

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK**  
**BOARD OF TRUSTEES**  
**REGULAR MEETING**  
**NOVEMBER 1, 2005**

A Regular Meeting was held by the Board of Trustees on Tuesday, November 1, 2005 at 8:12 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

**PRESENT:** Mayor Wm. Lee Kinnally, Jr., Trustee Michael Holdstein, Trustee Bruce Jennings, Trustee Marjorie Apel, Trustee Peter Swiderski, Village Manager Francis A. Frobel, Village Attorney Brian Murphy, and Village Clerk Susan Maggiotto.

**CITIZENS:** Six (6).

**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. 31-2005-06 \$78,443.55

Multi-Fund No. 32-2005-06 \$23,396.74

**104:05 SCHEDULE PUBLIC HEARING SALE OF VILLAGE PROPERTY**

**Mayor Kinnally:** We had a public hearing on this, but in response to an inquiry of the adjacent property owner to expand the scope, we are setting this down for another public hearing to consider the sale and to consider the ability to build a structure on, or adjacent to, this strip of land.

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 schedule a Public Hearing for Tuesday, Nov. 15, 2005 at 8:00 p.m. to consider the advisability of the sale at public auction of a strip of Village owned property adjacent to properties designated on the Village Tax Map as Sheet 26, Block 681, Lots 23A-26; and Sheet 26, Block 681, Lots 27 and 28, 83 Cochrane Avenue; and to consider the request of the applicant to be allowed to build a structure on or next to the property that may be conveyed.

<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	

**105:05 ORGANIC YARD WASTE INTERMUNICIPAL AGREEMENT YONKERS**

**Village Manager Frobel:** This is an agreement with the City of Yonkers to take on our yard waste, resulting in not only a shorter hauling distance for us, but also a lower tipping fee. I thank everyone who worked so hard to get us to this point.

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

**RESOLVED:** that the Mayor and Board of Trustees approve the Intermunicipal Agreement as attached with the City of Yonkers for the transfer of organic yard waste at a cost of \$5.00 per cubic yard

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

**VILLAGE MANAGER'S REPORT**

**Village Manager Frobel:** On Monday our paving crew will begin the milling of the streets selected for resurfacing this year. We are hoping that the paving will be complete by mid-November.

The fourth annual Terry Ryan Memorial Run is scheduled for Sunday, November 13 beginning at 1:30 p.m.. The fowl shooting contest for youngsters in grades 2 through 8 will be on November 5 at 10 a.m. at the Hastings High School gym.

I want to apologize to all the families and young painters who worked so hard for the window decorating. You may have noticed that we had defective paint. We will be refunded the cost of the paint by the manufacturer. But it was a disappointment to all of us. Despite some very good artwork, it just did not hold up the way we had hoped. So my apologies to all those families that participated.

## **BOARD DISCUSSION AND COMMENTS**

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

**Mayor Kinnally:** We have two representatives of ARCO here this evening, Fred Yaeger and Dave Kalet from ARCO Remediation.

**Dave Kalet, Project Manager - 1 River Street:** We are at 101 days in our construction season with no accident, no injury, and no spills whatever. We have clocked 31,626 man hours. We have shipped 209 loads of steel for recycling. We shipped out 281 loads of roofing debris handled as asbestos-containing material. We had four loads of miscellaneous materials, including fluorescent light bulbs for recycling and transformers for electrical disposal, for a total of 494 loads of material. We concluded the demolition activity ahead of time on October 19.

We also have started into some investigation. There have been four drilling rigs on-site. Of 69 borings, we have completed 38 environmental borings and 31 geotechnical, and we have completed 15 test wells. The drilling rig should be complete this week, and then we will be doing some test pitting.

We are on schedule for the work we want to complete this year, so we fully intend to put together a remedial design and deliver that August 6 of next year. We probably will do additional testing in a March-April time frame at a much lower scope than what we just saw. On behalf of the project team I want to thank everybody in this community because there has been a lot of constructive comments that have helped us move things along and make things go very smoothly.

**Trustee Jennings:** The Public Health Board had questions on what materials will be tested for in the cleanup process. How will the location of the test borings be determined, and do you plan to take up the slabs and test underneath them?

**Mr. Kalet:** When we filed our plans for design, we put down what we thought about where we should take borings based upon the preliminary work done a few years ago. We have

essentially completed those borings near those locations. We did environmental sampling primarily in the northwest corner. The rest of the sampling along the riverfront was to assess how strong the underlying ground is underneath the site to help us design the permanent bulkhead that we are going to install. That is the slowest work because those borings are down 80 feet through a lot of urban fill. The environmental borings are all fairly shallow, six to 12 feet deep, and those are pretty easy to do. We have been primarily concentrating on PCBs, and some of the borings are looking for metals, primarily lead.

We have completed an additional round of sampling in the river this summer looking for PCBs, and next week we intend to bring a boat out looking for copper. We have made a lot of progress with the DEC. There were data gaps in some of the old data and we agreed to try to close those gaps. We have been working closely since March with the DEC on OU-2, and we will have closed all the data gaps by the end of the year. We have a robust set of data where we can make a really good technical decision on the nature and extent of the OU-2 remedy. Atlantic Richfield and New York State would like to combine the two remedies and get all the construction completed at the same time, and it appears we are working very well towards that goal.

**Trustee Jennings:** The Public Health Board was concerned about where you are choosing to do the borings. Do you think, given the nature of the operations that have been on that site, that we are looking for everything we should be looking for? Is anything going to escape our notice that could be dangerous?

**Mr. Kalet:** The original round of sampling was performed a few years ago by New York State, the initial investigation phase. We did basically a follow-up to better define things and, statistically, take a look at uncertainties that may be there so we get a better idea of where things are. It had been determined by others before I came on this project that lead and PCBs were the two primary materials of concern. Typically, it does not take a lot of extra effort to scan for other metals, which we have. But nothing remarkable has shown up in a lot of those tests. We know from records that it was copper wire manufacture, and the lead was used as an anti-corrosion agent, which was pretty common in those days. So we would expect, and we did find, lead and copper in the soils and also in the sediment into the river. That is a good thing. When you expect to find something and you do, then that means you have probably been pretty sensitive. There are other background metals, but nothing more than background that you would normally see in fill materials and river sediment.

We have done dust monitoring through this phase of work. We also have been using a lot of water on the site to keep things wet. The action levels we have for dust are based upon the

worst case of metal. We assume that the lead metal would be very high, and that is the action level that we apply in looking for total dust. Everybody knows that if we go above the action level that we had calculated, you shut the job down. That is precisely what we did this summer. A wind storm came up and we shut everything down. We have shut down for weather events. You do not want a drill rig or crane operating when you have the threat of lightning.

**Trustee Jennings:** We have a lot of work to do in this community to envision how we would like to develop this site once it is clean and developable. This is not done in a day or a month, or even a year. I do not want to find out from you that you are going to be done in two years and we have not even started to do our work. I want to make sure that we get information from you in a timely fashion so that we are on the right timetable in terms of planning, and finding investors, and finding partners, and everything that goes into what will be a major project. So what is your best advice? If we want to leave ourselves, five years to get ready, when should we start?

**Mr. Kalet:** If you want to leave five years you better think about starting now. We anticipate implementing the remedy that we design to take place in 2009 and 2010: digging, putting in the bulkhead, and dredging in the river. Those are the major parts. The capping is not a major part of the work. I am more concerned about excavation and the shoring that takes place, and bringing barges in to do that. I expect about six months of mobilization before we start, ordering in sheet steel and heavy equipment, specialty waste water treatment things. Then we expect to proceed on a full schedule. We do not want to shut down except for extreme winter weather. We would probably finish up about the end of 2010, but then we have six months of tidying up, including spreading fill. You chew up almost that extra year with a post mortem of the project and little details you need to get done.

**Trustee Jennings:** I am concerned with the time period between removal of the contaminated soil and putting down the fill and the cap, because infrastructure that goes under that is going to have to be done in that window of opportunity, I assume.

**Mr. Kalet:** Not necessarily. I think it is just below. I think everybody understands, we really do not want anybody digging in a contaminated area. But we are removing contamination down nine to 12 feet, especially in the northwest area. In the other areas we just do not have that type of contamination. We have a lot of flexibility in placing the final cover.

**Trustee Jennings:** So we have to coordinate.

**Mr. Kalet:** We certainly can coordinate. Moving fill is not as expensive as getting it here and getting it ready for fill. If there is some uncertainty, we can leave a big fill pile. If people are not sure where things would go, we simply do not bulldoze things into a certain area. So there are ways we can accommodate. I would love to say everything, but I cannot promise you that. But we can probably accommodate a lot of uncertainty in how we put things back together. Those things are not as material to the cost of the project as implementing other things: placement of the wall, removal and shipping things off-site, and bringing in a substantial amount of fill. Those are more critical than when we get down to the final grade of the site. We have a lot of flexibility to work with the Village and whoever the next developer may be.

**Trustee Holdstein:** Do you have any results, analyses, or comments about what you have found or have not found in the borings so far?

**Mr. Kalet:** We have just gathered samples that have to be analyzed. We will not have a good feel on that data for two or three months. We need the engineers to make sense of the raw data. People start looking at numbers and doing some calculations, and they will say it would be better if we had a couple more borings or something to make some more decisions. But we have plenty of time; we did not commit to submit the report until August 6. So this gives us good work for engineers in the wintertime, to crunch numbers. A lot of the laboratory analysis should be done by the end of the year, so they have six to eight months to develop a preliminary design.

**Trustee Holdstein:** What is the status of the remaining buildings?

**Mr. Kalet:** We have taken down what is needed to get this scope of work done. I have no plans over the next six months to take anything else down. In terms of assessing Buildings 52, 51, and the water tower, we made that commitment as a company. We have hired a firm to do an assessment and give us recommendations on what they are, what could they be used for, is there any salvage value to them, as well. The other side of the buildings, 52 and 22 we would like to leave standing until the end of the project for waste water treatment equipment to put inside as well as loading materials. They will be torn down after the digging and serious structural work is done, but prior to final grade and fill. What remains would come down fairly quickly, especially the large buildings to the west. They are steel skeletons with sheet metal skins and come down very rapidly.

**Trustee Swiderski:** When the boring results become available, will they be posted on the web site?

**Mr. Kalet:** I do not know. That is one of the questions I have for our project team. Everything that we have submitted to the state, can we put it on our project web site? Some of it is technical information; it is a lot of numbers. I do not mind sharing anything, but how do you share it so it is meaningful. We have no problem with having everything open. It is just that a lot of the analytical data looks like a lot of numbers, and it is.

**Ron Cascone, 33 Terrace Drive:** For the layman's benefit, could you give three to five talking points that could help one understand what about this project takes four to five years.

**Mayor Kinnally:** Part of it is legal, because the OU-2, the water component, has to be signed off by the state and all of the parties. After he gets through the design engineering, the state has to sign off on that also because this is going to be a state-monitored job.

**Mr. Kalet:** The public process takes a long time because the state fully intends to review the data and allow the public to review it. The state has teams of people that look at analytical data and they check to see if, in fact, it is valid. We appreciate that because the last thing we want to do is make an error of judgment based on faulty data. It is a painfully slow process, but it gives us a lot of confidence that the data is right and we can put a design together. It just takes time for people to understand and digest that data, and that is a good thing.

Also there is a lot of permitting involved. If you just look at the land portion, we are digging up somewhere between 60 and 80 thousand cubic yards of material. The logistics of siting a landfill for that and getting it to the landfill is going to require a lot of permitting and a lot of coordination to get it to the landfill. As a company we have incredible liability here because we are taking this liability to another spot. So we are going to do a lot of due diligence to make sure wherever we send this it stays there forever. It takes a long time to do that. Even things like procuring steel: it is a world market, and it takes usually six months just to order the steel after we design it. There are a lot of long lead times involved in a lot of this.

Believe me, this project is going quite well. I have looked at other environmental projects that could take a lot longer, but we have received very good support, very substantive, proper comments. Based on the spirit of cooperation, this project is moving relatively quickly..

**Lin Osborn, 17 Villard:** Is the steel just for the bulkhead?

**Mr. Kalet:** Primarily the bulkhead. It is sheet piling.

**Ms. Osborn:** I understand that there are some places that are very contaminated and are going to be greatly excavated, and other places are going to be excavated to nine and 12 feet and then there is going to be a cap. Is the cap on the entire property?

**Mr. Kalet:** It has not been designed, but that is the intent of the design.

**Mayor Kinnally:** It is not only the intent of the design, it is required by the settlement agreement.

**Ms. Osborn:** Do we know what is made out of yet?

**Mr. Kalet:** There are quite a few options on that, so we want to make sure that we present options. We do not have a set idea of what a lot of things have to be; if they are not material for the cost, there are so many choices.

**Trustee Holdstein:** In some of the high-contaminated sites, we are going to be putting in slurry walls. Would that also be some sort of metal?

**Mr. Kalet:** No, the slurry wall is almost a cement-like material. It does not set up like concrete when it is moist. What it does is swell up and does not let water pass through it. They use it when they waterproof basements.

**Trustee Jennings:** Do you know if you are going to remove material by barge, rail or truck?

**Mr. Kalet:** All the soil will have to go by barge or rail. It is not technically possible to use a truck. We have gotten a commitment from CSX Rail about putting in a new spur in the corner of the site between Uhlich and our property. Because of the construction for the new platform it was impractical and dangerous to try to load the steel out. But we are talking a much different magnitude of scale when we talk about hauling stuff out on this project. We are probably looking at having to pull 20, 30 cars a day out of here. CSX wants to make this work. This is precisely the type of project that they love to get involved in, so it is good for the railroad, as well.

**Mayor Kinnally:** Last night Dave told us that they will be constructing a whole new bulkhead from the southern to the northern end. What is there now will remain in place, and they will build around it, one more layer of stabilization for the southern end of the site. And the existing slabs will ultimately be chopped up.



**Mr. Kalet:** As a practical matter, it does not take much to do that. You chop it up and it becomes crushed stone. I am not going to say every little square inch because some pieces of concrete provide structure and we do not want to disrupt that. But the common slabs, sure.

**Trustee Jennings:** What is the status of our communication with the other property owners?

**Mayor Kinnally:** As far as ExxonMobil, it is through their attorneys and it has not been very much. Susan and I met with ExxonMobil several years ago and they have not decided what they want to do with the site. We indicated to them that we were not interested in purchasing the site; we were interested in acquiring the site.

**Trustee Holdstein:** Can we try to push the other owners along to make some moves? It sure would be nice to have those other two properties resolved before we go full-bore on this 27 acres to the north.

**Mayor Kinnally:** I agree. We can have Mark talk to the attorneys and to the DEC on that.

**Trustee Holdstein:** They may see the progress that ARCO and the DEC is making, and it may be more compelling.

**Trustee Apel:** My concern is what is going to happen in the future. I would like to have a work session to discuss what our next steps, what we want to do as a Board, what are the different ways of handling this and different entities that we want to work on. We need to have a preliminary plan set this winter for what we want to do for the next couple years.

**Mayor Kinnally:** Can I just ask if you can hold off on that? The real next step is to get the report from the LWRP. Phil Karmel and I have talked about getting together to find out exactly what he needs and what their timetable is going to be. It would be interesting to have a work session with the LWRP.

**Trustee Apel:** I was going to ask about the LWRP, and I will continue to ask. We have been waiting a very long time for that report. If we schedule a work session for December or the first week in January, then we have to have that LWRP by that time.

**Mayor Kinnally:** Let me beg for another two weeks on that. I will be in touch with Phil and report back.

## **2. Recycling Containers**

**Mayor Kinnally:** We are in dire need of recycling containers; we have a tremendous amount of recycling and because we have not had containers recently some of the stuff is blowing around. We are looking into the availability of those blue boxes. Years ago we got the containers through the County of Westchester and the cost was partially underwritten by businesses. The cost was around \$15, and that may be a little higher with shipping per container. We can charge the homeowners. We will be looking for people who maybe want to help underwrite by having logos on the side of the containers. We will ask the Village Manager to see if there is a state contract which might lower our costs. Maybe we can have a report on that at our next meeting.

### **3. Old Marble Quarry - Next Steps**

**Mayor Kinnally:** The issues before us are the structure of the committee going forward and any action to be taken on behalf of the Board in endorsing the report.

**Christina Lomolino, Quarry Study Committee:** The committee had quite a bit of discussion about what organizational structure could best guide this project through to completion as indicated on page 35 of the report. Our suggestion is a public-private partnership. The new committee would evolve into the core of a conservancy which would become a friends-type organization. It develops a membership base, fund-raises, provides management to the project as it evolves, develops relationships with funding sources and with organizations here within the Village that are stakeholders in the project. It would have a direct relationship with the Board. We would be connected to the Board by a liaison. Susan Maggiotto has filled this role until now, and the committee thought that would be a good thing for her to continue as a liaison. We would have a relationship with the Parks and Rec Commission and continue to have a representative from that body attend our meetings and give us feedback and input.

We are opting for a very simple structure with as little bureaucracy as possible. We were hoping that periodically we could report to the Board and request actions from the Board. We have already reached out to funding sources and would like to continue that work as a new committee. Many of the most active members of the old committee want to continue.

**Mayor Kinnally:** We have your recommendation on membership and the Board will discuss that in executive session. As far as the structure is concerned, the 501C-3, the fund-raising end, is akin to the Friends of the Youth Council or the Library; they raise money by seeking donations but do not get into the operations or management. You see a dual role for the conservancy in that regard. We can take elements of both of those in looking at it.

To extent that you want to have a 501C-3, it is a great idea. Because it is a Village park, I see any organization being under the umbrella of, and being part of, the Parks and Recreation Commission, not only in operations, but from a practical standpoint. When any park related matter comes before us, it goes to the Superintendent of Parks and Recreation and, in turn, he goes back to the Parks and Recreation Commission. I see the structure as a subcommittee of the Parks and Rec Commission working in that organizational chart. A Trustee is a liaison to the Commission; any other staff members, including Susan, can be a resource. Other than direct fund-raising, any applications for grants would have to come through the Village anyway. I do not see there being a different template for this park. We do not want to start having fragmented organizations and responsibility. We hope it is going to become a Village park. It is a Village facility and that is the way we have traditionally operated.

**Trustee Apel:** I am concerned with all the stuff that the Parks and Rec has on its plate. Certainly nothing would be done without consultation and working out things with them. But I would be very concerned if it was reporting and waiting and reporting and waiting. I do not want to circumvent Parks and Rec's responsibilities for the park, but I would like a more direct access for the quarry so that we could move it along quicker.

**Mayor Kinnally:** With the initial designs for the pool and the constant revisions, there was a problem with flow of information. Part of the problem was that the pool committee was not operating under the umbrella of Parks and Rec. We have established a way of getting information running both ways, and a vetting and a filtering process on the part of management. I am afraid we might fall into the same thing. We want to get things done, but we want them done in a certain way. I am afraid that we are not going to have that built-in check, or control, over it.

**Trustee Holdstein:** While I respect the enthusiasm of Chris' committee and all the people that have worked and produced a great report, and know that they are committed to the project ongoing, it seems to me that when they need funds from the Village it will be in the Parks and Rec budget that we analyze. There are going to be maintenance responsibilities. Ultimately, we have the responsibility to make sure that the park is maintained to its fullest, and that would fall under the department of parks and recreation to maintain. I tend to agree with the Mayor that we have got to put it somewhere versus free-flowing to make sure that we are getting all the right information and getting you all the right monies you need to do the projects, and budgeting for it. If there is a concern on Marge's part, that we have to make sure that the quarry committee is going to have their own independent meetings, the chair may be meeting with Ray once a month to say, this where we are at, this is what we need, we intend to speak to the Board or you can speak to the Board. If we had regular teamwork and

flow through there, it will help accommodate, certainly from a maintenance and a budget, a better opportunity for the quarry to flourish.

**Trustee Swiderski:** This proposal has the potential of being a template for others in the Village. There is something circulating for a similar friends of Hillside Woods. I do not want to squelch the desire of people to help, but I have to think in terms of a framework that allows multiple “friends-of” to operate without the Village losing control of a process that involves planning and rolling out changes to public property. I am in accord with Lee and Mike that there is a structure in place that ensures a review and documentation of changes to the parks that I hesitate to move away from immediately. Graduating eventually into a true partnership like you have with the nature conservancy might be a goal several years out after this has been field tested and we develop confidence that there is public accountability and things are tracked properly. But initially I would not want to stray outside of the structure we have in place that provides the accountability a village requires. The model is closer to what we have with the library than with what the Central Park conservancy has with the city.

**Trustee Holdstein:** As liaison to the Library Board, the relationship I observed between Susan Fier, the director of the library, who reports to us in terms of budget requests and the operation of the library, and the Friends of the Library and the Library Board was as good as I have seen. Their ability to work together, a library board, a director of the library who is the Village employee overseeing it, and the Friends of the Library: they meet, they work together, the information flows, the fund-raising is effective, the utilization of the monies they raise, and the operation of the facility and what it needs from us in the way of support, is probably the best in the Village. This is a great example of what I would hope for here: the same kind of wonderful partnership that allows the Friends to function beautifully.

**Trustee Jennings:** We have a win-win thing here, and it is more a matter of terminology than it is of actual functioning. I applaud and admire the enthusiasm and the hard work that the committee did. I understand why people who were involved in that process have come to care very deeply about the quarry and about its proper use and maintenance. I do not want to do anything to lose the enthusiasm, the momentum, that the process has generated.

Translating that enthusiasm into an institutionalized support and fund-raising structure is a great idea and I see no problem with that. I would be concerned about the tendency, though, for committees to set up their own independent governance structure, particularly when a structure exists into which they can be fitted. In this case, the Parks and Recreation department, and Commission, is an existing functional part of Village government. Room can be made for this in that structure so that energy and that volunteer enthusiasm and expertise need not be lost. I agree that we do not need to create a new Village entity just for

the quarry. I would be interested to hear any considerations that would lead you to believe that the quarry would not be properly managed under the Parks and Recreation structure. But I have not yet heard persuasive justification for the creation of a new agency. I think the existing agency structure will work, and you can be fitted into it.

**Ms. Lomolino:** We are asking you to do something that is out of the ordinary and maybe a first for the Village, but we are a small village, we are not moving a giant municipal structure to something new. Parks and Rec has, many projects and caretaking responsibilities for all sorts of recreational programs and park programs. Our group has a single focus. There is a concern that when Parks and Rec prioritizes its projects, this may be toward the back end, and it may take many more years to evolve and develop than if it is done single-mindedly by a group of residents reporting to the Board in full consultation with Parks and Rec. We are asking you to do something different so that the initiative that the group has shown so far can flourish, and that we would not have another layer of administration between our committee and the Board. We would prefer not to be in the position of having to go to another administrative body and motivate them to make judgments and pass judgments, and extend things to the Board through them as opposed to directly. We believe that it will hamper the project and it will sap some of the enthusiasm to not allow our group to take this project, focus on it.

**Mayor Kinnally:** Part of how things ultimately get done is in that give-and-take. You call it delay. It is just in the deliberative process. There are priorities that the Village has to determine: financial, manpower, and coordination with other levels of government. To use one example, budgeting resources are a big part of it. You may be able to raise funds but, ultimately, some support is going to have to come from the Village. Maintenance is not covered by most grants, either from governmental entities or from private organizations. Scenic Hudson would not give you money to maintain. My suggestion is to run with our organization for the time being and see what can evolve. We are hoping to have greater outreach to the community to get reactions to your proposals. The Village would have to be part of that process in setting up these meetings. Larry David forgive me, we are not trying to curb your enthusiasm, but trying to foster the enthusiasm.

**Mr. Cascone:** We feel that the issue is a difference in quality. A library, a baseball field, and a swimming pool are really different from the vision that we have developed for the quarry. A swimming pool, a library, and a ball field are 90% staffing and maintenance and busy work to keep everything running. You need a competent, organized Parks and Rec department, Commission, to manage that kind of thing. But we are talking about something that is passive rather than active. It is not the kind of maintenance that we are talking about. It is not the kind of hands-on control that we are talking about. It is not the kind of access

even that we are talking about. You have professionals that run a library, really different. The Aqueduct takes maintenance, it takes thought, it takes nurturing. But it does not take the kind of action and management that a swimming pool or a library takes.

**Mayor Kinnally:** Who do you see managing the quarry?

**Mr. Cascone:** We do not know yet. We are trying to evolve that out of a conservancy model. We have to learn more about how those conservancies work, and do a lot of thinking, and have input from the community. But I do want you to reflect on the qualitative differences between what our vision has developed for the quarry and what all of these other entities that you have brought up are about. Further, from my perspective as a member of the Conservation Commission, in five years it is unconscionable that that organization could not get it together to do something about Sugar Pond, which continues to silt up. With grant money squandered, they have made a mess of that. So I do not have a lot of confidence in that department to do everything in passive facilities that they could be doing.

**Trustee Holdstein:** I understand what you are saying in terms of the difference of the quarry to the other projects. But there are some similarities that the five of us are responsible for, which is the funding and the maintaining, whether it is a library, a pool, or the quarry. So in the end, the Village Board will need to fund whatever is needed. We have to look not only short-term in terms of keeping the enthusiasm, moving the project forward in a timely way, but also looking long-term. There are differences, but there are some very core basic similarities between them.

**Mr. Cascone:** Of course we need some maintenance. But it is not *maintenance*, it is maintenance. And it is not *organization*, it is organization. Whereas these other entities you are talking about are all about maintenance, supervision, management, manning, managing people in and out, assets, this is not the case here.

**Trustee Swiderski:** The closest corollary to what we have here is what Fred Hubbard is doing. He does not report to us, but he has mobilized resources and is single-handedly responsible for turning around a wreck. However, he did also work with the Parks and Rec to secure the funding for the steps and for laying of chips and some of the grading work. We sound like we are raining on the parade here when, in fact, the structure you are talking about, if it is half as active as Fred manages to be at his age, will get what you are looking to get done as quickly as Fred did in the two years he managed to do his trail. Whatever Fred did apparently was sufficient to keep Parks and Rec happy and us happy. We are not asking for much more than that. What we are saying is there is a structure in place and it can work. And a comment to Sugar Pond. I agree with you, which is why I hope this potential group

interested in working on Hillside will have the same sort of drive and ambition and energy you have. We need people involved. Once they become so, and are effective, things get done. I would take the inspiration from Fred and run with that.

**Ms. Lomolino:** We looked closely at the Central Park conservancy, and it is a model that we think is applicable here. I do not want to give anybody the impression that our group sees itself merely as a group that solicits contributions. We are interested in playing an active role in shaping the park, collaboratively with the Historical Society, with Parks and Rec, with the Conservation Commission, with the planning department. We have had a liaison from the planning department on our committee from the beginning, as well as a representative from Parks and Rec. We would like to develop more collaborative ties and more relationships with local organizations that are stakeholders, with county funding sources, with state funding sources and non-profits.

**Mayor Kinnally:** But that is what the Village does. You can go and talk to them, but the applicant has to be the municipality.

**Trustee Jennings:** Ron, I appreciate your candor. And this is the kind of feeling that needs to be on the table when we are deliberating about this. I still am not persuaded that the things that were just described as desirable, which I agree with, could not be done under the structure of a subcommittee of the Parks and Recreation Commission. If this is a problem of some friction or mistrust, before I would want to create a new entity that was independent I would prefer to try to heal any of those frictions. But on the one hand you want to work with the Parks and Recreation Commission, on the other you do not want to go through them to get to us. I do not see how you can have it both ways. We need to clarify that.

The point has been made that Parks and Rec have a lot on their plate. If we add to their portfolio, we need to give them the additional resources and personnel to do that properly. But I am hearing that this is a passive thing that does not have to be managed in the same sense. Therefore, it does not strike me that this is going to be a burdensome addition to their plate. Again, I do not think we can have it both ways.

**Mr. Cascone:** You know there is a difference between strategic planning for an organization, taking out the garbage and getting the funds together to run the thing. Those are three separate types of activity. Sometimes they overlap, sometimes they intersect, sometimes one depends on the other. But they are separate. Of course, someone has to take out the garbage. But we think people working through a committee who are passionate and interested and focused on this, can do the strategy better about how this thing is going to roll out. We think that we have captured the sense of the community. We have worked hard, and we do not see

the Parks and Rec department doing that very well. Maybe they have to be the entity where you sort out the monies and what it takes for maintenance. But those are routine tasks which they are good at. What I am saying is that on the strategic level, on the design of the entity, the organization of it and the fund-raising to bring in other funds besides what the Village has to expend, that is where we are passionately involved and would like to have not autonomy, but we would like that to be our piece of it.

**Mayor Kinnally:** I think we get your wish, and we will consider. We are not going to do this tonight. Does everybody feel that way?

**Trustee Swiderski:** Yes, but soon.

#### **4. Other**

**Trustee Apel:** Irvington is going to have a discussion on how they are going to deal with election ties. It might be a good idea if we consider thinking about it, or seeing what is going on. It might be important that we would put that on as a work session item.

When are we going to get our large tract report?

**Mayor Kinnally:** You have asked the Planning Board, and I think the Planning Board gave a response. But we will follow through with the Planning Board on that.

**Trustee Swiderski:** As part of the trail discussion a question was raised about liability insurance and issues around use of the parks and pathways. I would be interested in hearing what counsel and the Village Manager can find on what is covered, what is not, how much, is it enough.

#### **5. Neil Hess Passing**

**Trustee Jennings:** The past week has marked the passing of Neil Hess; Saturday was his funeral. I look around this room and I see that virtually everyone here was in attendance. The Mayor gave what I thought was a very fine, appropriate, and heartfelt eulogy on that occasion. It is a mark to me of a good community that it has a vision of the future and that it respects its people in the present, and that it has a memory and gratitude about the past. This week we have exemplified the third of those traits on behalf of Neil and his family.

**Trustee Holdstein:** I will just simply say my heartfelt condolences to Neil's family, and this Village was wonderfully served by Neil. We are going to miss him.



## **6. Quarry Redux**

**Ms. Lomolino:** I just wanted to ask if the Board had any further thoughts about designating the quarry as parkland?

**Mayor Kinnally:** We have received an opinion from counsel tonight about that, and it will be part of our process, yes.

**John Flack, 28 Buena Vista Drive:** Under the normal course of events, how long should we expect to take to put the park in place? Two years, three years?

**Mayor Kinnally:** I do not know. Part of it depends upon SEQRA, part of it depends upon what we put in there. We also have to work with the DEC in getting their final green light. It may be too soon to give you an answer to that.

**Trustee Holdstein:** There was also mention of staging. So I do not know if you are saying completion of stage 1 or stage 2, or absolute completion. It is really going to depend on the ultimate plan, the ultimate funding, and whether we can do it in one fell swoop or whether we have to do it in stages.

**Mr. Flack:** I am new to this process and I am just trying to get some feel for how long it might take. I thought we did a pretty quick job with coming together with a plan. It took us about six months or so. The waterfront has been 25 years, so I am curious as to how long this thing may take.

**Mayor Kinnally:** One of the things we have to do, aside from the parkland issue, is to reach out and have a Village hearing for further information or input into what you would like to see there. And then there is the feasibility of it and the funding of it. I am not dodging it too artfully, but I do not know.

**Mr. Flack:** Okay, fair enough.

**Mayor Kinnally:** Next Tuesday is election day. There are two propositions on the ballot. One is for budget reform, proposed by the state for trying to deal with the logjams in getting a timely state budget. The other is a transportation bond act that would provide funding for mass transportation projects in the state of New York. I call them to the attention of the electorate.

**Village Clerk Maggiotto:** The public meeting on November 16 stems from the walkabilities workshop two years ago. After that we hired a consultant that has been working on everything that came out of that workshop, doing their own analysis, and developing some alternatives. We encourage all interested persons to attend.

### **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.

### **ADJOURNMENT**

**Mayor Kinnally:** I would like to have a motion to adjourn, and I would like to have a moment of silence in memory of Neil who, as Bruce so eloquently said, left us last week but left an indelible impression on all of us.

On MOTION of Trustee Jennings, SECONDED by Trustee Holdstein with a voice vote of all in favor, Mayor Kinnally adjourned the Regular Meeting at 10:00 p.m.