

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
REGULAR MEETING
DECEMBER 15, 2009**

A Regular Meeting was held by the Board of Trustees on Tuesday, December 15, 2009 at 7:35 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

PRESENT: Mayor Peter Swiderski (7:40 p.m.), Trustee Bruce Jennings, Trustee Jeremiah Quinlan, Trustee Meg Walker, Trustee Nicola Armacost (8:05 p.m.), Village Manager Francis A. Frobel, Village Attorney Marianne Stecich, and Village Clerk Susan Maggiotto.

CITIZENS: Nine (9).

Acting Mayor Quinlan: The Mayor and Trustee Armacost will be a little late tonight. There is a Middle School Christmas concert, and we hope they are enjoying it. Those were always something I enjoyed going to.

APPOINTMENT

Acting Mayor Quinlan: We have an appointment to make to the Advisory Committee for the Disabled. Former Trustee Danielle Goodman, is being appointed for a three-year term. Danielle, welcome back to Village government, and we look forward to your participation. I could not be more pleased, so thank you again.

APPROVAL OF MINUTES

On MOTION of Trustee Jennings, SECONDED by Trustee Walker with a voice vote of all in favor, the Minutes of the Public Hearing of December 1, 2009 were approved as presented.

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On MOTION of Trustee Walker, SECONDED by Trustee Jennings with a voice vote of all in favor, the Minutes of the Regular Meeting of December 1, 2009 were approved as presented.

APPROVAL OF WARRANTS

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

Multi-Fund No. 38-2009-10 \$37,779.19
Multi-Fund No. 39-2009-10 \$60,276.60
Multi-Fund No. 40-2009-10 \$13,886.61

75:09 AUTHORIZATION TO ACCEPT PROPOSAL FOR PROFESSIONAL SERVICES FOR PHASE II STORMWATER MANAGEMENT PROGRAM

Acting Mayor Quinlan: This resolution is for the authorization to accept a proposal for professional services for Phase II of the Stormwater Management program. We have Mr. Ritchie here from Dolph Rotfeld Engineering, PC.

Mike Ritchie, Dolph Rotfeld Engineering: Thank you for the opportunity to submit the proposal. We represent a number of Westchester municipalities for a variety of civil engineering services, one of which is the implementation of the Phase II stormwater permit requirements. You are required, under the federal legislation that is handed down to the state, to prepare and implement a six-point stormwater management plan. The permit has been in effect since March of 2003. It is now in its third redraft. There will be a new permit in May of 2010. Your coverage under that permit carries forward as long as you are continuing to implement, comprehensively, your stormwater management plan that covers public education and public participation; elicit, discharge, detection, and elimination; construction management, post construction management; and good housekeeping measures.

The proposal we have for you this evening covers getting you fully up to speed with respect to the permit requirements. We have assisted in various components of this for the Village in the past, but this proposal would provide for a more comprehensive approach. We would work with the code officials, the Village Manager, a stormwater committee, or team is the way we like to work, that reaches all the operating departments and keeps them up to date, aware of the regulations and requirements, and what is necessary to fully implement them. In addition, we prepare manuals that will cover the requirements of the state permit, and provide training to your staff, as required, to be knowledgeable in that. This morning the Village Manager and I started our day off with a group of six municipalities, in the Village of Ardsley, where we were providing training to DPW building engineering officials on minimum Measures 3 and 6 of the permit requirements.

This is an ongoing effort. There are annual reporting requirements in June of each year to the DEC. We will assist with those, the preparation of your annual report. When the DEC requests an audit of your program, we will assist in preparation of the materials that will be necessary for them to conduct that audit.

It is an ongoing relationship. We work with over 20 municipalities in the county now in this manner. I have an associate, Mr. Maxwell, who works with me who is also fully knowledgeable in the plan requirements. We have met with your Manager and your engineer, your building code official Deven, and your public works official. We very much look forward to assisting you in this manner.

Trustee Walker: I know that the Board of Trustees passed a stormwater management ordinance. Although I was not on the Board at the time, I have a relatively good idea of what is included in it. However, I was wondering if we have made provisions to create a stormwater committee.

Village Manager Frobel: No, we have not. That is one of the action items. We are going to form a team to advise us and to keep us moving forward in enforcement on that ordinance and other matters involving our stormwater management program.

Trustee Walker: Great. Are there implementation items besides the recording? I know it is management, housekeeping, and monitoring. But is there implementation that the Village is responsible for in terms of dealing with its outflows, or cracking down on some of the stairway discharge areas that perhaps would be gathering toxins from parking lots or gas stations, that kind of thing? Are we responsible to take some actions?

Mr. Ritchie: Absolutely. You have mapped your outfalls. We assisted with that, obtaining a grant for a number of municipalities in 2004/05. The Village has a requirement to be inspecting those outfalls. Typically, the smaller jurisdictions, with fewer numbers of outfalls, tend to be able to do that on an annual basis. Should a problem be observed, you absolutely have a responsibility to determine the source of that illicit discharge. This happened to be the subject of our training for the DPW this morning.

Trustee Walker: Does that mean you test the water coming out of the outfall, and then determine, if there are any toxic substances in it, where they are coming from?

Mr. Ritchie: Right. Initially, it is just an observation; color, odor, and what the other characteristics might be, then should it be necessary to sample and test, and then inspect. The process is designed to provide you and your staff the tools with which to conduct a further investigation or seek outside assistance to help you with that. It could become quite technical, depending upon the type of discharge and the problem. But if it is a more common pollutant, then want the staff to be prepared to take the appropriate action to enforce your legislation. You have that legislation, and your enforcement official should be familiar with how to enforce it.

Trustee Walker: Was there any possibility of doing a joint contract with the other municipalities in hiring Dolph Rotfeld to do this monitoring work?

Village Manager Frobel: That is really the attractiveness. Because the firm has helped us, as indicated, draft the last grant we received, and one that right now we are awaiting word on whether we have received it or not. So we have joined with them. In Elmsford you do the same work?

Mr. Ritchie: Exactly. We put together 17 municipalities to apply for further DEC grant assistance to map your entire stormwater system.

Trustee Walker: So we have done that because that is a requirement under the law.

Mr. Ritchie: Exactly. Wherever the standard has been generally applied, then yes, we can, like writing the legislation, mapping of the outfalls, mapping of the system, training; the training we did this morning is part of a consortium. The cost is entirely offset by the grant taking 50% of the cost, and the attendance of the municipal staff accounting for your in-kind services. We have attempted to take full advantage of whatever cooperative efforts are available to offset the cost to the municipality.

Trustee Walker: And the monitoring you would be doing for us is not something that can be shared among villages because each municipality has its own unique conditions.

Mr. Ritchie: Right. But your reporting on your municipal program is uniquely yours. Those are the kinds of things that take coming into the municipality, sitting down with the officials, working with the team. Documentation is the main thrust of it. A lot of municipalities undertake the activities that are associated with good housekeeping; for instance, street sweeping, cleaning the catchbasins. However, what not every municipality is good at is documenting that. So we have developed Excel spread sheets, and tried to make it as user-friendly and as easy and as uniform for individual municipalities to comply with the requirements for the documentation. And then training the employees how to follow that, and why it is important that they do.

Trustee Jennings: Looking at the letter that you have sent Mr. Frobel, let me make a distinction between getting our system and our capacity up to speed on the one hand, and ongoing assistance on the other hand. Almost everything, except the last item perhaps in this letter, I would say is getting us up to speed activity: setting up record-keeping systems, doing training, getting our public participation procedures and mechanisms in place, helping us prepare for the audit in June, and so forth.

Therefore, it seems that this is a one-time setup for us. At the end of this time, by June of next year for example, do you think you will be in a position to help us estimate our capacity to do the inspections and the enforcement with our Village staff? Or will we need additional outside assistance to help us to assess what would be reasonable to budget for the next several fiscal years in terms of stormwater management? The obvious answer to my question is yes, you will be able to advise us on those things because you will know our situation pretty thoroughly by the end of doing what you are proposing to do in this next year. I guess what I am interested in, and concerned about, is that you suggest we budget \$15,000 for this startup cost. That is fine, and I do not have any objection to that at all. I am very interested, though, to be in a better position to understand what our stormwater responsibilities will cost the Village on an ongoing basis in the future.

Mr. Ritchie: It would be a collaborative effort, absolutely. We would have a little more knowledge and opportunity to have assessed where you are and what further is needed. As I mentioned at the outset, a new permit goes into effect in May, 2010 which has, undoubtedly, some additional requirements in it. But you have assessed the proposal correctly. We do have some time, and it is a budget number. The training, for instance, that we were able to do this morning: that we were able to provide you at no cost. Already we would be able to say that we have made some training available that would count against having to use the total of the budget. We might need outfall inspection from a tech; we would manage that by using a technical person from the office, not a professional engineer at a higher hourly rate. We will use a field person at a lower hourly rate until we get up to speed on that. There is some give-and-take here, and we are working in this same capacity in a number of Westchester municipalities. We would not look to spend any time or money that the Village could do as well or better on its own. We want only to assist you to get your capacity fully active.

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

RESOLVED: that the Mayor and Board of Trustees authorize the Village Manager to sign a letter of agreement with Dolph Rotfeld Engineering, PC, Tarrytown, NY to provide services to assist the Village of Hastings-on-Hudson with the Phase II Stormwater Management Program through June 1, 1010.

ROLL CALL VOTE	AYE	NAY
Trustee Bruce Jennings	X	
Trustee Jeremiah Quinlan	X	
Trustee Meg Walker	X	
Trustee Nicola Armacost		Absent
Mayor Peter Swiderski	X	

Acting Mayor Quinlan: And with that, we will take our appropriate seats. The Mayor is here from his school concert. How was it?

Mayor Swiderski: At least my part was delightful. My son was up first. Niki's is in the last portion of the meeting so she is not likely to get here until a little later.

PUBLIC COMMENTS

Mayor Swiderski: We start off the public comments first with two minutes from Hastings Helps the Hungry.

Pauline Hanson, Hastings Helps the Hungry: Hastings Helps the Hungry began in 1987 when a concerned group of Hastings residents began an organization to provide an emergency food program for needy families and individuals. Our organization is one of 20 religious and community groups providing a hot, nutritious midday meal once a month at The Sharing Community in southwest Yonkers. The address of The Sharing Community is Post Office Box 657, 1 Hudson Street in Yonkers. Our address for Hastings Helps the Hungry is Post Office Box 53, Hastings-on-Hudson.

The Sharing Community believes in the dignity of every person with the right to food, shelter, personal safety, housing, and healthcare. Our meal is a chicken entrée, vegetable, salad, fresh fruit, brownies, and apple juice. The salad is prepared by volunteers in the kitchen at the First Reformed Church. The brownies are made by students and families from Hillside School. Today was our day to make the salad, and it was the kindergarten students from Hillside who provided the brownies. They did a wonderful job. A mother from Hillside School transports those brownies to the Reformed Church, where they go on to the facility in Yonkers. The apple juice is donated by shoppers at the local A&P, where we have a drop-off basket by the front door. The rest of the meal is prepared by The Sharing Community in Yonkers, but paid for by Hastings Helps the Hungry. Last year, they were feeding 200 people each day, but their numbers have increased and the need is great. I would like to thank all those who, for the past 22 years, have participated and donated goods, time, energy, and interest for this worthwhile outreach.

John Gonder, 153 James Street: At the last Board meeting you discussed yard waste. We still are going transport it to Yonkers. Trustee Quinlan said Atlantic Richfield will probably have that site cleaned up in five or six years. Maybe you could contact Mr. Sontchi of Atlantic Richfield and say in five or six years or 10 years you may need some ground cover, good earth. Maybe the Village could transport those leaves into your clean area of the property, and we will give you \$100 worth of night crawlers or worms, and let them decompose. It would save the Village a lot of money transporting them, and both parties would benefit.

Mayor Swiderski: Thank you for the interesting idea.

Randy Paradise, 35 Floral Drive: A lot of people come before you and speak about the fact that Hastings is a unique village. I hear it regularly from people how proud they are to live here and how unusual the Village is. I have come down to say that we are a very unusual village in a respect that I do not know that everybody understands except people who live in what we like to refer to as “the higher elevations.”

Hastings is a village that exists in two climate zones during certain times of the year. I have had many an occasion to walk down to the train station in the morning, leaving my house in a snowstorm, and somewhere around Calumet the snow ends and there’s the snow line. You can literally see it on the grass. The rain begins, and it is rain from there on down. Twice over the last 10 days or so the weather has been so close on that cusp that, at least on the top of the hill where I am, and I would imagine it might not be any different on the top of Mt. Hope, we are in sometimes a dangerous situation when people down in the Village may not be aware of it. A week ago Saturday was the day one which we had the snowfall. By 5 o’clock in the afternoon, it was a very dangerous situation trying to get up the grades of the hills once you got off of Villard onto Circle and Scenic Drive. No trucks had rolled for plowing or even to spread salt until well into the evening. But for people who were driving home, it was a very dicey situation. I was not sure whether or not it is apparent to the people at the Public Works Department, who I think are terrific and work very hard, but may not have been aware of the circumstances on the top of the hills.

A similar circumstance evolved the following Wednesday. Tuesday night into Wednesday morning we had had snow and freezing rain. Wednesday morning our streets were terribly iced-up. There here was no way to make it down Scenic, so we drove the “back way” into Dobbs Ferry, and the moment we crossed over the Village line from Hastings into Dobbs Ferry the streets were as clear as they could be. They were wet, but the ice and the snow disappeared at the village line. As we came down Villard, we reencountered bad stuff until we got down to the Village center where, again, it was just wet and raining. Because there

was no obvious accumulation of any snow or ice, the Public Works Department was not aware of the circumstance on the top of the hills. Obviously, when it snows everywhere they are out in force and they do a great job.

I would also like to note that yesterday, I noticed at 7 o'clock in the morning the salt trucks were out in force against the advent of black ice. Our streets looked relatively clear, but it was kind of a slippery situation. The running of the salt trucks very early in the morning was terrific and very much appreciated.

I did want to make the Board aware. We do not want to be constantly calling the Public Works Department because we know they have a lot of other things, but this is a situation that needs to be seen to more than it is right now.

Tim Downey, 520 Farragut Parkway: I would like to readdress the issue I brought up in the last meeting relative to the signage around the Village. We still have an Andy Spano sign lying down on Broadway beneath the Zinsser wall. I would like a Village official to comment, on having a law enacted where we can hold people accountable so they do not put their signage out, and then walk away and abandon their responsibility to clean up.

The next item was a request to amend the Village blower law. This ties in with the stormwater that was brought up this evening. Westchester County passed a law in December that ties in directly with stormwater DEC rules, where they do not want any material left on roadways. To attempt to do that with a broom is not practical. You should not miss off-target in the first place, but invariably it is going to happen. The ability to have a tool like a blower would help; a quiet blower would help in complying with that. In addition, the blower law was done in the fall of 2007 into the early winter of 2008. That was on the heels of a very late autumn so I think a lot of people had it in mind that you did not need a blower until after October 15. In 2008 we went back to a more normal autumn leaf drop. This year was even further back, up into October or September, along with the massive acorn drop. Having the use of that machine on October 1 vs. October 15 would be helpful. The Village of Ardsley constructed a law this year that allows for the use of a blower throughout the year with different requirements in terms of the type of machine and so forth.

The next item would be on the deer management issue. I object to the direction this program is currently going in for the following reasons. Number one, cost; we cannot afford to be spending money on outside services to come in and cull the deer. If we start using chemical means to sterilize them you will have unintended consequences where the population may actually increase. Also, I would have concern in terms of consumption. If these animals were to be infected with chemicals, would they be, then, consumable. I would object to any animals being killed, shot, and thrown into a trash truck.

Mayor Swiderski: My understanding is that chemical sterilization is not allowed in New York State for that very reason.

Mr. Downey: We have to reexamine bow hunting. I know it is a personal thing that you do not care for. We are still inside of hunting season, October 15 to December 31. It would not be a horrible idea if one member of the Board went with a licensed hunter into the woods and saw what it was to take a deer down with a bow. You want to reduce the population. They are going to have to be killed. I do not waste time with that word “euthanize.” They are going to have to be killed if that is the direction the Village wants to take. I do not care, they do not bother me. But I do not want to see them handling it inhumanely or being wasted, and I do not want to see money wasted.

The last item is on the leaf discussion. The Board is taking a very bad direction. This idea of imposing a \$5,000 permit for the opportunity to dump down there really rings a tone of what I call “GE mentality” and “Anaconda mentality”; in other words, shove the problem downstream, shove it someplace else, put it someplace else. From any conversations I have had with contractors around the Village, no one is going to pay \$5,000. So what is going to happen then? They are going to truck our materials someplace else, or they will start doing other things. It may look good on paper. We have reduced our cost, but we are not doing the responsible thing. I would like the Village to listen to a process that I would be happy to present whereby we would reutilize the property up at the old quarry. Trustee Walker, in one of the last meetings, brought up a very good point: that she did not want to see money wasted on things like, as one individual talked about, a water feature. I cannot imagine a more wasteful use of money than a water feature, when we have the Hudson River, Sugar Pond, and the Saw Mill creek, than a water feature at the quarry.

We could make that area into a working park, like they have in Muscoot or in Stone Barns, where you can work and have a composting/transfer facility that is kept neat, that is done in a responsible manner. They have it in Irvington. They have it in Greenburgh on Taxter Road, and Mountain Road in Irvington. I have been to their sites recently and redid the homework I did years ago. I have spoken with the people of Greenburgh, I have spoken with the people in Irvington in the past month, I have spoken with the head of the DPW in Ardsley. Ardsley currently is able to get rid of their entire leaf material for between \$6,000 and \$9,000. They bring in an outside contractor. We are not in the business of composting. You bring an outside contractor in there, they grind it all up. The material goes out that season.

Mayor Swiderski: You say the material goes out that season. What does that mean?

Mr. Downey: They use all that ground up material on their fields. What we do not need is another adult play park in the old quarry. The last I heard, we are not annexing any more property. We have to use what we have within our boundaries. We need to use that space in a manner that is an educational source and not an eyesore; that is well designed; that is, again, like a Stone Barns concept where they keep everything in-house. They reuse it for their growing of the foods. We are not going to bother to grow foods, but more of the Battery Park mentality down on the West Side where we actually pay attention to the real green, not put up a little \$5,000 fee and send it down to Yonkers. Because then that hamstring us when we have situations in Yonkers if we have to vote or do something against their wishes. We get blackballed, and we have a problem like we had in the past. We do not want to have that club held over us. In the interest of being brief I would be happy to put this in detail in documents, and send it to all of you and have further discussion.

70:09 FREE HOLIDAY PARKING (REVISED)

Village Manager Frobel: Through an oversight on my part, what I should have recommended to the Board at your last meeting was to have allowed a full two week period of time for holiday parking. This went into effect December 14. It would have made more sense from a business point of view, had I been more sensitive to it, to have had it started the weekend of December 12. Having a conversation with the mayor last week, it was his recommendation that administratively we could start that Saturday, and we did. We would like the Board to affirm that action.

Elisa Zazzara, 68 Southside Avenue: I am here as the secretary of the Chamber of Commerce with regard to the parking issue. Some of you might have heard a lot of unhappiness within the Chamber at the dates chosen for beginning and ending. In the past it has been a longer stretch of time, not only more from a business perspective, but from a holiday celebration perspective. Hanukkah started on the 11th, so no pre-Hanukkah free shopping. As well, post-Christmas shopping between the 25th and January 1. The Chamber strongly urges you to extend free parking through January 1 and, as well, next year to pay more consideration to all of the holiday shoppers when you look at when you start and when you end, and not exclude an entire holiday, being Hanukkah.

Village Manager Frobel: We did recover, though, by putting it back some. When did they go up, Susan?

Village Clerk Maggiotto: Friday night.

Ms. Zazzara: So that is when Hanukkah starts. By then you at least need the first gift. So a week before Hanukkah gives the week's shopping before the holiday. So is there a possibility we can extend it through January 1 this year?

Mayor Swiderski: But why does the first have anything to do with it?

Ms. Zazzara: Well, when I was a kid, folks were doing well and I always got some cash for Christmas. So between the 25th and the 1st is when people can spend their Hanukkah gelt and their Christmas dough. Again, a support of the shoppers downtown.

Trustee Walker: And return their gifts.

Ms. Zazzara: They can do that if they want to, or exchange them. Or spend some money on lunch.

Mayor Swiderski: What is the cost per week of foregone revenue?

Village Manager Frobel: About \$2,400 is a good estimate as to lost revenue per week.

Ms. Zazzara: Does that include the cost of paying the people to manage the meters and enforce the laws?

Village Manager Frobel: No, that is strictly the take from the meters.

Ms. Zazzara: So I would guess that the actual real revenue, or any sort of cherry on top or frosting, would be much less, if we even make money on that.

Village Manager Frobel: I am sorry. That represents what we take physically, in cash, from the meters.

Trustee Armacost: I think what she is saying, though, is that when we have to pay the people to manage the meters it may be a net zero scenario.

Village Attorney Stecich: But you also get more money from tickets, too. You are not calculating that in.

Village Manager Frobel: I am not.

Village Attorney Stecich: So that probably balances out.

Ms. Zazzara: Though we still have the opportunity to enforce the ticketing if they are there for more than two hours during a holiday season.

Trustee Quinlan: Elisa, this has been an historical debate over the years. Peter and I were the only ones on the Board when we had these debates. I have always been in favor of the extra week, but this year I felt that it was enough being what it was. I did not feel like making a big issue out of it. I am in favor of it, personally. But I have won that battle and I have lost that battle as the years go by, so I do not know if it is something we can resolve tonight. I also had heard some comments about the fact that we did not start the free holiday parking on the first night of Hanukkah. I did not realize that there was an executive decision. Thank you, Mr. Mayor, for putting the bags up that night with Fran and everybody else. I heard some complaints about it earlier in the afternoon, and I was suggesting maybe we could make it a full two-week period and include the day after Christmas, at least, so we could go from Saturday to Saturday. I am sure that would not make you happy, but at least it is something. But if everyone is inclined to vote for an extra week, I am. I understand there are financial constraints and the economy has changed since we last had this debate, so I can understand why we need every penny we can get.

Ms. Zazzara: It seems penny-wise and pound-foolish, when I have seen our bucket truck out there for hours stringing Christmas lights, idling. If we really want to look at how much the holiday season costs us, let us find out exactly how much money we are spending. I am not being a Scrooge. Yes, we love Christmas lights. Let us put up some decorations. But with a little effort we could realize some savings by alternating the way we decorate, and then we could offer a week before Hanukkah and a week after Christmas free parking and balance some of this out a little. Lights are just one topic. Leaf composting is another area where we might save money, as well. Yes, there is a wealth of them there. And I do not, as well, want to go down that historic path. I do not want to make it sound like a petty argument because, to some, this might seem petty. But indeed, it is not. Shoppers appreciate free parking. And I think it does bring in a little more business for them during the holiday season, whereas I do not know that the lights actually increase their business. So if there is anything that can be done this year to extend it, great. Going forward, I am for considering when the holidays fall when we are looking at the free parking and possible ways to offset any financial loss that that might incur.

Trustee Walker: I have mixed feelings because, under normal circumstances, I would opt for another week on the parking moratorium. I just feel so constrained by our budget. Maybe what we have to do, looking forward, is, do we do this when we do the budget? Take this into account, that we are going to be sacrificing \$5,000 to \$6,000, or maybe more?

Village Manager Frobel: Oh, yes, because we look at historic trends. It is in the back of my mind when we develop our revenue.

Trustee Walker: So maybe that is when we look at it, and we make a decision then as to whether it is two weeks or three weeks.

Village Manager Frobel: That would be fine.

Ms. Zazzara: Or can we save some pennies somewhere else to offset that part?

Trustee Walker: Yes, and look for other ways to save money. It would be interesting to know how much business they actually do get after the holidays are over. Anecdotally we can ask them.

Ms. Zazzara: Sure. We are having a meeting tomorrow. I will encourage conversation and thought to that, and we will give you some feedback.

Trustee Quinlan: You are coming kind of late with this request. You are supposed to do it when we go through the first resolution, and the store owners are supposed to be here and try to advocate for themselves when we are going through it the first time so we are not going backwards. Number two, it would be interesting, just out of curiosity when you do have your meeting, how many stores are open the Monday after Christmas. My experience, and I work in the downtown, most stores are closed. I am not nitpicking. I am for it, but the timing is not great and the preparation is not great.

Ms. Zazzara: Apologies on being late to the conversation. Some emails have been going back and forth, and the Chamber had a change of administration. No excuses. So no one reached out from either direction to say here is what is going on, or here is what we want. Note taken for next year. Thank you.

Trustee Armacost: I am very sympathetic to this request, partly because of the mistake on our part vis-à-vis Hanukkah, which we should have been more thoughtful about, the holidays of all of the different constituents here in the town. I also do not think we have done a very thorough analysis of exactly the costs. We know what the costs are of the money that we would forego in pennies put into the meters, but we do not know what the cost is of the personnel who are required to do that work during that time period, and we have not necessarily balanced against it the costs of tickets or how much revenue we are making through tickets in that time period or at other times. So I am feeling quite sympathetic to this request, but I do not know if there is a compromise place where a few more days are added to make the merchants feel good and as a compensation for the mistake that we made on our

part. And then trying to do this in a much more organized way next year, where we incorporate everything early on, and no one can come back and talk to us midway through the process.

Trustee Jennings: I do not object to extending it because I view it as a gesture that is traditional, it has got a lot of purposes, and makes us feel good at this time of year. It is something Hastings does. I do think we ought to get an accurate estimate of the costs. When we went through the budget, we were looking for every \$5,000 increment we could find. And it was not offset by spending less on something else. We are talking about net reductions, so we have to go down. From a very hardheaded point of view, I question whether we ought to charge all the taxpayers of Hastings this little increment as opposed to going with a user fee. The people who want to park should pay a few cents and park. All the taxpayers of Hastings do not necessarily have to subsidize their parking for two weeks. If you are hardheaded you can ask that. I would also feel better if I could be reassured the merchants and their employees were not just parking there and taking advantage of the free parking themselves. But practically speaking, I do not know how to do that.

I would also like to see some evidence of a connection between free parking and more business for the merchants. I read the emails, I know they believe that. I do not think there is any evidence for that. What I hear is that, given the general economy this year, retail sales are way off and they are going to be off. It seems to me that we are not really tangibly benefiting the merchants and their economic well-being, which is an extremely important thing to Hastings one way or the other. I think we are kidding ourselves. Again, that is a hardheaded approach.

Having said that, why not? It is Christmas. It is Hanukkah. We should have some lights, we should give people a break on the parking. Next year, though, at budget time we are going to have to be very careful and very hardnosed about everything. I agree with my colleagues. We should not do this in a feel-good spirit and a knee-jerk, ad hoc way. We ought to do it in a systematic, thoughtful way. And it really ought to be factored in at budget time.

Mayor Swiderski: I want to weigh in as the Scrooge up here. I know it is not going to make me particularly beloved, but \$2,500 is \$2,500. It is probably more than that because I suspect the tickets outweigh the close-to-minimum wage that we pay the parking meter lady. We are underselling ourselves in what we do for our merchants. We have just subsidized their efforts by \$6,000 by offering free parking for two weeks, which is more than, say, Dobbs Ferry does. It does not do it at all. Dobbs Ferry offers a program where if you bring in a receipt they will give you a \$10 parking card, but you have to feed the meter if you do not do that.

We had Friday Night Live on the first Friday, and that was a nice kickoff to holiday spirits in the downtown. The lights and the decorations make the place a festive environment you want to walk around in. We started three days later, with pushing back to the 11th, than we did last year. Last year we started the 8th. So it is not like this was a huge adjustment over past practice. It shifted by three days. Perhaps it would have been nice if we had given Hanukkah a couple more days ahead of the date, but we did not. I am just not eager to let go of the \$2,500 without more evidence that it makes that much of a difference. So I am the Scrooge up here, and inclined not to. But everybody here has expressed different opinions, and we should take a vote. I am happy to be a minority here if we want the extension granted now because there is no time to slip.

Ms. Zazzara: If I might, in terms of the extension, a few days after Christmas. Does it need to be the whole week? Maybe not.

Trustee Armacost: Exactly. That was my suggestion.

Mayor Swiderski: So what is the pleasure of the Board?

Ms. Zazzara: And the concept also of fundraising, which has nothing to do with this: can we demonstrate that there were X amount of extra dollars made?

Mayor Swiderski: Of course not.

Ms. Zazzara: Probably not, but the goodwill, I think, goes as you spelled out. Thank you for the consideration.

Mayor Swiderski: I would argue that we are generating quite a bit of goodwill over the last five months with what we are doing downtown as it is. And that is done through heroic efforts of volunteers in large part, as well as further money out of the Village: another thousand dollars for Friday Night Live. So overall, the commitment of the Village to the downtown is considerable and real. And while I understand it is always nice to ask for more, I personally have zero problem in drawing a line in a sand. That is just me facing budget season coming next quarter. I would like a sense of the Board if the Board would like to grant more days or not, or where do people stand.

Trustee Walker: I would propose keeping the moratorium through Saturday. Christmas is on Friday, so at least the Saturday after.

Trustee Quinlan: I thought we could maybe do a couple more days just to have a compromise. Maybe we could compromise for Saturday, Monday, and Tuesday.

Trustee Armacost: Yes, I agree.

Trustee Jennings: I agree.

Mayor Swiderski: All right, three days it is. We are through to Tuesday, Dec. 29.

On MOTION of Trustee Quinlan, SECONDED by Trustee Walker 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 Saturday, December 12 through Tuesday, December 29, 2009 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 Bruce Jennings	X	
Trustee Jeremiah Quinlan	X	
Trustee Meg Walker	X	
Trustee Nicola Armacost	X	
Mayor Peter Swiderski	X	

71:09 ADOPTION OF LOCAL LAW NO. 4 OF 2009 TO REGULATE THE DISPOSAL OF YARD WASTE

Village Manager Frobel: We have had our public hearing and several work sessions. The ordinance reflects the opinion of a lot of people that have had some input, not the least of which began with our men at the DPW yard, who had some suggestions as to how we can at least reduce the volume. That is part of our problem. We do not have the facility to handle the volume that is generated from our commercial firms. We have addressed that. One of the things, of course, is to continue an education to have them reduce the volume, not simply move it on to Yonkers as was pointed out tonight. Also the idea of reducing and changing business plans and the way we do business as homeowners in terms of handling yard waste on-site. I realize it is a short-term approach to addressing the problem. Whether any of the local businessmen will take out a license at this fee, I doubt it. Already they have found other alternatives to dispose of the material. We are able to manage what is generated by

homeowners at the site now, and I think this ordinance goes a long way to address a problem that we brought to your attention. So I am hopeful the Board will pass this this evening.

Trustee Jennings: We need to reiterate for the public that this proposed amendment to our law does not affect in any way the current practice, which is, if you have yard waste you put it down by the street and it will be picked up. We are not saying that people have to bring their own stuff to the DPW site. We are still going to have curbside pickup. I noticed something which may be ridiculous to point out, but in Section C, do we not need to add that municipal employees are allowed to put stuff there? Because right now, it says “the only persons who,” and it does not list them.

Village Attorney Stecich: You could, but it is understood. It is kind of a silly thing, but municipalities are not subject to their own law. So you do not generally, but if you feel more comfortable you can put it in.

Trustee Jennings: Well, I do not care. I just want to make sure there is no misunderstanding, that we are still going to have curbside pickup, of course.

Village Manager Frobel: In fact, that is the preferred way. We would much rather have the homeowner leave material at the curb so we can pick it up and handle it one time, rather than have them bring it to the yard themselves.

Trustee Walker: This is a stop-gap measure in order to reduce our costs. I feel very strongly that we do need to do that and discourage the contractors from bringing their leaves from around the region to Hastings, because we have offered this for free for a long time. However, I do not think this should prevent us from exploring what Mr. Downey was talking about. Also, there was a gentleman at the public hearing who also spoke.

Mayor Swiderski: Tom Mitchell.

Trustee Walker: So Mr. Mitchell also spoke about the possibility of doing something else. We are not talking composting. We are talking about creating mulch. I have had a number of conversations with avid gardeners in Hastings who see the leaf mold and the shredded leaves as just gold. They seek it out, and now they will not be able to find it in Hastings so they are going to go to Irvington to get it. And there are some places that, in fact, sell it. I am particularly thinking of the leaves, and do not know about the branches. That is pretty big stuff. I am trying to take care of my own leaves in my own yard this year, but I cannot deal with branches and larger pieces of yard waste. But one of the things that we have always talked about is that you can reduce the volume of this by shredding it. I would love to see if there are municipalities that are shredding it initially to reduce the volume, they store it, and

then they give it back to the gardeners and put it back on the parks within the municipality. So not to say that we still want to accept all the yard waste from surrounding villages, but we can explore how to deal with our own without having to haul it away.

Trustee Jennings: There are municipalities that do this. They have these grinder machines and do composting as well as mulching. They create products which, after a time, they give back to their local residents.

Trustee Walker: It can be sold.

Trustee Jennings: Yes. This is something we should explore. The cost of the apparatus and the person-power involved, according to the person I talked to, is considerable. That means that it is perfect for an intermunicipal approach perhaps. But the basic point you are making is very valid. This is not waste; this is useful, ecologically sustainable material, much better than buying chemical fertilizers. We are just not using this in as intelligent or as productive a way as we ought to. We are wasting energy in the way we are disposing of this stuff. We can do better. We should do better. But the fact remains, I support this amendment because we are essentially subsidizing for-profit companies that would have to pay to dump it someplace else. They are dumping it on us for free, and we are paying. That does not make any sense to me. So that is what this is designed to eliminate. It will not solve our longer-term sustainability problems, and it is not a substitute for creative thinking like Mr. Downey and others are suggesting along those lines.

Mr. Downey: I would like to ask the Board if they would postpone voting on this. Since garden season is over now until about March, there is time. I would like to give a detailed design description of how this can be done. Ardsley would like to go in on this with us, share the cost, two contractors. I would like to discourage curbside bag pickup. There are those instances when it has to be done, but we do not examine the true costs. A conversation with the men who ride on those trucks would shed light on how this process is done. Picking up bags in the autumn is dangerous. When you ride on the back of the truck and you are on and off, on and off, there is a potential for accident and injury. We have had injury this year, as a matter of fact, with men on the back of garbage trucks. We have to examine those Workmans Comp costs. We had some men on light duty because they were injured. Now take into that, we are using paper bags which, if you speak to the men on the truck, they hate. You go to pick them up, they rip if they have been out in the weather. They do not have handles like a garbage can, where you have the ergonomics working in your favor. You have to fight around for a grip, and it is difficult. They do not like to do it. It is not a good use of time. It is dangerous. There are unintended costs that come with it that you do not see in your spread sheets: injury.

Also, when we are picking up we do not want stuff going to the curb. We want a larger, comprehensive, educational process, changing behavior, where people realize the benefits of this material. I have started making converts of some people, but it is going to be a process. It starts with the checkbook of the homeowner. We need to get to the homeowner, who will then speak to their contractor and say we would like to do it this way. We need the Board to then give feedback to the community that this is working. No one is going to participate in these programs unless they can see net results and feedback. There is no doubt the ideas that I have here will save money, in the neighborhood of \$15,000, \$20,000, \$25,000.

I would like you to slow down with this. Give me the opportunity, and also spend the time. Go to the Mountain Road side in Irvington. Irvington did the analysis on this. It is not cost-effective to pick up with bags; they did the cost analysis. I spoke to the men up there. Unfortunately, they pick up every single leaf that flies in the woods, but they are able to use a pristine site, better than our quarry, up behind the Irvington reservoir. We do not have enough space in the DPW for materials management. We need to go into a materials management discussion here, not just leaves. I saw this week at the end of the Zinsser parking lot we just bulldoze more dirt and crap into the woods, which we are going to kill trees, in time. We have a stately, old London plane tree there that is injured already. We need to have space dedicated towards leaf management. So we need to examine how we are doing our material management. You come into Hastings on the train and it is disgusting. There is no reason we cannot do better. We need to develop a system down there where we manage our soil, we manage Item 4, where we better manage our recyclables; where we build an enclosure shed so it is not blowing all over, wasting manpower on that. We are handling and rehandling and rehandling. We are wasting manpower, we are wasting equipment.

Mayor Swiderski: What is the sense of the Board?

Trustee Jennings: I must be missing something because I do not see the connection. I agree with you entirely that we need to have better materials management. But I do not understand how what we are proposing would preclude or undermine that going forward. One scenario is that the contractors will not pay the fee. We will not have any more dumping if we pass this amendment. Another scenario is that some of them will pay a fee, and that will cover our costs. Why not do this, and also do what you are proposing. If we come up with a plan with Ardsley or something in the future and we do not have enough material, then we will rescind these fees. We will invite the contractors to give us their material, and we will make use of it. I do not see the downside of passing this. If we do not do it now we are going to have to do it eventually, because the underlying problem will still be with us, namely, we are paying the bill to dump it in Yonkers.

Trustee Quinlan: I agree with Bruce and do not see how passing this law prevents us from going to the next step and having a greener and a more sustainable solution, which I know Bruce will be working on with Fran because that is one of his areas of responsibility. I am sure he would be glad to meet with you, Mr. Downey. But I am prepared to vote for this tonight.

Trustee Walker: Yes, I think we should go ahead and vote for it. I would like to explore the other solution, as well. I would like to see what Irvington is doing. I would like to know how they are transporting their leaves if they are not using bags. When this does become a valuable material, when we have educated our population enough that this is something so valuable that they do not want to waste it, then we can change this law. But at this point, we are not there yet and it is costing us a lot of money.

Trustee Armacost: I agree with Bruce. I do not see how this law will impact the situation that you are talking about. Your points are quite valuable, Mr. Downey, and this law seems separate and potentially supportive even of that. The other thing I noticed is that there is no location even mentioned. The DPW could change its location and the law would still be valid. So I think the law actually stands alone and can be voted for without necessarily having future repercussions.

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

RESOLVED: That the Mayor and Board of Trustees hereby adopt Local Law No. 4 of 2009 amending the Code of the Village of Hastings-on-Hudson, Westchester County, New York, Chapter 244 Solid Waste to Regulate the Disposal of Yard Waste.

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

Section 1: The following new section is added to Chapter 244, Solid Waste, Article II, Collection and Disposal:

§ 244-9. Disposal of yard waste.

Yard waste, including leaves, grass, branches, and similar materials may not be disposed of at the Department of Public Works (DPW) facility except as follows:

- A. Yard waste may be deposited only at the area designated by the Department of Public Works for such waste, and only at the times designated by the Village Board of Trustees.
- B. Only yard waste produced in the Village of Hastings-on-Hudson may be deposited at the DPW facility.
- C. The only persons who may deposit yard waste at the DPW facility are
 - (1) Individual owners or tenants of property within the Village of Hastings-on-Hudson who are depositing yard waste from only their own property.
 - (2) Landscaping or home improvement contractors or companies, subject to the following:
 - (a) They must have a Home Improvement License issued by Westchester County, and
 - (b) They must obtain a Yard Waste permit annually from the Village of Hastings-on-Hudson. The fee for the Yard Waste Permit shall be determined by the Village Board by resolution and set in the fee schedule.
 - (c) They must pay a fee for each truckload of yard waste deposited in an amount to be determined by the Village Board by resolution and set in the fee schedule.
- D. Any person, firm, partnership, or corporation who violates any provision of this section shall, upon conviction of violation, be fined not more than \$500 per offense. In addition, the Yard Waste Permit may be revoked at the discretion of the Village.

Section 2: Sections 244-9 through 244-13 of the Code are redesignated sections 244-10 through 244-14, respectively.

Section 3: All ordinances, local laws, and parts thereof inconsistent with this local law are hereby repealed.

Section 4: 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 Bruce Jennings	X	
Trustee Jeremiah Quinlan	X	
Trustee Meg Walker	X	
Trustee Nicola Armacost	X	
Mayor Peter Swiderski	X	

72:09 ESTABLISHMENT OF YARD WASTE FEES

Village Manager Frobel: We believe this will cover our costs if everything stays constant. We think, knowing what we have seen in the past history on the number of commercial vendors using our facility, that a \$5,000 annual fee would cover the cost to bring the material to Yonkers, with the offsetting also for our manpower expenses. So it is a good start.

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

RESOLVED: that the Mayor and Board of Trustees hereby establish the following yard waste fees:

1. \$5,000.00 annual yard waste permit fee for commercial contractors to dispose of yard waste at the Department of Public Works facility.
2. \$20.00 usage fee per truckload of yard waste.

ROLL CALL VOTE	AYE	NAY
Trustee Bruce Jennings	X	
Trustee Jeremiah Quinlan	X	
Trustee Meg Walker	X	
Trustee Nicola Armacost	X	
Mayor Peter Swiderski	X	

73:09 APPROVAL OF NEW YORK STATE DEPARTMENT OF TRANSPORTATION SNOW AND ICE AGREEMENT EXTENSION

Village Manager Frobel: This is somewhat confusing, Mayor, but based on our advice from the New York State Department of Transportation, we have been advised to pass this resolution. This will assure a retro payment to the Village for the 2008 – 2009 snow season. It could be upwards of \$8,320, although that was the amount pegged for the 2006 – 2007 year, with some cost index factors.

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

RESOLVED: that the Mayor and Board of Trustees authorize the Village Manager to sign the New York State Department of Transportation Snow and Ice Agreement Extension for the 2008 - 2009 Snow Season.

ROLL CALL VOTE	AYE	NAY
Trustee Bruce Jennings	X	
Trustee Jeremiah Quinlan	X	
Trustee Meg Walker	X	
Trustee Nicola Armacost	X	
Mayor Peter Swiderski	X	

74:09 AUTHORIZATION TO ENTER INTO CONTRACT FOR JANITORIAL SERVICES

Village Manager Frobel: In working with the villages we are constantly seeking out ways we can economize and continue to provide our services at an improved level and at a reduced cost. Our goal was not to lay anyone off or to have any adverse impact on our staff in terms of reducing the workforce. But as things worked out, our custodian has accepted a position

in another community entirely on his own choice. So we see this now as an opportunity where we can expand our services, not only to provide custodial services here at Village hall and the police station, but at the Community Center and expand it to the library. The library was not part of this man's responsibility in the past. We will still need some part-time people to help out in setting up and touching up some of the buildings during the course of the week or during special events, but we see this as a great opportunity to go back to what the Village had for a number of years with outside services. We tried a full-time position. With the new community center, it just became too much, too large a building. But now we have a chance to expand our services and, at the same time, reduce our expenses.

Trustee Walker: In the list of buildings that they are going to be cleaned, the Municipal Building, this building, was not included. I wonder why that was.

Village Manager Frobels: Well, it is. It is going to be included. It says police department. He means the entire building. We were looking to reconfigure some of our part-timers and have them be responsible for this building. But instead, I want to keep them on staff, have them work during the day, help Ray at the Community Center, and maybe expand the responsibilities for outside on the grounds and have them pick up litter in the downtown area and around the buildings. So we are still going to work with our staff because we do have a part-time man at the library and one here during the day, part-time.

Trustee Walker: So when you say "downtown area," how big an area are we talking about?

Village Manager Frobels: The area that Rocky is covering for me now. It has been spotty. He has to sometimes go on a garbage truck. But this would give us some more reliable hours that we would have to pick up around the VFW plaza, Main Street and Warburton.

Village Attorney Stecich: Are you going to have a separate contract from this contract, Fran, or this is the contract?

Village Manager Frobels: There will be a document, but this was simply his proposal.

Village Attorney Stecich: Meg makes a good point, and I would make sure it says "and the Municipal Building" rather than "the police department."

Village Manager Frobels: I will run the contract by you before I sign it.

Trustee Quinlan: Improved services, at less cost? No-brainer.

Trustee Jennings: Win-win.

Trustee Armacost: I agree.

Ms. Zazzara: What is the cost of the contract? We had a custodian here at this building that is no longer with us. So what was his salary?

Village Manager Frobel: The man that was responsible for this building and for the Community Center had a base salary of \$38,155 a year. On top of that we paid his medical insurance, his Social Security, and his pension. The cost of this service is \$3,786 a month, so there is a net savings between what that man was paid and this service here alone.

Mayor Swiderski: Right now it is about \$8,000.

Trustee Jennings: Who is doing the library now?

Village Manager Frobel: A fellow by the name of Nick. He works 20 hours a week.

Trustee Jennings: Is he going to be laid off?

Village Manager Frobel: No. We are going to work with him to help Joe between this building and the grounds. Sue Feir is going to expand her hours, perhaps use him on Sundays.

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

WHEREAS, New York State through its Local Government Efficiency Program urges local governments to participate in shared services in an effort to become more efficient and effect changes to help lower costs and lessen rising property taxes, and

WHEREAS, the Village Officials Committee, consisting of representatives from the six villages in the Town of Greenburgh, has identified areas where it would benefit the villages to coordinate efforts in the purchasing of goods and services, and

WHEREAS, a Request for Proposals for Janitorial Services was issued by the Village of Tarrytown in order to obtain the lowest and best price for this service, and

WHEREAS, Guardian Services Industries, Inc., New York, New York submitted a proposal meeting all the specifications of the request, and

WHEREAS, Guardian Services Industries, Inc. further submitted a proposal for janitorial services to the Village of Hastings-on-Hudson, now therefore be it

RESOLVED: that the Mayor and Board of Trustees authorize the Village Manager to enter into a contract with Guardian Services Industries, Inc., as per the proposal submitted July 31, 2009.

ROLL CALL VOTE	AYE	NAY
Trustee Bruce Jennings	X	
Trustee Jeremiah Quinlan	X	
Trustee Meg Walker	X	
Trustee Nicola Armacost	X	
Mayor Peter Swiderski	X	

VILLAGE MANAGER'S REPORT

Village Manager Frobel: We received word today that the Village was successful in receiving a grant of \$17,000 from the U.S. House. This is the grant that we submitted earlier this year for the plate reader for the police department will use it.

Mayor Swiderski: A "plate hunter" is a device mounted on the roof of the police car. It looks about the size of a tin can. If the police car moves at around five miles per hour as it coasts down the street, it reads the license plates on every car it passes and checks it against an internally downloaded list of scofflaws, stolen cars and lapsed registrations, and flashes a signal when that car is encountered. Even without the grant, these things apparently pay for themselves and also bring the officer's attention to vehicles that may be stolen or in the hands of people who should not have them. So, modern technology bordering on the scary.

BOARD DISCUSSION AND COMMENTS

1. Zinsser Parking Permit Lottery

Mayor Swiderski: The Zinsser parking lot currently has fewer spots than there are people who want permits for those spots. In the past, those spots were allocated to those most

willing to wait on line the day those spots were put up for permitting. A couple of years ago we instituted a lottery, which is typically a fair way of allocating as far as resources. The problem that we encountered this time around is one of communicating out the process of the lottery. Also some ideas have been submitted by the public for ways to tinker with the process, to improve its fairness and allow it to function better. I am going to divide up the discussion of the ideas into two halves. One is informing the public. It is fairly straightforward. The calendar that will be issued this year will have a notation in it reminding people about the lottery. Every citizen will have that to remind them. We have at least one email blast out to the public, simply indicating that the lottery for the permits is underway shortly and to register. We could have a crawl on WHOH. I am beginning to exhaust the usual means we have for getting the information out. We can do the usual posting on the bulletin board. And then, finally, we have the emails of those who registered the previous year so they can be reminded, as well. So it is both the broadest possible, which is via the calendar; more narrowcasting; via the email and the TV; and then finally the specific targeting of prior people interested. Any thoughts from anyone up here on what we can do beyond that?

Trustee Armacost: Did you also mention that a flier is put on their windscreen?

Mayor Swiderski: Do we do fliers on the cars?

Village Clerk Maggiotto: No, we do not. But you do understand that everyone who has a permit gets an application in the mail. We mail the application and the letter early in November.

Mayor Swiderski: So we have five different mechanisms here for informing the public. I think that is probably adequate.

Ron Hollander, 55 Fairmont Avenue: Everybody that would have the right to park in the lot has to start off originally with a permit from Hastings for his car. So now you have a list of all the people who have permits before you can start, not necessarily Zinsser permits. Just to park in a lot you need a permit, even if you pay. So that is a larger group. Some people pay daily. The second is, I have noticed that there are some people who have somehow found a way to get a parking permit who have a car registered out of state. I have seen the list of people that have Zinsser parking permits, and there are some families who have paid and probably won the lottery. But multiple parking in the same family, where some people did not win the lottery, that seems unfair.

Mayor Swiderski: I agree with you, and that is part of the second discussion, which is the lottery process itself.

Mr. Gonder: Why do you not consider the legal notice you put in *The Enterprise* that I have to read with a magnifying glass?

Mayor Swiderski: We do not actually have to put out a legal notice. It is free in the calendar of events.

Village Attorney Stecich: Why not the train station?

Mayor Swiderski: We can put up a sign. I do not want to overkill.

Village Attorney Stecich: But that is where you are going to get your commuters.

Village Clerk Maggiotto: With all your suggestions we certainly will cover it.

Mayor Swiderski: On to process. The base mechanism of a lottery is the only way to go, as a starting statement. The first idea that has been thrown out by a number of people is, if you lost a lottery this year, and next year you file for a permit, you automatically get a permit the next year, so you are not at risk of being disadvantaged two years in a row. The pool of available permits would be lowered by the amount of losers from the previous year who would be applying again. That sounds fair to me.

Trustee Quinlan: I agree.

Trustee Armacost: I agree with it, although I do think the number of permits that a family has should be factored into that. They should be looked at together.

Mayor Swiderski: I totally agree.

Trustee Quinlan: The reason I said I agree is because I knew what the second and third options were going to be, which include two cars in one family.

Trustee Armacost: The point being if you lose it, carry on.

Mayor Swiderski: So are you comfortable with the concept?

Trustee Armacost: Yes.

Trustee Walker: Yes.

Mayor Swiderski: A number of people have commented that we should try to ensure that all families get at least one before we entertain multiple permits per family. From a sustainability point of view, I am totally there. So the concept of considering household permit applications is, I think, one we should think about. Now, the question comes down to how to do that. Everybody who applies has to include their address because of the Hastings tradition of wives not taking their husbands' names. What we would then do is rule number one: If there are more places than permit requests, no lottery is necessary. Everybody gets one. Rule number two is, if there are more applications than there are lottery requests, first we take out all of the additional family members. We just have one in the pool. If all those are still more than what remains, we hold a lottery for just those applicants in the one-per-family pool. Then rule number three covers a third case, which is there are fewer single-family applications than there are lottery spots. We do not run the lottery: everybody gets one per family. And then what is left is then lotteried against what is remaining. So if there were 50 remaining spots, and there were 100 wives or significant others who wanted spots, those 100 would be in the remaining lottery for those 50 remaining spots. It would maximize the fairness across categories and families. If Susan can stand the additional administrative burden placed on her, if a family wins only one and they had two applications they can determine which car it lands up on.

Village Clerk Maggiotto: There are not that many families that applied for two permits per family. It is quite manageable.

Mayor Swiderski: So they can work out which car it would go on. These three conditions cover the range of possible lottery scenarios. It would seem to guarantee more equity than we are currently enjoying.

Trustee Walker: I think you have thought it through very thoroughly.

Mr. Hollander: Can I suggest that you add a procedure by which you are still on the list when somebody moves or wants to give up their permit? They can sell their permit back to the town, and your name is in some order.

Mayor Swiderski: Not only that. It should be prorated back to them, and whoever is on a waiting list can be offered that permit.

Village Clerk Maggiotto: We have always done it that way.

Mayor Swiderski: Given the compulsive description of what I propose, is everyone in agreement? So let us move on.

Village Clerk Maggiotto: May I just add something about the numbers? There were only 12 people that we could not accommodate this time. We do have room on River Street for all of those people, and they were offered the opportunity. Seven took the River Street permit. Five chose not to take the River Street. I assume they are using meters and are on a waiting list. So we are not talking great numbers of disappointed people. There still are spaces on River Street if anyone wants. Unfortunately, it is Metro-North property, and Metro-North insists we charge the same thing that they charge at all their other lots.

Mayor Swiderski: You are heading into a point that I should have made going into this. All of this, of course, assumes residency status. This lottery process is held for residents.

Village Clerk Maggiotto: Right. The spaces on the other side are for anybody, but our own residents still have to pay the \$440. We do not have any control over that.

Mayor Swiderski: And the difference there, for clarification to anyone watching this and has made it this far, is that Zinsser is ours and we get to set the rates there. The spots on River Street, which is the other side of the tracks, bordering the tracks down to and including Harvest, belong to Metro-North, and they get to set the rate. They have a rule that the same rate applies for residents and nonresidents, and that neither can be favored in the process of application for those spots. I believe the rates they set are the same across all the lots on a given line.

Trustee Armacost: One thing that came up in some correspondence that I saw at some point had to do with handicapped status. Do people who have handicapped status get priority, or should they?

Mayor Swiderski: I think we have quite a bit of handicapped parking that is never fully utilized.

Trustee Walker: But it is just metered. Is that not right, metered parking?

Village Manager Frobel: Yes, those are metered.

Village Clerk Maggiotto: It is metered, but on the River Street side there is a handicapped permit that is either metered or permit.

Trustee Armacost: Just because one of the chaps who had a problem seemed to raise that as an issue; a reason why it was particularly burdensome for him that he had not been able to get the permit. I am wondering if those people should be given priority in some way, or not.

Village Clerk Maggiotto: I think what I hear Niki saying is, just as you want to give priority next year to people who did not get into the lottery this year, perhaps anyone with a handicapped permit could automatically get a spot.

Trustee Armacost: That is what I am trying to say. I am not talking about having spaces designated for them as handicapped. It is more that they get the permit.

Mayor Swiderski: It is a very good point. I am just wondering if we are deficient in not actually allocating handicapped-capable spots for those people so we are not further discriminating against a class of handicapped that do need handicapped access. If somebody does need handicapped access they are currently not going to participate in the lottery because there are not handicapped-accessible spots set aside in the permit area. It might make sense to dedicate a couple of those current blue spots, which are proper handicapped spots, as part of this if they are underutilized. In fact, I would argue it is probably something we should be doing, period. Avoid trouble down the road, and it is the right thing to do.

Trustee Quinlan: Right. Cut the meter off.

Trustee Walker: But if they are underutilized, could we just leave the meters there and just allow the people with the permits to use them.

Village Clerk Maggiotto: Why do we not wait and see? The first question is, do you want to give priority to people with handicapped permits and give them a break. And then we could see what type of parking is needed on a case-by-case basis. We could certainly deal with that next year.

Mayor Swiderski: I agree. I have no problem with that.

Mr. Downey: If you just waited to see, put a little space on the application: Do you have a handicapped permit? If it says yes, then you can decide whether or not you need a space for that person. If nobody says yes that year, you do not have to do anything.

Mayor Swiderski: No argument.

Village Clerk Maggiotto: We will add that to the application.

Mayor Swiderski: And I have no problem favoring. Does anyone have an issue with that?

Trustee Quinlan: No.

Trustee Jennings: I agree with that entirely. But there is another scenario that we might want to consider because it did come up in some of the email. Imagine a person who does not have an official handicap and therefore does not have a handicapped sticker but who, nonetheless, has a hardship; does not walk easily, or well. The experience of people who use the paid meters is, if you go into the city just occasionally you are going to be far back in the lot. You are going to walk a long way. If you have a permit you are going to be more in the center, closer to the train. I am just imagining that hypothetical person who would be willing to pay the money for a permit that they use occasionally just so they would be closer. They would not have to walk as far. It is not a handicapped issue. It is a hardship issue.

Mayor Swiderski: Who determines that?

Trustee Jennings: Well, should we have a mechanism for people when they enter the lottery to indicate a special need. And should we supplement the lottery mechanism by holding out a couple of spaces each year for special needs or special hardship cases? It is not the same question as the handicapped, but a different question.

Mayor Swiderski: But handicapped is a proxy, in general, for needs. I would be somewhat nervous, and do not want to be cynical, about gaming a process by making a claim. Maybe nobody would do that.

Trustee Jennings: No, you open up a can of worms when you get into these other issues.

Mayor Swiderski: And Susan's head is about to explode as it is.

Village Clerk Maggiotto: No, it is not. But we do issue a significant number of handicapped parking permits, the blue hang-tags. People come in with a doctor's note, and it does not have to be strictly mobility. It is any condition, whether it is a heart condition or a lung condition, where you are not able to walk distances. We give out many of those. I do not want to be in the position of deciding that person has a legitimate complaint, this one does not. I would suggest that anyone who has that kind of hardship go to the doctor and get an application for the handicapped hang-tag.

Trustee Jennings: OK, good. Because what I am imagining is, in fact, a person who does not need the double-wide space, and so forth, just an ordinary space.

Village Clerk Maggiotto: Right. There are plenty of those people, and they do get them readily.

Mayor Swiderski: So you can sort all this out for next year?

Village Clerk Maggiotto: Absolutely.

Mayor Swiderski: And thank you, Niki, for the catch on handicapped. I think we have beaten this one into the ground.

2. Request to Purchase Village-Owned Property

Village Manager Frobel: Several weeks ago, I put in your packet a request from a gentleman on Whitman Street who wants consideration for acquisition of a strip of land that, according to him and his research, is owned by the Village. If you are so inclined, a simple motion to send this over to the Planning Board for their review, investigation, and consideration would be the next step.

Trustee Quinlan: Do we own it?

Village Manager Frobel: That is something that is going to have to be verified.

Trustee Quinlan: By whom?

Village Manager Frobel: Well, I suppose the Village. As part of the Planning Board review they will have to get involved in ascertaining ownership. We are relying on some work that has been done by an architect that caused a survey to be performed.

Trustee Quinlan: I do not have any problem sending it to the Planning Board, but before we bother them with more work we should find out whether the Village owns it. If the Village owns it, then we can decide that. If the Village does not own it, then how can we sell it?

Trustee Walker: We can only tell from the tax maps.

Village Manager Frobel: Yes, and that is what we have given you.

Village Attorney Stecich: Does the tax map indicate that? If it does not indicate, then have them do a title search.

Mayor Swiderski: You know, I am remiss is not having walked to this site.

Trustee Quinlan: I did. It is fine.

Mayor Swiderski: Is it a walking path?

Trustee Quinlan: No. It is wide enough to walk down, but I did not feel like walking down it at the time, because there is a fence at the end behind the acupuncture place on Warburton. I do not know it continues through that fence, or that is our property, too. So these are things that the Planning Board has to consider. It is from Whitman to Warburton. But right here between these two houses, between this lot here and this lot here, there is a wooden fence. Someone put up a fence so that you could not cut through. So I did not want to walk down it because I didn't know if it was public or private property.

Mayor Swiderski: It was put there, I am sure, back when these were all working class walking paths.

Village Attorney Stecich: This is not like a foreclosed-on lot. Sometimes you will see something that was foreclosed on. This was put there for some reason.

Trustee Quinlan: So before we get into the philosophical aspects of whether we believe we should sell Village property that might otherwise be a walking path, we have to determine, or the applicant has to determine, if the Village actually owns it. And he is going to have to spend some money for a title search.

Mayor Swiderski: Here is my only issue, Jerry. It is an expense spent. And just by looking at the map and the shape of this, my gut is that it is probably an old right-of-way that the Village maintained when union guys would walk down to the waterfront. If we can forestall an expense, because the Board is inclined one way or another, I would rather not have him have his proverbial chain yanked by spending \$1,800 to a title abstract company only to find out we are not interested.

Trustee Quinlan: That is fine with me. Here is my position on selling Village property that could be a walkway: I am against it. I was against it before when we talked about it down off the Aqueduct and on Warburton, and I am against it now. You never know what you are going to use it for.

Trustee Walker: Yes, I agree. When I was planner, I was collecting all of these funny little paths. There are dozens and dozens of these throughout the Village, and you see the pattern. They went in both directions. So folks walking to the waterfront to work, people walking to the train, and then people who walked to the Mount Hope station on the Putnam line. There

were lots of trails going in that direction, too. It was the way the subdivisions and the streets were designed originally, and the layout, so that people could walk. I wrote something about it, and I had people calling me from all over the country; several people who were researching this kind of development with paths in the 19th and early 20th centuries. People were quite interested in the way that Hastings had developed, with walking paths. We do not know what we may want to use it for in the future, and I agree that there may be cases where we need to look at it more closely because it is so compromised as a path that it does not make any sense to keep anymore. But where it goes all the way through a block, then it is not compromised and we should consider keeping it.

Trustee Armacost: I do think we need to know whether it is or is not a path, though. Because if it is fenced up at one end, it is not functioning as a path.

Mayor Swiderski: That could always be taken down if it is on Village property.

Trustee Armacost: Right. But if we do not know what it is, then we are making assumptions without having any actual knowledge. I agree with Jerry that if it is a path, then preserve it as a path. But if it is not a path, then do not preserve it as a path.

Mayor Swiderski: I would extend Jerry's statement. What Jerry actually meant to say was, if it is, or could be. If it has been compromised to the point that it cannot one day be a path, just because it is in disuse or somebody illegally threw up a fence does not mean that 20 minutes with a chainsaw and some paint it could not be turned into a path once again.

Trustee Armacost: Exactly. But if it is not, then it is not. So let us find out whether it is or it is not.

Mayor Swiderski: If it is compromised to the point that it cannot.

Trustee Armacost: Or if it never was one. If it is not a path; it just looked vaguely as if it was a path, or deer walked down there or something.

Trustee Walker: That is sometimes a hard thing to gauge over the years. These may have been there for 100 years. Over the years the property owners encroach on them. They mow it, they put their gardens on them, they basically kind of claim it as their own. Some of them are still paths, but a lot of them you would never know because they look like private property now. I am so intrigued by it. I did not have a chance to look at this one, but I have looked at a lot of them. It is an interesting point, even if we are not interested in using it as a path now, that is not to say that somebody might not in the future.

Trustee Jennings: Again, we need more information. If it is a path that goes between Whitman and Warburton that could be a useful path.

Trustee Quinlan: So let us circle back. Maybe we could say to the guy, I do not want to waste any money, but if you are really serious about this application, then go spend the money and get a title search.

Village Attorney Stecich: But then you get back to the point you were saying, Jerry. If you would not sell it to him anyway, why do you want to tell him that?

Trustee Walker: So under what conditions would we sell?

Mayor Swiderski: We would sell if the path is so compromised, or if there is a brick wall or a retaining wall that had been built in intervening years.

Trustee Quinlan: I am going to have to go take a closer look on the other side.

Mayor Swiderski: That is right. If there is no way that it can be turned, without demolition involving something other than a chainsaw. Then it has been compromised to the point that it is not realistic to assume it will be clawed back one day by us. But short of that, if there is a car-free future sometime a few decades hence, that we will be sorry we did it.

Trustee Walker: Yes. My name is not Walker for nothing.

Trustee Quinlan: I am already in a car-free future.

Trustee Walker: So how do we make this decision? Do we do it, or do we ask the Planning Board to do it?

Mayor Swiderski: Physically walk and see if you can see up one side and down the other side. I do not think we have to spend a penny here, or ask somebody else to do it.

Village Manager Frobel: So I will not contact the homeowner, and we will look.

3. Boards and Commissions Chairperson Elections

Trustee Armacost: You had asked me to spend some time look at, and analyzing, the situation of boards, commissions, and committees. We have 26. a very large number for such a tiny village. It came to my attention that we have not reminded the boards, commissions, and committees, that they should be providing for the election of a chair, and a

determination of who should be responsible for minutes and agendas for those committees that are required to produce them. I would like to suggest that maybe the first meeting of these different boards, committees, and commissions in January should be the time when they elect a new chair of the group.

Mayor Swiderski: Or reelect.

Trustee Armacost: Exactly. I have a proposed process. The process would be that any member can place another member's name in nomination and a second member should second the nomination. The entire committee, board, or commission should vote on that, and the winning vote would constitute a majority of the members who are present. This would require proper notification of everyone, in order for them to be able to be present at the meeting. It would also require notification of every board, commission, and committee that that group ought to meet in January in order to carry out this process.

If that seems reasonable to people, I would like to propose that and suggest that either the Village Manager or myself take on the responsibility of making sure that each of those people is notified of this process. Then in early January I will bring you a set of operational guidelines for boards, committees, and commissions, for their future operation.

Trustee Walker: Would you be giving them a sample set of minutes so we could standardize minutes perhaps? Some are going to be more complex than others. But a minimal standard.

Trustee Armacost: We developed quite a detailed matrix to analyze which were required to take minutes, which chose to take minutes, and which do not. For example, the beautification committee is an action group. They do not take minutes, they do not need to. It seems an onerous burden to force them to take minutes. One of the things that we need to do as a group is to look at where we stand with those; make sure that those who are required to take minutes are taking minutes, and have proper agendas, and are prepared for their meetings and provide the proper notification and follow all the legal requirements, because that is the way that they are constituted. The ones that have an intermediate status, who are choosing to, are at least consistent in that. The ones that do not need to are not being forced to do something that they should not. We, as a group, in consultation with the duly elected chairs of these groups, make sure that that process is coherent across the groups. I think that 26 is a large number. That is another thing we should talk about as a group and, again, with some of the chairs and these groups as to whether they are, in fact, committees or actually subcommittees of other committees and should be treated accordingly.

Mayor Swiderski: That is blasphemy. We love our committees.

Trustee Armacost: I love the committees, too, but it is a lot of people, a lot of groups, for Fran's team to be supporting. That comes back to the efficiency and cost-effective issues that we have been discussing earlier.

Trustee Jennings: In addition to the issue of possible consolidation can we rationalize the nomenclature somehow? It does seem as though different entities have different status and different requirements, and they certainly are appointed differently. If we could reflect that in the name, such as to be a board is the most serious kind of group; to be a commission is next; to be a committee is least. Something like that? Right now, the naming is all over the place and sort of inconsistent. I think we also have a "council." Do we not call it the Safety Council?

Trustee Armacost: We also have councils. It was a very interesting educational task to work out the list of 26. They are almost all completely filled in terms of the spots that went vacant for awhile. But there are a number of different acts of rationalizing that can be done vis-à-vis these different groups. A number of the people who are either sitting on the committees or running the committees have also said they would welcome that.

Trustee Walker: Once the chairs are elected, is that an opportunity then for us, as a Board, to revisit their charges and what they are responsible for?

Mayor Swiderski: Absolutely.

Trustee Armacost: One of the other things we talked about is to have an event in February or March where everyone gets together to meet everyone else, hopefully in the form of a party.

Mayor Swiderski: But with over 120 members across all these committees . . .

Trustee Armacost: It is a lot. It is quite a large chunk of the Village, actually.

Mayor Swiderski: A reminder that a selection should occur is probably long overdue. Certainly not in my experience have we done that. And my bet is that it has not occurred for years, if not decades, on some of these committees.

Trustee Armacost: And who should be the person to do that? Should it be me? Should it be me cc'ing the Board? Should it be Fran?

Mayor Swiderski: The request comes from the Board, so I think it should be the Board. It should be you representing the Board. If there any way it could be engineered to go out from a Village address, it would be optimal. But if you cannot manage that, then under your own name.

Trustee Armacost: So I will draft the email, and maybe Raf can do it for us.

Village Technology Assistant Corso: Would it be possible, while she is contacting the boards and committees, to also mention, since we are going to be doing a new Web site, to have them have in the back of their mind, what they would want to put up there?

Trustee Armacost: We are drafting, or redrafting, a set of descriptions of each of those groups. I need to go back to some of the chairs to have them fill in missing blanks. But I am hoping that that will be finished in January and we can decide whether all or a portion of that is available as a description of each of the groups for the Web site.

4. Update on Deer

Mayor Swiderski: I have no update on deer. Every few days I prod our friends in the DEC. It is in legal hell, and we wait for it to emerge from there.

5. Friday Night Live

Trustee Walker: We had a Friday Night Live on December 4, and it coincided with the Village's tree lighting and the visit from Santa Claus at the Community Center. We had a number of events that were very well attended, and we provided babysitting at the Community Center for about a dozen families. One of the most exciting things we did was to inaugurate a Friday Night Give event, which was a donation center at 45 Main. We were taking coats and food and donations of toys and clothing for babies for a non-profit in Yonkers, and also selling calendars for East Coast service dogs. We got over 300 donations. Rainwater Grill was sold out on that night. Many of the merchants were open late. The high school chorus performed at the Station Café. "A Toast to the Holidays," which is a wonderful popup gallery/café, interior public space, at 45 Main, had its grand opening that night.

Trustee Armacost: It is continuing for as long as we are allowed to keep the space.

Trustee Walker: If you have not visited it, it is quite something. Some days it looks like it has been taken over by teenagers, another time it will be 8-year-olds, and sometimes it is adults actually having a wonderful time. In my mind, it is a great public space moved

indoors, serving a variety of people, ages, demographics, incomes. It is constantly changing, and the different things that go on there each night will attract different audiences. It is a wonderful example of what you can do with an empty storefront to activate it. I want to give special thanks to the Parks and Rec Department because they did a wonderful job that night, and our tireless Friday Night Live supporter, Lisa O'Reilly, who has been helping us throughout our three Friday Night Lives. She has just been terrific. We felt it was very well attended. There were a lot of people in the downtown, the restaurants were packed, and it will be interesting to see how well the merchants did. We are going to take two months off and look at where we are, come up with a business plan, figure out how to make this sustainable, and then come back with a bang in March.

6. Update on the Waterfront - Update on Comprehensive Plan

Trustee Quinlan: We are going to see a lot of changes in the next two weeks at the waterfront in terms of some of the bigger buildings being decommissioned. The hope is that this week they are going to begin the demolition of Building 22.

Mayor Swiderski: The southernmost large building.

Trustee Quinlan: They are going to continue decommissioning Building 72 and 72A, which is the middle big building, and they are going to complete the abatement, which is moving the materials from 51A and 22.

Today I took a trip to Albany and had a meeting with the DEC and BP/ARCO. I thought it went well. At the end of the meeting BP/ARCO and the DEC decided to have at least four or five technical meetings between the engineers, including Dick Brownell from Malcolm Pirnie, starting in January and continuing every three to four weeks. They are going to start deciding what alternatives are off the table, get the alternatives that are possible, and then focus down to a number. They are starting the technical winnowing out of what cannot work and what can work. Fish & Wildlife was present at the meeting also.

The second meeting I had was without BP/ARCO, on the Tappan Terminal site, the southern site. It is owned by two different companies, ExxonMobil and Uhlich. Chevron has the responsibility to clean up the Uhlich site based on purchases and past history. They are the responsible party. ExxonMobil is on the verge of signing the consent decree to clean up their part of the south end, according to the ROD that was issued four or five years ago. Chevron and Uhlich are fighting with each other. So we are at a standstill on that. I asked the representatives of the DEC if it would be possible from a technical point to clean up the ExxonMobil acres and worry about the standstill on the Uhlich site later. Much to my surprise, they said we could do that, we would like to do that, but would you start bugging our legal department to give us the go-ahead. I said I would. So I will call the supervisor in

the legal department there to give him the go-ahead. We will try to split the project. I asked what if Chevron and Uhlich never come to an agreement. They indicated that they could refer that property to the Superfund. It was an interesting meeting in terms of getting people to look at things out of the box, as they say, and try to move instead of just saying we are stuck in this position and there is nothing we can do about it.

Trustee Walker: If Chevron and Uhlich are not coming to agreement satisfactory to both, is there any mechanism to force them into mediation or conflict resolution, as opposed to if it goes to a Superfund site, then it is going to be another few decades? These things come up all over the country, where sometimes they cannot be resolved except in court. But before they go to court, often these environmental conflicts are resolved through mediation.

Trustee Quinlan: Bruce and I went to a course recently on that. I think we need consent to both parties in order to do that. You cannot force them.

Trustee Walker: But I wonder if there was a mechanism to at least try, through the DEC or through even Riverkeeper, for example.

Trustee Quinlan: Good point. We will try. I just want to see if we can first start cleaning up on-site. But it could be another exercise. I can certainly suggest it.

7. Other

Mayor Swiderski: We have received an unsolicited \$500 grant from the Joel Dean Foundation for non-budgeted landscaping. I am going to be turning it over to Fran, and we will reach out to the local resident and see if he had something in mind.

Village Clerk Maggiotto: Mr. Dean has pretty consistently given us money for trees from his small family foundation. In fact, the four trees in the Boulanger parking lot were a gift from him.

Mayor Swiderski: Lovely. Please extend our thanks. That is terrific.

ADJOURNMENT

On MOTION of Trustee Walker, SECONDED by Trustee Jennings with a voice vote of all in favor, Mayor Swiderski adjourned the Regular Meeting at 10:05 p.m.