

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
REGULAR MEETING
MAY 1, 2007**

A Regular Meeting was held by the Board of Trustees on Tuesday, May 1, 2007 at 8:00 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

PRESENT: Mayor Wm. Lee Kinnally, Jr., Trustee Peter Swiderski, Trustee Jeremiah Quinlan, Trustee Diggitt McLaughlin, Trustee Danielle Goodman, Village Manager Francis A. Fobel, and Village Clerk Susan Maggiotto.

CITIZENS: Fourteen (14).

Mayor Kinnally: The first item on our agenda is a presentation by Con Edison, but I am going to ask everyone's indulgence for a few minutes. We need to speak with environmental counsel and we have a conference call set up with him. We will recess and then proceed with Con Edison.

[BOARD RECONVENES 8:30 P.M.]

PRESENTATION – Con Edison Tree Pruning Program

Matt Glasser, Line Clearance Manager, Con Edison: I am in Bronx/Westchester. I am going to talk to you about our enhanced tree trimming program. Con Edison has always trimmed trees around our power lines for safety and reliability. In light of last year's outages, we took a look at our specifications, particularly our clearances of six feet on either side and 10 feet above. Our sister utility, Orange Rockland Utilities, in the early '90s increased their clearances to 10 feet on either side and 15 feet above. This had significant impact on reliability.

We think that is something that would benefit Westchester County. We have a similar makeup, similar region. So we started developing the program last fall. We said that one of the important things that we want to do is make sure that we do some proper communication, so everyone knows what we are doing. We took a multi-part approach to communication. The first part is meeting folks like you here tonight, making sure we get the message out. Then we have something called a contact forester who goes door to door and notifies customers when we are going to trim in the area. They also will get permission if we need to do tree removal. Every customer on the line prior to us going to do trimming gets a mailing, and it explains about the program and gives them a phone number to contact if they have questions. We do not want people to come home and ask what happened here?

The program is designed to not only trim trees for reliability, it is also designed around the health of the tree. We have made sure that our inspectors are properly trained and that our

contractors will do proper cuts on trees. Two of my inspectors are certified arborists, and all four of my inspectors have gone through training with Cornell Cooperative Extension. We also make available information to the public on the proper tree to plant. Part of the problem is when people plant the wrong tree underneath the power lines. We all want to have power and we also want to have trees, so we support both of those. This is also available on our Website, coned.com under the links, and there is information about proper planting of trees.

Mayor Kinnally: The proposals that I have seen and the modifications to the trees around here look pretty drastic. While it may serve to rid the area around the power lines of trees, it degrades the trees. I do not know how much input you are looking for from our arbor people in the Village, but the initial reaction is one of dismay.

Mr. Glasser: These pictures are drastic. They are a graphical representation for the clearances. We take a close look at what is a healthy tree and what is a healthy limb. While we do have clearances of 10, 10, and 15, we are not bulldozing down Westchester County and we are not cutting a clear path like a runway. If there is a healthy limb within the clearances and it is a healthy limb, we will leave that limb. What we are really targeting, what we are spending our time on, is dead limbs, unhealthy limbs, limbs with cracks. Those are the ones that are going to cause outages and a safety problem when they take down power lines. This also includes trees. If a tree is within 10 feet of the wires but is healthy, we are not looking to take that tree down. If we remove unhealthy trees, we would have to have written permission, whether it be from the Village or from the homeowner.

Mayor Kinnally: How much coordination is there between your tree trimming service and the municipality?

Mr. Glasser: The chief construction inspectors work very closely with the town DPW. If there are any significant concerns, we are always available to discuss it. Before we do any work you will get a list of the areas and the opportunity to give us any kind of feedback. My inspector, John Fozzaglia, works closely with Mike Gunther. I will also give you my number and you can contact me.

Mayor Kinnally: The responsibility for the trees is not with Mike. Mike is a good contact but the Village Manager should be notified so he can get our tree people and our conservation people involved. This is a community that prizes its trees and people were scared to death taking a look at what those depictions were.

Mr. Glasser: We have been trimming since January with this specification. We have had a lot of positive responses. People were a little bit taken aback by the pictures, but the response so far has been pretty good. We are looking forward to continuing to work with the

county and the towns to make sure that we do the right thing for the trees and the right thing for the reliability and safety of the system.

Trustee Swiderski: If the trimming you do puts a tree in stress and possibly kills it, are you responsible for the further work necessary to either further trim that tree or make do when the damage is done?

Mr. Glasser: If a tree needs enough trimming that it is going to kill the tree, then we would ask permission for removal of the tree. If we remove the tree, there is no replacement program at this time. We are, however, doing some work with the National Arbor Day Foundation as far as donating to tree funds. There is no replacement fund, but we will take the tree down at no cost.

Trustee Swiderski: Let us say you do the cutting, and then three or six months later the tree dies as a result of the cutting.

Mr. Glasser: Then we would come back. If it is something that can definitely be attributed to something we have just done, then we would definitely remove it. If you said do not cut my tree down, and we are only able to do the minimum pruning and the tree is not healthy, that is a different story. But we would work with you to remove it if it is caused by us.

Trustee Swiderski: What warning will be given to people on a street before you cut?

Mr. Glasser: Everyone who lives on a street that will have trimming will get one of these notifications, in addition to someone going to their door and letting them know. As I said, we will have written permission before we do any tree removals.

Mayor Kinnally: What is the lead time for people to be notified?

Mr. Glasser: This will be out anywhere from three to six weeks before we come to the area, and the door-to-door notification is somewhere around two weeks.

Village Manager Frobel: When do you expect, and how long do you expect, to be working in the Village?

John Fozzaglia, Inspector, Con Edison: In mid-June we should be in Hastings. The Hastings loop encompasses most of the Hastings area. One little piece goes into Dobbs Ferry, and the southern portion goes into Yonkers. Right now we are finishing up the Eastchester loop, but we have a stretch on the state road and we are waiting for some permits there. Once that is done, then we will be here.

Mayor Kinnally: Who is your contractor?

Mr. Fozzaglia: Lewis Tree Service.

Mayor Kinnally: And where are they out of?

Mr. Glasser: Their headquarters is in Rochester, New York. They also work in Rockland, on Long Island, in Connecticut, in New Jersey. They are a big outfit.

Mr. Fozzaglia: They are also a Bronx contractor.

Trustee Swiderski: It starts in mid-June. How long do you expect it to go?

Mr. Fozzaglia: Probably close to two months to do the entire loop. Since the beginning of the year we have been in Tuckahoe and Eastchester. The pictures that you see are worst case, but there has been some positive feedback and it looks pretty good. California Road, we just did a stretch over there between Mill Road and Eastchester, if you want to take a look and see how nice and clear it looks and no complaints over there.

Trustee McLaughlin: There has been a fair amount of tree removal on Sprain Road in Greenburgh around Heatherdell. Is that Con Ed's work? It is a pretty terrible job.

Mr. Glasser: There are two different programs. One is for the distribution lines, which are the poles that you have in the streets, and the other are transmission lines. I believe Sprain Road may have been a part of the transmission line program. I could get back to you and let you know what was done there. Transmission is federally regulated, and there are very strict guidelines and not much leeway. Whereas we can kind of work with you, leave a healthy limb in, with transmission it is very cut and dried, and it is federally regulated.

Mayor Kinnally: More cut than dried.

Trustee McLaughlin: You said that you would be giving three to six weeks' notice, and for the door to door you would be going two weeks prior. So presumably nobody is going to come home from vacation and find, surprise, their trees are gone.

Mr. Glasser: No one will be surprised because we will have written permission before we remove a tree. Whether it is owned by the Village or it is owned by the homeowner, I will have a signature saying yes, you can take that tree down.

Trustee McLaughlin: What will the legal circumstances be if a homeowner refuses to let you take a tree down and subsequently it falls on the lines?

Mr. Glasser: That is something that we would take on a case by case basis. We would have to document it if someone refused to have a tree removed, but so far we have had pretty good response. We have not been removing healthy trees.

Trustee McLaughlin: The time of year that you are choosing to do this is, for many deciduous trees, the wrong time of year in terms of maintaining their health. Often when you do something to compromise a tree's health the tree is not going to show it for a year, maybe two years. How is a property owner to get compensation, given that long lag between doing something to the tree and the tree's health showing it?

Mr. Glasser: I have two certified arborists on my staff and we do know the proper way to prune a tree. As far as trimming in this time of year, we have 2,700 miles that we have to cover in Westchester County. We need to be able to work throughout the year, which is why we are continuing to do it now. The other thing is that in case of a storm we need to have qualified line clearance crews on the property working to be available in case there was a storm and a tree comes down on power lines. But as far as a homeowner with an issue with trimming or anything that we did, they could contact us and we can deal with it on a case by case basis.

Trustee McLaughlin: As the Mayor said, we are a community that is proud of its trees. Many homeowners have chosen specific trees for specific sites. They would not want any old tree plunked down as a replacement. Is there any way to address that discontinuity between what is there and what might replace it?

Mr. Glasser: I want to make clear that there is no replacement program. If we remove a tree, while we do donations we would not have any part of what was planted. We give information on the proper tree to plant, so you do not plant the wrong tree below the power lines and it is the most effective tree for your property.

Trustee Goodman: There has already been some track record with Con Ed pruning in previous years. I am familiar with a tree in my neighborhood on Farragut Avenue. The tree was a very stately maple, and when Con Ed finished with it, it looked like a pom-pom, with this little bit of something left on the top. I thought the person who was involved was going to be here tonight, but perhaps I could do some investigation of the disconnect between Con Ed and the property owner so we understand all the facts and find out, if we can, who the subcontractor was who did the pruning.

Mayor Kinnally: When was that?

Trustee Goodman: A couple of years ago. The tree has struggled to live. I am not sure if it is going to make it. But there is a long latency, and I think Con Ed would not take credit for something that died three years hence when, in fact, they were responsible. It is a problem. The flip side of it is, we have had major sections of the Village with power outages specifically because of the trees. So if we, from our end, can figure out how we could prevent any miscommunication by looking at prior examples we might be able to help you reach our residents.

Mr. Glasser: And as I stated, we have made huge strides in qualifying two of our inspectors as certified arborists and making sure that everyone has had the proper training. That is part of this new program, to make sure when we do the cuts that they are the proper cuts and we do the right and healthy thing for a tree.

Trustee Quinlan: Where a tree is located is sometimes a question: is it a Village tree, or is it a homeowner's tree? As an example, I have a tree in front of my house between the sidewalk and the road. Who would you assume that tree belongs to?

Mr. Glasser: We would not assume anything. We would go to the Village and request the owner, whether it would be the Village or the homeowner.

Trustee Quinlan: So you would ring my doorbell because it appears the tree is on my property, it is right in front of the house and it is not in the road, and ask about that tree?

Mr. Glasser: We would probably speak with the town before we would speak with the customer, if there was a tree that we were looking for a removal, to find out whose it was. Then we would speak with the homeowner. If it is the town's tree, we would let the homeowner know the town has approved, but we are going to be removing the tree in front of your house. But we would not take it down without proper approval.

Trustee Quinlan: I suggest you look into that because that is a very tricky question in this village and, I imagine, in other villages. Most of the trees that you are going to be trimming and taking down are along the roadways where the lines usually run. We are not talking about transmission lines now, we are just talking about normal lines. Would that be a fair assumption?

Mr. Glasser: That is correct.

Trustee Quinlan: If you come in Farragut Avenue into the Five Corners, and then you come down, who would you assume owns those trees that run along a highway like that, a Farragut Avenue? It is not a highway, but a major thoroughfare like Farragut Avenue or Ravensdale Avenue.

Mr. Glasser: I have a list of county roads and state roads. If it is on a county road or a state road, in many cases it is county or state property.

Trustee Quinlan: So you are going to go to the county for the county roads, the state for the state roads, and the Village for the Village roads.

Mr. Glasser: Correct, and that is what we are currently doing.

Trustee Quinlan: That disturbs me because I am fearful that the county and state are not going to be as concerned about our trees as we are. I would ask you to be careful and let us not have what you say you are not going to do, which is beeline down the state road, because the state is probably going to say, if the tree is a bother to Con Ed, either trim it or get rid of it. And that is probably what is going to happen. I understand we have no control over this process at all, except your good desires, because of your centuries-old franchises, but I ask you to be considerate of that, and we will see how it works out.

The last question is, what are you going to do about the stump?

Mr. Glasser: The current program is we cut the stump to within three inches of the ground and that is where we leave it. We remove all the debris. If it is a homeowner's tree the whole removal is paid for by us, but the stump remains.

Trustee Quinlan: Do you think that is fair to leave the stump in my ground, with the roots, when it could be more costly to you but more fair to me if you would grind the stump and take it out so I could plant another tree there because it is my favorite place to have a tree?

Mr. Glasser: We have been leaving the stump because we are removing something that costs quite a bit of money for the removal. The money that we would be spending grinding stumps we are spending on doing further clearance for the safety. At that point, where there is a stump left, it is considered to be a safe condition.

Trustee Quinlan: It is a safe condition for the wires, but it is not exactly a safe condition for a person walking down the sidewalk next to the tree. You are going to leave it three inches off the ground?

Mr. Glasser: That is correct.

Trustee Quinlan: I do not believe that is fair. I think it is your obligation once you take a tree down. If I took a tree down that was one foot from my sidewalk and left a three inch stump I would feel it was my obligation to grind that stump down to below the ground level and to make it as it was before. There is nothing I can do about it, but I am pointing out that in my opinion that is penny wise and pound foolish and it is not fair to the property owners.

Mayor Kinnally: You mentioned county and state roads. We have county and state roads in the Village, Farragut being a good example. If you come down Farragut and there are trees that are adjacent to a residence you will notify the county. Will you notify the Village also of that tree?

Mr. Glasser: We will notify the Village, we will also notify the resident. Sometimes people will not even know whose tree it is, and I do not want someone to come home and say, the tree in front of my house was there this morning, it is gone now. I want people to at least know what is going on, so that is part of the notification process.

Trustee McLaughlin: You take the tree down. Who gets the wood?

Mr. Glasser: We take the wood unless you want to keep it. If you would like the firewood, you can take it. They have the choice if they want chips, if they want firewood. We pretty much have an unlimited supply of chips.

Mayor Kinnally: And you have an unlimited customer here for chips because we have a series of trailways that would be more than happy to get the chips. Let me pick up on something Jerry talked about, and that is the stump situation. I understand what you are saying about the cost, but I see a hazard with leaving the stumps adjacent to a sidewalk where people can trip.

Mr. Glasser: In a lot of cases the trees that are adjacent to the sidewalk are town-owned, it is within the right of way. In the past, if it was a hazard, it may have been topped to below the wires and then the town would be responsible for the rest of the tree. In this case we are taking the entire tree down and clearing it out.

Mayor Kinnally: No, I understand. In doing that, though, you are creating a hazard.

Mr. Glasser: Since we take on the burden of the bulk of the wood and removing of the tree, some municipalities have come and ground behind us.

Mayor Kinnally: I am sure they have, but if you are creating the condition you should come in and grind that down because the condition did not exist before the tree was removed. I know what the policy is, but I am saying you should rethink that policy because there is liability there. And it is not a liability that either the homeowner or the village should assume. You are creating a hazard.

Trustee Quinlan: If someone trips on that tree stump that you leave and they sue me, you can be assured that I am going to bring in Con Ed as a third party. It is something that you should bring to your legal department because you could have potential responsibilities all over Hastings. Also, a lot of trees are on school property so you will have to go to the schools for permission to work on their trees.

Cindy Travis, 427 Warburton Ave.: If they are going door to door, is that during the day when many people are not home and so they will never reach them? My other question is sort of filled with rage. Do you really have a choice in this? Is this something that they are doing because they are a utility and a monopoly and they are saying, we need to do it so good luck? I find that really repulsive.

I have been looking at all the trees on Warburton, and I think we are going to have clear-cutting all the way down Warburton Avenue, because there is no way they can do 10 feet, 10 feet and 15 and not leave a big stump. So we are pretty much losing all the trees on Warburton. I would like to have them tell us how many trees this is affecting so people understand what Con Ed is doing. If a homeowner wants to pursue legal recourse are they not just getting lost in the bureaucracy of Con Ed so that nobody can ever get anything resolved and you will be one of thousands of people doing this?

I appreciate the certified arborist's point but, again, 10 by 10 by 15 you do not have to be an arborist to know that these trees are going to be leveled. I do not think this is going to be sensitively approached. I would like the roads affected to be outlined on a map way ahead of time so that everybody knows this is happening, not just some little pamphlet that will get lost in the mail.

Trustee Quinlan: How many trees do you expect this is going to affect in Hastings?

Mr. Glasser: I do not have that number right now. We will do an evaluation, and you will have that list long before we bring any trucks into the area.

Jim Metzger, 427 Warburton Ave.: Amazing restraint from the Board. That was very commendable because I would have been jumping over the bench and screaming. As my wife just said, we live on Warburton Avenue, every tree on that block is going to be cut

down. There is no way they can remove 10 feet on either side of the tree, 15 feet above. I would like Con Ed to tell me what the devaluation of my house is going to be because my neighborhood is going to be denuded and I want them to agree to pay that. I would be happy to bring in somebody to value the house now, and then value it when every tree on the block is cut down and they can pay me for that. It is 2007. Where is their program to start burying these power lines so that we do not have these problems? It is an insane situation, that they want to come in and level the beauty in our Village because they cannot get it together.

Certified arborist means a guy with a chainsaw. He may know what tree he is cutting down, but if you look at the trees that have been cut down already it is a nightmare. Here is my solution. We hire a certified arborist, we let Con Ed pay that bill, and then they send a person around with them and say, Nope, this tree you need to clear a little bit more. And he will say, I cannot, it is going to make this neighborhood look terrible. Let us let Con Ed pay us to take care of this problem instead of setting them loose on our neighborhoods. We are going to look like it is 1907 and there are no trees and we are starting all over. That is not what Hastings is about. We should not allow this to happen.

Tony Wan, 161 Tomkins Ave.: Is Con Ed going to send an electrical supervisor along with the tree companies to know when the tree is too close to the line before they cut it? I had a problem with that when we had the storm last year where they did not send a supervisor. And it cost me, I am in small claims now with Con Ed, I just filed again for a second time, almost burning my house down. I do not want to see a tree company without an electrical supervisor. The tree company may know how to cut it, but what happens if one limb goes the wrong way and takes down a line. Who is going to be responsible for that?

Mr. Glasser: All of our construction inspectors are qualified to identify power lines. They are very well versed in the electrical system. As far as the list of other questions, I would have to have them read back to me, because that is a long list.

As far as clear-cutting the county, we have given you a couple of areas to look at; we are far from clear-cutting the county. We are leaving up plenty of trees. We are not cutting a 10-10-15 clear-cut runway. As I said before, we are looking for the dead limbs, the down limbs, the dangerous limbs. There is plenty that will be left within that clearance, including trees that will be left in that clearance.

Mayor Kinnally: You alluded to the fact that a lot of questions were asked and you did not have the questions. We will forward them on to you.

Mr. Glasser: That is fine. I appreciate that.

Jacqueline Lhoumeau, 157 Southside: I would also like to express my concern. I have been doing some reading and looking on the Internet, and I noticed that New York City has put a monetary value on all their trees. They did a survey of the trees, worked with a computer program, and they have a monetary value based on a set of factors for every tree in the city. If Con Ed takes a tree down or prunes a tree they should pay back the percentage of the monetary value of that tree to the town or the homeowner so new trees could be planted. Are you doing the same plan with New York City as you are doing in Westchester?

Mr. Glasser: We do trimming in New York City in Brooklyn, Queens, Staten Island, and the Bronx, and we work closely with the city parks department. As I said, we would not be able to remove a tree without written permission. So if we were to remove a tree in New York City we would have the permission of the parks department, and there is no refunding or payback to remove a tree.

Ms. Lhoumeau: I am suggesting maybe there should be. Is New York City under the same guidelines of 10-10-15?

Mr. Glasser: In the New York City area, because it is a little different landscape, New York City is still under the 6-6-10 guidelines. Whereas in Westchester County over 20% of outages are caused by trees, in the same type of areas in New York City it is closer to about 3%. So the trees are not causing as much of a problem in the city.

Ms. Lhoumeau: I am also concerned that the cutting of trees may lead to houses being warmer, using more electricity during the summer, which may lead to more brownouts and blackouts. It is the law of unintended consequences, and I do not know if you have taken that into account. I always would like to encourage Con Ed to run more lines underground. If you look at the overall cost over time, it might make more sense. And I do hope there will be enough time to alert the community, because this happened a little fast. I just heard last week about this meeting. I did not have a chance to write a letter to *The Enterprise*. But it sounds like we will have at least some time. I encourage people to get involved.

Mr. Metzger: There is one other liability we need to be aware of. In light of the recent rains we have had, I know of two properties in the Village that have sustained significant damage due to mudslides. In one case it was due directly to trees being taken down on a neighboring property that undermined the slope. The slide of the slope started where the trees had been taken down, and then worked all across the back of the property. This happens to be the gas station at the southern end of Warburton Avenue. Major concrete slabs have cracked because the entire slope is starting to slide from the new houses that had been built next to that property.

In the other case, trees were taken down on Aqueduct Lane. I understand that is not a Con Ed situation, but there were some selectively removed trees to increase the views for Hastings Landing. Where those trees have been removed there is now significant erosion on the Aqueduct. So we need to be careful that if they are removing large trees that we do not end up with similar problems that are not their problem.

Trustee McLaughlin: Helen Barolini of Maple Avenue could not be here tonight, but she asked me to read this letter:

“I would like to support Town Supervisor Paul Feiner’s suggestion that Con Ed appropriate funds to replace the trees it is planning to cut throughout the river villages. It is appalling to think of the coming decimation of our trees, especially in light of New York City Mayor Bloomberg’s recent statement that one million new trees will be planted around the city, not only for the aesthetic benefit but, very importantly, for the environmental ones of reducing air pollution and cooling rising temperatures. If all Con Ed customers would write the utility in support of replanting we could prevent this annihilation and preserve the green that makes our community so appealing and healthy.”

Mr. Glasser: Just one thing on that. We are definitely looking at different programs that we can donate to, and working with different plans to do some replanting. The county has expressed interest in putting together a task force of doing replanting, and we are definitely interested in that. There is no direct replanting program for when we remove a tree, but we are supporting planting of trees.

Trustee McLaughlin: I am not sure whether to ask this of you, or of Mayor Kinnally. How can we make sure that Hastings has representation on this committee?

Mayor Kinnally: Ask.

Trustee McLaughlin: Ask Con Ed.

Mayor Kinnally: Do not be shy.

Ms. Lhoumeau: In trees in front of apartment buildings, are you going to notify everybody in the building?

Mr. Glasser: This mailer goes out to all the customers, and likely we would notify the super. It depends on the size of the building.

Ms. Lhoumeau: What size would get what?

Mr. Glasser: It would have to be on a case by case basis. We would notify the super and let them know what was going on. If it was something reasonable, I am not sure how many tenants you are talking about. If you are talking about six tenants, I am sure we would notify the six tenants. If you are talking 150...

Mayor Kinnally: But if they are all customers...

Mr. Glasser: They all get this notification. We can certainly work with the Village on the areas that you want to make sure the notification gets out.

Ms. Lhoumeau: Even in apartment buildings you love the trees that are around your building, and you care for them, and you see them bloom every year and you are attached. I also wondered when you are talking about these distances, I know the power lines are in the tops of the lines on the pole. But then there are lines that have cable and telephone all the way down. Do you count those other lines as well when you are doing your distances?

Mr. Glasser: No, the lines that we include are the power lines, which are the top set of wires on the pole. All electric wires are in the very top, then below that you start having your cable TVs and your phone company.

Ms. Lhoumeau: So the 10 feet is only from those top lines.

Mr. Glasser: From our lines.

Mayor Kinnally: You have made some representations tonight, and this Board and the people in the Village will follow up and make sure that the statements you made about not drastically cutting and working with the people are adhered to. As I have said, and probably not as eloquently and as passionately, I am not coming over the dais, Jim, but I am concerned. Con Edison has come in in the past and done what they say they need to do, and skepticism abounds in the Village as to what Con Edison needs to do. We will be watching.

Trustee Goodman: Maybe we should have had our Tree Board weigh in on this. We have experts in the Village, and maybe next time something like this comes up we can ask them to come and help us in this regard. Is there state supervision of this? In other words, is there a written protocol that the state power authority or the public service commission has?

Mr. Glasser: The Public Service Commission requires us to keep our lines clear for safety and reliability reasons.

Trustee Goodman: But are there policies and procedures through the Public Service Commission that you have to adhere to with respect to noticing and reimbursing property owners, etc.?

Mr. Glasser: We are supposed to keep our lines clear in the right-of-way owned by the Village. We work with the Village, but the program is for Con Ed to manage. They have looked at our specifications. We have met with them several times this year and they are aware of our programs.

PUBLIC COMMENT

Nina Cangiano, President, Chamber of Commerce: In January the Chamber sent a letter to the Board sharing with you comments, complaints, and suggestions that we had heard related to the Boulanger Plaza renovations. Since that time we have not seen much going on in response to those comments and complaints, and they keep coming. So the Chamber voted to create a petition, put it in everyone's shop. We only did this on Friday. We only collected four petitions and, as you know, most shops are closed on Sunday and Monday. So the petitions have only been in the shops for one full day; we have 68 signatures. We have heard customer upon customer telling us they do not understand how to use the machines. They did not know that the machines were in service. They are never coming to Hastings to shop again because when they come, they get tickets or they get stuck in a space that is too small to back out of.

We are presenting to you tonight the petitions that we have collected so far, and we will continue to monitor the petitions. Because we got such an overwhelming number of signatures in such a short time, and because we know that it was every intention of these renovations to enhance the shopping experience in the Village, we thought that we needed to bring this to your attention so that we can get a head start on resolving the issues that are making the parking lot the one that people will seek to avoid. After spending \$464,000 on renovations we should get out money's worth, and we are not.

Mayor Kinnally: I agree. We have looked into re-stripping. We have talked to the architect and to the contractor. Fran had done a mark-out of one of the stripes. It did not work, unfortunately. So we are looking into re-stripping the entire thing, or what some other alternatives are. We understand there is a problem. This has been fully aired in the Village. The operability of the machines is a problem, although everybody has been notified that those machines are in operation with the Chamber of Commerce. We put out notices.

Ms. Cangiano: There is no sign in the parking lot, and not everybody lives in Hastings, so we get people thinking that the lots are free.

Mayor Kinnally: I do not think anybody has gotten a ticket in the lot for not putting money in the machines up to this point. I do not believe that is the case.

Ms. Cangiano: That is not what we have heard.

Mayor Kinnally: I know. What happens a lot is, what you hear is not necessarily what the facts are. But I do not believe the police department has been writing tickets for people who have not been using the machines in the lot.

Ms. Cangiano: That is a problem in and of itself in terms of a revenue source.

Mayor Kinnally: I understand, but that should make the customers happy. It has not fallen on deaf ears. We are trying to deal with the situation. Fran and Christina and the contractor are trying to solve the problem. Why the striping happened the way it did is beyond me. You give them plans, they are trained, this is what they do for a living.

Ms. Cangiano: Then we should make them come back and do what they need to do to make the lot functional. As you know, losing one shopper is one shopper too many.

Mayor Kinnally: I understand. The real question is, what are we going to do and what kind of impact is it going to have on the lot. Before we do anything we want to reach out to people and say this is what we have in mind, this is the impact it is going to have on the lot, on the merchants. It is not going to be a painless experience.

Ms. Cangiano: I understand that because we are on the front lines and we hear it every day, as I know you do as well. But people do not feel that they are part of the process. There is an absolute feeling of discontent among many people in the Village that this was a done deal, quote unquote. There were many petitions circulated before the pay stations came in, before the renovations happened. We have so many things that we need in this Village to spend money on. So there is a feeling that the communication has not been where it needs to be. People do want to get involved. We understand there are budgetary limits. We do not expect the whole parking lot to be redesigned. But we do expect to at least get every buck for the \$464,000 that we have already spent.

Mayor Kinnally: I could not agree with you more.

Ms. Cangiano: And anything that we can do to help in that regard, we are here and we would like to be a part of that process.

Fonda Lifrak, Vice-president, Chamber of Commerce: The petition spells out some of the most common complaints that we have heard, so if you take a look at that it will give you an insight into what we hear every single day.

Trustee Goodman: We were all sent an e-mail and we were asked to read it. It is on this point, and I would like to add this to the record.

“Pursuant to the requests of Robert Shapiro, 10 Prescott Place. Letter for the Hastings Village Trustees, May 1, 2007. I cannot attend this important meeting, so I am requesting that this e-mail, which contains some of my concerns and thoughts, be read. Thank you.

“For years I, who have lived in Hastings, have been urged by town officials to shop in Hastings to support my local merchants and other people who offer services. My family has always done this. I have, like many-minded friends. Recently it has been difficult to do so. The decision to install those parking machines and reduce the width of parking spaces has contributed to this. The message is clear: come shop in Hastings, even if it more difficult to do so than it has been in the past. A few points:

1. Months before the installation of the machines I and countless others signed a petition not to have them installed. Seems it was ignored and/or it was a done deal. Lots of talk in the Village about this.

2. These machines, I might add, are an inferior quality. I wonder how much consideration was given to make it easy for people to use them. I have seen far superior machines, even with weather coverings, in Greenwich, White Plains, etc. Our machines are not friendly.

(a) The sun obliterates the LCD screen.

(b) The keyboard numbers are barely discernible to someone with 20/20 vision on a clear day.

(c) There is no weather protection for people whom I have seen, some with children, line up in the rain. Why?

”I went to the Village office to express how I feel. I have never done this before. However, I felt strongly about this and I had to do it. One employee behind the desk replied, ‘I don’t know what’s with you people. It’s never right. We can’t satisfy everyone.’ While maybe this is part of the answer, I pay taxes. Do I not have a right, a say, in how some of the money is spent? Seems with this attitude, the demarcation is set. I have, and others who feel the same way, become the ‘you people’ referred to. The parking spaces are clearly not wide enough. This type of bungling is inexcusable. I cannot even get in and out of my car without sometimes touching the vehicle in the next space with my car door. Why was this allowed to happen? I wonder what is behind the rationale of making it more difficult for

people to shop in Hastings by having them line up in front of these open parking machines instead of providing state of the art parking meters for people to place coins into quickly, allowing them to go about enjoying their time in the Village. Obviously, the latter was never a priority. I hope you can do something to change this. Thank you.”

Mr. Metzger: Who provided oversight on the design of the parking lot? I know that Christina Griffin did the primary design. Were any of the Village boards, Planning Board, Zoning Board, Architectural Review Board incorporated as part of the process to review this, or was it a plan that was presented and passed without any additional oversight?

Mayor Kinnally: There was plenty of oversight in the design by the Board of Trustees, and we spent a lot of time talking about the layout of the parking lot, the number of spaces, the design of the walls, the incorporation of the materials. I do not know if any of the other boards or commissions got involved in this. And as far as the construction, the construction oversight was by the Village staff and Christina.

Mr. Metzger: New York State law allows municipalities to oversee their own work without the usual review process that is required by citizens of those municipalities. I would like to suggest that the Board of Trustees consider a motion that for any future projects the Village has to go through the same process that everybody else goes through: Planning Board, Zoning Board, Architectural Review Board, and of the commissions that might ordinarily be brought in to take a look at a project, to provide the oversight so that we would prevent these types of problems before they occur.

Trustee McLaughlin: All four of us received Mr. and Mrs. Shapiro’s e-mail and I do not know how many e-mails we have received over time. It is an ongoing, difficult problem. I have been unhappy that we do not seem to be any further along from where we were in January or, in fact, last September. Jerry and I came on this Board a year ago, and the project was by and large finished at that point, at least in terms of the planning. I understand the frustration of residents who talk about its being a done deal because it seems that this was set in some kind of stone a long time ago. In terms of who oversees something, there are companies that design parking lots, and no such input appears to have been sought by the Village. Which does not help us now because I do not think we have the money to spend on this with the other things that we also have to find money for. But would it be useful to have a hearing about the parking lot, find out what all the problems are, and then do something with it. We have been hearing complaints, taking notes, hearing complaints, taking notes, hearing complaints, taking notes and we have not yet presented anything to the residents to say here is how we are going to solve this. I am not trying to blame anybody for it, but I understand the frustration because there does not seem to have been a concerted effort to settle the matter.

Village Manager Frobel: We do have a suggestion of how to correct the striping, and what we need to do is agree on that approach. We have some alternatives.

Trustee McLaughlin: The striping was the contractor's error, right?

Village Manager Frobel: Yes, it was. They made decisions in the field unbeknownst to us. And I should point out, we had an engineer who was our consultant throughout this project. Not Christina, she is an architect. It is also important to keep in mind that this was more than just the parking lot. This was a major drainage project. During that very heavy rainstorm a few weeks ago the system worked absolutely perfectly. We had people come to us, shop owners telling us, that for the first time they did not have water in their basement. The major part of this project was drainage, and that was addressed, and it works very, very well.

Mayor Kinnally: And the wall reconstruction.

Village Manager Frobel: And the wall reconstruction, which was before my arrival. The striping is something that we want to work out with the Board, and we need to hear from you how you want us to approach it. It involves painting over some of the existing lines and laying out exactly the way you want it. In terms of the meters, I am working with the contractor to see if we can move them and orient them away from the sun so you should have a better chance of reading it. It is very difficult to read with the way the sun comes in and hits that screen. I wish that salesman could have pointed that out to us. It never occurred to me that that was going to be a concern, that I needed to make sure it did not face the sun. But we are going to work on a way to turn that, if it is possible, even if it means not having the four bolts anchoring it to ground, perhaps only one or two.

Trustee McLaughlin: How about protection?

Village Manager Frobel: I do not see that happening. I am hoping that with an umbrella, and ease of operation, you can quickly approach the thing, key in your number and go, and not have to stand there for a long time. With some changes like this perhaps we do not have to consider an overhang. I would hate to have that constructed. If that is what the Board wants, we can look at putting in some kind of shelter. But I would like to avoid that, trying these other alternatives.

Mayor Kinnally: Diggitt, your question about getting someone who designs parking lots brings to mind two things that happened in the Village where we retained people whose specialties were in the particular area. The first was when we renovated the pool and we had people dealing with the lighting, and the second is with the cove, where we got engineers

who have dealt with coves in the lower Hudson area and the greater New York area. It has been an absolute nightmare trying to get a workable project within budget with these people because like a lot of consultants the reality does not meet their job description. They come out with ideas, and they are not rooted in what either the community or the municipality or the conditions warrant. As far as the striping, we had a lot of discussion about what we should do with the number of spaces and the orientation of the spaces and the location of the handicapped spots. If you take a look at the plan, the plan worked. What we have laid out would solve everybody's problems.

Trustee McLaughlin: You mean if the striping had been done accurately.

Mayor Kinnally: Done as it was designed. Fran tried to black out a stripe but after the big storm it didn't work. That is why we have not approved it. We are back trying to figure out what we are going to do to obliterate what exists there so we can re-stripe. Re-striping is easy. This is what they are supposed to do. We are not going to pay for it. But it has to look nice, it has to be non-intrusive, and it has to not interfere with the operation of the merchants. Unfortunately, it is easy to screw up. It is pretty hard to unscramble the egg. That is what we are coming to at this point. When you talk about getting people who are experts, people who are selling these stations, every community is faced with north, south, east, and west. You would think they would say, do not orient it this way. They come in, they, they orient it, they leave. When we tell them people cannot see it because it is facing the sun, this is news to them.

Trustee McLaughlin: You mean to say that the orientation of the parking stations was done by the sales engineers at the company?

Mayor Kinnally: No, we had them oriented. But when they come in to install them, would you not think they would say, you are going to have a problem here. No, they go ahead and put it in, and then they throw up their hands and they say, we really cannot solve that problem. It is not that difficult. Just move it so it is facing north, probably.

Trustee Goodman: I have used the parking station at different times of the day, and I have used the one that is by the diner in the late afternoon so the sun is blocked out. I still had some trouble reading the screen.

Village Manager Frobel: We have turned the light up as bright as it can go. I am not sure what else we can do.

Trustee Goodman: With respect to the striping issue, they should take up some of the surface of the blacktop and redo it and re-stripe. I have seen this done in other lots where

things are painted over. I would treat this parking lot the same way I would my home. It is hard to play hardball with people. But we paid \$450,000, and what I am looking at when I come into the parking lot, because I have to look down and read the numbers, are all the stripes. I am looking at a messy situation. And the other problem is not being able to see the numbers in the snow and the ice.

Mayor Kinnally: If there is snow and ice the police are not going to write tickets. The number of days that we have snow and ice in the lot are very few because we get in there and clean.

Trustee Goodman: We have to take a very protective view of our money. I do not think painting over lines is going to be acceptable. Part of the reason we redid the parking lot was aesthetics, not just engineering. We are not getting our full value for this project if we are not insistent about what we want. We did not tell anybody to change the striping plan. It is not our fault and it is not the fault of our citizens who are paying an awful lot for this.

Trustee Quinlan: You can debate about the machines and the bricks and the walls and the sun. There is no debate that the striping was done wrong. I do not know why it has taken this long to decide what to do. Fran, you said you were going to paint a stripe. You did, I went to look at it, it looked terrible. I have been, from the very beginning, saying I do not mind playing hardball: you did it wrong, now do it right, period. Take it up, re-stripe it. So you have two votes, and if one more person tonight can say that, then I say let us do it. I do not like to simplify things, but you do not have to make them complicated.

Mayor Kinnally: The issue is what impact does taking all that blacktop have on the rest of the project and on the merchants and on the flow of traffic, and is there another way of doing it. That is what we have looked at.

Trustee Quinlan: I know we have talked about having to close down the lot for the two or three days that it may take to do it, and I am sorry for the merchants and for the businesses and for the residents. But unfortunately, they goofed and they have got to make it better. And we have got to bite the bullet and get it done. Repainting it looks terrible.

Mayor Kinnally: I agree. Fran, I think it is time to get our friends back in.

Ms. Lifrak: The way the parking lot is constructed you have little sections with jags that come out in each section. There are three spots in each jag that are too narrow. How are you going to re-stripe it without going into the next little section?

Mayor Kinnally: There is a scheme that outlines all of this that was signed off that worked.

Ms. Lifrak: We are hoping that we are not going to lose spots by having two spots in each jag now instead of three.

Mayor Kinnally: I understand. I do not know what the numbers are compared to what was spec'd out, but the design worked. The problem is they did not follow the design.

Ms. Lifrak: So you are saying that we are not going to lose any more spots by re-stripping.

Mayor Kinnally: No, I did not say that. I said the design worked. That is what I said. I do not know how they came out with the number of spots.

Village Manager Frobel: Well, the original design was for 58 spaces. Now we have 54. One suggestion was to modify seven of them which are most dramatically a deviation from the design. That would end up with 56, so we would lose two if you were going to try to minimize the appearance. Agree to allow us to paint over seven spaces. By adjusting seven we could get you closer to 56 as opposed to the 58 that you wanted going into the project.

Mayor Kinnally: That was our design. I think it is up to the contractor at this point to come up with a solution, and I do not know how it is going to go.

Ms. Lifrak: I agree with Diggitt's suggestion that before we go ahead we should take a step back and see if we could come to some solutions from our perspective before a solution is imposed upon us.

Mayor Kinnally: I do not understand what you are saying. Redesigning the lot?

Ms. Lifrak: Not redesigning the lot, but maybe trying to come up with a better solution than losing an additional two spaces to the four spaces that we have already lost.

Mayor Kinnally: I am not saying that. I am saying it should be built as designed. I do not want to redesign the whole lot at this point. We have a design that should be executed. It worked.

Mr. Metzger: Does anybody know if the narrow spots comply with any building code? If they do not, then Devan Sharma could slap a lien on the contractor that did not build to code.

Mayor Kinnally: Jim, I am not interested in slapping liens.

Mr. Metzger: I understand. I am suggesting if they did something that was against code that is all you need to know. After that, it is not a matter of he-said, she-said.

Mayor Kinnally: I am trying to get the darn thing built. I am not trying to go into court.

34:07 RENEWAL OF EASEMENT AGREEMENT – 45 MAIN STREET

Mayor Kinnally: We have not received information from the contractor because?

James Huang, Urban Green Builders: Since our last meeting here I have had a meeting with the Village counsel.

Mayor Kinnally: And my understanding was that you were going to supply a response to counsel with respect to the request of the Village.

Mr. Huang: I was going to discuss this here.

Mayor Kinnally: Not here, you are not going to. We will deal with it in executive session.

Mr. Huang: I'm sorry. I misunderstood Mr. Frobel's instructions on that issue.

Mayor Kinnally: No, you are supposed to get back to counsel, I believe, with the response. Counsel never heard from you. This is something having to do with a contract with the Village for real property, and it is a subject of executive session. My preference would be to deal with it in that form. If you have information and want to give it to the Manager at this point, outside, you can. But I do not want to deal with it in this form.

Mr. Huang: I will talk to Fran this week then.

Mayor Kinnally: Our next Board meeting is May 15, but you have got a problem. You are operating on that site and do not have an easement.

Mr. Huang: I understand, Mr. Kinnally.

Mayor Kinnally: It may have been a miscommunication, but we were waiting for that information. That is why we are not going to act on this tonight.

Mr. Huang: Understood.

On MOTION of Trustee McLaughlin, SECONDED by Trustee Swiderski with a voice vote of all in favor, Resolution 34:07 was tabled.

41:07 IMA FOR SELECTIVE ENFORCEMENT FOR TRAFFIC SAFETY GRANT

Village Manager Frobel: Currently we have an intermunicipal agreement between the Village and the county to provide selective enforcement for our speed and aggressive driving behaviour program. The County would like us to do is to consider extending that from October, 2006, going back to when we originally adopted it, to September 30, 2011. This is a reimbursement grant. We have to offer proof of insurance to the county, and we are to have the policeman out there working speed deterrent programs. The goal is to reduce preventable traffic accidents. It is a grant in the amount of about \$1,600. Traditionally we receive more than that, but for planning purposes we should count on receiving up to \$1,600.

On MOTION of Trustee Quinlan, SECONDED by Trustee McLaughlin 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 participation in the Selective Enforcement for Traffic Safety grant program for the period Oct. 1, 2006 through September 30, 2011.

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

42:07 PREVENTION PROGRAM FOR WORKPLACE VIOLENCE

Village Manager Frobel: Workplace violence is considered a very serious occupational safety hazard for all workers. Our goal is to prevent personal confrontation anywhere, not just in the workplace. State law requires that public employers having more than 20 full-time employees adopt a workplace violence prevention policy. The goals are to create a harmonious work environment, reduce stress, treat our employees fairly, communicate effectively. All these things are in the category of common sense, but it is necessary to affirm that is our practice, that is our policy, and that any kind of behavior to the contrary will be treated most harshly. We are fortunate that we have a very small workforce, but nonetheless a program is required by law. Perhaps most critical is what can be done to prevent workplace violence. The policy talks about our goal to identify and isolate certain risk factors. Key to this is training and some of the items I indicated in the preamble to it.

We need to inform our employees of any accidents that occur in the workplace, which we do. That is all part of our program of communicating to the workers that we are attempting to create an environment whereby we care about their welfare, not only in this kind of behavior but any kind of a work-related accident. The policy goes on to talk about different types of workplace violence: external, which would be a force coming into the workplace, an attempted robbery, let us say, and internal, a former or current employee who has a dispute with the organization.

The policy statement says that all employees are responsible for using safe work practices, for following all directives, policies and procedures, and for assisting and maintaining a safe and secure work environment. We have a responsibility to communicate that to our employees and to let them how seriously we take these issues. The appendix talks about our workplace policy, and how it is our intent to better communicate to our employees their and our responsibilities to identify unsafe conditions and to take appropriate steps.

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

WHEREAS, on June 7, 2006, New York State enacted legislation creating a new Section 27-b of State Labor Law that requires public employers to perform a workplace evaluation or risk evaluation at each worksite and to develop and implement programs to prevent and minimize workplace violence caused by assaults and homicides, and

WHEREAS, the law is designed to ensure that the risk of workplace assaults and homicides are regularly evaluated by public employers and that workplace violence protection programs are implemented to prevent and minimize the hazard to public employees, now therefore be it

RESOLVED: that the Mayor and Board of Trustees adopt the *Hastings-on-Hudson Injury and Illness Prevention Program for Workplace Violence* as attached.

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

43:07 APPROVAL OF PARTICIPATION IN EMPLOYEE ASSISTANCE PROGRAM

Village Manager Frobel: An important part of workplace safety and productivity is to insure that we have a healthy workforce. One way to work towards that goal is to offer a means to an employee who might find himself in times of trouble. We found a way here, in joining with other municipalities who rely on the county to provide the service. A few years ago we had the death of an employee. It was hard to find a service readily available for grief counseling. I think we found one here in the county. The price is very reasonable. What is important to me is not only having a means, or an organization, to turn to for that employee who is having difficulties, but the training, which I was very much impressed with.

They will train us for stress management, anger management, conflict resolution. The staff of the county, and this is run by the Department of Community Mental Health, is prepared to come here and offer any services to help our employees be more productive and healthy. Having my department heads undergo some training for identifying a troubled employee or looking for some of those things would be very helpful to all of us. I am hopeful that you will support this offer to join in this effort.

Mayor Kinnally: That is a laudable goal here.

Trustee McLaughlin: A question about the \$35 cost. Is that \$35 per employee per year as an overall premium, or \$35 per event?

Village Manager Frobel: It is \$35 per employee per year. They have a staff of three social workers. They do the initial intake and make the referral. Their job is to find out the level of service that the employee may require, and they will make the referral to another professional, who is often paid through the insurance program. So this is a clearing house for that type of service. There is no additional fee for the training.

Mayor Kinnally: That is pretty good.

Trustee McLaughlin: Actually, that is a deal.

Trustee Goodman: Just a thank you to Fran for finding this program.

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

RESOLVED: that the Mayor and Board of Trustees authorize the Village Manager to enter into an agreement with Westchester County for the Village of Hastings-on-Hudson to participate in the Employee Assistance Program for the period January 1, 2007 to December 31, 2007 and if extended for the years 2008 and 2009 for a fee of \$35.00 per employee.

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

Mayor Kinnally: We had sexual harassment training a number of years ago. Following up on what we have here, it is time for us to do that again. We have had turnover in personnel. If we can follow through on that for everybody it would put us in good shape.

VILLAGE MANAGER'S REPORT

Village Manager Frobel: The heating system in the Community Center has started up and works. Most of the interior Sheetrock is complete. They are working in the large meeting room, taping and plastering. The elevator cab is complete. It should be operational this week. We expect to begin some very preliminary site work Monday of next week. Most of the excess building materials will be cleaned up very shortly. The partitions in the restrooms have been installed. The plumbing will be completed this week. The HVAC, just some odds and ends. We should be ordering our appliances shortly.

The second item is to thank everyone who participated in the Village-wide cleanup Saturday and Sunday. I do not have a tabulation of the number of bags that were picked up, but it was very well attended. Very appreciative of everyone's efforts to help out in that program.

BOARD DISCUSSION AND COMMENTS

1. Update on the Waterfront

Mayor Kinnally: We had a meeting earlier this evening with environmental counsel by phone talking about certain funding to assist the Village in evaluation of remediation and design engineering plans that ARCO is formulating in connection with the implementation of the ROD for OU-1. Counsel received our comments and input this evening, and we will go

back to the drawing board and make changes to some of the drafts. We will have an announcement concerning that at our meeting May 15. It has to do with underwriting some of the costs that the Village will incur in engineering and attorney's fees in connection with review of work to be done on the waterfront.

2. Report on the Comprehensive Plan Process

Mayor Kinnally: We have a number of members of the comprehensive plan committee with us this evening. The Board is in receipt of their report dated April 23, 2007. The report is posted on our Website. I recommend everyone take a look at it. It is what we were looking for: looking at other communities for an overview of the process as far as organizing a comprehensive plan committee, the type of professionals used, the timing, the staging, etc. I thank everyone for doing that.

I would suggest a work session of the Board of Trustees this spring so we can go over it. Is there a time that people would like to suggest, such that we can give the public sufficient time to digest it and to get ready for a work session?

Jim Stadler, Comprehensive Plan Committee Chair: A work session is an excellent idea. My only concern is how far out the work session is going to be because there is a lot of work to do with this. Maybe some of the process could be started already as far as advertising for willing participants. Several things could be started and be running concurrently.

Mayor Kinnally: You are right, if there is anything we could do in the interim, but after the work session the Board has to come to a decision how it is going to be structured. It is more important at this point to decide on the structure, and then ask who are we going to have people that structure. People can get thinking about it, but I it is probably better to solicit input at this point.

[Discussion of date – agreement on May 22]

Trustee Swiderski: Is that a public meeting or is that a work session?

Mayor Kinnally: It is a work session/public meeting.

Trustee Swiderski: Is that an opportunity for the public to offer input on committee size or overall?

Mayor Kinnally: Yes, a dialogue with the Board.

Elizabeth Felber, Committee Member: I want to reiterate what Jim said. You need to have a work session and a public hearing to decide what format you want. But every comprehensive plan did have a committee. I know it took us longer than it might have seemed it would take, but it would be good to put something on the Website right away asking for persons interested in being on the committee.

Mayor Kinnally: So you have the roster. It is a good point.

Trustee Swiderski: I would suggest taking it one step further. The comprehensive plan should be a default entry on every agenda moving forward.

Mayor Kinnally: Good point. We also may want to do that for the LWRP.

Trustee McLaughlin: Mayor, I do not believe we have ever identified, or at least recently, the members of the committee. Since there are three of them here perhaps you could identify them and thank them.

Mayor Kinnally: Elizabeth Felber, Mary Madigan, Jim Stadler, Kathy Sullivan, and Meg Walker.

Trustee McLaughlin: Thank you all.

Trustee Swiderski: Excellent work.

Mayor Kinnally: Yes, certainly a comprehensive report on the comprehensive plan process. Thank you.

Mr. Stadler: Can I make a recommendation to the public? Comprehensive planning is not rocket science, but there is a lot of information that you have to digest to know the process, the various stages, the various components of it. There is a wealth of information on various Websites. If you start Googling the New York State Department of State, Pace Law School land use, or Westchester County planning, the public can start getting ideas of exactly what a comprehensive plan is. It is more like putting a jigsaw puzzle together. You have got a lot of little pieces, and you will come up with this picture at the end of the process. Educate yourself, and off we go.

Trustee Swiderski: May I suggest a page off of the Village Website with exactly those links and this current document and all other documents.

Mayor Kinnally: There is a link for planning documents already.

Trustee Swiderski: This will be its own.

Village Technology Assistant Corso: It is not a problem.

Mayor Kinnally: Perfect. And maybe we could have a link back from the planning documents.

Village Technology Assistant Corso: Yes, I can put it anyplace it needs to go.

3. Liaison Assignments

Mayor Kinnally: I have the assignments for the year.

Affordable Housing	Jerry Quinlan
ARB	Lee Kinnally
Arts Council	Diggitt McLaughlin
Beautification	Jerry Quinlan
Chamber of Commerce	Diggitt McLaughlin
Conservation	Peter Swiderski
Deputy Mayor	Rotating among Trustees according to seniority
Disabled	Danielle Goodman
Draper Review Board	Peter Swiderski
Economic Development	Danielle Goodman
Finance Committee	Diggitt McLaughlin and Danielle Goodman
Fire Department	Lee Kinnally
HRTW	Diggitt McLaughlin
Library Board	Lee Kinnally
LWRP	Lee Kinnally
Newsletter	Danielle Goodman
Parks & Rec	Peter Swiderski
Planning Board	Peter Swiderski
Police Commission	Lee Kinnally
Public Health	Danielle Goodman
Quadricentennial	Diggitt McLaughlin
Safety Council	Jerry Quinlan
School Board	Jerry Quinlan
Senior Council	Danielle Goodman
Village Officials'	Peter Swiderski / Diggitt McLaughlin
Youth Council	Jerry Quinlan

Vision Plan:

Waterfront	Lee Kinnally
Village Core	Danielle Goodman
Residential Areas	Diggitt McLaughlin
Parks, Trailways and Public Spaces	Peter Swiderski
Large Land Tracts	Jerry Quinlan

4. Other

Trustee Swiderski: While we usually do not hand out jobs to commissions, a number of issues have come before the Village over the last year. We have a tendency to bring up good ideas and they seem to fall by the wayside. I would like to put out the half-dozen issues that relate to the Conservation Commission and ask the Board to prioritize them. I want to read these, in no particular order, as a start for discussion at the next meeting and lead to input from the commission.

We have discussed modifications to the building code in Hastings to make it green-friendly, specifically compliant with something called LEED, which is a checklist approach to enforcing conservation on new building. Similarly, suggestions to our municipal government on what they could be doing better regarding conservation on the Village's part: everything from police cars not idling when they are standing still, to compact fluorescent bulbs in every outlet. Leaf blowers, we have gotten more than a few complaints over the years. A review of what the standards are, both at the county level and elsewhere, and see if any of those make sense for us here. Similarly on pesticides, are there standards worth importing into our community and deploying? We have not heard anything lately on what has happened to our participation in the Greenburgh deer study. I would like to hear where that stands. Obviously, where the Conservation Commission thinks they could weigh in on waterfront development. And finally, Entergy is looking for re-approval on Indian Point and the license is up for re-approval. The Village has expressed its opinion on that previously. The Conservation Commission should consider making a recommendation as to what position the Village should take this time around. Entergy is beginning that approval process, and as a possibly affected community in case of a disaster we have the right and responsibility to weigh in.

I think we should prioritize these as a Board and then hand it off to the Commission for their input.

Mayor Kinnally: Good point.

Trustee Quinlan: I agree.

Trustee McLaughlin: Monday night Village Manager Frobel went to Nepera Place to talk with several residents whose homes had been among the worst-affected in the Village by the flooding. He was accompanied by several members of the fire department, Chief Bannon, and Mike Gunther, head of the DPW. I went along, not as the Board representative but because I was curious to see and hear. Coincidentally, while I was on Nepera Place Trustee Goodman was at the meeting of the Citizens' Corps. In discussing what we did with our evenings last night, it did occur to us that we were looking at one big problem here.

I had mentioned at the last Board meeting that after the storm I had seen many people engaging in unsafe things: children playing by the edge of the water when it had a current in it, and so on. I had suggested that the Safety Council might consider developing guidelines about how one behaves during a flood and publish rules that could go on our Website and be sent out when we know we are facing possible flood conditions.

The Citizens' Corps has not had an easy time getting people's attention. It is a FEMA program and it provides a number of resources to any community for coping with all kinds of disasters. Neighborhoods are trained in how to work together. One resident mentioned to me, for instance, that in addition to getting up every two hours to man her pumps she reached a point where she had to carry her furniture upstairs. I know that we have tried to get a citizens' corps started in the high school, and I thought that is where we need young people with strong backs. Enlist them to go out and help people schlep furniture to the second floor. But it is more than that. We can and we must help each other, but we also need education in how to do so. I would hope that out of this mess that we are still finding our way out of that the Citizens' Corps is able to reach out to the neighborhoods and help us help ourselves.

Trustee Goodman: One of our needs is to set up neighborhood helping networks. It is particularly helpful if the dry side of town, in this instance, could have notice and be in touch with, and help, the wet side of town. I am on the wet side and Diggitt is on the dry side, and we are going split the Village in half, identify the neighborhoods, and reach out to key citizens in those neighborhoods to be point people. As someone who was pumping her basement at 1 a.m., it is very stressful and you are by yourself. One of my neighbors saw my lights on. We were calling each other half the night. So it is a comfort.

Some of the residents felt abandoned. The police and the fire cannot be social workers. They have other work to do. That is where the Citizens' Corps could come in handy, just for somebody to talk to, or to say I will check in with you in the morning. If your power is out, I will get the dry ice, whatever. There is a need that we can address as residents one to each

other, so Diggitt and I are going to roll up our sleeves. We have tried this before, but now we are going to put the full court press on our citizens.

Trustee McLaughlin: Could we ask the Village Manager to address what went on here in the last two weeks? There were many citizen complaints, and he has been doing an excellent job in fielding them, as have the Village departments.

Village Manager Frobel: FEMA was here Sunday and yesterday surveying the area, talking to area residents. Most people have made the application on-line, which is what FEMA has been hoping they would do. Most of the damage seems to be to personal belongings rather than structural. The Building Inspector was out during the storm, and I do not think he detected any structural damage problems. When compared to other communities, we did not suffer badly. Meeting with the neighbors last night, ideally we would like to find long-term solutions. Even several inches of rain raises everyone's anxiety in that neighborhood for a variety of reasons, part of which is the erosion that has occurred along that stream. We are going to try some initiatives and see what we can do, recognizing it as a long-term problem that is going to require a great deal of public money to correct. But we would like to do something to begin to relieve some of the anxieties that those neighborhoods in that area have faced.

Mayor Kinnally: I had a conversation today with one individual who said that he would have appreciated people coming by. I said that people coming by and saying hello and whatever get in the way. It is more assuring on my part that the coordination that we had trained for was taking place. I went out on Sunday night and Monday night of the storm, and the area along the Saw Mill was frightening. I had never seen rain that hard, and the impact on that corridor the way it was that night and the next night.

I was pleased with the way the police department and the fire department and the DPW were coordinating things. I know we are not happy with Con Edison here tonight. But Con Edison had panel trucks all over the Village, responding to problems. They continued days after, blowing out the gas lines and making sure that unsafe conditions were remediated quickly so that people could get the power back on. Con Edison has learned from prior problems, and they have set up a response team that is quite responsive at this point.

As I said to the individual today, nobody says that what we do is perfect and we can all learn from mistakes. Or even if mistakes were not made, you can ask if there is a better way of responding. The Citizens' Corps is a good idea. But the coordination is the most important thing. As one gentleman said to me, the county executive was out wading around in some neighborhoods. I did not see you wading around in neighborhoods. I said, no, I was not going to get in the way, and it is pretty dangerous for anybody to go into a flood situation. I

had boots on, but Lord knows what you are going to encounter.

The point is well taken that maybe there should be some guidelines. But what comes to the fore in a situation like that is common sense, stay out of the way. You do not know what you are stepping in, what conditions are underneath the water that were not there before the floods occurred. I commend the fire department and the DPW and the police department for doing what they did. Everybody who asked for help got i .

One further thing. I asked Martin Ginsburg today if he had gotten any input from people around the 9-A site. He said he had not, but I urged him to get a report back to us on that.

Trustee Goodman: Did we have a date to revisit the Boulanger lot or any thought to have public comment? The Boulanger situation is going to continue to fester until people feel they are being heard. I do not think there is any harm in putting this on for public comment. One of the e-mails we got was about petitions that were filed during the planning phase. People do not feel they were listened to. If we listen to their thoughts now it will go a long way to helping us iron out any difficulties we have with straightening out the design.

Mayor Kinnally: I do not have any problem with that. But Fran and I met November 1 of last year with the Chamber and had a lengthy meeting.

Trustee Goodman: I am not talking about the Chamber. I am talking about other citizens that have written.

Mayor Kinnally: The Chamber was taking the lead on this. If you want to have another meeting, that is fine, but we have got to deal with the striping. There is nothing we can do at this point to change the physical layout of the lot. It is what it is.

Trustee Goodman: I do not think there is any harm in letting people come to the microphone and tell us I told you so. They have a right to be heard

Mayor Kinnally: I agree. You want to do it again, we will do it. It is not like this is the first time we have heard from citizens about the parking lot. The Chamber was part of this process all summer long. We invited the Chamber to meetings with the contractors.

Trustee Goodman: That was after the fact.

Mayor Kinnally: No, it was not after the fact. It was during construction.

Trustee Goodman: Mr. Mayor, people feel that they gave input during the design phase or

before and they were not listened to. I am just trying to say just let the valve blow. Let people get it off their chest. It is a no-fault situation.

Mayor Kinnally: Simply because decisions were made that were not consistent with what people's input was does not mean they were not listened to. You, as you sit up here, will get a whole raft of opinions. You have got to make a decision. I am not saying no to having another public session on the lot. But if you go back in the minutes of the meetings over the last year or two, there are few meetings that we do not have public comment on this.

Trustee McLaughlin: People might feel they had been heard if they heard an answer from us. Are we at a point where the Village Manager could put a letter on the Website or send it to the list that says we have heard the problems and here is where we are. For instance, we have talked about the problems with the contractor, but I am not aware that was in *The Enterprise*. Has there ever been anything to tell the public that this problem is pending?

Mayor Kinnally: Our Board meetings do it.

Trustee McLaughlin: Right, but people have to sit through the whole thing.

Village Clerk Maggiotto: We do not have a problem with the contractor. In fact, the contractor called today to find out what we want to do about the striping. There is no issue with the contractor.

Trustee McLaughlin: But there is an issue with the public feeling that they are not listened to because they have not heard from us.

Mayor Kinnally: The Board has discussed this. We had alternatives. I am not saying that all of the alternatives have been fully fleshed out, but right now it is painting over. I do not know how feasible grinding down is, but we have to get a response. I do not know what else there is at this point.

Village Manager Frobel: Compromising on the number of spaces, minimizing the amount of painting over that we would have to do. I used a very mild mixture, hoping that it would not be as offensive, would not be as dramatic.

Mayor Kinnally: Why do we not get the mixture from the contractor who has got to deal with this?

Village Manager Frobel: It is going to be black paint.

Mayor Kinnally: There is black paint and then there is black paint. Certainly there is a paint that will adhere. This is done a lot. Is there highway paint?

Village Manager Frobel: Yes, there is DOT standard black paint.

Mayor Kinnally: I think that is what we should try.

Village Manager Frobel: I used a driveway sealer. I was advised that it would not work. I wanted to see if it would because it seemed to be the least offensive in terms of the dramatic difference between the fresh asphalt and the driveway sealer. It did not work.

Trustee Swiderski: Why is grinding ruled out?

Village Manager Frobel: It would affect the elevation, and they do not think the asphalt would adhere properly. The very thin layer and the thicker layer of asphalt would not bond perfectly. You have got too much wheel-turning in that setting. If it was a straight road you would have a better shot at it because you could put down a tack coat and then an overlay. But here you have wheels constantly moving back and forth.

Mayor Kinnally: And they cannot take off more?

Village Manager Frobel: The drainage works so well.

Trustee Goodman: The pavement would not last forever, so presumably that lot would have to be repaved, correct?

Village Manager Frobel: Maybe 20 years. It is going to last a long time. The stripes are wearing off now, the numbers are wearing off, because with fresh asphalt, the first painting soaks into the asphalt more rapidly than subsequent ones will.

Mayor Kinnally: And once it cures it will adhere better?

Village Manager Frobel: It should. You can try to grind off the paint, too, but that is not recommended because then you are compromising the integrity of that asphalt.

Trustee Goodman: Could we put ourselves on a short leash, then? Because one of the public complaints is the size of the spots.

Mayor Kinnally: That is the whole striping problem.

Trustee Goodman: So then why can we not make a decision and do something about it so that there is a resolution for the public at least on one issue?

Village Clerk Maggiotto: Most of the spots are the size they should be or larger. There are only a few of them, and they are on the far end near Hastings Electric, where they are too small. So we are only talking about a few spots, although those spots are tight.

Mayor Kinnally: But some of them are too big also.

Village Clerk Maggiotto: Exactly. That is why some are too small.

Village Manager Frobels: They all should have been 8 foot by 6 inches, equal.

Mayor Kinnally: Except for the handicapped spots.

Village Manager Frobels: The handicapped are larger. And then we have some range, but as Susan indicated the majority are within the tolerance. We have got a variance. We have got some that are 7 foot 9 inches and we have got some that are 8 foot.

Mayor Kinnally: How many are substandard?

Village Manager Frobels: Seven. By eliminating two of the seven we could make it work.

Mayor Kinnally: But we are losing spaces.

Trustee Swiderski: Not very attractive. What happened to the burning off the paint idea?

Village Manager Frobels: You could compromise the integrity of the asphalt and it will leave a scar.

Trustee Swiderski: Acid?

Village Manager Frobels: Same.

Mayor Kinnally: There has got to be some sort of solution. We should not have to come up with these suggestions. This is the contractor's problem. Not grinding and not acid. But what about sandblasting? It should come up pretty quickly. Keep everybody out of the lot, do it, sweep it up, and go in. Maybe it is too simplistic. Once we have the options we will make a decision.

Trustee McLaughlin: I understand why we do not want to grind too deeply. We run the risk of compromising the drainability of the surface which was one of the prime reasons for doing it in the first place. There is a limit to how far we can grind down. So that means that we need to ask the contractor for ways of grinding, and are there any that will not compromise.

Mr. Metzger: This is about something that Mr. Frobel had brought up after the public comment which has to do with the Community Center. Do we know where the budget is on that? And there was some discussion about furnishing the building. I am curious to know where we at in terms of providing desks, chairs, couches, etc.

Village Manager Frobel: The budget is extremely tight, and I have been saying that from the beginning. The Board knew that. We have purchased all our furniture and it is in storage. We are also bringing back some furnishings that were used previously.

Trustee Quinlan: I want to reiterate my thanks to the fire department, the DPW, and the police for their actions during the storm. A lot of these guys were up all night, and they went to work the next day. It was a fantastic effort on their part.

Mayor Kinnally: Jane Gross, who is always in the middle of flooding in the Village, had a very nice column about her neighbors in the *Times*. It was the Thursday after the flood. It really was great, so I dropped her a note and she responded.

I mentioned at the last meeting the death of Stu Cohen, a former resident and police officer of the Village. There was a "10-13" fund-raiser last Sunday in White Plains; "10-13" is an officer in distress. A number of people from the community were there: the fire department, the police department, Jen Corso was there. I was astounded at the turnout, not only of people from the Village but from law enforcement agencies throughout the county and New York City. It was just overwhelming, the number of people that were there and the amount of money that was raised for the family. Anyone wishing to contribute to this fund, contact either Tommy Drake here in the Village or the district attorney's office.

ADJOURNMENT

On MOTION of Trustee McLaughlin, SECONDED by Trustee Swiderski with a voice vote of all in favor, Mayor Kinnally adjourned the Regular Meeting at 10:40 p.m.