

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK**  
**BOARD OF TRUSTEES**  
**REGULAR MEETING**  
**JUNE 21, 2005**

A Regular Meeting was held by the Board of Trustees on Tuesday, June 21, 2005 at 8:10 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

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

**CITIZENS:** Twelve (12).

**PRESENTATION** - Kinnally Cove

**John Roebig - Lawler, Matusky & Shelly Engineers:** There have been some questions about the tidal wetland, so I have brought a few photographs of constructed tidal wetlands.

Most of the winter fetch in Kinnally Cove, the direct line of wind, comes from the north; this causes wave energies that you have to protect against for a tidal wetland system. There is no vegetation now but that does not necessarily mean that you could not develop a wetland with a little protection and have a viable marsh that would be sustainable.

This is a project in Pelham, a mostly rocky area. We mapped existing vegetation and then developed a grading plan and a planting plan. This shows the profile that we were thinking of. We developed a low marsh/high marsh condition. Then it goes into shrubs. This is the first year, with some goose protection fencing to ensure that the predation does not occur. I have not gotten shots of this year, but it has been in place now for four or five years. Sven also worked on this project, and so far it has been doing very well. The Parks Department put an interpretive sign there so people can understand how it was constructed. It becomes an educational feature.

This is another project, a fresh water wetland system, in Ithaca. We added raptor perches and observation decks. This was a constructed wetland with a variety of different freshwater plantings. You have to establish your hydrology and then plant according to the conditions. That is what would be done here.

This is another constructed wetland tidal wetland near Liberty State Park, planted in a very urban area. This has also been there for three or four years.

**Mayor Kinnally:** Were you involved in the Beczak Center?

**Mr. Roebig:** No.

**Mayor Kinnally:** That is the one closest to us. It did not look very good when I was down there a month ago. Maybe Sven can speak to that because that is probably the closest to what we have here as far as the dynamics of the river. I cannot imagine the Pelham situation has the same tidal and wind structure that we have here. The Ithaca site is very protected. It really is not a parallel.

**Mr. Roebig:** Yes, that was just to show habitat features.

**Sven Hoeger, Creative Habitat Corp:** We are ecologists specializing in ecological restoration of any kind of natural feature. The marsh at Beczak was implemented a couple of years ago. I do not know how familiar you are with contracting procedures. Basically it did not hold the contractor to his guarantee. Since the contractor was still under guarantee provisions, nobody wanted to touch the marsh. That is why it deteriorated. These marshes do need some maintenance after you install them. The fences break down. That is what happened at Beczak. We replanted it yesterday and today.

**Mayor Kinnally:** How long does the fencing have to remain?

**Mr. Hoeger:** Two or three years until the plants are well-established. There are different zones to the marsh. What was eaten at the Beczak was only the lowest zone. The rest of the marsh survived very well. Once these plants are reestablished and protected, now that Beczak has taken over responsibility for the marsh, we will probably see a very healthy marsh there in the next three to five years.

**Trustee Apel:** The upper Beczak is just starting to grow. It probably looks sparse to some.

**Mr. Hoeger:** The Beczak marsh is a classroom marsh. Its underpinning is slabs of concrete. There is nothing natural about that marsh. It is completely built from scratch. Beczak wanted a tidal creek. They only had a quarter of an acre, so it was very difficult to get a tidal creek in there. They wanted a fresh water marsh, a brackish marsh, and a salt marsh, but the salinity in the Hudson here is just barely enough to support salt marsh vegetation. It is really a brackish marsh. The term brackish, by the way, is in between fresh and saltwater. So the ecological conditions are such that you get a whole spectrum from the salt- to the fresh water, and the plants are representative of that.

You always have issues with marshes. The Pelham Bay marsh had its issues. Now, four or five years later, it is a very healthy marsh. But it does not happen without help.

**Trustee Apel:** What does it take to maintain the marsh?

**Mr. Hoeger:** One of the main issues is collecting the floating debris because it scours out the plants. The bigger the marsh, the less impact of the scouring. With a small footprint, two or three logs will do a lot of damage. With a larger footprint, you hopefully have a lot of plants surviving. Keeping the geese out, at least in the first three or four years, is a vital part. There are invasive plants. The biggest culprit would be the phragmites, the common weed, which is all over the Hudson. A certain amount of manual weeding is required.

**Trustee Apel:** In reading our past discussions about the cove, one of the questions was the size of the tidal marsh. At one point it was the whole place, then it was a piece of it.

**Mr. Hoeger:** The more you are prepared to do maintenance the smaller you can go. The less you want to do maintenance the bigger you should go because the bigger the area the more redundancy you have in the system and the more damage you can impact on a small area that can then get repaired. If you do only a small cove you have to be prepared for a lot of ongoing maintenance. For the first three years you are out there maybe once or twice a month looking for things. You want to get those logs out. Once a year you will want to do some weeding. Every other week you want to check the fences. Ice is a big issue. The floes scour the area. It behooves the designer of this marsh to take that into account.

**Mayor Kinnally:** How do you prevent that?

**Mr. Hoeger:** At the Beczak we surrounded the marsh with a stone wall. Inside that stone wall you have calm conditions. There is ice, but the ice just goes up and down. It does not scour. There may be other ways to do it.

**Mr. Roebig:** We have a barrier that should prevent a lot of the ice flow and debris, at least from north to south. In addition, along here we are going to have some stones and reef balls. Last time I brought an example of one that will give some additional protection to the edge of the wetland. So we have a two-tiered protection system. We have some stones out here to give protection, and we have this proposed attenuator out there.

**Trustee Holdstein:** I would like to ask Ray to rank the three reasons that this marsh is proposed, based on the development from its outset by the committee.

**Superintendent Gomes:** In the earliest stages I think it depended on grant money mitigating the marsh, and we acquired some grant money for that. That was the first. The second was that it was aesthetically pleasing. It could serve a lot of purposes, such as for school groups, beside being aesthetically pleasing. It could also serve as an area for school groups, attract wildlife, aquatic life. Those were the paramount reasons that I saw. But the genesis of it was based on grants.

**Trustee Holdstein:** Deciding to put this in because we happen to have grant money does not seem like a very good starting point. Some of your photographs were reminiscent of places I vacation in Cape Cod every summer, and when I see them they are aesthetically pleasing. They are in a wider area, and they are very nice. But I will go on record saying that I am absolutely opposed to any tidal marsh in this location. I see no reason, no purpose, no value.

This cove was purchased with the idea of creating access to the water for kayakers and canoeists. This hinders access. We have a park next door that for ten years has battled a geese problem, and now we are going to put in something else that is going to draw geese. This is a potential mistake, nightmare, housekeeping error that is going to look like hell in a few years. There may be some benefit for the kids from a learning environment. But they can get on a bus and go down to the Beczak Center. Having listened through these hearings, nothing is going to convince me that the Kinnally Cove needs this tidal marsh. It has nothing to do with the aesthetics in your slides. In other environments I very much appreciate the aesthetic. I see none of that here, none of the need for it, and I only see it as problems. It does not give us what we want in a simple cove and access. I am dead set against it.

**Trustee Jennings:** I frankly am lost. This whole process is so disjointed and a great deal of time has elapsed between our discussions of these plans. Looking at the past minutes, it is a year ago, it is a year-and-a-half ago, it is two years ago. The last thing I remember talking about was a design that had considerably scaled back the marsh area, had done away with the walkway and the pier in the middle. We talked about a kind of dock that would go out and be made out of some rubber material. We asked if we could see a sample, and much later I heard that that was not possible. That is the last I remember. Now tonight, all of a sudden, here we are talking about marshlands. So my first problem is that I feel very disjointed and not in command of this subject.

The second thing that troubles me is going back to the original meeting on this project, in which I and others raised a question that Michael is again raising: what is the relationship between the recreational and the environmental goals of this project, and are they in fact compatible with one another? Are we creating greater human activities and access to the

river, or are we creating a habitat and a preserve that ought to be protected and left alone? That basic question has never yet been addressed or answered to my satisfaction. Therefore, I pose it again. I think my recollection is very much like Michael's. When we purchased this cove, our goal was access to the river and recreation. I am not quite sure how habitat, marshland, and environmental restoration entered into this. But if the only rationales were a fund-seeking strategy on the one hand, and educational and aesthetic considerations on the other, then further discussion of the environmental rationale or the environmental aspect of this project needs to be done because we are all not on the same page, particularly given the projected costs.

My confusion is not necessarily criticism of anyone who has made presentations or been studying this. It is just my feeling that I do not have a grasp on this topic and I am not in control of this subject matter. It makes me feel quite uneasy sitting up here as somebody who is being asked to spend a lot of money.

**Sandeep Mehohtra:** I have been involved with the development of the plans for this cove. Since 1997-98 I have been involved in some sort of a committee. So I can shed some light as to what different phases we went through, what people we consulted with, how much community input we had, and how we got where we are now.

One of the driving forces for having a marsh, in addition to what Ray had indicated, was permitting. If we want to have recreational facilities there, building a dock or anything like that, you are causing some impacts to the waters where we would need to seek permits from Army Corps and the DEC. They would ask us to mitigate the adverse impacts created by putting in a dock and losing that much habitat. Typically, they ask either to restore wetlands elsewhere or on-site.

**Trustee Holdstein:** What would the Army Corps of Engineers say is the negative impact from putting in a floating dock?

**Mr. Hehohtra:** The Hudson River, or up to the mean high tide level, is what is called in the legal terms designated waters of the US. It has a certain habitat and navigational value. When you put in a manmade structure which is designated as fill, or anything within the footprint of where you are putting the fill, or foundations or piers, you are losing that portion of the stream bed and the water column for any habitat. That is an adverse impact that you have to mitigate. Now, if your impacts are limited to a certain amount, different permits have different cutoff values, and you have to follow those procedures and mitigate for that. Typically on projects like this they require a 2-to-1 or 3-to-1 mitigation ratio, so if you impact half an acre of water, you will have to mitigate an acre of wetland somewhere else.

**Trustee Holdstein:** And that somewhere else could be anywhere up and down the Hudson?

**Mr. Mehohtra:** Yes, at the Village's cost.

**Trustee Holdstein:** A 30-foot floating pier contained within the cove area, in your opinion would have the Army Corps of Engineers saying we are creating impact in the river.

**Mr. Hehohtra:** There is no question.

**Trustee Jennings:** My recollection is that when we had the last presentation of a revised plan, this question of getting approval by the Army Corps of Engineers came up, and the representation was made that this would not be a problem; it did not require the tradeoff with a salt marsh; they work with the Army Corps of Engineers all the time and they got approvals all the time, etc. At that point the concern was more or less set aside. Now you are raising it again. I do not mean to suggest that you are not representing things accurately. It is another example of this back and forth process. We need to come to closure in a more definitive way on these questions, and not simply have meeting after meeting with consideration after consideration being put before us, seemingly without end.

**Mr. Mehohtra:** In 1997-98 there was an ad hoc committee, and the consultant on board at that time was IQ Consultants, which were landscape architects. There was representation from people who wanted a beach there. There was the ecological restoration tidal marsh group there. There were people there who were interested in getting access to the water, so there was a recreational aspect. That first plan is very similar to the plan that you see there; on that corner there was a tidal marsh. They were going to replenish the beach on the other side, and have a dock on the south side.

**Mayor Kinnally:** We are all familiar with how it has evolved. My problem is that it seems that your rationale for the tidal marsh is somewhat belied by what is in our minutes. I know Ray has met with the Army Corps. So if we can get clarification here, maybe we can bring this back into focus. I want to dispel some of the confusion that all of are feeling here.

**Jessica Marine, McLaren Engineering:** I spoke with the Army Corps of Engineers today, Frank Tangor, the representative for Westchester. Based on the size of this, it is so small that he does not feel mitigation would be needed and a nationwide permit may be issued to take care of that. There would not be a need to use a tidal marsh in this case.

**Trustee Holdstein:** You presented to him the floating dock at the northwest corner?

**Ms. Marine:** Yes, we did. We sent him a letter at the end of March, and he has reviewed it. He sent us his comments. He is waiting for us to put together our permit package so he can see it.

The only thing that may require some mitigation would be the steel hull on the south end. We are proposing to add some riprap and most likely demo the hull and then fill it up, and essentially make a net zero change in land. However, if the hull is deeper than we assume and we have to go into the mean high water, some mitigation may be necessary for soil stabilization, which the hull was. Essentially, we have to put some riprap down or some sort of bulkhead to serve the purpose the hull was serving.

I believe nationwide permits fall under a maximum of 50 cubic yards of fill, and the proposed breakwater is obviously not that much in terms of cubic yardage. The only issues you may see would be from Fisheries & Wildlife because the dock is producing a shaded area, which is non-conducive to the fishes in this tidal marsh wetland.

**Mayor Kinnally:** Ray, is your understanding of what the Army Corps said consistent with what we have just heard, that it is de minimus?

**Superintendent Gomes:** Yes. And I apologize, Michael. I forgot that one of the three top things was the mitigation for what we were going to put in at the genesis of the project.

**Mayor Kinnally:** We are looking at phasing this in. We simply do not have the money to do everything that has to be done. We all seem to agree to get the area along River Street cleaned up, to get the people down to the area, and then we will work on the other elements. Susan gave us some minutes of meetings. Neil, last August, was talking about the cost. He said we are going to be up to \$400,000 soon, and he was talking about the entire project. Phase one is at that number now. So great expectations, but very little in the way of pocketbook. We may have to scale our aspirations back.

Bruce, to answer your question about why we are talking about it tonight, Marge raised it and she wanted to have Sven here. That is why we are having another go at it. But even if we were to want to continue down this road, it would not be something that we would be addressing in phase one. We would clean the area up, get the upland shrubs in so it looks inviting, get that lousy fence down and open the area up and get people to the river, and then in steps we can implement what we can afford to implement.

I do not want the grants to be the tail wagging the dog here. It is a real problem if we embark on this in the first phase and have a maintenance problem and an eyesore. I do not want to

have our first effort on the waterfront be a dismal failure, and then people are going to say we still do not have access to the river.

**Mr. Hoeger:** Aside from the Army Corps, you will also have to get sign-off from the Department of Environmental Conservation. It is usually a joint permit for these smaller projects. It is the DEC that is concerned about the fish and the wildlife, and that is where the mitigation comes in. I have not been involved in the process, but I can see from the kind of grant money that you are looking for that this is money the DEC is willing to give to you, I think 75%, toward the mitigation because they are interested in this kind of habitat.

**Mr. Mehothra:** I still feel very strongly that the tidal marsh should be an integral part of the overall plan. The recreational aspect and the ecological aspect of the project can coexist the way we planned it. It would add a lot more value for the residents and the community. Some people are interested in recreation, other people are interested in conservation. This is a spot where we can have both.

**Trustee Holdstein:** How did you look at the geese in relation to this, and what might that do from a negative standpoint?

**Mr. Mehothra:** The geese typically like lawn areas. The geese will congregate there when the marsh is being developed and it is not fully grown. Once the marsh fills up, that is the last place the geese will want because geese like open areas. They do not like tall grasses or riverbanks. From a pest problem as far as geese and ducks are concerned, a marsh is going to give you total avoidance of those issues.

**Jacques Padawer, Conservation Commission:** We think this marsh is important and something we definitely would like to see.

The word recreation means different things to different people. I feel attracting birds would be a very great interest to a number of people in this village because we have a number of bird watchers, and this area would attract a different sort of fauna than we have elsewhere in the Village. I am an artist and this would enhance the appearance of the area and would give an opportunity to sketch and paint and whatever. So we have the aesthetic aspect, which I consider part of recreation.

I look at this as a biological situation. The Hudson River has many fish that come up the river to spawn. Big fish cannot easily get into shallow waters to go after little fish. That is an area where they can grow to the point where they have both the strength and perhaps the experience to avoid predation. So that would be of interest to the river as a whole, but also to



the community in terms of what environment means in its broadest sense. Certainly, the school could have some interest in this. Yes, they can be put on a bus and sent anyplace. They could be put on a plane and be sent to Texas. But it becomes expensive, both in terms of money, time, organization, and everything else. So this is something that could be taken care of with students from the Village, and grownups, to do biological studies very locally and see what is cooking.

We have not done very much about the geese in MacEachron Park except complain about them and step in the mess they make. That does not mean that we could not have done something. There are means of discouraging geese. The geese problem is only a problem if you want to make it a problem. It can be taken care of with fencing and wires. I would suggest that we try this geese equipment, which is very cheap. It is under \$1,000. You can try it for 30 days, and return it for full credit. We can try it at MacEachron, or in front of the restaurant where the geese usually converge in the evening, and see how effective it is. Once you know that, you can put the geese question out of your mind.

The committee feels strongly we do not want a beach where kids can dig because we do not believe that this is ever going to be safe enough for that kind of activity. Mr. Mayor, you said we should bring the people down there when it is nice. I do not know what they are going to do there or what is there to attract them if there is nothing there to look at and to think about.

**Mayor Kinnally:** I can think of the Hudson River and the Palisades for starters, Jacques.

**Mr. Padawer:** That you have at MacEachron Park as well. We do not need the cove for that. This is a very different view. When you look at something from the ground, it is different once you look at it from far away or from high up. So I would strongly support the idea of this marsh.

**Kevin Dawkins, Parks and Rec Commission:** When we have opportunities like this to make an improvement to Village property, and we reach out to knowledgeable citizens and citizen groups, we get very learned people like Dr. Padawer and Sandeep that come in with suggestions. They have far more expertise than most of the members of the committee, and we listen to their input and put together a plan that then goes out to the engineers. They come back and they say, if you want it to be a kayak launch, if you want it to be a marsh, if you want it be whatever people have asked for because that is what we asked them to do, you get a very large list and it becomes a very expensive proposition.

At the last meeting where we discussed this, the consensus of the Parks and Rec Commission was,, let us start simply. Clean it up, improve the area, make it a pleasant place. Let us see how people use it, and let some of these other uses evolve over time. Maybe only half a dozen people will actually use it for kayaking, and that would not warrant building an extensive kayaking launch. It is a very expensive proposition to put in this marsh, and that is how Ray came up with this idea of increments. Let us just clean it up and bring people down there, and then we can address other things in other budget years as we get a greater sense of how the area might be used.

**Trustee Swiderski:** When you say phase it in, do you include the marsh in that first phase?

**Mr. Dawkins:** People may feel down the road that a marsh would be very valuable to a great number of people in Hastings. We always look to do the greatest good for the greatest number of people. We do not know at this time how many kayakers are going to use it, or how many teachers would want to take students there, or how many people are interested in having a marshland. Regardless of what amenities eventually get chosen, let us go to step one and reclaim it in the spirit that was discussed when the opportunity first came up a couple of years ago.

**Mr. Roebig:** Regarding the permitting, the Corps of Engineers in this case said they would defer to the DEC. When we met with the DEC a few months ago, essentially this was the plan that we presented to them, with the option of maybe a different geogrid. They were very positive about the plan, particularly because there are some impacts from the shading and from reducing the open water by putting in the dock. They liked the idea that it was going to be temporary and pulled back, and that we were going to do some mitigation. I am not saying that they would not allow it without that, but they certainly looked upon it as very positive. There is going to be some impact, some additional use, some shading, maybe some protection with some fill, but we are going to mitigate that impact with the additional tidal marsh. Chuck Meader, whom we met with, thought it was a very good plan, partly because we were incorporating these habitat elements.

**Julius Chemka, 8 Ridgedell Avenue:** When you talked to the Army Corps of Engineers about the marsh, how big a marsh did you explain you wanted there in that area?

**Ms. Marine:** We sent in the plans in March, so it was similar to that, approximately 120 feet or 140 feet by 120 feet.

**Mr. Chemka:** And the fellow from Beczak, how big a marshland do you plan down there?

**Mr. Hoeger:** A quarter-acre, minus some water, about 8,000 square feet.

**Mr. Chemka:** I just want to impress upon the Board, we do not even have 100 yards of waterfront there. If you take that amount away from our beach, you might just as well give the beach away. I have to disagree with Jacques: you are going to attract the geese. And you know geese: once they have a place to go, they bring their young ones next year and it keeps growing and growing and growing. We have less than 100 yards. Please do not use it. Use it as a beach for the youngsters.

Please do not touch MacEachron Park. We have a beautiful park. Don't put this floating dock there, and do not put anything into the river to protect this. Leave it as a natural thing. It is beautiful there now. I agree with the first phase. Take down the bushes that are there, let the people look. Jacques, the young fish you mentioned, there is a marshland right across the river that those fish could swim to. I swam the river, and they can too, go there and hibernate or do what they have to do. The children, for education, could go down to Beczak. They love to go on trips. They could go down and do what they have to do, looking at the fish, looking at the birds and so on.

The marsh is not necessary in our community. It is going to spread, and you are going to have all marsh there, and you might as well kiss the beach goodbye. Save the beach for our children so that they can use it.

**Mr. Padawer:** I would like to counter some of what Julius says. The geese are not a problem if we do something it. Beczak did not. They did everything wrong, and the geese took advantage of it. We can have a fence that is anchored properly. We can have wires that prevent them from flying in. We can have the sound to chase them away. None of this was done at Beczak, and we have not done anything at MacEachron Park, either.

And the beach for the kids. We are right next to that worst part of pollution on the land part of the ARCO property, the northwest corner. I do not know how much of that goes into the sand and into the earth where the kids would be playing. That is not something safe, and I do not think we need it. As far as taking kids on the trip, that sounds good. But you lose half a day of teaching. You want something that is quick and easy, where the kids can go after school to do something and maybe run a project. As much as I like Julius, I think he is wrong. He swam the river, but that was a long time ago.

**Mr. Chemka:** The amount of space you are allowing for the marsh, what will that cost us to plant?

**Walt McKenna, McLaren Engineering:** I believe in our first cost assessment it was about \$77,000.

**Mr. Chemka:** Seventy-seven thousand dollars to plant a marsh, and we do not know whether it will take, just like the one that failed down in Yonkers. That is a lot of money to gamble with, and I do not think this village has that kind of money to take a gamble like that.

**Trustee Apel:** We already have a \$50,000 grant specifically for that, and we have another grant which is there to cover that. So the money is already there to put in the tidal marsh if we so decide.

Why I had brought this up and why I wanted to discuss it is because I have been in touch with Ray, and we did go down and looked at the cove. I believe that we have to do it in stages. But I was very concerned that the tidal marsh was left off, and I do not want it to get lost. It does not mean that it has to be done right away. I know that we could not plant a tidal marsh this year. There are only specific times that you can do it, so it is not something that would happen right away anyway. But I do not want to lose sight of a wonderful possibility. I also was concerned, because we did have grants, and I wanted to find out, are they coming to an end, are we going to lose them?

Looking at an overall picture, in terms of the entire waterfront, we want to have access to this. I know we have a beach. At the other end of the waterfront, there is a beach area. But we are not going to get to that for a long time. But taking a look at the entire waterfront and what we can have, this may be the only place that you can put a tidal marsh. So I just did not feel that we should let it get lost. It is a wonderful asset to have for the community. If it works, it really works well. It is not something we can always envision right up front because it is something that is going to grow.

I do believe we need to clean up the cove and do that riprap. We need to support the land that is there. You have the barge, and the boat, and all that other stuff going on in there in order to beautify it and make it more usable. Then we could start, as you said, Julie, to add things as we go along. But I just was afraid that we would lose sight of this wonderful opportunity. Let us at least discuss it, and understand that there is a value to it. It is a legacy for our children just like having the beach. So that is why it was important to have this discussion. As Bruce said, we were getting all this information at different levels in different years, and every time we turn around it is another year and we are not any closer.

I do not think anybody is averse to doing the stages. Once we clean it up, put the bushes in, put the riprap in, then it is always easier to see it and say, wow, this is what we have. And

yes, we can still do this. And maybe it will not take up as much space it is going to take up. Because once we clean up we can see what we actually have there. Not everybody can visualize this, so a staged affair is very important. There are some grants that the money has to be used before 2007, I think. So we need to take a look at what we have and where we are going, start slowly, work it through, but not lose sight that we have a wonderful opportunity should we decide to do it.

**Mr. Chemka:** Where is the money coming to pay for the engineering study? Is that part of the grant money that we are receiving now, or have in our pocket now?

**Trustee Apel:** We have a \$50,000 grant from the New York State DEC water quality program. That is a \$50,000 grant that we have for the habitat.

**Mr. Chemka:** Is that just to check the quality of the water?

**Mayor Kinnally:** No, that is the aquatic habitat and putting in the tidal marsh for the aquatic habitat. That is what you can use it for. We have \$15,000 from the Greenway. There is \$40,000 from the Hudson River Estuary, I do not know if that is the right term, and \$100,000 from the New York State park development project. That all adds up to over \$200,000.

**Mr. Chemka:** Does that engineering money come out of that?

**Trustee Apel:** Yes.

**Mr. Chemka:** And how much is that?

**Trustee Apel:** \$70,000.

**Mr. McKenna:** I believe a phased approach is a correct way to go with this. We would need to know from a permitting point of view whether or not that is going to be implemented. You are issued a three-year permit, it is good for three years, and there is a two-year extension on top of that. So you permit what you intend to do, and then you have five years to get it done. When you are talking about a phased plan, that is basically the time frame that you are talking about. I believe Ray has some good points about the sequence of phasing.

**Mayor Kinnally:** McLaren raised in an e-mail today the timing and the need to go forward with the permitting and the construction documents, etc. Part of my frustration is that we are looking at these numbers that were sent back today; I do not see that there has been any change in those numbers. We have some decisions to make and some discussions to have

with you before we get to the point where we are going to give a green light to any of this. And we have to see if we need to have the permitting process for phase one. I do not know if that is necessary, just what we are talking about along River Street, cleaning up the upland area, if we need any permitting for that. So I will leave that to staff to work with you.

**Trustee Jennings:** I would like to make a request to staff and to the Parks and Rec Commission and the consultants. The last point that was made about the importance of a master plan in relationship to the phase-in, and the difference between having a master plan and phasing in versus phasing in piecemeal where you agree on something, you do that, and then you decide later what you are going to do next. Those are two different processes. I am not sure where we are. I think we are closer to the second than the first. But I understand the logic and the importance of the first process, the master plan. If we are going to do that, there is enough money involved and the significance to the Village is great enough, that we have to have more to base our decision on than verbal, piecemeal, last-minute pieces of information.

Ray, Susan, whoever would be responsible for this, I would like to request a comprehensive written report with recommendations and options. I am not prepared to make a decision on something like a master plan of this magnitude without that kind of professional backup. If the consultants prepare that, whoever prepares it, I want to see something in writing. I am tired of hearing verbal reports and being asked to vote on that and having to rely on my own memory. In this case I want a document that I can read and study, and ask critical questions about, or I am not going to be satisfied with this process.

## **2. Chemka Pool Report**

**Superintendent Gomes:** We are showing a marked increase in sales. The hot weather has a lot to do with it. A lot of people are using the pool. We feel that we are going to come close to the revenue mark that we set in January when we were studying our budget. I think we are doing pretty good.

**Mayor Kinnally:** We have the numbers, and the numbers are somewhat ahead, if you take a look at where we were in prior years. Plus, we are going to have the additional \$20,000 on the camp. Is that right, Ray?

**Superintendent Gomes:** That is correct. For instance, in total last year, it was \$217,592. What we have in the bank now is \$213,144, and we still have two and a half months to go to sell permits. We have a lot of new programs that should bring in revenue, and supposedly the weather is getting hot the remainder of the week so our guest fees will go up.

### **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. 02-2005-06 \$95,633.97  
Multi-Fund No. 03-2005-06 \$ 9,521.10  
Multi-Fund No. 04-2005-06 \$86,110.40  
Multi-Fund No. 05-2005-06 \$44,555.00

### **67:05 CONSTRUCTION EASEMENT AGREEMENT**

**Deputy Village Attorney Stecich:** This is an easement agreement that is required for the construction at 45 Main Street, because to construct the building, they have to operate to some extent on Village property, on a 10-foot strip on the ambulance corps property. Also, the building will require installing some utilities and doing some work on the street. This agreement defines the area and limits what they can do on the easement. They can install a construction fence. They can demolish the retaining wall on the Village's property and then repair it.

**Trustee Holdstein:** What kinds of equipment might we see?

**Deputy Village Attorney Stecich:** Scaffolding and screening. There is an agreement in here that they will not park cars there, they will not have trucks there. They will not do anything to impede the access over the ambulance property and on the ambulance property. On the street they can install utility lines. They have to install new paving. Because they will be working on the existing sidewalk they have to install a sidewalk shed and scaffolding to permit access throughout the construction period. A \$35,000 performance bond is required. We decided on that amount by figuring what would it cost if they tear all this stuff up and we have to fix it. They have to meet all the requirements of the code for street openings. There is a very specific requirement so as to not impede use of the street, and they have to provide safe passage over the sidewalk.

**Trustee Holdstein:** If they are going to come out there at ten feet, is that going to interfere for an ambulance worker who comes rushing in and parks his car?

**Deputy Village Attorney Stecich:** Actually, the fire department, if you recall, did not even have an issue with us permanently giving it to them. This has been reviewed by the ambulance corps and by Deven and by myself, and there will not be a problem.

**Trustee Holdstein:** Do we lose any spaces on the left side of the parking lot?

**Deputy Village Attorney Stecich:** We may lose them. But overall we have the same number of parking spaces while there is that temporary parking configuration.

**Mayor Kinnally:** What are they going to do when they take the retaining wall down?

**Deputy Village Attorney Stecich:** It does not need to be there. I spoke with Deven at some length about that and he did not think it was a problem. I asked him to go out and confirm that that retaining wall is not serving any purpose, and he did.

**Mayor Kinnally:** I am talking about the one in the rear of the building, back along the property line on the north side, not on the side of the building. The drawing says remove low retaining wall from the large drive.

**Deputy Village Attorney Stecich:** I am just seeing that for the first time, although it is not included in the easement agreement. Beth Lieberman is here from A&F, or Urban Green. Do you know?

**Beth Lieberman, Urban Green:** I do not know. I will find out.

**Mayor Kinnally:** I understand the necessity of taking it down, but it has got to be there for a reason. And what is going to happen during the two years that this is in effect? What is going to be holding up that hill there?

**Deputy Village Attorney Stecich:** The agreement just says remove retaining wall. And our understanding always was it was this retaining wall. We will have to clarify that it is to remove the retaining wall along the eastern border of the property. This agreement would not give them permission to do anything with the retaining wall in the rear. They did not raise it, and if it is an issue then they will have to do another agreement. Either we could put off approving it, or approve it by specifying that all they can do under this is remove the retaining wall on the eastern border, which would be my recommendation.

**Mayor Kinnally:** I go along with that as long as it is specified. And then if they need something else, they have to come back to us.

**Ms. Lieberman:** What else would we need?



**Mayor Kinnally:** You have to tell us what you want to do with that retaining wall in the rear of the ambulance corps building. Your schematic indicates that you are removing the existing wall. My recollection is that that wall is there because there is a slope behind it. It is functional. It is not aesthetic. So if you want to remove it, you have to tell us why. What is going to happen in the interim? Is it going to be replaced?

**Ms. Lieberman:** What regulatory process would I have to go through to get that wall in?

**Mayor Kinnally:** Another easement.

**Trustee Holdstein:** There is something that is very troubling to me. This is the second or third time that this developer has come looking for something and we are finding little tweaks. I do not like it. You presented a request for an easement, and you have written into the schematic that you want to remove something that is not in the printed word. This is the third time that I can recall that we suddenly, through our counsel, our own looking at it, or Lee looking at it discovers something that is not the same in the word that is in the scheme. On the third time I start to get a little leery. There is stuff going on here that I do not like.

I would appreciate it if you would pass along to Eric that this sloppiness, which indicates the potential of trying to slide something in, I find troubling. For a guy who is working to develop three projects in our village, somebody should have looked at this document. You gave it to us, it says remove that back wall. The printed word does not say it.

**Mayor Kinnally:** What is the Board's pleasure on this? Go with it as it is? Let us mark the area. Let us refer to it as X or whatever on the attachment so there is no question about this.

**Trustee Jennings:** What is the amendment we are making to wording of the agreement?

**Deputy Village Attorney Stecich:** In paragraph two, phrase two, demolition of existing retaining wall on eastern border of grantor's property denoted on exhibit C as area X.

**Mayor Kinnally:** It is the eastern part of their property, the western part of our property.

**Deputy Village Attorney Stecich:** Yes, the western part of ours as grantor.

**Trustee Holdstein:** In the sketches, on the wall that we are talking about it never says remove. But on the one that we do not want touched, it says remove on the schematic. I do not understand that.

**Mayor Kinnally:** We will put it over to our next meeting on July 12th.

**Deputy Village Attorney Stecich:** It is possible that there was a miscommunication. We will make sure this is all drawn clear.

On MOTION of Trustee Holdstein, SECONDED by Trustee Apel with a voice vote of all in favor, Resolution 67:05 was tabled.

**68:05 SUBORDINATION AGREEMENT - 422 WARBURTON LLC**

**Deputy Village Attorney Stecich:** I reviewed the subordination agreement. A few changes were made. There were a couple of other changes that I would have liked to have seen, but I understand that the lender will not agree to them. Essentially what it says is that the Village will get a PILOT mortgage for the PILOT payments, but that is subordinate to the lenders. It is pretty typical, they have made the changes, and it looks fine.

**Mayor Kinnally:** Marianne, you are satisfied as to form?

**Deputy Village Attorney Stecich:** Yes.

**Mayor Kinnally:** Just a point of information. The school board passed the PILOT last night. My understanding is they passed it by two.

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

**RESOLVED:** that the Mayor and Board of Trustees authorize the Acting Village Manager to sign the subordination agreement substantially as attached with Riverton Lofts, LLC in connection with the Payment in Lieu of Taxes (PILOT) for the 422 Warburton development upon approval of the Village Attorney.

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

**69:05 BOND RESOLUTION - CERTIORARI SERIAL BONDS**

**Acting Village Manager Maggiotto:** These have all been approved previously. We have had discussion and resolution on the certiorari settlements. It is three different cases, the money is due and payable at the end of June, and we borrow the funds in the fall.

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

**RESOLVED:** that the Mayor and Board of Trustees adopt the resolution as attached to authorize the issuance of \$352,650 serial bonds of the Village of Hastings-on-Hudson, Westchester County, New York, to pay the cost of certain judgments, compromised claims or settled claims resulting from court orders on proceedings brought pursuant to Article 7 of the Real Property Tax Law due in the current fiscal year.

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

**70:05 AUTHORIZATION TO RECEIVE BIDS - STREET RESURFACING**

**Acting Village Manager Maggiotto:** We reviewed the streets at the meeting last week. We had suggestions to add some other streets. Mike is measuring the additional streets and getting a cost. I think we agreed to keep it within \$300,000 of expenditures. If there is any question about that we could discuss it further, but that seems to be the amount that is reasonable, the amount that we are going to borrow for the year to keep up with the streets.

**Mayor Kinnally:** We have, for the record, an e-mail from Randy Paradise that will be made part of tonight's proceeding. He wants the streets in his area paved.

**Acting Village Manager Maggiotto:** He requested that a week ago, and that is part of what Mike is looking at.

**Trustee Jennings:** Can you let us know, Susan, when Mike completes his calculations whether or not the \$300,000 budget that we have determined will be sufficient to deal with those streets that people have brought forth as needing immediate attention. If we have to do some priority setting, then I think we should decide whether we should leave that to you and to Mike, or whether we should be involved in that in some way. If we can do them all, fine.

**Acting Village Manager Maggiotto:** These are estimates. It depends on what the bids come in at. You can make an adjustment at that point based on what the bids are. We will do what we can afford to do because it is bid per unit of materials, not per street. But as soon as Mike gives me all the information and his estimate I will get it to you.

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 Village Manager to receive bids for street resurfacing.

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

**Trustee Holdstein:** For the record I want to say that Mike did a great job of fixing the pothole that I had mentioned at the top of Washington and Warburton, as well as the one on Branford. Those were two bad ones he got fixed pretty quick

### **VILLAGE MANAGER'S REPORT**

**Acting Village Manager Maggiotto:** I can report that the weather in LA is perfect, and so is my granddaughter. I just got back a few hours ago, so I drove through the Village on my way here and touched base with a few of my department heads before the meeting. I think I can safely say that the B word, the Bomanite, is finished. I talked to Mike and he could not confirm that it was, but it appears to be all filled and glazed. I also noticed that you could see a lot more daylight driving down the street. The tree trimming in the downtown has started, and it looks pretty good. It should keep us in good stead for the next five years or so.

I noticed, driving in off the parkway, that Farragut Parkway is milled. I think the state is doing it. I do not think we were apprised of that activity.

I do not know how many people noticed, but there are now lights going down the stairs in the front of the building. It only took us about 75 years to light the front steps. Thanks to Sue Feir there was a library grant and it is considered access to the library. So she pretty much took care of it. Another thing I noticed when I drove up was that the building has been scraped in preparation for painting the trim. A lot of things can happen in two days.

### **BOARD DISCUSSION AND COMMENTS**

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

**Fred Yaeger, ARCO Liaison:** We are moving forward on the demolition; we are still on schedule regarding Building 15. We expect the abatement to be completed by this Friday, which would mean that we will begin taking down Building 15 next week.

**Mayor Kinnally:** Is there any photography being done on-site by ARCO?

**Mr. Yaeger:** Yes.

**Mayor Kinnally:** I would like it if they would give us copies for the Historical Society.

**Mr. Yaeger:** Because it is a major marker for the Village, if you want to have a photo in or around the time of the demolition of Building 15 we can so arrange it. We could put it on our website, and you could put it on your own website to educate and let the public know what we are all doing.

#### **2. Recreation Fees in Lieu of Parkland**

**Mayor Kinnally:** I understand we are awaiting a report on fees in lieu of parkland, and upon receipt of that you will be ready to discuss it?

**Deputy Village Attorney Stecich:** The amount of the fee has to be justified by the need for recreation that would be created by any new dwelling unit. Angie is working on a study.

**Trustee Swiderski:** Would they apply retroactively to the 45 Main Street project?

**Deputy Village Attorney Stecich:** This is not legislation you have to pass. You are just going to be setting the fee schedule. The state village law permits the Planning Board to require it before it gives site plan approval for any residential project. Forty-five Main already has its site plan approval, so that train left the station.

### **3. Limited Industry (LI) Zoning on 9A**

**Deputy Village Attorney Stecich:** The question that was sent to the Planning Board was how could strip malls be eliminated on the 9A site. I had two ideas, and they did not think either one of them was good. One was to require that the parking be behind the building, that there could not be parking between the street and the building. That may be a good idea in some places, but not there because in back it abuts the railway and the river.

**Trustee Holdstein:** But we may have to look at a tradeoff. If we want to put something into the code that avoids strip malls, then the tradeoff might be that you would have to consider that parking behind.

**Deputy Village Attorney Stecich:** I am not debating it. I am just reporting what the Planning Board said. One of the primary concerns from all the time that the Planning Board discussed the MUPDD and zoning for that parcel was protecting the railway and the river, and the view from the railway and the river.

I had also made the suggestion that you could put limitations on the types of stores. One of your zoning districts in the Village has a limitation on the types of stores. They said that that would not eliminate a strip mall, you could have a bunch of those stores.

The final word was they wanted me to communicate, and I do not like to sound like a broken record but again I am just reporting, do not shoot the messenger, that the Planning Board strongly believes that the best way to regulate sensibly the development on that parcel is through a type of zoning like the MUPDD.

**Trustee Apel:** Would they not have to, if the MUPDD was enacted, still have to address the problem?

**Deputy Village Attorney Stecich:** You would address it, but you address it with a particular project in mind as opposed to trying to draft zoning in the abstract—but what if it is this? what if it is that? That is the sort of thing you avoid by having to look at the whole parcel at once with a particular plan in mind.

**Mayor Kinnally:** I do not know where we can go with this, but apparently there is a proposal in front of the Planning Board right now.

**Susan Newman, GDC Development:** Would you like an update? We have submitted the Supplemental Final Environmental Impact Statement for Riverwalk, which encompasses two alternatives: Saw Mill Lofts 1 and 2. Saw Mill Lofts 1 is a conforming use under the LI zone. It does not have any residential on the ground floor, and the zone only allows for two-story buildings; so we have three two-story buildings. Saw Mill Lofts 2 assumes that somehow or other the MUPDD would be enacted. I am not free to elaborate, but we are in discussion with Purdue Pharma to get them to withdraw their protest petition. Hopefully, by the end of the summer that will be resolved. We are processing the SFEIS with both preferred alternatives.

The advantage of doing the project under the MUPDD is that the zoning allows for a three-story building. So rather than having three buildings, we can have two buildings. By having two buildings on-site we can create dedicated open space of about 1.75 acres for the Village, which seems to us to be of enormous value and responds to the expressed desire to see some open space at that site.

Under the Saw Mill Lofts 1, which is a complying alternative under the LI where we are not allowed to have residential on the ground floor, we have recommended studios or the work component of a live-work space. Either a studio, or to the extent that there is no demand for a work space on the ground floor because they have to be much larger than we would have liked, we would have specialty retail. We have put in the text voluntary deed restrictions as to what type of retail would be allowed to avoid the strip mall appearance. Not so much in terms of size because I do not think size is so much the issue. You can have an obnoxious use that is 500 square feet, or you can have an obnoxious use that is 5,000 square feet. There is a definition of specialty retail that includes things like bookstores and galleries and quaint type shops rather than something that would be convenience oriented like a video store. Even though it might be nice for the residents to have a video store, it tends to promote that strip look because it is hard to make a video store aesthetic and artistic.

I expect that we will be in a couple of months' review with the Planning Board on the SFEIS. They hope to have it available for public comment in September, and I hope to be able to move into site plan review this fall.

**Trustee Jennings:** I wonder if the issues that Marianne is reporting on are moot at the moment because the things under consideration for that site do not implicate these kinds of changes and we would want to look at this only if we were back to square one in terms of the

possible use of that site. This is the only site in the currently zoned LI district that is going to be developed, so we can hold off on this and see what happens with the Lofts project. If that does not happen then we would have to go back to something like this to worry about a strip mall. But right now we do not seem to have to worry about it.

**Mayor Kinnally:** Peter, what do you think? You are the moving force behind this.

**Trustee Swiderski:** Can I ask a couple of questions of Susan? Have you taken a look at the proposed legislation with the restrictions on the site to try to prevent a strip mall?

**Ms. Newman:** I did not realize there was proposed legislation. I have not seen it.

**Trustee Swiderski:** I do not think it is in conflict with what is proposed. It seems pointless to pass it if this site is approaching resolution.

**Mayor Kinnally:** I agree. And to Bruce's point, there is nothing imminent looming here that is going to adversely affect it. So we could shelve it for the time being? Is that your sense, or do you want to think about that?

**Trustee Swiderski:** Right now there does not seem to be a lot of sense to bring a motion to the floor on this. It looks like we have the time to think about it.

**Mayor Kinnally:** Marge, what do you think?

**Trustee Apel:** The only concern that I have, not specifically but just generally speaking, is that if we do not act on it and make a change, and then the developer decides to make changes and they are not in line with what we really had wanted, and then we tried to change the law, will that cause a problem?

**Mayor Kinnally:** It would cause a real problem for the developer at that point because they would have to start all over again with the Planning Board and amend their SEQRA process.

**Trustee Apel:** I do not know. Then it would be zoning for a particular...

**Deputy Village Attorney Stecich:** It is hard to answer questions like that in the abstract. But it is not unusual for a village board to see a problem down the pike and say, there is a problem coming, we better have a moratorium and look at our law on this. That happens, and that is fair. I do not believe it would be an issue, especially given the history here. The only



one that would be able to raise the issue is Ginsburg. In this particular case I do not see that would be an issue at all, Marge.

**Ms. Newman:** I have gone one step further. I had submitted correspondence to both the Board of Trustees and the Planning Board at the end of March when this was discussed last. I stated that if the retail aspect of our project is unacceptable to the Board of Trustees or if our project does not move forward, you can always impose an additional moratorium on the site at that time and reevaluate the language of the LI zone. So we have fully acknowledged that you have that latitude if what we have proposed does not pass muster or gets changed.

**Mayor Kinnally:** It is up to you, Peter. But I do not think we are at risk here unless Martin is going to sell the property.

**Ms. Newman:** We have no intentions of selling.

**Trustee Apel:** What is the time line on all this?

**Ms. Newman:** We are hopeful that we will be through the environmental review by early fall, and will be either in a simultaneous site plan review or sequential site plan review starting in the fall. After five years I am hoping we will be through the process by January.

**Trustee Swiderski:** Susan, you were describing the two plans. There is a three-building plan and a two-building plan. The two-building plan has what on the ground story?

**Ms. Newman:** The two-building plan stacks vertically, so that each unit has a live component and a work component on each floor. On the ground floor of the two-building version you have residential units with their work aspect directly next to them, same as you would on the second floor and on the third floor. It is only under the three-building version, where we cannot put any residential on the ground floor, that we have had to put all of the work space on the ground floor.

**Trustee Swiderski:** You are calling it work space, but in the three-building plan it may very well be specialty retail, as you have indicated you would voluntarily deed. In the two-building plan do you see that sort of specialty retail, or do you largely see work space?

**Ms. Newman:** We have no intention to create specialty retail in the two-building plan. It is possible that one of the owners of an individual unit, these are small spaces, these are only 400 square feet, could, in fact, run a gift shop or a gallery or something that is associated with

their live-work environment. It is a permitted use for them to do that there. But we would not intend to organize it in that way.

**Trustee Swiderski:** A question for our attorney. Assuming that GDC successfully completes negotiation with Purdue and the petition is withdrawn, does that mean automatically the MUPDD goes into effect? Or does that require yet another review and passage?

**Deputy Village Attorney Stecich:** I would have to think about it. But it did pass by a vote of 3-to-2. And then all it means is you send it on to the Secretary of State for filing.

**Trustee Holdstein:** So you would not have to go back through a public hearing and a re-vote?

**Deputy Village Attorney Stecich:** Correct.

**Trustee Swiderski:** Could you verify that?

**Deputy Village Attorney Stecich:** The law should be filed within 20 days of passage. I called the Secretary of State's office to find out what happens if it is seven months. They said it does not matter, whenever you send it is fine. That was the issue I saw: would the Secretary of State not accept it because it was passed too long ago, and that is not an issue. Apparently they do it regularly.

#### 4. Other

**Trustee Jennings:** I have a question that relates to business that is being discussed by the Planning Board. I understand that they were talking about the possibility of a conflict between construction at 45 Main Street and construction of the new Community Center: the undesirability of machinery and construction work going on both sides of the street at the same time, etc. Do you know what is happening with that issue? It is of concern to the Village.

**Deputy Village Attorney Stecich:** It was not a source of a lot of discussion. I do remember it coming up in passing, but I do not even remember in what context.

**Trustee Apel:** Did we not bring that up here once also? Someone brought the concern to me awhile back because parking spaces are going to be lost, and people are going to be

inconvenienced. You are going to have trucks there and all sorts of stuff going on, and has anybody thought of staggering it.

**Trustee Holdstein:** You have a hook and ladder, an ambulance, and two construction sites in very close proximity. It is something that will have to be monitored.

**Mayor Kinnally:** It is difficult at this point to say what we are going to do. It is more of a contractor-to-contractor coordination with our people. But no one even has a schedule of construction yet.

**Mr. Chemka:** I would like to know the status of the hunt for the Village Manager.

**Mayor Kinnally:** The Board is talking to a candidate at the present time. We are going to meet in executive session to continue discussion on it. I do not know when we will have an announcement.

**Trustee Swiderski:** I want to thank the school board for the vote on the affordable housing PILOT. It was gratifying for the community and a lot of people appreciated it.

**Mayor Kinnally:** Yes, they wrestled with it. Their time and their interest and their concern is certainly appreciated.

### **EXECUTIVE SESSION**

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

On MOTION of Trustee Apel, SECONDED by Trustee Swiderski with a voice vote of all in favor, the Board scheduled an Executive Session for Wednesday, June 22 at 8 p.m. and/or Thursday, June 23 at 8 p.m. to discuss personnel items.

**Mayor Kinnally:** I would like to note the passing of Jim Keaney's mother and extend my condolences and the condolences of the Board and the people of the Village to Jim and his family.

### **ADJOURNMENT**

On MOTION of Trustee Apel, SECONDED by Trustee Swiderski with a voice vote of all in favor, Mayor Kinnally adjourned the Regular Meeting.