

VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
REGULAR MEETING
NOVEMBER 2, 1999

A Regular Meeting was held by the Board of Trustees on Tuesday, November 2, 1999 at 8:15 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

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

ABSENT: Trustee Michael Holdstein

CITIZENS: Four (4)

APPROVAL OF MINUTES

Trustee Keaney: On page 13 of the Oct. 5 minutes, Phil Karmel's name is misspelled.

Mayor Kinnally: Neil, there was an issue of the exterior painting, and you were going to talk to the contractor about the length of the contract for the painting maintenance.

Village Manager Hess: He would not agree to a long-term. His proposal is for three years.

Mayor Kinnally: The McBride principles in connection with the Invest in Kids contract?

Village Manager Hess: They were not included in that contract.

On MOTION of Trustee DeVita, SECONDED by Trustee Walrath with a voice vote of all in favor, the minutes of the Regular Meeting of October 5, 1999 were approved as amended.

On MOTION of Trustee Keaney, SECONDED by Trustee Walrath with a voice vote of all in favor, the minutes of the Regular Meeting of October 19, 1999 were approved as presented.

APPROVAL OF WARRANTS

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

Multi-Fund No. 51-1999-00 \$114,089.05
Multi-Fund No. 52-1999-00 \$100,866.08
Multi-Fund No. 53-1999-00 \$163,310.56

86:99 CHANGE ORDERS MUNICIPAL BUILDING

Frank Crane, Peter Gisolfi Architects: We reviewed change order number three of C& B Plumbing for \$1,392 and found it to be in order. We recommend approval by the Board. The change order proposal of Talt Electric of \$7,614 we did qualify and find to be in order. The third change order was a negotiation of a \$65,000 change order with the contractor for various project work. We had hoped to negotiate that down to \$52,000 and said realistically it would be about \$60,000. We negotiated it down to \$57,000 after meeting with the contractor on several occasions and reviewing all his change orders. We are recommending approval by the Board. That would be the last of the change orders for the entire project.

Village Manager Hess: The itemized list of all change orders was provided at the last meeting.

Mr. Crane: We had budgeted overruns of ten percent. We are coming in at eight percent per construction change, and seven percent for change of scope: for items we were able to do now at a much cheaper rate due to the economy of scale of this entire project; which we never thought we could afford at the time of the project.

Mayor Kinnally: So we actually came in two percent under our budget?

Mr. Crane: Yes, and we are using the two percent to help offset some of the change in scope items that we have undertaken.

We are continuing to work with the mechanical contractor to get the boiler running. Otherwise, we are almost complete. The only outstanding items are the change order items: if we are changing a door, which has been approved, we are waiting for that door to come in. The contractor is up-to-date with his punch list.

Trustee Walrath: Where did these changes in scope, in general, come from? Was there a list prior to the start of the project?

Mr. Crane: We did not have a preconceived list of change of scope. One change of scope was an upgrade for gas, which initially was not included because we had projected a much higher number for performing the work. When we were under construction, we revisited that and found that we could get it for much less because we had a very good plumbing contractor and a very hungry contractor. So it seemed prudent while we were digging up the slab in the basement to lay the pipe then.

Another change of scope was the air conditioners. In the original project only air conditioning within this main space was included. We decided to take out the window units and put them through the wall, so the aesthetic quality of the building would be retained.

These things arose as we found we were getting good value for the dollar due to the size of project. It was somewhat of a work in progress, as construction is, unfortunately. You tend to see things a lot more clearly when you are taking something apart. We took advantage of a lot of those situations to do work now and not revisit it in five years.

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

RESOLVED: that the Mayor and Board of Trustees authorize the Village Manager to execute change orders for the Municipal Building renovation project as attached herewith.

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

Mayor Kinnally: Frank, thank you very much. The work that has been performed over the last year is incredible. Susan had pictures of what the space was like in various stages of the project. It is always frightening to see a building taken apart, but it is truly gratifying to see the results. People have nothing but great praise for it. You and your office are to take a lot of credit for that.

Mr. Crane: It was our pleasure.

Mayor Kinnally: The rededication of this building will take place on November 13. The public is invited to attend the ceremony, have refreshments, and marvel at the building.

94:99 COMMUNITY CENTER PAINTING

Village Manager Hess: We sent out requests for proposals for painting of the first floor of the Community Center. We received three bids for painting to be completed by January 4, 2000. The low bidder was Fairmont Contracting in the amount of \$3,800, and we recommend that award.

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

RESOLVED: that the Mayor and Board of Trustees accept the proposal of Fairmont Contracting, Inc. for painting of the first floor of the James Harmon Community Center in the amount of \$3,800.00.

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

95:99 COMMUNITY CENTER BASEMENT WATERPROOFING

Village Manager Hess: We have an extreme moisture condition at the Community Center in a basement storeroom and with the last storm we had serious flooding. We received three bids for waterproofing of the sub-basement; the low bidder was Mayflower Restoration of White Plains in the amount of \$2,675.00.

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 accept the proposal of Mayflower Restoration for waterproofing of the sub-basement storeroom in the James Harmon Community Center in the amount of \$2,675.00.

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

96:99 – VISION PLAN

Mayor Kinnally: A meeting was held this evening with some members of the Planning Board regarding the vision plan resolution. We have reached agreement on the language but it requires review by Attorney Stecich. I would request that it be removed from the agenda, and placed on the Nov. 16 agenda.

On MOTION of Trustee DeVita, SECONDED by Trustee Keaney with a voice vote of all in favor, Resolution 96:99 was removed from the agenda.

VILLAGE MANAGER'S REPORT

Village Manager Hess: The Mayor has already mentioned the rededication of the Municipal Building on Saturday, Nov. 13 at 1:30 p.m. in front of this building or in the lobby if the weather is not good. We have received our final furniture deliveries, and we had to send some furniture back that was in flooding in Elmsford and had a musty odor. But everything else is now in the building, and we are ready for the open house ceremony.

The Village has been awarded \$350,000 in Community Development Block Grant funds over the next three years. Thirty thousand dollars would go towards the purchase of a new senior van, which we expect to cost about \$51,000. We were awarded \$195,000 for renovations at the Community Center, which gives us a project in the neighborhood of \$390,000. The application included adding affordable housing, but combining the two uses is against federal regulations. The Community Center is in sore need of renovation, including the addition of an elevator. We hope to have that project under way in 2001. We received \$125,000 for Ridge Street improvements, so that will provide us with a \$250,000 project budget. Overall I felt we did very well.

In terms of our affordable housing initiatives, while we did not, again, receive direct grant money for affordable housing projects, we do have the availability to receive \$80,000 for demolition of the building on Warburton Avenue and the availability of receiving another \$200,000 through the Housing Fund as a contribution towards that project if we move forward. That is another \$280,000 that we are eligible for, so that is a total of \$630,000 in

outside funding coming into the Village over the next three years. I want to thank Susan Maggiotto, Meg Walker, and Linda Knies who put the grant packages together.

We have a joint meeting with the Board of Education next week and although we do not normally televise work sessions, we will record this one for viewing on Channel 16 since it is a joint meeting of both Boards.

We will be holding our first Annual Pet Parade on Sunday, Nov. 14 in Zinsser Park. Everyone is urged to bring their pets. They will be judged on costumes, behavior, and appearance. The Turkey Trot is Sunday, Nov. 7.

Trustee Keaney: The Recreation Department encourages residents not to bring pets with behavioral problems. Any pets found to have behavioral problems will be asked to leave the park. Pooper scooper and leash laws will be in effect.

BOARD DISCUSSION AND COMMENTS

1. Update on the Waterfront

Mayor Kinnally: I have continued to talk with the owners of Marinello Cove. In my last discussion there was an audible gasp on the phone when I told them what the appraisal was. Discussion will continue.

An application had been sent to ARCO for a demolition permit for the buildings in the south end of the site. We will have a public hearing in early December.

2. Sprain Road

Mayor Kinnally: Today's newspaper brought the story of the settlement of the Sprain Road litigation. It does not help our Village. It provides for the opening of Sprain Road for all purposes, provided there are certain physical improvements to the Jackson Avenue and Sprain Road intersection, including widening, turn lanes, and a traffic light to be paid for by the developer. There was also a commitment that a new access road be built to extend Stew Leonard Boulevard to 9-A. There is a three-year timetable for permits and SEQRA reviews. I had requested that the Village be a party to these discussions, and our request was not honored. But I have indicated to Rick Turner, the Greenburgh Town Attorney, that the Village was going to be an active participant in anything dealing with moving traffic onto 9-A and, because of the SEQRA process, we will be at the table. I want direct access from the Saw Mill to Stew Leonard, and not have traffic go on 9-A.

We also should take into consideration when they are looking at this improvement that we have been talking for a long time about limited access and egress to the Saw Mill River Parkway. We have too many exits in the Village. I do not want those exits to be used to move traffic through the Village and then on to Ravensdale to allow people from the north to get to Stew Leonard's via Jackson and Sprain Road. This is a very important time for the Village to be especially vigilant. A number of months ago Senator Spano promised that he would put together a meeting with the Department of Transportation and mayors of the surrounding communities. The overriding problem is the regional approach to this amount of traffic. Nick promised us he would look at this with the Department of Transportation, and we want to make sure that he fulfills that promise.

Trustee Keaney: The intersection of 9-A and Jackson is now at a level of service that is very low. I think it is "D" most of the time. Was the developer required to make any mitigation to that intersection?

Mayor Kinnally: No, not in this particular document. My recollection is that there were discussions about this with the Department of Transportation. It may be that these improvements will be made in addition to the improvements on the site.

Trustee Walrath: We have to have the Department of Transportation on board. I heard that they had a timetable, and it was often for years ahead. I think we ought to be lobbying very hard to advance improvements at that intersection way up.

Village Manager Hess: I drove to the site because I wanted to see where this new road would come out. I do not see where they are going to do it.

Mayor Kinnally: Rick Turner said that at this point there are some lines on a map. The discussions have been with attorneys, not with engineers or road developers. I do not know how realistic this is.

This is the first time we are publicly discussing this because it is the first time it has really been on the horizon. But it is looming there, and it is something that we are going to have to deal with from a planning standpoint, from a traffic standpoint. Our Planning Board is going to be directly involved with this. Westchester County may be the lead agency. There is also a provision in the agreement anticipating that federal funds will be needed for construction of the various roads, and that the federal government would be coming in as possible lead agency. It is going to be a complicated cast of characters and a lot of work will need to be done in a very short period of time. The scoping session, the reviews, everything else, are going to be of great importance to this Village.

There is a requirement that a policeman be at the intersection of Jackson Avenue and Sprain Road at all times when the stores are open, and there is to be a repayment by various entities to the Town of Greenburgh up \$23,000 a month for payment of the policemen.

3. Excess Village Property

Village Manager Hess: We had a request from either Bob Kahn or his wife relative to a landlocked parcel that was adjacent to their property. It was referred to the Planning Board. The Planning Board recommended that the property be excessed. Mr. Murphy was to provide us with a set of conditions for the potential sale. I will ask that we put this over for Nov. 16.

4. Draper Road Parking

Village Manager Hess: The new road should be completed next week. We have referred to the Parks and Recreation Commission and to the Safety Council whether overnight parking should be allowed in that portion of the roadway which exits onto Washington Avenue. The Parks and Recreation Commission did not feel it was appropriate to allow overnight parking. In my review, there appears to be more than ample parking on the south side of Washington Avenue. The loss of the two or three spaces has no material effect on any of the residences. Tonight at 7:15 p.m. I counted 20 empty spaces on the south side. The Safety Council will review it at their next meeting.

Trustee Walrath: No vote was taken at the Parks & Recreation Committee meeting, but there were several members who expressed concern with permitting parking there. They made the point that it might be occupied in times when we need it; it is meant to be overflow parking when events are held in the park. Once it is established, it might be difficult to dislodge anybody; there would be parking in places that should be available for the park. They would like to see the park securable at night, and it would prevent that. I pointed out that there have been objections from people in the neighborhood that they have lost places, but I said we need to find out whether that loss is significant. Your observations tonight are interesting.

Village Manager Hess: About securing the drive at night: since that is the access to the residences we cannot chain off the roadway.

Trustee Walrath: I am getting fancy, but perhaps technology would permit giving the residents a way to get in and out. I am not advocating it; I am just saying that it does make it impossible. People on the Parks Commission observed the number of parking places on

Aqueduct Lane that would be available. We might consider creating a handicapped parking place.

Village Manager Hess: After we get the information from the Safety Council we will put in on a future agenda. Possibly we can have a safety work session between the Safety Council, the Parks and Recreation Commission, and the Village Board to have a meeting with the residents.

5. Municipal Building Food Policy

Village Manager Hess: We have not developed a written policy yet. We need guidance from the Board. We can develop a policy about limiting food and drink in public areas. That is easy to control; we can put signs on the external of the building No Food Or Drink Allowed. A number of people may eat lunch at their desk. I do not think we should have to force them to have to go outside to eat. I think the main concern is the public areas: not having people spilling soda on the furniture, or leave behind messes that we have to clean up. We will present a policy at the next meeting.

6. Baseball

Mayor Kinnally: I am anticipating the start of baseball season. We have to revisit, and the Parks and Recreation has to revisit, the utilization of the various parks and fields for Little League.

Village Manager Hess: Parks and Recreation has been discussing that. This summer we were supposed to receive a survey taken by the Little League. Parks and Recreation has raised this several times with Little League, and has still not received it.

Trustee Walrath: People active in Little League are on the Commission and had a draft last night.

7. Other

Trustee Walrath: I went to a Historic Rivertowns in Westchester meeting this week. They have a signage program that they are looking for grants for to go through all the towns and make it easier to find things like the railroad station and so forth. Unless Meg Walker wants to take it over, I will be in contact with them and report back.

They have another program to get out a map showing river access points. The LWRP should see what we can offer them now, and what we can do in our planning.

They are looking suggestions for walks for a Walking Weekend, the 23rd and 24th of September, 2000. I was impressed with the one that the Friends of the Aqueduct had, going from Greystone to Tarrytown. I suggested that something like that might be very good with the wider publicity they will get through the Historic Rivertowns of Westchester.

Mayor Kinnally: On the access to the waterfront, John Cronin's association of Riverkeeper is working with the DEC and also with Metro North on that.

Trustee Keaney: We are having a Village Birthday Ball for the 120th anniversary of our Village on Nov. 13 at 7:00 p.m. at the Riverview; this is the culminating event of the 1999 series of events. That afternoon we will be rededicating the building, so this is a natural tie-in. We are an opening, welcoming Village, and we want everyone to come. It is going to be a huge event and we hope to see you there.

EXECUTIVE SESSION

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

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 9:10 p.m.