

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK**  
**BOARD OF TRUSTEES**  
**REGULAR MEETING**  
**SEPTEMBER 22, 1998**

The Regular Meeting of the Board of Trustees was held on Tuesday, September 22, 1998 at 8:05 p.m. in the Municipal Offices, 615 Broadway at Warburton 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.

**CITIZENS:** Three (3)

Mayor Kinnally led the Board and citizens in the Pledge of Allegiance.

**PRESENTATION**

**Mayor Kinnally:** I would like call up Ruth Dewey and Bill Hall, founding members of the Affordable Housing Committee. Bill and Ruth, thank you very much for all you have done for our Village. I know there have been rocky times on this committee and it has been a lightening rod for a lot of opposition in the community. But you have held to the course of commitment to affordable housing in the Village, and when we get it accomplished it will be in large measure due to all of your help and all of your sacrifices.

**Trustee Keaney:** I also wish to mention my thanks to Ruth and Bill. When I got involved in the affordable housing issue they were there already. Ruth is very passionate about social justice. She had a different reason for getting involved than I did, but she has always been somebody who wanted to do the right thing. I think that is something that we are moving away from, unfortunately, in the Village. But I value that.

Bill is very affable and very calm. Bill is very knowledgeable and he gets things done. I think the progress we have made so far is great, and a lot of that is due to your knowledge about the process and what it is going to take to finally get it accomplished.

I am going to miss you both, though I know you both will still be involved in the issue, cheering us on, and helping on the sidelines. And I am going to count on that.

**Mr. Hall:** I think it is regrettable that it takes so long; that is the disappointing thing. It is all so possible but it takes forever. You have done the very best that you can, but every time we get a good project it seems to fold because there is always someone on the other side of the fence who cannot put up with it. My regret is that we have accomplished so little after so much time. You have had Naomi Tor and Sue Smith, who have devoted endless amounts of time, and I appreciate that. I am suggesting that you cut through this and make things happen more than you have. I am not here to complain. I am just here to state a case. I wish it were different.

**Ms. Dewey:** Bill and I have got awards, but I would like it brought to everybody's attention the service of people who have left the Village who did yeoman service: Charlotte Paulay, Anne Lindner and Joan Weber. But particularly, to remember the work that was done by Paul Carmel and Dan Novak, who died before we were able to achieve anything. It has been a very hard-working committee, and they passed through the scene without any of the thanks that you have so graciously given to us. I wanted to make people remember them.

**Trustee Holdstein:** Will all due respect to Bill, I would like to hope that there will be a speedier movement toward affordable housing in the future. I understand the frustration, but I do not think your efforts have been for naught, for perhaps in the future it will happen quicker.

### **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. 37-1998-99	\$ 64,043.20
Multi-Fund No. 38-1998-99	\$ 47,885.93
Multi-Fund No. 39-1998-99	\$ 174,449.20

### **58:98 PROTECTIVE TECHNOLOGIES INTERNATIONAL, INC. – CERTIFICATE OF OCCUPANCY**

**Mayor Kinnally:** We had a public hearing on this application last Tuesday night. Is there anyone tonight who wishes to speak in favor of or in opposition to the application?

**Trustee Holdstein:** We had an application early in the summer and several things had to be brought up to code. Were they brought up to code and has the application been approved?

**Village Manager Hess:** The Board approved it contingent on those items. They were completed and the Certificate of Occupancy was issued.

**Mayor Kinnally:** We have a report from the Fire Inspector indicating that there are no outstanding items on the punch list, and he did not see any violations in the particular area.

**Trustee Holdstein:** I have in the past gone on record with some frustration about granting Certificates of Occupancy for this occupancy because of my frustration on a different level with the waterfront. Those circumstances have changed. We are now getting taxes on the waterfront. PTI as a business on the waterfront is a very vibrant and healthy business for this community.

Now that we are reaping some benefit, as we should have been for some time, I am in favor of moving forward and seeing PTI continue to expand its operations and its success.

**Trustee Keaney:** The last time an application for expansion of PTI came before us I voted against it. They were going to add 40 new employees and two new assembly lines. I voted against it because I do not think that industrial uses down there should be expanded. The Marine Waterfront Zoning Code that we voted on in 1991 is our plan for the Village right now. It is not mapped, but that is the idea that we have in mind. Now we have the LWRP going on, and nobody is talking about expanding industrial uses.

This application is for square footage already included in PTI's lease. It does not add any new space, additional employees or assembly lines. It will be used for labeling and handling. That is different from the 75,000-square-foot expansion that I voted against in December. I do not think that this is an expansion of the industrial use that is of the same type as their last application.

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

**RESOLVED:** that the Mayor and Board of Trustees approve the application of Protective Technologies International, Inc. dated July 21, 1998 to expand the Certificate of Occupancy for building 52B to include the southwest corner to expand the outbound shipment labeling area.

<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	

#### **59:98 AUTHORIZATION OF RECEIPT OF BIDS – MUNICIPAL BUILDING**

**Village Manager Hess:** We have plans and specifications on five separate contracts that are going to be let out for bid. We expect to receive bids on October 13 and to have a recommendation to the Board on those bids at the October 20 meeting.

We have separate contracts because of the WICKS law, which requires that any portion of the contract over \$50,000 has to be bid separately. The contracts are general contractor, electrical, heating and ventilating, asbestos, and plumbing.

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 Village Manager to receive bids on October 13, 1998 for the renovation of the Municipal Building.

<b>ROLL CALL VOTE</b>	<b>AYE</b>	<b>NAY</b>
Trustee James B. Keane	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:** A reminder about the hearing on September 24 at the high school to be conducted by the New York State Department of Environmental Conservation on a Proposed Remediation Action Plan on the waterfront.

We are accepting applications for the Village internship program that we began in 1981; three years ago we expanded it to include high school students. The internships include all departments of the Village and WHOH-TV.

There will be many events happening in the Village on October 3 in conjunction with the Hudson Heritage Festival along the river from Peekskill through Yonkers. Information is on Channel 16, flyers around town, and advertisements in the local newspapers.

The Andrus Senior Residence will be making a presentation at the next Planning Board meeting of their proposed rezoning plans and site plan. The Planning Board, as per our discussion at the last meeting, will be declaring itself lead agency for the purposes of SEQRA on Thursday evening. This is the beginning of the process.

### **BOARD DISCUSSION AND COMMENTS**

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

**Mayor Kinnally:** The DEC meeting on September 24 is probably one of the most important meetings that we have had in the Village dealing with the waterfront in years. This meeting will be run by the DEC to explain the scope of the PRAP that has been issued. They will discuss the

construction on the bulkhead and the efforts that will be undertaken to remove the PCB's. Some of the PCB's will require extensive excavation of the site, in the northwest corner of the site, to a depth of 40 feet. All of this will be done after the bulkhead has been replaced.

The DEC has indicated to me that they expect to finalize the remedial action plan soon after the meeting. The DEC has pledged to clean up the site. ARCO knows what the price tag is. I think at this point the DEC is not going to put up with any foot-dragging on ARCO's part. Every day the DEC realizes that PCB's are migrating into the Hudson River and they want to start this project as soon as possible. The DEC is interested in soliciting relevant comments so they can implement the project and get the remediation efforts under way.

In addition to what has happened with ARCO and the DEC, I have been trading calls with the New York State Empire Development Corporation. We have made application for funding for a planner in the Village, and discussions continue.

**Trustee Holdstein:** I am working with the Planning Board on a fresh study on Ridge Street. We had one meeting in the beginning of the summer which was very well attended. We have been addressing some of the issues raised regarding sewage, street sweeping, and smells of gas. The committee feels it is in our best interest to wait until the proposed planner is on board before the two additional public meetings we hope to have, so that the planner can come up with a plan that will be reflective of neighborhood needs.

**Trustee Keaney:** The Battle of Edgar's Lane will be re-fought in this Village on October 17 and October 18. We hope that everybody will turn out in Draper Park to see the battle exhibits and the Battle itself, the retelling of the story, and the unveiling of the marker.

**Lee Brickman, 153 Lincoln Avenue:** I represent a committee of Hillside School parents who have been working on improving some of the traffic and safety concerns, both inside and outside the Hillside School gates. There are issues that I think the Board should know about that fall under general Village jurisdiction.

I met earlier this year with the Safety Council, and through the efforts of the Safety Council we were able to have some additional crosswalks painted in front of the school gates. Also, I thank the Village for changing an ambiguous sign between Lefurgy Terrace and the school gates that is a no parking area.

The committee feels that it is important to address these issues quickly because there are concerns over the safety of children who are walking, particularly in the afternoon. People park in the no parking area and use Lefurgy Terrace as a u-turn. I have seen children come close to

getting hit. Cars are starting to double park on Edgewood , so it is making it impossible for Edgewood to continue to be a two-way street for a half-hour in the afternoon. Also, the intersection itself is often blocked.

I feel, and the committee feels, that the kids who walk are at risk every day because of the situation that has just gotten worse. There are cars that do not even bother to come to a full stop. No matter how good the signage is and no matter how often you ask people to make that full stop and not to park, there are people who are just not going to get the message: caregivers, grandparents. And then there are the people who do not care. It has reached the point where I think it is important for the Village to think about having a uniformed officer in that area every day. I realize it is an expense, but there are people who are breaking the law.

**Mayor Kinnally:** It is sad when you are dealing with the safety of children and parents or caregivers are the problems. The site is a difficult area. We can see about having a policeman up there, but he can only deal with one situation at a time. Perhaps we could start out by having a flier, or letter from the Police Chief, telling people what the regulations are and that the situation is jeopardizing the health and safety of the children.

**Mr. Brickman:** This committee that was formed last fall did a flier last November and it was distributed in backpacks. It was written in a very polite manner, to remind people of the no parking area, coming to a full stop, and things like that. I also wrote an article for the PTSA newsletter last winter bringing some of these issues up again. Quite often this information does not get communicated. I handed out the fliers and put it on cars that were parked illegally. It worked for awhile. In all fairness, this is the beginning of the year. There are probably people who are not aware of some of the procedures. But there are people who are still clearly breaking the law.

**Mayor Kinnally:** When is the Hillside Back To School Night?

**Mr. Brickman:** The first one is tomorrow evening. I was planning to contact the principal to get five minutes on the agenda.. Tomorrow night is important because it is kindergarten and grade 1, the newer parents.

**Mayor Kinnally:** I will call the principal also and chat with her. We will also talk to Lt. Schiavone and Chief Marsic.

**Trustee Holdstein:** While an officer cannot see everything, when people see a police officer they tend to obey the laws. Knowing this happens at a specific time of day, the officer could at least ticket the cars who are illegal for those half-hour times in the morning and in the afternoon.

**Village Manager Hess:** Before we ticket anybody I think we ought to at least give them warning that something is happening. I think if you hand out fliers tomorrow night, and we will get together with the police department to see what can be done. If it is necessary for enforcement we will enforce, but we ought to let people know ahead of time that we are going to do it.

**Trustee Holdstein:** Well, I agree and I disagree. I do not think you have to remind people of it if it says no parking to give them a ticket. The laws are posted and the signs are posted, and I think there is an obligation for all of us for the sake of our children.

**Village Manager Hess:** I am not arguing that, but if you give everybody notice that it is going to be actively enforced that might help resolve the situation without handing out 75 tickets or 80 tickets. If you want us to we will start ticketing tomorrow.

**Mayor Kinnally:** I am not interested in ticketing. I am interested in moving them out of there. But let us see what we can do.

### **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 consider litigation (if necessary), personnel items, and the acquisition of real property.

### **ADJOURNMENT**

On MOTION of Trustee Keaney, SECONDED by Trustee Gagliardi with a voice vote of all in favor, Mayor Kinnally adjourned the meeting at 8:50 p.m.