the pool committee felt, was a proper use of that space to create safety. I

think by isolating on the delivery trucks, or isolating on the buses, or isolating on the cars is also unfair. It is for all of them.

We have talked in this village about parking and walking constantly. Nobody here tonight, with the exception of the Mayor, walked. And all of us, including myself, could have walked. Nobody walks their kids to Hillside School, and that is why we see long lines. Very few people walk their kids, or have their kids walk, and that is why you see a tie-up in front of Olinda and Farragut every day. I am in favor of the walkability study. I am in favor of encouraging more walking. But we have to deal in reality, and the reality is people drive their kids with their pool stuff, and they drop their kids off. Those of you who live in close proximity have the luxury of walking a very short distance to get there. But as you can see by the turnout tonight, we have people here not just from Valley Place and Wilson, but also from other parts of the community who have similar concerns.

Whenever we deal with an issue, whether it is Ridge Street or Uniontown or this neighborhood, it is not just about the neighbors in that neighborhood. It is about the whole community. The decisions we have to make are based on the whole community. So the idea of notification, based on what I saw yesterday, this is very different than your next door neighbor putting on an addition to their house. I see it as very different. We had this sign posted. Could we do better? We hear this from people all the time when get wind of something. We notice. We are on TV, we have e-mail sites, we notice constantly. And the minute somebody feels as though is it affecting them immediately, they become up in arms that we did not do our job to notice. This drawing was at the pool for the three months that the pool was open. Can we always do better? Sure, we can always do better. But I cannot say that we were negligent in not having public discussion, public meetings, and having plans posted with this turnaround. The turnaround is about the issue of the flow of traffic. These other issues we should absolutely deal with. If there is a way to calm traffic through speed bumps, we should do that. If there is an issue of people speeding, it should be done. But I cannot in good conscience expect that people are suddenly going to start walking when they just do not in this Village. And we have got to do more to encourage it, whether it is more paths, more sidewalks, whatever. But in the immediate, this is a proper use of 3,600 square feet for the safety of children, seniors, and anybody else who needs to be dropped off at that pool. As others have said, this is just a first step. So I am in favor of moving forward on it.

**Mayor Kinnally:** One thing that everybody agrees on is that there is a measure of frustration. The important thing is how we get over that frustration or how we try to beat it. When matters come before this board, Parks and Recreation Commission, or whatever, and it is an ongoing dialogue, I do not mean this as any criticism of people but more often than not the mantra is, Nobody told us about it. I do not know how we apportion that responsibility to get it out. I do not know how many people here are on our e-mail list, but I wish you werelist

because you will get our agendas and see what we are dealing with. Channel 75, we try to get as much as we can out. And the local newspapers, it is difficult to get timely information in them to rally the troops to get people down here. I do not know other than having a town crier how we can get it all out, but we will try to do our best.

The issue of the sidewalks is a legitimate one. I have my doubts about putting a sidewalk on Far Lane. The county says they can do it, but the county says they can do a lot of things. We will see what they come up with, but we have looked at from an engineering and design standpoint. You still have to cross over the road. There is nothing you can do to avoid that.

I would rather that the turnaround not be necessary. I would rather it not be as large as it is. But if you are going to put something in like a driveway, you are not going to accomplish what you are setting out to do. There has to be a free flow. If you are going to have traffic coming around that circle you probably are going to have to expand, if we can, the drop-off area. Does it solve everything? No, but I do not know if we can solve everything. But it is a step.

I am in favor of proceeding. I am not happy about cutting into Hillside Woods. I am comforted that these are not important specimen trees. I do not diminish the fact that some trees are going to be removed but we will have replanting and soften it as best we can so that it is screened and it looks as much a part of what we have there now.

The number of cars, and the way people use their cars, has changed dramatically in the last 20 or 30 years. The volume is much different now from when the pool was opened. Hillside School is a disaster in the morning, and the problem is not the buses. The buses navigate very, very well. The problem is the people who drive in there.

So one small step at a time. I do not know if it is the right step. Only time will tell. But I am sure that the manager and Ray Gomes and the contractor will come away from this knowing that they are going to have to tread lightly. Fred will be there. I am sure Wayt will be there keeping us honest. But it is something that has to be done. All of the other items we talked about today are incremental steps in the right direction, and we will be dealing with them. So is it the sense of the Board to remain where we are? Do we want to re-poll the Board? I get a sense that we are comfortable with it.

**Trustee Apel:** I would like to make a motion to revisit the issue.

On MOTION of Trustee Apel Motion, SECONDED by Trustee Swiderski, the resolution to revisit Change Order No. 2 that was approved on February 3 was denied as follows:



<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

**APPROVAL OF MINUTES**

On MOTION of Trustee Apel, SECONDED by Trustee Swiderski with a voice vote of all in favor, the Minutes of the Regular Meeting of February 3, 2004 were approved as presented.

**APPROVAL OF WARRANTS**

Multi-Fund No. 48-2003-04 \$ 36,393.46  
Multi-Fund No. 50-2003-04 \$ 95,251.67

**14:04 AMENDED INTERMUNICIPAL AGREEMENT - DRUG AND ALCOHOL ENFORCEMENT TASK FORCE**

**Village Manager Hess:** We previously approved this agreement with the Greenburgh Drug and Alcohol Task Force; two additional communities want to join, Sleepy Hollow and Elmsford. This includes those communities in that agreement. I should point out it has been very effective in the entire town in working on both drug and alcohol enforcement issues.

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

**RESOLVED:** that the Mayor and Board of Trustees authorize the Village Manager to sign the Amended and Restated Intermunicipal Agreement forming a task force aimed at drug and alcohol enforcement, such Agreement amended solely to add the Villages of Elmsford and Sleepy Hollow to the Original Agreement among the Town of Greenburgh and the Villages of Ardsley, Dobbs Ferry, Hastings-on-Hudson, Irvington, and Tarrytown.

<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

**15:04 2004 STOP-DWI CONTRACT**

**Village Manager Hess:** This is a continuation of a program we have been involved in for a number of years, STOP-DWI Patrol program. This would provide us with reimbursement for overtime in our enforcement.

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 authorize the Village Manager to execute the 2004 STOP-DWI Patrol Project Reimbursement Contract with Westchester County in the amount of \$8,400.00.

<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	

**16:04 PUBLIC HEARING 2004 - 2005 BUDGET**

**Mayor Kinnally:** By law, we have to have a public hearing before adoption.

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 schedule a Public Hearing for Tuesday, April 13, 2004 to consider the proposed 2004 - 2005 Budget.

<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:** The waterfront settlement that the Board approved called for reimbursement of certain litigation expenses. We received today a check in excess of \$85,000 from BP/Amoco, which reimburses us for out-of-pocket expenses for Malcolm Pirnie and Sive Paget & Riesel. This makes us whole on any out-of-pocket expenses for attorney and expert fees in connection with the litigation.

The presentation of the budget will be at our next regular meeting, March 2. The proposed budget will be available on our Website. You will receive the budget Feb. 27.

I will be reviewing a preliminary layout of the Community Center some time this week, based on Lothrop Associates' meetings with staff. I am hoping to have a first presentation of this preliminary layout for the Board's review at the March 16 meeting. It will be our first step in talking about the proposal for the new Community Center.

The last day for registration for the after-school programs the last day to register is February 20. Certain classes are still open.

The next household chemical cleanup days are May 7 and May 8, FDR Park in Yorktown Heights; June 11 and 12, Westchester County Community College; September 18, county recycling center in Yonkers; November 5 and 6, Playland Park.

### **BOARD DISCUSSION AND COMMENTS**

#### **1. Update on the Waterfront**

**Mayor Kinnally:** We are moving ahead on implementation of the trust agreement with BP/Amoco. There is no update on the trust fund.

We heard through the newspaper that the Village has been awarded a \$150,000 grant for engineering and infrastructure design for the 43 acres at the waterfront. We have not seen anything from the state. My congratulations to Neil and to Meg, and to everyone else who had a hand in putting this together and submitting it to the state.

Now that the dust has settled on the consent decree and on the submissions on the PRAP, I am going to be working with Mark Chertok to re-engage BP/Amoco in dialogue for the other

elements that we still have to discuss, the additional open space that the Village is entitled to, and will be getting, under the consent decree.

May I have a motion for an Executive Session?

### **EXECUTIVE SESSION**

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

### **2. MetroNorth Train Station**

**Mayor Kinnally:** I am in receipt of drawings from MetroNorth with new signage for the outside over the station and for other signage that by law they have to have. It is a bronze type of sign. The Board has seen them, and I have asked Raf if we can put these on our Website. It is going to be a significant improvement.

### **3. Other**

**Trustee Holdstein:** As the snow and ice has melted we have quite a few potholes. Have you had the opportunity to take an inventory and what is the plan for patching?

**Village Manager Hess:** Right now the only patching we can do is with cold mix. There are no asphalt plants open. The plants open again at the end of March, early April, and we will be doing a complete Village-wide pothole patrol. There is going to be a major proposal within the budget proposal to address what has happened with our streets over the last few winters. They have gotten beaten up badly because of the freezing and thawing.

**Trustee Holdstein:** Are we adequately funded in the current budget to address all of our problem areas?

**Village Manager Hess:** Yes. We had people on overtime just to take care of the huge craters on the Ravensdale bridge. We notified the state to tell them they have to do something over there because it has gotten to the point of being ridiculous. Some of those craters were 18 inches deep.

**Mayor Kinnally:** That is not the only area that I have a gripe with the DOT and New York State. At the light at Farragut Parkway we have a constant problem of garbage accumulating and the barriers are all peeling. And years ago when the state insisted that they take out the

old brown wooden fencing that was adjacent to the bridge and put in the metal, they said it would be painted brown. It was painted brown but now it is 90% off. It is all peeling and is down to the silver. This is one of the prime gateways to our community from north and south and we have no control over it yet it looks like a pig sty.

**Village Manager Hess:** In the past we have contacted Senator Spano, and will have to contact both our assemblymen and our senator to get something done over there. The street sweeper/cleaner has been over there once in two years to do the Parkway. That entrance has never been touched. The only cleanup that is ever done is when we do it in April at the spring cleanup. The state never cleans it up.

**Mayor Kinnally:** Let us see if we cannot get the state on our side in this regard so the area looks better.

**Trustee Swiderski:** Speaking of bridges, what happened with discussion with Greenburgh about responsibility for the bridge?

**Village Manager Hess:** The day I was heading out the door I never quite made it. Slipped and fell. Susan went for me and provided the town and the legal staff with the package of material that I have given the Board regarding responsibility for bridges. Their contention is, in terms of Zinsser Bridge, since neither side is public, they have no responsibility, which makes me think that they are saying if it is a public approach they will accept responsibility. That was my real contention all along. I was more concerned with the Dock Street Bridge than I was about the Zinsser Bridge. Dock Street Bridge can be significantly huger in terms of repair. We are going to revisit the Zinsser Bridge in a couple of weeks. We will have to meet with the DOS and talk about where we are going with that. The major cost in the future is going to be the Dock Street Bridge. There are a number of court cases on bridge responsibility in towns. But their only contention was that since they are not public approaches at the Zinsser Bridge that they are not responsible. I can buy that argument. The local share of redoing that bridge is about \$250,000 of a \$5 million project. That should be charged to those properties that have the responsibility, namely Mobil and Uhlich. We probably should proceed with some type of project, but we will talk in detail on that in a couple of weeks.

## **ADJOURNMENT**

On MOTION of Trustee Holdstein, SECONDED by Trustee Jennings with a voice vote of all in favor, Mayor Kinnally adjourned the Regular Meeting at 9:45 p.m.