

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
REGULAR MEETING
JANUARY 6, 2009**

A Regular Meeting was held by the Board of Trustees on Tuesday, January 6, 2009 at 8:05 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

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

CITIZENS: Sixteen (16).

APPROVAL OF MINUTES

On MOTION of Trustee McLaughlin, SECONDED by Trustee Swiderski with a voice vote of all in favor, the Minutes of the Regular Meeting of December 16, 2008 were approved as presented.

APPROVAL OF WARRANTS

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

Multi-Fund No. 47-2008-09 \$ 159,386.78
Multi-Fund No. 48-2008-09 \$ 96.54

PUBLIC COMMENTS

Sam Feldman, 10 Circle Drive: I moved here in 1998. I am here to talk about this particular pipe. There is a white pipe on Circle Drive. It goes about 100 feet starting at this natural spring. Water is coming out, and somebody rigged up this pipe. It is not a very big pipe, so it sits in front of this spring catching a little bit of the water. Then it runs down to a drain and there are sections of pipe all along the way. Somebody wrapped duct tape the way I would do it, being unmechanical. Every once in awhile you see the pipes fell apart, and next week somebody puts more tape, and that is how it has been for quite a long time.

It is ugly. Luckily, I do not have to look at it. But a couple of people here are having dreams of the pipe. They see it every day. The real concern is with the cold weather an amazing sheet of ice develops, one to two inches thick in spots, all along Circle Drive, making it very difficult to drive. You cannot park in front of my house and several other houses, and people getting out of their cars have to walk on ice.

Nancy Balaban has been here for forty-seven years. She started ringing my bell when she first fell and said what are we going to do, because she walks all the time into town and back. I do not know what the answer is. When I called Public Works a couple of months ago the fellow I spoke to, soon as I said I am at 10 Circle Drive he said the white pipe. So he knew right away, and he said we need to put it underground, but there are some other pipes there from Con Ed, and we do not know exactly how to handle it. And that is where we are.

Village Manager Frobel: I could not summarize the situation any better than the gentleman has done. It is a matter of great frustration for all of us. Mike Gunther has tried various ways to address it. It is some type of aquifer, some breach in the bedrock. It pushes out at certain times of the year, under the roadway. There are natural gas pipes very close to the surface which prevent us from burying the pipe. We are probably going to have to retain an engineer to come up with a strategy. We do keep an eye on it. It is a priority for salting during the winter, and Mike goes up there periodically and tries to repair the pipe. The water does typically hug the curb to the nearest catchbasin which is down on Villard somewhere. But it is a problem, and it is a very costly engineering occurrence that is going to take some effort on our part to come up with a permanent solution.

Peter Wahlberg, 20 Circle Drive: I saw this pipe go in about five years ago. The pipe was described as being temporary upon its installation, and it is five years on and I think temporary is over. By installing this pipe the town is more culpable in the event of an accident because the pipe does not work. It works to an extent; a lot of water travels out of this pipe a good half of the year. When you say it is unpredictable as to its occurrence, that is not true. Right now, during the winter, the water is flowing consistently. A cubic foot of water contains 450 gallons per minute. This is a four inch pipe that is delivering maybe a tenth of that, so that is 45 gallons per minute all day, 24/7. That is a lot of water. As a result of this solution the catchbasin is collapsing, and that needs immediate attention. My car is ready to fall into it. Should I sue the town in that event? The ice can be up to four or five inches thick. If the weather creates a bad event the road is going to be impassable. Not to mention that with the grate not working, people trying to move aside, another car coming the other way. In this village people do not have garages. So the street is really becoming impassable, which is outrageous for the amount of taxes we pay. The town should research this as part of your overall drainage issue, which is part of the flooding problems that all the communities in New York State have been facing for the last four years or so. Governor Paterson has put some monies towards this. You could make a good argument that this is a weather-related incident with global warming, etc., and you should contact SEMO, the State Emergency Management Office, and look at their flood mitigation assistance program for help, and get some engineers to deal with this issue or else you are going to be sued. So take some action. I have been on your case, talking to the Village Manager and sending emails, every time there has been a flood. It is outrageous that they should be so slow to act.

Trustee Quinlan: I have seen the pipe before because I bike around there, but never in the winter, obviously. Where is the ice? Is it along the curb? I thought the pipe was from the guy's pool.

Mayor Kinnally: It is seepage out of the rock up there.

Mr. Feldman: The ice is being created because the pipe is not designed for this purpose. At different times a sheet of ice can go all the way down to Villard when this pipe decides to burst or not work properly. Pam, the woman who operates that nursery school, had an event last winter where the road was a sheet of ice. None of her students could attend her school that day. I am trying to get you to understand the gravity of how this can create a disaster. Most of the ice seems to be created approximately 60 feet down-flow from the spring, on account of the junctures in the pipe failing. When that much water travels through a pipe that is not intended for this, it leaks out. That creates more water on the road. The road does not have the proper drainage to begin with. So it just sits there, turns to ice. It is a mess.

Mr. Wahlberg: Mine is the second house on the right on Circle. The third house is the Soodak's. Across from them are the Berrys. That is right where the basin is. From further down, where the spring starts, the pipe goes all the way down. The basin that it goes into is right at the Berrys. Right around that basin, and 10, 15 feet going back before it, that is where you get all this crazy ice. That fresh water keeps coming. That is when you start getting this layer which salt is not going to do anything. It is inches thick. At its worst, it spreads across the whole street. People park along the right-hand side of the street, so to get to your car you have to walk on the ice because it is everywhere. That is at its worst. Then further down at Pam's house, I do not know what happened. It was last winter when it was all ice as I described; it continued down to the corner where her house is. All in front of her house was ice, and she had to block it off because the kids could not even go in. Most of the time it is not that bad; it will be partially ice as opposed to the entire street.

Trustee Quinlan: I am glad that you brought that up because I did not even realize that this was a problem.

Trustee Goodman: I have seen the pipe, because I have a friend who lives on Circle Drive, and assumed it was the homeowner's jerry-rigged drainage system. I am sorry that you have been writing letters to the Village. I did not get copies of those. So in the future, if you write another letter about this, and, hopefully, we are going to come up with a plan to address it, if you could cc the Village Board of Trustees.

Village Manager Frobel: I sent to everyone. Everything I have I forward to the group.

Trustee Goodman: I was totally unaware of this. I would have written back to you and I would have come to see the situation. I will endeavor to go there. We are going to need a bond to buy equipment. Let us hire the engineer and deal with it. It is unacceptable.

Trustee McLaughlin: The ambient temperature underground is something like 55 degrees; it would have to get incredibly cold outside for a spring underground to freeze. So I can just imagine that this is pouring out water across ice. That is how it builds up.

Ms. Balaban: And the pipe leaks.

Trustee McLaughlin: Right. So it never freezes.

Mayor Kinnally: I do not know if it is percolating out of the ground or weeping out of the stone.

Ms. Balaban: It is an active spring.

Trustee Quinlan: Fran, obviously the Village has been aware of this for five years because we put the pipe in.

Village Manager Frobel: We put the pipe in, and the pipe is to catch the water and have the water hug the curb down to the basin.

Trustee Quinlan: We do not have to solve it tonight but it is not working, at least according to the neighbors who live there. So what are we going to do about it?

Village Manager Frobel: I will have to go to the next step. We had thought that by maintaining it and keeping it on the curb...we also had a problem with cars parking and blocking it. Sometimes when it flows down the curb there is a car parked there. It will push the water out onto the roadway and cause additional icing. But it is a priority for the crews. They salt it and plow the ice pack when that occurs as well. But if we need a permanent solution, we will have to get an engineering firm because it is a major undertaking.

Trustee Quinlan: We have kind of solved the spring problem on Whitman, haven't we?

Village Manager Frobel: No, we have not.

Trustee Quinlan: It seems less. I walk by there every day. So we have two spring problems. Can we get one engineer to look at both of them?

Village Manager Frobel: We are going to have to. I met with Deven today to talk about 45 Main Street and coming up with an engineer to work on that because we are not getting the satisfaction out of the developer. We have to come up with a solution there, and one is to hire an engineer. If you like, we will have him look at this problem as well.

Trustee Quinlan: I think we have to do something.

Trustee Goodman: Cars are expected to park on the street, and if someone bumps a pipe, that is just going to happen. You are right. We need to address this, and if we have to borrow the money we will borrow the money. Five years is long enough.

Trustee McLaughlin: With something like ice, I would say one year is enough. Did you say that the storm drain there is collapsing as well?

Mr. Wahlberg: I said that. That needs immediate attention. You might have to shut the street down, or post notices. It is collapsing. It is very dangerous.

Mayor Kinnally: Is the grate tipping?

Mr. Walberg: It is sinking. It is becoming a sink hole, all due to the amount of water it is handling. It is not designed for this.

Mayor Kinnally: We will take a look at it, and Fran will be the contact on that.

John Gonder, 153 James Street: I wanted to thank Mr. Frobel. At the last meeting he offered a meeting and I declined. But then I thought about it, and we did have a meeting with Mr. Frobel and Officer Bloomer. Thank you.

Happy New Year to the Board. I know the Board is going to change in the next several months. I hope that the new Board will re-look into the leaf blower ordinance. I just had a thing several weeks ago, five blowers; three on the backs, and two pushing, in the same property. It is my neighbor. The woman is in her eighties. I could call the police and she would get a warning. Big deal. That is not the right way. That is only one of the problems. Electric blowers versus gas blowers. Thanks to Ms. Goodman, changed the ordinance because of some people with handicaps, back injuries and whatnot. I come under that. I did get a doctor's certificate. If it were the Hatfields versus the McCoys, maybe somebody would turn in the neighbor.

An analogy of this would be my son wants to borrow my car. A policeman comes to my house and says are you the property owner of a vehicle? Your son just went through two red lights and was speeding at Five Corners; he passed a couple stop signs. Here is your ticket, Mr. Gonder. That is not right. The people that are using it should get the ticket. If you remember, I brought stuff in: the blossoms from the oak trees and the blossoms from the dogwood trees. An electric blower, I do not think you people know what decibels are and you should make some tests. Our County Executive is going to allow bow hunting in certain parks. I hope our mayor could say you can bow hunt on your own property or some of our parks, because the deer population, they want it down to 10 per square mile, and we must have 70 or 80 per square mile.

1:09 AUTHORIZATION TO RECEIVE BIDS – FIRE TRUCK

Village Manager Frobel: The Board heard during the budget discussion the need for replacement for the ladder truck and had work sessions in which you heard from the chiefs. Admittedly, timing is not good. You have heard from me about our debt and our competing interests. We told the chiefs to develop the specifications. We are looking for authority to bid the apparatus. We went into the process thinking it cost in the vicinity of \$850,000. It is probably now \$950,000. That is not due to inflation; that is due to changes in the specifications due to changes in standards they have to adhere to. I expect it will come in at \$950,000, since there is probably only one manufacturer who will be bidding on the project. The build-out will be a year, so we will be paying for it in February, 2010. When I did the debt analysis last spring, we anticipated picking this up in 2011. Even though now it is 2010, we can pay only the interest and put off the principal payment, similar to what we did with the ambulance and the pumper to minimize the impact, but there still will be an impact.

My goal was to get us at least turned around in our debt. We are in excess of your own debt limitation. By resolution, you wanted it not to exceed 10% of your operating budget. Right now we are at about 10.6%; by 2011 we could be down to 10%. That is assuming that our budget continues to grow at a rate of 5% a year. Again, that is something else we are trying to minimize, and have the budget increase at less than 5%. But all things equal, our debt will continue to grow, and peak probably in 2012. From that point forward, unless we continue to purchase some major items or involve ourselves in some major facility construction, our debt will begin to drop off in subsequent years.

To summarize, this is certainly a demonstrated need. The chiefs have proven that. Unfortunately, it is coming at a very bad time for us in terms of debt. You know what is happening in terms of our own revenues, county aid, state aid, and competing interest. But we are here tonight to get permission to go out and bid it.

Fire Chief Bannon: The committee started this process in 2004. I believe the price was \$620,000. It was put off by existing boards, and at this time it comes to you at \$950,000. Some of the changes were industry changes, industry standards which change very quickly in the fire service. They have done their research. They work very diligently with the manufacturers to get the best product. The American LaFrance, the ladder truck we have now, was the last one to come off that line. Years ago it was a great piece of equipment. We are not asking to buy something that is going to last five years. This is long-lasting, well-maintained, and these gentlemen did a real nice job in pursuing this.

Trustee Goodman: I would ask that we pursue this with Representative Lowey's office. Her grants administrator identified a FEMA grant. She has helped other municipalities get grants, and we should be knocking on her door. I want to thank Chief Bannon and the men that put together the specification. I appreciate it, and learned during Irvington's travails with fire equipment that among their losses was monies they had to pay for an expert to spec out the engine. So thank you for working on this spec. I recall Chief Bannon promising us that if we delayed this would cost us more, and he is right. I think that we have no recourse; for the safety of the men and women in the department as well as our residents this is a needed purchase.

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

RESOLVED: that the Mayor and Board of Trustees authorize the Village Manager to receive bids on a Hook and Ladder Fire Truck.

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

2:09 APPROVAL OF INTERMUNICIPAL AGREEMENT – ENHANCED 911 SERVICE

Village Manager Frobel: This is a renewal of the relationship we enjoy with the county. They provide E-911 services at no cost to the Village. They handle the call and dispatch it back to us, and we make sure that the proper agency responds accordingly. Along with 45 other municipalities, we take part in this program. We are looking for a five-year term. On

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

RESOLVED: that the Mayor and Board of Trustees authorize the Village Manager to sign the Intermunicipal Agreement with Westchester County for operation of the Enhanced 911 system for a five year term commencing July 11, 2008.

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

3:09 DESIGNATE GENERAL VILLAGE ELECTION DAY

Mayor Kinnally: For as long as I can remember, we have had Village elections on Tuesday. The state legislature, in its wisdom, said that we cannot have the Village election competing with St. Patrick's Day. So it will be on Wednesday, March 18.

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

RESOLVED: that the Mayor and Board of Trustees designate Wednesday, March 18, 2009 as General Village Election Day, for the purpose of electing one (1) Mayor and two (2) Trustees for a term of two (2) official years each, and be it further

RESOLVED: that the polls are to be open between the hours of 7:00 a.m. and 9:00 p.m.

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

4:09 DESIGNATE ELECTION DISTRICT

Mayor Kinnally: As we have for the last two or three Village elections, we have it in the library now. It is much more efficient and cost-effective for us. We deal with the parking, and everyone seems to be accommodated.

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

RESOLVED: that the Mayor and Board of Trustees designate one Election District to be located at the Hastings-on-Hudson Public Library in Fulton Park for the General Village Election to be held on Wednesday, March 18, 2009.

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

5:09 GRIEVANCE DAY

Village Manager Frobel: This is the opportunity for property owners to meet with the Board of Assessment Review and appropriate staff to go over the assessment and what will be, accordingly, their taxes.

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

RESOLVED: that the Mayor and Board of Trustees designate Tuesday, February 17, 2009 as Grievance Day, from 5:00 p.m. to 9:00 p.m. in the Conference Room, Municipal Building, 7 Maple Avenue, Hastings-on-Hudson, New York, and be it further

RESOLVED: that the Board of Assessment Review will meet at such designated time and place for the purpose of completing the Assessment Roll and of hearing and determining complaints in relation thereto.

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

6:09 TAX LIEN SALE

Village Manager Frobel: This is the day whereby property owners who have fallen behind for a certain period of time have tax liens going up for sale. We do not know now how many properties would be on that list, but that is the date that will be set aside.

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

RESOLVED: that the Mayor and Board of Trustees designate Tuesday, March 17, 2009 as the Tax Lien Sale date at 10:00 a.m. in the Village Clerk's Office, Municipal Building, 7 Maple Avenue, Hastings-on-Hudson, New York.

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

Mayor Kinnally: I would like a motion for an executive session to address personnel, appointment to the Board of Assessment Review, and acquisition of real property, immediately following this meeting.

EXECUTIVE SESSION

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

ADVICE OF COUNSEL

On MOTION of Trustee McLaughlin, SECONDED by Trustee Goodman with a voice vote of all in favor, the Board scheduled a session for advice of counsel immediately following the Regular Meeting to discuss potential litigation.

VILLAGE MANAGER'S REPORT

Village Manager Frobel: I received word this week that the county will not be taking the lead in submitting a grant to the state under the Local Government Efficiency Grant program. We were one of the first ones to join in that effort to seek funding to conduct a more sophisticated energy audit and to look at ways we can reduce our carbon footprint. The county was not able to generate sufficient interest from other municipalities to take the lead in that effort. In the email from the woman from the county, she indicated they will be working closely with ICLEI to promote sustainability issues.

I am pleased to report that work crews were on the scene today for the first time on the Quarry Trail. With the grant it was critical that it be substantially underway by the end of the last calendar year. I wrote the state to get some additional latitude. We have been assured verbally that that latitude will be afforded to us. Let us hope we make some good progress over the next few weeks, as we begin phase one of that project.

Trustee McLaughlin: Is what they are doing right now cleaning up the trail?

Village Manager Frobel: Yes, they are beginning to grub it out and to get rid of the debris.

Trustee McLaughlin: There is stuff down there like old air conditioners and things.

Village Manager Frobel: They have got to clean everything out.

Trustee Swiderski: Including what is under the bridge?

Village Manager Frobel: Yes, people were using that as a dumping area for years, and all that is being removed as part of this program.

Mayor Kinnally: Following up on the trail, I am going to request that we have, as a discussion item at our next Board meeting, Hillside Woods. I did hear from the county. I have not gotten all the information I am looking for, but the county called to indicate that they do wish to revisit, as I thought was the case, the scope of work that they had proposed

for Hillside Woods to lessen the impact, and to see if they, I am trying to recall the exact words, concentrate in areas that need it the most. But they were looking to lower the impact of what they were proposing. What I do not have is a timetable for them to come down to walk through. Given the weather conditions, I am not sure they would be hopping down here anyway. But I hope to get some sort of timetable from them, and possibly ask them to come to our next meeting so we will have a better idea of what they are talking about. They have indicated that they are interested in going forward with this, but at the same time would like to have an indication of the Village's position on the hookup with the South County Trail. My sense is that they will go forward when they have that sense of the Board.

Trustee McLaughlin: When they were here last we asked if they could tell us a place where we could see a sample of the kind of walkway they propose. I had wanted to see how it survived after two or three years of use. Have they let us know?

Mayor Kinnally: It is one of the things that, as I said, I have not gotten all the information from them, and I will. The county is going to re-look at the design to make it less intense, were the words they were using. They want the Village's commitment to the connector to the South County Trail that would come along the west side of the Saw Mill. It would be akin to what they would be proposing in Hillside. In other words, it would be a pedestrian approach; it would not be something that would mirror what was across the street on the South County Trail. It would be seamless as far as going out of Hillside Woods and down into that area, mainly pedestrian. They are not looking to increase the type of improvement being made or to invite anything other than pedestrian traffic.

Trustee Quinlan: What can we expect to happen on January 20?

Mayor Kinnally: I do not know. We will have some discussion on it. I am hoping we can get some more information as far as what they would be planning on doing, or their timetable of walking the trail with people, and getting the information Diggitt requested. Depending upon what we get from them, we can have a discussion and see if we can reach a consensus.

Trustee Quinlan: I would prefer to have the walkthrough to see what they are proposing before they come. Words are hard to visualize. If we can go somewhere in the county and look at what they are proposing, that is something that we had agreed to do. I would like to do that before anything else. I was up there this weekend in the snow and the ice, hiking around, having a ball. I do not think the weather is a problem.

Trustee Goodman: I was there this Sunday with my daughter, walking. It is a glacial park, it is shallow soil, and so much of the trail is crisscrossed with tree roots. How do they accommodate that? They are going to dig around the roots, dig up the roots, throw gravel on

the roots and chips on top of that? I could see wholesale ecologic damage being done. So you know what? I am prepared to vote no. I do not want to walk, I do not want to talk. They have had ample opportunity, and why are we horsing around with this? Just put the cards right on the table, and let us just move on and let the woodchips fall where they may. You are going to still have a connector. I do not care that their intention is not to invite the bike traffic across the Saw Mill. It will come. You are still going over a wet cliff in a sensitive environment over the old Algonquin Trail. Nothing has changed. There is the big stall put on to keep us from voting. We have enough information. If you guys want to go and walk and talk, that is fine. I just think push should come to shove, and we are going to let them do this connector in a ecologically sensitive area without any studies. I do not know why we are not declaring ourselves lead agency and forcing them to do a study. I think we have that right.

Also, the prior Board that did the intermunicipal agreement, I looked through the minutes. There was not one breath about a neg dec or a pos dec. Signing on to that intermunicipal agreement had environmental implications, and the prior Board did not consider it. I am not going to add to that damage. I cannot undo that, I was not the lawyer then, I was not a Board member then. But I really feel that it is an ill-advised plan from the beginning, and I am prepared to say no. I have seen and heard enough. I was really taken aback when I reread the minutes. When I asked, how is your plan different this time than last time, the county planner said last time it was an eight-foot wide, paved, asphalt path. Well, guess what? I pulled out all the records, and the two plans do not differ. The first go-round that was here three years ago was wood chip and gravel, so nothing changed. Sorry.

Mayor Kinnally: So what does the Board want to do for our next meeting on January 20? Do we want to see if the county will come down?

Trustee Quinlan: I would like to take a walk with them and hear what they have to say, and give them some of the feedback, not only from me but from my constituents who are concerned about the woods. Maybe we could communicate and show we are open to discussion. But the thing that bothers me is, you say they want to know what our consensus is about the connector. So what does that mean? Are we going to vote on Thursday, are we each going to pontificate, or what are we going to do?

Mayor Kinnally: No. I think we should have some discussion. I do not know if we will vote on it, but their position is that they do not want to proceed with this unless they get a green light from the Village on the connector.

Trustee Quinlan: The point that I made when they were here is, I said I could not control what they did in Dobbs Ferry, from the South County Trailway across Lawrence Avenue to

the border of Hastings and that, in fact, we had a path and do have a path, which is the old Indian Algonquin Trail through probably the most remote, and some think the most sensitive, part of Hillside Woods. And they said they did not have any response to that. They have a connector; they do not need to do anything to the trail. All they have to do is connect the South County Trailway to the Algonquin Trail at the Hastings border. They had no answer to that.

Trustee Goodman: There is not a trail there because there is a stream. They have to put a foot bridge over it.

Trustee Quinlan: I walk there. I know there is a trail there.

Mayor Kinnally: I do not know if you can get from Lawrence Street up now. Can you?

Trustee Quinlan: Well, that is a problem. You would have to walk along the side of the DPW. There is no trail there. But that is in Dobbs Ferry. So if they did build a trail there to the Hastings border, you would have a trail. But that is beside the point.

The other thing that really bothered me about the whole discussion was, when I asked them if we could do a SEQRA their answer basically to the Board was, we have already taken the environment into consideration, we cannot show you how, you will have to trust us. That is an unacceptable answer to me. I am not an environmentalist, but I am an outdoorsman. And I have a healthy distrust of government, even though I am part of it now. I cannot just say I trust you. I want to see in black and white what studies they have done about the wet cliff, about the vernal pond, about Sugar Pond, about the roots, about the gravel, about the equipment. I am willing to cooperate with them to a certain extent. We could use some help in Hillside Woods. But they are not really cooperating with us. We asked them to do things and so far I have not had a walkthrough, I have not seen the trail, I do not have an environmental study. It is like their way or the highway. I am willing to cooperate with them, but they are not willing to cooperate with us.

Trustee Goodman: When I asked where the vernal pond was on their drawings it was nowhere, and they labeled it a wetland. A wetland and a vernal pond are two different things, two different ecosystems. So you tell me how they accommodated the vernal pond, when they do not have it mapped as a vernal pond. It did not happen. I do not think that an environmental consideration was properly appreciated by them, or undertaken. It is not there, it was not done.

Trustee Quinlan: Are they aware that the commissioner of recreation and parks of the county of Westchester came to a meeting after they came to us and said, and I am certain he is senior of the planning department, that environmentally it is not a good idea.

Mayor Kinnally: I do not know what they are aware of it, and I will talk to them about that.

Trustee Goodman: And what about the money? Westchester County cut I do not know how many gazillion dollars out of their budget.

Mayor Kinnally: They have indicated to us that the money is there.

Trustee Goodman: We spoke to Tom Abinanti, and he said they still have to come and get permission for that money. So they do not have the money. Talk about a healthy distrust of government, Trustee Quinlan, you are right on the money.

Trustee Quinlan: That is why this country was built, because we distrusted government. We have a democracy, and that is why it is the greatest country in the world. They have to show me what they want to do. I am not going to say no to anything. I am sure they know what my feelings are from the last meeting. Until they come back here, I want to take a walkthrough of the woods with them and I want them to explain to me exactly what they plan to do. And then I want them to show me somewhere in the county . . .

Mayor Kinnally: I got that point, Jerry. I am going to go back and talk to them about that.

Trustee Swiderski: Trustee Quinlan's sequencing is correct. It does not make sense for them to come up with a plan until they have heard our input, and the best way to hear that input is to walk the path with people and lay out their thoughts and hear what people have to say and then come back to us with a plan. In terms of sequencing, I think that is absolutely what makes sense.

Mayor Kinnally: I will call tomorrow about the walkthrough.

Trustee McLaughlin: I agree about the sequence, and I also agree with Trustee Quinlan about the SEQRA process; that has disturbed me since they came and made that point to us. To remind the public about what this was, some members of the Board said that you need to follow the SEQRA process, you need an Environmental Impact Statement. They said, we are the planners, we are the people who would do an EIS, and therefore we do not need to do one because we know what we are doing. Does that accord with everyone's understanding of what they said to us? It was, very strongly, an attitude of we do this without even thinking about it, so you can trust us.

But without sitting down and actually doing the studies and filling out the form and talking about the passage of amphibians and reptiles I do not know that I will believe that they really have considered exactly what lives there and where it travels and what its life cycles are and how this will affect it. You may think that you are an environmentally sensitive person, you may even do that for a living. But unless you sit down with your checklist, we do not know it has happened. It is asking all of us to take something on faith that, as a board of elected representatives, we do not have the right to trust that to county government.

Mayor Kinnally: I will reach out to them, and send everybody an email commenting on what I get from them. I will give them a call in the morning.

Trustee Quinlan: Lee, would you just remind them about the commissioner of recreation and parks again.

Mayor Kinnally: He is not the commissioner of recreation and parks. He is a member of some board, I think.

Trustee McLaughlin: He is on the Taconic parks board and chair of the Westchester Parks Commission.

Trustee Quinlan: So he is chair of the Westchester Recreation and Parks Commission.

Trustee McLaughlin: And he is therefore ex officio on the Taconic.

Mayor Kinnally: I will share that with him. Absolutely.

Trustee Goodman: It is right here in the minutes: William Greenawalt, chair, county parks board.

BOARD DISCUSSION AND COMMENTS

1. Update on the Waterfront

Mayor Kinnally: I do not have an update. Mark Chertok and I and the Board have been trying to get together. The holidays intervened, and some of Mark's medical issues have intervened, limiting his mobility. But he is feeling better, so I am going to see what we can do in setting that up. I also want to see where things are. I intend to call Joe Sontchi and George Heitzman and Bill Ports at the DEC and see where they are in the process on the remediation and studies they had done. They were hoping to have it completed and be ready

to move on to the next phase at the end of the year, but I will talk to them and see where are and, hopefully, have a report for the Village at our next meeting.

Trustee McLaughlin: How long has it been since we have heard anything substantive from George Heitzman?

Mayor Kinnally: Within the last two months. I do not know if I spoke to George. I know I spoke to Bill Ports. Because when I got the time frame from Joe Sontchi, I called the DEC to see if it was square, and it was square.

Trustee Quinlan: I am glad the county wants to come to our meeting, but I think a higher priority by far is the waterfront. I would like to see if we can get the state down here and indicate to us where they are. It appears to me that, at least what I have heard from you and from ARCO, that the state is holding things up to a certain extent. I would like to ask them how they are doing that, and in what way specifically, item by item, are they asking ARCO for whatever: more testing, more plans, more this, more that.

Mayor Kinnally: I reported on that. But I also reported that part of the delay had to do with internal debate at the DEC. Fish & Wildlife is a very active and vocal constituency and stakeholder, and there are intramural battles going on at the DEC that have nothing to do with input from ARCO. I had a social engagement with John Cahill, who used to be counsel to the DEC; then he was commissioner of the DEC and then secretary to the governor. He said to me, where do things stand at the DEC? I told him that part of the problem was with Fish & Wildlife. He vigorously shook his head and said things have not changed.

Trustee Quinlan: What I would like to do is get ARCO in the room here and the state, even if it has to be once a month. Invite them here, have them give a report on what is going on. I have been living in this village for near 30 years, and it is the same old thing: the waterfront, the waterfront, the waterfront. Somehow, and I am hoping maybe next year, we are going to push these guys to give us some answers about what is going on down there. I have been sitting on this board for three years and I have not gotten a straight answer from anybody about what the delay is. I want to hear it from them. I want to start inviting them to these meetings. They do not have to come. We will take a record: you were invited to this meeting, you did not come and explain anything to us; you were invited to this meeting, you did not come and explain anything to us. And invite the state. We have to start putting pressure on these people or nothing is going to happen.

Trustee Goodman: It is the fourth quarter of the intramural game. Time is up. And what about the south end, bench testing? Now we are doing experimental procedures, and I think that the state counts on us to be very quiet and take whatever crumbs or whatever story they

give to us. We should be lobbying and putting pressure on. Why do we not invite our elected representatives from the state, to hear what their agencies are doing or not doing?

Trustee McLaughlin: Great idea to ask George Heitzman or whoever to come in and explain this to us. What is Fish & Wildlife holding us up about? Do we have a snail darter out there that is endangered? What is it?

Trustee Goodman: What I understand is that when they did the offshore testing they discovered more riprap extending out. And because the riprap is a habitat . . .

Mayor Kinnally: This is not anything to do, by the way, with Fish & Wildlife.

Trustee Goodman: What we are asking them to do in our consent decree is very technically difficult and I think that is the holdup. I think that ARCO does not want to do it, I do not think the state wants to do it. And we should get some straight answers.

Trustee McLaughlin: Those fish are going to be there, or whatever it is that lives in the riprap, next year, they are going to be there ten years from now.

Trustee Goodman: No, not if we have to disturb that to build.

Trustee McLaughlin: No. But at some point if it does not want this touched, if it says it is such a rare and precious habitat that we should not even have a cleanup because it will disturb that, they owe it to us to tell us that. I also cannot believe that this habitat is so unique that they have not, somewhere else, grappled with a problem like moving a riprap.

Trustee Goodman: I should think that the state would want to get this property cleaned up and paying taxes to the maximum extent. They should be reminded of that. DEC employees will not get paid if the money is not there, and the money comes from the taxpayers and from the properties. This is an asset that is just pining away to be cleaned and put to full use.

Mayor Kinnally: I will invite the DEC down.

Trustee Quinlan: Could you invite ARCO to come, too, maybe at another meeting? Not at the same meeting, so they can tell us what at least their perception of what the holdup is?

Mayor Kinnally: I will.

Trustee Quinlan: If the state is going to say I am having difficulty with Fish & Wildlife, I am going to ask them to give me the names of the people that are giving you difficulties and

what are the issues. They are like nameless: it is Fish & Wildlife's fault, it is the DEC's fault. I ran into Fred Yaeger over the weekend, and I asked what is the holdup on the waterfront. He said it is the DEC. And the DEC, I am sure, will say it is ARCO. So it is just a big circle, and nothing gets done.

Mayor Kinnally: I appreciate what Fred said, but I am not so sure that is ARCO's contention. I do not perceive that there is fingerpointing between ARCO and the DEC. I think there is shared mutual frustration over the whole thing. But I will reach out to both of them tomorrow after I call the county.

Trustee Quinlan: They may be frustrated, but I every week the constituents in this Village ask me what is going on with the waterfront. So no one is more frustrated than the residents of the Village. And they do not live here and they do not pay taxes here and they do not have the waterfront just sitting there for decade after decade. If they want to learn about frustration, let them come down to Hastings and talk to the people that live here.

Trustee McLaughlin: What I am curious about is exactly what their frustration is. Are the folks at the DEC or Fish & Wildlife frustrated because they cannot learn what the pollution is? I do not think that is the holdup.

Mayor Kinnally: When I say they are frustrated, I think they would like to get this over with, move it onto the next level: get a PRAP out there, have a hearing.

Trustee McLaughlin: Well, why are they not?

Mayor Kinnally: I just explained, from my understanding there is a debate inside the DEC about how to do it and the extent to which there are going to be incursions into the river and the extent of the remediation. It is part of the discussion. The commissioner is not going to sign off if part of the stakeholders are saying we are not satisfied yet. I am not going to try to divine what the dynamics are at the DEC. I have problems enough here. Why do I have to worry about going up the river?

Trustee McLaughlin: Do we have any way of learning through NYCOM if there are other communities in New York State that are having this kind of frustration with a cleanup that is taking forever because of the technology? We cannot be the only people who are facing this.

Mayor Kinnally: I do not know if it is necessarily the technology, not in the river. It is a question of the extent to which you are going to clean up or not clean up. There may be people there saying we only want capping; there may be people there saying we want

dredging. Maybe people are saying we want to push the riprap 15 feet out into the river in the northwest corner.

Trustee McLaughlin: Are they still arguing over those points?

Mayor Kinnally: I am not sure exactly all the points, but this is part of the dynamic. When they asked for the additional testing it had to do with how deep it was, how extensive it was, and whether or not you were going to put the bulkhead in and are you going to move the bulkhead farther into the river, and if you do that what is going to happen with the area that is being affected. If you move it into the river there has to be remediation elsewhere. Where is that going to be, how extensive is that going to be? I do not fully appreciate all of the content of the debate. I certainly fully appreciate the fact that there is a debate. Because Fish & Wildlife has a much smaller piece to look at and, apparently, they jealously guard that piece.

Trustee McLaughlin: One of the things that is difficult to explain to people, because it is hard for me to get my mind around, is that if you look at the simple fact that riprap is habitat and, presumably, we will disturb riprap therefore we will disturb habitat, well, that was true five years ago and it is going to be true in five years. You would think that they would be working on the problem without waiting for every other thing before that to be solved.

Mayor Kinnally: Who says they are not?

Trustee McLaughlin: Where are their results?

Mayor Kinnally: The only result is going to be when they have the PRAP. You do not release part of it. They are talking about the Proposed Remedial Action Plan for OU-2 and, unfortunately, it is tied into OU-1; something we tried to avoid but, by consensus between ARCO and the DEC, they said you cannot deal with one and then deal with the other. They are tied in together. We had a PRAP for OU-1 and had a hearing on it.

Trustee Goodman: Are we going to set another work session for the LWRP? I was going to propose Thursday, January 15.

Trustee Swiderski: Before addressing that question, just a request from my end. When the invitation is extended to Mr. Heitzman, if he could also think about a proposed timeline for what this might look like over the next few years.

Mayor Kinnally: As I always do, this is a mantra: what is the timeline, and it is a movable feast. Going back earlier, in 2008, we would be sitting here with the PRAP. It was supposed

to be out, have a hearing first quarter, and be on our merry way. But it keeps getting bumped back. But yes, I will ask that yet again. And he should come prepared to discuss it, he or whoever comes down.

Trustee Goodman: We should try to come with some coordinated approach to nag the DEC. You know how things work. The squeaky wheel gets the oil. We could take turns, Mayor Kinnally. You do not have to be the only one nagging and calling. We could do it on a rotating weekly basis.

Mayor Kinnally: I am not so sure that is the most productive, to be honest with you.

Trustee Goodman: This has not been productive either because we are still sitting here.

Mayor Kinnally: You can push. And I know what happens a lot of times. You push, and they explain why or whatever. And after awhile the squeaky wheel may get the grease, but what may have been on top of the pile gets put in the bottom of the pile.

Trustee Goodman: I am willing to take that risk, because being nice and sitting here has not really moved the ball.

Mayor Kinnally: I agree we can press them, but as with the discussion with the county and the discussion with the state we are in a cooperative, not an adversarial relationship.

Trustee Goodman: I am not trying to be adversarial. I am just saying let us be professional, let us have a game plan, and let us execute it. End of story.

Mayor Kinnally: Okay, LWRP.

[Discussion of dates]

Mayor Kinnally: So possibly January 21, and at a place to be determined. Fran, if you can let us know.

Trustee Goodman: What we were going to discuss was the policies, which start at 3-1. I will send something out to you to structure your comments, and then we could put a chart together so that we are can see where we have agreement and won't have to discuss.

2. Update on the Comprehensive Plan Committee

Trustee Quinlan: PPSA was chosen by the Board to be the consultant. Have we received a proposed contract yet?

Village Clerk Maggiotto: Yes, we just have.

Trustee Quinlan: Good, so we will take a look at that in due time. Another thing we wanted to do was meet with the consultant. Is my recollection correct?

Village Manager Frobel: Yes. They were not available this evening. The draft contract has been circulated. I have comments on it, Marianne has commented on it, Deven has commented on it. We are looking to have a meeting with Ms. Sullivan and Susan to go over all the comments and come up with a re-draft.

Trustee Quinlan: Then, whenever you get what you consider the final, which I am sure will be fine, you will send it to us and then they will come and meet with us? Do we have to meet with them before, or after? Or how do you foresee that, Fran?

Village Manager Frobel: We may have a final copy ready for you that evening.

Trustee Quinlan: The Comprehensive Plan committee is planning to meet on January 14. They are planning to discuss the scope of the contract and review the timeline and the budget and other pertinent items. Then on January 28 they are going to follow up on our Village Board meeting, if PPSA comes on January 20, and talk about what we discussed with them. So things are moving on, and it is all good.

3. Washington Avenue Sidewalks Improvement Design Plan - CDBG Grant

Village Manager Frobel: In spring of 2005 the Village submitted, as we do every two years after a series of public meetings and input, a grant application to the county under the Community Development Block Grant program. That grant in 2005 had a series of elements, two of which were not funded: Boulanger Plaza and Quarry Park planning and development. What was funded under the program was improvements on Washington Avenue and Maple Avenue. Washington Avenue in particular was targeted as holding the greatest impact for improved pedestrian safety and upgrades to the neighborhood and streetscapes. Under the rules, these grants have to be carefully targeted to areas that meet certain income guidelines. So you are restricted as to how wide-ranging your programs can be. But the county saw fit to fund the sidewalk improvements, which were sidewalks and curbs on both Washington Avenue and Maple. Under that program, which was structured under a two-year period, 2006 and 2008, the county took the lead to help in the design. They would take the lead in developing specifications and the bid process. That takes a burden off our shoulders. It also moves along because typically, in other situations, you have to dedicate a part of the grant for that kind of soft cost: the engineering and the design costs. In this case, the county does that in-house for us.

As they developed the program it became apparent that we did not have enough money to do all the sidewalk improvements in those two areas. It was decided during that process, and that was in 2006 to 2008, that we should focus our attention on the Washington Avenue area. Given the comments from those in attendance in 2005 when they had to prioritize that element of the grant, it seemed to be holding the greatest interest. It is a grant of \$113,000, and with it comes a commitment of local money of \$113,000. The county, after my meeting with them, believes that, as depicted in the sketch provided to you, they can look to replace virtually all the sidewalk along the north side of Washington except in two areas: in front of the Cropsey property and a private home. The opinion was there was no area that could be saved from Aqueduct Lane to Warburton.

The county felt that because of those two areas that could be removed from the project, meaning Cropsey and the other property, we could do a little additional work in terms of streetscape. They proposed some tree planting. They have also suggested some ornamental street lamps in the area. Certainly both would enhance the neighborhood, although perhaps people would disagree with that. But we did not feel that there was enough money to have a meaningful project split between Maple and Washington Avenue, and that time would be better spent and prices could be more attractive if we were to have a contractor just do Washington Avenue.

Since that time, it has been pointed out to me that perhaps we should rethink at least a portion of this project. I had the advantage today of spending some time on Washington, and I share the opinion that perhaps not all the sidewalks along the north side of the avenue need to be replaced. In my opinion, in other sections in the community in areas that are not grant-eligible, sidewalks are in worse shape. I have a call in to the woman who is the landscape architect on it. She spends a lot of time in the field. She was not able to get back to me today. But one of my suggestions to her was could we carefully determine which segments of sidewalk are in worse need of repair, and segregate those out and redirect the money to do some additional work on Maple.

The Maple Avenue sidewalk is also part of the grant application. The current CDBG application has not been awarded yet. If we could work with the county and tell them not all the sidewalk on the north side needed to be replaced, we could indicate those that are worse and use some of those resources on Maple. I would retain the slate on Washington that is good, and the old stone curbing, because those would be replaced with concrete, and use those on Maple, which is predominantly slate. If there was some disagreement on the treescapes, I would like to see someone, perhaps this contractor, redesign the entranceway from Washington to Aqueduct Lane. It is a tricky hairpin turn and cars scrape bottom. I suspect it is sheer rock that would have been smoothed out years ago if it had not been rock.

I suspect it is very expensive to bring it down to an even grade and improve the geometry of the site, but I would like to see us put some effort into correcting that situation.

It is a good project and it would do a lot for the neighborhood. The homes in that area are some beautiful homes. The architecture is very nice. It would be a great improvement certainly on the south side of the avenue. Those sidewalks there are a hodge-podge. There are very small pockets of good sidewalk; a lot of it is asphalt, some concrete, still some slate. If the original intent was to have a smooth ribbon of concrete from Broadway to Warburton, then, as designed, it could be accomplished. But if we try to cobble something together and accomplish both priorities for both neighborhoods, assuming we are not going to get funded for Maple Avenue, then maybe we can go back to the county with some suggestions. The reason we are here tonight is that before the county goes any further with staff time, y, they want to know if the Board supports this effort. I think it is in keeping with your original grant application.

Trustee Goodman: Diggitt and I today walked both Maple Avenue and Washington. I raised some questions about the trees. There are some street trees on the south side of Washington. The new ones will be located similarly to the current ones. They are very close to where the cars park, and the existing trees are really beat up. I think it is ill-advised to put trees in sidewalk, especially if your goal is to have flat sidewalks. In one location, where two trees are proposed, missing from this diagram is a very large tree that is behind the wall. Its roots are into that driveway and also creeping below the sidewalk and making it uneven. I do not even know how you would get two trees into that area where this big existing tree is without killing that tree. Sidewalks and trees are just not a good mix.

Village Manager Frobel: I think when we did Boulanger Plaza we spent a lot of time, and we spoke to Carolyn Summers.

Trustee Goodman: But that was also subject to vandalism. Someone stripped the bark off a tree. This is a high-, intense-use area.

Village Manager Frobel: I am just saying, there are trees out there that grow the roots down rather than out. We have come a ways from where we were, and we have learned from that. But again, if you want to have the trees eliminated my suggestion would be . . .

Trustee Goodman: Here would be my suggestion: the trees are \$1,200 apiece. So if the homeowners want to have these trees they could chip in and get the trees. My other concern is tree maintenance. I thought tree maintenance was one of the line budget items that we were recently over on.

Village Manager Frobel: We are.

Trustee Goodman: So I try to look at the actions I take, and what is some Trustee going to inherit 15 years from now. They are going to have chop these trees down or replace them. They are just in a bad location here.

Mayor Kinnally: I think you raise a good point, but we are getting micro instead of macro.

Trustee Goodman: You know what, Lee? I have to be micro. I am looking at a line here of \$13,200.

Mayor Kinnally: Danielle, it is not a criticism; it is just an observation. But what I am saying is, we can always go to the county and say we think your design has to be modified.

Trustee Goodman: And that is what I am pointing out.

Mayor Kinnally: My question is, do we want to focus, as Fran was discussing, on Washington, or do we want to deal with a little on Maple. That is the first thing. Then we can start talking about whether we want to add to or subtract from some of the streetscapes or the amenities that they are putting in place.

Trustee Goodman: There are monies being spent on Washington, like for decorative light poles and trees and possibly some areas of sidewalk that need to be done, where there are not sidewalks, like along the Aqueduct. Relocate some of that money over to Maple. The Planning Board just approved the Steak House. Parking on Maple is included as some of the Steak House parking. There are going to be more people parking on Maple and using the sidewalk. That sidewalk is in rough shape, in part because of the trees. The pavers are in pretty good shape so that maybe could just be resetting some of the pavers. Some of them are sunken and uneven, but it is tough going there.

Trustee McLaughlin: The area of Topilnicky's house and the four that are to the south of it, it looks like all of the flagstones have been reset, and they have had brick laid along them. It is a nice effect.

Trustee Goodman: Topilnicky's property and their neighbor to the north and south, that whole stretch is very good. So maybe we could just do an easy fix there.

Village Manager Frobel: Let me go back to the county with those comments. Again, that is what I would like to do: see if we can accomplish both with the limited money we have.

Mayor Kinnally: Is the sense to approach the county and see if they cannot spread it to Maple in addition to Washington?

Trustee McLaughlin: Absolutely.

Trustee Quinlan: When was this grant given to us.

Village Manager Frobel: It was applied for in June, 2005, and we received it probably in July, 2006..

Trustee Quinlan: So now it is January, 2009. Has it taken the county that long?

Village Manager Frobel: No, it was by intent a two-year program. That is by design. They structure it that way.

Trustee Quinlan: But what does that mean? Why are we talking about it now? Why did we not talk about it immediately when the grant was given to us? I love sidewalks and we need the infrastructure improved to a great extent. But on the other hand, sidewalks are the responsibility of the property owners. What I am wondering is, when are we going to stop spending money? This is \$113,000 that we are going to have to match, and the taxpayers are going to pay it. In this economy, when are we going to stop looking at the taxpayers as this unending well. People have been complaining to me about the waterfront. Now people are saying to me constantly, what are you going to do about taxes. Taxes are too high, people are leaving, and I do not know when it is going to stop. Everyone is getting raises in the Village. We have two cars that are being operated by non-emergency directors. The city is cutting back on their cars, they are selling them. Their budgets are being cut back. I look forward to seeing what our new budget looks like. In Hastings we are living in like a bubble of it does not matter, we can do whatever we want, we can spend as much money as we want. Now, for a fire truck it is important because we do not want our houses to burn down. I do not want to turn this grant back, but we have to start doing something concrete in helping the taxpayers continue to live here. My first question is, should we spend the \$113,000. Or is that water under the bridge.

Mayor Kinnally: That was a decision that was made when we applied for the grant. These are matching grants. There are not grants without strings.

Trustee Quinlan: So my question then is, why did we wait for the economy to go into shambles to have this project? Why did we not do it two years ago when everything was booming?

Village Manager Frobel: We did not have access to the money two years ago. It was structured purposely over a two-year period. That is how the county distributes the money. Just like the grant that we applied for most recently, in early 2008, will be awarded some time soon, in 2009, and that will be over a two-year period. But you need to decide whether you believe in the Community Development Block Grant program. That is a program designed to assist the low- and moderate-income neighborhoods for improvements in their neighborhood that benefit all of us as a community. To have a major street improved in terms of pedestrian safety, streetscapes, and an overall neighborhood upgrade benefits all of us. That is a decision this council will have to make in the future. But past Trustees felt it was worthwhile to apply.

Trustee Quinlan: I was probably here. I probably voted on it in 2006 because I have been a Trustee since then. But I waste our time. If it has already been approved, we should go forward.

Trustee Goodman: But you are bringing up a point, and that is, the sidewalks that we would be putting in, are those public sidewalks?

Village Manager Frobel: Yes.

Trustee Goodman: But this property where the sidewalk is being laid is Village property. It is not the homeowners?

Village Manager Frobel: It is in the right-of-way.

Trustee Quinlan: But the homeowners are responsible for the sidewalks.

Village Manager Frobel: But under your local law it is the homeowner's responsibility to maintain it.

Trustee Quinlan: Who determines that Washington Avenue is a lower- to middle-income neighborhood?

Mayor Kinnally: It is a census definition.

Trustee Goodman: These are HUD grants, and there is only a certain area. Washington is the end if it, really. It is only for the core downtown.

Trustee Quinlan: So then this really does not have to do with economics. It seemed the explanation was this was for low- and middle-class neighborhoods. It is basically for downtown?

Mayor Kinnally: No, not necessarily. It has to do with the census tracks. There are certain areas in town that qualify. As long as the area is within the boundary of the qualifying segment we can put the sidewalks in. For instance, I think we had CDBG grants for the other side of Washington and on Ridge.

Village Clerk Maggiotto: Ridge is no longer in the area.

Mayor Kinnally: But at the time, it was.

Trustee Swiderski: So it changes.

Village Manager Frobel: It does change.

Mayor Kinnally: Depending upon the census.

Trustee Quinlan: Fran, you hit the nail on the head that it is better to try to do our best with both neighborhoods. If we can benefit the most people and the most homeowners by spending \$113,000, then we should try to do it. I know Washington Avenue needs help, but Maple Avenue needs some help, too.

Trustee Goodman: I would appreciate it, Fran, if you could manage that with the county.

Trustee McLaughlin: When we walked on Maple Avenue today I imagined people parking there and going to the steak house in the evening when they cannot see where their feet are because it is dark and the sidewalk is narrow. This is not very tempting for out-of-towners to come to an event at the steak house and have to park and walk along there. We are opening ourselves or our residents up to lawsuits if we have uneven pavement in a place where visitors would be walking. If we are trying to bring businesses into the downtown, improving walking in the Maple Avenue area is a necessary part of that attraction.

4. Other

Mayor Kinnally: We have gotten quite a bit of feedback concerning the lack of Verizon in the community. I have called John Butler, the liaison with the municipalities, left him a message, and have not heard back from him. I am going to try to get him here to see what is going on. You want to talk about dragging feet, it is Verizon. For a for-profit that has a

ready, willing, and able base of customers looking to sign up, they are not the most responsive people in the world.

Trustee Quinlan: Lee, let me thank you. All these calls you make is yeoman's duty. You are doing this during your work day, and I cannot imagine it and do not even know how you do it and how much time you put in for this Village over the years, making all these calls and trying to get people to do the right thing. I cannot believe the amount of time, and thank you for it.

Mayor Kinnally: Election day this year is going to be on Wednesday, March 18, because of St. Patrick's day on Tuesday. Traditionally we have had a regular Board meeting as a prelude to the election results. We do not have to have a meeting on election night to certify the results, but it is what we do here, and I think it is the right thing to do. What do we want to do this year? Do we want to have two meetings or do we want to have one meeting on March 18?

[Discussion]

Mayor Kinnally: So it is agreed to have one meeting on March 18. We will put it on for action at our next meeting.

Trustee Goodman: The presidential inaugural committee has put out a call to have a day of national service on January 19. It is late to organize a Village service event, but in lieu of that we could put together an email reminding everybody of our need for volunteers. Citizen Corps is y anxious to set up neighbor-to-neighbor help network. I spoke to Jenny Murphy, the senior outreach worker, and there are Village elders who are could use help either with driving or chores. We could put together a list of people that residents could help on an ongoing basis. So a call to service. We could send an email through the Village for our Village boards and other committees that need volunteers.

Trustee Quinlan: Do not forget the Youth Council. They could use all the help.

Trustee McLaughlin: And the Arts Commission needs people.

Trustee Goodman: Diggitt and I promised Susan Maggiotto that we would run a meeting with commuters about the parking lot, the lottery, and parking issues. We never chose a date, so we will be announcing that shortly. We could two meetings: one on a Saturday morning and one at night during the week, at the end of January or beginning of February.

Trustee Swiderski: While it is a partisan event, it is one of general interest: the debate [among the Democratic candidates] on January 13 at 7:30 p.m. at the James Harmon Community Center.

Mayor Kinnally: I have gotten some complaints about this. While Metro-North was very good in clearing the snow and ice from the platforms, they forget that they own the land along the tracks on the west side of Southside. They did not clear that, and you took your life in your hands trying to scale the piles of snow and ice. They are also not cleaning that area. There is an accumulation of debris and leaves clogging the drainage. I am going to call Mark Mannix, our liaison, and give him a heads-up. They have been pretty responsive in doing things.

Trustee Swiderski: In the spirit of the day of service on January 19, and in memory of the service provided the Village by Hastings Helps the Hungry and other causes she was involved with, if we could adjourn in memory of Joan Kassebaum.

Mayor Kinnally: A moment of silence in her memory.

ADJOURNMENT

On MOTION of Trustee McLaughlin, SECONDED by Trustee Swiderski with a voice vote of all in favor, Mayor Kinnally adjourned the Regular Meeting at 9:55 p.m.