

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK**  
**BOARD OF TRUSTEES**  
**REGULAR MEETING**  
**APRIL 21, 1998**

The Regular Meeting of the Board of Trustees was held on Tuesday, April 21, 1998 at 8:12 p.m. 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, Deputy Village Attorney Brian Murphy, Village Manager Neil Hess, and Village Clerk Susan Maggiotto.

**APPROVAL OF MINUTES**

On MOTION of Trustee Keaney, SECONDED by Trustee Gagliardi, with a voice vote of all in favor, the minutes of the Regular Meeting of March 17, 1998 were approved as presented.

**Trustee Keaney:** Mayor, I would like the record to show that I will not be passing on the Board of Assessment Review minutes because I did not attend the meeting.

On MOTION of Trustee Gagliardi, SECONDED by Trustee DeVita, with a voice vote of all in favor, the minutes of the Special Meeting of Board of Assessment Review of March, 31, 1998 were approved as presented. [Trustee Keaney abstaining].

Trustee Holdstein had the following corrections to the minutes of the Organizational Meeting of April 7, 1998:

- p. 3, last line: change "Trustee" to "Mayor" Kinnally
- p. 4, line 11: change "Trustee" to "Mayor" Kinnally
- p. 4, last paragraph, line 2: change "who want it" to "who shop in non-tax localities.
- P. 17, last paragraph, line 1: change "she's" to "he's"

On MOTION of Trustee Holdstein, SECONDED by Trustee Gagliardi, with a voice vote of all in favor, the minutes of the Organizational Meeting of April 7, 1998 were approved as corrected.

**Mayor Kinnally:** I will abstain from voting on the minutes for the April 14 public hearing as I was not present.

On MOTION of Trustee Holdstein, SECONDED by Trustee Keaney, with a voice vote of all in favor, the minutes of the Public Hearing of April 14, 1998 were approved as presented.

**APPROVAL OF WARRANTS**

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

Multi-Fund No. 132-1997-98	\$183,498.33
Multi-Fund No. 134-1997-98	\$ 15,495.05
Multi-Fund No. 136-1997-98	\$ 13,430.93
Multi-Fund No. 137-1997-98	\$165,698.71
Multi-Fund No. 139-1997-98	\$ 2,782.00
Multi-Fund No. 140-1997-98	\$ 61,922.30
Multi-Fund No. 142-1997-98	\$180,624.03

**28:98 WESTCHESTER COUNTY DEPARTMENT OF COMMUNITY MENTAL  
HEALTH AGREEMENT**

**Village Manager Hess:** This is the second year in a row that we've received the contracts early. This is a calendar year contract from January 1, 1998 through December 31, 1998. It's the standard contract with the County, and it provides for continued funding for our Youth Advocate and Youth Council programs. I recommend approval.

**Mayor Kinnally:** This is what we have been talking about with Bill Finkeldey. It certainly is the engine that keeps us running here, and it's the standard form agreement.

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

**RESOLVED:** that the Mayor and Board of Trustees authorize the Village Manager to execute the agreement between the Village of Hastings-on-Hudson and the Westchester County Department of Community Mental Health for the period January 1, 1998 through December 31, 1998.

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

**29:98 PURCHASE OF FIRE CHIEF'S VEHICLE**

**Mayor Kinnally:** We are in receipt of a memorandum from Fire Chief Hoffman requesting purchase of a new vehicle for the Fire Chief. This is to replace and retire the oldest Fire Chief vehicle, which is a 1983 Chevrolet Suburban.

**Village Manager Hess:** In the '97-'98 capital budget it was recommended that the Fire Chief's vehicle be replaced. This is a four-wheel drive 1988 Ford Expedition and will be purchased under New York State Contract. Currently we have three Chiefs' vehicles: two Suburbans and a

station wagon. This would replace the second of the two Suburbans, a 1983 vehicle that has incurred heavy repair expense lately.

Upon questioning from Trustee Holdstein, Village Manager Hess stated that the vehicles carry firefighting and emergency equipment and that they are also used for the Chiefs to attend training sessions out of town.

**Trustee Keaney:** What will we do with the vehicle?

**Village Manager Hess:** Sell at public auction.

**Trustee DeVita:** I have one question on the size of this Ford Expedition. Isn't that a smaller vehicle than a Chevy Suburban?

**Village Manager Hess:** No, that's the equivalent size of the Suburban. The Ford Explorer is just slightly larger than the Blazer. The intermediate-type four-wheel is the Tahoe now. But the Expedition was under state contract. This means the state puts it out to bid and have pre-ordered thousands throughout the state, and we can purchase under that contract. It's an excellent price on an Expedition.

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

**RESOLVED:** that the Mayor and Board of Trustees authorize the purchase of a Fire Chief's vehicle, a 1998 Ford Expedition, to be purchased under New York State Contract for \$27,900.00 from Genesee Ford Truck Sales, Inc. in Rochester, New York.

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

### **30:98 PURCHASE OF RECYCLING VEHICLE**

**Village Manager Hess:** Under the grant I applied for last year and received, for improvements to our recycling program, one portion was the purchase of a recycling vehicle for the Village. The original estimates of the vehicle were 40 thousand dollars. That is from December, 1996 when those original estimates came up. Under the New York State Contract, the total cost of the truck and body is \$42,689. However, the New York State Grant will be paying \$20,000 of the purchase of this vehicle, so I recommend its purchase.

**Trustee Keaney:** How will this vehicle improve our recycling program?

**Village Manager Hess:** It's a compartmentalized vehicle. Right now, because of the way we do our collections, and having to use our packer body trucks, we can't commingle paper with our glass and plastics and metal. We have to make two trips. This will afford us the opportunity to have a compartmentalized truck that can make dual collections in certain locations, and it will improve our performance and efficiency.

**Trustee Keaney:** Will the one truck be sufficient to make one run throughout the whole Village on recycling day?

**Village Manager Hess:** Normally our recycling days are Thursday and Friday, but we will be able to hit concentrated areas, such as apartments where we can collect all newspaper and all commingled at the same time, as opposed to having to make two runs. It should improve the efficiency of the Public Works Department quite a bit.

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

**RESOLVED:** that the Mayor and Board of Trustees authorize the purchase of a recycling vehicle as approved in the 1997-98 Capital Budget, to be purchased under New York State Contract for \$42,689.00 from Navistar International Transportation Corp. in Albany, New York.

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

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

**Village Manager Hess:** The New York State budget has been adopted, and I think this is the first time in several years that it's been adopted prior to the Village finalizing its budget. What the state budget will provide us is an additional two percent in state revenue sharing, which equates to about two thousand dollars per year. We should see an increase of about seven percent in the Consolidated Highway Program, or CHIP's Program, which should bring the Village an additional five thousand dollars for the coming year. So the early budget adoption is good news, and helps us with our budget adoption projections for next week.

Arbor Day/Earth Day ceremonies will be up at Hillside School tomorrow morning. In

conjunction with the Beautification Committee and Hillside School, we will be planting a white pine up at the school grounds. I understand we're going to have a visitor: Woodsy Owl will be joining us again. This will be the fifteenth year in a row that Hastings has been designated by the National Arbor Foundation as a Tree City.

This Saturday there are a number of events going on. The PTSA Annual Flower Sale Festival will be this Saturday from 10:30 to 2:30 at the Cochran Gym. It was a great event last year for those who attended, and I hope everybody will be able to go there and support the PTSA.

Senator Spano has set up a Village Hall Meeting here next Thursday night, April 30 at 7 o'clock.. The purpose of that meeting is to hear constituents' concerns and questions. He has invited the Mayor and myself to join him that evening, and we hope people can attend.

The Hastings Education Foundation has sent out a brochure on a Stars Over Hastings, an event that will be happening on Saturday, May 30 at 7:30 p.m. Tickets are 25 dollars, and that's for general admission to the event. There is reserved seating and a champagne reception afterwards, if people are interested, for 75 dollars. They're looking for mail orders to be received by May 15, to be held at the door. Anybody who needs information on this can call Maria Stober, at 478-4269. As you know, the Hastings Education Foundation was just recently formed within the last 1-1/2 years and has already provided substantial funding to Hillside, the middle school, and the high school, and just recently announced again several grants that the Foundation has awarded. So, we urge everybody to attend this event.

## **BOARD DISCUSSION AND COMMENTS**

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

**Mayor Kinnally:** As I have indicated in the past, we have entered into some discussions with FC Hastings dealing with the tax certiorari proceedings pending in White Plains. We are going to have another meeting tomorrow evening at 8 o'clock in the Municipal Building, and we will continue to listen and to exchange ideas about possible settlement of the litigation.

As far as the balance of the Waterfront is concerned, the debris is being removed from Building 15; again, not at a pace that we would like to see but certainly well within the targets that everybody has set up, such that the debris will be totally removed as of the end of August of this year. I have started again discussions concerning the possible acquisition of the Marinello property. I am also talking to some people in the state about possible additional funding if we can get that for the acquisition of that site.

Trustee Keaney and I had lunch with Ted Kheel and with the executive administrator of the foundation that is looking into acquiring the property. He shared with us a number of his ideas, and brought us up-to-date on his timetable. They are, indeed, looking to exercise their option and close on the property late this spring or early this summer. They are still in the process of having discussions with ARCO concerning the possible participation of ARCO in the

development of the site. They are also working with engineers dealing with the bulkhead repairs that are scheduled for some time this summer, although I think that timetable is somewhat ambitious given the fact that approvals have to be obtained from D.E.C., the Army Corps of Engineers, and the Village, and we have not had the input needed for that project because all of the engineering studies and proposals have not been finalized.

I have written to the County Executive inquiring whether or not he would be available this Saturday to kick off the LWRP forum and to give a brief speech. I haven't heard back from him. I will give a brief rundown of what's happening and not happening on the Waterfront to start off the program. Trustee Keaney has been active in putting the program together, and is also the Chair of the LWRP Steering Committee. I'll hand it over to him right now.

**Trustee Keaney:** Everyone is invited to come on Saturday, April 25th to the Hastings High School Auditorium from 9 to 12. There will be a very brief kickoff speech by the Mayor, and then a keynote address by Mr. Fred Kent, who is experienced in building enthusiasm for Waterfronts. He is involved in a planning project in Dobbs Ferry. After that we are going to have small-group brainstorming sessions. We're hoping to get about 10 different groups, small numbers in each group, so that people can exchange ideas. We have trained facilitators in each group so that real progress can be made. Then we will come together into a general discussion to talk about priorities and next steps. The purpose of these sessions is to achieve a community outreach. The linchpin of the LWRP is that it's a community plan for the Waterfront that reflects what the community wants. We have to have realistic and achievable decisions, but you have to start out with listening to the community. That's the purpose of this Saturday's forum.

Mr. Kheel and his associate are coming to our meeting. They were very interested, and eager to be invited. We told them that their input as potential developers there would be really desirable. So they're coming to listen to the community as well, and to give their input.

If you're not available to come on Saturday from 9 to 12, we still want to hear from you. You can take the tear-off questionnaire that's been provided in the insert in the April newsletter or you can send your ideas to the LWRP at Village Hall; just a list of things you would really like to see on the Waterfront, and things you would not like to see on the Waterfront. That's how we're starting. We're not getting into specifics right now about the many things that we're going to do. We're starting out with those questions: What would you like to see on the Waterfront most?; What would you like not to see most?

## **2. Safety Council Report**

**Mayor Kinnally:** We're in receipt of a very brief report from the Safety Council dealing with the topics that were handled at the January 27 meeting. There are discussions and recommendations on five items: 1) a safety concern near Hillside School; 2) a left-turn-only lane on Farragut; 3) temporary stop signs on Farragut; 4) unsafe conditions on Columbia near North End; and, 5) an unsafe condition on Hamilton and Merrill.

**Village Manager Hess:** We could go right to number four, Columbia Avenue and North End Avenue. This item has been recommended by the Safety Council. Because of the timing, when the recommendations were made for the Board's consideration the police authorized temporary No Parking signs, which have been installed, until the Board makes a decision on action. I would ask the Board to have a Public Hearing on creating the No Parking area on Tuesday, May 5th.

On MOTION of Trustee DeVita, SECONDED by Trustee Gagliardi, with a voice vote of all in favor, the Board voted to hold a Public Hearing to consider amending Chapter 97 "Vehicles and Parking" of the Code of the Village of Hastings-on-Hudson by establishing parking restrictions on Columbia Avenue.

**Village Manager Hess:** Regarding the other recommendations, there were concerns expressed about safety near Hillside School: the problem concerning drop-off and pickup of children at the school causing a dangerous condition as the cars are turning around within the intersections along the roadway instead of remaining in line and going around the turnaround. Portions of the problem occur on school property, and would have to be resolved by school authorities.

The Council agreed and recommended that safety could be improved by the repainting of crosswalks at the intersection of Lefurgy Terrace and Lefurgy Avenue, Lefurgy Avenue and Edgewood Avenue, and across Lefurgy Avenue at the gate to the school property. Also, signs indicating No Parking on the west side of Lefurgy Avenue between Lefurgy Terrace and the school gate should be inspected and reinstalled if necessary. There are already No Parking restrictions there. Let me point out that all these first items were referred right back to the Public Works Department to handle.

The Safety Council asked Mr. Brickman who also represents the Hillside Safety Committee, to present a proposal to the school authorities to discuss the concerns on school grounds. They talked about dividing the drop-off and pickup areas for the students between the front entrance on Lefurgy and the side entrance accessed from Hillside Pool utilizing the footpath. That division will be left up to school authorities. They also made a recommendation that the path be inspected to see if upgrades or repairs would be necessary. Again, that was referred to the Public Works Department and the Parks Department.

Number two on their report was a left-turn-only lane on northbound Farragut Avenue at the intersection with Broadway. The Safety Council recommended no action, as they saw no problem with the present situation. Normally the people in the east lane do head north. It's very rare that people make a left down Main Street from the right-hand lane. But there are instances where both lanes will go north on Broadway as opposed to turning left and going down Main. The consensus of the Safety Council was that they really saw no problem with the present situation. If anything, the right-hand lane should be a straight arrow only, either straight or right, and no left turn. But that would, again, take action by the County at that location.

Regarding unsafe parking of a vehicle at the bottom of Hamilton Avenue near the intersection

with Merrill Street. There was a recommendation that a 30-foot-long double yellow line be painted on the roadway at that location, and I understand that's been referred to Public Works to be completed.

[There was discussion among the Trustees as to how this would work; Village Manager Hess stated he would discuss it in more detail with Chief Marsic.]

Temporary stop signs on Farragut in front of the high school and middle school: from a joint meeting we had with the Board of Education there was a recommendation to put up temporary stop signs and pedestrian signs. It has appeared to work very well. I understand that the school custodians have started a job action; they have refused to put out the signs or take in the signs. Our Public Works Department made an agreement with the school that we would put out the signs in the morning and would take the signs in at night, but the custodians would have to do the middle part of the day. Today, in the afternoon, the signs were not put out by the custodians. We will contact the school authorities tomorrow and see what action is going to be taken.

**Trustee DeVita:** There's one other thing that seems to continue to be a problem: the ice cream truck on the corner of Hillside and Farragut, right by the play area of the middle school. It's a dangerous situation.

**Mayor Kinnally:** Let's move on to the Municipal Building renovations. We're trying to get this project moving along. Mr. Hess, do you have any update on that?

**Village Manager Hess:** The Board has been provided all the updated information on costs. We've had, through the help of the League of Women Voters, two public informational forums on the renovations in detail. I would like to see us set a date in the near future to have a final meeting with Mr. Crane so he can authorize moving forward on the project.

**Mayor Kinnally:** May 5th. We have one Public Hearing that night, right?

**Village Manager Hess:** If there're any finalized questions, if you want to authorize the project, can we tell him to proceed with the plans?

**Trustee Holdstein:** Are we under any obligation to have another Public Hearing?

**Mayor Kinnally:** Just have him here for the agenda so we can have some discussion on it, that's all. It will be a public meeting, and Frank can give us some information. It's probably a good time to go out to bid.

**Trustee DeVita:** I think the longer we stall this the closer we get to another winter and I don't think our furnace can do that.

**Mayor Kinnally:** Put that on for the May 5th agenda. Before I pass it along to Trustee DeVita, who wants to discuss what happened at the Burke Estate meeting, we have received notice that



the Harbor at Hastings has been removed from the Town of Greenburgh's foreclosure list. I assume, by virtue of that, that they are talking with the Town of Greenburgh, that they are current in taxes, and that Greenburgh has, I don't know if you call it a change of heart, but certainly their approach is not in litigation, but rather their approach is some sort of accommodation such that they're not moving along with foreclosure on the property.

**Village Manager Hess:** Previously, it was discussed that the Town was looking to foreclose, but we received a report from the Town Tax Receiver, Bernard Forrest, on the tax foreclosure list that they filed with the County. They have removed the Harbor at Hastings. As you know, they announced that they had a tax settlement agreement several months ago. I understand from the Town that the Harbor at Hastings is current in terms of their tax agreement payments with the Town. They have been removed, so the Harbor cannot be foreclosed by the Town at this point because they do have a written agreement and have made their payments. Obviously, they've been removed from any consideration on foreclosure by the Town.

**Trustee Holdstein:** The agreements I saw ran through June, 1998. I had documents that were given to me from the Town that it seemed to be open-ended after June, 1998 on that whole issue of foreclosure and taxes.

**Village Manager Hess:** The Town is required by law to file a Foreclosure List with the County of Westchester, and I believe it's in December. They filed such a list, and removed the Harbor at Hastings. Next year, if they decide that they wish to foreclose on the taxes, they have the option to do that if it goes beyond whatever their agreement is.

**Trustee DeVita:** The Burke Estate Advisory Committee has had two meetings so far. The Committee consists of a number of community interest groups: School Board members, myself, the Superintendent of Schools, and George Foster who is the Superintendent of Buildings and Grounds. These are public meetings and the community is invited. There's a Thursday afternoon meeting on May 7 between 3:30 and 5 in the conference room at the high school. In that meeting we will be hearing reports from the principals of the schools and the faculty: wish lists, what kinds of things they think would be useful on the Burke Estate. The following meeting is Monday, May 11 at 7:30 to 9:30, also in that conference room. Again, I encourage the public to attend. This is your Burke Estate, and community input is really what this Advisory Committee needs.

**Mayor Kinnally:** What has the progress been to date?

**Trustee DeVita:** We've done a lot of examination. We've looked at different maps and reports. This last meeting, we looked very closely at the condition of the house. As you know, it's in terrible condition. So now we need to come up with some kinds of recommendations. We have how much it would cost to restore the house and whether or not that's worth it, or demolish the house. If we recommended it to be demolished, would we need another structure, and then what would that structure look like and what activities or facilities would be housed in that structure. We also considered other things like fields. Does the school district need another field, and if it

did where would it be? Does it need to increase the cross-country track? What are the needs of the sports department or are there other recreation needs of the Village in terms of the Burke Estate utilizing sports facilities and so forth there?

The purpose of the next meeting is to give the school officials, teachers and principals an opportunity to talk to us and tell us what they would like to see on the Burke Estate.

**Mayor Kinnally:** What numbers are they talking about as far as rehabilitation of that building?

**Trustee DeVita:** Very big numbers. It was over 515-thousand; that was without sewers, which it needs, and without any ADA specifications. Remember, these figures came from a report that was done in 1994, so this is not an accurate number.

**Village Manager Hess:** The estimates I've heard are 700- to 750-thousand.

**Trustee DeVita:** Probably closer to a million dollars, because the sewer lines are totally disconnected and have to be redone. The 1994 report had no ADA specifications, or compliance. There has been a lot more damage since 1994. There are things like dry rot in joist beams, and things that are much more structurally costly than were originally estimated. At that time I think something like 60 percent of the roof could be saved; now it's less than 50 percent, and it's a slate roof. So these figures are not accurate. The low end would be half-a-million dollars, but we know that's not an accurate figure.

**Trustee Holdstein:** I had the pleasure yesterday of going up to Uniontown for the opening of Little League and I arrived in the 6th inning to witness the minor league division Giants come from 3-0 down in the last half-inning of the game to win 4-3. I just want to say to everybody that if they have the opportunity, get out to Hillside School or Uniontown to see the major and minor league Little League, which is now officially open this week. There were quite a few people in attendance who were not just parents of the kids playing. It was a delight to see all the kids out there. .

### **EXECUTIVE SESSION**

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

**Trustee Gagliardi:** I would like to add that also on Saturday, along with the LWRP and the Foundation's festival, there's a softball tournament at Zinsser Park, sponsored by the Fire Department. If anybody has any time left, stop over and buy a hot dog. I think they're short two teams, too.

### **ADJOURNMENT**

BOARD OF TRUSTEES  
REGULAR MEETING  
APRIL 21, 1998  
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On MOTION of Trustee Holdstein, SECONDED by Trustee Gagliardi, with a voice vote of all in favor, Mayor Kinnally adjourned the Regular Meeting at 9:05 p.m.

**Mayor Kinnally:** We are following this meeting with a Work Session to discuss the budget. Thank you.