

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
REGULAR MEETING
NOVEMBER 7, 2006**

A Regular Meeting was held by the Board of Trustees on Tuesday, November 7, 2006 at 8:10 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

PRESENT: Mayor Wm. Lee Kinnally, Jr., Trustee Marjorie Apel, Trustee Peter Swiderski, Trustee Jeremiah Quinlan, Trustee Diggitt McLaughlin, Village Manager Francis A. Frobel, Village Attorney Marianne Stecich, and Village Clerk Susan Maggiotto.

CITIZENS: Ten (10).

APPROVAL OF MINUTES

Trustee McLaughlin: On page 12, Jim Metzger refers to the DIA Museum: someone using these minutes for reference might not understand that he is talking about DIA Beacon. Perhaps that could be inserted in brackets.

On MOTION of Trustee McLaughlin, SECONDED by Trustee Apel with a voice vote of all in favor, the Minutes of the Regular Meeting of October 17, 2006 were approved as amended.

APPROVAL OF WARRANTS

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

Multi-Fund No. 30-2006-07 \$117,571.70

84:06 DESIGNATION OF LEAD AGENCY - ZONING CODE AMENDMENT AND REZONING OF PROPERTY

Mayor Kinnally: This is the result of a lengthy discussion we had last time and deals with the designation of the Village Board as lead agency as required by SEQRA. It has nothing to do with the merits of the application.

On MOTION of Trustee Swiderski, SECONDED by Trustee McLaughlin the following Resolution was duly adopted upon roll call vote:

RESOLVED: that the Mayor and Board of Trustees designate the Board of Trustees as Lead Agency for environmental review pursuant to the State Environmental Quality Review Act (SEQRA) for enacting new Zoning

Code regulations to amend the Multi-Family Residence/Commercial (MR-C) regulations to permit self-storage facilities on parcels greater than 12,500 square feet in accordance with specific criteria; and to rezone from Two-Family Residence (2R) to MR-C the following properties: 5-7 Holly Place, 33 Saw Mill River Road, 40 Edison, Holly Place & Edison, 9 Holly Place, 15 Holly Place, 1337 Saw Mill River Road, and 1327 Saw Mill River Road.

ROLL CALL VOTE	AYE	NAY
Trustee Marjorie Apel	X	
Trustee Peter Swiderski	X	
Trustee Jeremiah Quinlan	X	
Trustee Diggitt McLaughlin	X	
Mayor Wm. Lee Kinnally, Jr.	X	

85:06 GRANT AUTHORIZATION – NEW YORK STATE DEPARTMENT OF STATE QUALITY COMMUNITIES

Village Manager Frobel: This is a second opportunity the staff has uncovered which could assist us in the drafting of our comprehensive plan. It is under that Quality Community grant. We are looking for funding of \$56,000. It does require a match of \$14,000. If we are successful in securing this grant, in combination with that Hudson River Valley Greenway grant we received, we would have upwards of \$85,000 to put toward the drafting of a comprehensive plan.

On MOTION of Trustee Apel, SECONDED by Trustee Swiderski the following Resolution was duly adopted upon roll call vote:

RESOLVED: that the Mayor and Board of Trustees authorize the Village Manager to submit an application for a grant for \$56,000 with a \$14,000 (20%) local match to New York State Department of State (DOS) under the Quality Communities Program of the Environmental Protection Fund to be used for the Comprehensive Plan, and upon approval of said request to enter into and execute a project agreement with the DOS for such financial assistance.

ROLL CALL VOTE	AYE	NAY
Trustee Marjorie Apel	X	

Trustee Peter Swiderski	X
Trustee Jeremiah Quinlan	X
Trustee Diggitt McLaughlin	X
Mayor Wm. Lee Kinnally, Jr.	X

86:06 GRANT AUTHORIZATION – NEW YORK STATE DEPARTMENT OF STATE SHARED MUNICIPAL SERVICES INCENTIVE AWARD

Village Manager Frobel: This is an innovative approach in that we would join with two neighbors to purchase a very expensive, specialized piece of equipment. It would relieve us of having to contract with an outside vendor to clean our catchbasins. So there is a cost avoidance in that regard. It does require a match. It is a very competitive grant. There is only \$25 million available state-wide and we are asking for quite a bit of money of that total, but it is something that the communities believe would help us bring about a higher level of compliance with the storm water federal regulations in keeping our catch basins clean.

Mayor Kinnally: We used to have a Vac All. It was a very expensive piece of equipment to purchase and to maintain. It was also extremely expensive to operate because it is a gas guzzler. When it exceeded its life expectancy and died a good death, Neil recommended that we not purchase another one because of the significant cost and the limited use of it. You cannot use it in the wintertime. We were using it to pick up leaves, but that became almost impossible to deal with. But if we can get this grant, three communities can do what they have been doing on a contract basis and do it much more efficiently, and deal with more of the problem of catchbasins and sewers that we have had over the years.

Trustee McLaughlin: Would it not have been as useful for four or five or six of the Greenburgh villages to apply together, or were they not interested, or would it not work?

Village Manager Frobel: I do not know the history of why only these communities got together. I know the three of us have been active in a collaborative effort to comply with the storm water regulations, and that was a natural link. The machinery will have the capability of cleaning out sanitary sewer lines as well, although it will not have all the tools we might need. It will not have a cutter and a few other things, but those can be added.

Trustee Apel: How much money have we been spending on cleaning?

Village Manager Frobel: We budget anywhere from \$6,000 to \$8,000. We probably do not budget enough. Sometimes that money gets used to supplement cleaning out sanitary sewer lines because we do not budget enough for that. We should do more.

Trustee Swiderski: The cleaning of our sewers has been a repeating theme. Failing to properly clean them is what leads to flooding, so anything that proactively addresses that is great. Secondly, I am happy to see more intermunicipal agreements, because it may be a way to substantially save us some money. The more we share, the better off we all are.

On MOTION of Trustee Apel, SECONDED by Trustee Swiderski the following Resolution was duly adopted upon roll call vote:

RESOLVED: that the Mayor and Board of Trustees authorize the Village Manager to submit an application as lead applicant to the New York State Department of State for a grant under the Shared Municipal Services Incentive (SMSI) Grant Program for the 2006-2007 Program Year, to be submitted under Category 2: Shared Highway Services Incentive Awards, for a project titled "Purchase of Vactor 2100 PD (Positive Displacement) Sewer Cleaner (a/ka/ Vac All), and be it further

RESOLVED: that the Village Manager is designated the "Lead Applicant Contact Person" and is authorized to execute all financial and/or administrative processes relating to this grant application and to enter into an Intermunicipal Agreement (IMA) consistent with the terms of this resolution.

The project co-applicants include:

Village of Hastings-on-Hudson	Lead Applicant
Village of Ardsley	Co-Applicant
Village of Dobbs Ferry	Co-Applicant

The maximum amount applied for shall be \$297,000; the local share to be provided by co-applicants shall be \$33,000. The Village of Hastings-on-Hudson shall provide as its share of the local match a maximum of \$11,000.

Co-applicants shall be responsible for project implementation and completion such as purchase of the Vac All, schedules for use of the shared equipment, maintenance and storage of the equipment and monitoring the efficiency and effectiveness of the shared equipment project, the details of which will be specified in an IMA.

ROLL CALL VOTE	AYE	NAY
Trustee Marjorie Apel	X	
Trustee Peter Swiderski	X	
Trustee Jeremiah Quinlan	X	
Trustee Diggitt McLaughlin	X	
Mayor Wm. Lee Kinnally, Jr.	X	

87:06 INTERMUNICIPAL AGREEMENT – RECYCLABLE MATERIALS/SOLID WASTE DISPOSAL

Village Manager Frobel: We have had this relationship with the county for a good long time, although according to our records this may be the first time the county has asked us to enter into a formal agreement. This is a three-year agreement whereby we would bring our recyclables and trash to the transfer station. The modest increase in the first year of 2.8% for a tipping fee would be frozen for the next two years of the agreement. As currently is the practice, there is no charge to dispose of recyclables. Hastings continues to decrease its amount of trash and increase the amount of recyclables, which is all a very positive, cost-saving event.

Trustee Swiderski: Is there any connection to the lawn waste issue with Yonkers?

Mayor Kinnally: No, there is not. But I have spoken to someone in Yonkers and told them we are still interested. They know it is a source of concern and irritation here, and I have tried to see if we cannot get it resolved.

On MOTION of Trustee Apel, SECONDED by Trustee Swiderski the following Resolution was duly adopted upon roll call vote:

RESOLVED: that the Mayor and Board of Trustees authorize the Village Manager to sign the Intermunicipal Agreement with Westchester County for the Disposal of Recyclable Materials and Disposal of Municipally Collected Solid Waster for Members of Refuse Disposal District #1 for the period commencing August 14, 2006 through October 21, 2009.

ROLL CALL VOTE	AYE	NAY
Trustee Marjorie Apel	X	
Trustee Peter Swiderski	X	
Trustee Jeremiah Quinlan	X	

Trustee Diggitt McLaughlin	X
Mayor Wm. Lee Kinnally, Jr.	X

**88:06 SCHEDULE PUBLIC HEARING - SENIOR CITIZEN TAX EXEMPTION
INCOME LEVELS**

Village Manager Frobel: The New York State real property tax law gives communities the option to offer reductions to those residents who are age and income eligible. Periodically, new charts come out as a guide to what those income limits and exemption levels should be. That is what is before you tonight. This was last looked at in 2003, and in Hastings upwards of 50 of our residents participate in this program.

On MOTION of Trustee Apel, SECONDED by Trustee Swiderski the following Resolution was duly adopted upon roll call vote:

RESOLVED: that the Mayor and Board of Trustees schedule a Public Hearing for Tuesday, November 21, 2006 to consider the advisability of adopting Proposed Local Law No. 2 of 2006 amending Chapter 260, Taxation, of the Village Code to increase the eligibility income amounts for senior citizen tax exemptions.

ROLL CALL VOTE	AYE	NAY
Trustee Marjorie Apel	X	
Trustee Peter Swiderski	X	
Trustee Jeremiah Quinlan	X	
Trustee Diggitt McLaughlin	X	
Mayor Wm. Lee Kinnally, Jr.	X	

VILLAGE MANAGER'S REPORT

Village Manager Frobel: The road resurfacing program is complete. We are pleased with the results. All streets that we had indicated would be resurfaced this year have been completed. Fortunately, the weather cooperated and it went smoothly.

Great progress at the Community Center. The air conditioning units have been installed on the roof. The elevator shaft is now complete. A hole had to be dug to 35 feet deep into rock, and that was quite an accomplishment. Brickwork continues. That should finish up this week and then the windows will be installed sometime over the next two weeks. Shortly after that, the roof, perhaps upwards to three weeks.

We will not be substantially complete by Thanksgiving, but by Christmas we will be closer to substantially complete. So not bad on balance, given the soil conditions we encountered early on in the project. We have made up some lost time.

The paving in Boulanger Plaza was done yesterday. It went very smoothly. They did a nice job; I was out there several times inspecting it. The quality of the asphalt was good. Light poles should be installed within the next two weeks. We hope to stripe and number the spaces next Monday. That will require probably a half-day closing of the parking lot. We have informed the shop owners and the residents of that occurrence. We hope to install trees before the onset of the cold weather.

Trustee Apel: Do you want to talk about the store directory?

Village Manager Frobel: There still continues to be discussion on a shop directory. We will need to form a group. The Mayor and I and Jerry met with the Chamber last week. There is a real spirit to place a directory near that plaza or in it, or else around the community, but I do not have any more details at this time.

Trustee McLaughlin: At some point could we discuss having a second directory by the post office?

Mayor Kinnally: All directories will be on the table.

BOARD DISCUSSION AND COMMENTS

1. Village Menorah

Mayor Kinnally: I have been approached by Chabad Rivertowns about placing a menorah in the Village during Hanukkah season that would be paid for and maintained by Chabad. This is an issue we have not addressed in the past, and I asked the Village Attorney to do some research. She produced a detailed memo outlining the cases that have come before the Supreme Court and before the Second Circuit Court of Appeals. Is the Board ready for a discussion or does the Board wish to have a session with counsel to address any questions or issues raised by the memo?

Trustee Swiderski: I would welcome that.

Trustee Apel: Yes.

[MEETING RECESSED AND RECONVENED 8:35 PM]

Mayor Kinnally: We have had advice of counsel. I had been contacted by the organization with a request for them to erect a menorah on Village property. The discussion had to do with timing and with size of the menorah. We can limit both. A six foot menorah was discussed, but without any reaction on my part other than maybe it could be smaller. I would like to open it up to the Board for a discussion on whether or not this would be appropriate. If the Board were to do this the appropriate spot would be at the VFW where we have the tree.

Trustee Apel: I have no objection, and I think we should go forward with it.

Mayor Kinnally: There would be a sign indicating that it was sponsored by Chabad Rivertowns, not that it is a Village display. The establishment clause comes into effect.

Trustee Apel: We have other things that come up in that area, so this would be another display. We discussed things like the Historical Society and so forth putting things up there, and this is our public space where we do these types of things. So it is an appropriate place.

Trustee Swiderski: I am uncomfortable with it, probably because I am not sufficiently versed on the establishment clause. I get lost in memories of the long discussions around the Ten Commandment tablets on court property down south that yielded fierce arguments. I understand this is seasonal and different, but I would have been more thrilled if it was a religious institution within the borders of the Village. Since this one does have constituents who come from the Village, I guess it is okay, but I cannot say I am enthusiastic. I am uncomfortable with religious displays. Once we go down that road I worry that any outside entity can ask for that. I have not thought it through enough to have a strong feeling for or against but a vague discomfort, unease.

Trustee McLaughlin: I understand Peter's discomfort, but there is a difference in how one perceives the VFW park and if we were asked to put the Ten Commandments in this room in terms of the establishment clause. The Ten Commandments in this room would be making a totally different statement from putting a menorah or a Christmas tree or a holiday tree on park land, which is why I am much more comfortable with it.

Mayor Kinnally: It was the government itself that erected the Ten Commandments. That is the difference. That is where the endorsement comes in, in sponsoring it.

Trustee Quinlan: The law is fairly clear that if there is a piece of Village property that has other public displays throughout the year that it is the proper place and it would show the proper respect. The VFW park, which the Village owns to a certain extent, we know has a holiday tree. I would prefer to call it a Christmas tree. That could be either pagan or Christian, but there are pagan religions and Christian religions. We have the parade stand there, the Hastings Historical Society fund-raiser thing there, and other things there. That is the appropriate place to have it and would show the proper respect. It would be appropriate to put it there for the entire Hanukkah season.

Mayor Kinnally: So what is the sense of the Board? That we authorize the erection of a menorah for the Hanukkah season with the appropriate signage, terms to be agreed upon between the Village and the Chabad? Yes? I will contact them tomorrow.

2. Economic Development Committee

Trustee Swiderski: I had said I wanted to understand what an economic development committee would do. I did not find much inspiration in the economic development committees in Westchester. The very few that I was able to glean information on the Internet about were seeking to bring businesses, not storefronts but businesses, to localities and generally toward the larger cities and towns. It did not seem congruent to what we were looking to do.

All paths on the Internet lead to this organization called Main Street. It is a National Trust organization with dues of several hundred dollars. They have an organized and structured methodology for revamping downtowns. They are oriented toward downtowns slightly larger than ours and in worse shape. But there seem to be enough towns that have participated and enough ideas to draw on. NYCOM did not have anything directly relevant. Some of the ideas that the Main Street project pushes I am glad to see we have done, like the revamped parking lot. There is a stress on quality in the public space, which is a relief because a couple of people were making me feel guilty for some of the features we had put in. It is nice to hear not to go cheap because it matters, it lasts longer, it looks better. There is a great emphasis on identifying what sort of businesses belong in your downtown. It was not clear how you draw those from the public information available from the Main Street project. You have got to pay to get to the good stuff. It is a bit more ambitious than we would want to tackle, but there would be enough there that we could draw on.

The next step for me would be to understand Main Street better and see if that would help us define what this group does. I still cannot tell you for sure what this group will do. Maybe other people have more solid ideas. I have a better idea of what I do not think it is, which is

an industrial agency. I do not see this as pulling industry to Hastings; I see it focused on the downtown, within the downtown footprint.

Trustee Apel: As opposed to the waterfront downtown?

Trustee Swiderski: That is a good question. I do not know.

Trustee Apel: If you focus in only on that area, which is important because it is there now, without consideration of what is going to go on the waterfront, then we do not want to be counterproductive.

Mayor Kinnally: Eventually it may evolve into looking at the waterfront. But if you are going to look at the viability of existing businesses and commercial space you have to look at the downtown. The definition of the commercial space on the waterfront is in the settlement agreement, but it has not been mapped out and in large part it is going to be contingent upon what a developer wants to do. The developer will not be able to do any more than is allowed under zoning, and certainly may choose not to have any at all. But you should not wait for the waterfront.

Trustee Swiderski: We cannot.

Trustee McLaughlin: When I proposed this I discussed that we investigate the National Trust's Main Street program. I am grateful that you did that. Since there are people not here tonight because it is election night I wonder if we could defer discussion of this to the next meeting. Peter will have had more time to do research. Fran has written a memo, and I need to speak with Fran about his memo.

Trustee Swiderski: I would love to solicit feedback because I cannot seem to focus on the charter that is meaningful to me.

Mayor Kinnally: Fran raises a good point: that Angie should be part of this. But before we open it up, I would like to hear from my other colleagues.

Trustee Apel: I like what Peter had to say and I would like to hear more about Main Street. If it is not expensive, it may be something that we should join just to get other information. It might be interesting to know who joined Main Street, and maybe we could talk with some of those communities to see if they have used them or not.

Mayor Kinnally: But as we discussed at the Chamber meeting last week, it is not just a Village initiative. This is a partnership.

Trustee Apel: With the Chamber?

Mayor Kinnally: No. It's a partnership with the merchants, not just with the Chamber. The Chamber is only a few of the merchants and, more importantly, of the landlords. The program goes nowhere unless you have the landlords because you cannot do any structural changes. That is a big component. The Main Street program assumes the full participation of the landlords. They are talking about streetscapes, and you cannot do anything without the landlords, for permission and for money.

Trustee Quinlan: I am in favor of forming the economic development committee. I would like to give them more laissez faire to develop what they feel is important to make our downtown a better place, a more active place, a place where people like to shop. I see it more as marketing. Making the Village a better place to visit, to shop, and to have different and productive type of businesses. We need everybody: the landlords, the merchants, the shoppers, to come together and use it as a marketing tool. I am more or less in favor of forming it, getting good people on it, and let them decide how they are going to make the downtown a more vibrant place. We cannot do everything. We cannot micromanage. My definition of the mission would be to market the Village as a good place to shop, visit, and have people come in with different types of businesses.

Trustee McLaughlin: Would you like us to come in with a resolution for the next meeting, or is it too early for that?

Mayor Kinnally: It is too early because you have to define the mission. We are not going to be ready because people who were interested in coming tonight said they could not be here because of the election.

Trustee Quinlan: I do not need a postponement. We create the committee, establish their mission, as marketing the Village and including all the people, and we have to decide on the numbers, the terms, and just create it and let go, see what happens.

Nina Cangiano, President, Hastings Chamber of Commerce: I agree with Jerry. It does not need to be complicated. It needs to be a collaborative process. We need to create a mission statement, and then we need to get out and do the work. The Main Street program is a good place to start, but I also have the sense that they are not offering a whole lot. The research that I have done leads me to believe that the things that an economic development committee would do, we have already started doing. We did a survey. We have already gotten the ideas that we need to have the landlords involved.

Trustee Swiderski: So you see this primarily as a marketing effort.

Ms. Cangiano: It is not only a marketing effort. That is the main goal, of course. But the first thing that we need to do is get information. Once we gather the information, we will know how to do the marketing and how to best get the results from that marketing.

Trustee Swiderski: When you say “we,” is that the Chamber of Commerce or the EDC?

Ms. Cangiano: Economic development committee. I do not think there is much in postponing it because the committee itself has to create its mission statement, determine what the board will look like.

Mayor Kinnally: The Village Board would appoint it.

Ms. Cangiano: Maybe. Not all economic development committees are appointed, but that could be one way. We do not have to specifically determine that at this point.

Mayor Kinnally: If the Village Board is going to create an economic development committee, then like all the other committees in the Village, the Village Board appoints and sets forth the terms, the number of people, how long the terms will be.

Trustee Swiderski: In every business effort I have been involved in, you set the mission before you set up the committee. Because without the mission statement in hand, what are you populating the committee with? You have already stated a mission statement to some degree. Marketing. That implies a certain type of skills you would want to see on that committee. The board does not set its own mission statement. We need to set a mission statement and then pick the board accordingly.

Mayor Kinnally: What are you marketing? The space we have down there now?

Ms. Cangiano: I do not think it is only marketing. It is not marketing a particular store, it is marketing the business district of the Village of Hastings-on-Hudson.

Mayor Kinnally: If that is the case, how does that differ from the Chamber of Commerce?

Ms. Cangiano: Largely. The Chamber of Commerce is a group of some of the merchants, not all of the merchants. And it is not a group that has any authority or power to effect change or apply for government grants or tell somebody what their sign should be.

The EDC is not going to do that. But you asked me how it is different from our Chamber. An economic development committee is a group of mostly volunteers. Some groups have a paid planning director, but most of the groups are strictly volunteers. They gather information in the existing town. They look at four points: promotion, organization, economic restructuring, and finance.

Mayor Kinnally: Economic restructuring of what?

Ms. Cangiano: Of a particular town. If there is a town that wants to become the restaurant town, some want to become the home furnishing town, that is what these economic development committees do. The economic development committee is going to be much different than a Chamber of Commerce because a Chamber of Commerce is just a group of merchants that meet a couple of times a year and try to be good citizens and share information and try to come up with good ideas to market the people that are members of the Chamber. Not everyone is a member of the Chamber that has a shop in the Village. So an economic development committee would at least have the spread to get at those people in terms of folding them into the planning and trying to get them into the revitalization. The whole point is to revitalize and to bring more people here, and to share information so that we do not keep duplicating ourselves. We have all decided that it is time that we stopped duplicating certain things.

Mayor Kinnally: How big do you see this committee being?

Ms. Cangiano: Eight people.

Mayor Kinnally: To populate the committees we have right now, it is very difficult to get people committed for the long run. Eight people?

Ms. Cangiano: I think you would be surprised at how many people want to be part of it.

Mayor Kinnally: But they do not want to be part of the Chamber now.

Ms. Cangiano: But we are not only going to the merchants. This is a group of landlords, merchants, shoppers, community leaders. You have to fold in all those groups. It is not only marketing. I would rather use the word "revitalize."

Trustee McLaughlin: It might be helpful if I dug through my stack of *Preservation* magazines and see that each Trustee gets one that talks about how the Main Street program worked in a community. Each one is truly a triumph of grassroots activism, often in places

where people had almost given up. It would clarify how both the Main Street initiative works and what is possible in Hastings.

Mayor Kinnally: Sure, go to it.

Kathleen Palaia, Hudson River Floral: I am a florist in town, and I am involved with the Chamber of Commerce. We have been there for one year. The downtown in Hastings scares me. We do not draw any income from walk-in business. It is nonexistent and those I talk to are in the same boat. There is a strong need for us to look at what we need to do to bring people into town to shop. We did a survey but did not get much response. If the government is supporting this process people will stand up and answer. It is not just a marketing thing and it is not just for business owners; for everybody in this community it is something that we really need to look at. We are hurt in this town with things like Stew Leonard's and Home Depot. The gentleman behind me tells me he bought his flowers at the A&P. It is very tough here, so anything that we can do that would draw people into town would be a plus for everybody.

Fonda Lifrak, Vice-President, Chamber of Commerce: The fine arts committee is a perfect example of having some authority behind a group of people that have an interest. Because it is now an entity with some authority maybe something will happen with that. It is akin to the economic development. They are the same thing, just different interests.

Mayor Kinnally: I think we are not ready for a resolution. We have to give some more thought to exactly what we want it to do, what we want it to look like. Eight people is a lot, but that is up to you. We need some more time to think about it. We should revisit it in two weeks.

Trustee Apel: We could write a resolution, then we would have a point of discussion.

Mayor Kinnally: We should try to come up with something to have as a working document for the 21st, without a promise that it is going to be passed then. If your group has some suggestions on language and whatever, submit it to us via the e-mail.

Ms. Lifrak: We will be e-mailing you. Thanks.

Trustee Quinlan: We are making this more complicated than it has to be. Again, I think that we could form the committee. It is not that hard to come up with a broad mission statement. We have even talked about it tonight, and we do not have to micromanage them to take off.

Trustee Swiderski: Totally.

Trustee Quinlan: I am certainly not worried about discussing it two weeks from now. That is not an unreasonable amount of time for people to crystalize their thinking on it.

Trustee Swiderski: I am not at all opposed to this. But I want to be able to go to someone and say, this is what they do and it will have the support of the Village and you can go get them. Then I am more comfortable. I want to see something more concrete. Because ultimately it is tangible.

Mayor Kinnally: I have heard this phrase “support of the Village.” It is a Village committee, it is part of the Village, it will be appointed by the Village, and it will be reporting to the Village. Obviously, it has a broader outreach, but it is a Village committee.

Michael Lipman, 159 Southside Avenue: I have a law office by the train station and I have an apartment at 159 Southside. Last week when we had that Chamber of Commerce meeting the Mayor and Fran and Jerry were kind enough to come, that was my first venture into the Chamber of Commerce. I am part of Hastings, and I wanted to be there. You are right that you cannot just appoint a committee and expect somebody to give you commitments on time without knowing what they are doing. What was offered to the Chamber of Commerce is, as is offered to every citizen, to submit ideas to either the Mayor or to the Village Manager. A lot of issues are going to come up in the future as the waterfront is brought back to life. A Village committee, working with the Board, could provide long-range plans to help not only the existing merchants but the future merchants and the future residents of the town. So we are going to see what we can put together, and work with you. I appreciate this.

3. Senior Council

Trustee Quinlan: I was appointed to be liaison to the senior council. When I made an outreach to find out who the chairman of that council was I found out that there really was not an identified senior council. I talked to Sue Smith, who was the ad hoc senior council member, former Trustee. She explained e how it evolved and how she had worked with the Village’s senior outreach worker, first Mrs. Richardson and now Jenny Murphy. Jenny explained to me what was happening for the seniors, and there is a lot happening for the seniors in this community. The Village is doing a great job with them. I then got in contact with Heather from the police department, the senior police officer in charge of seniors, about what the police department is doing for the seniors.

We have a lot of different people doing a lot for the seniors: the rec department, the Village, the police department, the fire department, the schools, but we do not have a formal senior

council. I think it would be important to have one, and I discussed with Sue Smith today what that would be. I see it as an advisory council, a coordinating council, a think tank to bring up new ideas. Much like the economic development committee, it is something that is needed, it cannot hurt, and it would be useful. I am proposing only having three members because we have problems staffing some of the committees; it is hard to get people to make the significant time commitment that all our committees take. I would take the responsibility to recruit for that council. We have a tremendous expertise in this village of seniors and. There is a lot of interest from the seniors and a lot of need.

The mission statement for a senior council could be a council that protects, sustains, and nurtures its elders, and also that the elders contribute to the well-being of the community. It would be a two-way street. Not only would we enhance the elders, but reach out to the elders to enhance the quality of our life and the life of our children. They have a lot to teach us and we have a lot to learn from them, and vice versa. We need more ideas, proactive ideas. Things like creating communities where older people can live together and bring worth to the last half of their life. Having some sort of mission statement that nursing homes as they are now are not a place we like to see our elderly be placed in. And just having the whole community enjoy what aging has to offer us and welcoming it into our lives. There are a lot of people who cannot afford to live in Hastings and are moving out, our elderly especially. This committee would help in all different kinds of ways, and I cannot see how it would hurt. I am asking to get a sense of the Board on that, and to create a senior council.

Trustee Apel: It is a great idea. I am taken back to the time when we met at the Andrus Home for a discussion very much in relation to something like this because it talked about engaging the community and the concept that seniors have much to give to the community, and just because they are older does not mean they do not have anything to contribute. In fact, they all have qualities and skills and things that they would like to share, they are just not given the opportunity to do it or encouraged to do it. So having a council that could foster some of these ideas would be a wonderful thing for the community.

Trustee Swiderski: Ditto. Marge said it.

Trustee McLaughlin: I am interested in Jerry's idea that the committee would have three members, in comparison with a youth council, which has many members, each of whom has a separate project. A significant reason for the difference could be that the youth council deals with people who do not yet have perhaps the intellectual or the emotional wherewithal to take a project and run with it themselves, whereas the senior council would be working with people who do or it would be working with specialists. I can think of three people already. It would be a rewarding thing for the community to have such an organization, such an interface.

Mayor Kinnally: I would hope one of those people would be a senior. If we could come up with a working draft and then react to it, that would be great.

Trustee Quinlan: Who would you suggest I work on this resolution with, Lee?

Village Manager Frobel: I would be happy to help on it.

Trustee Quinlan: Danielle Goodman asked me to read this because she could not attend tonight's meeting. She said: "A senior citizens council is a commendable endeavor, especially because we have no measures in place currently that assist or permit our citizens to age in place. Many forward-thinking communities, such as Beacon Hill in Boston, have piloted such programs. In a community such as ours, which places a high value on diversity, what is to become of us if we lose our age stratification. In my neighborhood, over the past 14 years, senior citizens have left to find homes elsewhere." She says she would provide further research and is in support of that.

4. Other

Trustee Quinlan: Just something I want to bring up before we leave Board discussion, I am concerned with having Board meetings on election night

Trustee Swiderski: Here, here.

Trustee Apel: Here, here.

Trustee McLaughlin: Here, here.

Trustee Quinlan: There are other nights that we could have it, and I think that is something we have to bring up in the future.

Trustee Apel: I agree.

Trustee McLaughlin: Is this something that we should consider at our reorganizational meeting in April?

Mayor Kinnally: We can. We also can deal with these things as we normally do on a piecemeal basis, where we run up against something and take a look at moving the date.

Fred Ollson, 3 Glenwood Avenue: I would like to make a statement, and I do not expect any response. I am very disappointed in Hastings for not adhering to the American Disabilities Act regarding parking for handicapped people. In most of the towns that I am familiar with they have the proper amount of parking spaces. The incidents that have occurred to me and some of my friends who can hardly walk, who have not been able to park, it is disgraceful. It is unfair. When you have 200 parking spaces in Zinsser and you have three spaces, that is against the American Disabilities Act, and I know you know that. I think you agree with it, but you have not done it and it is wrong.

My wife said something to me tonight which impacts on EDC in a sense. The thing that keeps people away sometimes from shopping is the fact that they have to pay to park and they cannot just stroll around. The ideal situation would be if you would have the business section with free parking. I know it is a little late to say that. You are going to pay thousands of dollars to put up meters and everything. However, if people did not have to worry about getting back to the meter it would be a very good thing. I think it should be given some thought. My wife said that there are several people that she knows who go elsewhere to shop where they do not have to pay. I do not think the town should rely on money coming from parking meters to survive.

I work for the Shubert organization in New York City and we have spent upwards of \$10 million to adhere to the ADA. The Justice Department comes down heavily upon us. If there is a quarter-inch variance in the saddle they say fix it. I am not about to call the Justice Department, but if they did come here they would come down heavily upon you. If someone has an incident where they have an accident due to the fact that there is no sign or no place for them to park, it would be a serious situation. It is not a threat or anything, it is just a matter of fact. The ADA is law and we are not obeying it. I hope I do not say anything else out of order.

Mayor Kinnally: You have talked about this in the past, and we have to address it. I agree with you.

Trustee Quinlan: A couple of meetings ago, the Board formed a small committee of Diggitt and I and Susan, to investigate statistical information about term limits. I would like to make a report on that now. We are not going to go through the pros and cons of term limits because we have already discussed that and we are going to have more discussions as time goes by.

The most common term is four years in the United States. The second most common is two. Only about 1% of the communities are governed by town meeting. That is kind of what we are, a small village or a town meeting that has term limits, only 1%. Susan did some

research, and of the 22 villages in the county, none has term limits. Susan then made contact with the New York Council of Mayors. They had not done any data collection in years on term limits for villages, but they guessed that fewer than 5% of the villages have term limits for elected officials, and they had no information at all on members of boards and commissions. Marianne has asked the attorney general for an opinion on whether it is legal to have term limits on appointed boards and commissions. I will ask you if we have gotten an answer from them yet. She also surmises something we all know, at least as elected officials. It has been deemed by the courts and the laws to be legal.

I am suggesting, if we have not had an answer and even maybe if we do have an answer, that we bifurcate the discussion to discuss, and I am going to propose a resolution, for elected officials. And then maybe as a second discussion dealing with boards and commissions, because I think they are very different.

Village Attorney Stecich: I did get a letter dated October 16 from the assistant solicitor general in charge of opinions. It stated: "Our consideration of inquiries includes a rigorous research process which necessarily is sometimes lengthy. We are considering your request and will respond in due course."

Trustee Quinlan: That makes it more important to bifurcate it. I will hammer out a resolution with Marianne on at least elected officials for term limits. Some of the things that I had discussed earlier would be to make the term 10 years; the judges should be included because they are not as political as we are; the incumbents would be grandfathered in for the same reason that zoning laws are grandfathered in: that it would apply only to those on notice, and would be forward-looking. The mayor and the trustees would be two different entities. They could serve for 10 years as a trustee and another 10 for mayor.

Mayor Kinnally: Are you saying five conservative terms? If you serve 10 years, you would be disqualified for life from running again?

Trustee Quinlan: Yes.

Trustee Quinlan: So we will work out a draft, we can play with it, then set it down for a public hearing. Then we can hash it all out, the pros and cons.

Mayor Kinnally: I think we have hashed out the pros and cons. What is the sense of the Board on that?

Trustee Apel: I think we should pursue it. He has brought it up, we should look at it. Let us have a discussion.

Trustee Swiderski: Jerry has got a proposal, it should be discussed.

Trustee McLaughlin: Jerry was reporting for a committee that included me.

Trustee Quinlan: I do not think the statistics were glowing for my resolution, but they were honest.

Mayor Kinnally: Will it apply to the forthcoming elections?

Trustee Quinlan: That is, if it passes.

Mayor Kinnally: No, we could put in the resolution an effective date.

Trustee Quinlan: That is a very good point.

Trustee Apel: I have a question on procedure on a concept. If the Board felt, or if the community felt, that they wanted any development on the waterfront to be what they call green, so that buildings would have to be in accordance with making it green and using less energy and things like that, how would we proceed to do that? I would like to have a law that requires that any building on the waterfront has to be green.

Village Attorney Stecich: I would probably include that for the zoning for the waterfront.

Trustee Apel: But is that something that we should be looking into now? I do not know when we are ever doing the zoning.

Village Attorney Stecich: Do you know of other municipalities that have that?

Trustee Apel: No, I do not, but I am sure there must be.

Village Attorney Stecich: The helpful thing would be to look at what another community has, a community that has it, and that is probably the best way to do it. To figure out how they did it. Did they do it by standards, whatever.

Mayor Kinnally: There was a story in the *Times* real estate section about this within the last three months.

Village Attorney Stecich: If you send me that stuff I would be glad to take a look at it to see if it would require a lot of work ahead of time, before you did the rezoning, and then you

might want to get started on it. But if it is just a question of plugging in some language, you do it when you do the zoning.

Trustee Swiderski: There are standards out there that are pretty rigorous and standardized.

In the BP/ARCO report on the waterfront regarding the two buildings, I found some discrepancies with some issues regarding where remediation would occur and what level of excavation would have to happen. I asked BP to address them. Have you heard anything from them?

Mayor Kinnally: No, I have not. I will call Dave about both, and I will report back.

Trustee Swiderski: Regarding these two buildings, while there may be a compelling case made to save them I am not sure we, as a Board, have the bandwidth to explore it in the detail it requires. I am not eager to set up a formal committee to pursue it. But I would encourage the creation of an ad hoc one that would look into the possibilities around saving these buildings, paying special attention to the financial issues. I would like to raise that at the next meeting to be put on the agenda. There is a group in this village who are convinced that these buildings are worth saving. I agree with them. I would be happy to hand them the baton and say run with it, see what you come up with it, with no promise that we would necessarily act on it. These people are deeply motivated to do that work.

Mayor Kinnally: I agree. I think that work has been done, but you used the phrase “paying special attention,” emphasis on the “paying,” that we have to have a realistic assessment as to the costs and the benefactor.

Trustee Swiderski: A financial model that works.

Mayor Kinnally: But where is the money going to come from?

Trustee Swiderski: That is all part of the model. Somebody has to come up with a proposal for how this might work. We can throw out ideas, but to think about it hard requires some people who are motivated to do so. I would welcome an ad hoc group doing that.

Mayor Kinnally: And being realistic on it.

Trustee Swiderski: Totally. In the end, we have to judge that, and BP has to judge whether it is realistic, and act on it. So the emphasis is on coming up with something that works.

Trustee McLaughlin: I notice *The Enterprise* is still here and for people who are watching on TV, there may be some people who do not know that we are looking for particular kinds of talent for our boards and commissions.

Mayor Kinnally: ZBA, the Zoning Board of Appeals; Architectural Review Board; conservation; Library Board, Safety Council; public health; Youth Council; Police Commission; Draper Review Board; Building Board; and Ethics. Not all of these boards have vacancies. But we always are looking for people who are interested in serving on boards and commissions.

Trustee Apel: The leaf blowers; we were going to talk with the health board. Bruce had given them material to the health board. Can we find out if anything has happened with that?

Mayor Kinnally: Yes. Bruce and I are going to get together and discuss a few things.

Stephanie Bruker, 385 Warburton Avenue: I have a question relating to the police department. I have unfortunately needed to get some help from them, and I have dealt with some unprofessionalism. I know in your 2006-07 budget that effort will focus on securing the state of New York police department accreditation. Have the police been vetted, and are all new employees of Hastings Village vetted, prior to being hired? Vetted means a background check. I understand that that is part of the accreditation. I looked it up on-line.

Mayor Kinnally: The accreditation process is completed. We have been invited to a meeting on December 14 in Albany at which time the formal action will be taken on the accreditation by the department of criminal justice services.

Ms. Bruker: What does that mean, formal action?

Mayor Kinnally: There is an application in to be accredited. The recommendation has been submitted by the review panel that came here to look at the department. They have made a recommendation of accreditation, and the full panel will act on it that morning.

Ms. Bruker: But has each and every officer and the chief and all the employees of Hastings undergone a background check and everything?

Mayor Kinnally: The police department certainly because the Board of Trustees does the appointment of any police officers and any appointments of promotions within the department. So that is done.

Ms. Bruker: How often is it done?

Mayor Kinnally: When they are hired.

Ms. Bruker: But after they are hired it is not done.

Mayor Kinnally: I do not believe so.

Ms. Bruker: So in other words, Chief O'Sullivan has not been checked in a long time because he has been here. It is a question.

Mayor Kinnally: Has he been checked for what?

Ms. Bruker: Has his background been checked? Is it checked every year?

Mayor Kinnally: No.

Ms. Bruker: And any new employees, such as Detective Palumbo. Has he been vetted?

Mayor Kinnally: Detective Palumbo is not a new employee. He has been here for a number of years. When he came in he had a background check done and went through a review before the police commission, and then interview process with the Village Board for appointment, and then subsequent promotions within the department.

Ms. Bruker: I might suggest that some police departments and the FBI officers are often checked once a year, and that it would be an important thing to do, because if someone comes in to the department and is here for 15 years, and they are not checked in 15 years, that is sort of like not having them vetted.

Mayor Kinnally: Good point. I will raise it with the chief.

Ms. Bruker: The other issue is I know that the mandate of the police department is to investigate or whatever. I have been told by Detective Bloomer that they do not investigate bad calls. That this police department does not investigate bad calls.

Mayor Kinnally: You mean the 911 calls?

Ms. Bruker: I would rather not discuss it, okay? If someone has bad calls from Verizon or whatever, and there is a complaint number, they just do not investigate it. That is what Lieutenant Bloomer told me. That it is just not something the Village police do.

Mayor Kinnally: I do not know, but I will raise that. certain things are investigated. Your particular situation, we have discussed in the past. I have discussed it with the chief.

Ms. Bruker: Only I have not had any answers, but we do not have to discuss that here. I just wanted to find out. And now I have found out that, for instance, someone may not be vetted in 15 years, that is a big issue, okay? Thank you.

Mayor Kinnally: We had a public meeting six weeks ago concerning the Verizon franchise agreement. We left the meeting with the understanding that a subsequent draft would be prepared and submitted to the Village committee for review. That has not happened, notwithstanding many overtures to them to produce it. I met this evening with John Butler who is the municipality liaison. There is going to be a conference call tomorrow with the participants on the Verizon side and with Bob Perlstein and me to find out what is going on and to send a message that we expect a draft and we cannot do anything until we get a draft from Verizon. I will be reporting on that at our next meeting.

EXECUTIVE SESSION

On MOTION of Trustee McLaughlin, SECONDED by Trustee Quinlan with a voice vote of all in favor, the Board scheduled an Executive Session for Tuesday, November 14, 2006 at 8:00 p.m. to discuss personnel.

ADJOURNMENT

Mayor Kinnally: As part of our access in cable TV we went out to the public and asked people if they would volunteer. One of the earliest and longest-standing volunteers to man the camera was Pino Gareri. His MO was very interesting. He came in a few minutes before the Board meeting and set up the camera. When the Board meeting was over he would leave without saying anything to anybody. This was what he wanted to do to contribute to the community. He never looked for recognition. He never wanted anyone to say anything about what he was doing. Pino recently died after a battle with cancer. It is a loss for all of us. I would like to have a moment of silence and adjourn in his memory.

On MOTION of Trustee Apel, SECONDED by Trustee McLaughlin with a voice vote of all in favor, Mayor Kinnally adjourned the Regular Meeting in memory of Pino Gareri at 10:10 p.m.