

VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
REGULAR MEETING
MARCH 4, 2008

A Regular Meeting and was held by the Board of Trustees on Tuesday, March 4, 2008 at 8:05 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

PRESENT: Mayor Wm. Lee Kinnally, Jr., Trustee Peter Swiderski (8:15 p.m.), Trustee Jeremiah Quinlan, Trustee Diggitt McLaughlin, Trustee Danielle Goodman, Village Manager Francis A. Frobel, Village Attorney Marianne Stecich, Village Clerk Susan Maggiotto.

CITIZENS: Twenty-nine (29).

APPROVAL OF MINUTES

On MOTION of Trustee McLaughlin, SECONDED by Trustee Goodman with a voice vote of all in favor, the Minutes of the Executive Session of February 5, 2008 were approved as presented.

On MOTION of Trustee McLaughlin, SECONDED by Trustee Goodman with a voice vote of all in favor, the Minutes of the Public Hearing of February 19, 2008 were approved as presented.

On MOTION of Trustee Goodman, SECONDED by Trustee McLaughlin with a voice vote of all in favor, the Minutes of the Regular Meeting of February 19, 2008 were approved as presented.

On MOTION of Trustee Goodman, SECONDED by Trustee McLaughlin with a voice vote of all in favor, the Minutes of the Executive Session of February 19, 2008 were approved as presented.

APPROVAL OF WARRANTS

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

Multi-Fund No. 57-2007-08 \$321,403.54

Multi-Fund No. 59-2007-08 \$ 13,003.50

PUBLIC COMMENTS

John Gonder, 153 James Street: I am not here to talk about a bus on James Street. It sort of disappeared five days ago or so.

I have not been in court or got a traffic ticket in over 40 years but I was wondering if things have changed. I came to the meeting on Wednesday and court was interesting, similar to what happened in the '60s, but also a little different: people handcuffed, guards, and whatnot. I am wondering if our town is as safe as it was 40 years ago. But that did not concern me too much. I think we are in a safe village. But leaving I went out the back entrance, down the steps, and sort of tripped. I got little pains and whatnot, but that is beside the point. I have a lot of pains. Then I went out to the sidewalk and I tripped again. You have to look at your sidewalks and the steps. They are in very poor condition. You have to maintain the sidewalks and the steps.

Mayor Kinnally: Interesting you should raise that. Just before the Manager went on vacation I had a chat with him about repairing the back of this building. We are looking into that.

Marcia Brewster, 35 Heath Place: I wanted to mention the water that is coming down from the new condominiums. Tonight it seems like a flood, but on the weekends there is so much water coming down that it freezes and it is very hard to get up that hill.

Village Manager Frobel: Whitman Street. We are aware of it. We are working with the developer. It is a phenomenon that occurred when they excavated for the foundation. They interrupted some underwater stream. What we see on Main Street tonight is a water main break. So it is double problem right now. We are working with the engineers to come up with a permanent fix for Whitman, and the water main will be fixed by tomorrow morning.

16:08 ADOPTION OF LOCAL LAW NO. 1 OF 2008 – LEAF BLOWER REGULATIONS

Mayor Kinnally: My suggestion is we that we take public comment on this now, and then we can talk about it and take action, if we wish. Anyone wishing to speak in connection with Local Law No. 1 of 2008?

Ms. Lhoumeau: We had an issue of whether the leaf blowers fell under any decibel restriction. Is that in there?

Village Attorney Stecich: It was added. That is why it says provided they conform to the decibel restriction set forth in the other section.

Ms. Lhoumeau: You said the Building Inspector decides. Does that mean when somebody calls the police it is the Building Inspector who checks it out?

Village Attorney Stecich: The Building Inspector has been the enforcement under the noise standards code.

Ms. Lhoumeau: Is that someone who is available full time during the day?

Village Manager Frobel: Yes. He is a full-time employee.

Trustee Quinlan: The question, though, is if it is above the decibel level, not if it is outside the scope of the time. We do not have to have the Building Inspector come if it is, let us say, July 4. Should not the police be able to enforce it then?

Village Manager Frobel: That was my assumption.

Trustee Quinlan: I would like to clarify that. If a leaf blower, and Fran correct me if I am wrong, at any time of the year is above the noise ordinance, then it would be the Building Inspector.

Village Attorney Stecich: No. The 217-6 section is the only one that mentions the Building Inspector. That was lead-in language to how the performance standards are enforced. It says the Building Inspector shall give a notice, and give 10 days to cure, and so forth. The point is, we took it out of that. We said this section, this one and the section on lawnmowers etc. only at certain times, was removed so it is not done by the Building Inspector and you do not have all the time to cure. You just say stop, and they should stop. The penalty section should be enforceable by the police department or the building department. There would be another section in the code that says who is responsible for enforcement of the code.

Trustee McLaughlin: When people have asked us who enforces this, and it has been asked over and over, we have said the police do. Now, is that what you said?

Village Attorney Stecich: Yes, that is what I said. This section 3 is just a cleanup section to say that those same enforcement provisions for other violations of performance standards, those cure provisions and whatever, do not apply to the leaf blower law. The leaf blower law would be enforced like any other law.

Ms. Lhoumeau: Are the penalties given for each person using a leaf blower? Say there are three people using leaf blowers. Does the first one get the \$50 and the second person gets \$250 and the third person gets . . .

Mayor Kinnally: Yes, but that is assessed by the judge. That has nothing to do with the Village. There would be a summons, and then it is imposed by the judge.

Village Attorney Stecich: But I think her question was, if you went out one time and you saw three people, is that a first, second, and third offense. No. Because it says each person gets \$50, assuming, as the Mayor said, that is the fine the judge decides to give each person. So if there are Jack, Peter, and Tom there they will each pay \$50 the first time.

Ms. Lhoumeau: I hoped we would have had a stronger law. I am personally disappointed that we do not.

Harold Diamond, 17 Calumet Avenue: Will there be leaf blowers during the day in the summertime?

Village Attorney Stecich: The leaf blowers are allowed only from 9 to 5 from October to May. But even during that period they have to comply with the decibel level.

Mr. Diamond: Then in summertime, no leaf blowers.

Village Attorney Stecich: Right.

Trustee McLaughlin: Except in case of emergency.

Village Attorney Stecich: Even with the really low decibel level.

Elisa Zazzara, 68 Southside Avenue: Thank you all for working on this. I know how difficult it has been; I have been there for a lot of it. This has come up in some of the past discussions; fitting this law into the noise ordinance seemed problematic on many levels. My interest in this law is from a health aspect and the carbon going into the air from not a necessary machine but a convenience machine. Is there any plan to make this an ordinance where it addresses those health and environmental issues and not just as a nuisance?

Mayor Kinnally: You mean to ban them outright?

Ms. Zazzara: No, not ban them outright, but to not put them in the noise ordinance. To put them in a law that would address the pollution. They are coming out with machines that are lower emissions. There are all sorts of regulations that can be made, but it is not strictly a noise issue. It is a larger environmental issue.

Mayor Kinnally: I do not know, and I also do not know if we *can* regulate that. We are hoping that the market is going to put so much pressure on the manufacturers that they are going to clean up these machines. I do not think I am answering your question but I am trying to, this is going to evolve over time. I do not know where we can go from here, but we will see. The county and the state and the federal government have been trying, and I hope will continue to try, to tackle this. But it is difficult to enforce. That is the real problem, and do we have the wherewithal to enforce it. It starts, as they say, at the tail pipe, and if the manufacturers can be pressured to get to a point where they have clean machines it will make life a lot safer and healthier for all of us.

Village Attorney Stecich: You are right, it is part of the noise section. But it is also part of the performance standards, which deal more broadly with pollution and other airborne issues. You want it placed in the Village Code in a place where it makes the most sense. People worry a lot about enforcement, but most people obey the law. If they know that is the law, they do not do it. They are going to look where they have always looked, this section of the Code which currently regulates it. So it makes sense for it to be there. Right now they are being regulated by noise decibels. If later on, for some reason, they got even more pollution generating or there were choices of leaf blowers, at that point you might want to draft a different kind of law that addresses that.

Trustee Quinlan: A lot of people in the industry are our friends and neighbors. Thanks to Danielle, she had some very productive workshops with everybody, everybody has an increased awareness of the issue in Hastings now. Private owners and people that do it for a living are going to become more aware and more responsible because they want to. That is what we are hoping, and if it does not happen we will have to take another look at it.

Trustee McLaughlin: We have heard from mayors and trustees in other Greenburgh villages that the hope of other boards is that we would have similar, if not identical, restrictions. When you see it working across the board, that is when you will have changes at higher levels, whether it is the town level, the county level, or whatever. I would think that over a couple of years, because this is a fast-moving issue, we would see different regulations coming down from above meeting us from the grassroots working up.

Trustee Goodman: I had hoped is that we could have, pretty immediately, an amendment to this law. There are residents with back problems and upper extremity problems: epicondylitis, tenosynovitis, myofascitis. All of those people have difficulty holding brooms and rakes, skinny handles, but they can hold larger objects like the electric blowers that have a strap over the arm. I know of at least two residents in this predicament, and they should be able to use electric blowers in replacement of a rake and a broom even during the summer. It would not be a lot of residents, but we should have this amendment. I know we did not have

enough discussion on this and there was not enough in the record for Marianne to draft that. So I would ask for guidance. How do I do this? Do I put it on for discussion at the next meeting, with apologies to my colleagues that we did not take care of this? These people are not necessarily handicapped in the way that they could get a handicapped sticker, but maybe we could make it in Fran's discretion.

I know this law does not go far enough. Some would say that we did not do enough, others say we should not have done anything. But one of the big issues was more than one leaf blower at a time; four, five, six sometimes on a street. I would implore the business owners to take a look at what they are doing and self-police so this becomes something we do not have to regulate again. I would fear another amendment coming down, with us trying to look at concurrent equipment use.

The fact that this statute does not go far enough speaks to our lack of a comprehensive environmental plan. We cannot do it all with leaf blowers but, hopefully, we are going to look at other ways that we are causing particulate matter to be in the environment. Our DPW trucks, can we switch to biodiesel? There are lots of other things we can look at, but we need a comprehensive plan. We cannot put all our eggs in the leaf blower basket. That is why, in my view, we had to pass what we did. We are going to be asking sacrifice from a lot of us. We are all going to have to pull the laboring oar here. But how we ask for the sacrifice, and what citizens bear that sacrifice, are going to be important. We have to be humane and take all interests into account. There is more at stake than just the environment. It is the people who live here, and the laws have to be reasonable. I thank everybody who was a proponent of those stricter statutes for their interest and also their forbearance.

Trustee Swiderski: In the land of quarter-acre zoning, you may be king of your castle, but nobody is lord of the street or the neighborhood. What is done on your lawn spills over to your neighbors. The reaction was interesting of colleagues at work who live with one-acre and two-acre zoning. They looked at me in disbelief that something like this could pass. I realized how much of it is the nature of our community in that we sit on top of each other. In that mutual living is also mutual respect, and sometimes that is lost in the noise of these devices. Out of that physical reality of how we live comes the justification for why passing this is not unreasonable. It was not the prettiest process, we wrestled with it, and almost nobody got everything they wanted. There was a lot of give-and-take and, in the end, a compromise that is representative of roughly where the community is on this topic.

Mayor Kinnally: It was an interesting process. Nobody got everything but we hope it to be a workable regulation of what has become a problem on many fronts. There was a lot of compromise, which is the nature of what we do up here most of the time. This is not the end. We live with these regulations and local laws and we see if they work, and if they do not

work how we can improve them. One of the problems is enforcement. But after awhile it is like the smoking regulations. People just do not do it, it becomes part of the ingrained culture that we are not going to have these things, and the market is going to take over.

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

WHEREAS, the Mayor and Board of Trustees has considered the issue of limiting the use of leaf blowers in the Village of Hastings-on-Hudson in the interests of preserving the health and well being of its residents, and

WHEREAS, the Mayor and Board of Trustees have determined after a Work Session on September 18, 2007, a Public Hearing on January 15, 2008, several other meetings and numerous communications from concerned persons, that limiting the use of leaf blowers in the Village of Hastings-on-Hudson will have only positive impacts on the environment, now therefore be it

RESOLVED: that the Mayor and Board of Trustees declare that limiting the use of leaf blowers in the Village of Hastings-on-Hudson will not have a significant adverse impact on the environment pursuant to the State Environmental Quality Review Act, and be it further

RESOLVED: that the Mayor and Board of Trustees hereby adopt Local Law No. 1 of 2008 amending the Code of the Village of Hastings-on-Hudson, Westchester County, New York, Chapter 217 Performance Standards to limit the use of leaf blowers as follows:

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

Section 1: Section 217-6 (Prohibited noises) of the Code of the Village of Hastings-on-Hudson is hereby amended by adding the following new paragraph to the list of acts that are "declared to be loud, disturbing and unnecessary noises in violation of this chapter":

- J. The use of leaf blowers, except between October 15 and May 15, and then only from 9:00 a.m. until 5:00 p.m., provided that they conform to the decibel level restrictions set forth in § 217-5 and to the steady state and impact vibrations restrictions of § 217-8. The Village Manager is authorized to permit the use of leaf blowers between May 16 and

October 14, subject to the same time limits and provisos, if (s)he determines that an emergency situation exists in the Village.

Section 2: Section 217-7 (Permitted noises), paragraph C is hereby amended as follows (language to be deleted ~~stricken~~):

C. Sound created by lawn mowers, chain saws, rakers, ~~leaf blowers~~ or similar equipment in use between the hours of 7:30 a.m. and 8:00 p.m., prevailing time, Monday through Saturday, and 10:00 a.m. to 8:00 p.m., prevailing time, Sunday, provided that they conform to the decibel level restrictions set forth in § 217-5 and to the steady state and impact vibrations restrictions of § 217-8.

Section 3: Section 217-16 (Enforcement; notice of violation; noncompliance) is amended as follows (new language in *italics*):

If, in the judgment of the Building Inspector, there is a violation of the performance standards contained in this chapter, *other than of §§ 217-6 or 217-7*, the following procedures shall be followed:

Section 4: The following new section is added to Chapter 217:

§ 217-17. Penalties for offenses of noise provisions.

Any person violating any provision of §§ 217-6 or 217-7 shall be guilty of an offense punishable by a fine of \$50 for the first offense and \$200 for each additional offense in the same calendar year.

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

ROLL CALL VOTE

AYE

NAY

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

17:08 REVISION OF FEE SCHEDULE

Mayor Kinnally: This was the subject of a public hearing and the result of a comprehensive review by the Manager and staff.

Village Manager Frobel: It was a thorough examination by the staff looking at our existing fees, at the cost to provide certain services, and at when it was last revisited. We still have others that we will be coming to you with in the near term, but we think this is a good start, and we hope that the Board will consider passage.

Mr. Gonder: There was the one item from 25 cents to 25 dollars. Can you explain why?

Village Clerk Maggiotto: A letter in lieu is similar to a certificate of occupancy, for which we charge \$25, but we had not established formally that we could charge \$25 for the copy, so we had been charging 25 cents. It brings them into synch.

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 revise the Fee Schedule as follows:

<u>SUBJECT</u>	<u>EXISTING FEE</u>	<u>PROPOSED FEE</u>
Peddlers & Vendors License	\$20.00 per 3 months	\$ 40.00
	\$25.00 per 6 months	\$ 50.00
	\$30.00 per year	\$100.00
Dumpster Permit	\$25.00	\$ 50.00
Scaffolding Permit	\$25.00	\$ 50.00
Sidewalk Opening Permit	\$25.00	\$ 50.00
Dishonored Check	\$15.00	\$ 20.00
Street Opening Permit	\$25.00	\$200.00
Copy Letter in Lieu	\$.25	\$ 25.00
Stormwater Management Permit	--	\$250.00
Subdivision – Preliminary	--	\$300.00
Subdivision – Minor	--	\$300.00
Fingerprinting	--	\$ 20.00

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

18:08 AUTHORIZATION OF CERTIORARI SETTLEMENT – CITIBANK, N.A.

Mayor Kinnally: The request is to authorize the counsel to the Village Attorney to execute a settlement on behalf of the Village for these assessments and refund.

Village Attorney Stecich: This was the recommendation of our tax cert counsel, his assessment being that this was a good deal compared to what you might be able to get and certainly better than you would get at trial. And it avoids the costs of trial.

Mayor Kinnally: This is consistent with the action being taken by the town and the school in a similar reduction. It may not be exactly because there is a difference in timing and also a difference in the tax rolls. But it is certainly in the ball park.

Village Manager Frobel: We do anticipate adjustments like this throughout the year and we have taken that into consideration in our budget.

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

WHEREAS, petitions having been filed by the property owner, below challenging real property tax assessments on the Village's assessment roll with respect to the following parcels:

<u>Property Owner</u>	<u>Address Description</u>	<u>Year(s)</u>
CITIBANK, N.A.	65 Main Street Volume HA, Sheet 11, Block 626, Lot 18	2000 - 2007

WHEREAS, petitioner's court challenge is now pending in Supreme Court Westchester County; and

WHEREAS, the Village and the property owner have reached a mutually agreeable resolution with regard to the assessments at issue in the Court challenges; now therefore be it

RESOLVED, Counsel to the Village Attorney is authorized to execute a settlement on behalf of the Village for assessments for no less than the following:

Year	Current AV	Reduced AV	AV Reduction
2000	84,200	98,383	-
2001	84,200	97,030	-
2002	84,200	91,650	-
2003	84,200	76,500	7,700
2004	84,200	73,650	10,550
2005	84,200	66,250	17,950
2006	84,200	63,550	20,650
2007	84,200	60,600	23,600

The refund of Village taxes amounts to \$14,405.06±.

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

19:08 AUTHORIZATION OF CERTIORARI SETTLEMENT – HARVEY KUTZ

Mayor Kinnally: The same explanation and recommendation applies for this as to the CitiBank one.

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

WHEREAS, petitions having been filed by the property owner, below challenging real property tax assessments on the Village's assessment roll with respect to the following parcels:

<u>Property Owner</u>	<u>Address Description</u>	<u>Year(s)</u>
HARVEY KUTZ	25 Main Street Volume HA, Sheet 11, Section 10, Block 626, Lots 1, 2, 37, 38	2006-2007

WHEREAS, petitioner's court challenge is now pending in Supreme Court, Westchester County; and

WHEREAS, the Village and the property owner have reached a mutually agreeable resolution with regard to the assessments at issue in the Court challenges; now therefore be it

RESOLVED, the Office of the Village Attorney is authorized to execute a settlement on behalf of the Village for assessments for no less than the following:

Year	Original AV	Reduced AV	AV Reduction
2006	23,500	21,650	1,850
2007	23,500	19,900	3,600

The Village of Hastings-on-Hudson's share of the refund is \$1,041.10±.

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

20:08 AUTHORIZATION TO SIGN DONALD PARK FIRE PROTECTION DISTRICT AGREEMENT WITH TOWN OF GREENBURGH

Village Manager Frobel: I am pleased to report that after a long effort we have reached agreement with the Town of Greenburgh to continue to provide fire protection services to the Donald Park fire district. The contract is fairly straightforward and follows the same model

as we have had over the last several years. The changes are in the dollar amounts. The payment is now based on the actual cost to provide the service by our fire department. About 26% of all of our calls respond to the Donald Park neighborhood. It will be subject to an audit and adjustments if our costs or calls for service were less than anticipated. We were almost two years in negotiations and it was a team effort. I think it is very fair. The Village should receive nearly \$456,000 almost immediately upon execution for the years 2006 and 2007. This is a five-year arrangement. I was pleased we had an extended contract, and am looking forward to your authorization tonight so that we can move forward with this.

Mayor Kinnally: Indeed it was a team effort going back a number of years. It took a lot of work by staff. Trustee Quinlan was the point person in the last laps with the town to try to get this moving and, Jerry, I thank you for taking the lead on that. Fran and Susan, the fire chiefs all pitched in. It is a fair contract for the town, it is certainly a fair contract for the Village, and it also speaks volumes for our fire department. There is no other department that can provide the response time and the coverage that our department has provided, and will continue to provide, to the Donald Park district.

Trustee McLaughlin: Our fire department is volunteer, so how do we arrive at a cost of providing services since our employees are volunteers?

Village Manager Frobel: There is a lost time factor involved because so many of our volunteer firemen are also Village employees. There is a factor that we have in the equation for when the men stop being DPW workers, for example, and respond as a fireman. Our other cost is that portion that we pay into for the firemen that if they have enough years of service they can anticipate a very small annuity to be received upon retirement. Those two factors are chiefly the payroll expense. The other expense in payroll is one police officer who dispatches the calls; a portion of his time is also a variable in the equation.

Mayor Kinnally: And then we have equipment costs. That is all factored in.

Trustee McLaughlin: Why do 26% of our calls come from a small geographic area?

Mayor Kinnally: A good part of it is Ciba-Geigy.

Trustee McLaughlin: Are they false alarms?

Mayor Kinnally: Yes. And there are calls for 9-A, at St. Andrews. There are quite a few calls in that corridor.

Trustee Quinlan: It is a fair contract for the Town of Greenburgh and for the residents of Donald Park because the fire district will pay the taxes that will pay the cost of this contract. So the residents of Donald Park, our friends and neighbors because they are in our school district, will pay the taxes for this contract. The good news for them is that they do not have to pay the salaries of a paid fire department like other districts in Greenburgh do, and that is why it is such a good deal for Greenburgh on the whole and was one of the reasons why the Town accepted it. And we were happy to give them that service. In terms of the calls, it is not that small a district. It goes from 9-A to the Sprain up to the Ardsley line and down to the Yonkers line. So it is a rather large district and, as Lee said, there are a lot of alarms in the commercial aspect on the east side of 9-A and there also are a lot of car fires on 9-A. It includes St. Andrews, Clarewood, and the residential and the commercial.

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

RESOLVED: that the Mayor and Board of Trustees authorize the Mayor to sign the agreement with the Town of Greenburgh to provide fire protection services to the Donald Park Fire Protection District for the period January 1, 2006 through December 31, 2010 for the following amounts payable by the Town to the Village of Hastings-on-Hudson:
2006 - \$225,000; 2007 - \$231,750; 2008 - \$238,703; 2009 - \$245,864;
2010 - \$253,240

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

21:08 MONITORING TRUST AGREEMENT WITH ATLANTIC RICHFIELD COMPANY

Mayor Kinnally: This is resolution 21:08: resolved that the Mayor and Board of Trustees authorize the Mayor to sign a monitoring trust agreement by and among Atlantic Richfield Company, the Village of Hastings-on-Hudson, and a federally chartered bank to be named later. I would ask that the passage of this be subject to the Manager entering into an agreement with the bank to become the trustee. More work has to be done in dealing with

their fee structure and with the responsibilities of the trustee. We do not have that designation this evening, but I would ask that if the Board is inclined to approve this that it be approved subject to the subsequent approval of the bank trustee.

This trust agreement is a modification of the consent decree, in which \$175,000 was deposited into a monitoring trust account by ARCO to cover oversight costs incurred by the Village for remediation. In May, 2007 we requested ARCO to provide us with an additional \$200,000 to cover the costs of the Village's engineering and legal expenses related to the review and analysis of documents regarding remediation, infrastructure design, and grading.

If you will recall, ARCO had come to us in the beginning of 2007 or the end of 2006 and asked for our input in the infrastructure design and engineering that they were undertaking in conjunction with the cleanup and in preparation for ultimate development, whatever that development may be. We said we would be happy to give that input, but it is going to cost us because we have to retain experts to give us the information we would need to make that informed decision. We are not going to rely upon ARCO's engineers, or on the state for that matter, because there is a responsibility that we have to make sure that it is done right. Ultimately, ARCO agreed to establish a trust fund of \$325,000 to cover the anticipated costs for the work to be done under the consent decree and also to be done in conjunction with the design engineering for the infrastructure of the waterfront. That is what is incorporated in this monitoring trust agreement.

We had sought to leave an opener so we could go back in. This trust agreement does not preclude the Village from requesting additional funding in the future, although ARCO has indicated that they would not be receptive to that. But the door is not closed, and it depends upon what ARCO needs from the Village as far as input and what we would need in the way of engineering. This gives us a hefty amount with which to retain the experts to give us not only engineering but also legal, and the type of guidance that we would need with not only ARCO but also with the DEC on the ARCO site.

Trustee Quinlan: This does not include the cleanup and putting in the infrastructure by ARCO.

Mayor Kinnally: No, this is only for us, our expenses.

Trustee Quinlan: I want to make it clear that this is only for our expenses and not their expenses.

Mayor Kinnally: This does not limit their expenses. They sky is the limit on that.

Trustee McLaughlin: I am having trouble with the fact that I only have my scribbled shorthand for the wording of this motion. But the last phrase in it, I believe, was subject to the Village Manager entering into an agreement with the bank.

Mayor Kinnally: Yes, to be trustee. And the trustee would have to physically sign the monitoring trust agreement. They are a signatory to that.

Trustee McLaughlin: I am thinking about what refers to what. The federally chartered bank to be determined will be a trustee of the trust agreement, and the Village Manager will enter into an agreement. That is to say, the agreement with the bank to be trustee is not that the Village Manager is the trustee, but the Village Manager is agreeing that the bank is the trustee.

Mayor Kinnally: Yes.

Trustee McLaughlin: So in other words, the Mayor and the Board agree that the bank is the trustee and the Village Manager separately agrees that the bank is the trustee.

Mayor Kinnally: The Village Manager is going to be the point person in negotiating with the bank to see who is going to be the trustee.

Trustee Goodman: That was among my questions: who is the trustee. So you are saying the bank. There is someone at the bank who is the trustee?

Mayor Kinnally: No, the bank is the trustee. A federally chartered bank would be the trustee.

Trustee Goodman: You started to address my concern, and that is the consent decree initially put monies aside in 2003 dollars, \$175,000, and then added additional monies.

Mayor Kinnally: No, they have not added anything since then.

Trustee Goodman: In other words, there is already money in a trust?

Mayor Kinnally: Yes, and we have a trustee. The Bank of New York is the trustee.

Trustee Goodman: And that is separate from the other trust, where it is the recreational fund. I forget what you call it.

Mayor Kinnally: Yes.

Trustee Goodman: So now they are going to add additional monies.

Mayor Kinnally: Yes.

Trustee Goodman: I was just concerned, with them referring to these 2003 dollars, that we are paying fees to our attorneys and engineers at 2008 through 2012 fee rates. So how do we make this stretch, if the cleanup drags and there is more data and more testing.

Mayor Kinnally: I do not know, but we have this invested. To the extent that it has not been paid out we have it invested, right Fran?

Village Manager Frobels: Right.

Trustee Goodman: So there is probably more than \$175,000 at this point?

Mayor Kinnally: Oh, yes.

Village Manager Frobels: It has been isolated and not commingled.

Trustee Goodman: Well, that is very good.

Mayor Kinnally: The phrasing, \$175,000 in 2003 dollars, is from the consent decree. That is how it is designated in there.

Trustee Goodman: I had one other question because I did not have a final copy of the letter that was appended to the trust agreement. There is a reference to at least one task. These letters lay out what we can use the money for. So task number 6 was excepted: future review and compliance. What does that mean? I guess I did not understand.

Mayor Kinnally: Where does it say it is excepted?

Trustee Goodman: The document at page 3.3, distribution of the trust assets. It says that we can use it for tasks 1 through 5, and 7.

Mayor Kinnally: Are you looking at the trust agreement?

Trustee Goodman: Yes. It is referring to the attachments. I was wondering why we could not use this for future review and compliance.

Mayor Kinnally: Part of this was ARCO's reluctance to give us everything we wanted. I cannot tell you exactly why it was excepted.

Trustee Goodman: I did not understand task number 1: ARCO's 50% design documents. What does that refer to?

Mayor Kinnally: In the DEC process following the PRAP, they have to submit documents in increments. So there are documents that are designated 50% remedial design documents. In other words, it shows where they are in the process, and they call them 50% remedial documents. There are maybe 75% remedial documents.

Village Manager Frobel: Ninety.

Mayor Kinnally: Ninety and one-hundred percent.

Village Manager Frobel: The idea is stop any problems before they get too far along in design.

Trustee Quinlan: I think they already have submitted their 50% documents. At that meeting with ARCO, with Malcolm Pirnie, that is what they were discussing.

Mayor Kinnally: They may not be excepted.

Trustee Quinlan: No, they may not be excepted, but they have submitted them and that is what they are discussing with the 50% plans, about the bulkhead and how to build it and whether it is going to go out in the river, how deep.

Trustee Goodman: What happens to the other 50%? Do we not get to review that also?

Mayor Kinnally: Yes, we will.

Trustee Goodman: That is why I was worried about the future review. I figured that should maybe include the other 50%.

Mayor Kinnally: I do not know. I cannot answer that.

Trustee Quinlan: When I was reading this over, \$175,000 they have given us already. That is in a trust account, earning interest. The \$325,000: is that over and above the \$175,000.

Mayor Kinnally: It is not over and above.

Trustee Quinlan: So the \$150,000 is going to be added to the \$175,000, and I assume it is going to go into the Bank of New York trust, or the same trustee.

Mayor Kinnally: It will go into wherever the trustee is.

Trustee Quinlan: We already have a trust set up for the \$175,000.

Mayor Kinnally: I understand, but there is no guarantee that the Bank of New York is going to be the trustee for this.

Trustee Quinlan: But we will probably ask them.

Village Manager Frobel: They have been asked, and they are thinking about it.

Meg Walker, 58 Washington Avenue: I am pleased to hear about the \$175,000 that the Village is receiving from ARCO to help us prepare infrastructure design and so on, retaining engineers and other consultants. I know this is in place of a grant we received from the Department of State several years ago and we have given that grant back, but in that grant we had also discussed the possibility of using these funds to do some preliminary planning and perhaps even landscape architecture work so that the infrastructure that ARCO is putting into place could, in fact, include roads and an esplanade and even some parks. Even if they are in a preliminary form, it would mean that then when the cleanup is complete we may actually have some public spaces that would be usable. That is sort of understood with ARCO?

Mayor Kinnally: Task 3 is review of conceptual grading plan.

Village Manager Frobel: Clearly, when we met with ARCO last year and Malcolm Pirnie, that was the intent, to minimize any duplication. There is no sense in designing it and then coming back to the Village offering other suggestions. The idea is to do it one time, and reduce the overall expense.

Mayor Kinnally: Part of it also is the bulkhead design. We told ARCO that they were looking to get the best possible design so they only have to do it once, and they were up-front in saying it is cheaper in the long run. If you can give us your input now, we do it once. And we said fine, but it is not going to be on our dime. Task 4 is also the review of the LWRP. That is our expense, and we have negotiated that it shall be part of ARCO's expense. I do not want to elaborate on that, for obvious reasons. But what we were able to do was to move some of what would be on our dime to ARCO's dime. It comes under the umbrella of this remediation. If we, as they, can do it cheaper, and once, that is what we are hoping to do.

Ms. Walker: Absolutely. It saves us money, and it also may give us something that we can use when the remediation is finished. It does mean that we are going to have to start doing some more planning work.

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 authorize the Mayor to sign the Monitoring Trust Agreement by and among ARCO, the Village of Hastings-on-Hudson, and a federally chartered bank to be named later as trustee of the Trust Agreement, subject to the Village Manager entering into an agreement with said bank.

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

VILLAGE MANAGER'S REPORT

Village Manager Frobel: I hope everyone has had an opportunity to take a look at Kinnally Cove. Some wonderful work has been done over the last seven or eight days. It is really starting to take shape. We are very pleased with what we see so far. There are probably about 14 more work days and it will be nearly complete. The idea is to do most of the work now, and to come back in the spring to do the plantings. At long last we have heard back from the New York Power Authority. That energy audit that they would like to perform for us was approved in October by the Board, but there were some concerns expressed by the Board in that agreement. The Power Authority has accepted all the suggested modifications. We will be executing that document very soon and they will conduct their audit.

BOARD DISCUSSION AND COMMENTS

1. Update on the Waterfront

Mayor Kinnally: We did have our session on the LWRP last week. The message was sent out to Fred Yaeger that the Village is anxious to continue discussions concerning open space

on the waterfront, and that message has been delivered. I am hoping that we get a substantive response soon.

Trustee Goodman: I had some questions about a letter that we received in our packet from ARCO, directed to the Village, regarding measures that were taken regarding safety in shoring up the ARCO site. I had some questions about how that process came about. The letter indicated that Buildings 51 and 57 were subject to condemnation procedures. Since I am unaware that the Village has taken any action to condemn, I wondered what that meant in terms of the buildings and whether this was a process leading to an immediate demolition.

Village Manager Frobel: That is not a step that we have taken. I spoke with Deven Sharma, the Building Inspector and he has not, and we have not, condemned those two buildings as noted in this letter from Mr. Sontchi. It sounds like it is something internally the company may be considering.

This all started on an inspection by the Fire Department looking, as they routinely do, at the safety precautions in all commercial industrial buildings. There were concerns, for those portions of the buildings that are occupied, largely that research building and the administration building, of insufficient exit signage. We had concerns about having some of the gates chained off leading to the river in the event that the fire department needed to draw water from the river for firefighting operations, and not having a key to access the building if the Fire Department has to respond in the middle of the night. All those were taken care of as a result of our meeting with company officials. I attended those meetings with Deven and with our fire department personnel.

Another concern was the fact that the company has discontinued 24-hour watchman services. That was something we felt very strongly about, that there should be personnel there at all hours to call the Fire Department in the event of any need. Out of that came this letter from the company addressing those concerns that we had pointed out, one of which we mentioned, the fire hydrants. Two of the fire hydrants were not working, and they have now been put back in service. But, as noted, there was no mention on condemnation procedures. How the company interprets the condition of those buildings, and whether they would be proceeding to seek condemnation, Deven does not know.

Trustee McLaughlin: I am concerned about this because last Tuesday Peter and I were given assurances, and now I am trying to think where those assurances came from, that the condemnation did not mean the way we ordinarily think of it, which, is you condemn something, you tear it down. We were told that this was something that had been initiated by the Fire Chief, and that the Fire Department had determined that the buildings were unsafe to protect from the inside. They had asked the company to block up the doors and windows,

and if the buildings did burn that the Fire Department would take all active steps to protect the buildings but only from the outside. Is that in accord with what we were told?

Trustee Swiderski: Generally, the sense we got, and I believe it was Chief Bannon, was that condemnation in the sense that he understood was to block up the building. Apparently, one of those buildings has falling debris, etc. internally. It is in a state of decay. And there was concern that that posed a danger to firefighters in a response situation and civilians, and that this did not mean the Village had carried out any condemnation procedures. There was a different use of the term. Apparently, that does not seem to be quite so.

Village Manager Frobel: I think we are saying the same thing. The buildings are so large there are sections in the buildings that are not being used for any kind of storage. There are, of course, the automobiles stored in there, and there is also some furniture stored there temporarily by one of the moving companies. The firefighters determined that we needed to take steps to make sure that if they were called for service they would know exactly what was in the building and how they would respond.

Trustee McLaughlin: In other words, when you say this is not an action the Village has undertaken, the Fire Department is not the Village for the purposes of understanding what you mean.

Village Manager Frobel: Let me double-check with Chief Bannon to make sure we are communicating on the same level. I came away from those meetings with a certain understanding that seemed to be accurately depicted in the company's letter, with the exception of the condemnation procedures. But I will have to get back to check specifically what it is that the Fire Chief believes is occurring on the site with respect to his inspection.

Mayor Kinnally: This is a letter from ARCO so you have to ask what ARCO means by it. But I spoke with Chief Drumm, and I came away from my discussion with the understanding that this was addressed to the issue of health and safety of the first responders and other people who may come in harm's way.

Trustee Swiderski: That is what Chief Bannon said to us as well.

Mayor Kinnally: But condemnation may mean different things to different people.

Trustee McLaughlin: That is what we were led to believe, yes.

Mayor Kinnally: There is a formal condemnation proceeding, or designation, that is put on it. That would be done, I think, by the Building Inspector. I am not positive.

Village Manager Frobel: True.

Mayor Kinnally: But that has not happened here. And the concern is, is this one step toward demolishing the buildings. Is that not correct?

Trustee McLaughlin: Yes. Stuart Cadenhead has contacted us to ask if that is what it means. The preservation committee is very concerned about what this is.

Mayor Kinnally: Not my understanding that that is what it means. They cannot tear it down without a demolition permit. And nobody, from what I understand, has made application for a demolition permit, and the people who are storing things there would be somewhat surprised.

Trustee Goodman: I understand that Buildings 51 and 57 will have placards placed in the doorways and windows. One of the things that the preservation committee had been looking at is called mothballing the buildings, stabilizing them and sealing them up for some amount of time to secure them. But if you seal buildings up improperly you can put them at further risk, blocking off air circulation, etc. We do not know what our rights would be to mitigate damage or ask that the damage be mitigated in just the sealing process. I know health and safety are first. I am not challenging that. It is just we have a committee that has been working on this. And also because every issue is connected, the trust agreement gives the Village discretion to use some of that money on Building 51.

Mayor Kinnally: Where does it say that? That we can use it on 51.

Trustee Goodman: The trust agreement references a letter. In task number 4 maybe, or 5, it indicated that we could spend some of the monies on those buildings. Then I wonder if I am concerned about how far the funds are going to go why would I spend money on Building 51 if it is under the threat of demolition. Task 5, salvage of existing buildings, allocations were made for engineering and counsel's fees for those buildings.

Mayor Kinnally: This is to review and evaluate reports prepared by ARCO's consultants regarding the potential of salvage of on-site buildings.

Trustee Goodman: But if they are ready to off Building 51 we do not have to spend money reading those reports.

Mayor Kinnally: No, I understand. But it does not say that we can take action with respect to Building 51.

Trustee Goodman: No. I am saying we can spend money to read those reports, as specified there. That is why this word condemnation jumped out at me. We are going to spend this money judiciously because we need it to go far, so that is the reason for some of my question as well.

Mayor Kinnally: When Peter brought this to my attention I called Fred Yaeger and told him there is concern over this. Fred would be happy to talk to anybody about this. I do not think he knew at that point, but he said he was going to get himself up to speed. Did you talk to Fred?

Trustee Swiderski: I spoke to him at the LWRP meeting and he said he would be happy to speak to us; I think that is a worthwhile request.

Mayor Kinnally: Maybe for the next meeting I can ask Fred to attend.

Trustee Quinlan: The problem is the language they use: condemnation proceedings. We need an explanation of what they mean by that, or come up with other language that does not seem so dire.

2. Update on the Comprehensive Plan Committee

Trustee Quinlan: There was meeting number nine on February 27. The Comprehensive Plan Committee and the Planning Board decided to have a joint meeting at the Harmon Community Center at 8 p.m. on March 6. There was a report on the Hunter project. Richard Bass is a professor at Hunter. He is on the committee and is conducting a full semester class that consists of helping the Comprehensive Plan Committee. They are working on the history portion of the draft. Public participation has been in the planning, with a kickoff meeting, date to be announced later, and meetings and workshops. They have assigned different members of the committee to the following topics: community background and history and the planning history, demographics, regional and local setting and intergovernmental and municipal structure, transportation and infrastructure, community facilities and cultural resources, community services, scenic resources, historic resources, recreational resources, natural resources, economics, sustainability, land use, and zoning.

3. 2008 Farmers' Market

Trustee Quinlan: I am a member of the Friends of the Farmers' Market. Although I do not believe it is improper for me to sit here and discuss that, being an attorney I am sensitive to the appearance of impropriety. Because Eileen and I are members of the Friends of the

Farmers' Market, and I do not want anyone to think that my discussions or my deliberations or my future votes were in any way swayed by that, I am going to recuse myself at this time.

Sue Smith, 645 Broadway: We come to ask your permission to use the library lot once again for the summer market. This is the eleventh year. The same reasons that we have appreciated the market in the past still apply. It is a place that is connected with the Village without being right in the middle of the Village. It has the benefit of being separated from traffic so it is very safe because it is a contained area. There are lots of families, lots of kids there, and people feel that their kids can run around and have some freedom. Because the library is there we have good synergy with the library. I hope you received a letter from them indicating that they still feel that way. We have toilet facilities there and in this building, which is great, and telephone service and police here if we needed it. Once or twice we have had an occasion where a police person has come to our help instantly. Also, there is electricity here, which is an advantage. The river views are wonderful. That is not the essential thing, but it just makes it so special for anybody coming here. Hastings is on the river, and we do not have enough chances to be reminded of that.

A lot of people feel that the market is getting so big. In fact, it is our success that is big. We have more vendors, but we are not trying to be endlessly big. We are trying to have a variety of vendors. We want a diversity of products, and we want to refine the quality of them so they are as good as we can possibly get. So that is the goal; it is not bigger for the sake of big. There were more vendors last year and more people last year. We changed the way we were doing the market last year, and we obviously did it well because a lot of people are coming and it is a successful venture.

But I repeat that the proximity to downtown and the possibility that people will indeed go into Hastings and benefit the community of Hastings, which is why we started this market 11 years ago, is an essential ingredient in what the market can bring to Hastings. We did a survey last year. Of the 430 respondents on that nice day in September, 276 of them were from Hastings. The others were from out of town. We did the survey all day long. A lot of people did not take the survey. The attendance was much higher than the respondents. But we found out that so many people do come from outside the community and that of the 406 people who answered this question 258 said they combine local shopping and errands when they come. Some stores say they see the benefit, others do not. Maybe it depends on the kind of merchandise you have, but I think people would answer this honestly that they are combining things with their market trip. They are coming downtown, people are discovering Hastings who are from out of town.

We all acknowledge that parking is a problem because people like to park as close as they possibly can to their destination, whether it is a store in town or the market. We have tried to

come up with ideas that might help that. We are offering to continue the jitney bus. We have been using it for the winter market. People do not seem to be using it, but we are going to continue to do it anyway and hope that we can start changing some habits. We can still offer it between the Zinsser lot, which is the free lot of choice to park, and up here, so people do not have to carry their bags a far distance. We are also having a bag drop so they can leave their bags at the street. Someone will watch them, and they can pick them up in their car rather than feel they have to park close so they can load up close by.

Certainly police enforcement, to the extent that police are available to do that, there might be a quick way to get some tickets. Sometimes the behavior of motorists leaves a lot to be desired. We all have experience with that, not just at the market. People are very self-focused about where they have to be when, and they are going to wait for a spot, they are going to hang around and hinder traffic. Other than enforcement, I do not know what you do to try to change people about that. One suggestion from the Police Department was changing a stretch of the meters between the garage underneath this building to the library opening for the prime hours of the market, maybe from 9 to 12, into just market and library parking, hoping to draw people down here and get away from the north end of Maple and take some of the pressure off the residential area of Maple Avenue. It is not a lot of spots, but it might draw people down this way. And then since they are here, it is not so far to go down to the lots down below, which are free. Changing to diagonal parking in front of Maud's, we discussed that last year and none of you seemed to rally to that idea; the Police Department still thinks that is a feasible way to gain a couple more spots.

Mayor Kinnally: Thank you, Sue. You gave us a pretty comprehensive report on it. I will open this up for public discussion.

Ms. Zazzara: I love the Farmers' Market. But I have read, with a lot of sadness, the word feud used in the newspaper about the Farmers' Market and other members of the town: letters to the editor accusing people of special interests. So I have some questions to clarify how this all works. Does the Farmers' Market pay a fee to the town to be in the parking lot or to be in the Community Center?

Village Manager Frobel: They do pay for the use of the Community Center.

Ms. Zazzara: Is that public record?

Village Manager Frobel: Yes, and I do not know how much it is. The fee schedule is set, and they pay what anyone else would pay for the use of that hall for the designated period of time.

Ms. Zazzara: But they do not pay a fee to be in the parking lot here.

Village Manager Frobel: No, they do not.

Ms. Zazzara: Are there other expenses that are incurred because the Farmers' Market is here, for instance, police, electric, DPW cleanup, in either location?

Village Manager Frobel: No, there are no extraordinary expenses. Public Works cleans up the lot, typically Monday morning.

Ms. Zazzara: Is there income that the town garners directly? We do not know what the shopkeepers are doing. Sue mentioned an opportunity for parking tickets. Is there an increased amount of income that could come from the Farmers' Market being there?

Village Manager Frobel: Not that I am aware of.

Ms. Zazzara: I am not trying to start trouble. I just wanted to have some things out on the table because as I read these things in the paper these were burning questions to me.

Ms. Lhoumeau: Would there be any sense in closing off Maple during the Farmers' Market? I know this would take somebody monitoring two points, maybe at North Street and Warburton and at Maple in the driveway, with the idea that the residents and visitors to the residents can go in and out but that is blocked off so that people are forced to park elsewhere.

Mayor Kinnally: That has not come before us. If it is something they want to entertain in the future I am sure they would.

Kelly Topilnicky, 18 Maple Avenue: They talked about the survey being done, but I read a letter from the Chamber of Commerce. They did a head count of people; it was 1,400 customers in December, and only eight shopped the Village. This is a letter directly from the Chamber of Commerce, and I think it was sent to the Board. So they are saying that they are bringing shoppers into the Village, and yet the Chamber of Commerce is saying they only brought eight shoppers into the Village.

Mayor Kinnally: What was that survey from?

Ms. Topilnicky: It was a letter from the Chamber of Commerce to the Market committee. And then Sue did a survey at the same time.

Mayor Kinnally: I am asking if the Chamber did a survey.

Ms. Topilnitsky: I do not know if it was the Chamber or it was the Farmers' Market Committee.

Trustee Swiderski: Lee, what happened was they distributed coupons at the Farmers' Market and eight were redeemed.

Ms. Topilnitsky: It was 1,400 customers. They are talking about numbers of a survey of 300 or 400 people, but then you are talking about 1,400 people. In the paper it was stated that there are 1,800 people that come to the Farmers' Market. So even half of that number of cars coming onto Maple and through the Village makes it very difficult, and not just for the residents, for the Village as well. We have a real concern with empty storefronts. We have had some feedback from business owners that are concerned. It is taking away from business, especially now that it is in the Community Center. People are parking in the A&P lot and that is a concern for the A&P. There is even less parking over there than over here. And once River Town Lofts opens and you put storefronts in front, how are you going to continue a winter market and explain to a new tenant?

Mayor Kinnally: Why do we not just deal with the parking lot here because that is what we are addressing tonight.

Ms. Topilnicky: Okay, that is fine. I understand the importance of doing a survey. However, for a survey to be comprehensive it would have to go out to everybody and not just the people who shop at the market. You could include people from out of town. But it is Hastings that is taking the brunt of the Farmers' Market. So while doing a survey is fine, again, the infrastructure is here. It is not in Irvington, it is not in Ardsley, it is not in Yonkers. It is Hastings.

The town hired a consultant for the transportation study. He proposed \$40,000 worth of changes to Maple Avenue, to calm the traffic on our street. So clearly there was a problem even before there was a farmers' market. I understand the market likes it up here and there is a synergy with the library. I certainly do not dispute that. The market is a nice place to go, not that I would let children run around. No place is really safe from cars or vans. I just have major concerns with the parking. The Planning Board is reviewing a case of a 290-occupancy restaurant in the center of town. The Farmers' Market came up with regard to that. A Board member brought it up because there was concern that they are not allowed to open for lunch because it might interfere with the parking for the Farmers' Market. You have to weigh whether the revenue of a restaurant is better. The town is not earning a revenue from the Farmers' Market except for whatever rent they are paying for the Community

Center. But you would earn a revenue from a large restaurant in the Village who would be paying taxes and their customers paying for parking. I understand the jitney. I do have a suggestion about that regardless of where it ends up. If you offered it like a senior shuttle, instead of saying park at Zinsser, why do you not pick up at specific spots in the Village, take you to the Farmers' Market and then take you back. A bag pickup is a bad idea. Up here, Sue said it herself, drivers are very hostile and they get very nasty. They sit double-parked waiting for spaces, and they get impatient. You cannot have bag pickup in the same area. And where are you going to have it? Right at the bottom of the driveway. And if the police need to leave, if there is an emergency, then you get into an issue where you are impeding emergency vehicles. So I would suggest the jitney might be used for some of the seniors who maybe cannot drive here on their own and get rides to come here.

The Farmers' Market demonstrated how mobile it is by holding it over in the Community Center over the winter, so I do not understand why, even if they do not want to move for the six months, 26 weeks, 26 weekends, they cannot move for three. Try other locations. I understand there is a concern about the asphalt in the heat of the summer. There is a bridge down there, and there are trees. I would like to see it tried, or at least investigated and not just dismissed out of hand. Draper Park is a beautiful area. And it also works with the Historical Society. You could make arrangements with them. I am sure they would be willing to have people come in and use their facilities.

The Farmers' Market is a retail business. They have turned it into a family gathering and things like that. That is fine, but the people who are selling there are selling to make money and to make profit. They are not selling to use the bathrooms. The market committee is being nice by providing those conveniences. Electricity can be provided down there. Look at the telephone poles. They plug in the Christmas lights, they can provide electricity. Sue was trying to find an indoor location for the winter. This is before the Community Center came up. She mentioned ARCO. Obviously, after your earlier discussion, that would not work. But I would suggest that the market has been here long enough that perhaps a permanent indoor location. An outdoor location is not going to work over the winter, but a lot of towns have semi indoor/outdoor type of things. For the market to find a home, and not be at odds with the residents and the Village, this is a concern.

Yes, I do run the Maple Avenue coalition. It is supposed to represent most of the neighbors. I do not say that everybody always agrees on everything. However, comments have floated back to me that big deal, it is only a few hours. But it is six hours and it is not a few hours. It is from 5 a.m., when the trucks start showing up to set up in the parking lot. People see shopping from 8 a.m. to 2 p.m. You do not see them showing up at 5 a.m., when it is a nice day to have your windows open and you get woken up at 5 a.m. by the trucks coming up the driveway. We have the displeasure of living directly at the bottom of the town hall

driveway, and we deal with the emergency horn and other issues. I just do not feel that 26 conservative weekends, which is six months, people just say that and dismiss it. It is not just Saturday mornings that is an issue for the residents. It has gotten so bad that the parking problem here is six days a week. There was a question about switching the market over to a Sunday. I would disagree with that.

Mayor Kinnally: I do not think that is the proposal now.

Ms. Topilnicky: I was criticized for the letter to the editor. Let me say I understand Sue Smith has done quite a bit for the town. Another resident points that out in another letter. I would like to say I agree that she has done wonderful things for the town. I never said that she did not. All that aside, the termination of the venue of the Farmers' Market should be made based upon the facts, facts such as limited or no parking, increasing number of shoppers, an increased number of vendors. And it has increased, over the last two years especially.

We do not agree that the market should be held here. We have a petition signed by the people who live in the area. There was also a comment made about the police parking on the lawn. They do have a tendency to park on the lawn, but not as heavily as they do when it is the Farmers' Market. They actually park all their patrol cars on the lawn. This is Saturday morning as the market is starting. If that is going to be a permanent home for them, then maybe you should think about making it a permanent home for them so they are not tearing up the lawn in muddy weather.

Adele Gorman, 21 Maple Avenue: I can see the Farmers' Market from my window. I am seriously concerned about safety. It is a huge issue. I am a friend of the Farmers' Market, I will always be. I love it. I love meeting all of you on a Saturday morning. I am fearful that there will be some tragedy. I watch the traffic increase, the aggressiveness of the people who would like to park closely. It has impacted my life as far as what I will do on a Saturday morning. If I have to take any of my three children somewhere for a sports event I know I will not be able to come back and park usually, which I can almost live with. It has really impacted the area from the north end to the south end of Maple Avenue. I do not want to see the Farmers' Market leave. I would like to see the issue of safety on Maple Avenue addressed seriously so that we can make sure that we keep the Farmers' Market here, but keep our residents safe.

Mr. Gorman: I have mixed emotions about the Farmers' Market. I like it, and I love it. But there is an 800-pound gorilla that no one has talked about so far. My wife and I disagree a little bit. I do not mind the Farmers' Market being here, although it is really a pain in the neck on Maple Avenue. We happen to be fortunate enough to be in apartments that are

going co-op. What no one has said so far is there are probably 100 cars being displaced from behind the garden apartments here. An additional 75 to 100 cars are going to be looking for parking spaces constantly. I love the people who put this together. I love the people in the library. I think they have done a terrific job. I almost do not even want to disconnect the Farmers' Market from the library because I think it probably brings more people to the library, which is a good thing. But this year, this one summer, you are going to have a really serious issue on Maple Avenue.

Trustee Swiderski: Why is that?

Mayor Kinnally: Because they re doing the stabilization.

Mr. Gorman: Behind the apartments a giant wall being built, a retaining wall, to stop our homes from sliding down to the train station. Because of that, a large percentage of the parking is gone.

Trustee Swiderski: Is that a permanent state, or is that a temporary one?

Mayor Kinnally: They are displaced until they get this project finished.

Mr. Gorman: We know it is going to be through most of the summer if not into the fall. I am not here to debate whether the market should be here. But this is a perfect time for the town to consider moving it across from the train station one season. See what it is like. I know we can get electricity, we can get some porta-potties down there. It may be a little additional expense. Maybe some of the vendors would be glad to pay extra. The point I wanted to make is, this is the most serious problem, at least for this season, and it ought to be considered and discussed.

Mayor Kinnally: Where are those cars parking now?

Mr. Gorman: We are fighting for spaces on Maple Avenue.

Mayor Kinnally: This is something that we should get the Chief and the Safety Council involved in to see if there is a fix. And this does not involve the Farmers' Market. It is exacerbating the Farmers' Market situation. Why do we not see if we can get this before the Safety Council.

Helaine Olen, 39 Fraser Place: I am a huge fan of the Farmers' Market in its location. My suggestion would be, as somebody who lived one block off the beach in Santa Monica in Venice for several years and a veteran of more parking wars than you can imagine, to turn

Maple to permit parking on Saturdays. This keep some traffic off Maple because there would be no reason to park there and, in addition, would probably make the residents' lives much easier. I am presuming there would be no issue with this.

Mayor Kinnally: Yes, there would be a big issue with this. It has to go to the state legislature. There has to be a law passed by the legislature and signed by the governor to allow restrictive parking in certain areas of a village. We went through this. There are findings that we have to enter into, and they would not allow it for one day.

Trustee McLaughlin: They would not allow it for one day and they would not allow it for one street. They would create a district that would be huge. The Maple Avenue parking district might run from the Village line at Dobbs Ferry down to the ravine. That is how big the state would make it.

Ms. Olan: We have a very successful market where it is now, and to move it would jeopardize something very special in this community.

Mayor Kinnally: We agree. Thank you.

Michael Ross, 24 Maple Avenue: Most of the points I was going to make were made by previous people. I also have three children under age 10, and it is excruciating right now on weekends trying to keep them from getting hit by cars. God forbid we want to have a birthday party or we want to go shopping or bring them to a sporting event. It is almost impossible. I love the Farmers' Market, the people do a wonderful job running it, and it is getting better and better. But really, something has to change. It is really becoming unbearable living on the street right now. And it is not even just localized to Saturdays anymore. Almost any given day it is almost impossible to find a parking space anywhere nearby. So please, really try to do something about this.

Matt Turk, 87 Washington Avenue: The culture of driving and being sensible about driving in a small community should be addressed separately from the issues of a farmers' market. Where I live on Washington it is an outrageous hill, people speed up, and I am concerned for children and people crossing the street. I have often thought about a speed bump. I want to reinforce your suggestion to address this concept of public safety with the public safety committee. And as you address this, perhaps look at the logic of how we can create a culture of sensible village driving as opposed to aggressive driving, and a culture of safety consciousness.

Steve Topilnicky, 18 Maple Avenue: Tarrytown, Irvington, and Ardsley all have permitted parking.

Mayor Kinnally: Yes, they do. We are familiar with that.

Ms. Lhoumeau: Adding to the issue of the traffic around Maple, what is going to happen at the Hastings House Restaurant?

Mayor Kinnally: The parking and traffic dealing with Hastings House Restaurant is before the Planning Board, not before the Village Board, and I do not expect that it will come before the Village Board because they will not need anything from us. This is solely on their agenda. They came before us once with respect to the possibility of using some spots in our lots, but I do not believe that they intend to come back before us.

Pascale Le Draulauc, 3 Ridgedell: I am the director of the Farmers' Market. What I am hearing is that parking is a problem on Maple every day of the week, not just Saturday. I want to make sure that is what you heard, too. Every time we hold the Farmers' Market I walk down to the parking lot across from the train station and there are 200 spots available. They are so close to here, it is a matter of a block and a half. We need to get people to park over there and walk up the hill. We have not tried actively in years past because the market has not been as busy and it has not been as much of a problem. This coming summer we are going to do everything we can. We totally appreciate that there is an issue. We are not in denial. We had an apple pie contest this summer, and two minutes before the contest was supposed to start we had 26 pies sweltering in the heat and our judges were not here because they could not find parking. So I am the first to know that there is a problem.

But we do have all these empty spots, and it is just a matter of changing people's mindsets. As we said, we are going to have a jitney. If the bag check is not a good idea, we welcome suggestions from everybody and especially the Maple Avenue coalition. We would love to hear your thoughts on ways that we can make life easier for everyone. But I do want you to think long and hard before thinking of changing the location of the market because the location is what makes it so special. We have great vendors, yes. We have a great committee. But that view is magical and it is what makes people very happy to spend their time there. There are a lot of people who come to that market every Saturday and they do not buy anything. They just sit there on the lawn and enjoy the sense of community that the market brings and the natural beauty of the setting.

Mayor Kinnally: We are in receipt of a letter from Thom Forbes, the president of the Library Board of Trustees, conveying his belief that the current site is the ideal site for the Farmers' Market. We will make that part of the record. There have been many ideas floated here this evening. Fran is going to talk to the Chief and to the Safety Council. We all know that it is a problem, and we are going to try to come up with a solution. I do know moving it

this year is not something the Farmers' Market wants, but Fran, if you can talk to the Chief and to the Safety Council and come up with a report on that. And Drew, we will work with your group also as far as this problem. We will have this on for another evening.

Trustee McLaughlin: Two years ago we talked about blocking Maple Avenue during market hours. For some reason, it might have been on the advice of the Safety Council, that idea was discarded. But two things occur to me. The first is that the use of the market has increased, and we have every reason to believe that it will continue to grow. The second is that we have, in our own Village history, an example of how the Village has successfully changed residents' behavior. That is in the case of recycling. When the Village started recycling we had two garbage pickups every week and we staggered our recycling pickups, and we had very low compliance. So the Village changed from the two garbage pickups and half a recycling pickup to having one of each. Immediately, our recycling statistics shot to almost the top of Westchester County, which is where they have been ever since.

Mayor Kinnally: I might also tell you that we caught holy hell in moving from two twice a week to once a week.

Trustee McLaughlin: I remember. We did indeed do that. I was president of the League of Women Voters, and I remember what people said. But the fact is that we have, since that time, had really good compliance with recycling laws. I do not believe that toward the end of the week our streets are littered with garbage because we have only the pickups on Monday and Tuesday. Which is why I wonder if the Safety Council can reconsider the possibility of blocking off Maple Avenue. We have now tried *not* blocking off Maple Avenue.

Mayor Kinnally: One of the problems with blocking off Maple Avenue is safety concerns.

Trustee McLaughlin: But if you block it off just north of the exit from this building, and then you block it off at the entrance to Maple at the foot of North Street, you just have that one stretch where people can leave but they cannot enter. We are not talking about building a wall. We are talking a couple of sawhorses so a fire engine could get through for those hours, but it would keep you and me from driving our car in there while letting the neighbors, the people who live there, get in and out.

Mayor Kinnally: How are they going to get in and out?

Trustee McLaughlin: Because you only have sawhorses on the in-lane, the one where you are going to keep us out, but they can leave.

Mayor Kinnally: All right, we can run it by them. There are inherent problems with that.

Trustee McLaughlin: Of course there are, but look at the problems we already have.

Trustee Goodman: I do feel that the Farmers' Market brings a wonderful sense of community, and it has become about more than the market. It is a place to socialize and to gather, and in our busy lives that is not something that we have. We should cherish this and encourage it. But when I sit up here, things have to be logical to me and they have to make sense. Just earlier we passed a leaf blower law. Why? One is, because people were upset about the noise in their neighborhoods, particularly weekends. Leaf blowers are no longer allowed in the neighborhood before 9 a.m. So when someone says that at 5 a.m. trucks are rolling into their neighborhood, this is something we have to consider. Why did we ban leaf blowers in the summer? Because of the particulate matter and the pollution. I have seen cars sitting on Maple Avenue during the Farmers' Market idling and idling and idling. And it is not that Maple Avenue is a problem all week long. It is a problem all week long. It is much, much worse on the Saturday during market in the summer.

We just passed a law for health and welfare considerations, and we run the risk of setting a double standard. If the Farmers' Market rolled into Ashley Road every Saturday for 26 consecutive weeks, where I live, I would be pretty upset. And I have sat through this conversation for three years running now, where the neighbors from Maple come and they are ignored and there is very little done to mitigate. So just like when we look at SEQRA and negative impacts of what we do, we have a duty to mitigate. The spots in front of the library should be reserved for market parking. If we can block Maple Avenue we should do so. I am not sure what the bag drop does if cars are going to come by and idle. We should do whatever we can to get some relief for the neighborhood while encouraging people to use the market. We have to send it to the safety committee. I am concerned that if we block off Maple, then we are sending all the traffic to Warburton. It has got to go somewhere. So I would ask us to put our feet to the fire and mitigate, mitigate. We cannot pass laws and then approve activities that cause the same problems to this neighborhood that the other neighborhoods have begged relief for and we have given them relief.

Mayor Kinnally: It is a tall order and we have got to try to come up with something. Every year we do. We recognize that this is a problem. Coming up with a workable solution is the problem, and part of it is what has been talked about before, getting people to change their ways. We have run the jitney for years in a different program. People do not use it. We have said there is parking available at Zinsser field. Nobody avails himself of that parking, none at all. We would run a jitney throughout the Village. It does not work. Nobody has used it. That is the problem.

I am not so sure what the solution is. It sounds good, but I am not so sure it can do it. You put a sawhorse in the southbound part of Maple Avenue; what is to stop somebody from going around the sawhorse? And if you are going to want your kids to go out on that street, you are crazy.

Trustee McLaughlin: Mayor, I understand your exasperation because as with Danielle I have sat and heard this year after year. But I also understand what it must be like to live in this neighborhood. I grew up across the street from a school and down the street from a stadium. When you have people walking all over your property, and school buses and trucks and so on, it is hard to live your life. But you take it. That is the way your life is. But on the other hand, year after year we have listened to this and have made only the smallest mitigations. We know that it has not really worked, which is why I am suggesting what we said with the leaf blower law, that it was a work in progress, and that we would see how it worked and give it a year. What is to keep us from seeing how a more radical change would work for a year? All we need to do is see if it works for two months, and if it does not work by July, then we reconsider it. We have seen that ignoring it does not work.

Mayor Kinnally: Nobody said we are not going to try it. It should go to the Safety Council and let them look at it. I am not prejudging this. I have no idea. But it is radical, and it will also impact adversely the people who live down there.

Trustee McLaughlin: But let us see.

Mayor Kinnally: If you block off the street it is going to affect the people who live there.

Trustee Goodman: Why do you not just say no through traffic, and people that live there should be able to come and go.

Mayor Kinnally: I do not know how you enforce that.

Trustee McLaughlin: I think most people will obey the law.

Trustee Swiderski: Most people obey the law. The Farmers' Market is a remarkable asset to the community exactly where it is, and I cannot entertain moving it for reasons that lend themselves to why it is remarkable where it is. However, we are about experimentation as well, and we do not even have to give it two months. Whether it is a sawhorse or something else, a couple of weekends will either yield a positive sense or a negative sense that this is working. It is a minimal effort, and given the need for mitigation I do not think it is asking a whole lot. The Safety Council can look at it. I would suggest to them that experimentation is probably the order of the day on this. It is a straightforward step. Give it a shot.

4. Stormwater Management Annual Report

Village Manager Frobel: Every year we are obligated to submit to the state an accounting of the accomplishments in compliance with stormwater management. Angie has put together a memo and you have a copy of the report. It includes things such things as street sweeping and catchbasin cleaning, education, outreach to the residents on things they can do to reduce foreign materials getting into the stormwater system. Our participation in the collaborative with 16 other communities is also one of the action items. Our Village-wide cleanup, which occurs in the springtime, also counts as an accomplishment. As indicated, we are very late on this one. We may be in a situation where there may be some penalties in submitting this as late as we have. At our next meeting we will have the more recent report which we will submit in a more timely manner, but this one is overdue.

Mayor Kinnally: What are the penalties we are looking at, Fran?

Village Manager Frobel: There could be some financial penalties.

Mayor Kinnally: And the reason it is late?

Village Manager Frobel: I would have to say staff being involved in other projects, having this set aside and not accomplishing it in a timely manner, all contributed to it.

5. Proposed Zoning Code Amendments

Mayor Kinnally: Marianne, thank you for your memo. We talk about tinkering with things and seeing things evolve, and I thank you for coming up with these proposals. Do you want to cover anything?

Village Attorney Stecich: I do not know whether I should go through them. It would not take a long time. Or do you want to do it in another meeting?

Mayor Kinnally: This is probably better suited for a work session, and we will go from there into a public hearing. But they make a lot of sense.

Village Attorney Stecich: These are non-controversial and for the most part reflect what has been the practice of the Building Department just because the law is a little unclear about these things and you have to come down one way or the other.

Trustee Swiderski: Given how many meetings we have scheduled over the next few months, this could be a Board item, where the opportunity for questions to be asked is provided, and beyond that I agree with you. Some of them are eye-glazingly straightforward, and I did not have a whole lot of questions.

Mayor Kinnally: We can put it on for next time.

Trustee McLaughlin: We have work sessions on the budget.

Trustee Swiderski: If it is folded into that, that would be fine. I just do not want to dedicate more time.

Trustee Goodman: A resident who saw this on the agenda asked me if we were going to be publishing this. Can the public have a copy of the proposal?

Mayor Kinnally: Sure they can.

Trustee McLaughlin: Why do we not put it on the Website?

Village Attorney Stecich: Does it not make more sense after the public hearing has been called?

Trustee McLaughlin: If people see this on TV it would be nice if it were on the Website for them to look at. We know how much people like to look at this stuff.

Trustee Swiderski: An update on the Village Officials' Committee. We won the court case several weeks ago over this Finneran Law amendment. Upon careful examination of the rulings of the judge the town lawyer and Supervisor Feiner have concluded that a rigorous enforcement of Finneran would have negative effects on recreation programs and access to the parks that village employees currently enjoy, whether it is attending unincorporated Greenburgh rec activities or other things. After defending Finneran for two years, we have the discussion of the potential of modifying it to provide the Town board with the flexibility that we enjoy here of allowing any town resident access, for whatever fee the town board may decide to set, to a park without incurring a taxing obligation on the villages.

The VOC has had a storm of emails go back and forth discussing the wisdom of this, and it tried to come to a consensus. We certainly think the town should have that flexibility, but is not eager to move hastily since it should be done carefully so we do not cause unexpected outcomes. We are not interested in a laundry list amendment, where parks that we have access to are not remunerated and categories of residents and fee structures spelled out,

because the next day after that amendment is passed in Albany somebody will come up with a new idea that is not covered there. We are not interested in going to Albany repeatedly with modifications to this law. The reason I was late here was I was making essentially that statement to the town board, which is now engaged in a work session on this change to Finneran. We simply do not share their urgency on this change. We are eager for them to do it right, and we do not believe that it is necessary to come up with cataclysmic threats about shutting down programs for the summer. The better part of valor here is to just take our time, not do anything rash, and get it right.

Mayor Kinnally: Yes. Especially since the appeal may not be over.

Trustee Swiderski: The appeal may not be over, and we have gotten back to where we wanted to be. To muddy the water here by suddenly talking about changes seems abrupt.

Trustee Swiderski: They are going to look to us for an approval of whatever change comes with it. I have warned them that we would deliberate carefully, that nothing in Hastings happens quickly, and that it will include approval of a change to a law we just spent two years defending.

Trustee McLaughlin: There are two exciting things that I would like to talk about. First, from April 1 to April 7 we are going to be sponsoring Climate Action Week in Hastings, seven straight days with events for the whole family. Tuesday, April 1 is a movie and music night. The music night will open with a solar-powered rock group named Solar Punch. At 8 o'clock we will present a brand-new feature length film that is not out for general release yet. We cannot use its name in our printed material, but I can tell you on TV that it is called *The 11th Hour*. You can go to its Web site. One of its writers is Leonardo DiCaprio, and he is its narrator. On Wednesday, April 2 is a program "Climate Change 101." We have scientists and experts on various aspects of climate and the environment speaking that evening. Thursday, April 3 is "Public Health Implications of Climate Change." Friday, April 4 is family night starting at 5 o'clock. You will be able to have dinner at the Community Center. Parents can drop by on their way home from the train. There will be all sorts of things going on for kids from kindergarten through any age, and their parents. Then Saturday, April 5, at 9 a.m. we will have "A Mayors' Conversation" about the county's newly-released sustainability report. We are billing it as a mayors' conversation because our special guests are several mayors but the general public is invited. That afternoon from 1 p.m. to 6 p.m. we are having a green living fair with all kinds of cool things: a composting tent, several alternative fuel cars. Westchester County's veggie bus, fueled by corn oil, will be taking people to and from the Zinsser Lot. We will have tours of 45 Main Street, the greenest building in Hastings.

Trustee Swiderski: Second.

Trustee McLaughlin: Second-greenest building, with the exception of Trustee Swiderski's house. It is heated by geothermal, and you will be able see how the geothermal heating works and all the various finishes. That is Saturday, April 5. Then Sunday, April 6, Josh Dorfman, who has a Web site called The Lazy Environmentalist, will speak and there will be a panel discussion on theological aspects of climate change. Finally, Monday, April 7, we will have a program called "Bringing it All Home," a roundup of what we will have learned that week and what we can do next, and next and next.

Climate Action Week is sponsored by the Mayor and the Board, the Conservation Commission, the Public Health Commission, and Sustainable Hastings. We need volunteers. We need camera operators and people to help on Friday night and Saturday afternoon. If you would like to volunteer, the email address is climateactionhoh@gmail.com. The Village's Web site has a link to more information on Climate Action Week.

The other exciting thing is the Quadricentennial Committee. The quadricentennial is the 400th anniversary of Henry Hudson's exploration of the Hudson River. A committee is working on what will happen in the Village next year, but we are kicking off 2009 with a First Night celebration, which will begin the afternoon of December 31 and go through New Year's. The entire downtown will be turned into theaters for performances of all kinds for the whole family. The Village Manager thinks we can close off the whole downtown so it is completely a pedestrian area. If you have skills as an event organizer, contact the committee at firstnighthoh@gmail.com. I hope to hear from volunteers for these events because both are going to be incredibly exciting. They are going to make people remember the reasons they are happy to live in Hastings. They are going to make us call our friends and say, you have to come here, this is a cool place to be.

Mayor Kinnally: It is exciting, these two great events, and I am excited about that film.

Trustee McLaughlin: But, Mayor, you are going to be here on that night.

Mayor Kinnally: Yes, that is right, that is our organizational meeting night.

Trustee Swiderski: That is a shame.

Trustee McLaughlin: There was no other week we could do this.

Mayor Kinnally: Mr. Skolnik, public comment is over.

David Skolnik, 45 Hillside Avenue: I do know that, and I appreciate your letting me get this close to the microphone. This is a question regarding the announcements. I do not know that you generally do announce the joint Board of Trustees/Education meetings.

Mayor Kinnally: Is there one coming up?

Trustee McLaughlin: Yes, we are having one tomorrow morning at 8 a.m.

Mr. Skolnik: Is that a public meeting?

Trustee McLaughlin: Yes.

Village Manager Frobel: You have attended in the past. It would not change.

ADJOURNMENT

On MOTION of Trustee Goodman, SECONDED by Trustee Swiderski with a voice vote of all in favor, Mayor Kinnally adjourned the Regular Meeting at 10:35 p.m.