

VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
REGULAR MEETING
FEBRUARY 23, 1999

A Regular Meeting was held by the Board of Trustees on Tuesday, February 23, 1999 at 9:18 p.m. in the Municipal Offices, 615 Broadway.

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

CITIZENS: Nine (9)

On MOTION of Trustee Holdstein, SECONDED by Trustee Gagliardi with a voice vote of all in favor, the Board of Trustees scheduled a joint Public Hearing with the Planning Board for final approval of the Hastings Manor/Riverpointe application for Tuesday, March 9, 1999 at 8:00 p.m.

On MOTION of Trustee Keaney, SECONDED by Trustee Gagliardi with a voice vote of all in favor, the Board of Trustees referred a request for variances on the Hastings/Manor Riverpointe project to the Zoning Board of Appeals for consideration and an advisory opinion at their meeting February 25, 1999, to be reported back to the Board of Trustees for the joint Public Hearing on March 9, 1999.

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 grant tentative approval to the application of the Hastings Manor/Riverpointe project subject to the various conditions identified in memos from the Conservation Commission, the Architectural Review Board, the Fire Department, and the Planning Board, and subject to the recommendations in the advisory opinion received from the Zoning Board of Appeals.

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	

FIRE CHIEFS PRESENTATION – INSURANCE SERVICE OFFICE, INC.

Mayor Kinnally: Fire Chiefs Hoffman and Schnibbe are here to give a presentation on some good news from the Insurance Services Office, Inc.

Fire Chief Schnibbe: The Insurance Service Rating Board rates the quality of fire service and fire departments throughout New York State; we are pleased to announce that our grade went from a Class 5 to a Class 4. This is like going from a "B" to an "A." This is a long process that started in 1979, the last time they were here. They were here again in 1997. During all that time we have been working on ways to improve our system.

In 1979-80 it was recommended that we add a nationally-recognized fire code model. The Village did this in 1983, and we now have one of the premier inspection programs in the county. In our equipment replacement program when purchasing pumpers, we doubled the capacity of the pumping systems and the gallons carried. We established a central office in 1986-87 where we maintain all our personnel records and fire reports; a record on each member; and maintenance records, including pump and ladder tests. At the same time, United Water of New Rochelle has been changing some of the water mains that work into the system.

We also set up a preventative maintenance program. We put in pre-plans of strategic locations in the Village in the Donald Park district that we contract for with Greenburgh. We put together some pre-plans for fire suppression activities and trained our members with them. We secured OSHA-approved protective breathing and clothing to properly protect our personnel. Safety has always been a top priority with the Chiefs but now it is documented and stored properly. We instituted a pager program, which enhanced the alarm response, with the cooperation of the police department.

Most of all, it is the volunteer members who turn out in numbers for alarms and training sessions, which are done both quickly and efficiently. We are one of the few departments that operate an ambulance with the same personnel that respond to fires.

We thank the Village Boards over all these years who saw what was needed, and approved and funded it.

Mayor Kinnally: Thank you for that report and for the readiness of the department so that we can qualify for this much-improved rating. Does this result in any lower insurance for us, or for any of our businesses in town?

Chief Schnibbe: Commercial property insurance that uses ISO insurance services rates should reduce fire insurance by 10 percent. Houses should be the same. Apartment dwellers might be a little less. It depends on the carriers, and how they respond.

Trustee Gagliardi: During the last 20 years, the paperwork and the record-keeping has gone up at least five to ten times the amount that it was back in the 70's. I congratulate the past Chiefs, and the Chiefs that are running the Fire Department. They do a great job. Thank you.

Trustee Holdstein: This department earns an "A" all the time. We have a tremendous volunteer fire and ambulance corps, and the rating is certainly long overdue. I also want to extend my congratulations to all the Chiefs and all the guys who serve this Village day and night, 24 hours a day, and serve it better than most.

PRESENTATION OF 1999-2000 PROPOSED VILLAGE BUDGET

Village Manager Hess: My proposed preliminary budget for the year 1999-2000 has a recommended tax rate of \$122.44, or an increase of \$8.91 from the current budget, which is equivalent to 7.85%. This is one of the highest tax rates I have had to propose in the 18 years I have been with the Village.

Our major revenue is the property tax: it represents 68.1% of the revenue that the Village receives. State aid only represents 5%. A growth revenue is the sales tax, which represents 8.9% of our proposed revenue.

Our largest object of expenditure is Public Safety, at 27.1% of the budget, or over \$2 million. Public Works represents 18.3%, or almost \$1.4 million.

The major reason for the proposed increase is assessments. There is a reduction of \$1.9-million in assessments, made up of the reduction in the Anaconda property, currently owned by ARCO; and reductions by New York State for special franchise assessments, utilities such as Con Ed and United Water.

To give a comparative view, basic cable service costs \$7.27 a week. That is higher than general government support, Community Services, Parks and Recreation, Employee Benefits, Interfund Transfers, and Debt Service. Gas and electric is \$11.54 a week; that is higher than any of the other services. One bottle of wine a week outpaces all services except Public Safety. A gallon of milk costs more than Parks and Recreation. In perspective of what services cost on a weekly basis and what you receive, Village government services are very efficient and effective.

We will have public budget review sessions beginning next week and running through the end of April. We submit the budget to the Board a month earlier than required by law, to give the public an opportunity to review it with the Board and ask questions.

APPROVAL OF MINUTES

On MOTION of Trustee Keaney, SECONDED by Trustee DeVita with a voice vote of all in favor, the minutes of the Public Hearing of February 9, 1999 were approved as presented.

On MOTION of Trustee Keaney, SECONDED by Trustee Gagliardi with a voice vote of all in favor, the minutes of the Regular Meeting of February 9, 1999 were approved as presented.

APPROVAL OF WARRANTS

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

Multi-Fund No. 82-1998-99	\$ 84,220.32
Multi-Fund No. 83-1998-99	\$104,322.77
Multi-Fund No. 86-1998-99	\$181,750.43

20:99 PUBLIC HEARING – PROPOSED 1999-2000 BUDGET

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 schedule a Public Hearing for April 13, 1999 at 8:00 p.m. or shortly thereafter to consider the advisability of adopting the 1999-2000 Village Budget.

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	

21:99 WESTCHESTER URBAN COUNTY COMMUNITY DEVELOPMENT PROJECT CONCEPTUAL PLAN

Mayor Kinnally: Suzette Lopane from County Planning is here. Do you have any comments?

Suzette Lopane, counter planner: On your advisement, we added additional planting on the lower portion of the train station. There will be two seating mall planter areas that can be filled with flowers, and will also have a tree in the center.

Michele Noe, 20 Marble Terrace: I am part of the steering committee for the Village Improvement Project downtown revitalization effort. There is a perception in the Village that this is the gateway to the Village. This is now, and will in the future be even more, the connection between the waterfront and the Village. Making it a welcoming and positive experience for pedestrians is really important. What is the standard requirement for a lane of traffic commercially?

Ms. Lopane: The Village has a 30-foot wide minimum requirement for secondary streets.

Mayor Kinnally: What would happen with the existing poles and trees on the west side of Southside if the sidewalk were widened?

Ms. Lopane: I had to intention of moving the trees or the poles because they are large trees in tree wells. We could reduce this island two feet, losing two instead of four feet in the roadway.

Trustee Keaney: How wide is the island?

Ms. Lopane: It is about 10 feet wide.

Mayor Kinnally: If you are adding to the sidewalk and leaving the poles and the trees where they are now, nobody is going to use that other portion of the sidewalk.

Ms. Hertz: This looks like an opportunity for someplace in the Village to be more gracious in places where pedestrians and people can gather. The café is successful in front of Maud's. There could potentially be more of that if there were a sense of space. Getting off the train you have the sense it is a vehicular-friendly, and not a pedestrian-friendly, access to the Village. The sense of space and openness for pedestrians is something people would love to have more of.

Mayor Kinnally: Is there any way we can get the utilities buried on Southside and get rid of the poles?

Ms. Lopane: We discussed this issue with Con Ed. They say it is so much money we cannot even think about it.

Trustee Keaney: This project is going to be a real benefit to the community on Washington and on Southside. It will improve the sidewalks, the look of that whole area, and the gateway up Southside Avenue.

I have not changed my opinion of the islands. I think the island in the plaza is proper.

Trustee Holdstein: Will the existing three entrances into the commuter parking lot remain?

Ms. Lopane: Yes.

Trustee Holdstein: I am pleased to see the new sidewalks more pedestrian-friendly, but there is not going to be less car traffic by these improvements. People are not going to wait 10 minutes for a shuttle bus in the rain. They are going to drive as they always have and they always will. This plan is terrific, but you are not going to reduce the number of cars.

I am opposed to both islands. They are unnecessary and will be an obstruction for the large trucks. I have a concern about the crosswalk at the station; pedestrians would be in a blind spot for a car coming around that corner. Widening the sidewalk and leaving trees and poles in the center will not help accommodate pedestrian traffic. The sidewalk seems wide enough.

Ms. Lopane: Not losing parking spaces was a concern; you will be re-striping to accommodate one loss of parking space at the corner at Maud's. The islands serve a dual purpose. One is to conduct pedestrians safely across an 85-foot-wide road, and another is to channelize, and perhaps slow down, vehicles. It is a 14 percent grade; it may at least visually slow down cars. Pedestrian-scaled lights also slow down vehicles. There are no good places to cross a 65 foot roadway; his crosswalk seemed the best location.

Trustee Keaney: You will have to lose parking spaces on Southside to accommodate turning trucks if you put in an island.

Ms. Lopane: I do not want to influence you in any way, but these are mountable curbs; a small passenger vehicle, or a large 18-wheeler, can pass over a mountable granite curb without damaging the curb or their vehicle.

Trustee DeVita: Going down Southside, you have to veer to the right to avoid the island. Should the island be moved more to the left at the bottom part?

Ms. Lopane: Yes, we could shift the island.

Trustee DeVita: I would like to see that sidewalk extended. It is very narrow in the lower part in front of the restaurants and coming out of the parking lot.

Trustee Gagliardi: I agree with Elsa on the widening of the street, if you take the two feet from the center island. Having listened to Mr. Chemka who told us that history tells us that island does not work, I would be in favor of not putting that island there. The other island in front of the station: I thought it would work nicely.

Village Manager Hess: At night, or in fog, you would not see the island on Southside without having big state-approved signs; now you have more signs, and sign pollution there.

Trustee Holdstein: The grant money was to improve the sidewalks and the area. We now find ourselves bogged down in traffic control and that was not the charge of this project.

Ms. Lopane: In the evolution of any design process look at the design of the whole site. Because my portion of the funding is only half, I am able to do improvements in front of the train station. In the past 15, 18 years that the program has been ongoing when we deal with train stations we do beautification work in front of train stations. It is something that happens in the design process.

Trustee Holdstein: Perhaps we should start refocusing the commuters and our whole approach to this; rather than a coffee truck parked out front, could we develop a café to get coffee and paper underneath, and focus more of the drop-off in-and-out flow from the area where currently the taxis park, in anticipation that in the future there is going to be more traffic going in and out of the waterfront.

Mayor Kinnally reviewed the plan with the Board with the following decisions/suggestions:

Northwest side of Southside to traffic island: approve changes.

Traffic island in front of train station: no approval Trustees Holdstein and Keaney; approvals Trustees DeVita and Gagliardi. Mayor Kinnally asked for more study. Ms. Lopane said it would be bid out as an alternative.

Peninsula 10 foot extension: no approval Trustee Holdstein; approvals Trustees Keaney, DeVita, Gagliardi.

Plantings on slope: No comments.

Plaza lower station: Mayor Kinnally: plantings in front of wall instead of planters

Washington, east side of Southside: no comments

Island in Southside: no approval Trustees Gagliardi, Keaney, Holdstein, Mayor Kinnally; approval Trustee DeVita.

Widening sidewalk east side of Southside: Ms. Lopane suggested narrowing center island from 10 feet to 8 feet. No approval Mayor Kinnally and Trustee Holdstein; Trustees DeVita, Gagliardi and Keaney favored widening sidewalk two feet if center island were narrowed two feet. Board asked for more study. Will be bid out as alternative.

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 approve the Westchester Urban County Community Development Project Conceptual Plan dated February 9, 1999 for Washington/Southside Avenues Sidewalk Improvements as amended.

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	

22:99 ENGINEERING SERVICES SOUTHSIDE/WASHINGTON AVENUES

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 accept the proposal of Hahn Engineering for engineering services for the Washington/Southside Avenues Sidewalk Improvements Project.

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	

23:99 SENIOR CITIZEN TAX EXEMPTION INCOME LEVELS

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

RESOLVED: that the Mayor and Board of Trustees hereby adopt Local Law No.1 of 1999 amending Chapter 86, Section 86.1.1 of the Village Code to increase the maximum income exemption eligibility for senior citizens as follows:

<u>Percentage Assessed Maximum Income Exemption Eligibility</u>	<u>Valuation Exempt From Taxation</u>
\$0 to \$19,499	50
\$19,500 to \$20,499	45
\$20,500 to \$21,499	40
\$21,500 to \$22,499	35
\$22,500 to \$23,399	30
\$23,400 to \$24,299	25
\$24,300 to \$25,199	20
\$25,200 to \$26,099	15
\$26,100 to \$26,999	10
\$27,000 to \$27,900	5

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	

24:99 SALE OF SURPLUS VEHICLES

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

WHEREAS, sealed bids were received on February 17, 1999 for the sale of two surplus vehicles, a 1989 Ford 2-Yard Dump Truck and a 1983 Terex Front-End Loader, and

WHEREAS, the highest bids were received from Liberty Motors Inc. of Jersey City, New Jersey totaling \$5,657.98, now therefore be it

RESOLVED: that the Mayor and Board of Trustees approve the sale of two surplus vehicles to Liberty Motors Inc. for \$5,657.98.

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

25:99 REVALUATION

Mayor Kinnally: The Westchester County Municipal Officials Association have supported, as have a number of towns and villages in the county, the initiatives on revaluation through the Westchester County Board of Legislators and the legislature. The governor did not sign the legislation into law as passed by the senate and the assembly last year. So we are saying this is really broken beyond repair and they have got put a new way of looking at assessment and revaluation in place to help us out.

Trustee Keaney: We have needed a revaluation for awhile; the only fair way it can be done is on a county-wide basis.

Trustee Gagliardi: The key words in the resolution are "fair and equitable" and "countywide." It has to be done that way, and things have to be kept up-to-date for this to work.

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

WHEREAS, the Equalization Rates for the various municipalities vary, often to the detriment of taxpayers who find that disparities in the calculations of these rates cause some communities' residents to pay a higher county tax rate notwithstanding the overall reduction of the county tax, and

WHEREAS, if properties were assessed at their true value, rather than a percentage of true value, the use of an equalization rate would become unnecessary, and

WHEREAS, for property to be assessed at true value, it would be necessary for a revaluation to take place which would be fair and equitable, and should be done countywide, and

WHEREAS, in order for that to be accomplished, it would require new state legislation which had previously been vetoed by the Governor, now therefore be it

RESOLVED: that the Mayor and Board of Trustees of Hastings-on-Hudson hereby request that the County Board of Legislators take whatever action is required to re-initiate legislation calling for a county-wide revaluation of county properties, with such legislation to be so enacted as to protect and

equalize the percentage reductions presently granted to veterans and senior citizens, and be it further

RESOLVED: that a copy of the resolution be forwarded to the County Board of Legislators, and also to the villages, towns and cities within the County of Westchester, requesting them to pass similar resolutions to be forwarded to the County Board of Legislators.

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	

26:99 EXTENSION OF SALES TAX

Mayor Kinnally: We have to continue to have this source of income or, in the alternative, the state has to replace that income that we really rely upon. What is the percentage of our budget that is sales tax now?

Village Manager Hess: It is 8.6%.

Mayor Kinnally: That money is not otherwise available. If we were to replace that type of income solely through real property tax assessments it would fall disproportionately on the people of this community. This is one way of keeping the issue before the county and the state legislature.

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

WHEREAS, cities, towns and villages in Westchester County are severely restricted in their revenue base, with real property tax as their main source of revenue constantly rising and putting a disproportionate burden on the property owner, and

WHEREAS, the County Executive and The Board of Legislators advocated and approved the distribution of sales tax revenue to the cities, towns, villages and school districts, in accordance with Chapter 272 of the Laws of 1991, and now therefore be it

RESOLVED: that the Village of Hastings-on-Hudson hereby requests our state representatives to support a two-year extension on Article 29, Section 1262-b of the tax law entitled 1991 Property Tax Relief Acts, which said law presently has a sunset provision of May 31, 2000, and be it further

RESOLVED: that by copy of this resolution we urge our representatives to support the extension of the 1991 Property Tax Stabilization and Relief Act until such time as New York State Aid to Local Governments is restored.

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	

VILLAGE MANAGER'S REPORT

Village Manager Hess: We are on-track in terms of timing for the municipal building renovations.

BOARD DISCUSSION AND COMMENTS

1. Proposed Traffic Light at Farragut and Olinda

Gary Vavra, School Board: Thank you for coming to our meeting last night. We will discuss it and come to resolution on Monday evening. I like the suggestion to put permanent stop signs to slow the traffic down full-time in lieu of the traffic light. I think it is good for the community and good for the children.

2. Update on the Waterfront

Mayor Kinnally: I received correspondence from the DEC reacting to a proposal for the bulkheading on the property. There is still a lot of work to be done on that. ARCO is putting up fencing the entire length of the waterfront. I will meet with ARCO to ensure that we have access to the gates on the north end of the property so we can pump water from the river in case of fire.

3. United Water Rate Increase

Mayor Kinnally: The town of Eastchester has requested that the local municipalities join with Eastchester and other communities in dealing with the proposed rate increase sought by United

Water. I am asking for anyone who knows of attorneys operating in this field who could help us fight the request before the PSC to contact us.

4. Bi-Partisan Coalition I-87 Toll Barrier Removal

Mayor Kinnally: I am meeting tomorrow with Senator Nick Spano to go over a number of items which are of interest not only to Hastings but with other mayors of the surrounding communities, including dealing with the I-87 toll barrier.

5. Other Items

Trustee Keaney: I would like the Manager to give us an update on the proposed road from Draper Park to Washington.

Village Manager Hess: Part of the Draper capital program called for the construction of a roadway this year. The Board has hired an engineer who has done the topographic maps, and we have given him ideas on roadway widths and how we would like to see the road work. He will be getting back to us with cost estimates and preliminary design drawings for the Board's review. It is important to have a safe exit out of Draper Park. Washington Avenue appears to be the best location, but it also provides an additional pedestrian access into the Park as well as providing additional parking along the side of this roadway during special events.

We were able to receive a grant which will pay for half the cost of the road, and the other half is funded by the Draper Capital Fund.

ADJOURNMENT

On MOTION of Trustee Holdstein, SECONDED by Trustee Gagliardi with a voice vote of all in favor, Mayor Kinnally adjourned the Regular Meeting at 11:10 p.m.