

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
REGULAR MEETING
AUGUST 5, 2008**

A **Regular Meeting** was held by the Board of Trustees on **Tuesday, August 5, 2008 at 8:01 p.m.** in the Meeting Room, Municipal Building, 7 Maple Avenue.

PRESENT: Deputy Mayor Jeremiah Quinlan, Trustee Peter Swiderski, Trustee Diggitt McLaughlin, Trustee Danielle Goodman, Village Manager Francis A. Frobel, Village Attorney Marianne Stecich, and Deputy Village Clerk/Secretary Linda Knies.

ABSENT: Mayor Wm. Lee Kinnally, Deputy Village Manager/Village Clerk Susan Maggiotto

CITIZENS: Fourteen (14).

Deputy Mayor Quinlan: Mayor Kinnally could not be with us today because he is on a well-deserved vacation, and we will miss him.

We have two presentations tonight, and right now I do not see either of the parties present. I expect them to be here momentarily.

WELCOME - NEW VILLAGE BUSINESSES

1. Hastings Station Café

Deputy Mayor Quinlan: Trustee Swiderski has requested this item be on the agenda. There are two new businesses in the Village. They are present tonight, and we welcome you. It has been decided that we would like you to make a three-minute presentation about your new businesses, what your hopes and plans are for the future. We wish you all the success in the world. As everyone knows on this Board, our Village is very important to us and the businesses are extremely important to us. We love our Village, we need our Village, we need a thriving village, and we welcome you. Who would like to go first?

Avi Schwartz, owner - Hastings Station Café: I would like to thank you, the Board of Trustees of the Village of Hastings, for inviting me this evening to present myself and the Hastings Station Café business. I believe a year ago we had our first meeting, where the MTA introduced me to the Village of Hastings. We had a meeting, and my wife and myself left amazed. The reason we left so amazed is because of the keen interest and the word of support that Mr. Frobel and other Village officials gave us at this meeting.

Since then, everything through the opening, which was 10 weeks ago, the same atmosphere and feeling we had in this meeting we are feeling the same support from the residents of the Village. It's amazing to see people coming into the Station with a smile and words of support and encouragement. It is really helping to go through this, at least the days of the opening. What I see is that the Hastings Station Café is, of course, a place for the commuter. These are the captive customers I have, but I see a lot more during the morning rush hour. What I envision this place to be is a junction, a place where people can just get together and meet for good coffee and good food, but a lot more than this. As you all know, I engage in some music events, but I would like to take it further. Come September, I have already spoken with local musicians and artists and would definitely like to create this place as a place for activities and so on.

I want to thank you again for inviting me. If anybody has suggestions about activities or anything regarding the Hastings Station Café they are very welcome. Thank you.

Deputy Mayor Quinlan: Thank you very much, and welcome to Hastings. We wish you the best of luck.

2. Photography Studio

Deputy Mayor Quinlan: I understand there is someone else with a new business here. Please, if you could come forward and just give us your name and the location of the business.

Kevin Van Tassel, owner - 8 Main Street Photography Studio: First I want to say thanks for having me. Being a resident of Hastings, I look forward to serving Hastings and the community and, of course, the Board of Trustees. We have a full-service photography studio. That is basically it. If I can do anything to help out the Board, or Hastings, please just give me a shout. We are right across the street. Thank you.

Deputy Mayor Quinlan: Thank you very much, and good luck.

PRESENTATIONS

1. 422 Warburton LLC

Deputy Mayor Quinlan: The first presentation is from Urban Green. First of all, introduce yourself.

Kerstie Greer, Urban Green Builders: I have been with Urban Green for about a year, so a lot of you have been involved with 422 Warburton longer than I have. But James and Eric told me that you wanted a presentation about finishing up the project, so I am here to answer any questions and do what I can.

Deputy Mayor Quinlan: What we are most interested in is what is left to do and how long it is going to take you to do it. Do you know the answers to those questions?

Ms. Greer: Yes, I do. The way I see it, and the way the project superintendent sees it, there are only a few big items left to do.

First are the exterior metal railings and the spiral staircases that go between the buildings. As you know, it is a steep slope so a lot of the ledges have to be protected with railings. Those are currently being fabricated and will be installed in the new few weeks. The next big item is landscaping in the back. The front is being done and is just about complete now. The back will start in the next couple of weeks and should only take a week or so to finish. The last big item may prove to be the hairiest, and is the geothermal system startup. All the tie-ins are being completed now and all the individual heat pumps are in the individual units, but the whole system and the wells have to be started up. That should start next week.

Everyone I talk to, there seems to be a consensus of early September for a C of O.

Deputy Mayor Quinlan: One of the communications I would like you to bring back to Mr. Anderson and James is that the people in that neighborhood are very concerned about when this project is going to be finished. I am just going to guess, but I would say this is probably being built for approximately the last three years. And I know you have only been with the company for a year. The people in the neighborhood have had to put up with a tremendous amount of normal noise and construction debris, but it is the length of time that it has taken. Basically, the Empire State Building was built in about half the time that it has taken 422 Warburton to be built. This is a concern to the neighborhood and a concern to me. If you could just take that message back for me to the developer I would appreciate it.

Ms. Greer: I will, and I understand. It is certainly a concern for us, too, and the sooner we finish the better for everyone.

Deputy Mayor Quinlan: I understand. The next question I have, and then we will open it up to the Board, is that I have only heard a rumor, and I do not know if it is true but I have heard a rumor, that the developer is thinking about charging for the parking spaces for the tenants of that building. Is there any truth in that rumor?

Ms. Greer: I do not believe so, no.

Trustee McLaughlin: May I speak? I live around the corner from 422 Warburton and have spent a fair amount of time looking at the building. I do have several questions, although the first does not come because I am a neighbor. It comes because I am a Village Trustee, and because Village employees have applied to live there. If you were somebody who had been accepted for a place, when would you know to give notice to your current landlord?

Ms. Greer: In terms of when you should anticipate your current lease expiring?

Trustee McLaughlin: When you should anticipate that you will be able to move in.

Ms. Greer: That I cannot answer. If the C of O happens early September, then if you take it on a month-by-month you can anticipate people moving in October 1st. That would be a safe bet.

Trustee McLaughlin: Would people that you would anticipate moving in by October 1st be told before September 1st that they can do that?

Ms. Greer: Yes. And I do want to mention that I have been involved with the tenant selection process a bit, and I know that we have had a lot of communication with people who are on the lottery list and letters have gone out. I hope potential tenants do not think there has been a lack of communication.

Trustee McLaughlin: I cannot speak to what potential tenants think. I just know what I have heard.

Another question I have is about, I do not know what you call it, the plaza on the south side of the building. I am really concerned about the tilt to that. It has such a grade that I think older people would have difficulty with their footing on it. You expect it to be level, but it is not. I understand, of course, you cannot have something that is totally level with the bubble right in the middle of the spirit because then you would get ice forming and so on. But the grade there, it feels hazardous to me just walking on it. Do you have any comment? Has anybody else besides me commented on that?

Ms. Greer: No one else besides you has noticed anything like that, but that courtyard was built to plan so I am sure the slope has been called out in the site plan. If not, I will mention it to James and to the site project super and see what they think.

Trustee McLaughlin: One last question. Again, I am not an architect, but I have been around buildings. In fact, I have lived in buildings all my life. I have felt that a certain amount of the finish around some of the ground floor windows looks to me like it provides entry for moisture. I am just curious. Is there any remaining finishing to be done to the window frames?

Ms. Greer: It depends on when you saw it. I know a lot of caulking has been done recently, so if you mean where the brick meets the window frame it may have been caulked since then. But so far we do not have any leaks, and it has rained quite a bit so I think we are in good shape there.

Trustee Goodman: Thank you for coming. I have a question that was passed to me from someone who had been watching the project. I did not know the answer to this so I am putting the question to you. The upper parking lot, which was paved over in asphalt, someone asked me if that was, in fact, supposed to be Grasscrete or something porous as opposed to the asphalt. I was a little stunned when I walked up there myself because there is nothing green about that building.

Perhaps it is our site plan regulations, and I would hope if a Village building is ever built again, at least while I am here, that we have some discussion, or encourage a different culture, about how we are finishing. That was a hillside, and yes, there was an abandoned building there. But now it is just wall-to-wall concrete, brick, and the like. Perhaps you do not know about the specifications, but maybe you could check on that for us, please.

Ms. Greer: Sure. I cannot speak to that.

Trustee Goodman: And if it was all asphalt, then perhaps that is something we could look into. I do not know if we are planning on building any more buildings right away in the Village, on Village land.

The last thing was just the concrete wall, the retaining wall. I know it has to be there. I know the original building plan was supposed to be yet another set of buildings, and because the citizens in the neighborhood valiantly stood up for the fact that that building was just going to overload their neighborhood they got a courtyard and a vest pocket park. But it is cement, and I do not know if we have any thoughts about ivy.

Ms. Greer: Ivy is already planted there.

Trustee Goodman: And that is usually not the best treatment, but it is sort of shocking to me how much concrete and asphalt there is. To the extent you could look at the site plan and

tell us, it would be good to get an answer back, even a quick email to Mr. Frobel. Because I will save that. If it was spec'd as asphalt, then we need to clean up our act here and make requirements of builders, on Village land anyway, to do something that is porous. There is porous concrete, there is Grasscrete, any number of things we could have asked for probably. So thank you for coming tonight.

Trustee Swiderski: A question about the success in identifying enough candidates for the apartments. Has Hastings identified 10 candidates? And did Greenburgh, in the end, go through the process and identify theirs?

Ms. Greer: We have identified 10 Hastings tenants and have tried to help in the process of selecting the Greenburgh tenants. It would appear that initially we have two for the four Greenburgh units who meet the qualifications, and need to find the other two, or help them find the other two.

Trustee Swiderski: And the 10 have been identified for Hastings.

Ms. Greer: Yes, 10 are very far along in the leasing process.

Deputy Mayor Quinlan: If you could just take a seat right there next to the microphone because there are some members of the public that may have some questions or some comments. So do not go too far away. I see Cindy first.

Cindy Travis, 427 Warburton Avenue: I am across from this monstrosity. I know for sure that that site plan approval was based on Grasscrete in the parking lot. The whole reason they insisted they were going to get such a large space for parking is that it would be green and would have a way for the water to go into the ground, and the Grasscrete would provide that. So unless something has been changed in some meeting since that site plan approval, then it was never meant to be asphalt.

Also I want to ask about the so-called benches in the plaza. There is one stone bench that is very close to the street, and then there are these little zigzags on the plaza that I am not quite sure what that was meant to do. But it is not public-friendly, just some zigzags. Are they providing more benches?

Third, the ivy that has been planted is ground cover. So if it is going to be going up the wall it is going to take many years to get there because it is not something that is going to just happen to grow up the wall by itself. I would like these answers very fast and somehow put out to the public because it feels like there is something that's slipped through, okay? Thank you.

Jim Metzger, 427 Warburton Avenue: I share Cindy's concern. I was under the impression it was supposed to be two benches in that plaza. There is a large plaza that is basically unusable except to walk by it. I was also under the impression that the plaza would provide a place for people to sit and wait for the bus when the bus stop was moved back to its original location. That is going to be a difficult thing to do because there is now a retaining wall between the bench and what would be the bus stop. So there are some issues there.

But there are bigger problems, I believe. I raised an issue approximately two-and-a-half years ago, about drainage coming off the parking lot, which is when we were discussing this whole concept of Grasscrete. We had some fairly severe rains over the weekend and, as one of my neighbors pointed out, there is a single 4-foot square catchbasin for that entire parking lot. I think the parking lot is somewhere between 6,000 and 8,000 square feet. Now, I am not a civil engineer, but I would venture to say that one catchbasin of that size is not sufficient to catch the water coming off there. If you get any leaf debris on that catchbasin, which will happen the first time we go through a change of seasons, that catchbasin will be totally ineffective.

We had water running down Division Street this past weekend, and weekends before that was nothing short of a tidal flood. I raised the issue that if we had flooding in our part of the neighborhood, and it was part of this project, that lawsuits would ensue. I was assured it would be dealt with; I do not believe it has. I am raising the issue again in public: somebody needs to take a look at this before it becomes an issue.

Secondly, the paving in the plaza is over, I estimate, about 8 inches of asphalt. It has always been my experience that when you are putting down open pavers on open ground that you have drainage underneath those. There is no drainage under those. My feeling and, again, I am raising an issue that may come to fruition in the winter, is when water soaks in under those pavers and then freezes all of those pavers are going to start to pop. I do not believe they were installed properly. Somebody needs to check the construction details on that.

Last, but not least, the dollars for parking was addressed, I believe, about two years ago when Mr. Anderson came before this board and said he was thinking about charging. A great hue and cry went up. This is affordable housing, folks. This is not for people who can afford to park their Bentleys off the street. He was told then and there. This may be a rumor, but it is a rumor that has become very prevalent. I will tell you that if they charge parking for that I believe that we need to start going at the state level and start investigating whether that is something they can legally do, being that this is affordable housing. Thank you.

Deputy Mayor Quinlan: Is there anyone else that would like to make any comments or questions? Anything else further from the Board?

Trustee Goodman: I have a question. Who has title to the building, or the ownership? It is not coming to the Village, is it?

Deputy Mayor Quinlan: No.

Trustee Goodman: It remains with the builder who built it?

Village Attorney Stecich: Not necessarily stays with that builder. I am not sure whether it will go to another corporation they create, but there will be a successor corporation to 422 if it is not 422. But it is never coming to the Village.

Trustee Goodman: You see where I am following. Once we give them the C of O, we do not have any way of enforcing if there is something really defective that happens. I just want to make sure that somehow the Affordable Housing Committee is not an owner so we do not get dinged with some sort of defective construction problem that we are left holding.

Village Attorney Stecich: I have been working with James on an easement agreement just for that public plaza, just to make it sure that although it is owned by them they are responsible for all the maintenance, responsible for all the insurance and everything else, but the public can use it. And in the course of that I had a question. The original easement will be between 422 Warburton Corp. and the Village on behalf of the Village residents. What successor corporation there might be, I assume there will be a successor corporation, I do not know what it is. But the Affordable Housing Committee is not an owner in this. The only owner in it is 422.

Trustee Goodman: Here is my concern, given issues with site plans and the like, right now we are in a position to follow up these concerns. We should get all the answers to our satisfaction before the C of O is given or we are kind of going to be out of luck, right?

Village Attorney Stecich: You mean the issues raised tonight?

Trustee Goodman: Yes.

Village Attorney Stecich: For instance, if the site plan says, and I do not remember, that the parking lot was supposed to be Grasscrete it has got to be Grasscrete. And they cannot get a C of O if it is not. I do not remember that being part of the plan; I do not remember it either way, but I know that there was no change. If somebody recalls that being there, it just was

not one of the issues I focused on. I know that was not changed. If the plans for the plaza showed two benches, there have to be two benches before they get a C of O. So everything that was on the plans has to be compliant before they can get a C of O.

Trustee Goodman: Forgive me because I do not know the answers to these questions, but who in the Village checks that?

Village Attorney Stecich: The Building Inspector. It is the Manager that gives the C of O, but it is upon the recommendation of the Building Inspector. It is the Building Inspector.

Deputy Mayor Quinlan: That would be Deven and, of course, he would meet with Fran. Manager Frobel has heard the concerns today. I know he is taking notes, and I am just going to ask him to make sure, and I am sure he will, that all the conditions of the site plan approval are met. And if they are not met, then we can bring it back for further discussion about whether a certificate of occupancy should be issued. I do not think that will be a problem.

Village Attorney Stecich: In addition, on these bigger projects, if he has a lot of conditions Deven always runs it past me to go through the conditions to make sure they are all met. Because some of them are sometimes different agreements and whatever.

Village Manager Frobel: And if I have any hesitancy we will call in consulting engineers to verify the data and to triple-check. I am concerned about some of these drainage concerns pointed out today if, in fact, they are accurate.

Deputy Mayor Quinlan: We will check them out. Those are serious concerns, and I am glad that they were brought to our attention.

Trustee Goodman: Can we also do our diligence? The citizens are not always home. I think we have to confirm how much water is coming down for ourselves, and photograph it and try to get a handle on it.

Deputy Mayor Quinlan: Danielle, no one works harder than you, and I am sure you will be out there with your camera and investigating it. I look forward to your reports.

Trustee Goodman: I am saying I can watch the water in my neighborhood, which I do.

Deputy Mayor Quinlan: We will just have to spend more time down there, I think. I plan to, too. I was down there last Sunday just looking at the building and the parking lot, and seeing what progress was made and what has not been made. I am happy to hear that you

think that it may be finished by September. I know you have heard these concerns tonight, and I hope you bring them back to Mr. Anderson and James. Again, I know that Mr. Anderson has this project, he had a project at 45 Main, and I know that he owns property at 10 West Main Street. I would like you to convey to him that the success or the failure of these properties will not be forgotten by any member of the Board or the community. Anything further?

Trustee McLaughlin: I realize that we are not going to hold up a C of O on an issue of clematis versus morning glory, but I am curious to know what we are going to do about that wall; if what has been planted to climb up the wall, in fact, is a ground cover. How do we ensure that something that is proper for the task gets planted?

Village Manager Frobel: I think we would have to check the site plan. I am not sure how detailed the plan is. I am just not familiar with it. I will have to check with Deven, and work with Marianne of course, and if it specifies it, what is the goal here? To camouflage the wall, make it visually, aesthetically more pleasing?

Trustee McLaughlin: It is this huge expanse of concrete.

Village Manager Frobel: Then the site plan may get into more detail. It may specify a type of creeping ivy rather than something that is a ground cover. That is very basic.

Trustee McLaughlin: Climbing.

Village Manager Frobel: We will find out, and that may be in the category of trying to put pressure. If it is inadequately depicted on the plans, then we will have to try some pressure on him to do it properly.

Trustee McLaughlin: I am curious about my perception of the instability of the terrace. Jim, I do not know if you recognized yourself the slant on the terrace, but it seemed very perceptible to me that there was a tilt to it that was beyond what you would expect of a public space.

Mr. Metzger: There was. There are legal requirements for these things and, off-hand, I am not familiar with them. It was an uncomfortable feeling, let me just describe it that way. Part of that plaza that is behind this low retaining wall was relatively flat, and then there is a relatively sharp drop-off as the plaza pitches toward the building, which is an unusual situation anyway. Typically you do not want water pitching toward the building, you want it pitching away. So it is an unusual situation. I do not know whether it satisfies legal

requirements for level grade, and that is something certainly that Deven Sharma, the Building Inspector, could look into.

The one other thing I wanted to point out about that large concrete wall is, if it was not in the plans to conceal that wall behind some sort of planted cover, and generally it is easier, by the way, to have cover grow down rather than grow it up, aside from that, if that wall was meant to be exposed because there was nothing in the plans to indicate that it should be covered, you typically do finish concrete work on that. The concrete that is exposed on that wall is the concrete that was left after the forms were pulled; it was never finished properly. So one thing or another needs to be taken care of from the visual standpoint there.

Deputy Mayor Quinlan: Thanks, Jim. Anything else from the Board? Kerstie, thank you very much for coming. Please ask Mr. Anderson, if we make another call to Urban Green that maybe we would like to see him here. I know you have only been working for him for a year, and I hope you have been treated with courtesy, as you should be. But there is a lot of frustration in this Village about that project, and we hope to see Eric here some day soon. Thanks.

Trustee McLaughlin: Thank you for coming.

Ms. Greer: Thank you.

2. Harvest on Hudson/Waterfront Parking Issues

Deputy Mayor Quinlan: Our next presentation is from a very important and attractive business in Hastings. My good friend Angelo is here, and Bruce. Angelo, would you come up and introduce yourself. I think we will start by telling why we asked you here. We can start with that, and then just move on. I know this is going to be a successful meeting of the minds tonight; there is no doubt in my mind.

One of the reasons that Diggitt and Danielle and I asked you to come tonight was that we are concerned about the parking. I know because I have been there, and really enjoy your restaurant that it has become very successful. Our Village park, as you know, is getting more and more use, and now we have the beautiful Kinnally Cove. So we do have a parking crunch there, and we are going to have to cooperate fully with each other to solve the problems of not only the restaurant users but also the park users.

That is basically why we are here. Let me start off with one question. I think it is the easiest thing we can solve, and I have witnessed it myself. In the past, the people that you have hired to do the valet parking have been parking in the nine parking spaces on the south end of

the parking lot, which I know you own but which we have negotiated a fair resolution to the problem, in compliance with the site plan approval. The signs clearly say Three-Hour Limit, Park Users Only, Dawn to Dusk. What nights do you hire valet parkers to park your cars? Friday night, Saturday night?

Angelo Liberatore, owner - Harvest on Hudson Restaurant: Usually Friday, Saturday, and Sunday, based on some events and things like that. So it is a little random. Just depending on reservations and things like that we will bring in extra people if we are busy, it is a nice day, or something like that.

Deputy Mayor Quinlan: To me, that seems like a very simple solution. You have the valet parkers, they have to be instructed that they cannot park in those spaces. Is there any problem with that?

Mr. Liberatore: No, no, that's an easy one.

Deputy Mayor Quinlan: That is very simple.

Mr. Liberatore: They have actually been getting that; they are learning.

Deputy Mayor Quinlan: But the point of the matter is Angelo, you have your own business, I have my own business. You know, if you tell somebody to do something three times and they do not do it, what would you usually do? I know what I would do if I told one of my employees three times to do something and they did not do it. I would say, I think it is time for you to seek another job, or more employment. I think that is a very simple solution. It is not they are getting better; it is either they are going to park there or they are not going to park there. And if they do put cars in there, may I humbly suggest to you that you find someone who will not. Is there a problem with that?

Mr. Liberatore: Not at all. I believe we addressed this with Fran Frobel and the police chief. They have been monitoring it, as we have, and I think we have come to an understanding with our valets that they will not be parking there.

Deputy Mayor Quinlan: Good. So that is moving forward. And there will be some spaces by the cove, so we will have the same kinds of signs. We are trying to make a perfect balance between the restaurants, the businesses, and the parks. And I think that is easy. I think the tougher situation is when you do not have valet parkers. This is where the problem arises, and I do not really know what the solution is. Because someone comes in to your restaurant, and they see a nice parking place there and they see the sign. There is no valet parking, and they say, Wow, that is empty, and I do not care about that sign. I am going to

pull my car in there and I am going to go in and have dinner. That is a problem for you and it is a problem for me.

The only solution I can think of, and I have asked you guys to wrack your brains because I know how smart you are and how successful you are, maybe, just maybe when they come in, let us say I walk in. You say, what is your name? Mr. Quinlan. And I say, Do you have a reservation? They yes or no. Maybe you could remind them, I hope you have not parked where the signs say the park users are parking. If you have, maybe we could get somebody to go move your car or something. I do not know what else to suggest because you cannot be out there watching it. We do not have the manpower to watch it; you do not have the manpower to watch it. So what is the solution to that? Do you have any ideas other than just talking to them when they come in, telling them how important it is, and hoping for the best?

Bruce Bernacchia, owner - Harvest on Hudson Restaurant: We can make an effort at monitoring it and keeping an eye out for who is parking there, and having little reminder notices sit on the front desk that there is separate parking for park and restaurant. Make an effort so it is visible when they come in as well as the signs that are out there.

Mr. Liberatore: That is a good idea. As we have always done, we have always tried to work with the Village. I do not know if many of you remember what the park was like before we got there. It has been used, and is being used, a lot more now. It is something that we are very happy to see. We have welcomed people to park in our valet parking, if you would like, as a Village resident. We do not restrict parking into the park. We have said it over and over again, we want people to go in the park. It is going to be our customer there one day, and in our restaurant the next. We want it to be a good relationship.

Deputy Mayor Quinlan: I understand that. I think we just have to keep working together to make it work. I was on the Zoning Board, as you recall, when the variances were granted for the parking. I was not on the Planning Board, obviously, but I was on the Zoning Board for the site plan approval. We know what the conditions of those are. I think we have to work together, we have to stay on it. Because the bottom line, at least for me, and the rest of the Board can speak for themselves, when I took this oath of office my charge was to protect the public and to protect the public park. We did not ask for a lot. We have those nine spaces. You know me, Angelo, and I know you. I will do what I have to do to protect the public and have those nine spaces available for them, despite what I hope remains our close friendship. Does anybody else have anything to say?

Trustee McLaughlin: About a month ago, late Saturday afternoon or early Saturday evening, I was down there and the valets had parked two cars touching right in front of the entrance to MacEachron Park. They were so close to the entrance that you truly would have

to climb over the car to get in the walkway to the park. Of course, the alternative is that you walk into the parking lot into the other entrance, but that is not marked. And, of course, handicapped access was therefore nonexistent because of what the valets had done. Perhaps you could include in your instructions to them that they not block that entrance. Thank you.

Trustee Goodman: I just have a point. I was one of the Trustees that asked you to come so I am very grateful that you disrupted your business schedule to be here with us. But I could tell you that I could just about set my clock as to when the complaints are going to roll in about parking issues with Harvest. They begin in June, and become at a higher pitch in July as the weather gets nice. We are getting those emails, we are getting those phone calls, and we are getting those stops in the street.

So when it was suggested that you meet again with Mr. Frobel in the back office I did lose my patience. Because you should understand the gravity of the situation. People view Harvest as a great citizen of this Village, and I know you have done things very anonymously to help the Village and I am grateful for that. But the picture at large, we only have the one park on the waterfront and everybody is hungry for waterfront access. I cannot turn the clock ahead 10 years to when the waterfront is going to be cleaned up, so all we have right now is this one overused park that is in a breathtaking place. People are concerned about the parking spaces.

The other concerns, not raised tonight but raised to us privately, is the safety of the driving of the valets. I have not witnessed this, but residents say that there is vying for spaces. That if someone is pulling into a space the valet was trying to beat them out to get to the space; the park spaces, the nine. So I am concerned about safety. It is crowded, there are children of all ages. Some of them, their parents let them go because everybody assumes it is safe. So it is a liability for you, too: it is an accident that would be on your property. But I wanted to bring that to your attention. There was, and I do not know if it is still going on, at least a couple of complaints to us about aggressive driving. So we are concerned about that.

The other thing that was brought to our attention was restaurant users leaving behind litter, glasses, and garbage. That is a complaint that has been ongoing. At least one resident complained last year and complained again this year. So I would just ask that you help us keep the park clean. I do thank you for all the plantings. I think the restaurant enhanced the park. And it is breathtaking, especially your sunflowers, my personal favorite. If we could work with you in a way that will enhance your business, we just implore that you not interfere with park use because that is how people view it and I would not want there to be a bad relationship or any bad feeling between the Village and the restaurant.

Diggitt, thank you for bringing up the handicapped access. Just so you understand, the little bit of blacktopping you have, the entrance to the park that goes from your parking lot into the grass so that a wheelchair would not have to go up that gravel path, is an easier way for people to get in. I know there is parking going on there. But I just wanted to at least bring it to your attention that it is a way for people to get into the park.

Mr. Bernacchia: I think that was chained off by the Village, though.

Mr. Liberatore: We do not have a problem accommodating any of these things. We will stay on top of the valets to make sure you can get in to the park access, they do not block that, and just make sure that there is enough access there. Just by nature of the fact that there really is only 90 to 100 yards of public street that is accessible parking for the park it is going to be an issue. We are going to have to deal with it, try to be as accommodating as possible to each other and make sure that there are always some spaces left over. There is just not a lot of space there, between the Metro-North, between what is left over, between our lot, and between the Village street that ends at that parking lot. That is not even a street that extends any further. But we have the problem working with this on a regular basis. There has never been a time when anybody could not come to us, or called us and said, Stop by, we have got another issue or something we did not think about that we can try and resolve. So if anything comes up, it is as simple as a phone call: Okay, this is a problem that came up which we had not contemplated.

Again, the parking, handicapped, that goes on the valet list also. If they are aggressively driving, I know there was a complaint recently. I do not think it is an epidemic. We have been valet for almost 10 years and I do not think we have had an accident yet. That is no guarantee for the future, but it is something that we will stay on top of, and make sure there is always access. And clean the park. We are there every day. It is not a common thing for guests to leave anything out there, and we clean the park every single day. We have a couple of people that go through the park, the parking lot, and the street. Every single day everything gets cleaned. Often there is a reference to somebody that comes into the park, a guest, and they have left something. You ought to see our parking lot with people that are going to the park. People leave behind all sorts of stuff so we clean the park every day. We are very conscious of that. Whatever issue we have got with the valets, we will just stay on top of it and make an additional effort. And, in addition, make sure that even when we do not have valet that there is some notice up front, verbal or even written in a little sign, to understand there is a difference between park parking and the restaurant parking.

Deputy Mayor Quinlan: Now we are just going to let the public, a few people here . . .

Trustee Goodman: Can I just make one other comment that was brought to us about the valet, just so you understand how the public reacts to using the valet parking. First of all, they come out of the park and they are sweaty. You know, they do not want to go back up to Harvest where people are at affairs and the like to get their cars. The other thing is, people feel that they are paying enough in taxes, and they feel inclined to tip. I guess people feel that using the valet is not so great; they do not view it as a plus in this situation or as a response to not having the ability to park in the nine spaces. One suggestion that was given to us is that there just be a sign, Park Users Not Required To Tip. I am not saying we should do that, but I am just telling you how the public feels. I would be remiss if I did not give you that information. You know, people do not feel, if they are using the park, that they want to rely on the valet parking.

Trustee McLaughlin: May I just add one last thing, in terms of the lines of communication? The residents complain to us, we discuss it with the Village Manager, the Village Manager discusses it with you. Where the breakdown in communication appears to be is with the valets because they are the people who are creating the problem. So we really do need to rely on you to make sure they understand what your agreement is with the Village.

Mr. Liberatore: We will take care of that.

Deputy Mayor Quinlan: Thank you, Diggitt. Just have a seat for a second. Let us see if anybody has any comments.

Michael Curtis, 328 Warburton: I have not gone down to the park in a few years. A few years ago my wife and I tried to park there in the evening and the valets were very intimidating. At that time I did not understand that the parking lot was designated for the benefit of Harvest. We enjoy Harvest, we think it is a great establishment, we use it. But I have not gone back for a few years on an evening to use the park because of the intimidating behavior of the valets. I thought it was encouraging that you suggested that you would, I do not know if you say it this overtly, but that your valets should be made to understand that maybe yielding to a resident who wants to park there can generate a new customer for your business. That is sort of a nice cooperative thing. I understand parking space is precious for your business, but I am a citizen that has the experience that Danielle was alluding to. I do not use the park now because I feel like I do not have the right to park there and enjoy the park, thanks to your valets' sort of aggressive demeanor. There really was no question, and I was really taken aback when it happened.

Deputy Mayor Quinlan: Thank you, Mike. Anybody else like to be heard?

Elisa Zazzara, 68 Southside Avenue: Just a small suggestion perhaps. The signs that say No Parking From Dawn To Dusk, they are those sort of government-issued signs. Am I right? I do not know, maybe you could put a sign from Harvest that says We Encourage You Not To Park Here So We Can Be Good Neighbors. It might be more listened to than a green government sign that everyone likes to ignore.

Do the valets go to the commuter parking lot? I have been on my bicycle when I know they are driving crazy over the bridge. I know that is an issue, and I do not know if this can be encouraged, crazy eco woman that I am, for some of your clients to park themselves in the parking lot and walk to the restaurant. A nice evening walk after a beautiful dinner, a possibility. So a couple of suggestions. Thanks.

Deputy Mayor Quinlan: Thanks. Anybody else like to be heard on this? Anybody else from the Board? Bruce, Angelo, thank you very much for coming. I know this is going to work out. I know that you have the will to make it work out and that we have the will to make it work out. Thank you very much for coming, and thank you very much for your business in Hastings.

Mr. Liberatore: Thank you.

Mr. Bernacchia: Thank you.

APPROVAL OF MINUTES

Deputy Mayor Quinlan: Any additions, deletions, or corrections from the Board?

On MOTION of Trustee McLaughlin, SECONDED by Trustee Goodman with a voice vote of all in favor, the Minutes of the Public Hearing #1 of July 15, 2008 were approved as presented.

On MOTION of Trustee McLaughlin, SECONDED by Trustee Swiderski with a voice vote of all in favor, the Minutes of the Public Hearing #2 of July 15, 2008 were approved as presented.

On MOTION of Trustee Goodman, SECONDED by Trustee Swiderski with a voice vote of all in favor, the Minutes of the Regular Meeting of July 15, 2008 were approved as presented.

APPROVAL OF WARRANTS

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

Multi-Fund No. 13-2008-09 \$ 7,478.03
Multi-Fund No. 15-2008-09 \$105,377.96
Multi-Fund No. 16-2008-09 \$107,291.72
Multi-Fund No. 18-2008-09 \$113,315.62

PUBLIC COMMENTS

Deputy Mayor Quinlan: Anybody here tonight who wishes to comment on anything that is not on the agenda, please come to the microphone, identify yourself.

John Gonder, 153 James Street: Good evening, Mr. Mayor. Recently I read in an article in a Gannet paper about do dead people's vote count. It got me to think. I believe in Village elections you can have absentee ballots. I also believe that if there was a tie for a mayor's election you have some procedure if there was a tie: maybe a flip of a coin or a revote. I am strictly speaking Village elections. Then this article got me concerned. If you are allowed an absentee ballot, and for some reason the person is demised at the time prior to the official election date, do you count his or her vote. I just thought it would be very interesting if you could answer those three questions: absentee ballots, do you count a deceased vote if someone is demised prior to the official election, and what do you do in a tie. Thank you.

Trustee McLaughlin: Jerry, may I speak to this? Mr. Gonder, I am an election inspector on election day. New York State requires us to be recertified every year; we have to go take a three-hour course and pass a little exam and everything. I believe I am scheduled for my three-hour course next week, so I will ask that question. Linda is shaking her head no, but I will ask the question just to make sure election law has not changed, and I will let you know at our next meeting.

Deputy Village Clerk Knies: We don't count a deceased person's ballot.

Mr. Gonder: You do not count it.

Trustee McLaughlin: But Linda, what would happen if you cast the absentee ballot on Monday and you die Monday night?

Mr. Gonder: And the election is the following Tuesday.

Trustee McLaughlin: The election is the next day.

Trustee Goodman: One of his questions is do we have absentee ballots, and the answer is yes.

Deputy Village Clerk Knies: They get opened when the polls close. If he was alive when the polls closed, then his vote gets counted.

Trustee McLaughlin: But if he died the night before.

Mr. Gonder: So therefore you do count dead people's votes.

Deputy Village Clerk Knies: No.

Trustee McLaughlin: But if you do not know they are dead.

Deputy Mayor Quinlan: Well, obviously. I think Diggitt has a good solution. She will ask at the course.

Trustee McLaughlin: Yes, I will ask at the Board of Elections how we deal with that.

Deputy Mayor Quinlan: But I will take a stab at it. Yes, we have absentee ballots. Two, do not quote me on this, but I think if you die before your ballot is opened and before the election it probably does not count because I have to believe that dead people do not count. Now, the more interesting question that I do not know the answer to is the tie. You think that is a far-out question, but we know that it is not because it happens.

Trustee Goodman: But that should be in our own Village law.

Deputy Mayor Quinlan: Marianne, do you have any idea what it is?

Village Attorney Stecich: No, I think we do not have it. I am not sure, but I do not think we have that provision. Probably toss a coin. I mean, when you do not have a provision that is generally what they do, what they have done in other communities. In Irvington they do not like the tie. They flipped the coin, they did not like that. As a response to that, some municipalities passed a law saying that if there is a tie there has to be a revote.

Deputy Mayor Quinlan: That is what I would like, to be a revote. But while I am explaining the resolutions, maybe Marianne you could just take a look and maybe we could get back to you later in the meeting if you find anything.

Mr. Metzger: A literal piece of housekeeping. I would like to remind people in the Village that we do have pooper-scooper laws in this village. Certainly south of the Warburton Avenue bridge I have been finding that people seem to be forgetting their plastic bags or whatever other means they use to clean up after their dogs. So if you are watching this and you have that issue, or if your neighbors have that issue, please remind them to be good neighbors and clean up after their dogs. Thank you.

Trustee McLaughlin: Jim, as I walked here tonight I noticed something sitting right at the base of a pooper-scooper sign.

Deputy Mayor Quinlan: Any other further public comment before we close the floor?

RESOLUTIONS

86:08 Adoption of Local Law No. 24 of 2008 – Zoning Code Amendments

Deputy Mayor Quinlan: We are now going to consider two new laws for adoption. The first is resolution 86:08, adoption of a local law, number 24 of 2008, that has various amendments to the zoning code. I am not going to sit here and read this zoning code to you, but I am going to try and make a stab at explaining it. I will try to make it short and sweet, and hopefully you will understand me.

This amendment to the zoning code covers a number of areas. We will do the short ones first, and the longer one second. Historically, we have had a definition of one-half story in the zoning code. As Marianne has indicated and I have agreed, and after having served on the Zoning Board for 10 years it was heartily understandable, we are making an attempt to redefine what a one-half story is. This becomes important because we have a lot of buildings and houses in this Village that were built long before zoning codes came into being, and we have a lot of quote, unquote, half-stories or what could be considered half-stories. It is very important under the zoning code whether it is a half-story or a full story when it comes to height restrictions, etc.

So our new description of a half-story to a full story is that we are going to try to measure the story, we will call it, from the floor beams to the ceiling beams. If the height is 7 feet or more, which also includes the stairways going up to the half-story, is less than 50% of the gross area of the floor below, which would be the first floor or the second floor, then we are going to call it a half-story. If it is more than 50% we are going to call it a full story. This is going to be able to give the Building Inspector an easier time to determine whether a particular story is a half-story or a full story. That is the long and short of it.

The second thing that we are going to try to do with this zoning code amendment is try to talk about a completely different topic: that is, building coverage as opposed to developmental coverage. Again, Marianne, correct me if I am wrong, or at least if I am not too wrong correct me because it is complicated. Prior to adopting this law, if it is adopted tonight, our zoning code covered what we considered building coverage. What we are trying to do, if it is passed tonight, is that the Board of Trustees has made a policy decision that we would like to see less concrete in our yards, less impervious surface, more green, more grass, more bushes, more flowers, wildflowers, you name it. But what we are concerned about, if this law passes tonight, is basically paving side yards, rear yards, and front yards and making them into parking places, patios, or just concrete. So we are trying to have a new definition of something called "developmental coverage," which is going to be the sum of the area of coverage, or footprint, of all buildings, structures, driveways, parking areas, and impervious surfaces on the site. What we have done, and Marianne has done, with the Board of Trustees is go through every district in our Village code except for the CC district.

Village Attorney Stecich: Just the single-family, two-family districts.

Deputy Mayor Quinlan: Well, we have, at least in this, the LC district, which is limited industry; we have central office. So I think we have everything but the CC. What we are trying to do is not only find what can be built on and building coverage, but also what we are calling developmental coverage. And we are making that developmental coverage a little bit larger than the building coverage, but not too much larger, so that people cannot have a lot of concrete in their yards.

That is basically what we are going to try to do tonight. We will just use an example of my particular one-family residence, which is on Hillside Avenue and is within the 7.5 residential district. In that, the building coverage will stay the same; it will not exceed 30% of the area of the lot. But the new definition of developmental coverage shall not exceed 40% of the area of the lot. So that means, other than the buildings, if I wanted to put sidewalks, driveways, patios, or impervious surfaces that I could not cover more than 40% of the lot without getting a variance. You can always apply to the Zoning Board for a variance, which is an exception to any part of the zoning code. That is just an example. That is one thing we are trying to do tonight.

The other thing we are trying to do tonight, which I think is important, is we are including and doing a new definition of what constitutes a structure. This is very difficult in any village: what is a structure. We know a house is a structure, we know a garage is a structure. But the question is, is a patio a structure, is an outdoor generator or air conditioner a structure. No?

Village Attorney Stecich: That's the problem. Why it was just the residential.

Deputy Mayor Quinlan: All right. I am just telling what was sent to me.

Village Attorney Stecich: But see, it was the wrong one attached. There was an issue with applying it to the other districts.

Deputy Mayor Quinlan: So you know what? It does not apply to anything but the residential districts.

Trustee Goodman: But the resolution we have in front of us is the wrong one.

Deputy Mayor Quinlan: So who is wasting my time here?

Village Attorney Stecich: Here is the right one.

Trustee Goodman: We have the one that was given notice to the public. I have it in my bag of tricks. I bring stuff.

Deputy Mayor Quinlan: That is what I say, Danielle. What could we do without you. You are amazing. Well, at least the half-story was correct, so we will go back, and the developmental coverage was correct.

Village Attorney Stecich: Yes, that was right. And everything you said about the plus-10% was right, but it is only for residential districts; one- and two-family districts, not for any of the rest of them.

Deputy Mayor Quinlan: How about the definition of a structure. Do we still have the same definition? I do not see it in here.

Village Attorney Stecich: Yes, it is the same. Wait, I am looking at the one you just got. Give it to me. Why do you not go to the next one, and I will compare for any difference.

Deputy Mayor Quinlan: I have it. Here is the structure.

Village Attorney Stecich: I am just trying to make sure.

Trustee Goodman: She has to compare. Let her cross-check it.

Village Attorney Stecich: The whole law may be wrong, the one that is attached to your thing. We have the right one, so just work from that.

Deputy Mayor Quinlan: Let us just continue then. The structure will include, which I think is important, outside generators and air conditioning equipment, which it did not do before. So what was happening was, people were putting in their side yard that type of equipment: outdoor generators and air conditioning equipment. Prior to this law being adopted it would have been permissible in a side yard, without any restriction on how many feet you have to be from your neighbor. Now that will not be allowed anymore. It will have to be in your required side yard or backyard or front yard, or you will need a variance. Also, people have been building swing sets and jungle gyms and similar play equipment, and those are going to be excluded from what a structure is.

I will give you the combination of a structure so everybody knows. It is a combination of materials assembled, constructed, or erected, whether temporary or permanent, at a fixed location, including without limitation a building, a porch, a deck, a patio with an impervious surface, stationary carport, swimming pool, sign, outdoor generator or air conditioner equipment, satellite dish, the use of which requires location on the ground or attachment to something having location on the ground.

That is basically what we are doing. The last thing we are doing, and I am just double-checking the law, is changing the law to having curbcuts. A curbcut is really basically something that you cut your curb so that you can build a driveway into. There is going to be no more than one curbcut permitted per lot unless there is at least 32 feet between curbcuts; in which case a maximum of two curbcuts totaling 24 feet in width shall be permitted.

Fran, I think that is about it except for accessory uses. Off-street parking facilities, but not portable carport or similar structures.

Village Attorney Stecich: That was just to clarify that the code lists permissible uses, and one of them is parking. We just wanted to clarify that you can have temporary carports, those tent-like things. Not clarifying it; to eliminate those as a permitted accessory structure.

Deputy Mayor Quinlan: The last thing I thought important is that we are trying to regulate the construction of driveways. From now on it will be required that a building permit be issued to a person who wants to construct, reconstruct, alter, renovate, demolish, enlarge, move or remove any building or structure or driveway or any portion of any building or structure or driveway, or pave any portion of a lot. You will need a building permit. Notwithstanding the above, a comprehensive plan shall not be requested to repair or repave a

driveway so long as the dimensions of the driveway are not being altered. This goes back to what the theory of the law was.

Would anybody else like to add anything to my explanation of what we are trying to do tonight? I think I got it all.

Trustee McLaughlin: Section four on page two, has that been eliminated? That is the business about walkways.

Deputy Mayor Quinlan: No portion of any required yard shall be paved except for walkways not exceeding 4 feet in width to the principle or any accessory structure on the lot. Those are side lots to, let us say, your house or an accessory structure. If you have a big enough lot it may be a garage, or a driveway with an office above. It is permitted.

Anything else? Are we ready? Jim, hold on for one second. Come on forward. I am just asking the Board whether there is anything else that they would like to explain or like me to explain.

Mr. Metzger: Thank you, Acting Mayor Quinlan. An issue came up a while back about someone wanting to put a curbcut on Warburton Avenue. One of the things I had asked is that the location of the curbcut be situated such as to maximize the on-street parking between that curbcut and whatever the next restriction on parking would be. I would like to know if it would be possible to add something to your curbcut that would say the curbcut should be located so as to maximize adjacent on-street parking to the maximum percent permissible or practicable.

Deputy Mayor Quinlan: That is something we may be able to do in the future but, unfortunately, we are not going to be able to do it tonight because we had a public hearing on this, and we are bound by that public hearing and this law to vote it up or down. But that is a good point.

Mr. Metzger: Were these zoning changes discussed by the Planning Board or by the Zoning Board?

Trustee Goodman: Both.

Deputy Mayor Quinlan: That is what I was going to say next before we go on. That the Zoning Board of Appeals at its July 24th meeting recommended approval of local law 24, various amendments to the zoning code regarding definitions and lot coverage. The Planning Board, at its meeting last night, on July 17th recommended the adoption of local law 24,

which would amend the zoning code to impose limits on development coverage and curbcuts, and clarify provisions relating to driveways and paving, and clarify the definition of structure and half-structure. So the answer to the question is yes.

Village Attorney Stecich: To be a little fuller, Jim, this actually came in large measure from Deven and I. We came up with these things that were just kind of holes in the code or confusions in the code, and did discuss them with the Planning Board the get the Planning Board's read on them. Actually, when it went back to the Planning Board for this, they said, Why are we looking at this?, We are the ones who came up with it. But that is just the process. A zoning amendment has to get referred to the Planning Board and Zoning Board. The Planning Board spent a lot of time on it.

Mr. Metzger: I do not have an issue with any of the zoning recommendations that were brought up. But I have always been curious why the Planning Board seems to discuss zoning changes and the Zoning Board only gets to respond to the Planning Board, as opposed to being involved in the process. Or is that not true?

Deputy Mayor Quinlan: That is really not true. As far as I know they both have equal jurisdiction to recommend or not recommend what they want.

Mr. Metzger: Okay, then I am misinformed.

Trustee Goodman: Can I respond? Some place like Warburton Avenue that is a county road, I thought the curbcuts had to be approved by the county. In Jim's neighborhood, if we tried to regulate the curbcut, it is not necessarily going to be permitted.

Village Attorney Stecich: You are right.

Trustee Goodman: In my neighborhood it is less an issue now. However, I can see, going forward, with things getting renovated, accessory apartments added and the like in the future, that what Jim says makes perfect sense in terms of paying attention to how we are laying these things out because it will impact on street parking. So I think it is a good suggestion, thank you. And I really think we should look at this, send it back for some further treatment or an amendment. We have done that before: we have passed laws and amended them, or talked about amendments as we are passing them. I think this is a good point and we should not leave it on the cutting room floor while we are editing the film.

Trustee McLaughlin: I would go along with that and say fine, what procedure do we follow next in order to get this considered?

Trustee Goodman: Well, we ask Marianne to look at this, to draw up a draft, and to get the Planning Board involved. Maybe the Planning Board will draft something and send it to us because they really have to look at the spatial details. I think for us to try to draft this amendment on our own would waste our time, and I think they are the site planners and I would leave it to their expertise.

Village Attorney Stecich: Just for what it is worth, and it does not address everything you said, Jim, but one of the reasons they came up with the figure 32 feet, that if you are going to have more than one curbcut on your property it has to be 32 feet, was that 32 feet was enough. Before it was 25 feet, and 25 feet does not quite fit two cars. Thirty-two feet fits two cars, but it doesn't deal with the other issue about the one next door. I am not sure, and maybe it is not so much a zoning thing, but probably for a curbcut you should require some sort of a permit. Like you need a street opening permit, you should probably need one for a curbcut. Then you would be able to resolve those things. You know, you cannot necessarily do it in linear feet in a code. That is something Deven and I had talked about that is missing that probably should be in the code. I will put it on the front burner.

Deputy Mayor Quinlan: Thank you, Jim. Good suggestion. We will not leave it on the cutting room floor. Anything else on this? I apologize for my discussion about the limited office use. But it was included in my packet, and these things happen.

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

RESOLVED: that the Mayor and Board of Trustees hereby adopt Local Law No. 24 of 2008 amending the Zoning Code of the Village of Hastings-on-Hudson as follows:

Be it enacted by the Board of Trustees of the Village of Hastings-on-Hudson as follows:

Section 1: Section 295-5 of the Zoning Code (Definitions) shall be amended to add the following new definitions:

BUILDING COVERAGE - The sum of the area of coverage or footprint of all buildings and structures on the site.

DEVELOPMENT COVERAGE - The sum of the area of coverage or footprint of all buildings, structures, driveways, parking areas, and impervious surfaces on the site.

DRIVEWAY - A path for vehicles leading from a street or road to a garage, parking area, residence, or business.

Section 2: Section 295-5 of the Zoning Code (Definitions) shall be amended to replace the existing definition of “one-half story” with the following new definition:

“ONE-HALF STORY” - Any space under a sloping roof where the clear height of not more than 50% of such space between the top of the floor beams and the structural ceiling level is seven feet or more, and where the aggregate area, including stairways, is less than 50% of the gross floor area of the floor below. If the aggregate area is 50% or greater than the gross floor area of the floor below, it shall count as a full story.

Section 3: Section 295-5 of the Zoning Code (Definitions) shall be amended to modify the definition of “structure” as follows (new language *in italics*; delegated language ~~stricken~~):

STRUCTURE - A combination of material(s) assembled, constructed, or erected, whether temporarily or permanently, at a fixed location, including, without limitation, a building, porch, deck, patio *with an impervious surface*, stationary ~~and portable~~ carport, swimming pool, sign, *outdoor generator or air conditioning equipment*, and satellite dish, the use of which requires location on the ground. *As used in the Zoning Chapter, the term “structure” shall not include a driveway, fence, nor a swing set, jungle gym, or similar play equipment.*

Section 4: Section 295-20, paragraph C(2), of the Zoning Code shall be amended to read as follows (new language *in italics*):

(2) Nor portion of any required yard shall be paved, *except for walkways, not exceeding four feet in width, to the principle or any accessory structure on the lot.*

Section 5: Section 295-41 of the Zoning Code shall be amended to read as follows (new language *in italics*):

§ 295-41. Maximum driveway size *and curbcuts.*

A. No driveway shall exceed 960 square feet nor shall be wider than 24 feet.

- B. *No more than one curbcut shall be permitted per lot, unless there is at least 32 feet between curbcuts, in which a maximum of two curbcuts, totaling 24 feet in width, shall be permitted.*

Section 6: Paragraph (6) of section 295-67.C of the Zoning Code (list of permitted accessory uses) shall be amended to read as follows (new language in *italics*):

- (6) Off-street parking facilities, *but not carpeted carports or similar structures*, serving the permitted principle and accessory uses in the lot and conforming with this chapter.

Section 7: Section 295-67 [**One-Family Residence (R-20) Districts**] of the Zoning Code shall be amended to read as follows (new language in *italics*):

- F. (2) *Lot coverage*
- (a) *For single-family dwellings:*
- [1] *Building coverage shall not exceed 25% of the area of the lot.*
- [2] *Development coverage shall not exceed 35% of the area of the lot.*
- (b) *For all other uses*, all buildings and structures on the lot shall together cover not more than 25% of the area of the lot.

Section 295-69 [**One-Family Residence (R-7.5) Districts**] of the Zoning Code shall be amended to read as follows (new language in *italics*):

- F. (2) *Lot coverage*
- (a) *For single-family dwellings:*
- [1] *Building coverage shall not exceed 30% of the area of the lot.*

[2] *Development coverage shall not exceed 40% of the area of the lot.*

(b) *For all other uses, all buildings and structures on the lot shall together cover not more than 30% of the area of the lot.*

Section 295-70 [**Two-Family Residence (2R) Districts**] of the Zoning Code shall be amended to read as follows (new language in *italics*):

E. (3) *Lot coverage*

(a) *For single-family dwellings:*

[1] *Building coverage shall not exceed 30% of the area of the lot.*

[2] *Development coverage shall not exceed 40% of the area of the lot.*

(b) *For all other uses, all buildings and structures on the lot shall together cover not more than 25% of the area of the lot.*

Section 295-70.1 [**Two-Family Residence (2R-3.5) Districts**] of the Zoning Code shall be amended to read as follows (new language in *italics*):

F. (3) *Lot coverage*

(a) *For single-family dwellings:*

[1] *Building coverage shall not exceed 50% of the area of the lot.*

[2] *Development coverage shall not exceed 60% of the area of the lot.*

(b) *For all other uses, all buildings and structures on the lot shall together cover not more than 50% of the area of the lot.*

Section 8: Section 295-100 of the Zoning Code should be amended to read as follows (new language in *italics*; deleted language ~~stricken~~):

§ 295-100. Necessity of building permits and certificate of occupancy.

- A. No person shall construct, reconstruct, alter, renovate, demolish, enlarge, move or remove an building ~~or~~ structure, *or driveway*, or any portion of any building ~~or~~ structure, *driveway, or pave any portion of a lot* without a building permit, nor shall any person occupy or use any building, structure, or premises, or any portion of a building, structure, or premise, hereafter constructed, reconstructed, altered, renovated, demolished, enlarged, moved or removed, without a certificate of occupancy. *Notwithstanding the above, a building permit shall be required to repair or repave a driveway, so long as the dimensions of the driveway are not being altered.*
- B. Except where the Board of Appeals granted a variance pursuant to § 295-146, no building or certificate of occupancy shall be issued for any structure, *driveway, paving*, or premises where the construction, reconstruction, alteration, demolition, renovation, enlargement, moving, removing, use, or occupation thereof would be in violation of any of the provisions of this chapter.
- C. No building permit or certificate of occupancy shall be issued until the applicant has complied with all of the provisions of this chapter, including, without limitation, obtaining any approvals required by this chapter from the Planning Board, the Board of Appeals, and the Board of Trustees and complying with any conditions to which those approvals are subject.
- D. Any person who fails to apply for a building permit or certificate of occupancy as required by law and in accordance with this chapter and who proceeds to construct, reconstruct, alter, renovate, demolish, enlarge, move or remove a building ~~or~~ structure *or driveway* or a part thereof, *or who paves any portion of the lot*, or who proceeds to occupy or use or change the use of the land, shall be in violation of this chapter.

Section 9: All ordinances, local laws, and parts thereof inconsistent with this local law are hereby repealed.

Section 10: This local law shall take effect immediately upon filing in the office of the New York State Secretary of State.

ROLL CALL VOTE	AYE	NAY
Trustee Peter Swiderski	X	
Trustee Diggitt McLaughlin	X	
Trustee Danielle Goodman	X	
Acting Mayor Jeremiah Quinlan	X	

87:08 Adoption of Local Law No. 25 of 2008 – Vehicles and Traffic

Deputy Mayor Quinlan: Now we are going to discuss another law that we hope to pass tonight. I have the law before me, I hope. What we are going to try to do on this law is create more metered parking. If it is passed we are going to create metered parking on the south side of Main Street between Warburton Avenue and the bus stop. The metered parking before this law was passed ended at the hook and ladder. We are also going to discuss, I think, in context of this law a little bit is about replacement of metered spaces that are going to go in front of the Community Center. From the hook and ladder, west, we are going to create parking spaces up to the bus stop if this law is passed.

The second thing are going to do is create meters on the north side of Main Street adjacent to 45 Main. That is where the little cut-in is where people are parking now, and we are going to make that metered parking. One of the things we are not going to consider tonight is putting parking on the north side of Main Street adjacent to 87 Main. That was a section that I asked at the last meeting to send to the Safety Council to get their input on. So although the law contains subsection J, we are going to take that out and not vote on it tonight. Any comments or discussion from the Board?

Trustee McLaughlin: Our designation of handicapped parking spaces is a separate ordinance and has not been included in this. The implication of local law 87:08 is that there would be no handicapped spaces by the Community Center, and personally I believe there should be three right in front of the Community Center. However many there are, we should amend our handicapped parking ordinance to add such space, or spaces.

Deputy Mayor Quinlan: I think that is something we can do. I think it is a good point, Diggitt. It does not have to be done tonight because actually those metered spaces in front of the Community Center are just being replaced. That really is not something we are acting on tonight. Mr. Frobel can comment on this, but I do think we have to consider handicapped

parking in front of the Community Center. What would you suggest is the best way to do it? I would suggest we go back and revisit the handicapped parking section of the parking meter law.

Village Manager Frobel: We could do that. Do not forget, too, in front of the Community Center is an area designated for picking up and dropping off of passengers. I did not think we could actually fit three spots, handicapped only, but we can look at that.

Deputy Mayor Quinlan: You know this better than I do. In front of the Community Center, and replacing the meters, how many meters do you think we can put there, if any? We are not going to hold you to it.

Village Manager Frobel: Four.

Deputy Mayor Quinlan: So we are going to put four meters in there, and we are going to have a drop-off and pickup.

Village Manager Frobel: Yes, and it has already been crosshatched. We have recently painted that area.

Deputy Mayor Quinlan: So I think we can discuss it a little bit tonight. Of course, we can discuss anything, but how many spaces of those would be handicapped? Fran says one.

Trustee Goodman: There is one now. And I thank Diggitt for bringing this up. I assumed, and I think it is one of those things that I thought was going to be included in this law, that when we end our discussions we always end with a summary. Because I am starting to get lost in what we are doing here sometimes. I think it is causing duplication because I really did think when I came in here tonight that I was going to see an addition of spaces on the law. So when I just saw this single sheet I said, Well, obviously, I was not clear. I thought we had a pretty fulsome discussion about the fact that the Busy Bees and the Senior Canteen are at the Community Center particularly on Tuesdays and Thursdays, I think it is, and that certainly three spots would be desirable; in addition to what they do in Dobbs Ferry, and that is to give the seniors passes that they put on their windshields that say Seniors and they get their two hours of parking taken care of.

That is for a future date, but I really did think we were also amending the handicapped street portion. So I thank you, Diggitt, for advocating for three. And I think it was good, given the kinds of events we have in the Community Center that sometimes draw crowds, that we have heard from at least one citizen who is a lifelong resident here that she really cannot attend

events at the Community Center. She drives herself, and there is no parking. She is but one, and I am sure there are others.

Deputy Mayor Quinlan: Danielle, what would you suggest we do? We could put it on for a Board discussion and comment period.

Trustee Goodman: Yes, as soon as feasible, if we could put that on.

Deputy Mayor Quinlan: Would you follow up on that and make sure that we discuss it?

Trustee Goodman: And the other one we need to add so we can do these all at once is in front of the Village hall and the library. If it is called Southside at that point or Maple, we have represented that we were going to put one on the street there.

Trustee McLaughlin: And at the foot of the stairs.

Trustee Goodman: At the foot of the stairs or in front of the library sidewalk, I scoped it out today and the concern I have is that if we put it at the library sidewalk you are already on a grade. Whereas if we put it closer to the Village stairs, although it is a little bit more of a distance to the library ramp, you are near the crosswalk. So that if someone backed a van in, if their ramp was on that side, on the right side, they could back up. There is a crosswalk which would double as a legitimate handicapped spot that would have a van access to it because we do not have anything along there or in the Village parking lot.

So it would probably be best to put it at the stairs, but that could be something we could run by the handicapped committee. People on the committee have handicap vans that they use to transport either themselves or their relatives. We do a trial, and let them help us make that decision rather than me guessing. But it just looks to me like to put it in front of the library, parallel parked as opposed to the last head-on spot, it could be a little safer. But that way we only have to look at that street parking meter law once. I am just reminding us that we did promise we were going to look at that.

Deputy Mayor Quinlan: What I suggest, Diggitt and Danielle, I think it is a good point to keep it on the radar screen, put it on for discussion and comment. Maybe Marianne, you could take a look. I do not know how many spots we are talking about in front of the Community Center. That is something I will have to look at. It will be up for debate.

Trustee Goodman: I just have to point out that able-bodied people can walk. They can park at Boulanger or park elsewhere, but that is something that is lacking right now.

Deputy Mayor Quinlan: And we can have that debate when we are talking about the spaces. There are going to be four spaces. If three are handicapped that would leave one for un-handicapped, and if there is one space that would leave three. So we will hash that out, and talk about it and think about it.

Trustee McLaughlin: Shall we have that on the agenda for our meeting on the 19th?

Deputy Mayor Quinlan: The next meeting is the 19th.

Village Manager Frobel: We wanted input from the disabled persons committee.

Deputy Mayor Quinlan: I think in September might be better because I think August 19th is filling up quite nicely. But when is the disabled committee meeting?

Trustee Goodman: They are going to meet again in September.

Deputy Mayor Quinlan: What do you want to do? You can put it on.

Trustee Goodman: I could call any of them up and they could give us a curbside opinion, I am sure.

Trustee McLaughlin: I think the thing is, it would be nice if we are going to have better handicapped parking facilities in front of the Community Center to have them in place by the time our fall season opens.

Trustee Goodman: I am sure that they could even convene a quorum. They were not going to meet in August, but I am sure that if we sent them an email they would convene and give us an opinion on that, an advisory opinion.

Trustee McLaughlin: Then let us do that.

Deputy Mayor Quinlan: As everyone knows the rules and procedures, that any Trustee is entitled to put anything on board for discussion.

Trustee Goodman: Well, we have another issue with getting one on the street in front of the library that I think is more emergent, so I think we should not delay.

Deputy Mayor Quinlan: So why do you not put that on for discussion and comment and we will talk about it. Now, Marianne, just for educational purposes, and Fran, either one, do we have a separate law that creates handicapped spaces?

Village Manager Frobel: Yes.

Trustee Goodman: On the street.

Deputy Mayor Quinlan: A separate law in our code. So that is what we are going to be concentrating on.

Village Attorney Stecich: The vehicle and traffic law has a whole section on where there are stop signs, where there are no-parking areas, where there are no-passing areas, and then a separate thing for handicapped. It is just all different sections of the vehicle and traffic chapter of the code.

Deputy Mayor Quinlan: So that is what we are going to be focusing on. Is there any more Board discussion and comment on this particular local law? Any comments from the public?

David Skolnik, 47 Hillside Avenue: So I can understand, are you prepared, or theoretically prepared, to vote on this proposal this evening?

Deputy Mayor Quinlan: We are.

Mr. Skolnik: I understand you pulled out one part of it that you are going to put before the Safety Council.

Deputy Mayor Quinlan: Correct.

Mr. Skolnik: Was the remaining part put before the Safety Council at any point, specifically the north side of Main adjacent to the A&P parking lot?

Deputy Mayor Quinlan: The answer is no. But the Police Department recommended we put meters at all three places. I am the one that at least initially had questions about adjacent to the A&P.

Mr. Skolnik: I remember, and I was, I think, at the meeting or else I watched it, and I noted that you raised that. I am suggesting that it would be appropriate for the Safety Council to look seriously at that. It may serve some purpose to have meters there, but watching the traffic and the traffic pattern as it makes that turn down Main Street I could foresee situations where it could create risk situations. People getting out of the car, where drivers come and make that turn and come down, at times they are quite proximate.

Deputy Mayor Quinlan: That is why we are going to put it before the Safety Council.

Trustee McLaughlin: That is the piece we are taking out.

Mr. Skolnik: I thought you were taking out the part that was between Citibank and the bus stop.

Deputy Mayor Quinlan: We are taking out the part that is adjacent to the A&P that is coming down, traveling east to west on Main Street.

Mr. Skolnik: I apologize then because I could not hear.

Deputy Mayor Quinlan: I am just making a guestimate here, but one of the reasons that I am not concerned about putting the other two spaces in front of the Safety Council is that currently on the front of Rivertown Taxi and the Fox residence, where we are going to put meters, there is parking allowed there now already, two-hour parking with no meters. So cars have already been there and we have some history of safety on that stretch of the road. The same has happened adjacent to 45 Main, where there is that little incut. Right now, every day, we will go there right now and you will see that there are cars parked there. What we are trying to do is just regulate the parking to a certain extent so people can get in and out of the businesses and the shops, and also generate some income for the Village at the same time. Does that answer your question?

Mr. Skolnik: Well, that is the purpose of the meter, then, if I am clear. You clarified that whole stretch on the north side of Main.

Deputy Mayor Quinlan: From the north side of Main adjacent to the A&P, which was included in the resolution, is now being taken out and is going to be put before the Safety Council. We will see what they say. Does that clear it up?

Mr. Skolnik: I think so. Trustee Goodman also seemed to want to consolidate these various traffic-related proposals, am I right?

Trustee Goodman: No, just the meter parking that is already existing that we are converting to handicapped spots. I just wanted that discussion to be done all at once.

Mr. Skolnik: I see. If you can clarify one more thing for me, the parking that you mentioned in front of 45 Main in that little cut-in, currently is that metered?

Deputy Mayor Quinlan: No, that is basically brand-new. Before, that property was a gas station and there were two big ways to get in and out and no parking. Now it is a building and there is going to be street parking.

Mr. Skolnik: You say it will be street parking.

Deputy Mayor Quinlan: Yes, it will be metered street parking right in front of the stores.

Trustee Goodman: There is parking now. People are parking free.

Mr. Skolnik: Was there any thought given to leaving some space for dropping off? With the kind of activity that you are likely to have, as I saw it when I passed by and the parking was pretty thorough, anybody trying to drop off in and out of that building would seem to be likely to block traffic. So I wondered if any thought in any part of the process was given to leaving some kind of space open for that.

Trustee Goodman: That building had a thorough going-over by the Planning Board, and site planning. Truck loading and in and out, and loading zones, are part of the site plan. I know there are parking and loading areas in the back of the building so I just assumed that residents in the building would be using the back parking area to do their in-and-out. The businesses in front, I am sure the Planning Board considered that there were businesses there. But the parking is in front pursuant to the site plan.

Deputy Mayor Quinlan: Fran, correct me if I am wrong. If you are worried about the businesses I think the drop-off and pickup for their businesses will be either on Whitman or behind the building.

Village Manager Frobel: As Danielle mentions.

Deputy Mayor Quinlan: Right, and through the back. Each one of those stores has a front door, where the glass is, and a door going out through the building. So we are hoping that the trucks will bring it in from the back.

Mr. Skolnik: I was not actually thinking of trucks. Since it is an apartment building and since I grew up in the city, I was envisioning residents being dropped off and somehow migrating into the building, into the front entrance. So that is what I wondered.

Deputy Mayor Quinlan: It was not considered, at least not considered by me. My understanding is that most of those people are going to have at least a space or two of indoor parking, and they are going to pull into their space and go into their units through the

building, in the back. So unless you have friends that are being dropped off it is just like any other situation.

Is there anything else that you would like to discuss about this resolution? Anything further from the Board? Again, we are going to take out Section J. I think we have described everything else, to a certain degree, for the public.

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

RESOLVED: that the Mayor and Board of Trustees hereby adopt Local Law No. 25 or 2008 amending the Code of the Village of Hastings-on-Hudson Chapter 282 Vehicles and Traffic to designate certain new parking meter locations as follows:

Be it enacted by the Board of Trustees of the Village of Hastings-on-Hudson as follows:

Section 1: Paragraph F of Section 282-35 of the Code of the Village of Hastings-on-Hudson is hereby amended to read as follows:

F. South side of Main Street between Warburton Avenue and the bus stop.

Section 2: Section 282-35 of the Code of the Village of Hastings-on-Hudson is hereby amended by adding the following new paragraph:

J. North side of Main Street adjacent to 45 Main Street.

Section 3: Existing paragraphs J, K, and L of Section 282-35 should be re-designated paragraphs K, L, and M.

Section 4: All ordinances, local laws, and parts thereof inconsistent with this local law are hereby repealed.

Section 5: This local law shall take effect immediately upon filing with the New York State Secretary of State.

ROLL CALL VOTE

AYE

NAY

Trustee Peter Swiderski	X
Trustee Diggitt McLaughlin	X
Trustee Danielle Goodman	X
Acting Mayor Jeremiah Quinlan	X

Deputy Mayor Quinlan: That takes care of the resolutions tonight.

Trustee McLaughlin: And we are agreed that discussion of assigning handicapped spots in front of the Community Center will be on the agenda for the first September meeting?

Deputy Mayor Quinlan: No, I thought we were going to do it August 19th.

Village Manager Frobel: We have time for the August meeting.

Deputy Mayor Quinlan: We will do it August 19th. Put it on Board discussion and comments.

Trustee Goodman: And I will send word to Mr. Gavin, who is chair for the committee for the disabled that we need a consultation.

VILLAGE MANAGER'S REPORT

Scenic Hudson - Quarry Grant

Village Manager Frobel: Having been away, I am just trying to get up to speed. But I do want to mention that I received a press release, not an official notification, from Scenic Hudson. It appears the Village will be the recipient of a grant for some work to be performed at the former quarry site. I do not know how much was awarded to the Village or specifically what it is for, but the press release was rather brief. If anyone can add to it that would help me, but it all sounded like very good news. As you know, we recently applied for a grant for some of the environmental work we had hoped to accomplish using Malcolm Pirnie's proposal. We will not hear from that grant for a number of months. So if we can get some initial money, and begin to do some of that work in advance of the bulk of it, that certainly is good news.

Deputy Mayor Quinlan: If I could just add a little bit to that, I got a call from the representative of Scenic Hudson a few days ago informing me of the grant. Basically, as I understand it, there will be in September a public announcement that somewhere in the Village they are considering, at the Farmers' Market now, with the Quarry Committee, with

the Mayor, with the Trustees, and with Scenic Hudson a \$15,000 grant coming from Scenic Hudson to the Village. It is a non-matching grant, and that will be designated to help clean up the quarry. There will be a \$20,000 matching grant presented from Scenic Hudson to the Village for some of the design work.

We are extremely ecstatic that Scenic Hudson has designated Hastings for these two grants. It is very important. The quarry has a long, long history, over 150 years, of its connection with the Hudson River. And Scenic Hudson has recognized that not only verbally, but with cold, hard cash. I know me and my fellow Boardmembers are looking forward to turning our quarry, which was formerly, at least in recent history, a dump, and before that some beautiful gardens, back into a public park for Hastings.

BOARD DISCUSSION AND COMMENTS

1. Update on the Waterfront

Deputy Mayor Quinlan: Usually Mayor Kinnally gives us an update on this. I have nothing. Does anybody else have anything on that? We will wait for the 19th.

Trustee McLaughlin: Actually, Fred Yaeger called me. He is pretty much the public face of ARCO. Danielle, what is the date?

Trustee Goodman: We had put ourselves on the list for the tour because we did not really have a tour. He is going to be getting back to us with that. Joe Sontchi may be in town, although it was not firmed up.

Trustee McLaughlin: He told me, in fact, that Joe Sontchi would come in specifically to take you and me on a tour.

Trustee Goodman: I think the target date was somewhere around the 13th.

Trustee McLaughlin: Yes. And we are, in fact, invited to bring other people who are interested. So once again, if you are interested in touring the waterfront it would be next week sometime. Contact Danielle or me, and I will warn you that you must wear protective clothing when you are out there. You have to have long sleeved shirts, long pants, and work boots, and they will provide the vests and hardhats.

Trustee Goodman: The time is not confirmed. We do not know what his time is going to be.

Trustee Swiderski: I have done this a couple times, and it is really interesting. You have seen that piece of property from one perspective, and to be on it and in the middle of it, first of all it changes how you view it. And it also excites you about the possibilities. It is bigger when you are in the middle of it.

Trustee McLaughlin: Oh, it is huge. I was out there, but it was a bitter January day. So I look forward to it being not January.

2. Update on the Comprehensive Plan Committee

Deputy Mayor Quinlan: Just briefly, there has not been another Comprehensive Plan Committee meeting since my last report, but they did have a subcommittee meeting. The request for a proposal has been developed by the CPC and, at this point, for the consultant, it has been sent to Mr. Dunehy of Greenway for his comments. After they get that back we are going to send it to Village Manager Frobels for his comments, modifications, additions, subtractions. Then once we get a final document it is going to come before the Board of Trustees.

3. Proposed Local Law Concerning Vehicles Parked on Street or Public Parking Area More than Seven Consecutive Days

Deputy Mayor Quinlan: Diggitt, would you mind leading us into this discussion?

Trustee McLaughlin: The reason that I had asked, if you saw our last meeting you will know we did discuss it at that point. I would just like to briefly review the reasons why I wanted to propose a local law that would deal with cars being parked for a long time. As you know if you live on James Street or Cliff Street or High Street or any number of streets in the Village they are basically two-lane streets, they have traffic running in either direction, and they also have parking on one side. If you are going in one direction and you meet a car coming the other way, one of you has to pull aside and it is inconvenient. We make these adjustments in our driving for our neighbors when they have to park in the street, but if there is a car that has simply been left on the street by somebody for a long period of time, in effect it is creating a hazard that we do not need.

Other reasons involve what you might call public health. If a car is sitting on the street when the street is being swept, the street sweeper has to make a curve around it and does not get to clean underneath that car. This means that branches and plastic cups and pieces of old rope and dead leaves and so on accumulate under the car. As soon as a big rain comes along a wad of stuff shoots into the nearest drain and can block it. If that car is there in a snowstorm

the snowplow makes that detour around it, and the snow builds up around the car and may freeze. That effectively immobilizes the parking spot directly behind it and in front of it, as well as creating a hazard around the car.

So cars that are parked for long periods of time have a variety of annoyances for the residents. But more to the point, in the southwestern quarter of the Village, the Village south of the ravine, there are multi-family dwellings and old houses with neither garages nor driveways. People park in the street; there are lots of cars in the street. And if there is a car that is just sitting there because someone has left it for three months or four months, that means that a resident's car cannot occupy that spot. It has been a continuing source of grievance for neighbors. We had a car on William Street; a Dobbs Ferry resident left a van there for five months. It had huge, filled bags in the back. I assumed if they had had bodies in them that the neighborhood dogs would have noticed, but in the meantime there was nothing we could do because we had no law.

There is a car from New Rochelle that was parked up on Harvard Lane, and the Village offices contacted the owner of the car. He pointed out that he was not been breaking a law so there was no reason he should not leave it here. I have heard of people who have told their college roommates that they could leave their cars parked on Hastings streets while they go off for the quarter. For all the reasons that I mentioned about driving on narrow streets, trying to plow or clean around parked cars, or just find a parking space on your own crowded street, it seemed to me that we should draw a line and say this much and no more.

We talked about how long we should allow a car to sit on the street and settled on seven days because most residents are likely to use their car maybe once a week. But this is not going to be a law. The Police Department is not going to go around chalking tires. I mean, if your neighbor goes away on vacation you know your neighbor is gone and you are not going to call the policeman on the eighth day that car is there. It is the people like the Dobbs Ferry van that sat there from November through May that we want to eliminate, and those are the ones that the police are going to hear calls about. But in the meantime we thought that seven days was a reasonable amount of time before we started worrying about ownership of a car.

I also note that we cannot use the term "abandoned" in this legislation. An abandoned car has a precise legal meaning; we do not intend it to apply to these cars. That is all I have to say about why I am bringing it up.

Deputy Mayor Quinlan: Thank you, Diggitt. Anyone else like to add to the discussion?

Trustee Goodman: Thank you, Diggitt. That was a very good summary of what we spoke about. But when this law came to me in the packet, and I saw it in black and white one

week, I do not know, even if you say the police are not going to chalk tires, it just seemed to me too short a time period. I think about the people who do not have driveways, who might have two cars, who go on vacation, you know, ten days, two weeks.

Trustee Swiderski: Danielle, I had the exact same reaction when I saw it. I was like, Is that what we discussed? Is it that short?

Trustee McLaughlin: I do not have an attachment to seven days if you are happier with 21 days. I just do not want a car from Dobbs Ferry in the street for five months.

Trustee Goodman: It seemed very strident and, you know, some neighbors are not so neighborly. I do not say that in a bad way. It could be a fact of life. So I would be a little concerned that this one week being too stringent.

Trustee Swiderski: How about 15 days?

Trustee Goodman: If there is any public opinion about this I would like to hear some more. But yes, one week definitely does not feel right to me.

Deputy Mayor Quinlan: Well, we have two Trustees that are not comfortable with one week and, Diggitt, you are not wedded to it and I am not particularly wedded to it either. Is there anybody from the public that would like to comment on this?

Ms. Zazzara: Could there be a way that registration is checked? If the car is, indeed, registered to someone who lives in the neighborhood, then it is not . . .

Trustee McLaughlin: The police automatically do. For instance, the car that was on Harvard Lane, somebody made a complaint. The police run the registration to find out who it belongs to and the Village office gives that person a call. That is how it is done. So sure, the police can determine if a car belongs on the street.

Ms. Zazzara: So if it is a seven-day rule, but there is an exception for a resident, it can be there for longer.

Village Attorney Stecich: You just cannot do it. Under state law, there cannot be any favoritism for resident parking.

John Bauman, 50 Maple Avenue: I am also concerned about the length of time for this. There are times when we go on vacation for two or three weeks and leave the car, since we

do not have a driveway. I think the idea for the law is a good one, but I think maybe the time is too short.

Trustee McLaughlin: Another thing we could do, and maybe this falls under favoritism, is if you can register with the police when you are going away. Or is that favoritism?

Village Attorney Stecich: No, I think it is practical. You go to Europe, you go for a few weeks. So you are saying two weeks because that is maybe a standard vacation. When I go I usually go for three weeks, and I am sure people are like that so I would think that it does not necessarily have to be in the law. But a resident, if they call the Police Department or whoever, calls the Police Department, and says to I am going to be away for three weeks or two weeks or whatever, or even if you change this to two weeks, frankly I thought one week seemed a little short, too. But that was what the Board talked about so that is why I put it in.

That is an easy change to make, to two weeks. But even that might not be long enough for somebody who is going away for a longer time. And I would think in a situation like that, just as a practical matter without it being in the law, if you call the Police Department, I know that if sometimes I am in the city and parked somewhere and got caught up, because I park in Dobbs Ferry, I will call the Dobbs Ferry police and say I got held up. And then they do not give me a ticket. So I think it can be practical in its application.

Trustee McLaughlin: But you do not think that should be in the law?

Village Attorney Stecich: You put it in the law, it could get a little tricky because then you are saying residents can do it. I do not know, why make it vulnerable. You know, it might be helpful to talk to the Police Chief about that, whether he thinks it is practical to entertain and honor calls like that. It does not seem to me a big deal. Maybe it would be a bigger deal for the Police Department. I just would not want to make the law vulnerable by saying if a resident calls the resident can leave it.

Ms. Travis: Is this in addition to the fact that there is alternate side parking, and therefore this car gets left through all the tickets that are going to accumulate? Is that what happens? Or are there no alternate sides in other parts of the Village?

Trustee Goodman: The people who are dumping their cars in Hastings are putting it in an alternate spot. They are going somewhere else in the Village where they can leave it from September until December. Because on Warburton you could not leave it longer than four days.

Deputy Mayor Quinlan: No, I do not mind about the time. What happens on my street, since it is relatively close to the train station, is that we have had instances where people come and park, let us say, in front of my house and walk down to the train station and take the train to the plane and we do not know where they are, and everything else. That is a problem. I will go with any time period because I would just like to see some limitation on it. But if I have a car that I do not know who it is sitting in front of my house for seven days I am not happy.

I know we have to be neighbors, and I am not arguing about the time limit. We can easily make it two weeks. But if you have the kind of neighbors that are going to call the police to come and take your car that has been sitting there for seven days, then I suggest you use other means to make peace with your neighbors other than having them call on that. Maybe I just get along with my neighbors, but even the ones I get along with I would not call to have their car towed.

Trustee Goodman: I am just raising a consciousness that you are giving people a weapon of sorts. I understand the need for a law.

Trustee McLaughlin: You know, Danielle, another thing too is that it is all in the enforcement.

Trustee Goodman: But if you have a complaining witness who is calling the police and saying write the ticket, there is not too much discretion there. Someone is calling the police to write the ticket, and if the police do not write the ticket and the person is upset enough they are going to call the Chief, they are going to call Fran. They will get the law enforced.

Trustee McLaughlin: Then it seems to me that our choices are that we either lengthen the amount of time and/or run it by the Chief or the Police Department or the Safety Council and hear what they have to say. Because I do not believe we have done this.

Village Manager Frobel: Well, we did. We ran it by the Chief. The Chief says he has read the proposed law and he believes it covers the issues and questions, and he has no question or additional suggestions. So he is satisfied.

Village Attorney Stecich: It just occurred to me about extending it to the 14 days. If I understood what the Chief said, although it was not in this memo and maybe Susan communicated it to me, in talking about how to enforce it, say somebody calls and says the car has been sitting there for a week. Well, I do not think the Police Department is necessarily going to take somebody's word for it. It is not like they are just giving them a ticket. They are towing the car. So at that point they are going to come out and mark the tire

and see if it has not been moved for a week. So the one week, it is effectively going to be there two weeks.

Trustee Goodman: Because they have to actually see it. You are right.

Deputy Mayor Quinlan: They are not going to believe someone that says it has been there for seven days: Okay, I believe you, tow the car.

Mr. Gonder: I just have a question after it is there for seven days. I have had a case where I called the police, it happened to be somebody in the Village that probably did not have a parking spot. The police got hold of them, and they moved it fairly quickly. But my concern is, after it is there for seven or fourteen days, give it a ticket. I think you would tow it away.

Deputy Mayor Quinlan: Right, you do tow it. You do not give it a ticket, you tow it away.

Village Attorney Stecich: That was my point. That the remedy is fairly severe.

Deputy Mayor Quinlan: Anybody else help us out on this? Jen, you could get someone to operate the camera and you can talk.

Kerry Jane King, 87 James Street: I would feel more comfortable with the 15-day limit. I think that allows enough flexibility without giving the police extra work. If, then, the tires are marked on the 15th day, so be it if somebody is then called. We certainly try and take two-week vacations when we can, and I would hate to have the stress of trying to remember to call the Police Department, and then burdening them with that task. They have to then keep numerous records. Imagine the number of people in July and August who go away for a week, and that would become really burdensome for them. I would feel more comfortable with 15 days, but I do think it is a very good idea. Thank you.

Deputy Mayor Quinlan: Thank you, Kerry Jane. Jen, do you have anything to add?

Village Technology Assistant Corso: I could. Would you like me to?

Trustee McLaughlin: Cindy is prepared to use the camera.

Village Technology Assistant Corso: Actually I live in Harrison right now, and Harrison has a similar ordinance, though it is for 24 hours not including Sundays and holidays. My parents, where I grew up, they live in an apartment. We do not have a garage or anything like that. My father went away, parked his car on a side street, and we had new neighbors.

My dad happened to park in front of their house, they called the police, they left a ticket. When the day came, they declared it an abandoned vehicle. They towed the car, a brand-new car so obviously not an abandoned vehicle, and my mom got up the next morning to go to work. She thought the car was stolen. She called me, hysterical. I had to go and take a cab to White Plains to pick up the car where it was towed, which cost \$300-plus towing fees. I had to visit the police station. All this because of this law.

Now obviously it was 24 hours and a little bit different, but I think it is a good idea. Those speaking from experience not having a driveway, that could affect some people. I think the neighborly thing is very important with this. I also have some experience with White Plains. You are not allowed to leave your car on the street after a certain hour, and that is all of the residential areas. I am not exactly positive of the law. I do not know if you need to contact someone in White Plains. But if you call the police station and say, Listen, I am having company, family, there might be a car or two on the street, they usually say, Okay, thanks. And they are aware of the problem, do you know what I mean? So they will not ticket you, whatever.

But a lot of it has to do with your neighbors. I do not want to see someone getting a \$300-plus tow bill just for leaving their car because they are on vacation.

Deputy Mayor Quinlan: Thank you, Jen. Here is what I suggest we do since we have to have a public hearing on this. Please, anybody, if they do not think it is a good idea just let me know. What do you say we change it for now to 14 days, and then we have the public hearing and we see what people come forward and say. Does anybody have a problem with that?

Trustee McLaughlin: That is fine.

Trustee Goodman: Yes, that is good.

Deputy Mayor Quinlan: Elisa, please. We are going to have a public hearing on this, but go right ahead.

Ms. Zazzara: I think this really leads to the idea of Village parking permits, as much of a process as I know it is. It is not an impossibility and I think that should start going. That is at the bottom of a lot of this, I think.

Deputy Mayor Quinlan: I happen to agree with you, but we will see where we go. We have discussed that on numerous occasions and so far I do not believe, unless I am wrong,

that we have a consensus on the Board that we would like to move forward on that. Maybe we do and maybe we ought to think about that again.

Village Attorney Stecich: Jerry, just one small thing. The problem with that is, if you are going to have one of those parking permits it is just for a small area. Maybe the area around where Diggitt lives.

Trustee McLaughlin: Definitely, around where I live.

Village Attorney Stecich: See, this would apply to the whole Village, to streets where you would never be able to get that sort of a parking law for. You cannot get the parking law for the whole Village. You can just get it for very limited areas that have a very documented problem. It would not apply all over the Village, so this would apply, obviously, more widely.

Deputy Mayor Quinlan: So it is necessary to do both. I think that is the point she is trying to make. Because to have the neighborhood parking regulations in New York State you have to meet certain criteria that have to do with volume, etc., and not all our neighborhoods have that problem. That is good. Let us discuss that.

4. Village Membership in ICLEI – Local Governments for Sustainability

Deputy Mayor Quinlan: Danielle, would you mind leading us off on this discussion?

Trustee Goodman: First of all, ICLEI is an international organization of local governments for sustainability. This idea was brought to us from two sources: one, the Conservation Commission, and the other from members of Sustainable Hastings. They have urged us to join. So we asked that this be put on the agenda because it was an unfinished piece of business that we thought was good for a summertime chat. No time like the present, I have to say. We are launching off into a lot of different directions with climate warming issues, environmental issues, issues of sustainability, and ICLEI is something that would provide us with a lot of resources. It has, among other things, a library, an online library. It gives conferences that are available on Webcasts. They also have zoning tools, planning tools, and all sorts of help. So as a resource, it is wonderful.

It would cost \$600 to join. I went to the Web site, and what was not clear to me is what would we exactly be getting for our \$600. So I called ICLEI and I spoke with one of the membership people. I know with legal software there are numbers of people limited, so I wanted to make sure that when we plunked our \$600 down that there would be enough use for us. In other words, that we would not be locked out. What I was told is that Village

staff, paid staff, and also elected officials would have automatic access. And that for the Conservation Commission members what we would do is that Fran or someone from the Village would sign off on access for them. But the software tools and the like, most of them are downloadable. In other words, I was concerned people would be able to use this in their home because they are going to be doing homework, the Conservation Commission, and that they would not have to come to a Village computer, etc. So that all seemed very lovely.

Webcasts are available free monthly. They have monthly how-to's, how to use the software. I looked at some of the software and it might be complicated for some, so it is good that they have programs ongoing to teach people how to use the tools they have. So I support this, and I thank the Conservation Commission and Sustainable Hastings for bringing this to us at a time where I think we really need to get organized in a better way with our environmental initiatives.

I do not think that software or joining organizations, though, is going to help us really prioritize and have the Parks and Recreation Department and the Conservation Commission and the Planning and the Zoning boards and the Comprehensive Plan Committee all on the same page. I could see down the road where you could use a point person within the Village government to coordinate all of this. I am talking grants, a part-time employee, and not us taking on another number, per se. But I think it is going to become something that is going to need to be managed, writing grants. Once you get these tools in place, and you have an expertise, you can use it to write grants and get more things for us. But I think we are going to need, perhaps, a point person.

That is a discussion for another time and just looking ahead, but it seems like it is a great organization. They were very responsive, returned my call right away. And in Westchester, Larchmont, Yorktown, Westchester County, New Castle, North Castle, Greenburgh and just recently added Tarrytown and Dobbs Ferry, we would be joining our fellow communities. They said really nice things about Westchester County on the phone. That Andy Spano has been setting the pace for this.

Trustee McLaughlin: He is on the board now?

Trustee Goodman: Yes, he is on the board, so it is all good.

Trustee Swiderski: Danielle, I want to add some color. What ICLEI provides more than anything else is a framework for a village or a town or any government entity to run an effort around, ultimately, greenhouse gas reduction. It comes out of a grassroots effort to address the failure of the US in particular to sign the Kyoto Agreement, and an attempt to bubble up,

starting with mayors who agreed that this was a climate crisis indeed that deserved attention and self-organized into this organization that has taken off.

You mentioned software, and I just want to put in context how this works. Very briefly, what a village, for example, commits to is a specific reduction target over a period of time. In Bedford's case, for example, up in northern Westchester, they agreed to a 20% reduction by 2020. The software is actually a data capture mechanism, where you put in all sorts of things. It is not a small effort, apparently. It has taken them about eight months to do an inventory that can be pulled from Con Ed that is done locally off of phone bills from the municipality that develops a picture of the community at a point in time, and typically a couple of years ago. So there are full records available where you establish a baseline of what your energy use is in the community. You set a target, and then this is where the ICLEI resources become important. You can draw on the experiences of other communities and other towns and other entities who are members of ICLEI in figuring out what is the best way, the most cost-effective way, of doing the many little actions to ultimately lead to this cut. ICLEI provides the framework around which you run this program.

What I find compelling about it is, here we sit with the Conservation Commission, we had our Climate Action Week, but it feels somewhat disorganized. This is a structure and it has got some credibility, 700 communities I think are in it, where it has been routinized. It has been developed to the point that it is not totally pie in the sky but actually doable and implementable, and there are tools and experiences and case studies and everything else that helps you on this path to the goal you have set for your community. Again, I am going to come back to Bedford because it is an experience I have heard a bit about. It is typically started with a kickoff event where goals are set, and then an extended data-gathering period where you use that as your baseline and then periodically revisit and see how you are doing. I immediately had a concern about costs. In Dobbs Ferry it is \$700; it might be based on community size, I think.

Trustee Goodman: Yes, it is.

Trustee Swiderski: But it is actually an annual fee, not a one-time fee. In achieving your goals you have got to take action. Clearly, at that point the Board has to determine what makes sense, what payback periods allow you to engage in actions that achieve your goals. But again, you are operating within the structure that allows you to track these things meaningfully and see how you are doing as a community overall. It is where it applies systematically people are very enthusiastic about it and it is quite successful. I think it is a thing we should not only look at but, frankly, it is so well developed and has quite a bit of popular support locally, not just in our community that I think we should consider it without too much ado and sign up sometime in the next couple of Board meetings.

Deputy Mayor Quinlan: Thank you, Peter. Diggitt, anything to add?

Trustee McLaughlin: Actually, I think Kerry Jane probably came to speak to this, from the Conservation Commission. Did you? Because if you did, I would like to hear what you have to say.

Ms. King, Conservation Commission: Yes, the Conservation Commission does strongly recommend that Hastings become a member of ICLEI, really for the reasons that both Danielle and Peter gave. For me personally, from my work experience, I have found that networking with others who are trying to achieve the same goals as you, trying out new technologies and trying out new strategies for energy efficiency for carbon reductions, is the very best way of securing success. Because there is no way better to learn them than from other people's mistakes. I think ICLEI offers a huge network, a huge resource, as well as the analytical tools that were mentioned. I really do strongly recommend it, and I think the Conservation Commission as a whole also strongly recommends this. Thank you.

Deputy Mayor Quinlan: Thank you, Kerr Jane. Anything else, Diggitt?

Trustee McLaughlin: No. I have been eager for us to join ICLEI for a long time now, and I am glad that Peter and I had discussed it in the past. I am glad that we are now sitting here talking about it and looking forward to going ahead.

Deputy Mayor Quinlan: Yes, and thank you, Danielle, for putting it on the Board discussion and comments.

Trustee Goodman: You're welcome. Thank you.

Deputy Mayor Quinlan: I have nothing to add except that I am in agreement with my fellow Boardmembers. It seems like a no-brainer to me. The annual fee is based on population and per capita income, so we can fairly judge about what it is going to cost us when we talk about Dobbs Ferry.

Trustee Goodman: Well, the thumbnail I got was \$600, on the phone.

Deputy Mayor Quinlan: Yes, \$600, \$700, which is certainly worth it. So what will be the next steps, Fran, on this? What would you like us to do?

Village Manager Frobel: I will contact the company and see if they can send us an application, which I should secure, and proceed.

Deputy Mayor Quinlan: Should we have a resolution here?

Village Manager Frobel: A simple one.

Trustee Swiderski: That would be delightful.

Deputy Mayor Quinlan: I think we can act. I am all for action and not delaying things. Danielle, since you started the conversation, and Peter if you want to add anything, why do we not just quickly do a simple resolution. What would you say? Peter, why do you not articulate something very brief about we should join ICLEI, or whatever you want to say. You can make it a little more formal than that.

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

BE IT RESOLVED that the Board of Trustees, believing that the climate crisis deserves all our attention, formally resolves to apply to ICLEI for membership and undertake the programs it promotes.

ROLL CALL VOTE	AYE	NAY
Trustee Peter Swiderski	X	
Trustee Diggitt McLaughlin	X	
Trustee Danielle Goodman	X	
Acting Mayor Jeremiah Quinlan	X	

Deputy Mayor Quinlan: Okay, Fran, you have your charge.

Village Manager Frobel: I'll take it from here.

Trustee Swiderski: I just want to make one note about ICLEI. I did not want to scare anyone by saying there is work involved.

Deputy Mayor Quinlan: That is all right. We are ready to do the work. We are a working board.

Trustee Swiderski: And what I would like to propose, maybe I should not say we would all, but I personally, would quail from setting up another committee. What I would like to do, since this was, in part, the Conservation Commission's bright idea that we charge them

with recommendations on how to actually begin to address implementing this because it is not a trivial task.

Deputy Mayor Quinlan: I think that is a good idea. Does anybody have any opposition to that? Then if not, I know you are the liaison to that and I would ask you, after we do join and we are full-fledged members of ICLEI, that you sit down with them and start working with them on how you would like to proceed. You seem to have a good handle on it, Peter, and Danielle.

Trustee McLaughlin: We got an email today from Sandy Boudra, who is the chair of the Conservation Commission, and he spoke very encouragingly about our joining. It sounds like he would be welcome to hear this.

Trustee Goodman: I would just say this. Maybe it would be the Village Manager, but the Planning Board, the Zoning Board, Parks and Recreation, and anyone else we think should be advised that we are signing up for this tool and that it is available, and the Conservation Commission is being charged. But maybe a little memo of some sort so they know because they can maybe begin to log on also.

Deputy Mayor Quinlan: I think that is a good idea. Once we join up, I think we could send everybody a memo. And also the Board can go to their various committees as liaisons and say, Hey, we belong, use it.

Trustee Goodman: We have this tool. ICLEI has got an international Web page and branches, the person I spoke to today, Fran, I will give you her phone number and name. But also I want to make sure because there is an application form online. It is icleiusa.org, and the Web page was not so clear about the different divisions so I will give you that info tomorrow.

5. Miscellaneous

Deputy Mayor Quinlan: Let us move on, since we have resolved that to the satisfaction of ourselves and the public. Danielle, you wanted to give a brief overview of the last meeting of the Advisory Committee for the Disabled.

Trustee Goodman: I just wanted to share a Trustee's report with the Board and the public. The committee met on July 21st. Present at the meeting, aside from committee members and Village officials, was the County of Westchester Office for the Disabled: Evan Latayner, the director, Anna Masapote, the mobility specialist and handicapped parking education coordinator, and Andrea Sidowsky, who is the community work assistant. We are also

observed by Julie Stark, reporter for the *New York Times*, who is working on a story about changes in the New York State law making it easier for individuals to file claims where there are ADA infractions.

But in any event, the county has an outreach program and a lot of resources that they told us about. They also aired a CD, which was a day in the life of a handicapped resident of Westchester County, who is a remarkable person. They gave us a copy of the CD, and it is something that we could run on WHOH-TV. But I think the Committee on the Disabled wants to tape an introductory segment that would be aired with the tape. The county made it clear that they are here to help us. We do have some deficiencies. We are going to be working on them, and they urged us to get busy. Kathy Sullivan, who is an architect with an ADA background in her professional life, not current but past, has volunteered also to assess the Village. It is pretty clear that what we need to do is get ourselves a systematic approach, get a list of what we think needs to be attended to, benchmark it with a law, and then prioritize and get moving.

The Committee for the Disabled will be sending the Board of Trustees its minutes so you can take a look at them. I think they sent them last month, we will be sending them this month. There is a list of items in those minutes that they want you to consider. They are also asking for a joint work session at some point, which Susan said she would speak to Fran about and would be scheduled. That is it, thank you.

Deputy Mayor Quinlan: Thank you very much, Danielle. I have one last thing I want to discuss. Before we do that, and before we forget, I am asking for a very, hopefully, short executive session after this meeting.

EXECUTIVE SESSION

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

5. Miscellaneous (continued)

Deputy Mayor Quinlan: The last thing I just want to mention very briefly, and it is something we do not have to deal with tonight. But the last meeting, we made a resolution to authorize making a motion to intervene in the lawsuit better known as the Bernstein suit, which includes interpretation of the Finneran law. Unfortunately it has come to my attention that the brief is not included in the \$10,000 to \$15,000 that the law firm is asking to make that motion. I know that some work has been done by our mayor, and he did an excellent job

of providing the attorneys with an affidavit which I am sure they are going to use. But this is something we will have to talk about in the future, to clarify exactly where we are going to go forward. But I would like to do that. Lee, as an attorney and as our mayor, I think it is important to get his input on should we modify that resolution, how are we going to proceed to go forward with that since the brief is not included.

Trustee Goodman: Can I just bring up one quick thing? There is a letter to *The Enterprise* talking about idling. The resident from Hastings raised traffic light timing as being a potential source of some of the idling. So I do not know how we address that because I do not know who is in charge of the traffic lights on Broadway. Those were some that were mentioned: that the sensor at Five Corners needed adjusting; the intersection of Villard and Broadway; also Washington and Warburton. I think we should look into those comments. If the lights are not well-timed and there is excess idling, let us say, then can that be something we look into. Because I do not know how to proceed, but I would say, here to the resident I think we should act on it.

Deputy Mayor Quinlan: Let me just ask you this, Danielle. I go through Five Corners twice a day, either to the train station or to my office. The lights change, the people move. The one light changes, it goes red to green and these people go, these people go, these people go. What are we supposed to do about that?

Trustee Goodman: This person was saying that there was once a sensor system there that is not operating. I do not know if that is true.

Deputy Mayor Quinlan: What does that mean? If there is no car there, the light does not change? What does the sensor do?

Village Attorney Stecich: If there is not a lot of traffic, you are at a red light and there is no other traffic, it will trip it so you go across.

Village Manager Frobel: In other words, at 2 in the morning it goes through a full cycle when, in fact, it is perhaps unnecessary. I can take those observations and speak with the Chief, and perhaps talk to county officials. I mean, they have traffic engineers that will look at that.

Trustee Goodman: Okay. Because it is not hard to double-check.

Village Manager Frobel: I have to believe it is a continuous process they go through. I do not think it is just reacting to a call from me. I would assume their staff continuously reviews these.

Trustee Goodman: One of the points made was that there is a change at St. Matthew's school. It is no longer a school, and does the light reflect that. This resident is saying it does not, and I am not sure if it is still a school.

Deputy Mayor Quinlan: But that is still very used, and it is a school. It is still being used as a school.

Trustee Goodman: Okay. So some of these things could not be accurate, but some of them made sense. At least a follow-up to verify.

Village Manager Frobel: I agree on Five Corners, and I have asked about that. The light goes through the full cycle. When we get home sometimes at 1 in the morning, I will be sitting there for the full cycle and, of course, there are no other cars moving. But I will forward those comments.

ADJOURNMENT

On MOTION of Trustee Swiderski, SECONDED by Trustee Goodman with a voice vote of all in favor, Deputy Mayor Quinlan adjourned the Regular Meeting at 10:26 p.m.