

VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
REGULAR MEETING
MARCH 16, 1999

A Regular Meeting was held by the Board of Trustees on Tuesday, March 16, 1999 at 8:10 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 (8:15 p.m.), and Village Clerk Susan Maggiotto.

CITIZENS: Five (5)

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. 90-1998-99	\$164,004.64
Multi-Fund No. 91-1998-99	\$175,477.54

29:99 HASTINGS MANOR/RIVERPOINTE FINAL APPROVALS

Mayor Kinnally: This matter has been before the Board of Trustees since 1986. It was the subject of a joint meeting with the Planning Board last week, at which time the Planning Board recommended approval of subdivision and site plan to the Village Board. We took a number of public comments at that meeting. Minutes have been forwarded to the Board of Trustees where the Riverpointe property was discussed. We are in receipt of communications to and from the developer where comments of community groups and Boards and commissions were addressed. We have had a full and fair discussion.

Walter Havel, resident, Riveredge: Who is legally responsible for the road leading to the development?

Mayor Kinnally: They are legally responsible for the road, and that they indicated that they would be entering into discussions with your group to talk about maintenance of the road and allocation of responsibility.

Trustee Keaney: We have to look at the provisions of the Conservation Housing Law, and that details what we are supposed to be looking at. The essential part is that about half of the land is being conserved in its open state. The project is less intrusive, there is less traffic and there is less impact on the community than would be a traditional subdivision. It is in the public interest which the law requires for two reasons. The Planning Board has identified in its Vision Plan and

its planning principles that Hastings can absorb a reasonable increase in population consistent with our resources. This project meets that principle. It is estimated to create more in assessables both for the school and the Village than it would in the services we have to pay out. It is a good project, and I think we should approve it.

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

RESOLVED: that the Mayor and Board of Trustees grant final approval to Hastings Manor/Riverpointe for site plan, subdivision, view preservation and variances for nonconforming side yard setbacks for the northerly-most building, nonconforming front yard setbacks for the southerly-most building, nonconforming building separation between all three buildings, and nonconforming height for a stone retaining wall along the northern property line.

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	

30:99 HASTINGS MANOR/RIVERPOINTE INTERMUNICIPAL AGREEMENT

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 authorize the Mayor to sign an inter-municipal agreement between the Village of Hastings-on-Hudson and the City of Yonkers for the City of Yonkers to provide water and sewer service to the Hastings Manor/Riverpointe development in perpetuity.

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	

31:99 INCREASE OF FEES - PARKS AND RECREATION AND OTHER VILLAGE

Mayor Kinnally: Modifications have been made to the tree preservation fees since the public hearing last week.

Trustee Gagliardi: When was the last time we raised these fees?

Village Manager Hess: It was 1991 for the majority; day camp fees were raised about three years ago.

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 increase Parks and Recreation and other Village fees as follows:

<u>PROGRAM</u>	<u>CURRENT FEE</u>	<u>PROPOSED FEE</u>
Hillside Camp EB/FS	\$325.00	\$350.00
Weekly	\$ 65.00	\$ 65.00
Hillside Camp REG/FS	\$350.00	\$375.00
Weekly	\$ 70.00	\$ 70.00
Early Learning Camp EB/FS	\$250.00	\$270.00
Weekly	\$ 65.00	\$ 65.00
Early Learning Camp REG/FS	\$265.00	\$285.00
Weekly	\$ 70.00	\$ 70.00
Turkey Trot - Pre	\$ 9.00	\$ 10.00
Post	\$ 10.00	\$ 11.00
 <u>BUILDING DEPARTMENT</u>		
Letter in Lieu	\$25.00	\$100.00
 <u>VARIANCES</u>		
Single-family dwelling	\$150.00	\$200.00
Two-family dwelling	\$200.00	\$250.00
Multiple family dwelling	\$250.00	\$300.00
Commercial, apartment house, offices	\$450.00	\$500.00
Industry, subdivision, land development and other	\$850.00	\$1,000.00

ELECTRICAL

\$250 and under	\$20.00	\$ 50.00
\$251 to \$500	\$30.00	\$ 75.00
\$501 to \$1,000	\$40.00	\$100.00
\$1,001 to \$2,999	\$40.00	\$150.00
\$3,000 and over	\$40.00	\$200.00

PLUMBING

First five (5) fixtures	\$10.00	\$25.00
Each additional fixture	\$ 2.00	\$10.00
Sewer connection	\$25.00	\$50.00
Gas Burner Permit	\$25.00	\$50.00
Oil Burner Permit	\$25.00	\$50.00

TREE PRESERVATION

See below

Single-Family	\$50.00 / tree	Maximum	\$200.00
Two-Family	\$50.00 / tree	Maximum	\$250.00
Multiple Family	\$50.00 / tree	Maximum	\$300.00
Commercial, Apartment House and Offices			\$500.00
Industry, Subdivision, Land Development and other			\$1,000.00

ROLL CALL VOTE

AYE

NAY

Trustee James B. Keaney
 Trustee Elsa C. DeVita
 Trustee Michael Holdstein
 Trustee Anthony Gagliardi
 Mayor Wm. Lee Kinnally, Jr.

X
 X
 X
 X
 X

32:99 SNOW AND ICE NYSDOT INTER-MUNICIPAL AGREEMENT

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

RESOLVED: that the Mayor and Board of Trustees authorize the Village Manager to sign the agreement to extend the intermunicipal Snow and Ice Agreement for the 2000/2001 snow season with the New York State Department of Transportation.

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

33:99 COMPLUS AGREEMENT

Village Manager Hess: This is agreement with Complus Data Innovations for a ticket management system for the court. We recommended approval as does the court staff and the Judge. The Town of Greenburgh no longer provides us with a computer system. We negotiated a fee of 13.5%, and in addition to the complete system we get two computers, a cash register with drawer, a receipt printer, two laser printers, a bar code reader, and a hub. We receive two handheld mechanical ticket issuers; 99% of the tickets will be from the handhelds, and the tickets will be read into the computer at the end of the day. They will convert our current master file; we will have a completely internal system using Complus.

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

RESOLVED: that the Mayor and Board of Trustees authorize the Village Manager to execute the agreement with Complus Data Innovations, Inc. for a ticket management system.

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	

34:99 CONTRACT OF SALE - FORMER ATI PARCEL

Mayor Kinnally: This is the former ATI station, the site of a reclamation/recovery project after a significant gasoline spill was discovered on the property. The Town of Greenburgh has offered the Village the property for \$14,000. The property has been improved by people in the neighborhood with a split-rail fence and trees and grass planted on the site. This is a plus for the Village.

Trustee Keaney: Provision 34 in the contract talks about a rider stating that we must continue to use the park solely and exclusively as a park as defined in Chapter 600 of the Town Code. I would like to make sure that our lawyer focuses on that so that we understand what 600 of the Town Code says.

n 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 authorize the Village Manager to sign a contract of sale for the purchase of the former ATI property, designed as Sheet 38, Block 724, Lots 2-6, from the Town of Greenburgh for \$14,000.

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	

BOARD DISCUSSION AND COMMENTS

1. Update on the Waterfront

Mayor Kinnally: The Village has submitted an application to the Hudson River Foundation for a \$50,000 grant to purchase the Marinello Cove. Waterfront Watch is sponsoring a conference on the waterfront at Harvest on Hudson on April 17th.

2. Other

Mayor Kinnally: I am in receipt of a check for \$100 in costs that were awarded to the Village on the motions to reargue on the Pinecrest lawsuit against the Village for the affordable housing site on Warburton Avenue. The Judge denied the motions in their entirety and awarded the Village \$100 on our application for sanctions. We also have an update on the amount of money the Village has spent fighting that litigation: a total of \$15,050. And we recovered \$100.

2. Uniontown Field

Steve Alterescu, 30 Darwin Avenue: I was asked to discuss our application for the use of Uniontown Field on weekends. In the past few years the Little League in Hastings has expanded greatly. There are eight teams now in the major and around seven or eight teams in the

minors that are filled with 12 to 13 kids each. We have a shortage of fields. During the week we use Uniontown and Hillside. On the weekends we use Hillside and are not allowed to use Uniontown. We can use Zinsser only until mens' softball starts. Besides field space we are trying to get more games on weekends when more parents can attend. The field at Uniontown was built with the understanding that there would not be weekend games. But a petition has been signed by the people living in the neighborhood approving the use over the weekends. We have arranged for additional parking spots at the field as well.

Mayor Kinnally: The petition indicates that there will be five parking spaces added to the Uniontown lot. Where will that be?

Mr. Alterescu: As far as I know it would be near the playground area.

Trustee Holdstein: As I understand it, the stands behind left field would be moved behind left center so that cars can pull up to the fence.

Village Manager Hess: The proposal, as I understood it, was that Little League was going to expand the parking to allow for parking, not that the Village was going to be doing it. It will have to be paved.

Mayor Kinnally: If parking is provided does that have any impact on the existing playground?

Trustee Holdstein: I cannot answer that.

Mayor Kinnally: That has to come before the Board, in any event. The Parks and Recreation Commission twice discussed this, and they were four-one against it. One of the issues that was raised was whether or not Reynolds Field is available. Has that been pursued?

Mr. Alterescu: The problem with Reynolds is that AYSO uses Reynolds on both days of the weekend for soccer.

Village Manager Hess: My understanding is they are done by 1 o'clock on Sunday.

Mr. Alterescu: I live across from there and there is soccer there all day long on Saturday and Sunday.

Village Manager Hess: We have facilities approval from the school to use Reynolds both Saturdays and Sundays.

Trustee Holdstein: Parks & Rec discussed this and the feeling was that Reynolds was a solution, but I think we had forgotten about AYSO and the problems there. The proposal asked for three games on Saturday, and possible rain-outs on Sunday. I met with a neighbor who lives in the house next to the field, and his mother lives across the street. He said he and his mother

felt that the kids should be allowed to play baseball there but that they have had problems with parking. His concern, as a resident right next to the entrance to Uniontown, is strictly the parking.

I feel that with all the growth in baseball and softball in this town, we need as much field space as we can get.

Mayor Kinnally: I do not even know what the application is before the Village. If there is to be a change we have to have a meeting with the people in the community. I would like to have information for our next meeting on the parking and on the school's and AYSO's, responses on availability of that field. The minutes from Parks & Rec talk about a "signature field." What is a signature field?

Mr. Alterescu: Having a field in Hastings that could be used for post-season tournaments. We do not have a field in Hastings where we can host Little League tournament games, because there are requirements for a Little League field for tournament play.

Mayor Kinnally: Let Little League present their application. Chris Evans was shepherding this through and he is not here tonight. I have not seen their application.

Trustee Holdstein: The parking is the parking, and that cannot be violated. The Little League people understand that if we go forward with this and an incident occurs where parking is inappropriate, it is going to squelch the deal for the future. We should do this on a one-year trial basis. I told Chris that if there is a problem with parking you are going to ruin the deal. He understands and accepts that, and feels that he can convey that to the residents of our Village.

Mayor Kinnally: We have a petition but not an application from the organization. The organization, I assume, brought an application before Parks and Recreation.

Ellen Bush, 21 Calumet: I do not recall.

Mayor Kinnally: This cannot be a dedicated Little League park. That was not the understanding when we put the improvements into that property. We have too many other activities there.

Mr. Alterescu: The goal is not to turn it into a Little League park but to make it able to be used for a post-season game.

Mayor Kinnally: Does it fit the size requirements at the present time?

Mr. Alterescu: There might have to be a few changes.

Mayor Kinnally: If there have to be other improvements we have to know that. It cannot be incremental. An application detailing all the requests must come before us.

Kevin Dawkins, 28 South Clinton: I am here as a member of the Parks and Recreation Commission and also as a Little League manager. The key question is what the people in the community feel and I hope a community meeting happens.

Ellen Bush, 21 Calumet: I am here as a member of the Parks and Recreation Commission. We discussed this for four months, and at the end of every meeting we wanted more information which is why this has taken so long.

Our concern was that in addition to the parking and the fact that it is a dead end street with a Fire Department on the street, this is not just a ball field. This is a playground and park. The springtime is when parents with young children take their children to the park in cars filled with bikes and other stuff, and those people are not represented on the petition. If we have the meeting up there those are the people who are not going to be represented. My position on the Parks and Recreation Commission has been to represent those people.

Trustee Holdstein: I agree and I told Chris that we need a chart of all the fields, the teams, the needs, and the requests. The more ball fields and the more kids playing baseball, the better we all are. I hope we can find the compromises necessary. We could start with one year and see how it goes, without any other major capital improvements to the field.

Mayor Kinnally: We have to know what Little League's long-term aspirations for this field are. It is unfair to the community to do it incrementally. We are talking about a community resource. Everybody talks about planning in this community. This is a good example. If people want to expand the use, let us talk about it all at once.

Trustee Holdstein: I disagree, and think that if we can get through one season with the approval of the neighborhood, and there are no problems, then we may want to move forward with something additional.

RECESS

On MOTION of Trustee Holdstein, SECONDED by Trustee Gagliardi with a voice vote of all in favor, the meeting recessed at 8:55 PM to await the election results.

RECONVENE

The Regular Meeting reconvened at 9:47 PM.

35:99 CERTIFICATION OF ELECTION RESULTS

Mayor Kinnally reported the following election results:

For Mayor:

WM. LEE KINNALLY, JR. 861

For Two Trustee Offices:

ANTHONY GAGLIARDI 668
ELSA DEVITA 1,073
DAVID WALRATH 807

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 hereby accept the Election Results and that William Lee Kinnally, Jr. is declared Mayor for a term of two (2) official years and that Elsa DeVita and David Walrath are declared Trustees for a term of two (2) official years each.

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	

Mayor Kinnally: Let me congratulate everyone for a splendid campaign. My congratulations to the winners, to David and to Elsa. My congratulations to Tony for two years of outstanding service as a member of the Board of Trustees. I think the community comes out a winner in this election because it was a good, vigorous election.

ADJOURNMENT

On MOTION of Trustee Keaney, SECONDED by Trustee DeVita with a voice vote of all in favor, Mayor Kinnally adjourned the Regular Meeting at 9:52 PM.