

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
REGULAR MEETING
NOVEMBER 18, 2008**

A Regular Meeting was held by the Board of Trustees on Tuesday, November 18, 2008 at 8:05 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

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

CITIZENS: Eighteen (18).

Mayor Kinnally: This evening we have a public hearing, but I want to go through a little of our regular meeting agenda. Then we will recess, go into the public hearing, and then come back to our regular meeting.

PRESENTATIONS

Mayor Kinnally: Fred Wertz has been appointed to the Comprehensive Plan Committee.

APPROVAL OF WARRANTS

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

Multi-Fund No. 35-2008-09 \$ 3,351.71
Multi-Fund No. 36-2008-09 \$82,085.96
Multi-Fund No. 37-2008-09 \$ 1,324.21
Multi-Fund No. 39-2008-09 \$42,269.08

Mayor Kinnally: We are going to put off approval of the minutes and public comments for the time being. I would like to go to Resolution 106:08.

106:08 HONORARY RENAMING OF SPRING STREET TO HONOR VETERANS

Village Manager Frobel: Mayor, as you know, we were approached by the Post to consider renaming a street in the Village in honor of the veterans. It was the suggestion that Spring Street be named honorarily as Veterans Way. This is, we felt, a link between the monument here at Village Hall and the VFW Post. It seemed a very logical location. That is why this resolution is before you this evening.

Mayor Kinnally: We had discussions about renaming part of another street, and it seemed not appropriate, but logical to do it the way that Fran mentioned so we have it on this evening.

Trustee Swiderski: This is appropriate and delightful to recognize the service of Hastings residents who are both here and have moved on to a better place. It is absolutely wonderful.

Trustee Quinlan: I am proud of the veterans we have here with us tonight, and those that are not here that have died in combat and passed away since the war. Congratulations, and I think it is well worth it.

Trustee McLaughlin: On behalf of my father, my grandfather, and my several friends who died in Vietnam, this is probably one of the happiest resolutions I have had the opportunity to vote on as a Trustee. Thank you all for coming.

Trustee Goodman: Thank you so much. You represent what it best about this village and our nation. A little bit of my deceased dad is with you, hopefully. He was a Marine, and served in the Pacific Theater. Thank you so much for all that you did and continue to do.

Mayor Kinnally: Those of us of the boomer generation owe a lot to the veterans for keeping our country the way it is. My father served in the Navy. My father-in-law was a lieutenant colonel in the Army, served in the Pacific, and was on his way to Japan when the atomic bomb was dropped. I did not learn that until reading some correspondence that he had sent to my mother-in-law. Every single envelope and letter is catalogued up in my attic. It was something he never talked about, but when you think about all that happened and what they saw in their lifetime, and how they served this country, it is just remarkable. Thank you all here, and not here, and all the veterans to come and all those who are serving so honorably in our Armed forces throughout the world now, either in combat, in peacekeeping operations, or just protecting all of us.

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

WHEREAS, brave men and women including residents of Hastings-on-Hudson have served our country in an exemplary manner in all parts of the world, and

WHEREAS, all citizens have benefited from the sacrifices made by these veterans defending this country and the cause of freedom, and

WHEREAS, the Mayor and Board of Trustees appreciate all that veterans and active military do to enhance the quality of life and security of our nation and residents of Hastings-on-Hudson, and

WHEREAS, it is right to remember, recognize, and honor current and past service to our country by all veterans, now therefore be it

RESOLVED: that Spring Street is hereby honorarily renamed Veterans Way, and be it further

RESOLVED: that appropriate signs are procured to note this change of name honoring all veterans.

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

Mayor Kinnally: The last paragraph of the resolution says that appropriate signs are procured to note the change of name honoring all veterans. I have one of those signs here this evening which will be put up on Main Street, and here it is [applause]. It will be something all of us will treasure. It will bridge the monument here at the municipal complex and the VFW on the eastern part of Veterans Way. Thank you everyone for coming. Congratulations, and a great debt that we owe all of you.

John Graham, VFW Post: I just want to thank you for our comrades in James Daly Post 200 and all the veterans. We appreciate this, and we thank you again.

On MOTION of Trustee McLaughlin , SECONDED by Trustee Swiderski with a voice vote of all in favor, Mayor Kinnally recessed the Regular Meeting at 8:10 p.m. to hold the Public Hearings.

[Resume 8:15 p.m.]

APPROVAL OF MINUTES

On MOTION of Trustee McLaughlin, SECONDED by Trustee Swiderski with a voice vote of all in favor, the Minutes of the Regular Meeting of October 21, 2008 were approved as presented.

On MOTION of Trustee Swiderski, SECONDED by Trustee Goodman with a voice vote of all in favor, the Minutes of the Executive Session of October 21, 2008 were approved as presented.

Trustee McLaughlin: On page 12, the Mayor's second speech, you say, We are not pursuing anything, this is the DEC. There is a word left out of the next sentence. It might be recall.

Mayor Kinnally: Yes, recall probably.

On MOTION of Trustee McLaughlin, SECONDED by Trustee Swiderski with a voice vote of all in favor, the Minutes of the Regular Meeting of October 28, 2008 were approved as amended.

PUBLIC COMMENTS

John Gonder, 153 James Street: Again, my health, safety, and welfare were in your hands. Assault, a violent physical or verbal attack; an apparent violent attempt or a willful offer with force or violence to do hurt to another without the actual doing of the hurt. You make ordinances, rules and regulations, laws, but you put it on the police this one, that one. You do away with dogcatchers, you get animal control out in Greenburgh, and they do not help residents like me.

2/14/05 - Dog not controlled by owner; running loose on James Street. Defecated in front of my property.

2/18/05 - Two police officers talked to me about dog and woman. Told not to talk to her. She is claiming harassment. I told officer about dog loose and not picking up the poop.

2/23/05 - Dog has leash on, but woman not holding leash, out of property on east side of James near curb.

3/15/05 - Up the street on Hudson. Walking the dog. Ran out of property number 115 at James Street and High. Leash on. Young girl did not have leash in hand. Dog came after me. It is the dog and girl that live at 154 James Street.

3/14/05 - Girl ran out of woods. Dog loose on James Street.

5/29/05 - Walking in Pulver's Woods, looking for deer. Dog loose. Leash on, but not in hand of owner. Dog barked at me and was coming after me, and owner got control. Police told her to have dog controlled and leash on, attached both to dog and owner. Also told her to stop breaking the law.

12/18/05 - Walking in Pulver's Woods looking for deer; dog loose. Dog came after me. I had a large walking stick and chased him away. Told woman to get dog on leash. She did not put him on leash. Called police, officer came, woman did not open door, answer door bell. This is what usually occurs with her. I explained to the police officer this is going on and she will not answer the door.

Mayor Kinnally: I see a pattern here, John.

Mr. Gonder: I have got some more. I will not go any further. But this dog attacked me again.

Mayor Kinnally: Is this the same dog, John?

Mr. Gonder: Yes. I call the police, they come or they will say there is nothing they can do because they do not see the dog. Years ago I could sign a complaint and take the woman to court. I asked the police twice now why I cannot do that. Is there not something such as a citizens arrest, or are we in a different country here in Hastings? My health and safety are in jeopardy. I am not as young as I was. I am almost 75. I walk with a bigger stick, and now I have a point on it. I do not want to hurt a dog, but when it comes after me growling I am scared. I am not as fast as I was. But there must be something that you people can do. I may be the only one that a dog is after, but I am sure there must be some other people having loose dogs running around. So I would like some help, and tell me if I can have a citizens arrest or I can take her to court.

Mayor Kinnally: Let us talk to the police department and see what they can do about this.

Lisa Globenfeld, 845 Harriman Road, Irvington: Thank you for the opportunity to address the Village Board of Trustees. I am the owner of Chelsea's, a store for women and children on Warburton Avenue in Hastings for the past 17 years. I am here to make you

aware of a new limited time venture I have started at 12 Spring Street, now Veterans Way, in the Village. It is called Chloe's Off-Price, the best brands of women's and children's items at 50- to 75% off their original price. The merchandise is overstock from Chelsea's and Madison's Avenue in Millbrook. In light of the current economic conditions, I think people are looking for bargains. And I look forward to them shopping at Chelsea's on Spring Street.

Jim Metzger, 427 Warburton Avenue: This is a request. The affordable housing is up and running and doing great. The only issue we have is, very few people are using the parking lot. It seems that only four or five cars are parked there on any given night and the traffic has increased on Warburton. I know that legally people can park on the street. That is not the issue. But if the landlord could send a letter asking the tenants if they could try and help the neighborhood, and put their cars in the parking lot as opposed to on the street, it would benefit the neighborhood.

Mayor Kinnally: Let us see what we can do there.

Village Technology Assistant Corso: The management is supposed to be sending a letter.

Sue Smith, 645 Broadway: It occurs to me that the Affordable Housing Committee perhaps could send a letter. This was part of the arrangement with the landlord. We felt very strongly that there should be adequate parking, as did the Village, on the property. We would be happy to do that on behalf of the committee, to express the local importance to it. We might have a different take than the landlord would have.

107:08 FREE HOLIDAY PARKING

Mayor Kinnally: This is an annual request we get from the merchants and the Chamber of Commerce. The Village tries to do what it can do every year to accommodate the merchants and make shopping in our downtown area more affordable, competitive, and attractive.

Kelly Topilnicky, 18 Maple Avenue: With regard to the holiday parking on Maple from Spring Street to the driveway, you are displacing the police officers and some of the town employees that end up overflowing and parking on Maple. You are going to have a conflict between if somebody comes for free holiday parking you are not going to be able to park because you have other people parking there.

Mayor Kinnally: It happens every year.

Ms. Topilnicky: I understand, but town employees seem to be taking up more and more spaces. While it is a good idea, you are not going to have the parking that we used to have.

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 approve free two-hour holiday parking from Monday, Dec. 8 though Wednesday, Dec. 24, 2008 at the following locations: Boulanger Plaza, Steinschneider Lot, Post Office Lot, Warburton Avenue (North Street to Bridge), Main Street, Whitman Street, Spring Street, Southside Avenue, and Maple Avenue (Spring Street to Municipal Building Driveway).

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	

108:08 FARMERS' MARKET

Mayor Kinnally: We have a supplementary resolution on our agenda this evening. This item came up yesterday. I received a call from Sue Smith concerning the Farmers' Market at the Municipal Building.

Ms. Smith: Thank you for permitting us to come this evening with this request, and I apologize again for the short notice. We had hoped to have a winter market in the Community Center as we did last year, but the building was not available. We decided, well, it just is not going to work. But last week the vendors and customers at the market were speaking out on behalf of having a December market and not skipping it. They said they would be willing to do it outside and risk the weather. So we are asking for permission to use the lot for this one December time. We would have a shorter market than usual because of the weather risk. We would go from 8:30 to 12 on the December 13.

Ms. Topilnicky: While I appreciated the phone call notifying me about the short notice for the agenda, I don't think that it was enough time for others like the merchants to know about it or respond. It certainly impacts the merchants because it is right before Christmas. I know last year there was a lot of concern that the Farmers' Market, even though it was held in the Community Center, grave concern from the merchants, because some of the stands cut into their businesses. You just passed holiday parking. That cuts into holiday parking on Maple

Avenue because you block off that whole strip to allow the police and everybody else to park. So you are not encouraging holiday parking on that day, on a Saturday, which would be a very popular day for people to shop in the Village. Maple Avenue is closed off in one direction so nobody can come down Spring Street. Everybody figured that out and they come from the north, which is an issue if, as Sue just mentioned, they are not sure about how many customers they would have. Certainly the weather could impact it. My concern is that you are going to, again, shut the entire street down for the Farmers' Market and yet you are not going to have the customers that you are having at the moment.

Mayor Kinnally: Do you want us to open up the street that day?

Ms. Topilnicky: No, I do not want the Farmers' Market December 13 outdoors. I understand the Community Center is not available that day. But is it available another day that they could use?

Mayor Kinnally: No. We looked. It was not available.

Ms. Topilnicky: If they have to do it outside, could they not do it on a Sunday, where we are not as heavily impacted? You were supposed to have a meeting in September to discuss some of the issues and that never occurred. The vendors continue to arrive at 5:45 and I have photos of the vendor who consistently does that, even though a letter went out and they said do not arrive before 6:45. Again, 26 conservative weeks of the Farmers' Market, and an additional week, really affects our street because December is a busy time for the merchants. Our street gets a heavy overflow of people wanting to park and shop in the Village. Last year they had vendors that directly competed with the Hastings merchants, although I guess they promised not to. But they still had them. I would like a little more on the Farmers' Market committee's part to find an alternate day to do it at the Community Center indoors. They have had their 26 weeks on Maple Avenue. You need to have some consideration for the residents. I would appreciate it, if you are inclined to grant the approval to use the parking lot, that you give the Farmers' Market committee time to find an alternate day or an alternate location. I know December 2 is close as far as the vendors but the merchants need some consideration, we would like some consideration, and we have been very patient.

Trustee Swiderski: I am wondering what the additional expenses on the Village's part are for handling another day of market activity.

Village Manager Frobel: I do not. I have not isolated it on a per diem basis.

Trustee Swiderski: What are the nature of the vendors that will be appearing on that day?

Ms. Smith: Food and flowers; it would be the same vendors, but not the leafy produce. There may be some root vegetables, but that would be it in the vegetable line. But it is all the other kinds of foods. It is a bit smaller. When we had it last year at the Community Center in December, that is the one the Chamber wanted us farther away from the middle of town. And this is on the side of town, but it is a little bit away from their primary parking areas. I cannot speak for the Chamber, but they would be glad to have it in another part of town. We try not to compete in terms of giftware; we are not having crafts and those sorts of things. It is true that some of the food vendors put together a group of jams, foodstuffs in a gift package, that sort of thing. Our flower vendor does big, very distinctive kinds of wreaths. There are wreaths in town also, but they are different kinds of wreaths. They would also have some holiday things, but that would be it.

Trustee Swiderski: And if the Board were to approve this, and Fran was able to isolate the marginal cost of that additional day, would the Farmers' Market committee be open to covering that expense?

Ms. Smith: Yes. And if you feel it is important to have it, we have paid for having the crossing guard during this whole season. That is one of our additional expenses this year. We would be happy to do that again. That has worked out quite well. Sure, a lot of people figured out they could come from the north. But it has helped civilize traffic, and a lot of people still do go down to the parking lot. I think that has been a fairly successful effort.

Mayor Kinnally: As I have said in the past, I recognize and appreciate the imposition this has on the residents of Maple Avenue. My experience and observations this year are that the traffic is under control; that people know what the circulation is going to be and that it has worked out quite well with the traffic control officer there and with people trying to find alternate locations in which to park. So I am inclined to go ahead with it. And if we can defray the cost, even better.

Trustee Goodman: I have one thought, and this goes to the holiday parking issue that Kelly brought up. Since this is a shortened market, people are not needing the grass, they do not need the view, it is cold, it might be icy. Is this not an occasion, for four hours, to be in the commuter parking lot? That solves the parking problem on Maple. It gives the Farmers' Market a place to be. I would hazard a guess they do not need the crossing guard. The Village does not need to spend money. And some of the vendors at the market, The Orchard and Meredith's Bread, stand at the subway at Bowling Green year in, year out, season in, season out without amenities. The Bowling Green subway is cold, it is rainy and snowy, and they show up.

So for safety consideration, even if it were icy or rainy or snowy, the flat ground in the commuter lot, you could go ahead and have it. Does the Village reserve the right, if it is bad weather, to call this off? Do you really want people going up and down the stairs or the driveway in the snow. And you could go more than four hours in the commuter lot.

Trustee McLaughlin: That would work for me.

Pascale le Draoulec, Director, Farmers' Market: If it is snowing and the weather conditions are icy, obviously there is no market. It is not that important. If it is dangerous conditions we will call all the vendors. We are a rain-or-shine, not a snow market.

Mayor Kinnally: As far as a location in an alternate site, it is 3-1/2 hours.

Trustee Goodman: I just offered it up as peace to the neighborhood, possibly better for the merchants with the overflow parking, etc.

Mayor Kinnally: Peace for the neighborhood is an interesting thing. I have heard that during the weekends there is no parking down there anyway, so I do not understand how we are going to have an onslaught of commercial customers, people from the business district, parking on Maple Avenue. I have heard there is no parking on Maple Avenue on Saturdays because everybody is home. If anything, the location of the Farmers' Market down there for a few hours is going to keep the regular traffic off the street because we do not allow through traffic on Maple Avenue during the hours of the market.

Trustee Goodman: It was just a concession.

Mayor Kinnally: I am familiar with the Bowling Green area. I stop and get fruit there when I am downtown. You say there are no amenities. The courthouse is used as the amenity.

Trustee Goodman: I am just saying it is cold. It is the windiest spot in the city as far as I am concerned. The wind comes right off of the bay.

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

RESOLVED: that the Mayor and Board of Trustees approve the use of the Municipal Building parking lot for the Farmers' Market on Saturday, December 13, 2008.

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

Mayor Kinnally: Good luck, everyone, and let us hope that we get through this unscathed. More to come next year. Speaking of the Farmers' Market, Meredith Viera made a visit to the Village recently, and the *Today Show* crew has filmed, and we may be on the *Today Show* tomorrow. Maybe we will get some good press and visibility out of this. Not that we want an onslaught of people coming from other parts of the country to visit our Farmers' Market, but it would be nice to have them come here just to visit our lovely village.

VILLAGE MANAGER'S REPORT

Village Manager Frobel: We became aware yesterday of an initiative that the county has undertaken. It is entitled Special Needs Registry. New York State has required municipalities to cooperate with the county as they begin to compile a list of residents who are living independently to acquire a registry, briefly outlining some of their needs. This would be shared with the municipality in the event of an emergency, whereby notification had to go out. People can register either online or by phoning the state. You dial 211, and you will get a person who will help you fill out this form. We are going to have a lot of information on our Web site about it. We are going to have a link from our Web site, send an e-mail to all our residents about the program, and we will have some information on Channel 75. It is entirely voluntary. It is for those people living independently. It is a means of gathering information about those who may need extra help in an emergency.

Trustee McLaughlin: Is this for anyone living alone, or for seniors?

Village Manager Frobel: Special needs. This is for people who may be deaf or have vision problems.

Trustee McLaughlin: But it is a county initiative, and they do not go through any village.

Village Manager Frobel: No.

Village Manager Frobel: Susan Maggiotto has made arrangements to have the county mobile shredder here in the Village on December 7, from 10 to 3 at the commuter lot. Homeowners who have materials, papers, or personal documents they would like to see shredded are welcome to have it taken care of by the county at no charge.

Trustee McLaughlin: Do you have to prove you are a resident?

Mayor Kinnally: I do not think so because it is a county operation.

Village Manager Frobel: But it is for private homeowners, not for businesses.

BOARD DISCUSSION AND COMMENTS

1. Update on the Waterfront

Mayor Kinnally: I do not have an update, other than I received a call from Mark Chertok and we are going to get together to review certain things that I had talked about last time concerning what the people from ARCO have told us, and get an update from Mark on whatever intelligence he has from Albany on where things stand in following up on both the ARCO site and the Uhlich ExxonMobil site.

Trustee Goodman: When you say we are going to get together, he is going to come to a meeting?

Mayor Kinnally: No, he just wants me to come over and have a sandwich. He wants me to sit down and chat with him, that is all.

Trustee Goodman: Why can he not come to us?

Mayor Kinnally: Do we want to pay him? He said, Lee, we have not gotten together in awhile. Come on over, have a sandwich; I have a bum leg, or I would come over and have it with you. I said fine.

Trustee McLaughlin: Where is "over?"

Mayor Kinnally: He is at 460 Park Avenue. But if there is anything he feels he needs to update the Village on, I am sure he or his associate would come up. But this is just pretty much that we have not been together in awhile.

Trustee Goodman: The Board of Trustees should be getting a learning curve on the waterfront. And to always have you serving as the conduit, I have repeatedly raised issues about that. I am not looking to run Mr. Chertok's bill up. We all know that those are fees that we do not want to have to incur. I just think the public should hear some of this from our attorney.

Mayor Kinnally: Not necessarily. Not if the attorney is giving us advice. If the attorney wants to come and talk to the Village Board, and the attorney has information to give to the Village Board, by all means he should come. This is nothing other than Mark giving me a call saying we have not gotten together in awhile, do you want to get together. Grab a sandwich and we will sit down. Anybody else wants to come, they are more than welcome. If you feel that in addition to my sitting down with Mark, because I am going to sit down with him anyway, you want to have him come up, I will invite him up.

Trustee McLaughlin: Where I agree with Trustee Danielle is that you will not be here four or five months from now. You have been our middleman all these years, and we do need to know Mark Chertok. I have only ever heard his voice on the phone once. It is simply a matter of increasing the exposure of the Board of Trustees to our counsel. Perhaps the idea would be for another Trustee to be with you. It just seems like you are single-handed an awful lot of the time in places where one of us should be meeting people. Not particularly because we have in our minds, I certainly do not, to be mayor but just as a matter of getting a broader exposure to him.

Mayor Kinnally: Whoever wants to go can go. If you want me to invite him up here to talk to the Board of Trustees I would be very happy to do it. Is that the pleasure of the Board?

Trustee Quinlan: I would say, let us see what he has to say to you. Just the mere fact that you have invited anyone to come with you to that lunch certainly solves the problem, But I would not like to have him come up here.

Trustee McLaughlin: Running the bill.

Trustee Quinlan: It is not running the bill. It is going to be an expense that we will have to bear. Until he has some information I think we should know about, and we can find that out through your meeting with him, we will go from there.

Trustee McLaughlin: You have not set a date yet.

Mayor Kinnally: No, I have not set a date yet.

Trustee McLaughlin: You will let us know when you do?

Mayor Kinnally: Yes, sure.

2. Update on the Comprehensive Plan Committee

Trustee Quinlan: The Comprehensive Plan Committee met last Wednesday night in executive session to discuss the request for proposals for the consultant. I was in the Community Center that night and saw it going on. I went in to say hello to Fred Wertz to welcome him to the Comprehensive Plan Committee and thank him for not only serving on the Planning Board, but to take on the extra responsibility of serving on the Comprehensive Plan Committee. Three finalists have been selected by the CPC, and they are going to be asked to come in for interviews December 8.

There was some discussion at the Democratic committee meeting last week about making the names of the nine proposals public knowledge so there could be public comment on them. It was then indicated that there are three finalists, and the six proposals have been put on the back burner for now. I said I would bring it up for our consideration about whether those three names should be disseminated for public knowledge. It is my understanding that night that the Comprehensive Plan Committee was not wild about the idea.

Mayor Kinnally: Have those names not been discussed at the regular meeting of the Comprehensive Plan Committee?

Trustee Quinlan: I do not know if they are public. I am 150,000% in favor of an open and transparent government. Letting the public know the names of the three finalists I have no problem with. If there are public comments, fine. Let them be made part of the record just like we do in our own public meetings.

Mayor Kinnally: The identification of any of the applicants is a matter of public record, so I do not see there is any harm in saying who they are. I assume that we are going to meet with those applicants at some time anyway because the ultimate decision is going to be made by the Board of Trustees. So it is certainly going to have to come before us.

Trustee Quinlan: I think they are going to come up with one selection and that is going to come before us. But I am sure that once the interviews are scheduled everybody on the Board would be invited to attend the interviews.

Trustee Goodman: As a citizen, when the Village was interviewing engineers for a project and had three finalists, there was a work session and the public got to watch the finalists give their presentations. I am not suggesting we do that here, but I would send the message back to the Comprehensive Plan Committee that the past practice of this government was not to have those sorts of things behind closed doors. They should know there is a precedent and feel comfortable that it is okay.

Trustee Quinlan: There might be some ideas about should we be invited to the interviews. What does everyone think?

Mayor Kinnally: We ought to let the Comprehensive Plan Committee do its interviewing, but it would not foreclose our doing interviewing on our own part. We may come at it from a different angle, but our being there may influence what the Comprehensive Plan Committee is doing and I would not want that to happen. I would rather have them do what they have been doing with their own dynamic, and then we can take a fresh look at it.

But getting back to your principle question as to whether or not the identity of the applicants should be made available, I think so and let me ask my colleagues. What do you think, Diggitt?

Trustee McLaughlin: As you say, it is a matter of public record anyway so I do not see the harm in that. Are you suggesting that the Comprehensive Plan Committee would choose the finalists and bring that to us for our approval?

Trustee Quinlan: No, I am not suggesting anything. I am telling you what has happened so far. I am giving you a report: that they have chosen three finalists.

Trustee McLaughlin: I assume that the Board of Trustees does the final signoff on it, but is the final choice made by the Comprehensive Plan Committee?

Mayor Kinnally: No, it is made by the Board of Trustees.

Trustee McLaughlin: So in other words, we would be involved in interviewing all three?

Mayor Kinnally: We could be if we wanted to. If we do, we would do it separately. We had an issue a number of years ago when the pool was constructed. The reaction of the Board was that we had to have a closer involvement where consultants or whatever were involved, especially since ultimately we had to approve the contract. But maybe we do not want to do it, and that is up to the Board. But I would not close the door to our meeting independently with the three finalists.

Trustee McLaughlin: Let us say the Comp Plan Committee decides to choose A, but we have a different view. They have done the work so far and they are the people who will work with the consultant. Where would we get off overruling them, despite the fact that it is our job?

Mayor Kinnally: We would not overrule them. They would make a recommendation to the Village Board.

Trustee McLaughlin: So we do sign off on it, but we would be signing off on their recommendation.

Mayor Kinnally: We have to approve a contract.

Trustee McLaughlin: I understand that, but my question is, you would suggest that we interview all three.

Mayor Kinnally: We may want to. I am not foreclosing it.

Trustee McLaughlin: Well, if you are not foreclosing it, then we are putting ourselves into a position of possibly overruling the CPC.

Mayor Kinnally: Yes. There may be any number of reasons why we may want to do it. I am just saying it is a possibility, because ultimately the decision is the Board of Trustees.

Village Manager Frobel: The answer may come from the committee itself. If it comes with a unanimous decision, and the chairwoman offers her arguments for why they are the number one candidate, that may be the end of the discussion. But say there are three members that strongly prefer candidate two. The Board may wish to meet both of them and make the final decision.

Trustee Quinlan: I will ask Kathy Sullivan to e-mail the Board the interview schedule and everyone, if they are available, can pick and choose to go to the interviews that they would like. Do you have any problems with that?

Mayor Kinnally: I have a problem simply because of what I said before: I would rather have this to be a Comprehensive Plan Committee decision independent of the Village Board. But if Board members want to go, they can.

Trustee Quinlan: No, I am just suggesting that. I am not saying I am in favor of it. I am just offering that if we, as a Board, do not think it is appropriate to attend those interviews, then that is fine with me too.

Village Manager Frobel: Jerry, you are the liaison. To have other Boardmembers there could sometimes either steer or chill the conversation. It is better to let them carry the ball on this. You are there as the eyes and ears of the Board.

Trustee Quinlan: So I will attend the interviews that I can and I will get info on the ones I can, and I will let you know how it goes.

Village Manager Frobel: The only other thought would be there should be no hesitancy about releasing the names of the firms that applied.

Mayor Kinnally: We have copies of those applications here in the Clerk's office. So if people came in, they could take a look.

Trustee Swiderski: There is a small gradient of gray. Not that I am disagreeing with the Village Manager, but it is interesting here to draw the contrast between personal services. We may not necessarily release the names of individuals who are competing for a job. You know, when we were interviewing Village managers some asked why that was not a public process. Those people are employed elsewhere. It is a confidentiality issue. There, I had no trouble on that being kept quiet. Here, as long as names are released after the bids are received there is nothing lost. In a process, you often have 25 names gathered of firms that are interested in bidding. You do not want to release those names ahead of time because there is a danger of collusion. So it is after the bids are in hand, after the final decision has been made, at that point there is absolutely no risk or loss to the Village.

Mayor Kinnally: That is an excellent point.

Planning Board Chairperson Speranza: I am curious if this consultant contract is going to be funded with a state grant. If so, you may have to follow the state selection process, which would prohibit release of any of the information until such time as the decision is made. Just dealing with the state DOT contract, there is a very formal selection process with ranking of each of the candidates and a formal committee that is set up to select a firm. So just a caution, if you are going to be using any state money, that that process is followed.

Trustee Quinlan: I am not sure we are. Is that not a Greenway grant?

Mayor Kinnally: That is state money.

Trustee Quinlan: Quasi-state money.

Mayor Kinnally: Well, the state funds Greenway, and I believe the governor appoints some members of the Greenway council.

Trustee Goodman: So then maybe we should get in touch with Greenway and ask them.

Village Clerk Maggiotto: Because I have been working with Kathy on this, I want to be clear about the message to bring back to them.

Mayor Kinnally: First, we will find out what the protocol is as to whether or not any of this can be disclosed or exactly how we should do it. And then maybe we will have to revisit this in two weeks.

Trustee Swiderski: But does that mean that we put the proposals under lock and key until we are clear about that?

Trustee Quinlan: Here is what I would suggest. Susan, if you would call Kathy and say that she should call Greenway and see if they have any objections to us releasing the names of the three finalists y. If they say yes, then we will and if they say no, we will not.

Mayor Kinnally: Why not let Susan be the liaison with the state on this?

Trustee Quinlan: That is fine. Great, one less call.

Trustee Goodman: We should get their procedures.

Jim Metzger, Comprehensive Plan Committee: It was our intention to come up with three finalists for the face-to-face interview. We were hesitant to release all the names because if one of those three either declined to be interviewed or we found was not compatible or that their face-to-face interview was not representative of the paperwork they sent us, we wanted to reserve the right to bring in a fourth candidate.

3. Holiday Displays

Mayor Kinnally: I received a communication last week from Rabbi Benjy Silverman of Chabad of the River Towns asking, with the holiday of Hanukkah approaching, for permission to erect a menorah as last year on Main Street for the duration of Hanukkah, December 22 through 29. We addressed this last year in connection with not only Hanukkah

but also the celebration of Christmas. I asked for the sense of the Board, if they wish to make the property at the VFW available for display of a menorah and a Christmas crèche. Last year the sense of the Board was yes, please do it. I ask the Board for a similar sense this year. Any discouraging word here?

Trustee McLaughlin: No, not one.

Trustee Goodman: I thought it was well handled the last couple of years, and it is appropriate.

Trustee Quinlan: It is a good thing.

Mayor Kinnally: Good. I will reach out to the rabbi tomorrow and tell him, and will do the same with the pastor of St. Matthew's, who is the liaison for the other Christian churches here in the Village.

4. 422 Warburton Open House

Mayor Kinnally: I have a memo from Sue Smith, an open house invitation:

The Affordable Housing Committee invites you to attend a community open house to see the new affordable apartment building at 422 Warburton on Saturday, November 22 from 11 to 1. The building is fully completed and rented. There will be opportunity to see a few apartments and to walk around the building exterior. Refreshments will be served. We hope that you will be able to attend, and share the celebration of this important accomplishment for our village.

I was in one of the apartments at the front of the building, and it is absolutely stunning. It is spectacular; the view and the layout is great.

5. Procedural Issues on Ginsburg 9-A Property

Trustee Quinlan: How are we going to handle this new application by Ginsburg for his townhouse proposal on 9-A? As I stated before, I have grave concerns about us entertaining two proposals at the same time for the same piece of property. The Board approved the live-work concept for the MUPDD plan three to two almost three years ago. They went before the Planning Board and got their site plan approval, which had a time in which they had to put a shovel in the ground and start their work. That time went ticking by and was about to expire, and Ginsburg asked the Planning Board for an extension of their site plan approval,

which was granted. That was just a few months ago. Now we have another proposed plan for townhouses on the same site. I am of the opinion that the Village Board should take a very common sense approach to these applications and not entertain two different plans for the same piece of property at the same time. It is a waste of time of this Board, the Planning Board, the Zoning Board, the Architectural Review Board, and probably most important for the public at large. The Village spent thousands of hours working on the original plan, and it is time for Ginsburg to make his choice to withdraw his plan for live-work. Then I would be glad to spend the thousands of hours to entertain his new proposal. But to have two proposals for the same piece of property at the same time is getting two bites of the apple and is unfair to the Village. I asked the representative from Ginsburg, who is here tonight, whether his live-work proposal, as he stated in his letter, was financially feasible at the time, and the answer was no. Despite that fact, they went for the extension. So what is it? Is it financially feasible? Do you want to go ahead or not? Would my fellow Board members like to spend the time entertaining two proposals, or do they agree with me that you have to make your choice on which one we are going to go forward on.

Trustee Goodman: Can there be two proposals at the same time for the same piece of property under the MUPDD statute? I did pull the statute today and looked at it, and of course it is all in the singular. I do not think when the statute was drafted that there was the thought that there would be two proposals at the same time. So I ask the question to legal: can they have two proposals at the same time for the same piece of property pending?

Village Attorney Stecich: If the second one is an amendment to it, then you could. Obviously, we have never applied this law before. But let us say you have a site plan approval pending and you want to make a change on it. If you come in for an amendment you do not have to give up the original one in case you do not get the amendment. That is probably the closest comparison.

On that question, I called NYCOM and spoke with Richard Sinnott, who handles these things, and posed the question to him. I stated the position as Jerry did, stated it as an amendment, and asked him whether there was any legal reason they saw that you could not consider an amendment while the original plan is still there. His read was pretty much the same as mine. It is not atypical that if somebody comes up to amend a site plan you do not make them give up the original site plan. But that is the closest comparison I can think of.

Trustee Goodman: Except that we are going from two buildings to eight or nine buildings and a completely different layout for the apartments. Ginsburg called it an amendment, but when the representative came to this Board before they went to the Planning Board I said that I did not see this as an amendment. This is a new concept. This is townhouses in a cluster subdivision layout as opposed to a live-work loft setup. It is a different project altogether.

Trustee McLaughlin: I recall, Marianne, that when this was first mentioned they were asking for an amendment, and there was a certain amount of unrest, both in the audience and up here. You said, no, an amendment means they still have to go back to the beginning.

Village Attorney Stecich: You have to start all over again.

Trustee McLaughlin: Right. So if you are starting all over again, whatever tangled aspect of New York law says you start all over again but it is nonetheless an amendment, I do not see how you can walk down two paths at the same time. Their marketing people ought to know what they are doing. Is the idea that we are the people who are weighing which will get built? We have already spent a couple of years on the live-work concept and they got everything from us that they asked for pretty much. So what do they want from us now? It sounds like they want icing on their cake and another layer, too. They want approval for two separate projects at once. Is that not where we are going with this?

Mayor Kinnally: What do they want from us now? We do not know. This is an interesting discussion, but it may be premature because we do not have an application before us. I strongly believe, like Marianne said, that whatever comes before, we do have to start from the beginning because we would be drawn and quartered if we did not. It has to go through the whole SEQRA process. It has to go through subdivision, our Board, Zoning Board, how it is done, the timing of it, whether it is piggybacked, etc. I would rather wait to see exactly what Ginsburg brings before us. I do not want to tell them what to do, and any of us should not, because they are the applicants and I assume they know what they are doing. But anyone who has an approval can still come before any board in the Village and say I would like to change that. That does not mean you give up what is your right. They may want to voluntarily walk away from it, or the market may be such that it isn't going to get built.

Trustee Swiderski: This is an amendment like a Jaguar is an amendment on an Edsel. They are entirely different vehicles. The only thing that they share is that people happen to live in them. But if this is an amendment, then what is the definition of a new project? Where does a new application begin and an amendment end?

Mayor Kinnally: These are great questions, but I do not want to get into a discussion with counsel with Ginsburg in the room. Unless Ginsburg wants to share their thoughts with us. But they would rather probably talk to their client first.

Trustee McLaughlin: What you are saying is under New York State law they can, in fact, have two proposals on the table at the same time.

Trustee Quinlan: I am taking a common sense approach. I do not think there is any legal answer to this, but I will say that is not like an unknown plan. They came before us, they were welcomed, they showed us some drawings, they told us what their ideas were, they took our temperature on this. So we have a very good idea about what their new plan is, how many buildings there are, what the height is and what the configuration is. If this is an amendment to their first plan, then I would say that an apple is an amendment to an orange. This is an entirely different project, a brand-new idea, totally different than the other one.

Trustee McLaughlin: But I am not sure that solves my problem of having the two things on the table at once. Whether it is an amendment, or whether it is a whole new project, we are still being asked to have two items on the table at once, are we not?

Mayor Kinnally: I do not know what we are being asked to do. I know what the plan is, but I do not know what the application is. Right now, they have the right to build a certain project, and I do not know if they can be forced to give up that property right.

Trustee Quinlan: I hope they start tomorrow. What is the delay? They had the approvals.

Mayor Kinnally: You are right. I do not think we should be debating the merits of an application that is not before us. We at least should have the applicant, if it chooses to, make the application, and then we can get some advice and have some discussion. Not only is it premature to discuss it, it is premature to say that the applicant has to give up something that he may not have to give up. I would like to get a little more comfort level before we jeopardize either the Village's position or the ultimate decision that has to be made.

Trustee Quinlan: I think he has every right to make his application, and then we will bring this back up again. But may I suggest in the future that we do not let applicants come in and take our temperature on their projects because that is a waste of time. Make your application, and then we will decide about the procedures. That was one thing that I learned from Chairman Harrison on the Zoning Board: you do not come in with subjective proposals about your zoning variances and your plans. You want to ask for a variance, you want to come in with site plan, with a proposal, then do it. I suggest that from now on we do what Chairman Harrison did. Do not come in and take our temperature and then have us waste our time in these discussions when the mayor says it is premature.

Mayor Kinnally: That is my opinion. I do not know how we can have an intelligent or an informed discussion about an application that we do not have before us. I am afraid that decisions may be made, implicitly or explicitly, on something that is fluid. How the Board wants to handle things in the future, the Board will decide in the future. But the sense of the Board in the past has been we do not want to invest a lot of time, energy, and money into

something that may be dead on arrival. It seems to me that the developers, or other applicants, have felt the same way. One of the reasons they came before us is that they wanted to talk of us each individually. And the sense was, no, let us do it in public. What is history is history.

Patrick Normoyle, Community Development Specialist, GDC: I saw this item on the agenda for tonight, so I wanted to attend to address some of the questions Boardmembers may have had and also to give an update. First to Jerry's point about the financial feasibility of the previous concept. This project has a very long history. We had worked on it for many years in cooperation with the Village. Things have changed dramatically in the real estate market. The answer to your question is, if we could build this project and believe that we could make a profit we would. The conclusion we have reached is that we cannot.

Obviously, the Village and its consultants and its volunteers spent thousands of hours. Obviously, the bills were being paid by the applicant. So obviously we had, probably more than anybody, a vested interest to try to make that previous project work. We do not know what is happening in the real estate market. The project that was approved was a unique type of project. We were excited by it. But over the course of the years there are serious questions about the marketability of those units. We will get into more detail when we come back to the Board with our application; as far as whether we call this an amendment or not, I am not sure whose decision that is as far as our perspective on that question.

We worked for years on the live-work project. Prior to that there was a 157 rental residential project. All of this built a very elaborate record for this project. So now that we are coming back in with a new proposal, it is built off all of that work that had been done to date. From our perspective, we could view this as an amendment because we are using all that information when we evaluate this new proposal. Without a doubt, the new proposal is different than what came before, but it really builds off of what did come before.

If you look at the application requirements, and we will be submitting an application by next week, the bulk of what I will submit can essentially reuse what was in the concept plan application from September, 2005. Most of the information is the same. As far as the particulars relating to the project, they are different, but I could recycle what was done in 2005, use over 60% of it, and change 40% of it to address the new proposal. Whether or not you want to view that as an amendment, that is up to you, but that is how we are viewing it. In addition, in the MUPDD zoning there is a provision in terms of making proposed amendments. There is no real guidance in terms of what is an amendment versus what is a new proposal. So perhaps that is something the Board could look at.

Peter, as far as your question, I think as far as a new proposal it would be clear-cut that if another project within the MUPDD zone came in, that would be a new application. During the period where this approval is in place for the 60 live-work units, anything we come in with proposing a change to that we view as an amendment.

Just getting back to Jerry's last point as far as taking the Board's temperature in August, I found that meeting, and Ginsburg found that meeting, very productive. I am going to tell you a few things that we changed based on comments from members of the Board of Trustees as well as the public comment. In addition, we met with the Planning Board in September, informally presented basically the same plan, and got comments that night from the Planning Board members as well as members of the public. The application that we planned to come in with did make a few significant changes. As you may remember, we were proposing 54 units: 44 two-bedrooms, 10 three-bedrooms. A number of people here raised concerns about the impact that could have on the Ardsley public schools. We have reduced the number of units to 51, so a reduction of three. We keep 44 two-bedrooms and reduce the number of three-bedrooms from 10 to seven in an attempt to address the concerns about generating students. Since the time of that meeting we also met with the president of the Ardsley schools as well as the superintendent to show them the plan to gauge their reaction to it.

Peter was concerned with the fact that this read very much like a family-friendly community, so we did a few things to increase the appeal of this community beyond families. There were amenities on site of a pool and cabana. We eliminated that, thinking that would be appealing to families. In addition, we have included 18 what we would term "empty-nester" units, which could have an elevator installed at cost. That is something I will elaborate on when we do make the application, but that is a way to expand the market for this project. The Village's studies talk about providing additional housing opportunities for empty-nesters who currently own single-family houses who would like more low-maintenance living. We think this would be a viable option for those Hastings residents. In addition, another concern raised by the Board was the impact on parking at the railroad station. We plan to include a jitney service.

Finally, and this is probably the most significant change based on the feedback we got at the Village Board and Planning Board meetings, we would like to re-include a certain number of live-work units. We are going to propose about 14 of the 51 be live-work units. All these changes were directly a result of the meeting we had with you in August as well as the Planning Board in September. So I actually found that very productive. Obviously, it is up to the Board in terms of how they want to proceed, but we are now in a much better position to make an application that could be viable to the Board.

In terms of having two proposals on the table, I think there is one on the table. We have one approved. That is what we are entitled to build. But it is going to be up to the Village Board whether or not they want to consider this new proposal, whether you call it an amendment or a new application. We plan to submit the application by next week. Then we can have something to discuss. One item we will specifically address in our submission is this procedural question.

Trustee McLaughlin: You have 51 units total; five of those will be affordable, 18 of them will be empty-nester units that will have space for an elevator. And how many of them will be live-work units?

Mr. Normoyle: Fourteen.

Trustee McLaughlin: You indicated to us somewhere along the line that the economics of the live-work units were being questioned in your focus group as to the resale value in terms of how the community would accept them and would rules change in the lifetime of the unit. But you still feel that there are 14 homeowners out there who would invest in the uncertainty that you saw.

Mr. Normoyle: This is a change on that. We would like to make 14 units available as live-work units so the purchaser would have the option of opting to make it a live-work unit or leave it as a straight residential unit.

Trustee McLaughlin: What makes it a live-work unit?

Mr. Normoyle: We will have plans that would show essentially separate entrances to the workspace. At the buyer's election, again, if there is a market for this, the buyer would then either opt to have a regular townhome, straight residential, or opt for this live-work townhome. If they opt for a live-work townhome, our proposal would be to require the same type of live-work restrictions that were put in place on our previous proposal, where they limited the number of visitors per hour, limited the hours of operation, and limited the types of occupations that could use the space. It addresses concerns that the Village has, but would also address other homeowners within that community who may also have similar concerns.

One of the key takeaways from the market focus groups, and we did six of them, is a concern about the depth of the market. We would like this new proposal to leave it up to the market, to the purchasers, to opt for the live-work or just go for the residential. There could be zero live-work units, there could be as many as 14. That was a way to address some of the concerns raised by the Village Board as well as the Planning Board because the previous proposal did make certain arguments about this being a zero-commute community, about not

having an effect on the railroad station parking. So if we can include some level of live-work units we think that is a meaningful option; that if there is a market for it people could take advantage.

Trustee McLaughlin: Are the empty-nester units going to be disability-friendly, or how are they going to be focused on an empty-nester market?

Mr. Normoyle: We are still working on the design, but what we have done in other communities is that these are the corner units which are wider. They allow for us to include a personal elevator around where the stairwell would be. So if you opted to have an elevator installed, the elevator would go in that place. If you did not opt for an elevator, in that location would be a closet. We still have to look into the particulars of that. I can get back to you at the next meeting, but my belief would be that would be ADA-compliant.

Trustee McLaughlin: That is 32, five affordable.

Mr. Normoyle: Sorry, there will be some overlap in those numbers.

Trustee McLaughlin: Those five affordable units would be two-bedroom units?

Mr. Normoyle: No. Since the time of the last meeting we were proposing that there would be five two-bedroom units for the affordables. It was pointed out that the affordable set-aside law requires that the affordable units be in the same proportion as the market rate units. Since we only have twos and threes, we would make one of the three-bedroom units an affordable unit. So we would have four two-bedroom affordable units and one three-bedroom affordable unit, also a change since August, another positive reaction to a concern raised by the Board.

Trustee Quinlan: Why does having an elevator make it not a family unit?

Mr. Normoyle: I do not think it does not make it a family unit, but k it does increase the appeal of that same unit to empty-nesters.

Trustee Quinlan: Why?

Mr. Normoyle: Speaking for my parents, who lived here and just moved out a year ago from 9 Clarence Avenue in a two-story house, they moved to a one-story house. Right now they are physically able to get around. But thinking ahead, they did not want to deal with multi-story living. Given the economics of developing housing in Westchester County, many times the footprints need to be narrower than we would otherwise want, which causes

the units to be more vertical than some purchasers would like. So this is a way to broaden the market so empty-nesters, couples living in Hastings who may want to move out of their house, would consider this if there was an elevator option. When, or if, their mobility becomes impaired they would still be able to get up and down in their house.

Trustee Quinlan: So it is a potential empty-nester.

Mr. Normoyle: It is a potential, correct. Back to legitimate points raised at the August meeting, this read very much like a family-friendly community. If we introduced new units that broadened the appeal we are basically going to get more competition for those units and, as a consequence, will get more senior empty-nesters taking us up on this market. It was a good way to expand the market for this product as well. Martin Ginsburg was opposed to this the first time I mentioned it after our August meeting. But now he has come around. Actually, he thinks it is a beneficial change to make.

Village Attorney Stecich: Maybe to increase the comfort level on this procedurally, by having to go back to the beginning you remember in the very beginning there was what I used to call the smell test step, where a proposal will come before the Board and if you do not like it you do not let it go forward. If you do not want to consider it, you do not have to, so there will not be all these more hours spent on it. That step will still be there.

Mayor Kinnally: And this came out of our experience with Andrus. We went all the way down the road with Andrus and, at the end of the day, people said, why did we spend all of this time. That is why it morphed into what it is today.

Village Attorney Stecich: We put that extra step in and people were a little confused by it, but it does give you the opportunity to say we are not going to waste our time on this because we are just not going to consider this proposal.

Trustee Goodman: Marianne, you had a meeting with Mr. Ginsburg's lawyer, right?

Village Attorney Stecich: Yes, and somebody else from his firm who is here.

Trustee Goodman: Is there anything out of that meeting you could share with the public?

Village Attorney Stecich: No, there was not anything. We just talked about the procedures. I raised the point with them that the Board was concerned about having the two proposals pending at the same time. I took notes after the meeting, but there was really nothing significant, mostly just answering questions about what our procedures were. At the point where there was ever any disagreement, I said we will brief it later if we need to.

Helen Mauch, Attorney, Zarin & Steinmetz: I want to make one quick point, which is that amendments to site plans are part of the normal process. While that may not be specifically set out in the MUPDD regulations, you will find it in the zoning code. There is language in there regarding amendments to site plans. I wholeheartedly agree with the Mayor that it is premature at this point, until there is an application before you, to be discussing this issue. You will receive the application, and you will act accordingly.

Trustee Quinlan: You can just consider this another smell test for your application, when it comes forward.

6. Other

Trustee Quinlan: When would the Board like to put these two new laws, that we have had a public hearing on, on for action? I would like to do it December 16, but I am open to any time.

Village Clerk Maggiotto: You have to wait until the 16th for the height one because you have to wait for a recommendation of the Zoning Board on it.

Mayor Kinnally: So we will put them on for December 16.

Trustee McLaughlin: The Board had agreed about a month ago that Danielle and I could have some roundtable discussions on parking. We have decided to let the lottery happen so that people will be able to respond at a roundtable to the lottery. We will be setting dates in January for that.

ADJOURNMENT

On MOTION of Trustee Swiderski, SECONDED by Trustee Goodman with a voice vote of all in favor, Mayor Kinnally adjourned the Regular Meeting at 9:50 p.m.