

VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
REGULAR MEETING
APRIL 7, 2005

A Regular Meeting was held by the Board of Trustees on Tuesday, April 7, 2005 at 8:45 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

PRESENT: Mayor Wm. Lee Kinnally, Jr., Trustee Michael Holdstein, Trustee Marjorie Apel, Trustee Peter Swiderski, Deputy Village Attorney Marianne Stecich, and Acting Village Manager/Clerk Susan Maggiotto.

ABSENT: Trustee Bruce Jennings

CITIZENS: Twenty-two (22).

PRESENTATION – Community Center

James Lothrop, Lothrop Associates Architects Our agreement is broken into several phases. The first phase is schematic design. That is where the scope of the project and an approximate cost is determined. Based on the Village's review and approval, we then move on to the second phase, design development, where more information is gathered and more engineering is done and the project is revised. At the end of design development it is again presented to the Village for review, comment, adjustment if need be, and approval before we go on to the final phase, which is construction documents.

Last September we came to you with the completed schematic design phase providing for a building of 14,400 square feet. There were three floors and a basement area and exterior elevations were presented. That was approved, and we prepared a very complete set of design development drawings. At the same time, we were able to have the Community Center inspected for hazardous materials and to have test borings done. At the completion of the drawings, a professional cost estimator was hired to prepare a cost for the project. That was completed two months ago.

To our disappointment, the cost of the building exceeded the budget that we had agreed to as part of schematic design. So as part of our obligation we have readdressed the design development to make it more closely conform to the approved schematic design. I want to show you those changes and how we are trying to achieve what we agreed to at the end of schematic design.

With the discovery from the estimator that our costs exceeded the \$5 million project that was agreed upon we tried to make changes that provided the same space, but cut cost. This conceptual sketch is very similar to the original one, but I will point out a couple of changes. Glass area is more expensive than walls, so we reduced some of the glass from the building. We have reconfigured the structure of the roof on the main meeting room. We have turned it in the opposite direction. It allows us to simplify getting heating, ventilating, and air conditioning into that meeting room.

Brick is a very expensive material for exterior walls. We like it because it is durable, easy to maintain, and does not get damaged. But we probably cannot afford brick throughout the entire building, so we are proposing stucco in the lighter color there and the lighter color over here, and all areas that are above about 12 feet of the ground.

Trustee Apel: Does it have more maintenance than brick?

Mr. Lothrop: Probably a modest amount. Brick has caulk joints that have to be re-caulked. Stucco probably has a few more caulk joints. Stucco does not have to be painted. It would not be our ideal material. Brick would be a more durable material, but stucco is a reasonable substitute considering the cost implications.

In the earlier versions we had carried the walls up above the roof to screen rooftop mechanical equipment. We thought that since we had metal roofing in so many areas maybe we should go to a less expensive screening material, a metal roofing, to screen those units.

When we had test borings, when we found out where the grade was, what was underneath it, we found that the most economical way to build the area that you wanted in the basement was to not put it out on this outside face toward the Cropsey museum, but push it back in. The hillside slopes down, and we found that it would be less expensive to provide the same area but push it back inside the building.

Trustee Apel: What happens with the front part of the building?

Mr. Lothrop: The front part of the building is covered over and is left open underneath. We realize there could be security concerns, so we are proposing that that would be fenced. That saves a fairly sizeable amount of money, and probably made the biggest difference in the cost reduction that we are suggesting. There are going to be columns holding up the building.

Mayor Kinnally: Are we are losing storage area?

Mr. Lothrop: No. This provides the same area that we had in the schematic design, 14,400 square feet.

Mayor Kinnally: Having exposed areas in the back, is that going to adversely affect the heating of the building?

Mr. Lothrop: No, we will insulate the floor, or the ceiling above that covered area, so it will not have an impact.

As I told you, when we first did the design development drawings, the price from the estimator was significantly higher. It was almost \$1.4 million above the budgeted number, so we did not even bring it to you. Probably the biggest reason for that cost was because we had said, while we are doing this, why do we not pull this piece, leave it out here on the front. And since this back area is already partially excavated, why do we not just make more storage space for you. It added about 2,500 square feet to the building, and at \$300 a square foot that is pretty expensive space. That is why we have backtracked to this.

Trustee Apel: On your new plan, can the electrical room be pushed to the other side and the storeroom forward? I think there was something where they wanted to put the tables down there. To shlep the tables up and down in that elevator, they should go to the closest room and not have to go past the electrical room.

Mr. Lothrop: There are a few things that need to be resolved. I think that is a good point.

On the lower floor there has been no change of any consequence. The structure is a little simpler. We have taken out some columns and the entrance tower has squared up. We were paying a fair amount of money for the curved stairs and for the bay windows up above. The main entrance floor, again, everything is very much the same, no change in program. The area has gotten slightly reduced because the lobby is now square and not bowed out. The top floor, no change except that the roof on the right-hand side is now framed the other way.

Mayor Kinnally: Has any thought been given to reducing the height of the tower?

Mr. Lothrop: Yes, we have given a lot of thought to it. It is slightly lower than what was shown in the original version. We are trying to go from this ground floor up to that floor, so

we need to have a height that is probably about there. We are showing about four more feet of glass around the top, so it is about four feet higher than it needs to be. That glass around the top area was nice because we had reduced the glass on the walls fairly significantly. We were trying to get some light in, and we had always thought of that as being a beacon on Main Street. But it could be lowered by four feet, taking that glass out.

Mayor Kinnally: What is the cost savings on the stucco versus brick?

Mr. Lothrop: There is a masonry reduction here, but all of that is not brick. We are taking out a lot of retaining walls down in the lower level, so there is some reduction there.

Mayor Kinnally: If you could get us that information on what it is that we're saving by taking out the brick. And you have to figure in what it is costing you to do the masonry. So what net we are dealing with?

Mr. Lothrop: We can give you the cost difference on that.

This sheet shows where we were when you approved schematic design. The construction cost estimate was \$4,060,000. The soft costs, which included architectural and engineering fees, surveys, test borings, cost estimates, the hazardous material testing, those numbers plus some allowance for furnishings and equipment, \$440,000. Because that was a schematic concept and we did not have all of the information we needed we suggested that you put a contingency in there in case we ran into soil conditions we did not anticipate, storm sewer repairs, inflation, miscellaneous things.

Because we found out that the building has asbestos throughout the flooring on all the floors, and in the roof, that added \$120,000 to the cost. There is about \$76,600 worth of additional rock that we had not anticipated. And inflation last year took a rather big spike. Previous year, inflation was 0.3%; last year it was 5.4%. There was a very dramatic change, and that adds about \$228,500 to the cost of the project. When we put those costs in, our contingency, after paying for those things, is \$146,200.

In the schematic design phase we suggested a 10% contingency. Now that we are farther along, we can reduce the contingency to 5%, so that number should be \$224,000, meaning that we are short by about \$78,000 to have a comfortable 5% contingency. And if we do that, we also then have taken out any budget for furnishings and equipment.

Mayor Kinnally: So you are talking an addition of \$150,000 at this time: approximately 75 for the furniture and equipment and 75 to bring your contingency to where you want it.

Trustee Holdstein: What is jumping off the page to me is showing at the bottom two figures equaling \$5 million, which is a little deceptive because one of them includes the F&E, the other does not. I am very uncomfortable with the way you are showing the numbers. But more importantly, as the lone dissenter up here, what I do not see is a calculation of eliminating the second floor. That is something that this board needs to re-look at.

Mr. Lothrop: The top floor is 2,450 square feet. The building is costing about \$300 a square foot, so you could take off that top floor and save about \$740,000.

Trustee Apel: At our college we built a new library and we did the same thing with the brick and stucco. It is a nice contrast, and I thought it was kind of attractive.

Mayor Kinnally: You have given us a lot to think about. Certainly the numbers, we have to look at them very carefully. I am sure as we review it we are going to have more questions. Maybe we can revisit this next week after the budget hearing.

Trustee Holdstein: You referred to the \$300 as a working number. I am curious if the same standard of the 300 square foot applies first floor, second floor. I would like to see what you come up with if we just lopped off that floor. See what that savings is balancing against other options that you presented tonight to see if we might gain back some architectural design or other things and still find ourselves in a better condition budget-wise. I do not know if the same 300 applies basement floor, first floor, second floor.

Cindy Travis, 427 Warburton: . I saw the 5% escalation for 2004. Is there another 5% for 2005, and then another one for 2006?

Mr. Lothrop: The cost estimate is based on starting construction this summer. If the project gets delayed further than that, then inflation starts to come back into the picture

Ms. Travis: How long would construction take?

Mr. Lothrop: We have two more months to go to complete the construction documents. So from the time you approve something we have two more months of work. Then we have

about a month of bidding, and then a month to decide. So we are four months away from starting construction. Construction would probably take about a year

Ms. Travis: So there is not going to be another inflation rate for 2006?

Mr. Lothrop: No, we should not. I have to point out that even though we have a very good estimator and a detailed estimate, he is using his expertise to suggest what he believes contractors are going to charge. We do not actually know what the contractors will charge. We do not know whether they are going to be hungry for work at that time and lower their prices, or if there is so much work around that we do not get good bids.

Ms. Travis: Where is this coming out in terms of taxes?

Mayor Kinnally: It would be bonded.

Ms. Travis: At what percentage? Is that built into what we can anticipate over the cost of how many years?

Mayor Kinnally: Is this 20, or 30, years?

Acting Village Manager Maggiotto: Thirty years.

Ms. Travis: Is there an estimate?

Acting Village Manager Maggiotto: The principal payment would be \$166,000 per year over 30 years, and interest may be about \$150,000 per year. So you are looking at about \$300,000 a year in debt service.

Ms. Travis: Somewhere you will publish this for the Village, right?

Trustee Holdstein: We show in our budget process, which we are in the middle of, our debt carrying charges for things like this building, library, and all of it. We always work it in as a percentage. But yes, we are all going to pay for this. But it is broken down every year within the budget in terms of what we carry in debt. Some debt gets retired, some becomes new.

Mayor Kinnally: We will pick this up again on Tuesday night following our budget hearing.

PRESENTATION - Kinnally Cove

Mayor Kinnally: The Parks & Rec Commission met Monday night and discussed some of the alternatives suggested by our consultants. In particular, there was focus on the material that was to be put in the river. Last time I asked if we could have a pilot program to see how this material would look, how it would fare in that environment. I understand, because of the DEC, that we are unable to test it out. The consensus is that the feasibility and viability of this particular material is somewhat suspect at this point. Ray, I understand you had a meeting the other day with the DEC and the DEC addressed the issue.

Superintendent Gomes: They commented that in a year or two it could have silting on it, algae growth, maybe fragmented. I asked if there was any application in and about the tri-state area, and they could not recall any.

John Imbiano, Landscape Architect: I represent McLaren and various other people here. Working our way from south to north, this area we want to generally reclaim as more of a natural state, remove some of the asphalt that sits up at the parking area, revegetate it, restore an area in this north protected cove area as a tidal marsh, restore this area where there is the sunken ship as a passive recreational area, a viewing area, possibly, with a pavilion.

There were several members that wanted to see an area for storage of kayaks. Reclaiming the shoreline area with stone riprap where there is erosion occurring. What you have there now is a natural sandy beach which seems to be very stable, and that is a great surface for kayaking and launching. I believe, as a kayaker, that most people during mid- to high tide will be launching from a beach area because that is the way you launch a kayak. Not necessarily a canoe, not necessarily a skull. But if you are focusing on kayaking, we feel that this area will be the prime area to launch most of the time and that is where it makes sense. You are close to the parking. We provided an accessible path trail of gravel, much like the esplanade is at the restaurant, where one can park their car and easily access the Hudson.

Whether we dismiss the Armorflex at this point we could discuss that this evening. But one of the alternatives was using a floating dock. Because the Hudson River is tidal you need a gangway system where you have access at low and high tides, and that could fluctuate up to four to five feet depending on the size of the dock.

We thought what eventually would evolve here is maybe a two-system thing. There are certainly cost factors with Armorflex versus a floating dock. But if you create a dock system off the park you have to anchor the gangway to something, whether it is a boardwalk or a deck or concrete. There is the gangway itself. Because it is public funding it has to meet accessibility requirements for handicapped. I have shown the gangway 30 or 40 feet, which with the elevation of the park and the elevation of the water and freeboard of this floating dock system you could get away with. Because you are more exposed in the river itself, we would propose a breakwater, something to lessen the impact of the wave action so you can safely launch a kayak at this point.

Our passive area at the southern section. A contiguous walk that will connect the public access-way eventually throughout all of Hastings that one could traverse the park area, enter a ramped area and a boardwalk that would overlook the tidal marsh, and then get you back up to the esplanade where the park and restaurant is, and tie in all these features.

This shows existing conditions. You have some parallel parking against a chain link fence. You have invasive trees, black locusts which have overtaken the area, and a lot of rubble and eroded edge. We are proposing that you reclaim this 15 foot of asphalt and make that a buffer area for planting to soften the area. We are starting to cut the grade very gently down here. Here you have a boardwalk, which we thought would be a very nice way of traversing the tidal marsh and overlooking it. The riprap, and planting between the riprap, would help stabilize the shoreline. Here we get into the tidal restoration project. So those are the elements of the plan where we are as of tonight, and we are here to listen and get some of Ray's feedback, too, on where you think we might be going.

Trustee Holdstein: My concern is about the tidal marsh concept. While when it is initially put in it may look wonderful, in a year or two or three it could look pretty ratty.

Mr. Imbiano: I am not a scientist, but I do not think we are forcing it. The conditions are ideal in this corner of the cove. With some creative breakwaters, and I showed a reef ball last time that creates a breakwater, and with these floating logs where you plant the spartina plant, you will eventually evolve a nice tidal marsh. With a bit of help from Mother Nature and with a little creativity we feel it is an ideal situation.

Mayor Kinnally: How would the floating dock be removed and installed each year? What type of equipment? What type of access would you need?

Walter McKenna, McLaren Engineering: It could probably be placed in the water and removed from the water with an excavator with slings. It is a tracked vehicle with a bucket. It is used for digging. It would have to be somewhere around here. It would have to remove the gangway first, and then this has guide-piles on it. You would have to unhook it from the guide-piles, and then you could move it closer to the shore and lift it out with the excavator.

Trustee Holdstein: How is it moved?

Mr. McKenna: You could have a choker on it and use the bucket to pull it into shore. It could be either tired or tracked. They come in both versions.

Mayor Kinnally: If you had tracked it would probably rip up the park.

Mr. McKenna: If you have a strong enough backhoe you could use a backhoe.

Trustee Holdstein: Is the access going to get it through there without damaging the park?

Mayor Kinnally: There is a driveway at the north end of the park off the parking lot and you can drive right in there. I do not know if the pathway would be wide enough.

Mr. McKenna: It is pretty wide. It is 10, 12 feet.

Mayor Kinnally: But you still have to go through the park.

Trustee Apel: I am not a kayaker, but I think that is an awful long shlep from where you park the car. Then you have to go around a circle with this kayak...

Mr. Imbiano: No matter what alternative you go to you have to travel some distance at extreme low tide. That is the reality of the tides here.

Trustee Apel: But it would seem to me if the dock was all the way down south, then you are right there and you just go straight through.

Mr. Imbiano: You are going to have limited use if you put it down here because of the tides. You would have to extend your dock out quite far. And again, if you are worried just about carrying something that distance, it would still be quite far.

Trustee Swiderski: But your original plan, or at least one of the plans in the packet you provided, does not have it coming off the shore. It has it coming off the end.

Mr. Imbiano: It had it coming off the end right here. But as a result of the meeting on Monday night it seemed like that was the least favorable condition versus having a floating dock and maybe some sort of pier coming off here.

Mayor Kinnally: Why was that the least favorable?

Mr. Imbiano: I do not know. It is just the feel from it.

Superintendent Gomes: Part of the discussion focused on if it was on the tennis courts side, the permanent docking would be larger and more costly than it would be on the MacEachron side. It would stretch out further into the river, and there would be a lot more swelling of the dock as opposed to the MacEachron side.

Mr. McKenna: The other thing from a constructability point of view, you do have the sunken vessel over here. You are not going to be able to drive piles through the sunken vessel. It would have to be removed, filled in, and the dock would have to be moved further to the north. Again, that would be a longer dock. And there is the other constructability issue of how are you going to drive piles for that pier. This is essentially dry at mean low water. It is too long a reach for even some of the larger cranes to be able to drive piles right around here, which is 150 feet out. You would have to either have a construction barge come in here, which would be laying on the mud line twice a day and they would be trying to drive the piles. So there are some real issues in building a dock on the south side.

Mayor Kinnally: And what about the DEC permitting issues, the south versus the north?

Mr. McKenna: My understanding is that anything that you want to do, either this or the dock, is going to be permissible and it is going to take about three or four months. There are no major issues with any of these choices here.

Mayor Kinnally: Did the DEC express a preference for north or south?

Mr. McKenna: No.

Mayor Kinnally: Where would the structure be on the land side of the dock on the south, and where would the gangway be?

Mr. Imbiano: By some gross estimates, you would have to come out with 50, 60, 70 feet of gangway, maybe more to make it handicapped.

Mayor Kinnally: So the area that you have to traverse is not going to be much different.

Mr. Imbiano: No, and it is actually more cumbersome in that you would have to turn right angles, too.

Mr. McKenna: Looking at it from a usability point of view and listening to what everyone said on Monday night, one resident brought up that people would like to walk in the park and use it, and you have this tennis court bubble here. They did not feel that that would be romantic, I guess is the terminology that would best describe that. You are almost in deep water on the north end; you get three foot draught even at mean low water. It is easier, even for driving piles if they cannot reach the piles from the land side here, to bring up a barge that has a crane on it to drive piles. He is always moored in water. His barge is not going to go aground.

Mayor Kinnally: Describe the breakwater.

Mr. McKenna: We are still in preliminary schematic design phase. The channel for the Hudson River is fairly close to the shoreline over here, and it has a lot of wave and wind action. In order to have the floating dock usable for the longest period of time we would have to have some form of wave attenuator. It has to be long enough because there is a refraction of waves around any breakwater that would still put waves of a relatively high height right on top of that floating dock. We have to have it long enough that it attenuates the wave around the structure that we are trying to protect. About 100 feet should do it. Through analysis through the final phase we will come up with the exact length that we need.

Mayor Kinnally: Structurally what does it look like?

Mr. McKenna: It can be comprised of many different things. We have designed one for Haverstraw Marina. It has vertical piles, and in between the vertical piles is a panel board/vertical board system.

Trustee Holdstein: At high tide, how far above the water?

Mr. McKenna: Maybe three feet. The water depth around here may be 10 feet. In order to attenuate the wave energy, that is what you really need to do. You just cannot have it at the height of the waves. It has to go down into the water column. So typically we have been designing them to be about 18 inches off the mud line, maximum three feet.

Trustee Swiderski: What about ice in winter?

Mr. McKenna: We designed one which is built out of timber, and it was not built exactly to our design, they modified it a little bit when they built it; it has been in the Hudson in Haverstraw for 15 years and is just now starting to show some wear and tear where it needs some major maintenance.

Trustee Apel: I am concerned that when they clean the Hudson River and do the waterfront that they are going to dredge up stuff and it is going to get thrown on the beach. There is no way to keep it, because of the tides, from polluting the beach. They are going in there to take out the PCBs and whatever else they are going to take out, and what are we going to do to protect that beach? We will not want anybody walking on it.

Mr. McKenna: Even if we had a rock rebutment I do not see where we could protect the beach from something that is in the Hudson River. It would have to be through monitoring.

Trustee Apel: But it would seem to me we would need a different design. We would not want anybody going on the beach.

Mayor Kinnally: Marge, I think those are two different things. Part of that will have to do with the engineering on OU-2 and how they plan on protecting the adjacent areas. They have talked about putting in sheet piling and making isolated chambers, or caissons, there.

Trustee Apel: But if they do not, would we need then to not have access to the beach but have that walkway going all the way around so people would not go on the beach?

Mayor Kinnally: I do not know why you would not want people going on the beach.

Trustee Apel: Well, I would love for them to go on the beach, but if we have pollution coming up on the beach you are not going to want your kids down there.

Mayor Kinnally: If that is the case we will have to fence it off for the period of time that they are doing this. But they have not started the engineering on all of this because they have

not finished with the OU-2 cleanup with the DEC. That could be another five years. I certainly do not want to wait to improve this property while we are waiting for the DEC and ARCO to come up with engineering for the cleanup of the site.

Trustee Holdstein: To your point, Marge, I am a little confused. If we develop something here, and it is beach and it has access for people to use and for people to launch kayaks, and six years from now they begin a two-year cleanup of the river, and based on whatever plan they come up with and our ability to consult with them, we feel the need to, for two years, close that access, that is a brief hiatus to the life of what we are trying to develop here. To worry about what the cleanup is then, if we have to take some short-term measures if we are not happy with how they are planning the OU-2 cleanup, that is secondary and later. We still have to design something that we hope will be in place and in use for many years before and after whatever they do on the river.

Trustee Apel: Except for the fact that there are PCBs in the water now, which are washing up and down which could very well come into the beach area. I believe there was supposed to be testing on this. Was there testing on this?

Mayor Kinnally: There has been testing, but I do not know if any suspended PCBs have been washing up. I do not know if we have ever had that. They had borings in the cove and to the north of the site, and I think they had borings off MacEachron Waterfront Park.

Trustee Apel: When did they do that? In the last year?

Mayor Kinnally: It is still ongoing. Before we bought this parcel questions were raised about it and borings were done. We were satisfied at that time that it did not pose a problem and that the concentrations were not there. It is in a tidal area, but it is really outside the channel. I had a meeting last night with Dave Kalet at ARCO. He said the highest concentrations of the PCBs in OU-2 are being shown off of the northwest corner, mirroring what is on the land, but they are not showing it much outside that envelope. I cannot imagine that we would approve anything that is going to result in any concentrations of PCBs coming into the cove.

Trustee Apel: I agree, we would not. I think we just have to be aware of it and we need to plan for it. Does the breakwater take a long time for approval from the DEC?

Mr. Imbiano: No, it would be part of the whole process.

Mayor Kinnally: And would that breakwater also help stabilize the area in the northwest corner as far as the spartina?

Mr. Imbiano: Yes, it could only help.

Trustee Swiderski: Earlier on in this process, four or five years ago, the consensus developed that MacEachron Park was passive use only. Kayakers and people dragging boats through was less than desirable. So that is why, in the original plan, the dock was at the south end. I know the point being made about the deep water at that point. I also know that right near where you are curving in, walking your kayakers, 15, 20 feet away is a playground.

Mr. Imbiano: That is right. I believe we could handle this with signage, maybe with some low-profile fencing, split rail, with buffering with plant materials. Not that it could not be used by the public using the park, but it is very much a designated way to get to the dock. I feel there is enough room there. Ray may be able to shed more information on why that may have been a cause of concern two to three years ago when we had some public forums. I never thought it was if we treated it with landscaping and fencing and signage.

Trustee Swiderski: Ray, did that come up on Friday?

Superintendent Gomes: Not so much why three or four years ago the committee did not choose MacEachron as an option. But it did focus on the playground as it relates to safety in the park. Also the use of the restaurant parking spots because they would try to get as close as they could. They felt maybe it would be darker there than on the tennis court side for anyone coming in the evening. But I think overriding it was the proximity to the playground, which I feel McLaren could address and we could address.

Mr. Imbiano: There are pros and cons of everything you do. This is a low-water site with a lot of silt in it. If this was 50 years ago you could truck in a load of sand and fill the back end area with a nice beach sand and we would be discussing what we were going to put in to protect your beach from eroding away. But in this day and age, with the DEP permits and the Army Corps permits that we have to do today, dredging permits are next to impossible to get. It would be great if we could get a dredging permit and dredge a path back to the shoreline, and have the beach area on either side. There are pluses to the floating dock up here. I believe it would reduce construction costs. There would have to be a wave attenuator. But there would have to be a wave attenuator even if we were on the south side to have it as a usable facility most of the time, Here we would have to have a longer dock,

possibly even a longer ramp, before we could achieve the same thing, adding to construction cost.

Jerry Borenstein, 35 James Street: I have been part of the discussion with some original committees going back several years, and I would like to speak from two perspectives: as a resident concerned about taxes and cost, and as a kayaker. As a resident, from the beginning I found it of surprising how much we are trying to undertake in a cove that does not offer that much without enormous cost. We are looking at, in one undertaking, dealing with reclamation of an area, beautification of an area, providing an area for people to stroll and walk, and lastly a boat launch. I am not sure what your priorities are, but I would ask that you decide on a budget in advance. Instead of thinking about all the things we can do and then trying to put a cost on it, let us decide how much the town is willing to allocate to this and then to see what we can build into it. Given how much space there is for reclamation, I do not see a lot of benefit to it as a resident. As far as beautification, we can do quite a bit of beautification around the perimeter of the area without spending a lot of money.

As far as an area for walking, we can do a little work on the street side of the beach that would be relatively inexpensive for people to walk around. As far as making an accessible beach where people could walk out, I would ask you to go down there now, take your shoes off, and walk around. No matter what you do to that surface, every time the tide changes your surface conditions are going to change. There is broken glass there constantly. There are rusty nails. I have gone down there in very heavy-soled rubber shoes and gotten those shoes perforated by nails and other debris.

I am a serious kayaker. There was a lot of discussion about whether we could make this an area where beginners, people not too familiar with using boats on the water, can come down, bring their children, really make this a community area. I think that is unlikely to happen. I know the kind of obstacles I am willing to go through to get my boat in the water and I do not mind walking through all this debris because I know how to prepare for it. But if you take somebody coming down there with their kids or someone who has never been on the water before, putting a boat in there, thinking this is going to be fun, within an hour the conditions can be very, very dangerous. People turning over in the Hudson, getting into all sorts of trouble. So there are a lot of safety requirements that are going to have to be built into that which I think could be an enormous cost. The idea that you are going to be able to launch from the beach, going into the water and launching from the beach, is much too hazardous.

Mayor Kinnally: I do not think we are talking about launching from the beach. That is why we spent a lot of time talking about launching from the floating docks.

Mr. Borenstein: But part of what I hear people talking about is making this a little beach area.

Mayor Kinnally: Simply as an aesthetic. I do not see people going down there and sunning themselves on the beach and treating it like Montauk. I do not think so.

Eileen Bedell, 100 River Street: I own the Tennis Club and restaurant. I am quite delighted that the opportunities have expanded beyond option number two, to one, three, and four. Talking about coming from the south side without actually seeing it is wishful thinking when you look at the size of the boulders and the size of the submerged metal structure there; it is easy to understand how it is much more costly.

The other issue that Ray and I have been talking about for years is that while we have public access, that roadway is my property. It is established for emergency access to both people in the tennis bubbles as well as to any emergency access that would be required on the water. So it cannot be romantic because we have to be able to get emergency vehicles down there. And we do use it. Should somebody, for instance, hurt their knee they cannot come out of the tennis bubbles other than through that emergency access road. That it is a graveled road that has to be plowed, etc.

I raised with Ray earlier the issue of if kayaks were coming down on my property I was unwilling to bear the insurance of that totally because obviously I am not getting any revenue from that, but proposed that the Village and I would negotiate an indemnification for liabilities related to the kayak issue. For people walking around, with the other alternatives, I think is very acceptable because people can walk in there today. We have had some vandalism. We have had to lock it up from time to time. But we could live with people walking through that area as opposed to kayaks going on it.

Mayor Kinnally: My recollection is that the Village has an easement over that property. We negotiated that over 20 years ago

Ms. Bedell: For people easement. We did not negotiate kayak liability. That is the only issue. I have no problem with the people issue right now. In fact, we had a great event when you had the fireworks there. We had all kinds of people coming in, and we still do have people wandering along that side of the building.

I met with ARCO in the last couple of days also. The discussions are only around their permits for remediation of the PCBs on OU-1. They do not have any permits from me yet to

do anything they are talking about, including some kind of barrier for the PCBs. We have to negotiate that. But we also have just begun discussions about broader sampling for OU-2. The sampling of my property was done opportunistically. Because it is so shallow, they could not get even the sampling boats in. So they were discussing whether I would be willing to sign an agreement with them and the DEC to do sampling on behalf of all of us on a much more thorough basis. From that we would learn if there were any PCBs even in that area that is apart from the sampling you might need to do in your own area.

Danielle Goodman, 28 Ashley Road: Do the floating docks have to be removed? How big are they, and where do they get stored? Who will take them out of the water, and do we have the equipment to do that? If we do not, do we have to bring crews in from somewhere else? How much does that cost?

Mr. McKenna: Right now we have the dock size of 20 by 30 foot. I don't know what equipment your town DPW would have.

Mayor Kinnally: Ray, do we have equipment to handle that right now?

Superintendent Gomes: Yes.

Ms. Goodman: So where will that be stored?

Superintendent Gomes: That I have to think about, but we will find a place.

Julius Chemka, 8 Ridgedell Avenue With the response from the Tennis Club here, that right-of-way is the Village of Hastings' and it is wide enough for a kayaker to carry the canoes through and everything else. That is supposed to tie in later on with the wraparound walkway around Anaconda.

I am in favor of the kayak launching and canoe launching at the southern end. It will cost us a little more, but it will be out of the way. I do not like the idea of kayaks and canoes going into MacEachron Park. I do not think that is what MacEachron Park was put there for. You have a ramp going down to that float. You have children in the park, they are picnicking, the parents, and cooking, and the kids are walking all over there. You are going to have to have somebody on that dock all the time. You are going to have to put some pilings in at MacEachron Park in order to make that float steady and something to tie to. You are going to have to do the same thing at the southern end, and the southern end is going to take a little bit of a ramping. But that ramping is not heavy at all. It is made out of aluminum. You put a

float out there, and I do not believe it is that long to the low water mark that the gentlemen has said.

That number three alternate is the one we should go to, and do a little dressing up with the southern end and the kayak launching from the southern end of the park. As far as storing, we can pull them right out of the water up to the bank, and pile them on that shore where the old metal hulk is and store them for the winter. Our bucket truck has enough room to go down there in between the Tennis Club and on our Village property. We are making a big issue out of something that could be done pretty easily.

We have a beach. Sometimes there is water on it and sometimes there is not, but it is the only beach in Hastings we have. If we do any planting we are going to attract mosquitoes; ducks, Canada geese, and everything else. Once the marsh is established, it is then a wetlands that the Village cannot alter in the future. We have a beautiful cove there now, and we are going to plant grass and stalks. There is a big marshland right across the river in Piermont. It is gigantic. That is where the birds and the ducks and fish can go. We do not need it in our little piece of land. We are just taking up space, and we do not know if it is going to grow.

This is from the survey result of September, 2003, the concept for Kinnally Cove. It says: "My first reaction is not to do the marsh, leave the cove open. This saves money, and every year long effort to establish and nurture the habitat and the consequences of possible failure for what, after all, will be a rather small wetland. We could plant lovely, wavy grasses and boulders around the perimeter. It is not quite the same, but it still gives a nice feeling. It would keep the cove open, and maybe trap less debris. Plus, I love the idea of a real beach there, however minuscule. Combined with the gulls and the smell of saltwater, it gives quite a different feeling. So to me, it is one kind of amenity compared with another, rather than a possible amenity compared to no amenity. Maybe if people realize a marsh is a potential geese attraction as well as the cost and mixed experience in successfully creating a marsh, it might be a useful reality check."

I think it is a waste of taxpayers money to spend this amount of money for a marsh: marsh restoration and upland restoration, lump sum, \$100,000 to plant a marsh which we will not even know whether it would be successful.

Let us give the cove to the kids. Let us have a beach there. Sure, the tide will come up and go out. But with our Village crews and a good cleanup there, raking and moving some of those stones back and truckloads of sand, we can give the kids a cove where they could go

down and sit and throw rocks in, put a blanket on in the summertime, and not have a wetlands or a marsh for birds.

Trustee Holdstein: Mayor Chemka raises an interesting point as it relates to the safety aspects of that dock in relation to the park. I do not know if that is something the committee has thought about now, or something we need to think about in the future.

Jim Metzger, 427 Warburton: In terms of liability we do not have any kids falling into Chemka Pool unnecessarily. We could build something that would create a barricade that could offer that level of protection. Secondly, in terms of using MacEachron Park as a launch site, it has been my experience, and I happen to be a kayaker, that every time I show up someplace with a kayak a group of people gather around and they want to know how they can get involved in this. So the idea of isolating these two things, I do not think is necessarily a good thing. Having the launch off the MacEachron Park makes a lot of sense, because if you have ever carried a 40, 50, 60, or 80 pound kayak down a floating dock that is moving in the waves, that is significantly more dangerous than going down a gravel path and launching off a very short dock. The liability issues would be much greater.

On the south side you are subjecting this dock to an incredible amount of lever-arm action of the tidal action of the river. Trying to anchor that and keep it in place is going to be a nightmare. A floating dock off MacEachron Park makes a lot of sense. It can be kept shorter, less expensive. It will help integrate more waterfront activity into the park rather than less. In terms of the logistics of removing the dock, I have friends that live up off of Lake Ontario. When the winter comes you tie ropes to the dock, you lift it off its pilings, and you can drag it right over to the beach and then lift it right from the parking lot. You do not need to bring heavy machinery into the park.

Mayor Kinnally: We will have to take a look at it. The consensus is, by the silence of everybody, that they are not crazy about the geotek in the middle because it is just too limiting. We will have to look at the other two options that you have given us. Our next regular Board meeting is the 19th, and we will probably revisit it then.

APPROVAL OF MINUTES

On MOTION of Trustee Apel, SECONDED by Trustee Swiderski with a voice vote of all in favor, the Minutes of the Public Hearing of March 1, 2005 were approved as presented.

On MOTION of Trustee Swiderski, SECONDED by Trustee Holdstein with a voice vote of all in favor, the Minutes of the Regular Meeting of March 1, 2005 were approved as presented.

Trustee Apel: On page 9, I asked a question, and there was no answer.

Acting Village Manager Maggiotto: I can check. It could have gotten dropped.

On MOTION of Trustee Holdstein, SECONDED by Trustee Apel with a voice vote of all in favor, the Minutes of the Regular Meeting of March 15, 2005 were approved as presented.

APPROVAL OF WARRANTS

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

Multi-Fund No. 75-2004-05	\$264,095.14
Multi-Fund No. 76-2004-05	\$ 22,655.97
Multi-Fund No. 78-2004-05	\$ 69,519.14
Multi-Fund No. 80-2004-05	\$170,804.67

40:05 CERTIORARI SETTLEMENT - HARVEY KUTZ, 25 MAIN STREET

Mayor Kinnally: This has been reviewed and recommended to us by our certiorari counsel based on the information that has been exchanged, and his assessment of the savings of not only experts' fees but also attorneys' fees in fighting this. He recommends that we settle.

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

WHEREAS,	petitions having been filed by the property owner, below challenging real property tax assessments on the Village's assessment roll with respect to the following parcels:	
Property Owner	Address Description	Year(s)
HARVEY KUTZ	25 Main Street Volume HA, Sheet 11, Section 10, Block 626, Lots 1, 2, 37, 38	1992-1995, 1997-2002

WHEREAS, petitioner's court challenge is now pending in Supreme Court, Westchester County; and

WHEREAS, the Village and the property owner have reached a mutually agreeable resolution with regard to the assessments at issue in the Court challenges, now therefor be it resolved;

RESOLVED, the Office of the Village Attorney is authorized to execute a settlement on behalf of the Village for assessments for no less than the following:

Year	Original AV	Reduced AV	AV Reduction
1992	\$ 29,150	\$ 23,000	\$ 6,150
1993	\$ 29,150	\$ 25,000	\$ 4,150
1994	\$ 29,150	\$ 26,000	\$ 3,150
1995	\$ 29,150	\$ 29,150	\$ -
1997	\$ 29,150	\$ 29,150	\$ -
1998	\$ 29,150	\$ 26,000	\$ 3,150
1999	\$ 29,150	\$ 26,000	\$ 3,150
2000	\$ 29,150	\$ 26,000	\$ 3,150
2001	\$ 29,150	\$ 25,500	\$ 3,650
2002	\$ 29,150	\$ 25,000	\$ 4,150

The Village of Hastings-on-Hudson's share of the refund is \$3,269.54±.

ROLL CALL VOTE

AYE

NAY

Trustee Michael Holdstein	X	
Trustee Bruce Jennings		Absent
Trustee Marjorie Apel	X	
Trustee Peter Swiderski	X	
Mayor Wm. Lee Kinnally, Jr.	X	

41:05 APPROVAL OF AGREEMENT - LABOR RELATIONS CONSULTANT

Mayor Kinnally: Mr. Rohan is an accomplished, experienced labor negotiator. The Village is entering labor negotiations with its unions, the PBA and Teamsters Local 456. In the past, Mr. Hess has taken on the role of labor negotiator. It is the feeling of the Board

and of Mr. Hess, and also of our Acting Village Manager, that the Village would be well served in retaining Mr. Rohan, who has worked in negotiations in the lower Westchester County area to provide us the expertise that he can that will assist us in going forward.

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

RESOLVED: that the Mayor and Board of Trustees approve the agreement between the Village of Hastings-on-Hudson and Richard J. Rohan to provide services in the area of Labor Relations at the rate of \$90.00 per hour, not to exceed 30 hours without additional Board approval

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

42:05 AUTHORIZATION TO SIGN - INTERMUNICIPAL AGREEMENT

Acting Village Manager Maggiotto: This is part of our ongoing efforts to deal with the requirements to meet the stormwater regulations of the state and the federal government. We decided to join with 15 other communities to apply for these state grants. This is another step in the process. This money that we are fronting is going into an escrow account. At the end of the grant period we will be reimbursed for that \$5,000.

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

RESOLVED: that the Mayor and Board of Trustees authorize the Acting Village Manager to sign the Intermunicipal Agreement for the Stormwater Management Grants from NYS Department of Environmental Conservation for our continued participation with the consortium of fifteen (15) other towns and villages. Sleepy Hollow applied for and will be administering the grants on behalf of the Participating

Municipalities. In turn the Participating Municipalities shall deposit with Sleepy Hollow an amount equal to \$2,500.00 per grant (two).

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

**43:05 APPROVAL OF AGREEMENT MUNICIPAL BUILDING
CORNICE/PARAPET RESTORATION**

Mayor Kinnally: The building is becoming porous, and we have to seal it.

Acting Village Manager Maggiotto: Mr. Sharma, our Building Inspector, has been working on this. It is quite difficult to locate people willing to take on this kind of job. He came up with Mr. Anderson, who gave us a very detailed proposal, that you have in your packets, for guaranteed work. He is willing to do it at the price that we have in our budget. We need to move forward very quickly on this.

On MOTION of Trustee Holdstein, SECONDED by Trustee Apel 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 agreement with Robert D. Anderson, Co., Inc. New Rochelle, New York, to provide masonry restoration to the parapet and cornice on the Municipal Building at a cost of \$18,500.00 to be paid from the General Fund.

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

Mayor Wm. Lee Kinnally, Jr. X

44:05 SALE OF EXCESS VEHICLES

Acting Village Manager Maggiotto: We received no bids the first time around, and we requested bids again. This is what we got for vehicles we were going to junk.

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

RESOLVED: that the Mayor and Board of Trustees approve for sale by sealed public bids received on April 6, 2005 the following excess Village vehicles:

1996 Chevrolet Blazer		
Liberty Motors, Inc., Jersey City, NJ		\$431.99
1996 Chevrolet Caprice		
Liberty Motors, Inc., Jersey City, NJ		\$712.99

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

VILLAGE MANAGER'S REPORT

Mayor Kinnally: I spoke yesterday with Mr. Hess, and he is still in the middle of treatments. The number of people who have come up to me over the last few weeks and asked me to extend to Neil their thoughts and prayers on his speedy recovery is certainly heartening. I thank everyone for their comments and concerns

Acting Village Manager Maggiotto: We have finished the cold patch on the serious potholes that developed over the winter. Now the asphalt plants are open. Starting next week, Thursday, Friday, Saturday and for the following several weeks, we will be doing the permanent hot patches on all the potholes.

Our Village cleanup weekend is April 16 and 17. Call Village Hall and speak to Linda Knies. It is a great day to get out there with the neighbors and clean up your own special dirty spot.

Mayor Kinnally: The entrance to the Village off of the Saw Mill, the left-hand turn onto Farragut, is a disgrace. I have a call in to Senator Spano for them to replace those impact barriers, and to get someone out there to sweep that area. The state should deal with it in a better fashion. It is a gateway to our village and it is not a very good calling card.

Acting Village Manager Maggiotto: Early bird camp registration is through the month of April. We will have early bird pool registrations in the month of May.

BOARD DISCUSSION AND COMMENTS

1. Update on the Waterfront

Mayor Kinnally: I met last evening with Dave Kalet of ARCO and had a broad discussion with him on where they are on the cleanup, on the engineering for OU-1 and OU-2. There has been signed a consent decree between the DEC and ARCO for OU-1. I am hoping to get an electronic copy of it so it will be available on our website. We will have a hard copy in the library.

They are continuing with their engineering designs for OU-1, continuing with a rather aggressive sampling program for OU-2, and have also chosen who will be doing the demolition and the asbestos abatement. They do not anticipate that the estimated completion date of this current demolition is going to go beyond July 31, so all those buildings will be down by midsummer. They are looking at the possibility of removing the steel by barge. I have encouraged him to take as much of the material off-site by barge as possible.

2. Draper Park - Request by Dawkins

Lee Dawkins, 126-128 Washington Avenue: A year ago we realized that something had to be done about the erosion of the land along the driveway behind our house. We felt there was

precedent for us to do this work because in 1995 the Formans paid to have a driveway put in. It runs across Village property to their property. This was done with the approval of the Draper Park Review Board and the Village Board. A couple of years ago the Lunises raised the level of the land along the driveway behind their house. We therefore assumed it would be okay for us to do the same type of work behind our house. We would put in curbing on the downward slope of the drive, and you have all seen this before, and where the parking would be we would put in sand and gravel for drainage because we do have a drainage problem back there.

Recently the issue has been raised that the work we are proposing to do would block access to the driveway. You have all been there, and you saw the area that we are asking to park in. We have had our cars, and our visitors' cars, parking in the same areas for the past five years. As long as the cars have been pulled off the driveway surface, the asphalt, we have never blocked anybody's access.

Mayor Kinnally: I was up there. I still had a little difficulty figuring out the whole area. I think maybe some of the stakes are missing.. My understanding is Ray has volunteered to sit down with all three property owners, to talk about this in a global fashion. I think it is a good idea. I do not know what everybody's reaction to that is.

Mr. Lunis: Absolutely. Thank you very much for suggesting it.

Mayor Kinnally: Actually, Ray can take all the credit. I am not saying it will resolve it. Ultimately it has to come back before us, but I think it may facilitate things.

Mr. Lunis: I agree with you, and thank you very much. I just want to mention that we proposed to pay for the installation of a surface of your choice.

Mr. Dawkins: I think we should include the Formans also.

Mayor Kinnally: If you want to reach out to them, that would be great.

3. Payment in Lieu of Taxes - (PILOT) 422 Warburton Avenue

Mayor Kinnally: There is a proposal before us for a Payment In Lieu of Taxes in connection with 422 Warburton Avenue. Peter and I met last week with members of the school board and the administration. The hope is that we can meet again jointly with the school board to talk

about the numbers in the PILOT. I think we should do that before we have any discussion or resolution of it on this board. We are trying coordinate things and to make sure that we are not acting at cross purposes here.

Trustee Swiderski: I wish we could do a quick resolution– though, in effect, we have by approving of the concept of the PILOT–emphasizing the Board's support of the affordable housing proposed for that location and our acknowledgment that a PILOT is both reasonable and customary. That strong statement of support of the Board as a whole would be a useful thing heading into that discussion.

Mayor Kinnally: In effect we have done that. We have agreed to the concept of a PILOT. We are a sponsor of the affordable housing project at 422. I do not know how many years we talked to the Town of Greenburgh about getting that property. We have committed our own funds to it. We have appointed a committee. We have a not-for-profit corporation. I do not see any backtracking by this Board.

Trustee Swiderski: I do not either. It is my desire to emphasize how strongly we support that proposed development.

Mayor Kinnally: I agree. Without committing to the number in the PILOT, we said it is a recognition that the only way to get this done is through a PILOT because of the financing. That is not to say you capitulate to whatever they have there. If you want to form a resolution, fine. But I do not hear any dissent by anyone on this board to our commitment of affordable housing, to our support of the 422 project as a concept again.

Susan, will you talk to Dr. Russell? They wanted a joint meeting, and I will reach out to Iris or to Ann.

4. Village Manager Search

Mayor Kinnally: We will have a discussion tonight in executive session concerning the Village Manager search. The Board is going to consider having a public forum and a work session with the community talking about the community's approach, or wish list, to the Village Manager. A number of people in the community have already been interviewed by our consultant, and this would be an extension of that.

A Village profile and challenge statement have been drafted by the consultant. The position has been on the Web. It has been advertised in the *ICMA Journal* and maybe the *New York Times*, and other outlets that people in this field would normally go to. The last day for return of expressions of interest is April 15. Our tentative schedule is that we will be meeting with the consultant on May 18, at which time he will bring us a number of resumes that he has reviewed and it will be in the area of about 10 resumes. The Village Board will review and designate a number of candidates that we would like to meet with and interview. The weekend of the June 10 we would have a Friday, Saturday, Sunday session that would introduce the candidates to the Village, have a tour of the Village given by non-Board members to the candidates, and have sessions with the candidates on Friday night. That would be more a social session, and all day Saturday and Sunday, at which point the Board would probably come to a decision on one or two candidates that we would then pursue.

5. Proposed Local Law No. 6 - Limited Industry (LI) Zoning

Acting Village Manager Maggiotto: Did you get this letter in your packets? It came while I was away.

Mayor Kinnally: I believe I have seen this letter. It is from Martin Ginsburg, outlining his thoughts about allowable retail use, etc.. I am not doing it justice, but suffice to say it is Martin's input to the Board.

Marianne and the Board have gone through some thoughts about the LI.

Deputy Village Attorney Steich: It was the Board of Trustees' idea to eliminate big boxes from the LI zone. I asked the Planning Board if they had any ideas and their suggestion was two-pronged: one, that you put a limit on the size of the retail spaces to 2,500 square feet, which is going to eliminate a lot more than big boxes which you usually think of as 40,000 or 60,000 feet. It is all the context. I guess for Hastings 20,000 would be a big box. And secondly, that the total gross floor area of the retail uses permitted on any parcel cannot exceed 25% of the area of the parcel that could be covered.

The Board had some concern strip malls, so I some research on that. I talked to a couple of planners. They said the way everybody is dealing with it now is by zoning a whole parcel. The latest thing is not these planned development districts but something with another functional name. One suggestion was to eliminate parking in front of the buildings. That has the advantage of preventing that Ardsley look. I am also from Ardsley, so I can say that. But

for the LI parcel on 9-A it may not make a lot of sense, because if you do not have parking in front, then you would have to have it in back, and then it is next to the trailway and the river. Another way you might regulate it is by regulating the types of stores. I think it is the MR-C district where the retail is limited to things like retail sales of books, arts, gifts, or similar specialty items. Focus on the stores you want. Because it is on the trailway, say you could have a bike store or a skate store.

Mayor Kinnally: We have a draft, and we have had some lively discussions about it. It is not an easy thing to address because when you say this is what we do not want it is hard to draft and design around that. Our first stab at this, we were trying to avoid big box stores. Then it was, do we want to have a minimum size, and how small do we want to have, and, do you really want to have that small?

We have here a second version, but it is really a work in process. Bruce has given us a lot of his insights into this. He tends to think through more than we do, or at least I do, on these things. He is not here this evening. But Marianne, is this available to the community for comment?

Deputy Village Attorney Stecich: I am not sure that it is ready. It is a draft. It has not been circulated as a proposal.

Mayor Kinnally: Has it been circulated to the Planning Board?

Deputy Village Attorney Stecich: No.

Mayor Kinnally: Given that we know that this is a work in process, maybe it would be time to show it to the Planning Board with the caveat that this is nowhere near finished, do they have any ideas.

Deputy Village Attorney Stecich: I will raise both ideas with them: regulating it by the type of store, or trying to regulate it by parking. I will write them a memo for the next Planning Board meeting.

Trustee Swiderski: I think we should probably have it approved shortly after the last tile has been laid in the last development that will be built on that location.

EXECUTIVE SESSION

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

ADJOURNMENT

On MOTION of Trustee Holdstein, SECONDED by Trustee Apel with a voice vote of all in favor, Mayor Kinnally adjourned the Regular Meeting at 11:05 p.m.