

VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
REGULAR MEETING
FEBRUARY 4, 1997

The Regular Meeting of the Board of Trustees was held on Tuesday, February 4, 1997 in the Meeting Room, Municipal Building, 7 Maple Avenue.

PRESENT: Mayor Wm. Lee Kinnally, Jr., Trustee James B. Keaney, Trustee Elsa C. DeVita, Trustee Michael Holdstein, Trustee Susan J. Winn, Deputy Village Attorney Brian Murphy, Village Manager Neil Hess, and Village Clerk Mary Callas.

Mayor Kinnally: One of the nicer things that happened to the Village in the last year was the ability to televise our meetings. In the course of the year we've had some improvements in the quality of the picture and sound. Our ability to bring these meetings to you is the result of negotiations we have had over the years with TCI Cable. They provided some of the funding, but the day-to-day work and the technical know-how has been supplied by two gentleman who are here in the Meeting Room this evening. I would like to ask both of them to come up.

[Mayor reads] "This is the Outstanding Volunteer Award presented to Rafael Zaratzian for your outstanding volunteer service to Village government and WHoH in bringing local government meetings to its citizens. This award is issued as a token of appreciation of all of our Village residents." Raf, thank you very much.

Pino Gareri, this is a similar Outstanding Volunteer Award for you. Many, many thanks for all your help and expertise in bringing this program to fruition.

Village Manager Hess: I should point out that Raf does Planning Board Meetings, which are televised. He has helped out on various other filming spots. He does all our video editing. Pino has helped also with filming on special events like the Halloween parade. The station couldn't operate without these two gentleman.

Mayor Kinnally: The reaction to last week's live presentation of the work session of the Board with the people from ARCO and the new developers was outstanding. We have come so far in the last year in putting on these programs. The quality of the presentation is really remarkable, so thank you again, gentleman.

APPROVAL OF WARRANTS

On MOTION of Trustee Winn, SECONDED by Trustee Holdstein, with a voice vote of all in favor, the warrants were approved.

9:97 CONTRACT AWARD - DCJS GRANT (DARE PROGRAM)

Village Manager Hess: This is a grant that we have received in the amount of \$3,560. We're looking for authorization to have the Mayor sign the contract awards.

On MOTION of Trustee Winn, SECONDED by Trustee Keaney, the following was duly

adopted upon roll call vote:

RESOLVED: that the Board of Trustees authorize the Mayor to sign the contracts for the Proposed Grant Award between the Division of Criminal Justice Service (DCJS) and the Village of Hastings-on-Hudson.

ROLL CALL VOTE	AYE	NAY
Trustee James B. Keaney	X	
Trustee Elsa C. DeVita	X	
Trustee Michael Holdstein	X	
Trustee Susan J. Winn	X	
Mayor Wm. Lee Kinnally, Jr.	X	

Mayor Kinnally: One of the enduring contributions of Trustee Winn in her four years on the Board has been the DARE program. She has championed it from the beginning and I'm pleased, coming to the end of your term, that we're able to move this along and get some funding for it.

Village Manager Hess: We should point out Officer Andy Hayden is the officer from the Police Department.

Trustee Winn: He has been with it since the inception. He does a very, very good job.

10:97 CONTRACT EXTENSION - CDBG (AFFORDABLE HOUSING)

Village Manager Hess: This contract extension is under our Affordable Housing Project. This funding was provided to us to hire Duo Dickinson, who has been working on the Warburton Avenue Project. The amount of the grant was \$35,250.

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

RESOLVED: that the Mayor and Board of Trustees authorize the Village Manager to sign the Contract Extension for CDBG (Affordable Housing) between Westchester County and the Village of Hastings-on-Hudson.

ROLL CALL VOTE	AYE	NAY
Trustee James B. Keaney	X	
Trustee Elsa C. DeVita	X	
Trustee Michael Holdstein	X	
Trustee Susan J. Winn	X	
Mayor Wm. Lee Kinnally, Jr.	X	

11:97 DESIGNATE GENERAL VILLAGE ELECTION DAY

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

RESOLVED: that the Mayor and Board of Trustees designate Tuesday, March 18, 1997 as General Village Election Day, for the purpose of electing one (1) Mayor for a term of two (2) official years and two (2) Trustees for a term of two (2) official years each, and be it further

RESOLVED: that the polls are to be open between the hours of 7 AM and 9 PM at each Election District.

ROLL CALL VOTE	AYE	NAY
Trustee James B. Keaney	X	
Trustee Elsa C. DeVita	X	
Trustee Michael Holdstein	X	
Trustee Susan J. Winn	X	
Mayor Wm. Lee Kinnally, Jr.	X	

12:97 DESIGNATE ELECTION DISTRICTS

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

RESOLVED: that the Mayor and Board of Trustees designate the following Election Districts for the General Village Election Day, to held on Tuesday, March 18, 1997:

DISTRICT	PLACE	ADDRESS
18 th	Community Center	44 Main Street
19 th	American Legion Hall	Farragut Avenue
20 th	Andrus Memorial Home	185 Old Broadway
21 st	Protection Engine #1	573 Warburton Avenue
22 nd	Community Center	44 Main Street
23 rd	Riverview Manor Hose Co. #3	83 Euclid Avenue
52 nd	Uniontown Hose Co. #2	25 Rose Street
59 th	American Legion Hall	Farragut Avenue

RESOLVED: that the polls are to be open beginning at 7 AM and ending at 9 PM at said places.

ROLL CALL VOTE	AYE	NAY
Trustee James B. Keaney	X	

Trustee Elsa C. DeVita	X
Trustee Michael Holdstein	X
Trustee Susan J. Winn	X
Mayor Wm. Lee Kinnally, Jr.	X

13:97 GRIEVANCE DAY

On MOTION of Trustee DeVita, SECONDED by Trustee Holdstein, with a voice vote of all in favor, the following resolution was duly adopted upon roll call vote:

RESOLVED: that the Mayor and Board of Trustees designate Tuesday, February 18, 1997 as Grievance Day, from 5 PM to 9 PM, in the Meeting Room, Municipal Building, 7 Maple Avenue, Hastings-on-Hudson, New York 10706, and be it further

RESOLVED: that the Mayor and Board of Trustees, acting and sitting as the Board of Assessment Review, will meet at such designated time and place, for the purpose of completing the Assessment Roll and of hearing and determining complaints in relation thereto:

ROLL CALL VOTE	AYE	NAY
Trustee James B. Keaney	X	
Trustee Elsa C. DeVita	X	
Trustee Michael Holdstein	X	
Trustee Susan J. Winn	X	
Mayor Wm. Lee Kinnally, Jr.	X	

14:97 TAX LIEN SALE

On MOTION of Trustee Winn, SECONDED by Trustee Keaney, the following resolution weakness duly adopted upon roll call vote:

RESOLVED: that the Mayor and Board of Trustees designate Tuesday, March 18, 1997 as the Tax Lien Sale date at 10 AM in the Village Clerk's Office, Municipal Building, 7 Maple Avenue, Hastings-on-Hudson, New York.

ROLL CALL VOTE	AYE	NAY
Trustee James B. Keaney	X	
Trustee Elsa C. DeVita	X	

Trustee Michael Holdstein	X
Trustee Susan J. Winn	X
Mayor Wm. Lee Kinnally, Jr.	X

15:97 PERSONAL REGISTRATION DAY

On MOTION of Trustee DeVita, SECONDED by Trustee Keaney, the following resolution was duly adopted upon roll call vote:

RESOLVED: that the Mayor and Board of Trustees designate Saturday, March 8, 1997, between the hours of 12 Noon and 9 PM in the Municipal Building, 7 Maple Avenue, Hastings-on-Hudson, New York as Personal Registration Day for the General Village election to be held on Tuesday, March 18, 1997.

ROLL CALL VOTE	AYE	NAY
Trustee James B. Keaney	X	
Trustee Elsa C. DeVita	X	
Trustee Michael Holdstein	X	
Trustee Susan J. Winn	X	
Mayor Wm. Lee Kinnally, Jr.	X	

16:97 RETURN OF ACCOUNT AND AFFIDAVIT

Mayor Kinnally: This is to certify the Return of Account, indicating as of a certain day, December 31, 1996, the amount of taxes that have been paid, and those that have been outstanding, and a listing of the interest and penalties and the aggregate amount.

On MOTION of Trustee Winn, SECONDED by Trustee Keaney, the following resolution was duly adopted upon roll call vote:

RESOLVED: that the Mayor and Board of Trustees certify and approve the attached "Return of Account and Affidavit for the 1996-97 Village Tax Roll" as amended.

ROLL CALL VOTE	AYE	NAY
Trustee James B. Keaney	X	

Trustee Elsa C. DeVita	X
Trustee Michael Holdstein	X
Trustee Susan J. Winn	X
Mayor Wm. Lee Kinnally, Jr.	X

17:97 PERSONAL & VILLAGE ELECTION INSPECTORS - DEMOCRATIC

On MOTION of Trustee Winn, SECONDED by Trustee DeVita, the following resolution was duly adopted upon roll call vote:

RESOLVED: that the mayor and Board of Trustees appoint the following Personal and Village Election Inspectors for Registration Day, Saturday, March 8, 1997 and General Village Election Day, Tuesday, March 18, 1997 as Democratic Inspectors:

INSPECTORS	DISTRICT	
Helen Wendle* Mary Borsuk	18 th	
Olga Porucznik Sarah Neiditz	19 th	
Evelyn Smith Eleanor Matza	20 th	
Brian Allen Matilda Gavacs	21 st	
Anna Zahurak* Mary Gebhardt	22 nd	
Yung Beece Dorothy Bagon*	23 rd	
Eve Feinstein* Rona Neuwirth	52 nd	
Carol Mason Adele Bean	59 th	

* Personal Registrars

ROLL CALL VOTE	AYE	NAY
Trustee James B. Keaney	X	
Trustee Elsa C. DeVita	X	

Trustee Michael Holdstein	X
Trustee Susan J. Winn	X
Mayor Wm. Lee Kinnally, Jr.	X

18:97 PERSONAL & VILLAGE ELECTION INSPECTORS - REPUBLICAN

On MOTION of Trustee Keaney, SECONDED by Trustee Winn, the following resolution was adopted upon roll call vote:

RESOLVED: that the Mayor and Board of Trustees appoint the following Personal and Village Election Inspectors for Registration Day, Saturday, March 8, 1977 and General Village Election Day, Tuesday, March 18, 1997 as Republican Inspectors:

INSPECTORS	DISTRICT
Helene Fediw Katherine Fediw	18 th
Lillian Guerin* Rose Pezzuto	19 th
Bessie Kochan Frank Sherkus	20 th
David Riggs Walter Honovich	21 st
Eleanor McGinagle Anna Zajac*	22 nd
Martha Koblosh Peter Koblosh	23 rd
Norman DiChiara Alberta Gunther Cecile Kingston*	52 nd

INSPECTORS	DISTRICT
Meriba Gursky* Steffanie Selvaggio	59 th

* Personal Registrars

ROLL CALL VOTE	AYE	NAY
Trustee James B. Keaney	X	
Trustee Elsa C. DeVita	X	
Trustee Michael Holdstein	X	
Trustee Susan J. Winn	X	
Mayor Wm. Lee Kinnally, Jr.	X	

VILLAGE MANAGER'S REPORT

Village Manager Hess: One of the items we discussed at the last meeting was bus shelters. The county is putting together a list for us, by location, of the ridership, pickups, and drop-offs at locations around the Village.

We received a check for \$31,400 from TCI Cable, representing the five percent franchise fee for the past six months. Their revenues in the Village obviously were over \$600,000 in that six month period. That includes not only subscribers, but advertising money. I believe we budgeted \$75,000 in revenues, but part of it was not a full year at the five percent. Part of it was threepercent. It should be in the neighborhood of about \$75,000.

I hope you've had an opportunity to see the renovation project at Draper Observatory that is proceeding very well. We've been putting (slides) on WHOH to show some of the progress.

At the last meeting the Board authorized the funding for equipment from Gametime for Reynold's Playground. We have a map up here in showing exactly what the configuration is. The equipment is ordered. We should save almost \$6,000 from what the Board authorized. The equipment will be green and gold, since it's on school property. We thought those colors would be appropriate. It's extremely nice equipment, and it will be installed in the spring.

Trustee Winn: Is this all PVC?

Village Manager Hess: Yes, they don't make these out of wood anymore. They are all PVC, but when you end up with an area that is cracked it can be easily replaced, because they all come in separate sections.

We should be hearing shortly from the county on our community development block grant applications. The Village requested \$720,000 in funding under community development. Our tentative assessment roll as of January 1, 1997 is only up \$4,000 from last year. Our total tentative assessment is \$44,198,000. We had \$87,000 in increases and what were called physical changes. We had an increase of \$27,000 from accessory apartments and new senior exemptions,

which reduced the roll by \$37,000. All the small claims cases reduced the roll again by \$56,500.. So, overall our tentative assessment was only up \$4,000. I should point out that our assessment base is over one million dollars less than it was in 1972, 25 years ago.

The presentation of the proposed 1997-98 budget will be at the Regular Meeting on March 4. The Board will receive the proposed budget the Friday before.

We have a program coming up on Channel, the history of the Hastings waterfront that was done by Karolyn Wrightson, produced by WHOH, and edited by Raf. That will be premiering this Friday. It's an extremely entertaining 37 minutes, some seconds.

There are a number of items that we have outstanding. If everybody is available, we could have a Work Session next Tuesday night, the 11th.

Mayor Kinnally: Thank you. There'll be a work session at 8 o'clock next Tuesday in the Municipal Building.

BOARD DISCUSSION AND COMMENTS

1. Update on Waterfront

Mayor Kinnally: Over 31,000 cubic yards that have gone out. I was there on Saturday, and it is remarkable how much additional room there is now in the building. When you look at the amount of material that's been processed, we're over 40,000 between the five, six, or seven thousand of the processed fine material waiting to go out, and the municipal solid waste that has been separated, two or three thousand, waiting to go out. So, we're well on our way to getting that addressed and cleaned up. My hope is that it will be done comfortably in 1997. A number of trucks were there Saturday, very large, 70-cubic-yard trucks, and there does not appear to be a tremendous impact on truck traffic going through the Village. It seems to be accomplished in a way that is not interfering with any of the business in the downtown area, or any of the commuters. They try to get a truck in there very early in the morning, and then don't start up until after 8 o'clock.

Trustee Winn: I work right above Astoria Bank, and most of the time I have the window open. You don't hear anything. Mr. Festa was telling me that he tries to get them out by 7:30 in the morning and then around 4:30 in the afternoon. The school buses aren't there. There's not a lot of pedestrian traffic. At about 5:30, 5:45, there were five trucks coming up Spring Street. Traffic was moving. There was really no problem.

Mayor Kinnally: I have received from State Senator Nick Spano asking for our input on possible projects that would qualify for funding under the Environmental Bond Act that was passed this past November. I will ask the Manager to draft something to send out tomorrow to

the Senator. We are under a mandate to address the sewer separation in the Village. There are many areas of the Village where sanitary and storm sewers are commingled. When there is a heavy storm the waste treatment plant on Ludlow gets overrun. Consequently, effluent gets discharge into the Hudson River without being processed. They want the storm drains separated from the sanitary drains. It is a very, very expensive proposition. We have been at loggerheads with the county over who will pay for it. We feel that this is really the responsibility of the county rather than the locality. That is one of the areas that I would ask for assistance under the Bond Act.

The other is for improvements to our waterfront park, potential acquisition of ATI off the Parkway, and potential acquisition of various waterfront properties. Certainly all of these projects would come within the guidelines of the Bond Act.

Trustee Keaney: I think they're excellent comments. I don't think there would be any money left for any other projects if you got all of those. I hope we can do it.

Mayor Kinnally: No reason to be shy. The governor still owes us \$250,000.

Trustee Winn: It's time we called in our chips here.

Trustee Holdstein: When you refer to our waterfront park you are referring to both the drainage problem as well as the bird problem.

Mayor Kinnally: Everything. I'm not sure that the birds will come under it, but we'll see.

2. Municipal Building Renovations

Mayor Kinnally: We have discussed Municipal Building renovations on a number of occasions. The next step is to meet with the architect and get some final working plans and ideas of staging.

Village Manager Hess: If I could be authorized to proceed with the plans and specifications (obviously that's going to take some time), but we're going to need that time in terms of being able to go out to bid. If the Board wishes to proceed with the project, we could have a bond resolution for your consideration at the February 18th meeting. Obviously, when you have plans, you make adjustments as you go along. The timing in putting together a package to go out to bid is what is going to take some time. So, I would like to be authorized to at least go to that next step while the Board makes a determination on the money.

Trustee Holdstein: I agree with you. There are minor adjustments, but I think there are still a few issues as far as the upstairs, downstairs.

Mayor Kinnally: If we have any comments about things of that nature, circulate them among

ourselves this weekend so we have an idea of what may have to be addressed.

Village Manager Hess: The architect is going to do whatever you direct him to do. If the Police Chief feels it's more appropriate to be in an office with a window instead of a closet downstairs, I think that's more important.

Mayor Kinnally: I think we have to find out what we are going to ask the architect to do. We've had these suggestions. If anybody has any comments, let's circulate them so we are all on the same page and we can add something beneficial next Tuesday night.

3. Safety Council Report

Anthony Gagliardi: We discussed parking restrictions on the top of Washington Avenue and Hopke Avenue. The residents in the area wanted overnight parking on Washington and Olinda. It is the Safety Council's recommendation to restore previous parking regulations that existed on the south side of Washington, 40 feet from Broadway. We made that recommendation previously. It seems like more was taken away than 40 feet; about 400. We decided that it would be the best solution to the problem in the area. There's parking overnight on the streets.

Mayor Kinnally: That's what we had discussed last week. We're going to take a look at that as far as the amount of space that we need to have a setback from Broadway.

Trustee Holdstein: Did anyone approach people living in the building opposite, 445 Broadway, with parking concerns?

Mr. Gagliardi: Yes, John Fredland (sp?) and John Peters.

Trustee Holdstein: So you had two tenants from that building who were concerned. This concern was raised by two residents on Broadway. They were requested by the Board to send correspondence to Albany to see about curb cuts, to put in some sort of driveway. I went by those two homes. In my opinion, in looking at the other homes that are the neighbors of these houses, one of them could clearly put a driveway/garage into the hill as their next-door neighbor has. The other one, where there's a large tree we would not want to see come down, could do a parallel to the street curb cut-in. No correspondence has been sent to Albany by these residents to see if they could solve their own problems. We are addressing a situation here for two residents who have not done the necessary homework to see if they can't solve their own personal problems, before we start putting a lot of cars back on Washington.

Mayor Kinnally: The issue of putting a garage in one house: if it would require a car backing out onto Broadway, it's not going to be allowed. There is a prior existing use next door, but the state is not going to allow anything that would require a vehicle to back onto the road.

Trustee Holdstein: That house could certainly support a cut-in that would provide a parallel space to the street because that one has no major trees like the other home in question. Looking at the four houses from Olinda going south, two have parking facilities and two do not. If you look at them with the lay of the land, it seems like there is a possibility. Albany may tell these residents they won't allow the curb cut, at which point we can revisit Washington. Before we do that, these two people have to make their effort to see what they can do.

Mr. Gagliardi: The Farragut complex: we were trying to take some pressure off Hillside Avenue because Hillside is very congested in the morning. We made a recommendation to create another morning drop-off zone on Mount Hope Boulevard on the north side, except that we forgot to take into account that we have already made some adjustments there. That recommendation would be more dangerous than what is there now, so we'll have to go back to the drawing board on Hillside Avenue.

We brought up to Chief Marsic and we all agreed that more enforcement is needed. He said he would try to do it to the best of his ability. The suggestion was made that we should do more public education on the traffic problems, so we are recommending that the Village put notes in its newsletter for people to watch the children around the schools, educate them on stopping when children are in the crosswalks, having parents teach their children not to dart across the street. We also directed those ideas to the school and to the PTSA, which also have newsletters. There was another recommendation that maybe we can put some of those things on Channel 16. t

Trustee Holdstein: Is one of the big problems there when you come out of the driveway in front, there's a sign that says, "no left," going back up the hill?

Mr. Gagliardi: We put that in to alleviate problems with traffic backing up because people couldn't make a left on Farragut. We're in a no-win situation here. No matter what we do, there's going to be traffic congestion and problems. It's been working out, except that Hillside's a little congested, and people are not being very smart about how they drive. They are forgetting that they are dropping their own children off and running over the next-door neighbor's children. I don't know what we can do about that short of education.

The no parking zone on the west side of Kent: there were a few cars parked very close to the curb. We decided on no parking from there to the corner for whatever the recommended number of feet is, 20 or 22..

We also had a problem with people going up High Street on the north side. The recommendation of the Safety Council is to ban all parking from James to Warren on the north side of the street.

There was a stop sign at Hamilton Avenue and Mount Hope Boulevard where there is a current "yield" sign. We had inquiries about putting a stop sign there. The Board felt that the yield signs were appropriate. There was a stop sign at South Drive and Terrace Drive. The Board

unanimously recommends to keep current traffic regulations in effect.

Mayor Kinnally: A Public Hearing is needed to consider parking restrictions on Washington, and parking on High Street, and amendment to Vehicle and Traffic Law, Chapter 97.

On MOTION of Trustee Holdstein, SECONDED by Trustee DeVita, the preceding action was voted unanimously.

4. Affordable Housing Policy and Warburton Avenue Project Update

Naomi Tor: We are here tonight to discuss our proposal for an affordable housing policy. As you know, we have worked quite a lot on studying the Village-owned site on Warburton Avenue and have finished the preliminary studies of this site. We feel that all that we had to know we now know. We know how we can produce affordable housing on this site. We know very well what we cannot do. We are ready to proceed to more final stages and actually create this housing. In order to do that we need at least two things: an adopted Affordable Housing Policy by the Village, so that we and the Village people will know what the Village goals are and what the Village is prepared to do to achieve these goals; and we need the creation of a not-for-profit corporation to take over the land and use it. This latter thing we have already worked on a lot, and that should not present any great problems, we believe. But the housing policy is a very important item in this process, and we would like to urge you to proceed on that.

This is, of course, a proposal. It essentially includes all the major subjects that should eventually be part of the final document. In the introduction we set out why the Village should have an Affordable Housing Policy; why it should deal with affordable housing. There is the problem of the cost of housing and the difficulty for families of moderate means to secure housing in the Village. And there are issues of allowing older people who have lived here to stay in the Village, and younger people to come back and live here.

The next very important elements here are the definitions: what do we believe our income groups are that should be served? The definition of affordable housing is that this is housing which serves families of a certain income who are not served by the private market. We have decided to use the HUD definitions for Westchester County. There are other ways of doing this, but this seems to be the most formal and acceptable way of dealing with the income definition. HUD publishes these figures on a yearly basis for the county. It publishes not only the overall median income, but also per family size. The 80 percent median income for a family of four persons is \$55,840. That would be our suggestion as the limit for people who would be eligible for the Village's affordable housing projects.

We have, however, a slight concern. That is that maybe the target groups (we are identifying them later in this document) may actually have higher incomes and we still would like to assist them. So we're leaving the door open to search this further. We have just sent out a survey again, to the volunteers, to the municipal workers, and to the school people. We will see what

the answers will be from this survey, and be able better to judge if our figures are correct.

The next item are our suggestions to achieve affordable housing in the Village. There are three ideas: the density bonus, which means that the Village will permit a somewhat higher density in a development in return for some affordable units. This can be applicable on vacant land where single family developments are proposed, and where perhaps a cluster approach would be permitted. A cluster approach gives more flexibility, and some additional densities could be permitted. There don't seem to be any proposals at this time. But there are some lands that eventually could be developed: essentially institutional lands towards the Yonkers area. The Andrus Home and the Andrus School have vacant lands and they are mentioned in the planning consultant's report submitted to the Planning Board as possible areas for future development.

We also suggest that the Village use a technique that was recently proposed for the Town of Greenburgh, and that is to mandate that in a multifamily development (which requires zoning in order to be built) the developer should provide 10 percent of the units as affordable units according to our definitions. This seems to be a realistic possibility, particularly if we use our income limits as suggested here. On the other hand, the developer could also avail himself of the subsidies that the county may provide for such a development. We have been thinking about proposals on Ridge Street as a good example of what can be done there.

Number three is one that is particularly important for us now for the Warburton project: to permit accessory apartments in new houses. The Village permits accessory apartments, up to a certain number, in existing units that have existed for several years. The change that we are asking for (only for affordable houses) is that it should be permitted to be put in right at the beginning. That will really assist us to do the Warburton project, because there we are proposing two structures where each structure would have an ownership and a rental unit. This rental unit would be an accessory apartment, and having that rental unit reduces the monthly cost for the owner to such an extent that both units are affordable.

The next item is the preference categories. I believe this has been discussed with you previously. The first one on the list is the volunteers in the Village. We then suggest municipal employees, the employees of the school district. This is the first group; the most important here. After that, the seniors who live in Hastings; younger people and families, who have difficulty finding housing, again, living in Hastings; Hastings residents meeting income eligibility; and immediate family members of Hastings residents and other persons employed in Hastings. This is a suggested preference list. If it would ever come to the end of this, then the housing would be available to anyone. This is a fairly long list, so we believe we can find applicants from this list.

There is some discussion of how to perpetuate affordability. We believe this was the Village Board's wish: that these units should be affordable for the life of their existence. There are various ideas here how one should secure that, and we need to talk about that further.

We also suggest (this is really quite important) that you set up an administrative body to

administer this law or its implementation. This is different from a not-for-profit corporation. The not-for-profit corporation is needed to actually take over the land and do some development. But this housing board will have the various tasks of reviewing the housing.

Mayor Kinnally: Thank you very much. The presentation belies the amount of work that went into the presentation. I want to and congratulate all of you for coming up with this policy. We have been looking at this. We've done surveys in the past, and the areas in perpetuity, having the restrictions, having the establishment of the Board to ensure compliance: this is certainly something that we want. It's going to be an undertaking that is going to take quite a bit of time. People give of their time and expertise, and I want to thank each of you for coming up with this.

Our next step on this is to accept the report, and then we have to have a Public Hearing on it.

Village Manager Hess: You may wish to refer it to the Planning Board. Mr. Saunderson from the Affordable Housing Committee is also on the Planning Board Subcommittee on Housing and Population, and we met last night. A copy of the policy is being sent to that committee also for review. This will be on the agenda of the Planning Board on the 20th so the policy as presented will be reviewed and recommendations can be forthcoming.

Trustee Holdstein: There's nothing indicating the sale price of these homes and/or the rental prices. Was that something that would be determined unit-by-unit? And in regard to the rental prices, how are you going to determine the fair-market, or affordability, of the rental price?

Mrs. Tor: On Warburton we have received cost estimates from our architect. Working back from these cost estimates, assuming mortgage terms and down payments and so forth, we have found what the monthly costs to an owner would be; and then, applying the basic idea that only 33 percent of income should be used for housing, we from there get income that these people need.

Trustee Holdstein: That's for the sale price. And how will you determine the fair-market affordability of the rental unit, and what charge that will be? Can that be left to the owner of the home?

Mrs. Tor: No. That also derives from the cost of building this unit, so that's the main factor. The rental units, or all units if you do the plan we now have, are going to be subsidized by the county through their Home Program. That will also determine what the rent is going to be.

Trustee Holdstein: Suppose a volunteer fireman purchases one of these homes and subsequently drops out of being a volunteer fireman and/or he gets a great new job and he's suddenly making \$200,000 a year. Is he entitled to stay indefinitely or does he have a time limit that if he no longer meets one of the two criteria that he has to move out and open it up to somebody else who's more needy?

Mrs. Tor: He now owns the house. I'm not so sure how one deals with it, but it's a very good question and we'll try to find out how other communities have dealt with this problem.

Village Manager Hess: Mayor, I just want to point out, I've attended a number of their affordable housing issues meetings. This group does a tremendous amount of work. They do a tremendous job so they should be thanked.

Mrs. Tor: The Committee has been here for a long time. We are now at the point that I am very hopeful that we can do it. We urge you to move on this policy so we can take the next step.

Mayor Kinnally: We certainly will. As soon as we get Planning Board input, and we've had an opportunity to deliberate, we will pass on it. Thank you again.

PUBLIC COMMENTS

Shelly Foxman, 323 Mount Hope Boulevard: I wanted to bring up the parking meters by the train station. In the past 32 days I've received two tickets, and they're all for faulty meters. A couple of years ago I did write a letter to the editor regarding this, but nothing was done except there were numbers put on the meters. Now it seems to be recurring at a greater pace again, with the meters seeming to be failing more or not. I typically use it for a nine-hour period, and in that case I typically end up with a ticket because the clocks are not running properly. Are there any plans to replace them or to fix them? I came up with some suggestions of ways to determine which meters are in poor condition to possibly pinpoint them because I feel like I waste my time having to come to court on Wednesday nights to have the ticket excused.

Village Manager Hess: . We had discussed previously that we've had a problem with a number of those meters, which are many, many years old. The Board authorized us to seek bids for specifications. We are going to be replacing all those meters with electronic meters. Those will be bid out in March. We expect to have them delivered and installed by May. The court is very aware of the problems with those old meters down there and they try to be extremely lenient.

Mayor Kinnally: Mr. Foley, I know what you're here for and I can give you some comfort or at least some background information so we can get to the heart of this. About two weeks ago was the first time I heard of the possibility of the New York State Department of Transportation reviving those two now-abandoned sites that had been gas stations on the north and south side of Sawmill River Parkway. I spoke to Assemblyman Brodsky and he asked that we work through his office. An inquiry was made to what their plans were and they indicated there were plans for reopening the gas stations. The rest of their response was somewhat vague. A regional representative of DOT will be here on March 4th.

I have many concerns about this: the safety of the tanks, proximity to the Sawmill River,

flooding problems. We have no direct control over the stations because they are both in the City of Yonkers. I am going to contact Mayor Spencer's office tomorrow and invite someone from the City of Yonkers to attend the March 4th meeting.

Mr. Foley: I don't know whether Mr. Hess showed you a photograph of recent flooding that was taken a week ago Friday after about one day of rain. That night it rained heavily, and the banks of the Sawmill, as defined by normal terms, flooded to the west but didn't rise high enough to flood onto the easterly plain.

I have a vital commercial interest in seeing this project defeated. I am either the landlord or partner, or associated with, 16 other businesses in town. Those people express their rent in terms of paying real estate taxes, and they pay \$50,000 a year in real estate taxes. We felt this is anti-competitive to have the state go into business right down the street.

Mayor Kinnally: Can we define what the business is because I'm not sure what the business is going to be?

Mr. Foley: At what I would like to call "McGateway" there are two abandoned gas stations at the Farragut location. I have been told by the awarded operator and by others that while it probably will not be McDonalds the latest permission from DOT is for it to be a Dunkin' Donuts-type of operation. As you can see from the signs and the type of architectural renovations that were done to those historic buildings on the Hutchinson River Parkway, the policy of the DOT is to establish these types of operations. We think it's utterly impossible to accomplish at that location for two reasons: number one, it is an egregious violation of state policy and law regarding the environment. You're not supposed to have activity within 100 feet of a Class A river or stream, and this calls for extensive construction, blacktopping, and so on and so forth.

But not even considering that, the possibility of reopening gas stations that would probably do upwards of 500,000 gallons of business a month would require pipelining in Hastings. Pipelining is this: typically trucks, large gasoline tankers, deliver 8,000 gallons at a drop, a gravity drop. They would be dropping the gas into very safe tanks; it's entirely possible to install the proper fiberglass, cement tanks, and whatever at those locations. It would be 100 percent safe next to the river. The problem is, in delivering the 500,000 gallons of gasoline every month for the rest of our lives, Farragut Parkway would, in all likelihood, be the only way that that gas could be delivered to the southbound station, and possibly also to the northbound station.

So you would have traffic on Farragut, again for the rest of our lives, at the rate of 500,000 gallons coming through the Village unnecessarily. The gas stations situation in town and on Farragut have to have deliveries, but this is a necessity to service the local community. We would be providing a regional facility of pipelining gas trucks through our town. I don't think that Hastings residents want to accommodate that kind of delivery and traffic.

The reason I'm here tonight is to ask the Board, realizing that you do not have jurisdiction over

this territory, to realize that this is a regional event the DOT is putting on us. At the gateway to the Village, I don't want to tell people to take a left at the Dunkin' Donuts. It takes away from the quality of our ambience after such a nice sign has just been erected to put a Dunkin' Donuts sign next to it.. I'm asking the Board to make a resolution calling on our state legislators to request from DOT a 60 or 90 day moratorium so that we can have public meetings. One of the most offensive parts of this project is that it's without public input. If someone wants to modify their porch, or do something in Hastings, we have the benefit of the Planning Board thinking about the problem, seeing what kind of impact it's going to have on the neighbors and the community, and learned people coming to some kind of suggestions. Here, we have someone at DOT whom, I think, has acted fairly arbitrarily, certainly capriciously towards Hastings, and has a reckless disregard for whether you guys care about what goes on in this town. They didn't contact you. We found out what was about to happen, and have since been alerted. If the Board would have the consensus to ask our state legislators to ask DOT for a moratorium, we could do the necessary investigation to find out whether environmental impact or traffic studies have been done, and what kind of an impact this is going to have on the community.

Mayor Kinnally: We have correspondence from the state and we're going to follow up to find out exactly what the proposals are.

Mr. Foley: The problem is we got a letter from Mr. Fogaletti (sp?), who is a dedicated state employee and a competent professional. He says, in the second paragraph, "We are looking at plans..." Three paragraphs later he uses the past tense: significant to this extent, yesterday rebar was dropped on the site, which is to be used for a concrete padding. I heard today that the tanks and pumps have been delivered to Tarrytown.

Mr. Fogaletti was supposed to be here tonight, but he called up and abruptly canceled. I have, unfortunately, the feeling that the reason he did that is because according to his letter he says, "The Department is currently reviewing plans to renovate a former gas station." That gives me the clear impression that they're looking at plans there.

The fourth paragraph says, "A proposal was selected," past tense, "from those submitted, and we are currently working with the developer selected towards that end. We anticipate that one station will be renovated in early '97." I think that the tanks can be installed in the next two weeks, that concrete can be poured, and that the gas station parts of the renovations will be completed way before your March 4th meeting. I also find it difficult to understand why, given the urgency of our concern, Mr. Fogaletti was forced to cancel, and postpone his visit here for 30 days. I don't believe we have 30 days, and that's why I'm asking the Board to ask our environmental Assemblyman, Brodsky, to lean on the DOT and ask for a moratorium.

Mayor Kinnally: I will do that. But one of the problems in trying to speak intelligently with anyone is that you need the background information.

Mr. Foley: That's part of this delaying tactic, under Freedom of Information.

Mayor Kinnally: It's not a delaying tactic. Two weeks have passed since I first found out about it, and we're trying to get the information. If it's going to have an impact on the environment the City of Yonkers is going to have to get involved. I don't want to step on anybody's toes, and I'm not going to allow anybody to go ahead and do something they're not supposed to do. All I'm saying is let's try to find out some more information so I can speak to the point. It can be a little arrogant to tell someone in another jurisdiction, "we're going to solve your problem." It's our problem but because it's within the city limits of Yonkers I want to give them the courtesy of talking to them first.

Mr. Foley: I have requested, under the Freedom of Information Act, documentation through an environmental consultant that I hired and as soon as those papers are made available to me by DOT and others I'll forward them to Neil and yourself.

Mayor Kinnally: When did you make that request?

Mr. Foley: If I could have Vickie Jones, who is the environmental professional, speak briefly.

Vickie Jones: The request was made on the January 8th. Mr. McKenzie is an attorney that I was consulting with to try and find out a lot of the questions that you're looking into. We spoke with your Building Inspector, and at that point we realized it was in Yonkers.

One of the major concerns that we've had, and what we feel the Village has a strong point on, is that this project should have required an EAF (Environmental Impact Statement). I've sent you documentation that lays out some fundamental ideas which we feel need to be covered.

Village Manager Hess: The EAF is filed with the lead agency, and the Village of Hastings is not the lead agency so nothing would be filed here. If it's not exempt as being an administrative action by DOT, they would have to file an EAF with whoever the lead agency was.

Ms. Jones: I've spoken to several divisions of the DEC in regards to this project. When I spoke to the regulatory branch and told them where the project was, because there's no house number, no project number, DOT wouldn't even give me an identification number of the project to track this through the other systems. When I spoke to DEC they said, well, we kind of looked at this proposal; I remember reviewing, but this was like a renovation. I asked how it could be called a renovation when the buildings have been abandoned for 15 years, the tanks have been removed for two years, and currently there is bio-remediation on the site to clean and restore it. It is no longer a functional gas station.

Their answer was, we didn't look at it in that regard. Look at paperwork, how much paperwork people look at. If it says restoration of a gas station, that's what somebody in an office up in Albany or New Paltz is looking at.

Mayor Kinnally: But their own drawings indicate that the gas stations are abandoned.

Ms. Jones: See, now that's something you have more privilege of seeing than we have.

Mayor Kinnally: These are the drawings with respect to the construction and renovations of the existing part of the bridge.

Ms. Jones: We asked to go to Tarrytown to the Department of Transportation and review those plans, and they told us that all information had to be obtained through a Freedom of Information. So, I'm glad that you were able to see that.

Mayor Kinnally: Because we've been involved in the planning for the bridge project. Did you speak to someone in Brodsky's office?

Ms. Jones: I spoke to Mr. Brodsky, and Mr. Brodsky was kind enough to send an aide this evening. Sal?

Sal Rubino, Assemblyman Brodsky's office: I got brought into this this afternoon, so we put our staff together. The Assemblyman's major concern is protection of that Sawmill River: the environmental impact that a gas station, or anything of that nature, would have on it. Our office called and spoke to DOT and DEC today. It depends on who you get to talk to in those departments, but DOT seems to think that they don't have to worry about environmental impact studies because it is an existing gas station. The fact that it was abandoned 15 years was not an issue.

Mr. Brodsky wants me to reassure you that if there are firm plans on developing this there will be certain safeguards that have to be installed to protect the water, to protect runoff, and so on. This is a very complex case, as you've stated and has already been said. It's in Yonkers. People of Hastings are the ones that are going to suffer from it. It's been abandoned for 15 years. If you or I want to do this as private citizens we couldn't do it without an environmental impact. So all these factors are going to be brought to the table real soon. Richard is in Albany. He'll be in tomorrow morning, and we will meet with him and he'll get back to you.

Mayor Kinnally: One of the things that he can help with is getting the proposals and the award. All of these are public documents. I know the rigmarole you have to go through to get the Freedom of Information Act.

Mr. Rubino: They don't bend any easier for a legislator than they do for a citizen.

Mayor Kinnally: That may be, but one of the things I'm going to talk to Yonkers about is that if they have not dotted all the "i's" and crossed all the "t's" in connection with the EAF, we'll go to court and get an injunction against DOT. I'm not so sure all the good will that DOT and DEC

have built up over the past year is going to be dissipated as a result of this project.

Mr. Rubino: I think between the Assemblyman and the local legislators they'll have a little different attitude than when a staff person like myself calls. We will be back with you soon.

Trustee Holdstein: From an environmental standpoint: while the property sits in Yonkers, is the proximity to the Sawmill River and to the portions of the Sawmill River that flow through Hastings any grounds for us to have any further jurisdiction?

Mayor Kinnally: Well, the south is going away from us. But certainly, we have standing.

Village Manager Hess: We're an adjacent community. We should be notified if the process has to be adhered to. But it appears to be handled out of the Pleasantville office.

Mayor Kinnally: This is reminiscent of the high-pressure gas line that the New York State Department of Parks wanted to put through the aqueduct four years ago. We never knew anything about it until it was well on its way. Then there were hearings in Yonkers.

Village Manager Hess: State Parks never filed an EAF with that. I would bet that DOT did not fill out one EAF. Short forms are no longer used, by the way.

Ms. Jones: If they did not fill out a short form then they certainly would have had to neg dec the proposal. If they only use the long form, then they still have to issue a negative declaration, or a pos dec. It does not apply that there are no negative impacts to you community. That paperwork has also been requested. Any type of paperwork dealing with the SEQRA decisions.

Village Manager Hess: I'm sure it's the same process they went through, which is no Environmental Impact Statement.

Ms. Jones: That's true. But do you remember how several years ago there was a commission strictly for the parkways, and that recently, in the last five years, that that was taken over by another department?

Village Manager Hess: The East Hudson Parkway Authority ceased to exist, I believe, in '80 or '81. Then it was transferred over the DOT

Trustee Holdstein: Some of Mr. Foley's statements I would like to reiterate and add urgency by saying that this fellow's letter has some changes in the tense and that doesn't appear today. I am wondering if we shouldn't be also reaching out to Nick Spano and John Cahill to get their involvement.

EXECUTIVE SESSION

On MOTION of Trustee Holdstein, seconded and with a voice vote of all in favor, the Board scheduled an Executive Session following the Regular Meeting to discuss litigation and personnel.

ADJOURNMENT

On MOTION of Trustee Winn, seconded and with a voice vote of all in favor, the Regular Meeting was adjourned.