

VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
REGULAR MEETING
JULY 15, 1997

The Regular Meeting of the Board of Trustees was held on July 15, 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 Anthony Gagliardi, Attorney Robert Ponzini, Village Manager Neil P. Hess, and Village Clerk Mary Callas.

APPROVAL OF WARRANTS

On MOTION of Trustee Gagliardi, SECONDED by Trustee DeVita with a voice vote of all in favor, the following warrants were approved:

Multi-Fund No. 7-1997-98	\$47,242.64	Multi-Fund No. 13-1997-98	\$173,423.16
Multi-Fund No. 10-1997-98	\$34,523.38	Multi-Fund No. 16-1997-98	\$27,951.00
Multi-Fund No. 11-1997-98	\$4,151.04	Multi-Fund No. 17-1007-98	\$16,275.79
Multi-Fund No. 12-1997-98	\$585.20	Multi-Fund No. 19-1997-98	\$252,688.23
		Multi-Fund No. 21-1997-98	\$338,339.06

59:97 ADOPTION OF LOCAL LAW NO. 6 OF 1997 PROVIDING FOR NO PARKING ON THE EAST SIDE OF RIDGE STREET

RESOLVED: that the Mayor and Board of Trustees hereby adopt Local Law No. 6 regarding no parking on the east side of Ridge Street.

Mayor Kinnally: This was the subject of a Public Hearing recently. In review of some of our legislation on the books, we discovered that that which has been in practice is not codified on our books, so this would prohibit parking on the east side of Ridge Street.

Village Manager Hess: We've had a temporary restriction, implemented by the police, I believe it was either May or June. We had our hearing in June. There was overwhelming support for the restriction, and anybody who's been on the street knows the reason for the recommended restriction. The law itself amends Chapter 97 of the Village Code, which are parking regulations.

Trustee DeVita: Last time there was a question about excessive amounts of signs, or perhaps the location of those signs?

Village Manager Hess: There was a question in terms of placement of signs. We told Mr. Zimmerman that we would be willing to work with him.

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

RESOLVED: that the Mayor and Board of Trustees hereby adopt Local Law No. 6 of 1997 regarding No Parking on the east side of Ridge Street

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

60:97 BID AUTHORIZATION - STREET RESURFACING

Village Manager Hess: I provided the Board with a preliminary list of potential streets for our resurfacing program, including parts of Mount Hope Boulevard, Southgate Avenue, Cliff Street, and Stanley Avenue. We are also recommending, considering the age of these streets and the curb lines, that we grind the streets down to preserve the curbs. We thought we would try that this year, and received estimates on the cost of doing that. In addition, we're looking at Hogan Place, which is a small Village street, the parking lot at Draper Park, the basketball court at Riverview Park, and the path up to the Zinsser fieldhouse for paving, also. So, we'll be taking bids, and we'll have a recommendation for the meeting on August 12.

Trustee Keaney: What exactly is the grinding process?

Village Manager Hess: It's a piece of equipment which has a grinder which grinds up the asphalt and takes a little of the asphalt off.

Mayor Kinnally: But it lowers the crown on the roads. Instead of bringing up the level of the road at the curb it allows the curbs to remain. Do we have to adjust the manhole?

Village Manager Hess: We'll still have to adjust the manholes, yes.

Trustee Keaney: This is not the same process that was done on Main Street last year?

Village Manager Hess: No. That was "microsurfacing." We're not recommending doing that process anymore. It's a thin coat that goes over, and unless it's on a completely level surface you get waviness to it. So, we're not recommending doing that anymore. So much for technology.

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

RESOLVED: that the Mayor and Board of Trustees authorize the Village Manager to go to bid for street resurfacing.

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

61:97 AUTHORIZATION TO OBTAIN SURVEYS FOR SOUTHSIDE AVENUE, WASHINGTON AVENUE, AND RIDGE STREET

Village Manager Hess: As you recall, at the last meeting I announced that we had received funding under the Community Development Block Grant Program of over 300-thousand dollars for public improvements on Southside, Washington, and Ridge Streets. Those grants will begin in August, 1998. It will be necessary, however, before we start design work to have surveys done on all three streets. That's the authorization I'm seeking.

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

RESOLVED: that the Mayor and Board of Trustees authorize the Village Manager to obtain surveys for Southside Avenue, Washington Avenue, and Ridge Street.

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

62:97 SEPTEMBER MEETING DATE

Mayor Kinnally: This is to accommodate the Labor Day Weekend. Normally we try not to have our first meeting in September the day after Labor Day, and this will push it back to the 9th.

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

RESOLVED: that the Mayor and Board of Trustees schedule the first meeting in September for Tuesday, September 9, 1997 at 8:00 p.m.

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

63:97 PARKS & RECREATION CAPITAL IMPROVEMENTS

Village Manager Hess: At the June 24 work session the Board reviewed in detail the request of the Parks and Recreation Department for certain capital expenditures for the coming year. First of all, the Community Center renovations, estimated at 35-thousand dollars, include carpet replacement, light replacements, bathroom renovations, window replacements on both floors, storage room ceiling replacement which is cracked and leaks, and repairs to the outside stairs. To get downstairs it does not conform to ADA standards and we're having our engineer take a look at that.

The roofs at both the fieldhouses at Sugar Pond and Zinsser are in poor condition, leaking, and need repair. Hillside Tennis Court resurfacing: it is necessary with asphalt courts to repair them periodically. This would be the second major resurfacing we've had in the 16 years I've been here. That's estimated at 25-thousand dollars. It is also necessary to replace the fencing at the Hillside tennis courts for 10-thousand dollars, to pave Zinsser Road near the fieldhouse, and the Riverview basketball courts which I believe were last paved in 1984.

Trustee Holdstein: During our conversation with Ray we came in 18-thousand dollars less on the bid on window replacement. At that time Trustee Gagliardi and myself suggested that we take that 18-thousand, based on the initial window bid, and apply it to possibly also renovating the bathrooms at Zinsser.

Village Manager Hess: Capital improvements discussed at the work session were included on the agenda for approval. I have asked Ray to improve the bathrooms at Zinsser Park as part of that.

Trustee Holdstein: Does that need to be in this resolution, to take funds from the 85-thousand. It will be extra because you've got 18-thousand built in here.

Village Manager Hess: No, there'll be enough funding overall to handle that also when we do the bathrooms.

Trustee Holdstein: The other issue that I have discussed with Ray today was the possibility of taking the northwest corner of Zinsser Park where there is currently a backstop and cutting in an additional Little League diamond so that you could have two 8- or 9-year-old or younger games going on at the main Zinsser field, and then at the opposite corner. I have asked Ray to come up with an estimate for that, and I don't know, again, if it needs to be put in as a possible expenditure depending on the balance remaining here.

Village Manager Hess: No, not until we take a look at it and make a recommendation to the Board. I wouldn't want to preclude putting in financing for it. But, as I recall, we looked at that back in, let's see, when Jim Harmon was here, and we measured it out. If you put in any kind of Little League field down in that corner you're creating a pitching mound which could be dangerous for the center fielder in softball. So, I don't think it's going to measure out to work, but we'll take another look at.

Trustee Holdstein: Maybe avoid the mound; you don't have one at Zinsser. It would be for the younger kids where a mound isn't applicable.

Mayor Kinnally: But that has to go in front of Parks and Recreation anyway.

Trustee Holdstein: We have 18-thousand there that we can apply, and I want to make sure that we have this to apply where we feel it's needed.

Village Manager Hess: I understand what you're saying, but what we're talking about here is specific projects which have been recommended by the Commission. If you have new projects, even if some of these estimates are low and we have additional funding, I still believe the appropriate thing to do is have the Parks and Recreation Commission look at it after the Parks staff looks at it and makes its recommendations. Let the Commission make their recommendations to the Board of Trustees. Then discuss it, and if you feel it's necessary to appropriate money do it at that point. I wouldn't do it now, until you have all the information.

Trustee Holdstein: But the monies that we borrow on this...there's the 18-thousand extra from the estimate on the glass...we would just hold those funds and apply it later.

Village Manager Hess: No. We only going to borrow what is necessary to borrow. If we have Community Center repairs come in at 67-thousand we're only going to borrow 67-thousand dollars. If the recommendation on the fields, say in September, is to do something like that we would come back to the Board and ask for the authorization for that additional funding, whatever it is.

Vanessa Merton: What's the square footage on the renovation in the Community Center?

Village Manager Hess: The square footage of the renovation?

Mayor Kinnally: We're just doing windows and things of that nature.

Ms. Merton: I know, but I'm trying to figure out what the cost per square foot of this project is. You're doing window replacement, ceiling repair, carpeting...which is a certain square footage, light replacement. But typically when you cost out a project you analyze how much money you're spending per area that's being renovated.

Village Manager Hess: I really don't want to waste the time doing this, but...

Ms. Merton: Maybe you could just make your memorandum available?

Village Manager Hess: Sure, I've got window details here with sizes, types, numbers of lights, size of lights.

Ms. Merton: In the interest of time, could you maybe just make that available? Do you happen to have a copy?

Mayor Kinnally: Not right now, but you can...

Ms. Merton: So we can't look at it right now, or, could we just look at it while you proceed?

Mayor Kinnally: It's not figured out on a square footage basis. It's figured out on a component basis: so much for the electrical, so much for the windows, so much for the carpeting, things of this nature.

Ms. Merton: Will the interior configuration of the space be any different?

Mayor Kinnally: No. Any other comments.

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

RESOLVED: that the Mayor and Board of Trustees approve the following capital expenditures for the Parks and Recreation Department:

Community Center Renovations-Repairs	\$85,000.
Roof Replacements (Field House, Sugar Pond/Zinsser)	6,500.
Hillside Court Resurfacing	25,000.
Fence Replacement-Tennis Courts	10,000.
Paving (Zinsser Road/Riverview Baseball Court)	<u>4,000.</u>
	\$130,500.

and be it further

RESOLVED: that these projects be funded through a five (5) year Bond.

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

64:97 ADOPTION OF PROPOSED RULES OF PROCEDURE:

Mayor Kinnally: We have is a six-page proposal which also incorporates the Executive Session policy that the Board has been operating under since 1993. We have considered this over a number of meetings; the underlying format of this comes from two sources: that which we have been operating under informally for a number of years, and also a suggested guideline which was published in the NYCOM magazine I ran across in the spring. I asked the manager to draft some rules of procedures. We are seeking to codify how we have been operating, at least since I have been mayor and certainly for a period of time before that. Copies of the proposal have been circulated, and before the Board does anything I will open up the floor to any comments that anyone may have on this.

Speaker: Are the procedures available?

Mayor Kinnally: They have been available.

Speaker: Well, they're not available tonight.

Mayor Kinnally: Well, they may not be here but we have had them available downstairs in the Clerk's office. I don't think since the last time we considered this there have been any substantial changes to it. Anyone wish to comment on the proposal?

Lin Osborne, 17 Villard: Can you explain to me the procedure concerning minutes, particularly "the minutes may not contain a summary of a discussion?" I want to know how spare these minutes are going to be.

Mayor Kinnally: I don't see that there'll be any change from how we've been operating. At times we have verbatim excerpts, and other times it's simply a precis of what has been discussed. We don't have a stenographer taking down everything that's been said. Especially with the

fact that we videotape these meetings, I see less reason for that, but I don't see any change in how we've been operating in the past.

Ms. Osborne: I think videotaping is maybe more interesting, but it's hardly easier to find something that you want to find.

Mayor Kinnally: We don't propose doing anything different from what we've been doing as far as adopting minutes and recording the minutes for the meetings.

Ms. Osborne: By codifying it in this way it seems to me that you can.

Village Manager Hess: This is exactly what the New York State law says.

Ms. Osborne: What I'm interested in is as complete a record as we can get. I've always been dissatisfied that we're unable to see really good minutes from Zoning Board and the Planning Board and so forth, and I really don't want to see things getting even less written down.

Village Manager Hess: I can't comment on the Zoning Board. The Planning Board does verbatim minutes.

Mayor Kinnally: This is only for the Village Board of Trustees, but as I say this is a codification of how we've been operating. There will be no change in how we've been keeping minutes.

Village Manager Hess: And Mary keeps almost verbatim minutes also, so I don't understand the issue.

Ms. Osborne: Well, it just that this seems to say that you could make minutes less than they are now.

Mayor Kinnally: What it says is that they need not contain verbatim comments. That's the way we operate now. We don't have a court reporter or a legal stenographer taking down everything. I don't foresee any change at all.

Vanessa Merton, 111 Pinecrest Drive: You did make, I think, a rather significant and commendable change by eliminating the restriction on the number of times a given speaker can participate which, of course, I would particularly appreciate. Does it state here where the agenda of the Board will be made available, and in what format?

Village Manager Hess: We do that at the organizational meeting. They're posted here, library.

Mayor Kinnally: And we also put our agenda now on Channel 16.

Ms. Merton: Putting the agenda on Channel 16 is a good step, but the difficulty is that sometimes the titles that are used on the formal agenda are abbreviated, or they mean something if you know what you're looking for, for example, even something like WATERFRONT UPDATE. Would it be possible to give like a one-line indicator of the substance, for example, REPORT ON D.C. ACTION, or REPORT ON LITIGATION, or just a little more substantive indication of what's being done.

Mayor Kinnally: It might be possible, but one of the drawbacks of that is that the agenda goes out on Friday and many times on Friday either I'm not available or I don't have all the information that I know is going to be given in the Update because some of the reports that we get on the Waterfront simply are not available until then.

Ms. Merton: Obviously you can only put out what information you have at a given moment, and it would be always subject to that limitation, but I've talked to people who've said the problem is that it's difficult to tell exactly what an item indicates. Sometimes it's obvious, but not always, and I would just suggest that might be a possibility.

The other suggestion I wanted to make is if you could do a similar posting on the Village website, because a lot of people use the Internet who don't necessarily have access to cable television.

Village Manager Hess: It's almost impossible to do with the server we have. We have to send the information out, and they have to put in on, so we don't put it on directly ourselves.

Ms. Merton: So you can't do an html input directly?

Village Manager Hess: No. The timing involved...because he handles a number of different communities, Town links.

Ms. Merton: Also when you show the meetings on Channel 16 would it be possible to go to a regular schedule for those meetings?

Village Manager Hess: There's a schedule put up for all Village meetings. Board of Trustee meetings you'll always know are going to be on Wednesdays on noon, 4, and 8 p.m. The Board of Education is always going to be on Thursdays at 7 p.m. Planning Board's going to be on Friday at 8 p.m. on the first and third Friday, and the Zoning Board is going to be on 8 p.m. on the second and fourth Fridays.

Ms. Merton: Could you when you post the notice of the meeting, give some indication of what was discussed during that meeting, just a couple of lines.

Village Manager Hess: Look at the Hastings TV news. We've been doing that for months also. That lists the actions of the Board after every meeting.

Ms. Merton: Yeah, but it doesn't relate that to a particular meeting that's going to be televised, . Those actions are listed, but if one wanted to see the Board's discussion, let's say, of "X," unless you happen to know the date of the meeting you wouldn't necessarily know how to access that.

Village Manager Hess: We can take a look at it, but it depends on volunteers. If you know of some people that want to volunteer to help us out at the station, let me know.

Ms. Merton: Fair enough. Thank you.

Trustee Keaney: We've spent a lot of time on what is basically a codification of what we're doing already. I think it's worthwhile for this reason: to get the Executive Session policy codified so that we don't have to adopt it every year. I think it's an excellent policy, and it states our Executive Session policy.

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

RESOLVED: that the Mayor and Board of Trustees hereby adopt the Proposed Rules of Procedure as attached herewith.

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

56:97 PUBLIC HEARING, TREE PRESERVATION - LL#9-1997

Mayor Kinnally: The Board has been considering this for a number of years in work sessions, public hearings, and in discussions with the Conservation Commission, and we're at the point that we've reviewed and revised and tinkered with this law, and I think we've reached a consensus. We're going to have what I hope will be the final public hearing on this proposed Local Law.

On MOTION of Trustee Keaney, SECONDED by Trustee Gagliardi, with a voice vote of all those in favor, the following resolution was duly adopted:

RESOLVED: that the Mayor and Board of Trustees hereby schedule a Public Hearing for Tuesday, September 16, 1997 at 8:00 p.m. or soon thereafter at the Municipal Building, 7 Maple Avenue, Hastings-on-Hudson, New York, to consider the advisability of adopting a local law on Tree Preservation.

66:97 AFFORDABLE HOUSING DEVELOPMENT FUND COMPANY, INC.:

Mayor Kinnally: We have a Supplementary Agenda,. Mr. Hess?

Village Manager Hess: This draft resolution was provided to the Board by Mr. LoCascio who is a member of the Affordable Housing Committee and also is an attorney and drafted the Articles of Incorporation of their non-profit corporation.. I found out this morning that their filing as a not-for-profit organization requires an Implementing Resolution and a Sponsoring Resolution by the Board of Trustees. Mr. LoCascio forwarded this to me for your consideration; it outlines the need to create the not-for-profit corporation and I recommend its approval.

Trustee Keaney: A non-profit corporation such as this has been the typical way of accessing county and state funds and grants for the construction or the rehab of affordable housing, so this is really a necessary building block to achieve our goal.

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

WHEREAS, the Mayor and Board of Trustees recognizes that affordable housing is a top priority for Hastings-on-Hudson because of the acute shortage of moderately-priced housing available in the Village, and

WHEREAS, it is the desire of the Board of Trustees to provide affordable housing for volunteer firefighters and ambulance corps members, senior citizens, municipal employees and their families, school employees and all members of our community evidencing need for affordable housing, and

WHEREAS, without affordable housing, many adult children of residents will no longer be able to raise their families in Hastings, as they were raised, thereby severing the ties to traditions which are strengthened by a continuity of generations and the stability of families, and

WHEREAS, it is the desire of the Board of Trustees, and all the Village residents, to maintain a socially and economically integrated community, and

WHEREAS, an Affordable Housing Policy was presented to the Board of Trustees by the Affordable Housing Committee on May 9, 1997 and same was adopted by Resolution of the Board of Trustees on June 17, 1997, now therefore be it

RESOLVED: that the Mayor and Board of Trustees establish a not-for-profit organization entitled HASTINGS-ON-HUDSON AFFORDABLE HOUSING DEVELOPMENT FUND COMPANY, INC. to promote the responsible development of affordable housing now and in the future.

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

EXECUTIVE SESSION

On MOTION of Trustee DeVita, SECONDED by Trustee Holdstein with a voice vote of all in favor, the Board scheduled an Executive Session to discuss litigation and land acquisition on July 22, 1997.

VILLAGE MANAGER'S REPORT

Village Manager Hess: We've had 421 family registrations for the pool this summer. That's an increase of 10 since last year, and 114 individual memberships at the pool; 535 memberships so far, and the daily admissions have been very good, also. Our swim team has 80 members this year, an increase of 20 from last year. We've had two meets so far. They've won both meets, and they were undefeated last year.

In terms of our camps, our average daily attendance is 525 students, and we're up tremendously from previous years also in our camps.

Tomorrow night at the Community Center is something we started a few years ago; we have a number of the Camp staff and supervisors at the Community Center to meet with parents. We do this to allow parents who have any concerns or problems with any of the Camps to come in, meet and discuss with the staff so we can follow up on any problems.

We're reinstating "The Dive-In Movies" at the pool. Starting the first week in August we'll start men's and women's softball playoffs. This coming Saturday we're going to have a crew cleaning the hill near the bridge at the southern portion of the commuter lot.

Meter replacements: We'll have a bid recommendation for the August 12 meeting, and will be installing the new meters in the commuter lots beginning at the end of August, through September.

A suggestion was made to us for a kiddie sprinkler at Reynolds Field; we're getting some information on that and the Parks and Recreation Commission will be making a recommendation. I'll defer to Trustee Keaney to discuss "Hastings Weekend III."

Trustee Keaney: Friday night at the pool is karioke night at the pool. If you like to sing, or even if you don't and like to hear other people attempt to sing, please come. It's a good time. Saturday there's a picnic in Waterfront Park, starting at 4 p.m. There are also sales throughout the stores in the Village. Sunday we'll have the Senior Social, which starts at 11 to 1. The opening of the pool will be delayed for the Senior Social. That will be hosted by the Board of Trustees. Also on Saturday and Sunday there's horseshoes at the Draper Park sponsored by the Fire Department softball team. And, the culmination of the weekend will be on Sunday at 6 at the Burke Estate. The Westchester Philharmonic is coming back. The last few years it's been a excellent program. Come early. The music starts at 7, but come about 6. Bring a lawn chair and a picnic, and we welcome everyone to come and enjoy all the things that Hastings has to offer.

Trustee Holdstein: I have a question about the meter memo.

Village Manager Hess: We were researching through the Office of General Services to determine if they had a state bid on electronic meters. When they bid out items statewide the volume is so great that you do get quantity prices. If they were all pre-bid then we could have just ordered them, but we're going to have to go out and get specific bids.

BOARD DISCUSSION AND COMMENT

1. Fire Department

Mayor Kinnally: When we went over some of the affordable housing policy we had a discussion of the Fire Department as one of the targeted portions of the community that the Affordable Housing Committee has designated. This weekend we had a rather spectacular and tragic fire here in the Village. Once again, our Fire Department, and the Fire Department in Dobbs Ferry, responded to the call and were out in very hot weather under very, very trying conditions to put out the fire, and, more importantly, to ensure that the surrounding homes did not catch fire. Our hats off once again to the Fire Department, to the Ambulance Corps, to the Police Department, and our thanks also to the Dobbs Ferry Department that not only stood by but answered the call and helped us battle the blaze.

2. Update on the Waterfront

Mayor Kinnally: We have received a compilation from the attorneys representing the owners of the site indicating that through the month of June they had removed 84,882 cubic yards of debris from Building 15. We have a letter from Bob Rosenthal of the AG's office to the escrow agent indicating that the AG has approved the disbursement of 13-thousand-fifty dollars for the removal of a certain amount of debris from Building 15. As I indicated at a prior meeting, application was made to Judge Coppola by the owners for the release of up to 50-thousand dollars of the funds that were deposited in court by the Fuccis. The judge had indicated that that approval was to be granted, and application was made for more than 13-thousand dollars, but the paperwork was not in order so the approval was only granted for 13-thousand-fifty dollars. Given the amount of debris that has been taken out it is our opinion that there still is compliance under the order of Judge Coppola and that the debris will continue to be taken out. Last week I think there was somewhere around 16-hundred cubic yards taken out.

3. Municipal Building Financing

Mayor Kinnally: At our last meeting we discussed the possibility of rescinding the resolution which had authorized bonding a certain amount of renovations here at the Village Hall, and we also talked about the possibility of having an informational forum where the Village Board, the Manager, and some of the other professionals who have been assisting the Village Board in looking into the possible renovations in the Municipal Building would have that information available to the public. The president of the League of Women Voters indicated that they would be happy to work with us in putting this together. Some time in the first half of September would be a preferable time to do that. We should also get Channel 16 to cover it.

We had also discussed the possibility of rescinding the Resolution. I spoke with the Village Attorney, and that is indeed a possibility, although it would have to be listed as an Agenda item. Let me elicit the sense of the Board on wishing to rescind at the present time. Trustee Keaney?

Trustee Keaney: I do not wish to rescind at the present time.

Mayor Kinnally: Trustee DeVita?

Trustee DeVita: No.

Mayor Kinnally: Trustee Gagliardi?

Trustee Gagliardi: No.

Mayor Kinnally: But that doesn't mean that we can't consider it at a future time. I think that we can pursue the issue with the League of Women Voters to have an informational session so that we can review, once again for the community, the components that we've considered in making the renovations here at the Municipal Building and some of the cost estimates that we have. We

haven't completed the specifications for the job. That would have to be done before we could go out to bid, and that's going to take some time. I know it will take us well into September and possibly into October before that process is continued. So, nothing has been done as far as acting on the resolution. No money has been borrowed and no money will be borrowed for awhile on that.

Trustee Holdstein: One of the things that I had discussed at that last meeting was a feeling on my part that this Board had done a great effort on getting the word out, and lots of public meetings and information about this renovation, but that there were still people out there who were not aware. I feel that between now and September we should prepare a separate special newsletter to be mailed to all the residents. I just listed a lot of things that I think should come out, such as our current bond structure, past bonds that we've floated, where we are in paying off those bonds, the actual estimates as to what it's going to cost each taxpayer per year, and more specific information about the actual renovation: the ADA requirements; some of the major problems that people don't see when they walk in here. Also, a history of this building, when it was built, the population versus when this was built, and the functions this building has taken on since it was built. I think there's a lot of information that we could put into a separate special newsletter. I believe that we have done a great job of getting the information out and have had lots of public meetings and had the architects here, we've heard from some people and so we'll take the extra step and go the extra mile to get out as much, and maybe include the actual footprint plans that we have, the most recent, and incorporate all this into one major newsletter prior to, possibly, an open forum in September. We've got eight weeks to work on it. I think that would be a good idea. What the cost is, and the availability of staff, obviously, is a consideration.

PUBLIC COMMENTS

Mayor Kinnally: Okay. Now we have a request from the Waterfront Festival Committee. Peter Wolf is here. Peter, do you want to briefly go through it, because we have your proposed budget which I thank you for. We've been at meetings, and we have gone through what appears to be a very ambitious and exciting program that is scheduled for the 13th of September.

Peter Wolf: That is correct, and the budget that we submitted, I believe, was for 13-thousand-400 dollars. It includes not only the two major portions of the Festival, which are the conference and the celebration at the waterfront, but approximately one-half of the funds are going to be used for informational purposes. We intend to have a brochure; it's envisioned that on one side of it would be a schematic of the waterfront because people don't even really know what the Hastings Waterfront is. On the other half would be a status, for instance, of the different properties that are on the waterfront. The second part of it would be a brochure with an agenda of what's going on in the celebration and a newsletter.

Secondly, we have a lot of items which specifically relate to the celebration. We are approaching different bodies. We have approached the Town of Greenburgh and we're getting what they call the Showmobile, a bandstand, gratis. But they do not have any tents, so there are items concerning tents, the sound system, and the setup and breakdown.

We hope that we would be able to get some funding from the outside; assuming that the budget was approved, any funds we were able to raise would be put into Village coffers since this is a Village event.

Mayor Kinnally: This is a 13-thousand-plus budget. We have estimated that additional overtime and some of the other costs that would be incurred by the Village would add approximately 5-thousand dollars to this. So we're talking about an 18 to 19-thousand dollar budget. How much are you looking to the Village to fund?

Mr. Wolf: We'd like the Village to fund that portion. We have done about as much as we can do, and we're continuing to do it all on a volunteer basis. We expect to bring in the talent on a volunteer basis. We have people like Ferry Sloops coming on a volunteer basis. What this budget is to provide for is costs that are over and above those costs.

Village Manager Hess: I have had a chance to meet with Peter and Meg Walker on their budget and went through it in detail. We itemized some of the things that the Village will be doing as part of this, and in terms of our overtime, constructing the dock. Obviously, we estimate that those costs will run us around five, so I had recommended to the Board, since the total budget is 18-thousand, that the Village provide 10-thousand of the 18-thousand. We would have to try to raise the balance. from the outside for the event. Meg said she was writing a grant proposal.

Mr. Wolf: Because of the time lapse, that grant would only come afterwards. We were planning to use the grant money to videotape the proceedings, to do a public service announcement ahead of time and to videotape it, and then to keep this going. Because of the deadline for the grants, by the time they're approved the Waterfront Festival has already passed. So we can't get direct funding from that.

Village Manager Hess: We should try to approach foundations for one, because many of them don't have specific deadline dates.

Mr. Wolf: We were thinking of the foundations and also of some of the corporate parties that exist in Hastings and other types of venues. And we would like to use Village facilities for mailings.

Village Manager Hess: We have a bulk mailing permit. But I figured that into that 5-thousand Village share over and above your budget. But they'll still need money for printing, etc. We did

go through their budget in detail last Friday. Their budget is legitimate. The contingency, or miscellaneous, is very low. It's a tight budget.

Mayor Kinnally: Why don't we do this? Why don't you and Neil and Meg and whoever else sit down and work some more with Neil on this and see if we can't come up with something. But the Village figure is 10 at this point.

Village Manager Hess: We'll come up a fundraising list and we can explain in the fundraising letter the time constraints, and try to get pledges so we can make up that 85-hundred dollars from outside sources.

Mr. Wolf: We can also talk about the food aspect. Perhaps we can work out a profit-sharing arrangement with the people who are going to provide the food so that some of the money goes back into the Festival coffers.

Village Manager Hess: I don't want to work that out on the budget or the fundraising, though, because it would be too confusing. I'd rather keep it as a separate trust account, and if we can raise funds to bring in the outside portion for your budget, and then the Village contribution of 10, you should be in pretty good shape. But we probably ought to meet some time this week and come up with a list of potential funding sources.

Mr. Wolf: I want to reemphasize that everybody that's working on it so far is working totally gratis, and we have tried to get people from Hastings to provide the entertainment also gratis, so that these are only incidental costs that arise from setting up the Festival.

Wendy Mesnikoff, 35 Scenic Drive: While the Festival, and the associated forums, are designed to enlist broad public awareness and support for thinking about what we should have on our waterfront, at the same time my husband, who I must say is over 70, was privileged to receive an extensive, expensive, and very professional survey in the mail. It deals with peoples' interest in residing in an exclusive and gated waterfront residential development, 4-thousand feet long, on the waterfront. I don't know whether the Board, and I certainly don't think the public in general in Hastings is aware, about this survey. I think the Board should see the survey but it seems to me that this indicates a commitment on somebody's part to make up our minds about what should be on the waterfront.

Mayor Kinnally: Who sent out the survey?

Ms. Mesnikoff: Systems and Research, Incorporated., and it doesn't identify the source beyond that.

Mayor Kinnally: If you have the whole thing, if you could give it to us, we'll photocopy it. But this is news to me. I've never heard anything like this. Let me just take a quick look. No,

Wendy, I'm looking at the first page of this. This says you have been randomly selected in a survey for proposed housing development for senior citizens. The housing will be situated near Hastings-on-Hudson in a scenic riverfront location. It's not targeted to Hastings.

Village Manager Hess: This could be the Yonkers project.

Ms. Mesnikoff: Turn it over.

Mayor Kinnally: What does it say? "The proposed senior residential community will include a choice of one- or two-bedroom apartments. Developers are considering development of residential community on the riverfront in Hastings-on-Hudson, adjacent to the railway station." Well, I've never seen this. I don't know who these people are, and I'll inquire. It's very interesting.

Ms. Mesnikoff: I also included a very interesting release from Scenic Hudson about the city of Beacon, New York, which is having a series of community-involving forums and meetings on their waterfront. They also have received from the Fund for The Hudson Highlands a large sum for waterfront land acquisition. So all around us communities are participating in a communal way to plan their waterfronts, and they are getting funding for the things that they want and need on their waterfronts. I hope that's a message for Hastings. It's better than a gated and exclusive development.

Mayor Kinnally: Indeed. I couldn't agree more. I will get in contact with this Knowledge Systems and Research, Inc., and find out what it's all about.

Stan Pycior, 43 Pinecrest Parkway: I have reviewed the tape of the last Board meeting. I wish to commend the public who spoke on the matter of the possible funding of the Municipal Building renovations to a bond issue. I also sincerely wish to commend the Board. I thought your responses, your questions, your interest in public concerns was a great example of democracy at work.

Having said that, I wish to say also I think the idea of a League of Women Voters forum to discuss the project is an important step in the process, but perhaps one that should have taken place before a resolution to possibly borrow the money.

I cannot support highly enough Mr. Holdstein's suggestion that a newsletter be published, describing not only the Municipal Building renovations but also the existing bonds of the Village. From the tape of last month's meeting I learned from Mr. Hess that in the recent past we have borrowed 400-thousand dollars for the roof for this building, the roof for the library, and air conditioning for the library. We've borrowed 600-thousand for pool renovations. We've borrowed 800-thousand for downtown renovations. We're proposing to borrow 1.5-million for Municipal Building renovations. Tonight, you voted to borrow 130-thousand for Parks and

Recreation improvements. In all then, capital improvement borrowing, if the two proposed bond issues go through, would be 3.43-million dollars. Mr. Hess provided us with the figure that the 1.5-million bond would cost 60 dollars per taxpayer per year. If we then project 3.4-million, the existing bonds plus the 1.5 plus the 130-thousand, we're talking about a figure of about 140 to 150 dollars per year per household.

Mayor Kinnally: No, actually Mr. Pycior some of those bonds have been in existence for awhile and we've been amortizing those. These are not new borrowings. A number of the things that you've talked about, the roof replacement and the downtown renovation and the pool, that's been built into our budget in years past; so we are amortizing that. The full amount that's outstanding at the present time is not the total that you gave. This is an ongoing thing that the Village borrows this money to make these capital improvements and it's part of our budget process each year.

Mr. Pycior: Right, but we're paying that each year right now when you say amortizing it.

Mayor Kinnally: Yes, it's built into our taxes right now.

Village Manager Hess: What you're doing is taking an aggregate, though. You're taking bonds that were borrowed back in 1984 and you're adding...

Mr. Pycior: Oh, I'm sorry. The figure I heard for the roof was 1991 in the tape of last month's meeting.

Village Manager Hess: True, but you mentioned the downtown renovations. Those started in 1984.

Mr. Pycior: In the tape it was said in the recent past; and they were lumped together as part of phases of capital improvements.

Mayor Kinnally: It's a yearly thing, and we borrow and we also retire debt as it comes due. We borrowed when we had the pool renovations and that's been taken care of.

Village Manager Hess: The pool membership pays for those. That's not a general taxpayer obligation. Pool Fund has to reimburse that.

Trustee Holdstein: This is exactly what I'm suggesting as part of the newsletter: to lay out an entire page so we can explain the budgetary process, where bonds are, how they're retired and how they're developed. There's a great misconception, I think. We should go out and do this as part of that newsletter to understand that a lot of things that we've mentioned may already be retired, or as Mr. Hess just mentioned, are paying off through memberships. There's a lot of misconception and we ought to get that information out so people understand what it is when we

bond an item. There's a lot of other bonds out there that we pass regularly that are 10-thousand dollars or 20-thousand dollars, and it's a lot of financial budgetary things. At the same time, I think it's worth noting that we have one of the lowest bond debt structures in the county through Mr. Hess' good running of our finances. But I think that is the kind of information we're talking about getting out there so people understand the whole scope.

Mr. Pycior: I stand corrected. I was going on a tape and perhaps mis-heard. However, I believe if the Village is going to borrow one large lump sum, like 1.5-million dollars, on top of some existing debt, there should be a referendum. You're elected for two years. You're not elected for 15. On an issue this large I think a referendum is warranted. I know Mayor Kinnally has left the option open to rescind the resolution. Please consider possible rescission, especially after the League of Women Voters forum, and you see the public response to it. Thank you.

Vanessa Merton, 111 Pinecrest Drive: First, with respect to Judge Coppola's decision to release the 50-thousand dollars to the Harbor at Hastings: how do you see that affecting our capacity to maintain the monitoring on the site?

Mayor Kinnally: As we indicated, we expressed concern to Judge Coppola that we wanted to insure that the monitoring would stay at the same level. The judge seemed to indicate, yes, I know your concerns but I want to see the stuff out of there. We have approached the AG's office in DEC to request that they step up their monitoring also on the site. We haven't gotten an ironclad commitment from them, but it has been conveyed to them.

Ms. Merton: Now we know there is more there than originally we had thought. Even if they continued at the pace they've been going it will be awhile yet before it's all gone. Was there was written decision by Judge Coppola on this?

Mayor Kinnally: No, there was not a written decision. It was a conference with the judge, and the judge indicated his decision and urged the parties to prepare a stipulation that would be so ordered by the court, and that's how it was done.

Ms. Merton: Is that an appealable order?

Mayor Kinnally: No, not the stipulation.

Ms. Merton: No, obviously if he stipulated, but if he didn't stipulate.

Mayor Kinnally: If we didn't stipulate to, could it have been appealed? Quite possibly it could have been appealed, yes. I mean, every order in New York, unfortunately, is appealable.

Ms. Merton: So, was there a decision on the part of the Board not to appeal Judge Coppola's decision?

Mayor Kinnally: There was no decision not to appeal it. There was discussion with counsel where counsel indicated the judge's inclination in this regard. There was no formal decision not to appeal, or to appeal.

Ms. Merton: It was just a stipulation?

Mayor Kinnally: Well, it wasn't just a stipulation. The stipulation was prepared, signed by all the parties including the state, and so ordered by the judge.

Ms. Merton: So we agreed to that disbursement, essentially.

Mayor Kinnally: In a sense, we agreed to it. Once the judge indicated how he was leaning, discretion being the better part of valor, the stipulation was entered into by the Village attorney.

Ms. Merton: Is that because you thought it could be worse?

Mayor Kinnally: I don't know what he thought. I know his professional judgment was that he had put his finger into the wind and indicated which way the wind was blowing. When the judge stated that he would order the release of the funds I believe there was a suggestion that it be incorporated in a stipulation, to be so ordered by the court.

Ms. Merton: What about the report of the subcommittee on the bond act? Or was it counsel that was going to report on investigating whether or not, if we proceeded with, any kind of foreclosure.

Mayor Kinnally: That wasn't a subcommittee. It was a discussion I had with John Cahill, who is now the commissioner of DEC. DEC is looking into some way of addressing our concerns on the waterfront so that the relief that is available in some measure under the bond act will be available to the Village. I've had a few discussions with him and he said that he has directed his staff to look into that. They don't have an answer yet, but it is something that they're addressing and they will come to us with the decision.

Ms. Merton: And then there was a subcommittee looking at the issue of LWRP?

Mayor Kinnally: Yes, it's still under consideration I understand. We have not gotten a report yet. Trustee Keaney.

Trustee Keaney: The committee has very actively met for the last four weeks once a week except for one week. Several of us went out-of-town last week and met with some representatives of the Department of State, and another governmental organization, and got a lot of information on a plan they were putting into effect. We've spoken to a lot of people. We are

in the stage of getting together our thoughts and coming up a report that we hope to present to the Board soon.

Regarding the Municipal Building renovation. I would like to join in what Stan said about the excellent idea of presenting this as a newsletter. I want the Board to look at a newsletter that Irvington did about their acquisition of the riverfront property as a useful example of a way of presenting detailed, complex information pros and cons, costs, benefits to the community. Also it apparently indicates that they are able to put this up on their website and invite public comment on the website.

Mayor Kinnally: Just give it to Mary and she'll circulate it.

Ms. Merton: I had an opportunity to take a look at what appeared to be the file on the Municipal Building renovation, and it left me with a few questions. There are two items in the file which are labeled as a study. They both were prepared by Peter Gisolfi's office. One's a presentation dated October 17, 1995 and the other was submitted September 8, 1995. I assume the members of the Board must be familiar with that as part of your process. As far as I could tell, in that study there were no substantive analyses either of the needs, the space needs, within the building, or of options for meeting those space needs.

Mayor Kinnally: We had meetings with the architects here in the Municipal Building where some of these items were gone over. My recollection also is that the Manager met with all the members of the staff, all the department heads, all of the people who use space in the Village, and went over various needs, concerns, hopes, expectations. I believe the architects did the same thing. When plans, or schematics, were proposed another round ensued with the people who would be using the space. So, it may not be in there. It may be in the architects' files. But certainly that type of assessment was done, not only by Mr. Hess but also by the architects.

Village Manager Hess: Actually I've got it here because I bring it to every Board meeting: the Utilization Study, which was completed December 5, 1995, provided to the Board and then again revised January 16, 1996.

Ms. Merton: Does that include the scope of services?

Village Manager Hess: No, scope of services was in the RFP in their proposal. There were a number of people that bid on the RFP.

Ms. Merton: Okay, I couldn't find that in the file that I was given but that doesn't mean anything.

Village Manager Hess: I looked at it, saw the list, and asked them to provide it to you when you asked, so I don't know what you got or didn't get but it indicated four finalists that were interviewed by the committee and presented to the Board.

Ms. Merton: The only thing that were available was a memorandum from you to the Board from last July, 1996. That was the only document that indicated any costs. It was a very summary document in terms of cost; there was no breakdown at all.

Mayor Kinnally: We will not get that cost, as I indicated, until you have specifications and you go out to bid. This is a very, very, very rough estimate because we haven't even done a full structural analysis of this building to see, when we start breaking through walls, what we're going to run into.

Ms. Merton: For two years I've been on a committee of Pace University, which is doing a major renovation of several buildings at the campus and is about to go out to bond on those renovations. Before going out to bond the University received the kind of cost breakdown, and again I would like to provide the Board with sample copies of...

Mayor Kinnally: The Board has not gone out to bond. The Board will not go out to bond until we've prepared the specifications and gone out to bid.

Village Manager Hess: Then you get very specific cost breakdowns, and they determine whether they want to do the project or not.

Mayor Kinnally: We're not even close to that at this point.

Ms. Merton: But you can still get at this stage, for example, some analysis of the relative square footage, the cost of renovation per square foot, of different types of renovation. For example, a certain kind of space, like this kind of space, there is a rough estimate with and without HVAC and utilities, of the per-square-foot cost. That kind of a specification can be done, should be done I would argue, before you decide to go ahead with the project, so that you know what you're getting for the amount of money.

Mayor Kinnally: I agree. We're not even at that point yet, though.

Ms. Merton: There was a number given in Neil's memo which said that a certain (I'll pick a specific number to make it clear what I'm talking about) renovation is going to cost roughly, the main level reconstruction area, without HVAC, etc., 296-thousand dollars.

Village Manager Hess: Vanessa, don't say that that's my memo. My memo did not say that.

Ms. Merton: I'm sorry, your memo preceded a preliminary cost estimate that was attached to it.

Mayor Kinnally: So, we're getting that from the professionals.

Village Manager Hess: We got that from the architects.

Ms. Merton: Right. When they come up with a figure like 296-thousand dollars, that reflects, in turn, their own process, their own working-through on a per-square-foot.

Mayor Kinnally: And that's what we pay them for. They use a construction estimator to arrive at that.

Ms. Merton: And that includes certain specifications. Not detailed specs, but certain parameters. That's the information that I think it would be useful to have available to the public. That's all I'm saying. The question is, is that information available, do you have it? Because what we have here culminates in an estimate of about 111 dollars per square foot.

Mayor Kinnally: We don't have any of the breakdown now. It's not something that you would normally have generated from an architect or from anyone because you have to have specifications before you can get into real dollars. We're not at that point yet.

Ms. Merton: When you have a building program that gives the square footage of each unit, and that gives the furnishings of each unit, all right. Are you aware that you have that already as a part of this file? You have the preliminary building program that gives that...

Mayor Kinnally: It's preliminary. That's right, but these are options. I mean we're talking about options, though.

Village Manager Hess: Again, you said you didn't have that, and that's why I pointed out that I had it right here.

Ms. Merton: No, I have that. But it doesn't have costs attached to it, Neil. There are not costs attached to each item.

Village Manager Hess: Back to what you said a few minutes ago, all you found were a few memos in the file and referred to my memo. What you got was a detailed breakdown by floor, by department, of all the space requirements. An entire program that was provided to the Board two years ago, and you're coming in saying, well do you remember you have this, do you remember you have that? Well, I have it right here. I bring it to every meeting. I have it with me if any Board member wants to refer to it. I have copies of the building plans, again, that I bring to every meeting. What we have is a general outline of the cost, prepared by the architect, Gisolfi Associates, in June, 1996, which broke down the cost of each of those options. The Board selected Option A.

Mayor Kinnally: And since that time we've made additional general changes of where renovations would be made. These numbers that we got from Gisolfi are very soft based on a rough outline of possible changes that would be made to this building. At the time that he generated these numbers we hadn't even focused on Option A or Option B. We hadn't made that decision yet. We've since made a decision to go with a certain option. After we gave him a preliminary decision on that he gave us some more input. We gave Neil additional input about where certain offices should be and changing things back and forth, and I know Gisolfi went back and talked to the people who are going to be using this space. So where he is on his numbers right now, I don't know. But we will get those numbers. We're not going to fly blind on this thing. We're going to get them, but we can only get them at a time after the architect has done all of his research not only as to what we would like to see in this building, but the feasibility of doing it and what you're going to run into when you start renovating this building. This is a very old building, and they used steel and concrete in this building very liberally. So making any changes here, especially when you start talking about putting an elevator in, is going to mean a tremendous amount of work and we don't know, structurally, what will have to be done. So the numbers are going to be soft.

Ms. Merton: I would like an opportunity to review the material that is available.

Mayor Kinnally: Whatever we have here you can review. Why don't you sit down with Neil and go through it. If you need certain information that you haven't gotten, and we have it, we'll make it available to you. But we may not have all of the information. It may be with Gisolfi.

Ms. Merton: All I'm saying is that it doesn't help to just list, for example as this does, "lobby, 800 square feet, refurbish existing." I'm saying that when you get a general statement, like, "Refurbish existing area and design for better use. Provide exhibit space on walls," which is the description under the preliminary building program, in order to get up to the number 296-thousand, for example, that that unit would be included in, a cost would be attached to that piece. I wanted to show you an example of how, for example, in the renovation at Pace each detailed unit has a cost estimate.

Mayor Kinnally: Why don't you do that. If you have that information I will be happy to give it to the architect.

Ms. Merton: I will submit that to you. And I'd like to suggest that that format, which ties specific units of the space to cost, makes it a lot easier to assess what you're getting for your money.

Village Manager Hess: We're not at that point yet.

Mayor Kinnally: We wouldn't generate that kind of information yet

Ms. Merton: I'm disagreeing with that. It is possible to do that because otherwise you couldn't get to that figure of 296-thousand. He didn't just pull it out of the air.

Mayor Kinnally: We're not at a figure of 296-thousand dollars. It's an estimate.

Ms. Merton: Well, I'm looking at that figure.

Mayor Kinnally: That's all it is. We're not even at working drawings at this point. I agree with you, it would be nice to have that information, and I hope that when final figures are given to us we'll get that information. But we can't produce it now because we don't have it.

Ms. Merton: But it's relevant to deciding whether or not this is a good idea.

Mayor Kinnally: No, it's not relevant to whether or not it's a good idea. It's whether it's relevant to whether or not we're going to spend "x" number of dollars to do it. I think this Board is beyond the point of saying that something has to be done to this building. I must tell you that we cannot continue to operate in this building the way it is built right now. We can debate it, but this Board had decided, having worked in this building and having talked to the people, that something has to be done with this building.

Ms. Merton: Yes. The question is what?

Mayor Kinnally: The question is not what. The question is how much is it going to cost? I think we've decided what has to be done to this building.

Ms. Merton: That, I think, is another issue.

Mayor Kinnally: Well, it may be another issue, but we're beyond that issue at this point. I must tell you that we've spent a lot of time in public hearings, public discussions, and work sessions talking about what has to be done to this building.

Ms. Merton: I'll just give you one example. You listed in the preliminary building program, which is the only detailed breakdown, a 300-square-foot allocation for a video editing room. One could debate the question of whether you have to have the video editing room on the second floor of this building.

Mayor Kinnally: No only could you, you would. But we have it already in this building.

Ms. Merton: One could, for example, decide that the Village would be better served by keeping the Gallery here in a major municipal center, and the video editing room, which only has to be accessed by the video editing person, doesn't have to be in this building. It could, for example, be in the Community Center.

Mayor Kinnally: Let me address this. Under the guise of talking about whether or not it's prudent to spend 1.5-million dollars to renovate this building I don't really want to get back into the situation of discussing whether or not there's any wisdom of keeping the Gallery in this space. This Board and this community have recognized not only that the Gallery is important but it has contributed an awful lot to this Village. But we had the Gallery as a tenant for 20 years here. The Board has decided that we need the Municipal Building for municipal purposes.

Ms. Merton: I'm suggesting that a lot of people may feel differently, and that a video editing room is not a primary municipal purpose.

Mayor Kinnally: I agree, but I don't think it is a prudent use of the Village Board's time to debate whether or not the video editing room should be on the second floor of the Municipal Building or in the Community Center.

Ms. Merton: Well if not you, who?

Mayor Kinnally: What are we going to start debating, and I don't mean to be flip, but the size and the color of the fixtures in the men's and ladies' rooms?

Ms. Merton: You're comparing that to whether or not to keep the Gallery?

Mayor Kinnally: The Gallery situation has nothing at all to do with whether or not we're going to spend money to renovate this building. Because if the Gallery were going to stay we would still renovate this building.

Ms. Merton: But you'd be getting a different outcome for your money, and that is what people in the community are concerned about.

Mayor Kinnally: What we would be doing would be renovating a building for the 21st century which is unable to accommodate the needs of the Village in the 21st century. Now I've had long talks with the Gallery about this. I don't mean to sound crass about this, but we have to move past the Gallery because the Gallery has already decided they're moving out of this building.

Ms. Merton: Actually, I've spoken to people who were associated with the Gallery and they would be happy to stay if the Board would reconsider. A lot of people in the community would rather see them stay.

Mayor Kinnally: I know a lot of people would rather have them stay. I'd love to have them stay but we don't have enough room in this building.

Ms. Merton: Why can't you look at something like this video editing room and say it's

not a priority? Who else but you should make that kind of determination? Are you going to leave it to the Village Manager?

Mayor Kinnally: Unfortunately this community, in its lack of wisdom, has elected us to do that kind of job.

Ms. Merton: Well, you just said you don't want to do it.

Mayor Kinnally: I didn't say we didn't want to do it. I don't want to debate whether or not you should have a 300-square-foot editing room in the Municipal Building. What are we going to do then...say how large the cells should be down in the police department?

Ms. Merton: No, that's quite a different issue. I think if you wanted to understand what I was saying, Lee, you could get it. It's that the Board is ultimately responsible for deciding what's the best option for meeting the needs, the absolutely acknowledged needs, for municipal service.

Mayor Kinnally: I agree.

Ms. Merton: And you've basically ruled out of order and out of debate certain options and certain possibilities.

Mayor Kinnally: We haven't ruled out of order any debate. We've discussed the issue of the Gallery. I've discussed it with the Gallery. We've got to have one site for Village services. We don't have a site for Village services right now. If you use any of the offices downstairs you can see that we are overcrowded, that the technology has overtaken us. We need additional space.

Ms. Merton: Nobody's disagreeing with that.

Village Manager Hess: . The video editing room is 200 square feet. It's the size of a good-sized closet. That room is not appropriate for the Gallery. It's about the size of their office in the Gallery itself right now. It's about a tenth the size of the Gallery space.

Ms. Merton: There are other things in the program which could be looked at. I'm not going to get into them now. The point is that there hasn't been an opportunity...

Mayor Kinnally: I will tell you right now that's nonsense, because we've had many, many opportunities at public meetings to discuss the renovation of the Municipal Building. I've just got to object to your saying that the community has been frozen out of this thing.

Ms. Merton: I said we didn't have an opportunity to look at the options.

Village Manager Hess: I offered at our first meeting in June to have any member of the community that wanted to sit in on the Municipal Building committee to contact me, and no one did, including yourself.

Mayor Kinnally: At this point the Board has asked the Village Manager to proceed with the architect in the design, feasibility, and the costing of the renovations to the Municipal Building. That's where we are at this point. I don't want to put the brakes on it, because we need to have something done to this building. Now, parallel if you want to discuss whether it's wise to have the Gallery here in the building I must tell you I would love to have the Gallery in the building. This Village and the Municipal Building cannot function the way it needs to function in 1997 and beyond by sharing space in this community with the Gallery where they presently have space. It just can't be done. Unfortunately, that's a decision the Board has to make, and the Board has made it. We're not saying we've made it cavalierly, tossing aside the needs of the Gallery. But first and foremost the needs of the community come first. We have to have a building that works. We've discussed it with the Gallery for a long, long time. They knew the situation, and we've given them even extra time to have the space in the building.

Village Manager Hess: They're in 25 percent of the building space.

Mayor Kinnally: I've said to them you want to have any of the wall space in the public areas of the building we'd love to have you. We can't have a dedicated space that must be used for Village functions.

Ms. Merton: I understand that that's the conclusion you've reached, and I just hope you understand that it is possible to question that judgment.

Mayor Kinnally: Not only is it possible, it's more than probable the judgment will be questioned. Of course, our judgment can always be questioned. But, unfortunately, that's the job that we have to do; we have to make a decision what's best for the community.

Village Manager Hess: Again, if you want to be on the committee let me know and I will notify you of meetings.

Ms. Merton: Please let me know.

David Shapiro, 5 Travis Place: I'm not at all trying to be facetious. Given what's gone on tonight am I to assume that the Board has decided to refuse permission for a referendum.

Mayor Kinnally: No. The Board has decided at this point to hold in abeyance any consideration of rescission, and to make available to the community through the auspices of the Village and the League of Women Voters an informational forum where a lot of what we've discussed today and have previously discussed will be brought out.

Mr. Shapiro: Might it be possible in the future that the Board might permit a referendum.

Mayor Kinnally: We haven't ruled it out. It's still a possibility. At this point we don't want to hold up that work that has to be done to get to that point, and certainly we wouldn't hold a referendum now. It's summertime. I don't think it would be too wise.

Ms. Mesnikoff: Can we go back to the waterfront? On May 30, 1996 the senior attorney for the DEC sent us a six-page letter itemizing an incredible amount of crud on the waterfront, I guess courtesy of Messrs. Greene and Eisenberg: unbelievable festering tanks of stuff which nobody knew exactly what it was, oozing and running over and leaking chromium into the river, old tires, etc., etc.; six pages of stuff; and really a third domain of pollution down there. Is that getting attended to, and is it being monitored, and what is the status?

Mayor Kinnally: Yes, it is being monitored. DEC has overseen the removal of thousands of tires from the building which is beyond Building 15. I don't know if that building is cleaned out yet, but they've taken out trailerloads of tires, and a lot of barrels of material that were down there have been removed under DEC auspices. I don't have a full list of what's been taken out of there, but I know DEC has been on the case.

Lin Osborne, 17 Villard: Although there may have been meetings, I don't have cable. I can't watch on television. I have to come down, and all I have is what I have in the Enterprise and what I hear from people in the Village. The Enterprise says that due to the expense of the project that the Board thought that it would solicit public opinion on the matter. So that's one of the reasons why I was so surprised when you went to vote on the Municipal Building renovation on the bond.

Mayor Kinnally: What's the date of that Enterprise?

Ms. Osborne: February 7th of this year.

Mayor Kinnally: We voted on this in May. But we had meetings and discussions about this in the interim.

Ms. Osborne: Well, I don't know how you can get out what's on the agenda any better because I really don't have time to come down and look on the bulletin board.

Mayor Kinnally: You don't have cable, you don't want to come down and see the bulletin board, I don't know what else we can do for you.

Ms. Osborne: Could you possibly put it on the voice mail system?

Village Manager Hess: You'd have to change over your general message every...we'll give it a try.

Ms. Osborne: I also went down to the Village Board looking for preliminary studies and needs assessments and so forth and I was unable to obtain them also. Are storm windows on this building in the proposal?

Village Manager Hess: No. We'll rely on the opinion of the Architecture Review Board on what we do on any of the exterior work on this building.

Ms. Osborne: I've been here for 20 years and every time I come in this room, I wonder if there's storm windows on this building. I'm paying for all this heat. I find that amazing you're not going to do that.

Village Manager Hess: I didn't say that. I said we'll rely on the recommendation of the Architecture Review Board.

Ms. Osborne: But you said it's not in the current proposal.

Village Manager Hess: I said it's not in this proposal because we're not doing anything on the exterior of this building.

Ms. Osborne: So it's not in this current bond?

Village Manager Hess: No. What we're doing is interior renovations.

Larry Apel, 111 Rosedale Avenue: I like what you said very much, Mr. Holdstein. Your proposals fell on positive ground. I'd like to get an update on what Mr. Theodore Kheel is doing.

Mayor Kinnally: I have no information on what Mr. Keel is doing.

Mr. Apel: Because this thing has his footprints on it.

Mayor Kinnally: It could have his fingerprints on it too, but I have no idea. This is news to me. I've never heard of this before. I'm surprised that if people have gotten this they haven't given me a call but I've never seen this before. The last time I spoke to Mr. Kheel was the meeting he came here.

Mr. Apel: I'd also like to know what steps are being taken by our Village Board against those owners of the waterfront who owe us millions of dollars in tax revenue. Here we are talking

about bond issues, indebting our own people, while at the same time someone owes us approximately 2-million dollars .

Mayor Kinnally: We have requested the Village attorney to give us guidance on the issue of foreclosure, and that also ties in with my discussions with the commissioner of DEC as to the availability of the bond act, and making sure that were we to spend any money to acquire the site that we would have all of the built-in guarantees and hold-harmless provisions.

Mr. Apel: The DEC and ARCO ran a very interesting meeting on July 9 at which the attempt by ARCO to approach the U.S. Army Corps of Engineers to work on the bulkheads was pointed out. Under our federal structure in this country there are a lot of pieces of the puzzle that are beginning to come together; from the federal side, with the Army Corps of Engineers, Governor Pataki providing his environmental bond issue, we having the tax liens. I think there are some very interesting things, because there's a sizeable portion of this Village that would like to get title back and use the waterfront for purposes of a marina or a corporate park or something that the entire community can use and benefit from over the years. So, I just want to throw that out, and I'd say that if we could ever do this, lady and gentlemen, this Board would go down in history in Hastings.

Mayor Kinnally: We may go down in history or flames, I don't know which it will be. But, I agree Larry. I have also made calls to other agencies and other entities. You know, Hastings will be on the map for many reasons, and a lot of the interested parties in the Hudson are being contacted by us. The issue of the Army Corps of Engineers with ARCO, it's an interesting concept but we'll see.

Mr. Apel: They had some really good sketches that were provided at that DEC...

Mayor Kinnally: Everybody has good sketches and plans, but nobody's putting their money where their mouth is these days, unfortunately.

Mr. Apel: That leads me to something else. ARCO has the most exposure on this thing. Have they ever intimated that they would pay for anything?

Mayor Kinnally: Well, it's not a question of intimation. By law they have to pay. They are the responsible party because they're successor-in-interest to Anaconda. The issue isn't whether they're going to pay, the issue is how much they're going to pay. And that's what the whole thing before DEC is.

Mr. Apel: When Judge Coppola apparently gave his consent to the usage of some additional monies for purposes of helping fund the cleanup are you aware of anything that he said as to any claim-over against this fellow Thomas Ambrosio, who was the third party in Age Carting whom we never proceeded against.

Mayor Kinnally: Mr. Ambrosio wasn't part of the lawsuit.

Mr. Apel: Exactly, and the statute now is gone.

Mayor Kinnally: I have no idea if the statute is gone.

Mr. Apel: It is.

Village Manager Hess: They got rid of their contempt when they paid their 150-thousand dollars to the court. That was their obligation.

Mr. Apel: When Age Carting went into bankruptcy in federal court they have to file their petition, and they have to list all their corporate offices and all their shareholders. Right there were the Fuccis and Ambrosio. Ambrosio is secretary, 40 percent shareholder, and we never went after him.

Mayor Kinnally: The concert is Sunday night at 7 o'clock at the Burke Estate. The Westchester Philharmonic will be there in full form. The concert they had of chamber music two weeks ago was absolutely spectacular. I don't guarantee the same weather, but the enthusiasm and the professionalism is just wonderful, this has become a staple here in the community, and we get a lot of people from Hastings, we get a lot of people from Yonkers and Dobbs Ferry and Scarsdale, and they come with the look of green envy on their faces.

Trustee Holdstein: Last year they were here from Jersey.

Mayor Kinnally: Yes. This is really a wonderful opportunity for the Village to come together.

Sprain Road has been in the news. There is consideration being given to reopening Sprain Road as it intersects with Jackson Avenue. I spoke with Mayor Spencer of Yonkers last week about this, and renewed my objection. I told him that we had communicated with Mayor Zaleski in Yonkers about this. I am sending a letter today going once again on record objecting to this. I've spoken to Paul Feiner about it. I think it is going to be a disaster. People talk about CIBA-Geigy and talk about Shoprite. That pales in comparison to what might happen if Sprain Road is opened up and accessed to these super mega-stores. This artery is certainly not sufficient now to handle rush-hour traffic. I don't mean for a moment to knock the project. I think it's, for the city of Yonkers, the culmination of many, many years of planning. This is an area of the city that Yonkers wants to have developed. But my understanding all along was that the main access to the site was to be off the Thruway because it was designed to accommodate the volume of traffic that these stores are sure to generate. My fear is that traffic is going to come through our streets, and it will clog up Jackson Avenue.

We have had discussions about a situation on Circle Drive where a private home was being used for after-school activities for child care. A question was raised whether or not the facility was operating beyond the license it had been granted by the Department of Social Services. At our behest, finally, they went in and did a physical inspection and, indeed, they were operating well beyond capacity. In the interim, the operator made application to the Department of Social Services and a revised license was issued such that they can accommodate at any one time 12 children on the site. Unfortunately, the licensing is done in such a way that community input is not solicited. There are no public hearings, although we were in constant contact with the Department and gave them information. We have been advised that a license has been issued for 12 children on the Circle Drive site.

Mr. Wolf: Regarding the Sprain Road problem, we met with Paul Feiner on other issues, brought this up, and got to look at the files. There are several letters which I brought to Neil which clearly state, from the Thruway Authority, that this is a matter to be determined by the local municipalities. We're in the process of also writing a letter, and when we meet with Neil we'll make sure that we coordinate so the letters are consistent.

Ms. Osborn: I heard a long time ago that there are leases signed. Is there a shovel in the ground there?

Mayor Kinnally: There's construction going on right now.

Ms. Osborne: And do you know what's their projected finish time?

Mayor Kinnally: Is it late '98? Because I know they haven't signed up Stew Leonards yet.

EXECUTIVE SESSION

On MOTION of Trustee Keaney, seconded and with a voice vote of all in favor, the Board voted for an Executive Session immediately following this meeting to discuss personnel, land acquisition, and litigation.

Mayor Kinnally: Announcements: Thursday the 24th the ZBA meets here in the Municipal Building; Monday the 4th of August Parks and Recreation meets at the Community Center at 7:30; the ARB meets at the Municipal Building at 8 o'clock Wednesday the 6th; the Youth Council meets at the Community Center Tuesday the 12th of August; the Board of Trustees meets in the Municipal Building. And the good news for the community is that I won't be presiding.

ADJOURNMENT

Board of Trustees
Regular Meeting
July 15, 1997
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On MOTION of Trustee Keaney, SECONDED by Trustee Gagliardi with a voice vote of all in favor the Board meeting was adjourned.