

VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
REGULAR MEETING
FEBRUARY 15, 2005

A Regular Meeting was held by the Board of Trustees on Tuesday, February 15, 2005 at 8:30 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

PRESENT: Mayor Wm. Lee Kinnally, Jr., Trustee Bruce Jennings, Trustee Marjorie Apel, Trustee Peter Swiderski, Deputy Village Attorney Marianne Stecich, and Deputy Village Manager Susan Maggiotto.

ABSENT: Trustee Michael Holdstein, Village Manager Neil Hess.

CITIZENS: Seventeen (17).

PRESENTATION - Kinnally Cove - McLaren Engineering Group

Rod Van Deusen, McLaren Engineering: I would like to introduce our team: Jessica Marine from McLaren Engineering; John Roebig for LMS; Ed Weinstein, a local architect; John Imbiano and Townsend Lewis from IQ Architecture.

We have been reviewing and coming to some conclusions about the design for Kinnally Cove. Last week we presented three alternatives to the Parks Commission. Out of those three alternatives we came up with a combined fourth alternative. I am going to ask John to walk us through the designs and describe how we came to the final conclusion.

John Imbiano, IQ Architecture: I would like present at least two of the alternatives. The third one is very similar, so I will point out some of the differences among all three. In the cove area we looked mainly to provide kayak, canoe, and rooftop craft launching as a main programmatic element. I think that has always been consistent. We looked at how to best launch a kayak in this area, particularly in the problematic time of low tide when it is quite muddy and mucky. We also looked at Kinnally Cove as an integral part of a continuous greenway, as a part of the park, how we could make it feel friendly to users other than kayakers and canoeists. We took that as a challenge in coming up with the alternatives.

In the south is an area where there is a buried ship. But there is a flat area when you have some vegetation, some trees. You have this public easement along the tennis club. We thought why not use that easement. The public has a right to use it, and it is part of the walkway system. But we could not launch a floating pier or a gangway off the tip because you are into underwater private property, not Village property. So we showed a T- and an L-shaped form of a pier gangway and a floating dock. With the floating dock you have to bring it in in the winter and store it, so it is a maintenance issue.

The other area to install a floating dock is off the park. There is an opening, a wooded area, and a clearing down in here. The disadvantage of that scheme is the distance, unless you are parking in the restaurant parking lot. We are proposing parking for the launching area towards the south. It is quite a distance to get down here. And there might be a conflict between park users and kayakers and canoeists launching off here.

The other scheme is a hybrid: to construct what you see here that almost looks like a jetty. It is a plastic grid system that is infilled with gravel. You are displacing the muck, taking it out, and it becomes flush. You are putting back the geo-grid and the gravel itself. At extreme low tide you would come out almost to this point to launch. In medium-high tide you are still going to be using what we feel is a launch area. The best analogy is a beach area. We talked with Parks & Recreation. If we put sand there, that would take a lot of maintenance. So we are thinking that particularly at high tide you would be launching very close to the so-called coastline of the river with some very small pea gravel as stabilizers. But it is very soft on the feet and also soft with water craft. This is an alternative to the gangway and launch area.

When we met with Parks & Recreation, they thought this area of the park was ideal. It brought you out at an extreme point in the river, brought you almost like you could actually touch the river. So we scaled back on that in the composite and took advantage of this area to create a boardwalk overlook.

Another theme that was generated a few years ago on the conceptual plan that we were involved with, was creating a tidal estuary restoration. The northeast corner is protected from the natural wave currents so it would be ideal. We would recommend along that whole street area, or frontage, that a lot of these trees be removed. They are black locusts, a weak-wooded tree. We would recommend that most of the trees be taken down in this area along the road, maintaining a few on the south end, and establishing a tidal marsh in this northeast quadrant.

We have some interesting methods that we feel would be very approvable by the DEC and look favorable in getting grant money. There is an interesting thing called a reef ball that could be recessed into the bottom of the river. It has holes in it to create places for habitat. We could plant the native grass, spartina, that we feel would thrive. One alternative would be a boardwalk construction, where you would enter the cove area. The boardwalk would be a nice feature to connect to the park and also overlook and create an interpretive area over the tidal marsh.

The other alternative did not have a boardwalk. We constructed a paved walkway. But because of the extreme slope you have some erosion occurring along this edge of the cove

area. We would probably need to stabilize that with boulders of riprap. I would prefer the boardwalk because it creates more of a sense that you are cantilevered over the river. We looked at a couple of places to put a small pavilion. That was one of the requests of Parks & Recreation. Land is precious in the cove, but you do have some over that sunken hull area. We looked at placing the pavilion either closer to the road and having a dramatic overlook to the north in the river, or placing it where we had a little more room out towards the river, possibly placing a few picnic tables there.

Then you see this meandering path. We need to establish this as being handicapped-accessible. As anyone who has carried a kayak that weighs 50 pounds, it may be cumbersome to come down this way, down a set of steps. I could see someone unloading their rooftop craft and then meandering down to the beach area to launch it, or launch it off the geo-grid.

In all schemes we looked at eliminating a few of the two-hour limit parking spaces. We did keep approximately eight to 10 of them in this area. On weekends there will not be an issue. But we want to keep some close to the launching site itself. We did lose some, but what we gained was a buffer area of planting, restored with native upland plants, where we removed some of the trees, to give you that separation. And maybe have a few benches overlooking the tidal marsh.

At high tide we could put some markers here, so even though it is covered by water at high tide, you may want to walk on this user-friendly geo-grade gravel system. Where the ship is exposed we may need to saw off part of that ship and remove it in this one corner where it is exposed, and restore that area with upland plantings.

That is where we are at and what we got from working with Parks & Recreation. We feel it is a very feasible scheme. You have seen this one, where there was a boardwalk far out into the water. But again, you can see where the overlook is still here when you have the park delineated on the plan. The curved boardwalk does create some permitting issues with the DEC. The filling in of a very extensive area for a tidal marsh versus the corner is extremely ambitious and we are not sure that is even permissible or would take quite a while to get it permitted by the DEC. In terms of cost and feasibility we thought the schemes we have come up would be, whether it is phased or whatever, the more economic plan to go with.

Trustee Swiderski: Is there an example of the jetty somewhere in the drivable vicinity? It is not that I am skeptical, I just have not seen it. If it is flush with mud I do not understand why it will not eventually get covered in mud and become a hazardous walking condition.

Mr. Van Deusen: We have been dealing with the manufacturer to have him give us an example close by. So far he has not been successful in finding that. But we are getting references for you. We do have pictures of it. As far as being flush and getting silted in, that is fine. We do not mind that. We are not going to be building up 6 to 8 inches of silt on this. There may be a fine layer of silt, but with tidal action that will clean itself.

Trustee Swiderski: And the tidal action will not remove the gravel?

Mr. Van Deusen: No. This would be in 8-foot lengths, which is most common. We excavate down a little bit. We put a subbasement of gravel, a geo-fabric. This is placed on top and filled with pea gravel. It is not a rough-edged gravel. We could provide marking pylons or flags, probably pylons, so the path is delineated.

Trustee Swiderski: Why were you inclined toward that versus a floating dock?

Mr. Van Deusen: This is less obtrusive. It is probably easier to permit in a shorter period of time, and I know time is of the essence. It has been used for boat docks and whatnot, so we feel it is a viable alternative to a conventional pier and float. Plus it is a maintenance item. With the pier and float you are going to have to remove the float and gangway each year, and then you are going to have to store it somewhere. This stays in permanently.

Trustee Swiderski: You do not have to re-gravel every year?

Mr. Van Deusen: No, not every year. Periodically perhaps, but not every year.

Trustee Jennings: Am I envisioning this correctly, that as the tide moves in and out portions of this are submerged?

Mr. Van Deusen: Yes. At high tide the majority of it is going to be submerged.

Trustee Jennings: What gives you good footing if you are carrying your kayak out to launch it. Let us say you go out halfway, will it not be slippery? Is it the gravel that gives you footing?

Mr. Van Deusen: It is the gravel. This has got some texture to it as well, so it is not going to be very slippery.

Trustee Jennings: How wide are you calling for?

Mr. Van Deusen: This is eight feet.

Trustee Jennings: So two people could pass.

Mr. Van Deusen: Easily. Probably not two people with a kayak.

Mayor Kinnally: So you place this geo-textile and fill it in with pea gravel?

Mr. Van Deusen: We excavate, put a fabric down, put a base material, cover the base material with a fabric. We wrap the base material in the fabric, place this on top, and fill it.

Trustee Apel: What keeps it from moving?

Mr. Van Deusen: It is anchored with reinforcing bars and clips into the sub-base.

Trustee Apel: It will not rip? What is this stuff made out of?

Mr. Van Deusen: This is made of UHMW. It is a plastic. It will not tear. It is very durable. We use it on fendering for ferry terminals. We have boats rubbing up against it.

Trustee Apel: How often do you have to refill it?

Mr. Van Deusen: Periodically, maybe every five years. But you are not refilling the entire thing. You are just patching it.

Mayor Kinnally: Is there a way during the permitting process that we can put an eight by eight foot stretch down there and see how it weathers?

Mr. Van Deusen: We can have the manufacturer come in and do a test for you.

Mayor Kinnally: Would you need something from the Corps to do that?

Mr. Van Deusen: I am not sure. John, would we?

Mr. Imbiano: You just have to notify them.

Trustee Swiderski: At full tide a canoe or a kayak can get a draft in the water from the beach directly?

Mr. Van Deusen: At high tide? I believe so. If not directly from the beach, a few feet in.

Mayor Kinnally: If you can have these in handouts it would be great. What we have done in the past is make these available on the window in the library. If we can have something in electronic form we can put it on our Website. It is much different from what we had discussed. Obviously, the more direct route from car to launch is the best. I like the idea of the overlook from the park. You want to bring the river to the people at that point.

Trustee Jennings: I like it, too. If you drew a straight line from the jetty to the parking area, is it very steep? Can we let people get their kayak off the car, move the car and park it, and then just carry the thing straight on down?

Mr. Imbiano: It would be steep. This is elevation 7-1/2, and your height water level is 2-1/2. At low tide it is even more. There is a 5-foot grade change in a very short area, so you cannot have a conventional boat launch.

Trustee Jennings: It is too steep for any kind of a ramp or cement?

Mr. Van Deusen: No, you could do it out of concrete, but it will not be ADA compliant. The only place it may work is in the area over here where the boat is exposed. You have no shoreline here, and you have very little, and you have a lot here.

Mayor Kinnally: What is your timing? Let us assume the Village makes a decision. From making the decision to putting a boat in the water what are we talking about?

Mr. Van Deusen: It is not going to take much more for us to get the design on the street. We are talking four to six months for permitting. So we are looking at getting a shovel in the ground in August.

Trustee Apel: If you have the walkway here and you thought that the slope would be not as deep because boat is there, what if the angle was direct?

Mr. Imbiano: The walkway might want to rotate to be more direct. We took the compromise somewhere between where some people may come down here through steps or through here, so we put it somewhere in the middle. It might be better oriented this way.

Trustee Apel: You have steps. You are not coming down to the boat.

Mayor Kinnally: Or you could do two access points. It does not have to be that severe.

Mr. Imbiano: When we get more technical, this may want to rotate.

Mr. Van Deusen: Again, this is just for concept. We have worked it all out, but that is a good point.

Trustee Jennings: Have we lost the storage facility for boats, for kayaks?

Mr. Imbiano: You would be giving up a recreation pavilion for a storage pavilion. There would be a trade-off.

Mayor Kinnally: What about open racks without a structure?

Mr. Imbiano: There might be room upland.

Trustee Swiderski: Mayor, with what objective?

Mayor Kinnally: So people could leave their canoes or kayaks there and lock them rather than taking them on and off the car.

Mr. Imbiano: It would have to be off the public easement, somewhere up here adjacent to the bubble. If there was a floating dock, is there a preference to coming off the public easement or coming off the park?

Mayor Kinnally: I think probably coming off the public easement because you are not losing any space, right?

Mr. Imbiano: Again, parking would best be served for this in the restaurant parking.

Mayor Kinnally: That is difficult because you are not guaranteed parking there in the summertime.

Mr. Imbiano: Otherwise, it is literally a long haul.

Mayor Kinnally: Probably in the south corner.

Kevin Dawkins, Parks & Recreation Commission: When we were looking at these options there were certain things that were appealing to us and certain things less so. The question arose about the artificial walkway under the water. What is nice about it is that it is relatively concealed. Nobody is going to try to dive off the end of it, as somebody might try

if there was a free-standing permanent pier, at high tide. This raised the question of how you monitor the site. I know there have been some mishaps down there in the past with a ship. It sounded great, but we had questions about the relative cost of installation and maintenance of this system versus the cost and maintenance of a more permanent structure. Rod said they would look into it.

The other question we had was the viability of the vegetation, given the nature of this as a tidal estuary with a mixture of salt and freshwater, and what the proper heights would be for plants to survive. Could you address the issue of the permanence of the vegetation? We were concerned with what the long-term costs would be once this was completed.

Mr. Van Deusen: \$170,000 installed; the pier is about \$460,000, so there is a considerable difference. That was one of our reasons for going to this alternate route, as well as being less obtrusive and possibly easier to permit.

Mr. Roebig: I briefly looked at the viability of the wetland system. I looked at the velocities that cause wakes, which cause wind waves, in terms of the stability of vegetation. It is right on the edge of where it would maintain itself. As a result we are thinking of using a bit of wave attenuation by going with kind of some stones, or instead these reef balls, that may be stationed on certain clusters that would cause enough wave attenuation and protection to keep the spartina intact. I looked also at the grades. They are about two to four percent, which is just about right. We would raise it a bit, using these as stable areas, and maybe some bio-logs. Then it should be a very viable system. The salinity is enough to support the spartina. I think it is a very good area for the wetland. It is protected from the northwest winds. It would maintain itself very well.

Mayor Kinnally: What would you have in the way of fencing or definition on the east side by the parking?

Mr. Imbiano: At a minimum, we would have a guide rail, or guardrail, control for vehicles. The question would be, do we want to fence and gate this.

Superintendent Gomes: A chain link was something we were not looking for. More of a wrought iron, attractive type fencing so cars could not careen into the river.

Mayor Kinnally: Or a split rail?

Superintendent Gomes: Or a split rail. That would work. That would match MacEachron Park.

Mayor Kinnally: One of the concerns that was raised when we had the other scheme, probably because of the access over the water, was the issue of safety late at night with lighting. Any part of this scheme have to do with lighting?

Mr. Imbiano: We did not show lighting, and I do not know whether that is a policy with the park. I guess with the restaurant you do not close the park at dusk. But a lot of towns do that, just post a sign.

Mayor Kinnally: Technically, it is not supposed to be open. One of the concerns was of a safety and rescue.

Superintendent Gomes: That is why the commission gravitated toward the matting. They felt the pier could be an attractive nuisance where people may congregate and dive off. The commission spent quite a bit of time questioning the mounting of the matting, what it is being placed on, the longevity of that opposed to the boardwalk, and the permitting. It seems that the matting is more permit-friendly than putting in pylons. It is significantly more time to put in the pylons for the docking as opposed to the matting. We did request further information and wanted to see someplace that is using it and how long they have used it.

Trustee Apel: That was not the issue of the lighting, though. We talked about safety lighting.

Mayor Kinnally: That was because of a structure. We had, if you remember, the boardwalk going across and that was part of the concerns about the safety. People would be congregating down there or coming in at night.

Trustee Apel: You could still have someone coming in late and you could still have an emergency, and that is your access to the water. So having some lights, whether you put them on or not for that purpose, but for emergency you might want to have a couple.

Superintendent Gomes: I think there is a street light or two in that general vicinity. The thinking was they were going to walk in and out of the matting, and maybe the lighting on the street could somewhat facilitate any boardwalk use.

Mayor Kinnally: They could put another light on the pole.

Mr. Imbiano: If it is a utility pole, yes, toward the restaurant.

Trustee Apel: Eventually we may have to have police on the water. The police would need different access points. They may have to take out a boat or they may have to come in for whatever reason, and you may need one huge one like we have up at the pool. You might just need one of those to put on by a key.

Superintendent Gomes: I know that the tennis center has outlets near the end of the fencing towards the river, so if we wanted to consider something there is power in that vicinity.

Trustee Jennings: When we have the waterfront developed and the esplanade along the river on the waterfront portion, this is going to be a continuous pathway that people are going to want to use in the evenings. They should be able to, and I think we are probably going to want to think about lighting all the way down to MacEachron Park. This is the bridge between the park and what will be a waterfront that will be used quite a lot in the evening. That does not mean we have to put the light fixtures up t now, but eventually we will want to have this be lit, not just for police and safety reasons, but for recreational reasons.

Trustee Swiderski: You probably came here thinking you were going to get a decision.

Mr. Van Deusen: It would help the time line.

Mayor Kinnally: But not all of us are here tonight. It is the first we have seen of it. The quicker you can tell us about the pilot project as far as the geo-tech, it would be of great help to us.

APPOINTMENTS

Mayor Kinnally: I would like to announce the appointment of Bennett Fradkin to the Architectural Review Board. I welcome him, and thank him for volunteering his time and expertise to the Village.

APPROVAL OF WARRANTS

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

Multi-Fund No. 66-2004-05 \$67,738.92

Multi-Fund No. 68-2004-05 \$11,534.72

8:05 LOCAL LAW NO. 2 OF 2005 - REQUIRE POSTING OF SIGN FOR VARIANCE

Mayor Kinnally: I wonder if we can put this over. I have seen some of these signs again recently. I am not ready yet to make a decision on this. If I could have my Board's indulgence I would appreciate it.

Trustee Apel: Is there someplace we can see them?

Mayor Kinnally: I saw one in the Yonkers; I am not sure exactly where.

Trustee Apel: I think that is a good point that you made in terms of seeing them. The other thing that is not on here was whether there would be a sunshine or a revision time.

Mayor Kinnally: It is not in here. I wonder if we could just table this.

Deputy Village Manager Maggiotto: But I do not know if you can table it again. I think you have to remove it. It was tabled once.

Deputy Village Attorney Stecich: That is a Robert's Rules thing. I do not know that you cannot table something more than once.

Mayor Kinnally: Okay, I would like to table it.

On MOTION of Trustee Apel, SECONDED by Trustee Jennings with a voice vote of all in favor, the Board tabled Resolution 8:05 Local Law No. 2 of 2005 Require Posting of Sign for Variance.

Deputy Village Manager Maggiotto: What do you want before the next meeting?

Trustee Apel: We could see maybe a picture.

Deputy Village Attorney Stecich: If you called like the Yonkers Building Department and just say they will tell you where it is.

Mayor Kinnally: I am pretty sure it is on Executive Boulevard and on the north part of Warburton Avenue.

17:05 AWARD OF BID BOULANGER PLAZA WALL RENOVATION

Christina Griffin, Architect: You have the bid results. There is an add alternate for a textured simulated stone finish in stucco. These are examples of a simulated stone that Garden State Brickface gave to us. This board shows the smooth stucco. This picture is the new wall superimposed on a photograph of the existing wall. We have pushed this wall back slightly so we have more room for plants. We are planning to have ground cover, some climbing vines, and some evergreen shrubbery here, low maintenance material. This shows the smooth stucco which is in the base bid, and steel fencing. The first add alternate is for the landscaping. The second add alternate is for textured stucco with a simulated stone look. The third alternate is a deduct alternate, going from steel to aluminum.

This board also shows some other examples of stucco walls. We might choose a color that is similar to the most common color in the existing stone wall. This stucco comes in four different textures. We would have to do a board, put it outside and look at it carefully.

Trustee Apel: I think of stucco as that stuff that cracks and falls off.

Ms. Griffin: Stucco can go past 100 years without cracks. It is a matter of having someone experienced. It has to be cured, and it has to be mixed properly. You get it pre-mixed, but you have to put it on the right temperature and make sure it is moist enough so it cures properly and is not brittle. I believe if it is done properly it can last a very long time.

Trustee Apel: How is that different for the application of the faux stones?

Ms. Griffin: It is the same material. The first time we went out to bid we looked at real stone. The material alone is another \$100,000 for this length of wall.

Trustee Apel: If they were to use the faux stone they would try to match it to what is below?

Ms. Griffin: Even if you used real stone it is almost impossible to match. Now the two walls are different because they were done at different times. You could try to match the grout color, but it probably will not be an exact match. It is very difficult to match two walls. From a distance this wall might look fine, but because it is adjacent to a real stone wall it will always stand out as fake stone.

Trustee Apel: Even if you put ivy in front of it? I thought the concept was it was going to almost cover the wall with the planting anyway.

Ms. Griffin: It is. We specified large plants. These are four feet high. We want them to be big to begin with so there is a nice green space between the two walls. We are putting, just in a few areas, some small stainless steel rods so that we can have vines climb on the wall. There is like a little metal trellis structure underneath that holds it up.

Trustee Apel: So it almost does not matter what is behind it because you will not see it.

Ms. Griffin: I do not know. Until the plants have really become established the faux stone will be more noticeable.

Mayor Kinnally: You think it is going to be too jarring?

Ms. Griffin: I think it is impossible to do faux stone next to a real stone wall successfully. You can get stone that is made out of concrete that looks like stone, but it is very thick and has to be put on with metal ties. That is not what we are talking about because it is less than real stone but is not as big a difference as stone versus a simulated stone in stucco. I can think of an example of a wall that is not that attractive as two stone walls next to each other. It is at the corner of Warburton and Broadway. You have granite veneer on an old stone wall, and they are so different that it is a hodge-podge. I think we should avoid that. We can get a really nice stucco finish. I just worked on a house about 100 years old, and the stucco is original stucco.

Trustee Apel: Can you shade it? You said there were colors. Can it come mottled?

Ms. Griffin: Harvest on Hudson has real stucco with an irregular look to it. New stucco comes in many, many colors. Some of the old stucco you might see around is the natural color of concrete because originally it did not come in these colors and eventually people painted the stucco. We are doing a lot of stucco buildings. It is so popular, especially now that it comes with an integral color. It is a low-maintenance material.

Trustee Swiderski: I agree with you. Fake stone is not going to work. If we are not going to spring for the real thing, then let it be what it is and cap it with a nice fence and let the green grow in and it will be fine.

Trustee Jennings: I see the problem with the fake stone facade. I wish we could afford more and make it look like Windsor Castle but obviously we cannot.

Mayor Kinnally: What are your recommendations on the fence?

Ms. Griffin: The steel is what some people call wrought iron. It usually looks more delicate. It is stronger. It is a solid material, and aluminum is hollow. I recommend steel because there are cars around it; anything can be damaged but not as easily as aluminum.

Mayor Kinnally: The other add-ons have to do with the plantings?

Ms. Griffin: The two lowest bidders are very similar in cost. We kept that separate in case you might want to choose a different landscaper. This is a very important part of the project and should not be taken lightly. I hope those numbers cover what we have spec'd out because we have spec'd some nice-size specimens so that they have a better chance of surviving.

Mayor Kinnally: The landscaping is not a significant difference. What is the sense of the Board on the stucco versus stone?

Trustee Swiderski: Stucco.

Trustee Apel: Keep it the stucco.

Mayor Kinnally: I think the sense is that we go with the steel versus the aluminum.

Trustee Apel: Yes.

Trustee Swiderski: Absolutely.

Trustee Apel: Should we use their landscaping, or should we hire somebody else? For what you want, they are going to do it for \$9,000. Do you know anything about who the first bidder plans to use as his landscaper?

Ms. Griffin: I spoke to Marquise. The person they had in mind is the one who did the landscaping on the Southside project, but they were open. That is something you want to control, and make sure you get a good person in to do it. We had \$25,000 in our budget. The number for both bidders seems to be on the low side.

Trustee Swiderski: Then let us break it out.

Deputy Village Manager Maggiotto: But with the understanding we may end up spending more than \$9,100 but getting a better product.

Mayor Kinnally: Alternate one is for the landscaping, and we will put that on hold?

Trustee Swiderski: Agreed.

Trustee Apel: Yes.

Mayor Kinnally: So we are not considering the alternates, and on the base bid Marquise has it. Have they done any work in this area?

Ms. Griffin: I spoke to John Sullivan, an architect who does a lot of work in Westchester County on municipal projects. He has worked with them for 15 years. They did the Rye Town firehouse and the Kent Town Center. He says his masonry work is very good, and he would work with him again, a good general contractor. Father/son outfit. I called them to see if they had any questions and he brought his whole team that worked on the bid to get on the speaker phone, so I had a pretty good feeling about him.

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

RESOLVED: that the Mayor and Board of Trustees award the bid for Boulanger Plaza Phase I Wall Renovation in the amount of \$167,700 to Marquise Construction Corp., Thornwood, New York, to be funded from bond proceeds.

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

Mayor Kinnally: Where are we on the other phase?

Ms. Griffin: We have about a dozen questions. Almost all of them relate to the transition between the parking lot and the neighboring properties. Our plan shows paving up to the buildings. We met with most of the owners and they all are very enthusiastic. But we need to find out are we really doing that? What is the legal agreement? We need to come to closure. We also need to know what this parking dispenser machine is going to be. If we can

clear out those items we talked about possibly having the project in August. That is when all the business owners would prefer to have this happen.

Mayor Kinnally: If we can get that information, and maybe have it on our agenda next time so we can have it all done this year, it would be great.

18:05 CONSTRUCTION EASEMENT AGREEMENT CHRISTIE TERRACE

Deputy Village Attorney Stecich: This is an easement agreement between the Village and A&F Construction with respect to their building at 45 Main Street. They are going to be doing work on Christie Terrace, which is Village property. They are paving part of it and regrading part of it. They need an easement to do the work, and to use that area as their staging area. The most important provisions from the Village's perspective include posting a performance bond of \$50,000 and having \$5 million in liability insurance. Christie Terrace is now used as a shortcut for people walking from the apartments at 555 and 565 Broadway. They have to post signs at the entrances to the walkway saying that it cannot be used while the construction is going on. Prior to the construction starting they have to post notices in the buildings at 555 and 565 Broadway saying that the path is going to be closed.

Mayor Kinnally: It is closed now. There is fencing up there.

Deputy Village Attorney Stecich: I do not know who did that. Then there is an indemnification agreement. It is to expire 24 months after this is signed unless it is renewed by the Board.

Trustee Apel: Why do they need two years?

Deputy Village Attorney Stecich: They may not need two years. That was not their estimate. The easement agreement was open-ended and I thought there should be a limitation, so we put in two years.

Trustee Apel: Is there anything they have to do to put the path back or fix it?

Deputy Village Attorney Stecich: Yes. They are going put in a stairway and a walkway. In case they do not finish that, we have the performance bond to make sure it is done.

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 execute the Temporary Construction Easement Agreement regarding Christie Terrace between the Village of Hastings-on-Hudson and A&F Commercial Builders, LLC relative to the construction at 45 Main Street.

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

19:05 SCHEDULE PUBLIC HEARING WATERFRONT DEMOLITION

Mayor Kinnally: These are buildings on the western side of the property. Buildings 52B, 53, 54, and 52A are in the heavily polluted northwest corner of the site. Building 52, which is the northernmost building along the tracks and along the station platform now, will remain, as a buffer for both noise and dust during the remediation process.

In a departure from the normal routine of the Board, we anticipate having action on this the same night as the Public Hearing; they expect to have bids received in a couple of weeks, and they are hoping to start.

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

RESOLVED: that the Mayor and Board of Trustees schedule a Public Hearing for Tuesday, March 1 at 8:00 p.m. or shortly thereafter to consider the application of Atlantic Richfield Company for a demolition permit for the former Anaconda Wire & Cable Plant Site., specifically, for Buildings 15, 18, 19, 22A, 79A, 52A, 53, 54, and 52.

ROLL CALL VOTE	AYE	NAY
Trustee Michael Holdstein	Absent	
Trustee Bruce Jennings	X	
Trustee Marjorie Apel	X	

Trustee Peter Swiderski	X
Mayor Wm. Lee Kinnally, Jr.	X

20:05 PUBLIC HEARING 2005 - 2006 BUDGET

On MOTION of Trustee Swiderski, SECONDED by Trustee Apel 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 12, 2005 at 8:00 p.m. or shortly thereafter to consider the proposed 2005 - 2006 Budget.

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

VILLAGE MANAGER'S REPORT

Deputy Village Manager Maggiotto: Sunday afternoon more than 60 people showed up for the quarry tour led by Dr. Fred Hubbard, our naturalist. It was an hour-long telling of stories and learning things about the quarry. It was great to see so many people interested in it, and we hope the interest continues. There is a public meeting scheduled for February 16 in the library to engage the community and solicit opinions on what uses the quarry study might consider.

The March Village election will be in one location. We have consolidated into one district. All the voting will be in the library downstairs in the Orr Room. I went to a meeting today for village clerks with one of the county election commissioners. I had thought the roster books could only be produced by election district, but I found out that we can request them in alphabetical order, so this is going to make it even simpler when people come in to vote. We intend to send out postcards to all registered voters informing them of this change. It is a costly undertaking but we think worth it.

Tom Brown, Hastings: I notice that you said it was going to be just for this March, and I think it merits an experiment. But how are you going to determine afterwards whether to

continue it, because there are a lot of pros and cons? People might have difficulty getting to one location.

Deputy Village Manager Maggiotto: This is only for March elections, but it is for every March from now on.

Mr. Brown: How did this come to be? Was this a vote of the Trustees?

Mayor Kinnally: Public hearings and a vote.

Trustee Apel: We did say that there would be a review of how it went after this March. You would get a truer picture in a bigger election, but if it was bad for a smaller election we will not do it again. Our concerns were access, and the seniors living in the Andrus Home. We are going to remove the parking in front so there will be access for parking.

BOARD DISCUSSION AND COMMENTS

1. Update on the Waterfront

Mayor Kinnally: Dave Kalet from ARCO called to tell me that he was hoping soon to get an order from the state on the cleanup, and asking if ARCO would be able to meet in the next few weeks to bring us up to date on some of the recent developments at ARCO, and discuss the open space portion of the settlement.

2. Land Use Leadership Alliance Sponsorship

Mayor Kinnally: We have received a memo from Sue Smith asking that the Village consider being a sponsor of the Land Use Leadership Alliance Training Program, held by the Pace University School of Law, the Land Use Center, the Housing Action Council and the Community Housing Resource Center. I have been invited to attend this, although I have a conflict. But it is a comprehensive review for community people of items that come before us as far as land use conservation. We are not one of the sponsoring municipalities, and Sue has urged that we deal with that oversight. There is no downside, there is no expense, it gives us greater visibility and credibility. We will put it on for the next agenda.

3. Joint Board of Trustees/Planning Board Session

Trustee Apel: I do not know if you wanted to address anything that was said at the joint Planning and Village Board meeting.

Mayor Kinnally: There was a lot said, and a lot of good things came out of it. Marge raised the issue of the Village approaching the county concerning acquisition of the Ciba-Geigy site, and it is something that we will discuss in executive session under the heading of land acquisition. I told Jerry Mulligan of the county that the issue had been raised. He is going to report that to the legacy committee meeting on Thursday. It is something that we want to get input from counsel on. I would like to have a motion for an executive session.

EXECUTIVE SESSION

On MOTION of Trustee Apel, 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 land acquisition and personnel.

PUBLIC COMMENTS

Danielle Goodman, 28 Ashley Road: I was nominated to participate in the Land Use Leadership program and I have accepted. I will be attending four sessions at Pace University in April and May. I will bring back to my fellow residents any information that I gain. We should be a sponsor. There are many land use issues before us.

I would implore you to consider an open space option for 9A. It would be a creative solution, would serve well the community, and would move us into a different place where we could talk about other things.

Mayor Kinnally: If people who want to do that would find funding sources that would be great also. This is not a free lunch. The county, to use their euphemism, will be looking for partners. That means the Village would have to chip in to buy the property. That changes things considerably.

Lorraine Kuhn, Judson Avenue, Ardsley: I wholeheartedly support the previous comments. Ardsley welcomes a fresh approach to the 9-A site. An open space alternative would be divine.

Mayor Kinnally: And Sam has an open invitation to come here and bring the check.

Carolyn Summers, 63 Ferndale Drive: I was a member of the Large Tracts study. We did not get to cover 9-A because 9-A was being dealt with separately. Our study group grappled

with the notion that all land is zoned for development. That fact is taken for granted, with little understanding of what that means for the future. If we blindly followed zoning, our world would be unlivable, paved over, and built upon. Fortunately we do not blindly follow zoning. We interpret it, modify it, or use it according to our changing needs. Sometimes we supersede zoning entirely and buy land for public use.

Land is expensive, so we must choose carefully. Once in awhile a site presents opportunities that are simply too good to resist. 9-A is one of those sites. I came up with six reasons why Hastings would be better off if the 9-A site were preserved instead of developed. The 9-A site is next to the Saw Mill River. Rivers need flood plain space, they need to be surrounded by trees, grass, and wildflowers that filter out pollutants. Rivers serve as wildlife corridors, and they are beautiful natural features. It is next to the Putnam Trailway, and therefore offers a special opportunity to either enhance recreational use or to degrade that whole experience depending on how that site is treated. The only access to the 9-A site is by a road with an intersection that already flunks basic drivability criteria, a road that is facing complete gridlock if Ridge Hill becomes a reality. It is not in the Hastings school district, so preservation of that site does not take taxes away from our school system. The site is on the outer fringe of Hastings, and any new development will be more difficult to protect with our existing police and fire departments, possibly costing more than it contributes in taxes. Finally, because of the transportation issues and trailway connection, preservation of this site serves regional open space needs and should easily qualify for county and state funding partnerships. That is already attested to by the fact that someone from Ardsley came, and cared enough to come, to our Village meeting.

Mayor Kinnally: Without any money.

Ms. Goodman: The Board has an affirmative obligation to protect and enhance the quality of life for the citizens of Hastings. The Board would be derelict in its duty if it ignored the opportunity to explore the preservation of the 9-A site. I am happy to hear the members of the Board are planning to do this: reaching out to county and state representatives to protect a resource that preserves and enhances our quality of life here in Hastings as well as the larger rivertowns community.

Mr. Brown: It would be a very good idea if they would take a long look at this. There are not overriding legal issues why they cannot. Anybody can come in and put in bids. There is no reason why Westchester cannot do that. Housing may end up costing us more than we would make from it. Give Hastings a chance to vote on if Hastings had to put any money in.

Mayor Kinnally: The property is under contract now between Halpern and Ginsburg. I believe they have an exclusive option and they have had it for a number of years. I do not

want to expose the Village to any potential liability or to run the risk of interfering with a contract that exists at the present time. A representative of Ginsburg was at the meeting. They know of the interest some people have in having the county buy this property. You have to have a willing buyer and a willing seller in order to do that.

Betty Ryberg, 11 Riverview Place: My gut reaction to the 9-A property as being a possible park or something that connects with the trailways was appealing to me. I have not studied the cost implications and I do not know what the property is worth. But the alternatives have their implications. I am happy that the Board is thinking more about alternatives because land use in this setting is critical and something that cannot be changed later on.

Trustee Apel: At the meeting with the Planning Board there was a discussion about retail on 9A, why they did not recommend removal of big box. I am not sure that I heard an answer to this or what was going to happen next. To protect ourselves between now and whatever is being planned out there could the Board vote to remove it from the LI at this time? If it is the consensus of the Board we could ask our lawyer to find out if that is doable.

Mayor Kinnally: I think we need a recommendation from the Planning Board, and it has to go to the county because it is a zoning change.

Trustee Swiderski: The Planning Board advised against it, and we are saying we disagree.

Deputy Village Attorney Stecich: You could come up with an amendment to eliminate retail, and that would become the recommendation of this Board. If you want it, you would set a public hearing on it. It would have to go to the Planning Board for their recommendation and to the county as part of the notice. But it could start here.

Trustee Apel: We should protect ourselves on this issue and start doing it as soon as possible.

Mayor Kinnally: Fine. Marianne, please look into that and talk to Patty Speranza and the county.

ADJOURNMENT

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