

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

A Regular Meeting was held by the Board of Trustees on Tuesday, November 6, 1999 at 8:10 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 Michael Holdstein, Trustee David Walrath, Village Manager Neil P. Hess, Village Attorney Brian Murphy, and Village Clerk Susan Maggiotto.

CITIZENS: Fifteen (15)

APPOINTMENTS

Mayor Kinnally announced the names of the following members of the 1999 - 2000 Youth Advisory Council: 12th Grade: Robert Gagliardi, Daniel Hevia, Jessica Placido; 11th Grade: Jedd Bloom, Colleen Maher, Christopher Shkreli; 10th Grade: Kaitlin Cole, Carlo Dellaverson, Sarah Heyward, Jaclyn Melillo; 9th Grade: Jennifer Kelly, Adam Rosenberg.

Mayor Kinnally administered the oath of office to the students and thanked them for agreeing to serve.

APPROVAL OF MINUTES

On MOTION of Trustee Walrath, SECONDED by Trustee DeVita with a voice vote of all in favor, the minutes of the Public Hearing of November 2, 1999 were approved as presented.

Trustee Walrath: Page 7 of the Regular Meeting minutes: The sense of my comment is that the plan for the intersection is far in the future.

On MOTION of Trustee Walrath, SECONDED by Trustee Holdstein with a voice vote of all in favor, the minutes of the Regular Meeting of November 2, 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. 54-1999-00 \$ 16,392.44
Multi-Fund No. 56-1999-00 \$ 54,569.07

Multi-Fund No. 58-1999-00 \$200,357.02

96:99 AWARD OF BID - SANITATION TRUCK

Village Manager Hess: There was one bid received for the purchase of a sanitation truck, from Gabrielli Truck Sales Ltd. for a net price of \$126,000 which is approximately the amount we budgeted. I recommend we accept this bid.

RESOLVED: that the Mayor and Board of Trustees award the bid for a 25 cubic yard sanitation truck to Gabrielli Truck Sales Ltd. for the net price of \$126,000.

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

98:99 VISION PLAN

Trustee Keaney: This plan represents the vision of the community. It is important because of the hours spent by community members at arriving at this consensus. Part of the resolution calls for us to commence implementation. There are five goals and each of us Board members will take one of the goals to help implement.

Mayor Kinnally: I commend the Planning Board and Trustee Keaney for coming up with language that will pass legal muster. This is the community's vision and I commend everyone who was involved in the process.

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 endorse the principles and goals of the *Community Vision for Comprehensive Planning and Strategic Action Plan* as the community's vision for the future to serve as a guide for future legislation and planning, and commence implementation by assigning Board members to each of the principal tasks.

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

99:99 MUNICIPAL BUILDING POLICY

Village Manager Hess: The Board has asked us to develop a policy on food and drink in this building. Also, although there are signs restricting animals in Fulton Park, people still bring animals into the building, so the policy covers that. This policy is simple and broad enough to cover the concerns of the Board and can be amended in the future as necessary.

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

RESOLVED: that the Mayor and Board of Trustees approve the following policy effective immediately regarding the Municipal Building:

1. No animals of any kind are allowed in the building at any time.
2. No food or drink of any kind are allowed in public areas of the building except for areas designated for staff meals or special events as approved by the Village Manager.

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

100:99 BOARD MEETING CHANGE OF DATE

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 change the date of the Regular Meetings from Dec. 7 and 21, 1999 to Dec. 14, 1999.

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

101:99 PUBLIC HEARING - WATERFRONT DEMOLITION

Mayor Kinnally: This application for a demolition permit is the result of conversations with ARCO trying to move them forward in demolishing the derelict buildings on the site. We will have them here in a public hearing with their engineers for information on type of demolition, removal, transportation, timing, asbestos abatement, DEC compliance and so forth.

Village Manager Hess: DEC, Department of Labor and Department of Health will all be involved. They must file a complete package with those agencies and hoped to so by the end of November.

Mayor Kinnally: They must address noise, dust abatement, asbestos abatement, and other health concerns making sure there is no runoff into the Hudson.

Trustee Holdstein: Can we require them to remove debris by rail?

Mayor Kinnally: According to Sandy Stash from ARCO, they are rehabilitating a rail spur for removal of the PCBs, but it is extremely unlikely it will be ready for the demolition.

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 schedule a Public Hearing on Tuesday, Dec. 7, 1999 at 8:00 p.m. to consider the application of ARCO Environmental Remediation L.L.C. for a demolition permit for the southernmost portion of the former Anaconda Wire & Cable Co., specifically, Buildings 7, 10A, 10C, 13, 14 and three miscellaneous buildings or structures adjacent to Building 14 as identified in the waterfront application for hearing dated Nov. 3, 1999 as attached.

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

102:99 SCOFFLAW FEE

Village Manager Hess: We have had a public hearing on the scofflaw administrative fee. The judge has requested that a fee be set after public hearing and this is the recommended fee.

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

RESOLVED: that the Mayor and Board of Trustees hereby establish an administrative fee of \$10.00 for the processing of scofflaws.

ROLL CALL VOTE:	AYE	NAY
Trustee James B. Keaney	X	
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: Relative to the Vision Plan, there is a meeting Nov. 17 at the community center sponsored by the Downtown Improvement Team, which is a subcommittee of the Planning Board, and the Chamber of Commerce, to obtain public input on questions related to the downtown on issues such as permitted uses and parking.

Regarding the Southside project, the Board wants to consider extending the sidewalk along Southside around to the bridge. We have a price of \$2,000 from the Munson Company just for the survey needed for design purposes. I will be looking for Board authorization to proceed. The amount seems high; we will look into this further for the next meeting.

The adopted state budget will provide an additional 4.6 percent in CHIPs funding for about \$3,700 this fiscal year. We refinanced the note on the municipal building for 4.1 percent; our

investment rates are running 4.9 to 5.3 percent, so over the past year we made about \$15,000 over the financing fees.

We have approximately three more weeks in the upper area of Southside and the work will stop until spring.

Mayor Kinnally: I do not want the work to begin on the east side of Southside and then remain unfinished until spring because of weather; I am concerned about the businesses that rely on holiday traffic. Let's monitor this situation and see if the island and the west side are complete before the east side is started.

Village Manager Hess: Regarding Draper Park, I have expressed concern to the contractor that we want the paving work completed and that should be done in a week. There will be approximately another four weeks until completion of Villard and Whitman Street. This job was started on July 26 and was to be completed by Labor Day. The rock condition has killed us, the contractor, and the neighborhood in terms of the time, the noise, and the dust. The contractor and our sweeper will get the dust cleaned up.

BOARD DISCUSSION AND COMMENTS

1. Update on the Waterfront

Mayor Kinnally: The Department of State is hoping to have action on our pending grant applications soon. RPA has submitted an application to the Westchester Foundation that requires additional information from the Village. The Village has received a commitment from Ginsburg Development for \$25,000 towards the planning project but questions have arisen whether we should accept the money; we will discuss the matter with counsel. My understanding is that ARCO funds are still committed. The Board of Trustees will have to discuss whether any grant funds can be applied to the project and will do so at the next meeting if we have the information by then.

The Village has submitted its comments on the supplemental PRAP on additional testing; copies are available to the public at Village offices.

2. Other

Trustee Kinnally: I want to commend the Mayor for his fine words at the building dedication last week. What we have accomplished in this building is amazing. Congressman Gilman was here and Village Manager Hess and I discussed federal funding efforts with him which he said he would continue to help us with.

Mayor Kinnally: It was a glorious day; people who attended were surprised at how well the building looks and works. I commended all the people on the team that put this together, including the people on the citizens' committee who worked with the Village Manager and department heads. I went back to old newspapers for the flavor of the times at the original dedication, and I hope people in 70 years at yet another rededication will get the flavor of the times here. Earlier we talked about the community effort in coming together in a Vision Plan. The community, the department heads and employees came together with a community vision for this building also. I hope all residents will visit the building to see how their vision for the future is reflected here.

Trustee Keaney: We had our 120th Birthday Ball last week and many people have told me what a good time they had. The party had a great cross-section of the Village in attendance. I wish to commend and thank all the members of the 1999 Committee who worked to put together not only the ball but all the events of the year, especially former trustee Anthony Gagliardi and co-chair former trustee Susan Winn.

Mayor Kinnally: I wish to thank Senator Spano and Supervisor Feiner for their good wishes. I also wish to congratulate and thank you and the 1999 Committee for the year-long celebrations and events; the execution was even better than the planning if that is possible. It brought the best out in the Village and everyone together. You made Hastings very proud, and we thank you, Mr. Hess and the staff, and especially Raf Zaratian behind the camera who was always there: I thank you for all your time and effort.

The dedication of this building was on the 50th anniversary of the incorporation of this Village, on the 18th of November, 1929 at 2:30 in the afternoon on a Monday; the schools participated in a one-hour parade and about one thousand people came out; the mayor declared a half-day holiday.

Trustee Holdstein: I would like to echo your comments and thank and congratulate Trustee Keaney and former trustee Susan Winn as co-chairs for a great year. The birthday ball was yet another example of a job well done.

3. Sale of Village Property

Mayor Kinnally: The Village has received an inquiry about the possible sale of Village property of .06 acres. We have requested and received advice from our attorney on conditions of sale and deed restrictions, and the fair market value from our assessor. If the Village were to put the land up for public auction the upset price would be \$2,500. Mr. Hess, if the Board were to authorize this, what would be the procedure?

Village Manager Hess: The request was first sent to the Planning Board for review and that Board recommended to the Trustees that the land be considered excess property. If the Board wants to take action, there would be a resolution at a regular Board meeting.

Mayor Kinnally: My suggestion is that we have a proposed resolution at the December 14 meeting. The Building Department should send out notices to people in the area that this is under consideration.

Phyllis Vine, 168 Warburton Ave.: I live directly below the property that is under consideration. I was not aware that there had been a public hearing until after it happened. My property is below two new houses that have caused considerable change to the landscape and problems for us and our neighbors. My concern is what will eventually be done with the land. We do not want any more problems. Mr. Kahn has stated that he does not want to build on the property, but a future owner would not be legally bound not to build. We feel that if it is sold it should be sold with restrictions that nothing can be built on it.

Mayor Kinnally: We just received an opinion from counsel on what we can do to encumber the property, but the Board has not had time to review it. There are two issues: what the Village can do, and what the purchaser would voluntarily do, to restrict use of the property. This will be part of the discussion at the next meeting.

4. Holiday Parking

Mayor Kinnally: I have a letter from the Chamber of Commerce requesting that the Village cover the parking meters in the business district to offer free holiday parking from Monday, Dec. 13 through Saturday, Dec. 25. The Chamber will supply the bags and it is requested that Village personnel bag the meters. This would be for two full weeks. I am in favor of accommodating the Chamber, but we will leave the scope up to the Village Manager as it affects both revenues and traffic. How does the Board feel?

Trustee Keaney: We something like this last year and we should do it again as we did last year.

Trustee Holdstein: Can the Village send out a note to the merchants asking them to monitor their employees not to abuse this?

Village Manager Hess: Part of our discussion with Peter Rockwood was that the Chamber would send a letter to merchants and employees and copy us. The letter has not been sent yet. Hand in hand with bagging should be chalking of tires.

Mayor Kinnally: We are not talking about over-vigilance, but we are looking for turnover of cars; if the merchants or employees monopolize the spaces, it will defeat the purpose.

EXECUTIVE SESSION

On MOTION of Trustee Holdstein, SECONDED by Trustee Walrath with a voice vote of all in favor, the Board scheduled an Executive Session for Tuesday, Dec. 7, 1999 at 8:00 p.m. to discuss personnel and litigation.

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 and litigation.

ADJOURNMENT

On MOTION of Trustee Holdstein, SECONDED by Trustee Keaney with a voice vote of all in favor, Mayor Kinnally adjourned the Regular Meeting at 9:30 p.m.