

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK  
BOARD OF TRUSTEES  
REGULAR MEETING  
MAY 18, 1999**

A Regular Meeting was held by the Board of Trustees on Tuesday, May 18, 1999 at 8:25 p.m. in the Municipal Offices, 615 Broadway.

**PRESENT:** Mayor Wm. Lee Kinnally, Jr., Trustee James B. Keaney (8:45 p.m.), Trustee Elsa C. DeVita, Trustee Michael Holdstein, Trustee David Walrath, Village Manager Neil P. Hess, Village Attorney Brian Murphy, and Village Clerk Susan Maggiotto.

**APPOINTMENTS**

Mayor Kinnally announced the following reappointments:

Building Board: Bill Gunther  
Parks and Recreation Commission: Ron Gagliardi, Annemarie Gagliardi  
Safety Council: Joe Rodriguez  
Youth Council: Jim Davis, Pat Spana, Kathy Placido

**APPROVAL OF MINUTES**

On MOTION of Trustee Holdstein, SECONDED by Trustee DeVita with a voice vote of all in favor, the minutes of the Regular Meeting of April 20, 1999 were approved as presented.

**APPROVAL OF WARRANTS**

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

Multi-Fund No. 111 - 1998-99	\$58,263.21
Multi-Fund No. 113 - 1998-99	\$223,042.27

**49:99 AWARD OF BID WHITMAN STREET SEWER IMPROVEMENTS**

**Village Manager Hess:** There were six bidders on the Whitman Street sewer project, ranging from a low of \$165,625 from JAC Development to a high of \$242,750. We have reviewed JAC's credential and recommend they be awarded the bid.

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

**RESOLVED:** that the Mayor and Board of Trustees award the bid for the Whitman Street Sewer Improvements to JAC Development Corp., P.O. Box 285, White Plains, New York 10603 in the amount of \$165,625.00.

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

**50:99 ENGINEERING SERVICES WHITMAN STREET SEWER IMPROVEMENTS**

**Village Manager Hess:** Mr. Nardecchia has given us a proposal for the Whitman Street Sewer Improvements project for inspection and certification of all work, coordination with the utility companies, redesign of conflicts, restoration of the roadways, as-built drawings prepared for county health department, and certification of results to county health, in the amount of \$4,240.00. This project was based on a camera inspection several years ago funded through the Community Development Block Grant program, and CDBG is supplying \$35,000 towards the cost of this project.

Upon 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 accept the proposal of Larry J. Nardecchia Jr., P.E., for engineering services for the Whitman Street Sewer Improvements as per the attached proposal in the amount of \$4,240.00.

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

**51:99 COMMUNITY DEVELOPMENT PROGRAM AGREEMENT WITH WESTCHESTER COUNTY**

**Village Manager Hess:** The Village got into the Urban County Consortium in the late 1970s to give a group of communities sufficient size to apply to HUD for CDBG funds. There have been several amendments to the cooperation agreements required by HUD for participating communities. This change relates to the availability of home funds for affordable housing on a county-wide basis. We recommend approval and continued participation in the CDBG program.

**WHEREAS,** the Secretary of Housing and Urban Development of the United States is authorized, under Title I of the Housing and Community Development Act of 1974 as amended, and Title II of the National Affordable Housing Act of 1990, as amended, to make grants to states and other units of general local government to help finance Community Development Programs; and

**WHEREAS,** Section 99-h of the General Municipal Law of the State of New York grants to any municipal corporation the power, either individually or jointly with one or more municipal corporations, to apply for, accept and expend funds made available by the Federal government, either directly or through the State, pursuant to the provisions of any Federal law which is not inconsistent with the statutes or constitution of this State, in order to administer, conduct or participate with the Federal government in programs relating to the general welfare of the inhabitants of such municipal corporation; and

**WHEREAS,** the Community Development Act of 1974 as amended, Title II of the National Affordable Housing Act of 1990, as amended, and any "Eligible Activities" thereunder are not inconsistent with the statutes or Constitution of the State; and

**WHEREAS,** a number of municipalities have requested Westchester's participation, and the County of Westchester has determined that it is desirable and in the public interest that it make application for Community Development Block Grant funds and HOME funds as an Urban County; and

**WHEREAS,** participation by the County of Westchester as an Urban County in the Community Development Program requires that the Village of Hastings-on-Hudson and the County of Westchester cooperate in undertaking, or assisting in undertaking, essential community development and housing activities, specifically those activities authorized by statutes enacted pursuant to Article 18 of the New York State Constitution; and

**WHEREAS,** this Board deems it to be in the public interest for the Village of Hastings-on-Hudson to enter into a Cooperation Agreement with the County of

Westchester for the aforesaid purposes; now therefore be it

**RESOLVED:** that Village Manager Neil P. Hess be and hereby is authorized to execute a Cooperation Agreement between the Village of Hastings-on-Hudson and the County of Westchester for the purposes of undertaking a Community Development Program pursuant to the Housing and Community Development Act of 1974 as amended and Title II of the National Affordable Housing Act of 1990, as amended.

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

**52:99 WESTCHESTER URBAN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION FOR FY 2000 - 2002**

**Village Manager Hess:** The total amount we are applying for over the three-year period is \$1,756,800. We are looking for CDBG funds in excess of \$1,000,000 for these projects, with the Village contributing the balance. The development of this application began in November, 1998. Applications are due June 1. Thanks to Susan Maggiotto and Meg Walker for their work on this.

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

**RESOLVED:** that the Mayor and Board of Trustees approve the submission for FY 2000-2002 for the project grants administered through the Westchester Urban County Community Development Block Grant Program as follows:

<b><u>Project</u></b>	<b><u>CDBG Contribution</u></b>	<b><u>Village Contribution</u></b>	<b><u>Total Amount</u></b>
Affordable Housing			
# 1*	\$ 80,000	\$ -	
# 2*	200,000	-	
# 3*	520,000	495,000	

# 4*	40,000	-	\$1,335,000
Senior Bus	31,800	20,000	51,800
Ridge Street	150,000	150,000	300,000
Riverview Park	25,000	25,000	50,000
Draper Park	<u>10,000</u>	<u>10,000</u>	<u>20,000</u>
<b>Total:</b>	<b>\$1,056,800</b>	<b>\$700,000</b>	<b>\$1,756,800</b>

- \* # 1 - Clearance of Warburton/Division Site
- # 2 - Design and Engineering Costs of Warburton/Division Site
- # 3 - Affordable Housing at Community Center
- # 4 - Technical Assistance: Feasibility Studies of Proposed Sites

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

**53:99 1999 - 2000 TAX WARRANT**

**Mayor Kinnally:** This is the document that authorizes us to collect taxes for 1999-2000.

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

**RESOLVED:** that the Board of Trustees authorizes the Mayor to sign the 1999 - 2000 Tax Warrant as attached herewith.

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

**54:99 PUBLIC HEARING - ZONING CODE AMENDMENTS**

**Village Manager Hess:** These changes are required by changes in New York State Village law to bring our zoning code into compliance. The changes are available here at the Village offices.

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

**RESOLVED:** that the Mayor and Board of Trustees hereby schedule a Public Hearing on June 1, 1999 at 8:00 PM or shortly thereafter to consider the advisability of adopting a local law amending certain provisions of the Zoning Code.

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

**55:99 PUBLIC HEARING - ELECTRICAL FEES**

**Mayor Kinnally:** This is the result of comments after the public hearing and increases this year in our rates from a number of electrical contractors.

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 hereby schedule a Public Hearing on June 1, 1999 at 8:00 PM or shortly thereafter to consider the advisability of adjusting the fees for electrical permits as follows:

	<u>Current</u>	<u>Proposed</u>
\$250 and under	\$50.00	\$30.00
\$251 to \$500	\$75.00	\$40.00
\$501 to \$1,000	\$100.00	\$50.00
\$1,001 to \$2,999	\$150.00	\$60.00
\$3,000 to \$10,000	\$200.00	\$70.00
\$10,000 to \$50,000	\$200.00	\$100.00 plus 1% of value over \$10,000

\$50,000 and over                      \$200.00                      \$500.00

**ROLL CALL VOTE:**                      **AYE**                      **NAY**

Trustee James B. Keaney	Absent
Trustee Elsa C. DeVita	X
Trustee Michael Holdstein	X
Trustee David Walrath	X
Mayor Wm. Lee Kinnally, Jr.	X

**VILLAGE MANAGER'S REPORT**

**Village Manager Hess:** We are meeting with state DOT next week to review new signs for Jackson Avenue and Saw Mill River Road.

The Westchester County Planning Federation is honoring Abba and Naomi Tor on June 8. This is well deserved by both.

The Municipal Building is moving along on schedule, except for the HVAC contractor who has been put on three-day notice.

**BOARD DISCUSSION AND COMMENTS**

**1. Update on the Waterfront**

**Mayor Kinnally:** There is a stakeholders' meeting on May 20 to discuss the status of the waterfront, the status of the sampling, and building demolition and environmental assessment. I have asked for DEC's support in obtaining the complete report from ARCO.

**2. Other**

**Mayor Kinnally:** The Southside Club is celebrating its sixtieth anniversary this weekend with a dinner dance.

We received notification of the withdrawal of the appeal of the Pinecrest lawsuit. This finalizes the case.

We are in receipt of model cell tower legislation from the county executive. I would ask that this be turned over to our attorney to see how it dovetails with our legislation.

**Trustee Holdstein:** Could we extend every-week yard waste pickup through the end of June?

**Village Manager Hess:** We can take a look at that.

**Mayor Kinnally:** Judge Barone has made a decision to allow the construction of Sprain Road, the road in dispute in the Austin Avenue project. Motion was made today for a temporary restraining order to enjoin any work from being done. I submitted an affidavit in support of the restraining order. In light of our having just received the supplemental DEIS and the comment period, this decision renders the process useless.

### **EXECUTIVE SESSION**

On MOTION of Trustee Walrath, 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.

### **ADJOURNMENT**

On MOTION of Trustee Keaney, SECONDED by Trustee Walrath with a voice vote of all in favor, Mayor Kinnally adjourned the Regular Meeting at 9:10 p.m.