

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK  
BOARD OF TRUSTEES  
REGULAR MEETING  
MAY 17, 2005**

A Regular Meeting was held by the Board of Trustees on Tuesday, May 17, 2005 at 8:15 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

**PRESENT:** Mayor Wm. Lee Kinnally, Jr., Trustee Michael Holdstein, Trustee Bruce Jennings, Trustee Marjorie Apel, Village Attorney Brian Murphy, and Deputy Village Clerk Linda Knies.

**ABSENT:** Trustee Peter Swiderski, Acting Village Manager Susan Maggiotto.

**CITIZENS:** Eight (8).

**Mayor Kinnally:** Trustee Swiderski is delayed at work. He may be here before the end of this meeting. Mrs. Maggiotto is away at a conference in upstate New York on business.

**APPROVAL OF MINUTES**

On MOTION of Trustee Apel, SECONDED by Trustee Holdstein with a voice vote of all in favor, the Minutes of the Public Hearing of April 12, 2005 were approved as presented.

On MOTION of Trustee Holdstein, SECONDED by Trustee Apel with a voice vote of all in favor, the Minutes of the Regular Meeting of April 19, 2005 were approved as presented.

On MOTION of Trustee Apel, SECONDED by Trustee Jennings with a voice vote of all in favor, the Minutes of the Special Meeting of April 26, 2005 were approved as presented.

**APPROVAL OF WARRANTS**

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

Multi-Fund No. 87-2004-05 \$107,715.05

**58:05 LOCAL LAW NO. 6 of 2005 PROHIBITING PARKING ON EDGEWOOD AVENUE AND SUNSET STREET AT DESIGNATED TIMES**

**Mayor Kinnally:** This is the item we just had the public hearing on. Normally we do not have the resolutions on for action the same night as the public hearing, but because of the

timing of this and the need to get it in place so we can have enforcement to deal with parking problems and public safety problems on those streets, we are putting it on this evening.

**Trustee Holdstein:** Regarding the e-mail you made reference to in the public hearing: when you said we will deal with it on a case-by-case basis, what would be your thoughts on the issue of guest parking?

**Mayor Kinnally:** It is a police department matter and it will be dealt with by the police department on a case-by-case basis. It will be routed to the police department for their action, which is normally what happens on an enforcement matter.

**Trustee Holdstein:** Maybe the residents of this neighborhood would not want this, but we are setting this no-parking from March 1 to September 30. The streets there tend to be a bit tight. Does it do any good to have no parking, period? It seems like it could be beneficial from a plowing standpoint.

**Mayor Kinnally:** It is not something we can deal with this evening because we would have to have a new public hearing on it. It may be something that the Safety Council and the police department want to look at. It does not seem, from the correspondence and comments that we have received, that it is something that the people on these streets are looking for on a full-time basis.

**Trustee Jennings:** Was any effort made to get at all the residents of these streets? It is a relatively well-defined and small area.

**Mayor Kinnally:** My understanding is that the initiative for this came from those residents, and that those residents appeared and spoke at least one, if not two, meetings of the Safety Council.

**Trustee Jennings:** So the letter we received with many signatures on it represents the entire street?

**Mayor Kinnally:** I believe so. It was certainly a representative sampling of the people. Those streets are not that large, so it appears that a consensus has been reached among the residents in the area.

**Trustee Jennings:** I just wanted to be sure that we had checked to see that this was not going to be a hardship on any of the residents.

**Mayor Kinnally:** I cannot say that we polled people but neither at our hearing nor at the Safety Council meetings did the people in the neighborhood voice concern about this infringing upon their ability to park.

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 hereby adopt Local Law No. 6 of 2005 to amend Chapter 282 Vehicles and Traffic of the Code of the Village of Hastings-on-Hudson:

BE IT ENACTED by the Board of Trustees of the Village of Hastings-on-Hudson as follows:

Section 1. Section 282-24 (Parking time limited in designated locations) of the Code of the Village of Hastings-on-Hudson, New York is hereby amended by adding the following two subsections:

- P. Edgewood Avenue. From March 1 through September 30, no parking between 9:00 p.m. and 6:00 a.m. on the north and south sides of Edgewood Avenue.
- Q. Sunset Street. From March 1 through September 30, no parking between 9:00 p.m. and 6:00 a.m. on the east and west sides of Sunset Street.

Section 2. This local law shall take effect immediately.

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

**59:05 WESTCHESTER COUNTY COMMUNITY DEVELOPMENT BLOCK  
GRANT PROGRAM APPLICATION FOR FY 2006 - 2008**

**Village Planner Witkowski:** Because of our public information requirements, I wanted to give a background on the CDBG program, as well as review the resolution.

Hastings-on-Hudson participates in the Westchester CDBG urban county consortium established in 1976 by Title 1 of the Housing and Community Development Act of 1974. Its primary goal is to develop and strengthen viable urban communities by providing decent housing and suitable living environments to low/moderate income people. It is administered by the U.S. Department of Housing and Urban Development. There are three categories of grantees. All of the communities in Westchester County participate in the county consortium, with the exception of the four entitlement communities, which are cities over 50,000.

Westchester County CDBG communities must have their fiscal year 2006 - 2008 applications submitted on-line with a hard copy to the county planning department before June 1, 2005. The applications must demonstrate that each project meets one of the following three national objectives: must benefit low/moderate income persons; eliminate or prevent slums and blight; or meet an urgent need of recent origin. If the project is within the CDBG target area, or will primarily serve the residents of the target area, then the applicant need go no further to demonstrate that the project will be an area-wide benefit to low/moderate income persons.

Hastings-on-Hudson's CDBG target area includes block groups 2 and 3 of Census Tract 103, basically west of Broadway and south of Maple Lane and then north of Washington Avenue, with the west boundary being Maple Avenue and Southside Avenue.

All of the projects meet the area-wide benefit to low/moderate income persons because of their locations. The county has an additional requirement in the projects. They are looking for projects that meet some local need or are tied to some major project. In all of ours, we tried to link them all to the projects that they sort of evolved from. The first is the Boulanger Plaza parking lot improvements. This is Phase 2 of the three-phase comprehensive Boulanger Plaza improvement project. That has an area-wide benefit to low/moderate persons because it is located in block group 2 of the Census Tract 103 target area. The estimated total project cost of \$350,000 of this one would include landscaping, asphalt paving, brick pavers on the perimeters and the median, new lighting, removal of parking meters, and replacement with a centrally located pay station. If it is feasible it will also

include burying the overhead cable lines. We were looking into the feasibility of that, so that \$350,000 includes \$50,000 as a ball park estimate for that.

**Mayor Kinnally:** That would be the burial in what area?

**Village Planner Witkowski:** Over the parking lot there are several TV cable lines. We are looking into whether it would be feasible to bury them since we are making a major investment in the plaza. Hopefully we will find out if that can be done before the application is submitted.

The second is the pedestrian improvements: sidewalk and curb replacements. This implements the recommendations from the walkable communities workshop that was held in October, 2003. It also is linked to the transportation plan and pedestrian enhancements project under way now. For that, we received \$40,000 in Department of Transportation funds from the state. That area-wide benefit to low/moderate applies here because each of the proposed locations is in the CDBG target area. Jim Stadler, who is now our Community Development Advisory Group representative, was very proactive: he e-mailed people in the area to get suggestions for other locations where sidewalks were needed and took pictures for us, as well. The first one is the west side of Broadway south of Main Street, between Main and Washington. That would be the highest priority one. The second is the north side of Washington. Most of the people Jim contacted felt that this was a very high priority area. That also is in the target area, at the south end. The third is the east side of Maple Avenue. As you can see, there is a real need for some sidewalks there. There are a lot of cracks, and it is pretty difficult to walk on. The old slate walk gets slippery. The last is the west side of Broadway between Warburton and Main, north of the Food Emporium area. There are some places there where it is difficult to walk, and it is not quite wide enough.

The estimates were done using \$5 per square foot for concrete walk and \$20 per linear foot for the curbing with a 15% contingency added. Some of the estimates may be a little on the high side, but I do not have an exact measurement.

The last project is the quarry reclamation for recreation. This would be implementation of recommendations from the quarry study committee and the quarry trail project that was awarded the \$75,000 from the Office of Parks, Recreation and Historic Preservation. Once Quarry Lane is deeded over to the Village by BP we can start working towards getting the trail contact and moving along.

This project, along with the pedestrian improvements project, are also both related to the trailways map and to the Hudson River Greenway Program. The area-wide benefit to low/moderate national objectives is met not because of its location, which is just outside of the target area. But it does meet that area-wide benefit for two reasons. First, because of its proximity to the target area it is presumed that many of the people that will be using the park once it is developed and some park facilities are put in the quarry will be people from that low/moderate area. There also are not many playground areas for children in that neighborhood.. The other reason it meets the area-wide benefit criteria is because Westchester County, when they are figuring the threshold for low-income benefit and the percentage of low/moderate persons within an area, at least 41% of the people have to be low to moderate income. The percent of low/moderate persons in block group 4 is 36.9. When you blend it with the other two block groups, you end up with a 42.9% percentage of low/moderate among all four of these. Therefore, because of this blended percentage it does meet that area-wide benefit to low/moderate criteria.

The two projects that would be included would be the engineering feasibility study site preparation. There needs to be some geo-technical survey done of the quarry, and also some grading we already know needs to be done. The second phase of that project would be neighborhood park improvements. These will be decided from the results of the quarry study committees and also from the engineering study.

**Mayor Kinnally:** This certainly gives us a comprehensive overview of what is required to qualify and what we are looking to do in those affected areas. The pictures graphically show areas that are in need of restoration and renovation.

**Trustee Apel:** Where did that Village amount come from?

**Village Planner Witkowski:** CDBG requires at least a 50% match. Susan said there was already \$230,000 committed for the Boulanger Plaza parking lot improvements. I applied that \$230,000 and had the CDBG fund request for \$120,000. That is well over what the required match is.

**Mayor Kinnally:** Does the match have to be money, or can it be in services?

**Village Planner Witkowski:** I believe that there may be some service amount for an employee, for instance, like my time for the transportation plan, as long as it is not splitting up consultant fees. Since I am a full-time employee, then my hourly rate can count towards match. I have to check on what would count in terms of the 50% match.

**Trustee Apel:** And it cannot be another grant.

**Village Planner Witkowski:** I think there can be. It depends on the source of the grant, if it is from something that is not federal in its source, like a local foundation or something to that effect. There could be a special assessment area in some places. That is another possibility.

**Trustee Jennings:** Those activities in the quarry like the survey and grading, those are generic activities that have to be done regardless of what we decide to do with the quarry. Am I correct?

**Village Planner Witkowski:** Yes, I spoke with a couple of engineers that have quite a bit of experience with these types of properties, with steep slopes. They both said you have to do a geo-technical survey, looking at whether any more grading needs to be done. I think there already have been some preliminary studies done. I believe the DEC had a study a couple of years ago. They recommended some regrading over near where quarry trail will be coming in, at the access point to it. So we already know there are some places that need to be regraded. The other thing we will want to have the engineers look at is the best place to locate play equipment. That will help in doing the site design.

**Mayor Kinnally:** Angie, thank you for putting this together. Jim, thank you for your input on this. We are getting a professional approach to this, and let us hope the county is receptive to it.

**Village Planner Witkowski:** I am going to put this up in the library window with my e-mail address here so people can send comments or suggestions to me.

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

**RESOLVED:** that the Mayor and Board of Trustees approve the submittal of the FY2006-08 Community Development Block Grant (CDBG) Application for the project grants administered through the Westchester CDBG Urban County Consortium as follows:

PROJECT	CDBG FY	CDBG Amount	Village Amount	Total Cost
<b>1. BOULANGER PLAZA</b>				
<b>PARKING LOT IMPROVEMENTS</b>	FY 2006	\$120,000	\$230,000	\$350,000
<b>Total Boulanger Plaza Parking Lot Improvement</b>			<b>\$230,000</b>	<b>\$350,000</b>
<b>\$120,000</b>				

**2. PEDESTRIAN IMPROVEMENTS: SIDEWALK AND CURB REPLACEMENT**

2A West Side of Broadway between Main Street and Washington	FY 2007	\$25,000	\$25,000	\$50,000
2B North Side of Washington between Broadway and Warburton Avenue	FY 2007	\$29,000	\$29,000	\$58,000
2C E. Side of Maple Avenue between Spring and North Streets and North St. (both sides to 100' E of Maple)	FY 2008	\$26,000 \$5,000	\$26,000 \$5,000	\$52,000 \$10,000
2D West Side of Broadway between Warburton and Main Street	FY 2008	\$28,000	\$28,000	\$56,000
<b>Total Pedestrian Improvement</b>		<b>\$113,000</b>	<b>\$113,000</b>	<b>\$226,000</b>

**3. QUARRY RECLAMATION FOR RECREATION**

3A Engineering Study and Site Preparation	FY 2006	\$25,000	\$25,000	\$50,000
3B Neighborhood Park Improvements	FY 2007	\$25,000	\$25,000	\$50,000
<b>Total Quarry Reclamation</b>		<b>\$50,000</b>	<b>\$50,000</b>	<b>\$100,000</b>

**Total Boulanger Plaza Parking Lot Improvement**

		\$120,000	\$230,000	\$350,000
<b>Total Pedestrian Improvement</b>		\$113,000	\$113,000	\$226,000
<b>Total Quarry Reclamation</b>		\$50,000	\$50,000	\$100,000
<b><u>TOTALS FY 2006-2008</u></b>		<b>\$283,000</b>	<b>\$393,000</b>	<b>\$676,000</b>

**ROLL CALL VOTE**

**AYE**

**NAY**

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

**60:05 WORKER'S COMPENSATION POLICE OFFICERS**

**Mayor Kinnally:** Apparently this has something to do with the carrier, and they want to make sure that our policy covers it. Susan had asked that it be on. If I did know anything more, I would share it with you. I do not think it is objectionable. It is not a new policy.



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

**RESOLVED:** that the Mayor and Board of Trustees reaffirm that police officers employed by the Village of Hastings-on-Hudson are covered under any Workers' Compensation policy in force in the Village.

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

**61:05 AUTHORIZATION TO RECEIVE BIDS - JAMES HARMON COMMUNITY CENTER**

**Mayor Kinnally:** This is our documentation and authorization of what we have been discussing over the last number of months, and the presentations and discussions that we had with Mr. Lothrop at our last two meetings here.

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 approve the redesigned James Harmon Community Center project and authorize the Acting Village Manager to receive bids for the demolition and reconstruction of the Community Center.

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

## **BOARD DISCUSSION AND COMMENT**

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

**Fred Yaeger, ARCO Liaison:** In about two weeks asbestos removal will start, followed by demolition. By mid-summer all the selected buildings will be down.

**Mayor Kinnally:** Is there any update on the removal by barge?

**Mr. Yaeger:** We are looking into removing some of the bricks and steel by barge, but it is not decided yet. Dave Kalet will be in next week and I will get more information.

### **2. PILOT - 422 Warburton**

**Mayor Kinnally:** We want to have further discussion with the school board and the superintendent on this. We have had a number of discussions on the PILOT, and we are ready to act probably at a meeting in June.

### **3. Marsh at Kinnally Cove**

**Mayor Kinnally:** Questions have been raised about the wisdom of putting in marshland plantings at the cove, and Trustee Apel has some information.

**Trustee Apel:** There had been questions about whether the marsh at Beczak was successful or not, so I called the director and he told me that they did not consider it a failure. They put in an anti-geese fence but the gees got in under the fence and ate the plants, pulling them out completely because they had not rooted. The plantings were guaranteed and will be replanted, this time with a much deeper fence. The estimate was three years for it to grow.

Some people think this a marsh is too much trouble. My feeling is that more study needs to be done, perhaps with the consultant used at Beczak. I think this is an opportunity for the Village. It is a learning experience for students. It brings life in there. It would be a draw to the community. There will be geese whether there is grass or not, and the geese can be prevented from landing in the marsh. It is a saltwater area, so there are no mosquitos. I think of it as an asset. This was discussed at the Conservation Commission.

I would like to have either the consultant or Jacques Padawer come to a meeting so we can have correct information before we make a decision.

We should be cleaning up the cove and getting it ready so that it can be used. We can do these things over time. We do not have to have everything there, with all the bells and whistles.

**Mayor Kinnally:** Susan wanted to discuss the possibility, as you said, of staging things in the cove. Some people in the community have volunteered to help us get in there and clear out the weeds along the road, clear out the debris, and we can put up a fence and some of the plantings that we want so it is at least presentable. Then we will have a better idea, not from drawings but from access to an open area, what portion of this property would be devoted to marshland and what we can do to make it more accessible. I look forward to that discussion at a June meeting.

**Trustee Holdstein:** You have heard my comments on the marshland. But I do agree with the concept of staging over time.

I had a conversation with a member of the Parks & Recreation Commission who is also a kayaker. He made points similar to what former Mayor Chemka said and what Lee said tonight - let's get it open and get some people to use it. We are busy thinking about \$100,000 breakwalls and fancy docks. What we need to do first is get the access and see just how many people in the community are going to use this facility. We also need to recognize that in the near future we will have other access points from the ARCO property that may be more extensive and paid for by a future developer that may be on a grander scale after we "test the waters" at Kinnally Cove. This person told me that he has launched from the water. His core point was that we should walk before we run. Let us not sink a lot of money into it until we get a good feel for how many people will use it.

**Mayor Kinnally:** But you cannot launch from the cove - you will sink into the muck.

**Trustee Holdstein:** But we did not get a chance to hear a full proposal for that piece they wanted to lay in the river, whether that had viability so you would not sink.

**Mayor Kinnally:** But they will not put a test area down, and I am not about to spend \$50,000 for an untested thing. They were not able to come up with any testimonials. I thought we were beyond that.

**Trustee Holdstein:** I am not suggesting we go back to it, but we do not need to spend \$300 or \$400 thousand on a floating dock and breakwater.

**Trustee Apel:** Can we put this on for discussion for our June 21 meeting?

**Mayor Kinnally:** We will check with Susan.

#### **4. Other**

**Mayor Kinnally:** Last year on the eve of high school commencement scurrilous anti-Semitic and far right material was passed around anonymously. It was confiscated by the police and the Department of Justice came in because there were issues of Mr. Meeropol speaking at the commencement that evening. The police department has advised me that on Friday similar material was distributed to about 100 homes in the Village. I commend the department for their quick action in confiscating it. This cannot be tolerated in this community. The cowardice of the people who are distributing it is indicative of the type of people who are doing this. Anyone who receives such material should contact the police department.

#### **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.

On MOTION of Trustee Jennings, SECONDED by Trustee Apel with a voice vote of all in favor, the Board scheduled an Executive Session for Wednesday, May 18, 2005 to discuss the Village Manager search.

#### **ADJOURNMENT**

On MOTION of Trustee Jennings, SECONDED by Trustee Apel with a voice vote of all in favor, Mayor Kinnally adjourned the Regular Meeting at 9:10 p.m.