

VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
REGULAR MEETING
SEPTEMBER 15, 1998

The Regular Meeting of the Board of Trustees was held on Tuesday, September 15, 1998 at 8:10 p.m. in the Meeting Room, Municipal Offices, 615 Broadway.

PRESENT: Mayor Wm. Lee Kinnally, Jr., Trustee James B. Keaney, Trustee Elsa C. DeVita, Trustee Michael Holdstein (8:15 p.m.), Trustee Anthony Gagliardi, Deputy Village Attorney Brian Murphy, Village Manager Neil P. Hess, and Village Clerk Susan Maggiotto.

CITIZENS: Four (4)

Mayor Kinnally: We are in new quarters this evening. We have moved from the Municipal Building to 615 Broadway. We will be doing business here for the next year while the Municipal Building becomes renovated.

PRESENTATION – VILLAGE IMPROVEMENT PROJECT

Mayor Kinnally: Larry Marone is here to speak about the Village Improvement Project, an effort to upgrade our downtown area.

Larry Marone, 151 High Street: I am a retailer downtown in Hastings for 20 years. The Village Improvement Project wants to thank the Board, the Mayor, and the Village Manager for your support and interest as this idea came to life six or eight months ago. The Village Improvement Project is a grassroots organization of dedicated people who want to see the downtown business district improve as time goes on. I believe firmly that we are on our way.

The Village Improvement Project has been meeting over the summer. We have held public meetings for input; we have discussed with residents and also with merchants to get ideas. We have been getting more interested volunteers to move forward actively this fall. Our mission is to draft a mission statement with our goals, and get to work.

The Historic Rivertowns has put together the Hudson Heritage Day Festival October 3rd with all the Rivertowns participating. The VIP Committee will capitalize on this energy to put together a fall festival for that day that would build on the Chamber of Commerce's Fall Fling.

The VIP has been working with the Chamber of Commerce, Parks and Recreation, the Girl Scouts and other Village entities to plan a fun day in Hastings which will showcase cultural, commercial, and natural resources.

We hope that we can count on your help with the festival's budget. The VIP is relying as much as possible on volunteer and pro bono professional efforts. Donations of music, graphic design

work, writing, and leg work are relatively modest. Our variable is the newspaper advertising. We recommend that the Village sponsors ads in both the *Gannett* supplement on September 29 and in our *Rivertowns Enterprise*.

Any interested residents and merchants who wishes to participate can contact Michelle Noe at 478-1782; Jean Zimmerman, 478-2580; and Christina Griffin, who is the VIP chair, at 478-0799. These people, along with myself, are giving it 100% because we feel that it is time to make a better life in our downtown Village business district.

I would like to take this opportunity to let my fellow merchants know that they are very high on the list with this committee. There is a lot of respect for the downtown Village merchants. We realize that things have not been so smooth over the last 2-1/2 years.

Michele Noe, 20 Marble Terrace: You have received a letter with the schedule for the day. The activities will be sprinkled throughout the downtown. We will not be closing the streets this year; that is something the merchants felt very strongly about. Through Larry's efforts 42 merchants have committed a small fee to help promote the event. We have a preliminary budget with expenses totalling about \$4,000 and we have about \$2,500. We are looking for about another \$1,500 to close the gap.

Trustee Keaney: I think it is terrific. Hooking up with Historic Rivertowns is something we have always talked about, and I am glad you are doing it. I am also happy you mentioned that the Battle of Edgar's Lane exhibit at Draper Park is going to open that day. That is going to be a real draw, too. I like the idea of interspersing different smaller activities throughout town and the waterfront .

Trustee DeVita: I think it is wonderful, and I thank you for your commitment to such a wonderful day.

Mayor Kinnally: What do we have in the budget for anything like this, and how does this fit into our overall plans for celebrations?

Village Manager Hess: I think it fits in very well. \$1,500 does not sound unreasonable for the extent of the events and what is going on that day. As long as the Board has endorsed the project, we will make funding available for that and for the reimbursement to the Chamber.

Mayor Kinnally: Are the merchants actively getting involved?

Mr. Marone: I would say overwhelming support by merchants. We want to stress this year that the streets are going to be open. We want the public to walk into our stores.

Trustee DeVita: It is a good idea to arrange with the school to have this notice come home from school the Thursday or Friday before.

Mayor Kinnally: My question about the merchants was not limited solely to the festival but the whole VIP project. I want to get their input, imagination, creativity, and ideas so that they are really part of where they work.

Mr. Marone: When I start talking about the Village Improvement Project, the merchants perk up because it is something new to them. We had a merchant meeting at the Hastings House Restaurant. Turnout was not fantastic, but the merchants who came were very enthusiastic: creative ideas, lots of suggestions, and willingness to participate.

Trustee Holdstein: Has the Committee moved forward on some of the shared ideas from the Protection breakfast? Are you starting to frame out the future that was talked about at great length by the different tables that morning?

Mr. Marone: We are concentrating on this effort now. I am sorry to say that we have not progressed on any other front but this, but I think it is the right direction. The summertime was a difficult time to get started; if we organized now we would have a lot different kind of support.

Village Manager Hess: Considering that we are not having the Fall Fling that I planned for in the budget, I would like to suggest that on October 3 the Board suspend meters in the downtown. We normally have the streets closed, so there is no meter revenue on the streets anyway. For what we are saving in police presence/protection for that event, the loss of meter revenue would be minimal.

Mayor Kinnally: I would go along with that, but urge the merchants to urge their employees not to park in that area; keep the parking lots free for the people we are trying to attract.

Village Manager Hess: If the employees park at the commuter lot we will pick them up with the shuttle and deliver them to their stores, since we will have the shuttle running back and forth anyway. .

Trustee Keaney: Are you talking about suspending the parking meters in the lots, and on the street as well?

Village Manager Hess: On the street as well, from 8 a.m. to 6 p.m. We would bag them on Friday night or late Friday afternoon.

Mayor Kinnally: We usually talk a little too late in the year about holiday parking. I would ask that the Chamber consider what their wishes are this year and come back to us.

Mr. Marone: I will convey the message. May I ask about the merchant parking lot behind St. Matthew's Church?

Village Manager Hess: We have made a request similar to our agreement about five or six years ago with St. Matthew's. They have to get approval from the New York Diocese; that is a process that will take some time. I updated both Joe LoCascio and Peter Lockwood on that.

Mayor Kinnally: This was a proposal that came up several years ago; the Village suggested that a parking lot be created on the St. Matthew's property behind the school for merchants. We would pave it and put up lighting to insure safety in the evenings there. The access would be from Whitman. We had started the process. The Archdiocese has gotten involved. I think there may have been a draft agreement. Then, I don't think the merchants were too enthusiastic about it.

Mr. Marone: We have been polled. I think there is quite a favorable feeling.

Mayor Kinnally: Six or seven years ago that was not the case, but now it has been revived. I spoke to Peter Rockwood about it today, and I will keep after the church, the Archdiocese, and see if we cannot get something going there. It is a source of revenue for them. It certainly is good for us. It is an improvement to the property.

Susan Winn, 208 Farragut Avenue: We had a meeting of the 1999 Committee this past Saturday and were thinking about having a town crier to hand out flyers for the Battle of Edgar's Lane. If we could coordinate with what you are doing we would appreciate it. Perhaps our committees could work together on posters, etc.

APPROVAL OF MINUTES

Trustee Holdstein had the following correction to the minutes of the Special Meeting of July 21, 1998:

Trustee Holdstein: Page 4, middle of the page: eliminate redundant "there"

On MOTION of Trustee Holdstein, SECONDED by Trustee Gagliardi with a voice vote of all in favor, the minutes of the Special Meeting of July 21, 1998 were approved as corrected.

On MOTION of Trustee Gagliardi, SECONDED by Trustee Keaney with a voice vote of all in favor, the minutes of the Special Meeting of July 28, 1998 were approved as presented.

The following were corrections to the minutes of the Regular Meeting of August 11, 1998:

Trustee Holdstein: Page 9, second to the last paragraph: add “which” after roadblocks
Page 10, first sentence: omit first “about”

Trustee Gagliardi: First page, People Present: Trustee DeVita was not present.

On MOTION of Trustee Holdstein, SECONDED by Trustee Gagliardi, with a voice vote of all in favor, the minutes of the Regular Meeting of August 11, 1998 were approved as amended.

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. 26-1998-99	\$ 55,320.14
Multi-Fund No. 28-1998-99	\$ 20,458.87
Multi-Fund No. 29-1998-99	\$ 217,289.00
Multi-Fund No. 31-1998-99	\$ 16,611.78
Multi-Fund No. 32-1998-99	\$ 86,897.27
Multi-Fund No. 34-1998-99	\$ 172,890.10

VILLAGE MANAGER'S REPORT

Village Manager Hess: I would like to announce several appointments to the Village staff:

Assistant Court Clerk: Gail Hoffman.

Community Development Advisory Group representative: Kevin Cioppa

Part-time clerk in the Village Clerk's Office: Maria Ong

There is a hearing on Thursday, October 22, at 7 o'clock at the Tarrytown Village Hall on a consolidated plan to be developed by the Westchester County Planning Department and the Community Development Group relative to the fiscal year 2000 through 2004 goals. The priority goal for the current round of funding was housing.

I want to compliment all Village staff for a very busy and productive summer: camps went very well; the pool; our swim team went undefeated this year again in Division 4; our youth advocate programs; Wednesday night YAP at the Community Center; summer bridge program. All did

very well. We are in our temporary offices at 615 Broadway. Everybody on staff worked very hard to work on this move to make it as smooth as possible. In terms of the preliminary planning, Susan Maggiotto did an outstanding job, as well as Marie Oelkers and Linda Knies. The day of the move Marie and Linda held it all together. I want to compliment everybody for making the transition for ourselves and for the public as smooth as possible. The telephone system was up and running right away; our computers were up and running right away; and the TV station was down about a week less than we thought it would be. That is all due to Rafael Zaratzian, who is right now behind the camera.

Our new fire alarm system has been delivered. We are looking at installation very shortly. The alarm wire is going to be laid between this building and the Municipal Building soon so we will movement of the police from the Municipal Building to this building will occur probably in the next two to three weeks.

Municipal Building plans and specs: all the final plans and specs will be delivered September 22. Ads will go in all the trade journals, as well as the papers. We will accept bids on the project on October 13 and are planning to have a recommendation on October 20.

One question that comes up often since the closing of Prime Meats: Are they going to reopen? As of today, people are inside painting and doing finish work. The prospect that they are going to be reopening soon looks very likely.

BOARD DISCUSSION AND COMMENTS

1. Update on the Waterfront

Mayor Kinnally: Following our meeting July 28 I received a call from the DEC the DEC Commissioner notifying me of the extremely high concentrations of PCB's in the northwest corner of the Anaconda site. Since then, the DEC and the Governor have been here. There is a preliminary plan dealing with the replacement of the entire bulkhead with sheet piling, the construction of which will commence sometime this fall. The Governor toured not only the northwest portion of the site but Building 15. At the time he was there the building was completely cleaned out. The removal of the debris in Building 15 was done about a week earlier than the court order mandated.

The irony is that the DEC has indicated that they may use Building 15 for the removal of the PCB's.. They will probably install a de-watering system; the material taken out of the ground, will be taken to Building 15 and all of the water removed from that material. It will go out as a dry solid. We received a PRAP – Proposed Remedial Action Plan – last Friday from the DEC dealing with the cleanup of the PCB's.. It was the result, in large part, of a meeting held here two

weeks ago with Erin Crotty, who is the head of remediation at the DEC; Mike Loesser; George Heitzman; Trustee Keaney; Manager Hess; myself; Mark Moran, regional head of the DEC; and Mark Chertok, who is our environmental counsel. The purpose was to allow the DEC to assess how we wished the cleanup to proceed. Our suggestion for removal was either remove the debris by barge after the bulkheading is put in, or extend the rail siding into the property and remove the debris by rail. The recommendation in the PRAP was removal of the debris by rail. The PRAP will be the subject of the meeting with the DEC on September 24.

Village Manager Hess: This PRAP was issued September 11. There is a 30-day comment period, by law, to the DEC. After the comment period, the DEC will issue a Record On Decision. What they have chosen is the most stringent cleanup: total removal, Alternative 5.

Mayor Kinnally: The state is going to move very rapidly on this. They feel that the danger is such that the site must be stabilized. They want to move forward with the piling and the bulkheading so that when all of the technical aspects of the cleanup are finalized they can start dealing with the contamination.

Let me go back to the recent meeting with the DEC. It was a very productive meeting. They had an agenda in the best possible use of that word. They were open to what we wanted to say regarding the health and technical aspects. Questions were raised about additional monitoring in Marinello Cove and MacEachron Waterfront Park. They said it would be taken care. Regarding the bulkheading, they indicated it would go beyond the current level of the site. It was a very encouraging response.

Trustee Holdstein: Do comments at the meeting become part of the record, or do they have to be placed in writing separately?

Mayor Kinnally: Everything stated becomes part of the record. I do not know if it has to be responded to.

Trustee Holdstein: How will the dry solids, for safety to our community, need to be stored, transported, and loaded?

Mayor Kinnally: It becomes an inert solid. There is no vaporization or air-borne dust. The water will be caught, collected, treated on-site, and discharged as fresh water. Building 15 is the de-watering site.

Trustee Holdstein: Will it be quieter or louder than the process for screening the debris?

Mayor Kinnally: I do not know. But one of the noise components is going to be the driving of the piles into the Hudson River. But, I must say, it will be music to our ears, because you will know you have a stable site. They are going to increase the size of the site. They are allowed up to 16 feet from the existing bulkheading, and they will have to backfill. That, in large part, is going to solve the issue of whether there was going to be filtration fabric on the rip wrap. They will fill it with a gradated aggregate sand mixture, so that the fill will act as a natural filter for anything that may migrate from the Hudson River to the site, and vice versa. The pile driving operation will be in the Hudson River. It will not be on the shore.

Trustee Keaney: It is a difficult engineering feat. I would like to recommend that this proposed action plan and any background material we have been given to the engineers that have been working with us on the Riverkeeper.

2. Hastings 1999

Trustee Keaney: Hastings 1999 is about to get off to an explosive kickoff with the recreation of the Battle of Edgar's Lane on the weekend of October 16, 17, and 18. Saturday afternoon will be the recreation of the Battle. Early Sunday afternoon there will be an instant replay of the Battle. Then we will do a recreation of the story of the Hessians marching up Broadway, stopping at Peter Post Tavern, the deception; they marched on and they got ambushed. A volunteer is writing a script. We will close the weekend's activities with a public ceremony for the unveiling of the New York State historical marker that has been found. We will put it back up at Edgar's Lane and Broadway.

All the weekend's events are free. It is a chance to become part of Hastings' history and it is the kickoff for Hastings 1999. For those who wish to have more of a hands-on experience: for a modest donation which will be earmarked toward Hastings 1999 you can have the opportunity to be in on strategy sessions or to become commissioned as an officer on one side or the other.

Ms. Winn: The Village birthday bash will be on November 13, 1999, which is close to the 120th birthday of the Village. We are hoping to have a Village-wide garage sale in June of '99 sponsored by the Mother's Club. We are trying to get hold of Peggy Tzierma, who used to live in the house where the Municipal Building is now, and we would like to talk to you. We are going to place six-gallon water jugs around the Village and are asking people to donate any loose change or dollars to offset the costs of extra police and extra sanitation relative to the 1999 celebration. We are trying to involve the schools, the banks, the Food Emporium. There will be t-shirts, mugs and magnets for sale at the Office Ink; part of the proceeds will be donated back to the committee. The Senior Canteen and Busy Bees will sponsor an Ethnic Food Day on May 15.

I would like to commend the Board on the work they have done on the waterfront. It has shown that the patience and the steps you have taken have all paid off.

Trustee DeVita: I think that we can extend the battle recreation to neighboring districts. Anyone who teaches American history would be so excited to know that this is happening.

Trustee Keaney: I envision it as a fun way to teach history. There is a lot of history in this area that people should know about. This is a town that is very vocal about issues. Well, there were issues in 1778. Part of what we should be learning is seeing how people reacted then. We are providing publicity to the Hastings school district.

3. Bar Closing Hours

Mayor Kinnally: We have received a request to support a proposal in front of the Westchester County Board of Legislators to change the bar closing hours in Westchester County from 4 a.m. to 2 a.m. This is a recurring problem. I can think of three other times that this issue has come before us. Communities such as Port Chester, Rye, and Bedford feel the brunt of this because Connecticut has a 2 a.m. closing, so there is a migration from Connecticut to these communities. It does not have such an impact here. It really is an impact in those areas.

We had a meeting last week with county legislator Tom Abinanti and a number of the mayors from the surrounding areas. This question came up, and it appears that the Westchester Municipal Officials organization is sitting this one out. My gut feeling is to sit it out, also, but I open it up for discussion.

Trustee Gagliardi: The County Board would be making the resolution. We would just be asking them to act.

Mayor Kinnally: In fairness, some of the communities in Rockland are affected by this also because the New Jersey closings are different from ours. There are a number of communities along the border in Rockland County where they are problems. But an individual community cannot make the determination to close.

Trustee Keaney: The resolutions ask the Westchester County Board of Legislators to request the New York State Liquor Authority to make the change. We have several businesses that would be affected by this. Before we do anything on this we should ask them how they feel.

Trustee DeVita: I agree with Trustee Keaney. We need some input from the community.

Trustee Holdstein: I agree that we need to talk to the merchants that would be affected. If everybody else is moving towards this there could be a trickle down effect. Do you know how long Connecticut's law on 2 a.m. closings has been in effect?

Village Attorney Murphy: Twenty years, I think.

Trustee Keaney: When I was younger the drinking age in New York was 18. It was pressure from the federal government, through the power of the purse strings, that forced New York and the other states to raise it. And this is an attempt to do the same thing. Connecticut has an early closing time, and it has a ripple effect here. The people who are affected would like to see this changed.

Mayor Kinnally: So the sense is let's not do anything.

Trustee Gagliardi: I would like to hear from the Chamber of Commerce or the restaurant owners.

4. Andrus Senior Residence – Lead Agency

Mayor Kinnally: We have a request for a change in zoning from Andrus. The issue is who is to be the lead agency in connection with the application. All the lead Boards will have input in this, but regardless of lead agency, this Board has the ultimate say on the rezoning. I have spoken with Rhoda Barr, the chair of the Planning Board, and the Planning Board is willing to take this job on. My sense is to let them do it. They may be better equipped in this regard and they can coordinate a lot of it.

Village Manager Hess: I have talked to the majority of the Planning Board and they are in agreement. I think it would fit nicely in terms of them taking lead agency status on this project.

Trustee Gagliardi: If the Planning Board thinks they should do it, we should hand it over to them.

Trustee DeVita: I agree. I believe that is where the expertise lies.

Trustee Keaney: I commend the Planning Board. They have a lot on their plate, and this is an important issue for this Village. It might be worthwhile to have somebody from our Board be a special liaison to the Planning Board. Rather than wait for the final recommendation to come back to use we could have some ongoing information.

Mayor Kinnally: At the meeting I mentioned earlier with county legislators Abinanti and Swanson and local officials, a number of things were discussed: how the sewer project was going to affect the communities, common concerns of traffic. The major focus was a proposal from the New York State Legislature dealing with the tax-free weeks in New York. We just came off a tax-free week for certain purchases, and the question was whether this was to be extended for one more year; there is a second proposal to make it permanent. Of concern to everyone was the impact that any removal of the sales tax would have on our budgets. Every community had that feeling that we would probably go along with the request for the one week for an additional year. That was not the sense with making it permanent. Everyone felt, as I did, that the week of no sales tax is a gimmick and it is just a prelude to the state doing away with the sales tax. Not that I am in favor of the sales tax, but conspicuously absent from any discussion is a replacement of the lost revenue.

One of the strongest proponents of getting rid of the sales tax is New York Mayor Guiliani, but unlike most other municipalities in the state, that is not a significant source of income for the city of New York. The largest component of their income is the income tax; the City of Yonkers has income tax, but nobody else in the county has it. Mayor Guiliani talks about recapturing the sales lost to New Jersey, but I do not think the impact is that great. Their shortfall is going to be minimal compared to what our shortfall is going to be if the state takes away that source of funding.

What everyone said to both Abinanti and Swanson was to go with the one week on the interim one-year basis, but resist making it permanent. The message has to be driven home to our legislators in Albany. We are going to try to get Senator Spano and Assemblyman Brodsky to meet with us to impress upon them that this is big item.

5. Sewers

Mayor Kinnally: Do you have an update on the sewers?

Village Manager Hess: No, not at this point. Marco Gennarelli went to the meeting and is putting together a report on it. He will have it next week.

6. Other

Trustee DeVita: We have gotten a number of letters about the pool and the summer activities for adults and children. I would like to commend the recreation staff for the outstanding job. And while were all either enjoying the pool and running on vacation, these people were working days, evenings, and weekends. So they really need to be applauded.

Mayor Kinnally: As everyone I am sure knows, our Farmers Market has been a tremendous success. The produce is exceptional, and it brings everybody into the downtown area on Saturday. We may have some of the farmers and merchants come to the last meeting in October to discuss how things went this year and any suggestions for improving it in the future.

EXECUTIVE SESSION

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

ADJOURNMENT

On MOTION of Trustee Keaney, SECONDED by Trustee Gagliardi with a voice vote of all in favor, Mayor Kinnally adjourned the Meeting at 9:35 p.m.