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PUBLIC HEARING PURSUANT TO  
EMINENT DOMAIN PROCEDURE LAW SECTION 202  
ASHFORD AVENUE BRIDGE

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148 Martine Avenue  
8th Floor  
White Plains, New York  
May 20, 2013  
7:31 p.m.

P R O C E E D I N G S

PATCHEN STENO SERVICES LLC  
Eunice Tecun-Patchen  
111 North Central Park Avenue  
Hartsdale, New York 10530  
(914) 684-0201

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A P P E A R A N C E S:

ROBERT MEEHAN, ESQ.  
Attorney for the County of Westchester  
148 Martine Avenue, 6th Floor  
White Plains, New York 10601

BY: TAMI ALTSCHILLER, ESQ.  
Senior Assistant County Attorney

WESTCHESTER COUNTY DEPARTMENT OF PUBLIC WORKS  
AND TRANSPORTATION  
148 Martine Avenue, 6th Floor  
White Plains, New York  
BY: KEVIN ROSEMAN, Traffic Engineer



## Proceedings

1 MR. JENKINS: Madam clerk, let's call  
2 public hearing number one.

3 THE CLERK: For the committees in  
4 government operation and some budget  
5 appropriation. A public hearing for the  
6 public project to rehabilitate the Ashford  
7 Avenue Bridge, located within the Villages  
8 of Ardsley and Dobbs Ferry and the public  
9 project to rehabilitate the entrance and  
10 exit ramp between Ashford Avenue to the  
11 northbound Saw Mill River Parkway.

12 MR. JENKINS: Thank you, madam clerk.  
13 For all the members of the public and for  
14 our members this evening, there will be a  
15 presentation first, before any of the  
16 speakers are called. So, for the record,  
17 the Law Department, you are on.

18 MR. HITE: Good evening, my name is  
19 Richard Hite, I am the property rights  
20 consultant for the County in connection with  
21 the Ashford Avenue project. Also here  
22 tonight with me are Kevin Roseman, from the  
23 Public Works and Transportation and Tami  
24 Altschiller from the County Attorney's  
25 Office.

## Proceedings

1 I would like to formally open this  
2 public hearing for the rehabilitation of the  
3 Ashford Avenue Bridge, BIN 5348380 and the  
4 entrance and exit ramp between the Ashford  
5 Avenue to the northbound Saw Mill River  
6 Parkway, BIN 534838A, located in the  
7 Villages of Ardsley and Dobbs Ferry,  
8 Westchester County, New York.

9 The purpose of this public hearing is  
10 to meet the legal requirements of Article 2  
11 of the Eminent Domain Procedure Law. A  
12 notice of the public hearing was published  
13 in the south, central and northern editions  
14 of the Journal News for five consecutive  
15 days, beginning April 29, 2013. A copy of  
16 the notice of the public hearing was sent to  
17 the assessment record billing owners  
18 potentially impacted by the proposed public  
19 project.

20 The public notice reads as follows:  
21 Please take notice that in accordance with  
22 the New York Eminent Domain Procedure Law,  
23 Section 202, notice is hereby given that a  
24 public hearing regarding the public project  
25 to rehabilitate the Ashford Avenue Bridge,

## Proceedings

1           BIN 5348380, which is located within the  
2           Villages of Ardsley and Dobbs Ferry and  
3           situated over the Saw Mill River Parkway,  
4           South County Trailway, Elm Street, the New  
5           York State Thruway, Interstate 87 and the  
6           Saw Mill River, and the public project to  
7           rehabilitate the entrance and exit ramp  
8           between Ashford Avenue to the northbound Saw  
9           Mill River Parkway, BIN 534838A, will be  
10          held in the Board of Legislators Chambers,  
11          Room 800, Michaelian Office Building, 148  
12          Martine Avenue, White Plains, New York,  
13          10601, on the 20th day of May, 2013, at  
14          7:00 p.m.

15                 The purpose of the hearing is to  
16                 outline the public projects, proposed  
17                 location and alternate locations, if any,  
18                 and to present other pertinent information,  
19                 including maps and property descriptions of  
20                 properties to be acquired and adjacent  
21                 parcels.

22                 For further information, please go to  
23                 [www.westchestergov.com/ashfordavenuebridge](http://www.westchestergov.com/ashfordavenuebridge).  
24                 Persons may appear by agent and will be  
25                 given the opportunity to present oral or

## Proceedings

1 written statements and to submit other  
2 documents or information concerning the  
3 proposed project.

4 As stated in the notice, there are  
5 several purposes for the hearing tonight.  
6 Provide information on the proposed project;  
7 explain and describe the public use,  
8 benefits and the purpose of the proposed  
9 project. Describe the location or  
10 geographic parameters of the proposed  
11 project and explain the reasons for the  
12 selection of the location.

13 Discuss the general effect of the  
14 proposed project on the environment and on  
15 the residents of Ardsley and Dobbs Ferry.  
16 Identify the property interest the County  
17 will need to acquire in order to accomplish  
18 this project, and accept and consider public  
19 comments on the proposed project.

20 Hearing Procedure. The oral  
21 statements made tonight, during tonight's  
22 session are being recorded by a  
23 stenographer. Additionally, various  
24 documents have been pre-marked as exhibits,  
25 and will be incorporated into the hearing of

## Proceedings

1 this record. Following tonight's session,  
2 members of the public are invited to submit  
3 written comments or other documents relating  
4 to the proposed project which will become  
5 part of the record of this hearing.

6 These written comments and documents  
7 should be addressed to Kevin Roseman,  
8 Westchester County Department of Public  
9 Works and Transportation, 148 Martine  
10 Avenue, Room 400B, White Plains, New York  
11 10601.

12 As soon as possible after tonight's  
13 session, copies of the transcript of this  
14 hearing will be made available to the public  
15 to examine without cost during normal  
16 business hours, at the Westchester County  
17 Department of Public Works and  
18 Transportation, 148 Martine Avenue, Room  
19 518, White Plains, New York, and the Office  
20 of the County Clerk, Division of Land  
21 Records, 110 Dr. Martin Luthern King, Jr.  
22 Boulevard, White Plains, New York. Any  
23 person who would like to examine these  
24 records should contact Kevin Roseman at  
25 (914)995-4084.



## Proceedings

1                   Within ninety days after the  
2                   conclusion of this hearing, the Westchester  
3                   County Board of Legislators shall make its  
4                   determination and findings concerning this  
5                   proposed project. A brief synopsis of the  
6                   Board's determination and findings will be  
7                   published in appropriate newspapers and  
8                   mailed to owners of record.

9                   Exhibits. There are several exhibits  
10                  that have been pre-marked and are being  
11                  entered into the hearing record this  
12                  evening. The Notice of tonight's public  
13                  hearing was published in the south, central  
14                  and northern editions of the Journal News,  
15                  which have been pre-marked as Exhibit 1.  
16                  The affidavit of publication has been  
17                  pre-marked as Exhibit 2.

18                  In addition to publishing the notice  
19                  of this hearing in the newspaper, the County  
20                  mailed notices to each of the assessment  
21                  record billing owner and one tenant. The  
22                  letter notices, copies of certified mailing  
23                  and return-receipt documents and affidavit  
24                  of mailing have been pre-marked as Exhibit  
25                  3:

## Proceedings

1           Also available tonight for public  
2           inspection is a copy of the Design Report.  
3           It includes many of the technical details  
4           relating to the project, including the scope  
5           and evolution, alternatives, environmental,  
6           historical and social matters that were  
7           considered. The Design Reports has been  
8           pre-marked as Exhibit 4.

9           A power point presentation containing  
10          technical information on the project has  
11          been prepared for tonight's public hearing.  
12          Copies of this presentation have been  
13          collectively pre-marked as Exhibit 5.

14          The right-of-way acquisition maps  
15          prepared for this project are collectively  
16          pre-marked as Exhibit 6 and a large summary  
17          acquisition map is pre-marked as Exhibit 7.  
18          In addition, all written comment submissions  
19          will be entered into the hearing record as  
20          Exhibit 8, collectively.

21          At this time I will request that all  
22          pre-marked exhibits be admitted into the  
23          record of these proceedings.

24          (Whereupon, all pre-marked exhibits  
25          were admitted into the record.)

## Proceedings

1           The preferred design alternative for  
2           the project involves acquiring property  
3           rights in the form of temporary easements to  
4           five parcels of property for approximately,  
5           1.4 acres. The County is required to follow  
6           a specific process to acquire property  
7           rights necessary for the construction of the  
8           project. The technical portion of the  
9           hearing will include an explanation of the  
10          property acquisition process.

11          The preferred design alternative also  
12          results in the need to temporarily relocate  
13          one small business. An analysis of the  
14          relocation needs of the project are  
15          addressed in the Conceptual Stage Relocation  
16          Plan. The plan is contained in Appendix N  
17          of the Design Report, which was previously  
18          pre-marked as Exhibit 4.

19          At the conclusion of the technical  
20          presentation we will open the floor for  
21          public comments. As you entered the  
22          auditorium this evening there was a sign-in  
23          sheet. On the sign-in sheet we asked you to  
24          indicate whether or not you wished to  
25          provide an oral comment this evening. The

## Proceedings

1 County will also accept written comments and  
2 documents related to this project.

3 Now, Kevin Roseman will present the  
4 design portion of the technical program.  
5 Thank you.

6 MR. ROSEMAN: Thank you. The  
7 following presentation will discuss the  
8 design and environmental procedures utilized  
9 in determining the preferred alternative for  
10 this rehabilitation project and present an  
11 overview of the temporary easements that are  
12 required.

13 Ashford Avenue is a four lane roadway  
14 connecting Broadway, Route 9, with Saw Mill  
15 River Road, Route 9A, and other points to  
16 the east. The Ashford Avenue Bridge  
17 traverses from west to the east, the Saw  
18 Mill River Parkway, the South County  
19 Trailway, Elm Street, the New York State  
20 Thruway, otherwise known as I87 and the Saw  
21 Mill River.

22 As many of you are aware, the Ashford  
23 Avenue Bridge is in need of extensive  
24 rehabilitation. Recent repairs performed  
25 are repairs that have helped alleviate the

## Proceedings

1 immediate safety concerns, but major work is  
2 required.

3 The last rehabilitation was in 2000  
4 -- 1992 and had an expected life of about  
5 twenty years. For this project, we would  
6 like to achieve a fifty year service life.  
7 The goals of the project are to eliminate  
8 structure deficiencies in a cost effective  
9 manner, reduce seismic vulnerability,  
10 enhance safety and improve non-standard  
11 design features were appropriate.

12 Federal funds are being used in this  
13 project and a rigorous process must be  
14 followed as a result. Preliminary  
15 inspection began in 2009 and our sixty  
16 percent design plans will be completed this  
17 summer. Final design and right-of-way  
18 acquisitions activities must take place over  
19 the next year before construction  
20 authorization is received in late 2014.

21 We expect major construction to  
22 commence in the Spring of 2015 and be  
23 completed by the end of 2017. The existing  
24 bridge built in 1950 is approximately, 400  
25 feet long and has four 10 foot travel lanes,

## Proceedings

1 plus sidewalks on each side. The ramp is  
2 approximately, 173 feet long and has two 12  
3 foot lanes.

4 One of the areas of deterioration is  
5 the concrete deck. Planking was recently  
6 placed under the bridge to catch any loose  
7 pieces so they do not fall on anyone below.  
8 Netting was also placed on the overhangs to  
9 catch any spills from the fascias or  
10 soffits.

11 The structural steel is also  
12 deteriorated with some girders exhibiting  
13 section loss. All six piers on the bridge  
14 are deteriorated while the ramp has its  
15 three piers in a similar state.

16 Four alternatives were evaluated for  
17 this project. Number one, would be the  
18 no-build option. Number two, a minor  
19 rehabilitation option which would result in  
20 deck replacement along with steel and pier  
21 repairs. Number three, a superstructure  
22 replacement option, with either conventional  
23 construction or pre-cast construction; and  
24 number four, a full replacement option.

25 The feasible alternatives, numbers 2,

## Proceedings

1 3A, 3B and 4 were evaluated against a number  
2 of different environmental criteria and  
3 screened. The results of the alternative  
4 screening indicates that all of the feasible  
5 alternatives would take between 18 and 36  
6 months to complete and cost between 18 and  
7 35 million dollars.

8 Alternative 2 would provide a service  
9 life of twenty years, and replace the deck  
10 while making repairs to the pier and steel.  
11 Alternatives 3A and B both provide a fifty  
12 year service life and replace all steel and  
13 the deck, but alternative 3B also includes  
14 pier replacement and uses pre-cast elements.

15 Alternative 4, full replacement costs  
16 significantly more and would require  
17 permanent property takings. As a result of  
18 the preliminary design and environmental  
19 work, alternative 3B pre-cast superstructure  
20 replacement plus a fill type retaining wall  
21 system for the ramp has been selected as the  
22 preferred alternative.

23 This alternative halves the number of  
24 stages when compared to stage 3A, has a  
25 fifty year service life and a construction

## Proceedings

1 cost of approximately, 20.4 million dollars.  
2 There are another 3 million dollars in soft  
3 costs not included in this estimate,  
4 including things like construction  
5 inspection, utility relocation and  
6 right-of-way acquisition.

7 As part of the design process we  
8 analyzed a number of enhancements. While  
9 these elements are not included in the  
10 preferred alternative, selection and  
11 construction of the preferred alternative  
12 does not preclude those from being  
13 accomplished in the future.

14 During Stage 1, the preferred  
15 alternative, the south of the bridge will be  
16 closed along the Saw Mill Parkway ramp and  
17 traffic will be restricted to one lane in  
18 each direction. This cross section view of  
19 Stage 1 shows removal of the south side and  
20 traffic on the north side of the bridge.

21 During Stage 2, the north half of the  
22 bridge will be closed but the ramp will be  
23 partially opened for exiting traffic only.  
24 Ashford Avenue traffic will remain in one  
25 lane per each direction. Stage 2 represents



## Proceedings

1 a mirror image of Stage 1, with the worke  
2 moved to the north side and traffic driving  
3 one half of the new structure on the south.  
4 These are photos of similar type of pre-cast  
5 construction elsewhere in the region.

6 The ramp structure will be removed  
7 and in its place a pre-cast T wall fill  
8 structure similar to the one shown will be  
9 constructed. This will reduce future  
10 maintenance costs and save both time and  
11 money during construction.

12 In order to construct our preferred  
13 alternative, the County must acquire  
14 temporary easements to five parcels for  
15 approximately four years. This will  
16 necessitate the relocation of one business  
17 occupying three of the parcels. These  
18 temporary easements are necessary for  
19 constructions activities, staging and crane  
20 replacement.

21 Parcels 1 and 2, shown in pink, are  
22 owned by the Ranorita Realty Company and are  
23 located on the west side of Elm Street,  
24 adjacent to the bridge. The area shown in  
25 green is also owned by Ronarita Realty

## Proceedings

1 Company, but Westchester County already  
2 possesses a permanent easement for  
3 operation, maintenance, repair or  
4 replacement of the bridge in this area.

5 Parcel 3, shown in blue, is owned by  
6 Elm Street LLC and is located in the same  
7 vicinity. All of these three parcels are  
8 utilized by Tom Bucci Paving and Excavating,  
9 the business that must be relocated during  
10 construction.

11 Parcel 4, shown in yellow, is owned  
12 by the Village of Ardsley and is located  
13 south of the bridge on the west side of Elm  
14 Street. Parcel 5, shown in orange, is a  
15 grassy area located on the north side of the  
16 bridge, between the Saw Mill River and Route  
17 9A, and it is needed for access to the east  
18 bridge abutment.

19 Additional information can be  
20 obtained from the project web site or by  
21 contacting me. Tammy Altschiller will now  
22 describe the property acquisition process.  
23 Thank you.

24 MS. ALTSCHILLER: Good evening, my  
25 name is Tami Altschiller, I am a Senior

## Proceedings

1 Assistant County Attorney in the Westchester  
2 County Attorney's Office. There are four  
3 steps in the right-of-way acquisition  
4 process, an initial meeting with each  
5 property owner, the real property appraisal,  
6 establishing just compensation and  
7 negotiating a settlement, and transferring  
8 temporary easement rights to the County.

9 The County's primary goal through  
10 this process is to negotiate a fair  
11 settlement with each property owner. The  
12 first step in the process was a preliminary  
13 meeting with our property rights specialist  
14 whom we referred to earlier. The property  
15 rights specialist met with record owners and  
16 the business owner that needs to be  
17 relocated and provided information about the  
18 right-of-way acquisition process and  
19 proposed impacts to the property. The  
20 County also inspected the property and  
21 gathered preliminary information.

22 The next step to the process is the  
23 real property appraisal. The appraisal is  
24 used to determine the fair market value to  
25 the property rights to be acquired. The

## Proceedings

1 appraiser first researches and analyzes the  
2 real estate marked in the surrounding area.  
3 Comparable sales data and other market  
4 information are also reviewed.

5 Next, the appraiser inspects each  
6 property in order to gather site specific  
7 information. Note that owners are given the  
8 opportunity to accompany the appraiser  
9 during the site visit. Finally, the  
10 appraiser prepares a report, documenting his  
11 or her findings and states the fair market  
12 value of the property rights to be acquired.

13 Just compensation is the price the  
14 County must pay to acquire the temporary  
15 easements. The County will establish an  
16 amount it believes to be just compensation.  
17 This amount will not be less than the  
18 highest approved fair market value for the  
19 property. As stated previously, the fair  
20 market value is determined during the  
21 appraisal phase. The County is required by  
22 law to offer the full amount of the highest  
23 approved appraisal.

24 To avoid any possible confusion, a  
25 written offer will be prepared for each

## Proceedings

1 property. The offer will include a  
2 statement of the just compensation amount,  
3 the basis for the just compensation amount  
4 and a description of the property and the  
5 interest to be acquired. Each property  
6 owner will be contacted to schedule a  
7 convenient time to meet. At this meeting,  
8 the County will deliver and review the  
9 written offer.

10 Once the offer is accepted, the  
11 County prepare the necessary papers and  
12 schedule a meeting to execute the documents.  
13 The County understands that the right-of-way  
14 process may be new to some of you and the  
15 County would like to assure you that we will  
16 try our best to make it as easy as possible.  
17 The County will make every effort to acquire  
18 the property by negotiations.

19 Written comments, questions and  
20 documents will be accepted by the County  
21 until the close of business on Monday, June  
22 3rd, 2013. Please submit your written  
23 statements to Kevin Roseman, these written  
24 statements will be incorporated into the  
25 hearing record.

## Proceedings

1                   This concludes the technical portion  
2                   of the public hearing. In a few minutes the  
3                   Clerk of the Board will open the floor for  
4                   public comment. Please note that while we  
5                   are not able to respond to your statements  
6                   and questions at this time, all statements  
7                   and comments received will be considered in  
8                   the preparation of the determination and  
9                   findings. Thank you.

10                   THE CLERK: Mr. Chairman I have no  
11                   cards.

12                   MR. JENKINS: Thank you madam clerk.  
13                   Ms. Shimsky.

14                   MS. SHIMSKY: I move to close this  
15                   public hearing and resume regular course of  
16                   business.

17                   MR. JENKINS: Of course, thank you.  
18                   We certainly give our thanks to the  
19                   presenters and give you an opportunity to  
20                   leave at this point in time.

21                   (Time noted 7:53 p.m.)  
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Proceedings

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C E R T I F I C A T I O N

Certified to be a true and accurate  
transcript of the aforesaid proceeding.

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Eunice Tecun-Patchen

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7	7:00 p.m [1] 6/14 7:31 [1] 1/8 7:53 [1] 22/21	
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9	914 [2] 1/24 8/25	
		C
		call [1] 4/1 called [1] 4/16 can [1] 18/19 cards [1] 22/11 cast [5] 14/23 15/14 15/19 17/4 17/7



<p><b>C</b></p> <p>catch [2] 14/6 14/9                  central [3] 1/23 5/13 9/13                  certainly [1] 22/18                  certified [2] 9/22 23/9                  CHAIRMAN [2] 3/14 22/10                  Chambers [1] 6/10                  clerk [6] 3/16 4/1 4/12 8/20                  22/3 22/12                  close [2] 21/21 22/14                  closed [2] 16/16 16/22                  CO [1] 3/4                  collectively [3] 10/13 10/15                  10/20                  commence [1] 13/22                  comment [3] 10/18 11/25 22/4                  comments [7] 7/19 8/3 8/6                  11/21 12/1 21/19 22/7                  committees [1] 4/3                  Company [2] 17/22 18/1                  Comparable [1] 20/3                  compared [1] 15/24                  compensation [5] 19/6 20/13                  20/16 21/2 21/3                  complete [1] 15/6                  completed [2] 13/16 13/23                  Conceptual [1] 11/15                  concerning [2] 7/2 9/4                  concerns [1] 13/1                  concludes [1] 22/1                  conclusion [2] 9/2 11/19                  concrete [1] 14/5                  confusion [1] 20/24                  connecting [1] 12/14                  connection [1] 4/20                  consecutive [1] 5/14                  consider [1] 7/18                  considered [2] 10/7 22/7                  construct [1] 17/12                  constructed [1] 17/9                  construction [11] 11/7 13/19                  13/21 14/23 14/23 15/25 16/4                  16/11 17/5 17/11 18/10                  constructions [1] 17/19                  consultant [1] 4/20                  Consultants [1] 3/5                  contact [1] 8/24                  contacted [1] 21/6                  contacting [1] 18/21                  contained [1] 11/16                  containing [1] 10/9                  convenient [1] 21/7                  conventional [1] 14/22                  copies [3] 8/13 9/22 10/12                  copy [2] 5/15 10/2                  cost [4] 8/15 13/8 15/6 16/1                  costs [3] 15/15 16/3 17/10                  County [31]                  County's [1] 19/9                  course [2] 22/15 22/17                  crane [1] 17/19                  criteria [1] 15/2                  cross [1] 16/18</p>	<p>deliver [1] 21/8                  DEPARTMENT [4] 2/13 4/17 8/8                  8/17                  describe [3] 7/7 7/9 18/22                  description [1] 21/4                  descriptions [1] 6/19                  design [12]                  details [1] 10/3                  deteriorated [2] 14/12 14/14                  deterioration [1] 14/4                  determination [3] 9/4 9/6 22/8                  determine [1] 19/24                  determined [1] 20/20                  determining [1] 12/9                  different [1] 15/2                  direction [2] 16/18 16/25                  discuss [2] 7/13 12/7                  DISTRICT [1] 3/15                  Division [1] 8/20                  do [1] 14/7                  Dobbs [4] 4/8 5/7 6/2 7/15                  documenting [1] 20/10                  documents [8] 7/2 7/24 8/3 8/6                  9/23 12/2 21/12 21/20                  does [1] 16/12                  dollars [3] 15/7 16/1 16/2                  DOMAIN [3] 1/3 5/11 5/22                  Dr. [1] 8/21                  Dr. Martin [1] 8/21                  driving [1] 17/2                  during [8] 7/21 8/15 16/14                  16/21 17/11 18/9 20/9 20/20</p>	<p>every [1] 21/17                  evolution [1] 10/5                  examine [2] 8/15 8/23                  Excavating [1] 18/8                  execute [1] 21/12                  Exhibit [9] 9/15 9/17 9/24                  10/8 10/13 10/16 10/17 10/20                  11/18                  exhibiting [1] 14/12                  exhibits [5] 7/24 9/9 9/9                  10/22 10/24                  existing [1] 13/23                  exit [3] 4/10 5/4 6/7                  exiting [1] 16/23                  expect [1] 13/21                  expected [1] 13/4                  explain [2] 7/7 7/11                  explanation [1] 11/9                  extensive [1] 12/23</p>
<p><b>D</b></p> <p>data [1] 20/3                  day [1] 6/13                  days [2] 5/15 9/1                  deck [4] 14/5 14/20 15/9 15/13                  deficiencies [1] 13/8</p>	<p><b>E</b></p> <p>each [9] 9/20 14/1 16/18 16/25                  19/4 19/11 20/5 20/25 21/5                  earlier [1] 19/14                  easement [2] 18/2 19/8                  easements [5] 11/3 12/11 17/14                  17/18 20/15                  east [3] 12/16 12/17 18/17                  easy [1] 21/16                  editions [2] 5/13 9/14                  effect [1] 7/13                  effective [1] 13/8                  effort [1] 21/17                  either [1] 14/22                  elements [2] 15/14 16/9                  eliminate [1] 13/7                  Elm [5] 6/4 12/19 17/23 18/6                  18/13                  elsewhere [1] 17/5                  EMINENT [3] 1/3 5/11 5/22                  end [1] 13/23                  Engineer [1] 2/17                  enhance [1] 13/10                  enhancements [1] 16/8                  entered [3] 9/11 10/19 11/21                  entrance [3] 4/9 5/4 6/7                  environment [1] 7/14                  environmental [4] 10/5 12/8                  15/2 15/18                  ESQ [2] 2/4 2/8                  establish [1] 20/15                  establishing [1] 19/6                  estate [1] 20/2                  estimate [1] 16/3                  Eunice [2] 1/23 23/17                  evaluated [2] 14/16 15/1                  evening [6] 4/14 4/18 9/12                  11/22 11/25 18/24</p>	<p><b>F</b></p> <p>fair [5] 19/10 19/24 20/11                  20/18 20/19                  fall [1] 14/7                  fascias [1] 14/9                  feasible [2] 14/25 15/4                  features [1] 13/11                  Federal [1] 13/12                  feet [2] 13/25 14/2                  Ferry [4] 4/8 5/7 6/2 7/15                  few [1] 22/2                  fifty [3] 13/6 15/11 15/25                  fill [2] 15/20 17/7                  Final [1] 13/17                  Finally [1] 20/9                  findings [4] 9/4 9/6 20/11                  22/9                  first [3] 4/15 19/12 20/1                  five [3] 5/14 11/4 17/14                  floor [5] 1/6 2/6 2/15 11/20                  22/3                  follow [1] 11/5                  followed [1] 13/14                  following [2] 8/1 12/7                  follows [1] 5/20                  foot [2] 13/25 14/3                  form [1] 11/3                  formally [1] 5/1                  four [6] 12/13 13/25 14/16                  14/24 17/15 19/2                  full [3] 14/24 15/15 20/22                  funds [1] 13/12                  further [1] 6/22                  future [2] 16/13 17/9</p>
		<p><b>G</b></p> <p>gather [1] 20/6                  gathered [1] 19/21                  general [1] 7/13                  Genesee [1] 3/7                  geographic [1] 7/10                  girders [1] 14/12                  give [2] 22/18 22/19                  given [3] 5/23 6/25 20/7                  go [1] 6/22                  goal [1] 19/9                  goals [1] 13/7                  Good [2] 4/18 18/24                  government [1] 4/4                  grassy [1] 18/15                  green [1] 17/25</p>

<p><b>H</b></p> <p>had [1] 13/4  half [2] 16/21 17/3  halves [1] 15/23  Hartsdale [1] 1/24  has [8] 9/16 10/7 10/10 13/25  14/2 14/14 15/21 15/24  have [7] 7/24 9/10 9/15 9/24  10/12 12/25 22/10  hearing [24]  held [1] 6/10  helped [1] 12/25  her [1] 20/11  here [1] 4/21  hereby [1] 5/23  highest [2] 20/18 20/22  his [1] 20/10  historical [1] 10/6  HITE [3] 3/4 3/9 4/19  hours [1] 8/16</p>	<p>lane [3] 12/13 16/17 16/25  lanes [2] 13/25 14/3  large [1] 10/16  last [1] 13/3  late [1] 13/20  law [5] 1/3 4/17 5/11 5/22  20/22  leave [1] 22/20  legal [1] 5/10  LEGISLATORS [3] 3/13 6/10 9/3  less [1] 20/17  let's [1] 4/1  letter [1] 9/22  life [5] 13/4 13/6 15/9 15/12  15/25  like [5] 5/1 8/23 13/6 16/4  21/15  LLC [2] 1/22 18/6  located [7] 4/7 5/6 6/1 17/23  18/6 18/12 18/15  location [3] 6/17 7/9 7/12  locations [1] 6/17  long [2] 13/25 14/2  loose [1] 14/6  loss [1] 14/13  Luthern [1] 8/21</p>	<p>Ms [1] 22/13  must [5] 13/13 13/18 17/13  18/9 20/14  my [2] 4/18 18/24</p>
<p><b>I</b></p> <p>I87 [1] 12/20  Identify [1] 7/16  image [1] 17/1  immediate [1] 13/1  impacted [1] 5/18  impacts [1] 19/19  improve [1] 13/10  INC [1] 3/4  include [2] 11/9 21/1  included [2] 16/3 16/9  includes [2] 10/3 15/13  including [3] 6/19 10/4 16/4  incorporated [2] 7/25 21/24  indicate [1] 11/24  indicates [1] 15/4  information [10] 6/18 6/22 7/2  7/6 10/10 18/19 19/17 19/21  20/4 20/7  initial [1] 19/4  inspected [1] 19/20  inspection [3] 10/2 13/15 16/5  inspects [1] 20/5  interest [2] 7/16 21/5  Interstate [1] 6/5  invited [1] 8/2  involves [1] 11/2  is [32]  it [4] 10/3 18/17 20/16 21/16  its [3] 9/3 14/14 17/7</p>	<p><b>M</b></p> <p>madam [3] 4/1 4/12 22/12  made [2] 7/21 8/14  mailed [2] 9/8 9/20  mailing [2] 9/22 9/24  maintenance [2] 17/10 18/3  major [2] 13/1 13/21  make [3] 9/3 21/16 21/17  making [1] 15/10  manner [1] 13/9  many [2] 10/3 12/22  map [1] 10/17  maps [2] 6/19 10/14  marked [13]  market [5] 19/24 20/3 20/11  20/18 20/20  Martin [1] 8/21  Martine [6] 1/6 2/6 2/15 6/12  8/9 8/18  MARY [1] 3/15  matters [1] 10/6  may [4] 1/7 6/13 6/24 21/14  me [2] 4/22 18/21  MEEHAN [1] 2/4  meet [2] 5/10 21/7  meeting [4] 19/4 19/13 21/7  21/12  members [3] 4/13 4/14 8/2  met [1] 19/15  Michaelian [1] 6/11  Mill [10] 4/11 5/5 6/3 6/6 6/9  12/14 12/18 12/21 16/16 18/16  million [3] 15/7 16/1 16/2  minor [1] 14/18  minutes [1] 22/2  mirror [1] 17/1  Monday [1] 21/21  money [1] 17/11  months [1] 15/6  more [1] 15/16  move [1] 22/14  moved [1] 17/2  Mr. [1] 22/10  Mr. Chairman [1] 22/10</p>	<p><b>N</b></p> <p>name [2] 4/18 18/25  necessary [3] 11/7 17/18 21/11  necessitate [1] 17/16  need [3] 7/17 11/12 12/23  needed [1] 18/17  needs [2] 11/14 19/16  negotiate [1] 19/10  negotiating [1] 19/7  negotiations [1] 21/18  Netting [1] 14/8  new [15]  News [2] 5/14 9/14  newspaper [1] 9/19  newspapers [1] 9/7  next [3] 13/19 19/22 20/5  ninety [1] 9/1  no [2] 14/18 22/10  no-build [1] 14/18  non [1] 13/10  non-standard [1] 13/10  normal [1] 8/15  north [5] 1/23 16/20 16/21  17/2 18/15  northbound [3] 4/11 5/5 6/8  northern [2] 5/13 9/14  not [7] 11/24 14/7 16/3 16/9  16/12 20/17 22/5  note [2] 20/7 22/4  noted [1] 22/21  notice [8] 5/12 5/16 5/20 5/21  5/23 7/4 9/12 9/18  notices [2] 9/20 9/22  now [2] 12/3 18/21  number [8] 4/2 14/17 14/18  14/21 14/24 15/1 15/23 16/8  numbers [1] 14/25</p>
<p><b>J</b></p> <p>JANE [1] 3/15  JENKINS [1] 3/13  Journal [2] 5/14 9/14  Jr [1] 8/21  June [1] 21/21  just [5] 19/6 20/13 20/16 21/2  21/3</p> <p><b>K</b></p> <p>KEN [1] 3/13  KEVIN [6] 2/17 4/22 8/7 8/24  12/3 21/23  King [1] 8/21  known [1] 12/20</p> <p><b>L</b></p> <p>Land [1] 8/20</p>	<p><b>O</b></p> <p>obtained [1] 18/20  occupying [1] 17/17  offer [5] 20/22 20/25 21/1  21/9 21/10  Office [4] 4/25 6/11 8/19 19/2  Once [1] 21/10  one [10] 4/2 9/21 11/13 14/4  14/17 16/17 16/24 17/3 17/8  17/16  only [1] 16/23  open [3] 5/1 11/20 22/3  opened [1] 16/23  operation [2] 4/4 18/3  opportunity [3] 6/25 20/8  22/19  option [4] 14/18 14/19 14/22  14/24  oral [3] 6/25 7/20 11/25  orange [1] 18/14  order [3] 7/17 17/12 20/6  other [5] 6/18 7/1 8/3 12/15  20/3  otherwise [1] 12/20  our [6] 4/14 13/15 17/12 19/13  21/16 22/18  outline [1] 6/16  over [2] 6/3 13/18</p>	

<p><b>O</b></p> <p>overhangs [1] 14/8  overview [1] 12/11  owned [4] 17/22 17/25 18/5 18/11  owner [5] 9/21 19/5 19/11 19/16 21/6  owners [4] 5/17 9/8 19/15 20/7</p>	<p>present [5] 3/12 6/18 6/25 12/3 12/10  presentation [5] 4/15 10/9 10/12 11/20 12/7  presenters [1] 22/19  previously [2] 11/17 20/19  price [1] 20/13  primary [1] 19/9  PROCEDURE [4] 1/3 5/11 5/22 7/20</p>	<p>removed [1] 17/6  repair [1] 18/3  repairs [4] 12/24 12/25 14/21 15/10  replace [2] 15/9 15/12  replacement [8] 14/20 14/22 14/24 15/14 15/15 15/20 17/20 18/4  report [3] 10/2 11/17 20/10  Reports [1] 10/7  represents [1] 16/25  request [1] 10/21  require [1] 15/16  required [4] 11/5 12/12 13/2 20/21  requirements [1] 5/10  researches [1] 20/1  residents [1] 7/15  respond [1] 22/5  restricted [1] 16/17  result [3] 13/14 14/19 15/17  results [2] 11/12 15/3  resume [1] 22/15  retaining [1] 15/20  return [1] 9/23  return-receipt [1] 9/23  review [1] 21/8  reviewed [1] 20/4  RICHARD [2] 3/9 4/19  right [6] 10/14 13/17 16/6 19/3 19/18 21/13  right-of-way [6] 10/14 13/17 16/6 19/3 19/18 21/13  rights [9] 3/5 4/19 11/3 11/7 19/8 19/13 19/15 19/25 20/12  rigorous [1] 13/13  River [9] 4/11 5/5 6/3 6/6 6/9 12/15 12/18 12/21 18/16  Road [1] 12/15  roadway [1] 12/13  ROBERT [1] 2/4  Ronarita [1] 17/25  Room [3] 6/11 8/10 8/18  ROSEMAN [6] 2/17 4/22 8/7 8/24 12/3 21/23  Route [3] 12/14 12/15 18/16</p>
<p><b>P</b></p> <p>p.m [3] 1/8 6/14 22/21  P.O [1] 3/6  papers [1] 21/11  parameters [1] 7/10  Parcel [3] 18/5 18/11 18/14  parcels [6] 6/21 11/4 17/14 17/17 17/21 18/7  Park [1] 1/23  Parkway [6] 4/11 5/6 6/3 6/9 12/18 16/16  part [2] 8/5 16/7  partially [1] 16/23  party [1] 2/5  PATCHEN [3] 1/22 1/23 23/17  Paving [1] 18/8  pay [1] 20/14  per [1] 16/25  percent [1] 13/16  performed [1] 12/24  permanent [2] 15/17 18/2  person [1] 8/23  Persons [1] 6/24  pertinent [1] 6/18  phase [1] 20/21  photos [1] 17/4  pieces [1] 14/7  pier [3] 14/20 15/10 15/14  piers [2] 14/13 14/15  pink [1] 17/21  place [2] 13/18 17/7  placed [2] 14/6 14/8  Plains [7] 1/7 2/7 2/16 6/12 8/10 8/19 8/22  plan [2] 11/16 11/16  Planking [1] 14/5  plans [1] 13/16  please [4] 5/21 6/22 21/22 22/4  plus [2] 14/1 15/20  pm [1] 1/8  point [2] 10/9 22/20  points [1] 12/15  portion [3] 11/8 12/4 22/1  possesses [1] 18/2  possible [3] 8/12 20/24 21/16  potentially [1] 5/18  power [1] 10/9  pre [17]  pre-cast [5] 14/23 15/14 15/19 17/4 17/7  pre-marked [12]  preclude [1] 16/12  preferred [8] 11/1 11/11 12/9 15/22 16/10 16/11 16/14 17/12  preliminary [4] 13/14 15/18 19/12 19/21  preparation [1] 22/8  prepare [1] 21/11  prepared [3] 10/11 10/15 20/25  prepares [1] 20/10</p>	<p>proceeding [1] 12/8  proceeding [1] 23/10  proceedings [1] 10/23  process [11] 11/6 11/10 13/13 16/7 18/22 19/4 19/10 19/12 19/18 19/22 21/14  program [1] 12/4  project [28]  projects [1] 6/16  properties [1] 6/20  property [26]  proposed [11] 5/18 6/16 7/3 7/6 7/8 7/10 7/14 7/19 8/4 9/5 19/19  provide [4] 7/6 11/25 15/8 15/11  provided [1] 19/17  public [31]  publication [1] 9/16  published [3] 5/12 9/7 9/13  publishing [1] 9/18  purpose [3] 5/9 6/15 7/8  purposes [1] 7/5  PURSUANT [1] 1/2</p>	<p>requirements [1] 5/10  researches [1] 20/1  residents [1] 7/15  respond [1] 22/5  restricted [1] 16/17  result [3] 13/14 14/19 15/17  results [2] 11/12 15/3  resume [1] 22/15  retaining [1] 15/20  return [1] 9/23  return-receipt [1] 9/23  review [1] 21/8  reviewed [1] 20/4  RICHARD [2] 3/9 4/19  right [6] 10/14 13/17 16/6 19/3 19/18 21/13  right-of-way [6] 10/14 13/17 16/6 19/3 19/18 21/13  rights [9] 3/5 4/19 11/3 11/7 19/8 19/13 19/15 19/25 20/12  rigorous [1] 13/13  River [9] 4/11 5/5 6/3 6/6 6/9 12/15 12/18 12/21 18/16  Road [1] 12/15  roadway [1] 12/13  ROBERT [1] 2/4  Ronarita [1] 17/25  Room [3] 6/11 8/10 8/18  ROSEMAN [6] 2/17 4/22 8/7 8/24 12/3 21/23  Route [3] 12/14 12/15 18/16</p>
<p><b>Q</b></p>	<p>questions [2] 21/19 22/6</p>	<p><b>S</b></p>
<p><b>R</b></p> <p>R.K [1] 3/4  ramp [9] 4/10 5/4 6/7 14/1 14/14 15/21 16/16 16/22 17/6  Ranorita [1] 17/22  reads [1] 5/20  real [3] 19/5 19/23 20/2  Realty [2] 17/22 17/25  reasons [1] 7/11  receipt [1] 9/23  received [2] 13/20 22/7  Recent [1] 12/24  recently [1] 14/5  record [12]  recorded [1] 7/22  records [2] 8/21 8/24  reduce [2] 13/9 17/9  referred [1] 19/14  regarding [1] 5/24  region [1] 17/5  regular [1] 22/15  rehabilitate [4] 4/6 4/9 5/25 6/7  rehabilitation [5] 5/2 12/10 12/24 13/3 14/19  related [1] 12/2  relating [2] 8/3 10/4  relocate [1] 11/12  relocated [2] 18/9 19/17  relocation [4] 11/14 11/15 16/5 17/16  remain [1] 16/24  removal [1] 16/19</p>	<p><b>S</b></p> <p>safety [2] 13/1 13/10  sales [1] 20/3  same [1] 18/6  save [1] 17/10  Saw [10] 4/11 5/5 6/3 6/6 6/8 12/14 12/17 12/20 16/16 18/16  schedule [2] 21/6 21/12  scope [1] 10/4  screened [1] 15/3  screening [1] 15/4  Seckerson [1] 3/16  section [4] 1/3 5/23 14/13 16/18  seismic [1] 13/9  selected [1] 15/21  selection [2] 7/12 16/10  Senior [2] 2/9 18/25  sent [1] 5/16  service [4] 13/6 15/8 15/12 15/25  SERVICES [1] 1/22  session [3] 7/22 8/1 8/13  settlement [2] 19/7 19/11</p>	

<p><b>S</b></p> <p>several [2] 7/5 9/9  shall [1] 9/3  sheet [2] 11/23 11/23  SHIMSKY [2] 3/15 22/13  should [2] 8/7 8/24  shown [6] 17/8 17/21 17/24  18/5 18/11 18/14  shows [1] 16/19  side [7] 14/1 16/19 16/20 17/2  17/23 18/13 18/15  sidewalks [1] 14/1  sign [2] 11/22 11/23  sign-in [2] 11/22 11/23  significantly [1] 15/16  similar [3] 14/15 17/4 17/8  site [3] 18/20 20/6 20/9  situated [1] 6/3  six [1] 14/13  sixty [1] 13/15  small [1] 11/13  so [2] 4/16 14/7  social [1] 10/6  soffits [1] 14/10  soft [1] 16/2  some [3] 4/4 14/12 21/14  soon [1] 8/12  south [8] 5/13 6/4 9/13 12/18  16/15 16/19 17/3 18/13  speakers [1] 4/16  specialist [2] 19/13 19/15  specific [2] 11/6 20/6  spills [1] 14/9  Spring [1] 13/22  SR [1] 3/9  stage [7] 11/15 15/24 16/14  16/19 16/21 16/25 17/1  stages [1] 15/24  staging [1] 17/19  standard [1] 13/10  state [3] 6/5 12/19 14/15  stated [2] 7/4 20/19  statement [1] 21/2  statements [6] 7/1 7/21 21/23  21/24 22/5 22/6  states [1] 20/11  steel [4] 14/11 14/20 15/10  15/12  STENO [1] 1/22  stenographer [1] 7/23  step [2] 19/12 19/22  steps [1] 19/3  Street [6] 3/7 6/4 12/19 17/23  18/6 18/14  structural [1] 14/11  structure [4] 13/8 17/3 17/6  17/8  submissions [1] 10/18  submit [3] 7/1 8/2 21/22  summary [1] 10/16  summer [1] 13/17  superstructure [2] 14/21 15/19  surrounding [1] 20/2  synopsis [1] 9/5  system [1] 15/21</p>	<p>Tammy [1] 18/21  technical [6] 10/3 10/10 11/8  11/19 12/4 22/1  Tecun [2] 1/23 23/17  Tecun-Patchen [2] 1/23 23/17  temporarily [1] 11/12  temporary [6] 11/3 12/11 17/14  17/18 19/8 20/14  tenant [1] 9/21  than [1] 20/17  thank [7] 4/12 12/5 12/6 18/23  22/9 22/12 22/17  thanks [1] 22/18  that [14]  there [6] 4/14 7/4 9/9 11/22  16/2 19/2  these [8] 8/6 8/23 10/23 16/9  17/4 17/17 18/7 21/23  they [1] 14/7  things [1] 16/4  this [35]  those [1] 16/12  three [4] 14/15 14/21 17/17  18/7  through [1] 19/9  Thruway [2] 6/5 12/20  time [6] 10/21 17/10 21/7 22/6  22/20 22/21  Tina [1] 3/16  Tom [1] 18/8  tonight [4] 4/22 7/5 7/21 10/1  tonight's [5] 7/21 8/1 8/12  9/12 10/11  traffic [6] 2/17 16/17 16/20  16/23 16/24 17/2  Trailway [2] 6/4 12/19  transcript [2] 8/13 23/10  transferring [1] 19/7  TRANSPORTATION [4] 2/14 4/23  8/9 8/18  travel [1] 13/25  traverses [1] 12/17  true [1] 23/9  try [1] 21/16  twenty [2] 13/5 15/9  two [2] 14/2 14/18  type [2] 15/20 17/4</p>	<p>was [9] 5/12 5/16 9/13 11/17  11/22 13/3 14/5 14/8 19/12  way [6] 10/14 13/17 16/6 19/3  19/18 21/13  we [9] 11/20 11/23 13/5 13/21  16/7 19/14 21/15 22/4 22/18  web [1] 18/20  were [5] 10/6 10/25 13/11  14/16 15/1  west [3] 12/17 17/23 18/13  Westchester [8] 2/5 2/13 5/8  8/8 8/16 9/2 18/1 19/1  when [1] 15/24  Whereupon [1] 10/24  whether [1] 11/24  which [5] 6/1 8/4 9/15 11/17  14/19  while [4] 14/14 15/10 16/8  22/4  White [7] 1/7 2/7 2/16 6/12  8/10 8/19 8/22  who [1] 8/23  whom [1] 19/14  will [38]  wished [1] 11/24  within [3] 4/7 6/1 9/1  without [1] 8/15  work [2] 13/1 15/19  worke [1] 17/1  WORKS [4] 2/13 4/23 8/9 8/17  would [9] 5/1 8/23 13/5 14/17  14/19 15/5 15/8 15/16 21/15  written [10] 7/1 8/3 8/6 10/18  12/1 20/25 21/9 21/19 21/22  21/23  www.westchestergov.com [1] 6/23  www.westchestergov.com/ashfordavenuebrid  6/23</p>
<p><b>T</b></p> <p>take [3] 5/21 13/18 15/5  takings [1] 15/17  TAMI [3] 2/8 4/23 18/25</p>	<p><b>U</b></p> <p>under [1] 14/6  understands [1] 21/13  until [1] 21/21  use [1] 7/7  used [2] 13/12 19/24  uses [1] 15/14  utility [1] 16/5  utilized [2] 12/8 18/8</p> <p><b>V</b></p> <p>value [4] 19/24 20/12 20/18  20/20  various [1] 7/23  vicinity [1] 18/7  view [1] 16/18  Village [1] 18/12  Villages [3] 4/7 5/7 6/2  visit [1] 20/9  vulnerability [1] 13/9</p> <p><b>W</b></p> <p>wall [2] 15/20 17/7</p>	<p><b>Y</b></p> <p>year [4] 13/6 13/19 15/12  15/25  years [3] 13/5 15/9 17/15  yellow [1] 18/11  York [13]  you [15]  your [2] 21/22 22/5</p>