

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK**  
**BOARD OF TRUSTEES**  
**REGULAR MEETING**  
**APRIL 6, 2010**

A Regular Meeting was held by the Board of Trustees on Tuesday, April 6, 2010 at 7:50 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

**PRESENT:** Mayor Peter Swiderski, Trustee Bruce Jennings, Trustee Jeremiah Quinlan, Trustee Meg Walker, Village Manager Francis A. Frobel, Village Attorney Marianne Stecich, and Village Clerk Susan Maggiotto.

**ABSENT:** Trustee Nicola Armacost

**CITIZENS:** Four (4).

**APPROVAL OF MINUTES**

On MOTION of Trustee Walker, SECONDED by Trustee Quinlan with a voice vote of all in favor, the Minutes of the Regular Meeting of March 16, 2010 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. 61-2009-10 \$98,326.08  
Multi-Fund No. 63-2009-10 \$3,931.13  
Multi-Fund No. 64-2009-10 \$14,313.99  
Multi-Fund No. 65-2009-10 \$28,001.18  
Multi-Fund No. 66-2009-10 \$40,557.75

**PUBLIC COMMENTS**

**John Gonder, 153 James Street:** I do not see anything on the agenda in regard to updates on the deer, and they are running loose over in Pulvers Woods. I guess they are running all over the place. In four to six weeks our population will increase, with a lot of young fawns. I hope you have something to say in regard to your phone conversations with the DEC, or tell us the truth. I do not have much use for the DEC.

**Mayor Swiderski:** While typically this is a one-way conversation, I do want to respond to because it is not on the agenda. We responded to the DEC that we reviewed the draft license that we received and are OK with it except that we requested that the total number of deer that could be taken be raised from 50 to 80. They have not responded since.

They indicated to us verbally that the number was flexible and that what we requested was likely to be passed. Other than that, the only thing worth mentioning is that the Board has received several hundred emails from people across the country as a result of this social networking site that encourages activism, and a plea by an unnamed person there for people to protest our intention to cull. The emails have come from everywhere from Serbia to Canada, and all the countries in between, including most of the states. They are all identical.

**Trustee Quinlan:** Were you able to clarify the 500-foot?

**Mayor Swiderski:** I was able to clarify it. The permit allows us to bait and net. At that point, depending upon how the deer is euthanized, if a firearm is used it is 500 feet. If a captive bolt is used, it is nothing.

**Trustee Quinlan:** I assume we are going to use the bolt, then, to help us alleviate the 500-foot rule, which is very restrictive.

**Mayor Swiderski:** That is right. We will begin talking about this in more detail in May and June. But it may very well be a mix of modalities. We may have one site in the woods where we use firearms and elsewhere where we use something else.

**Trustee Walker:** At what point will the public get to weigh in officially and at what point will we pass a formal resolution?

**Mayor Swiderski:** Because nothing will happen prior to December or January of next year – culls do not happen when the leaves are on the trees – we have time to walk through a public process, hire somebody, and do this. I just have not yet raised with the Board when we might schedule that and how that would go. The public component is going to be important. To some degree, we are reflecting the will of the people to do something. The actual mechanics of how this will happen needs a vetting publicly. At that point, we may find out there is less of an appetite, or more resistance. We need to talk about it as a community. It is not something we can enter into on the community's behalf because it is a serious act. It is going to be a difficult, if unpleasant, discussion because it is easy to talk about culling in the abstract. We need the specifics understood because it is collectively something we are responsible for and it will not be an easy thing.

**Trustee Jennings:** In terms of the research component, we have a pre-culling phase and a post-culling phase so will have some meaningful comparisons. Has the pre-culling organization been set in motion?

**Mayor Swiderski:** Yes. In the application to the state requesting the permit, we submitted a description of the metrics we would gather. The state required that that document become a part of the formal permit. Those metrics fell into three categories. One was a citizen sighting effort, where we have identified 30 volunteers spread out evenly over the village. They will be provided with either physical log books or an Excel spread sheet, depending upon what they prefer, where they will keep their daily sightings: how many deer, sizes, et cetera. A volunteer will collect that data and come up with a map of where the herds are and where they tend to move, given the time of the day. That will guide us in placing the sites.

The second effort is taking a plot of land in Hillside and possibly another woods of 100 feet by 100 feet and doing a species count of plant life, size, robustness, et cetera this summer and again in the fall, and then next year at those two periods and see if there is a difference. There are a couple of naturalists in town who volunteered to do that.

The third one, which I have not yet begun, is enhancing the statistics that the police collect when there is a deer strike, and one or two additional facts I would like them to track when it occurs so we have more information. That will ensure that data is as rich as we need for tracking purposes. We did have a deer strike yesterday just before 8 a.m. during school rush hour on Farragut in front of the Burke Estate. Nobody was injured, but the windshield of the car was shattered. It underscores the urgency.

**Trustee Jennings:** Do you think it would be meaningful to do another test for ticks the way we did a few years ago, dragging some area around Hillside?

**Mayor Swiderski:** It would be if it were not so expensive. Tick sampling and then testing at a number of meaningful locations is low-teens to thousands of dollars. We could do that if we determine that we really want to. While we originally had estimated the cost of an infrared flight at \$30,000, that technology has gotten cheaper and more specific. Westchester County did a count that used a civilian version of a weaponized technology called forward-looking infrared mounted in the cone of a helicopter. They used it to do counts in Pound Ridge of the effort there, a bow hunting cull. I am going to talk to the county about the price, and if we could deploy that here, because that would give us the best count. It has to be done when the leaves are off the trees, either very early or late at night; the solar heat can warm up rocks and give false positives. But apparently it is as reasonable a count as you are going to get. The deer hunting firm we have spoken to also does a count in the week preceding the cull, which is done from automobiles with spotlights late at night. They drive the whole village in one evening and count what they see from the spotlights hitting the deer. That is apparently a remarkably accurate count, as well. So there are various ways you can do this, and we are going to see if we can use any number of them to get some metrics, assuming we move ahead with this.

**Tim Downey, 520 Farragut Parkway:** As you all know, I have been persistent in pursuing some means to reduce our costs for our organic material and be more environmentally responsible with it. Having gone through the efforts in January to meet with the firm to look at what I have suggested in the past, the Aqueduct, while he agreed that if you were driving the truck or doing the work same as myself it would not be a problem. But when you are hiring staff who may not be as conscientious or attentive there could be risks driving in and out of there regardless of how it was arranged. So that shot down the Aqueduct. I liked the suggestion of one of our residents, Michele Hertz, about using the waterfront. Then Trustee Quinlan explained how that is not practical because they are going to use all of the footprint there in the remediation work.

Knowing we are bleeding money and not utilizing resources where we need them more, I thought again about the quarry because we are not manufacturing any more unused space in Hastings. Suppose there was a road cut in off Washington. You would eliminate a few parking spaces but you could turn those parking spaces and still have them in the land cut off of Washington, going right into the quarry. Its a big project and a lot of cost. But the remediation work at the waterfront is going to need rock and soil. If I were a contractor, there would nothing better than to have a short skip down the hill versus trucking them in from who knows where. How is this all going to get paid for?

The facility at Southside is obsolete. It does not suit today's needs and requirements. That facility was completed in 1985. Prior to that, we operated a little Quonset hut building underneath what is now the Cropsey Estate, the parking lot. Just after that building was completed, we came into this whole recycling thing in the 1990s. We were trying to retrofit a space down there to accommodate it. Also knowing that down the road we are borrowing land that is Metro-North's. And if they are going to develop the waterfront, no one is going to want to have million-dollar properties and see the mess and goings on down there. We know that building also has problems with mold and water because of where it sits at the bottom of the hill. If you have ever flown out of Westchester County Airport, you can get a sense of what I am saying. No sooner was that airport built than it was obsolete. When you are waiting for a plane you are practically standing on one leg with your baggage in your arm because there is no room. Things change, it does not accommodate the usage. So suppose there were something that could be worked, if we had it in a long-range vision, where we had a big For Sale sign down there, everything from Dossin's Towing right on up to MTA's property. Beautiful waterfront vistas could fetch a different price tag than the land directly across the tracks. And have a similar arrangement to what happened with the Cropsey. I understand in the Cropsey arrangement they wrote the check. They paid the bill for reconstruction of a new facility so they could create the space down there.

Does the space up there have enough room? I measured the footprint on Southside, and then I went to Dobbs Ferry's facility and did the same measurements with a wheel. We have every bit as much, maybe slightly more, land space in the quarry, if you came off of Washington Avenue to the back of the quarry, as Dobbs Ferry has. There are going to be complaints from some neighbors immediate to the property, but consideration has to be given to what the community is going to do as a whole.

We are bleeding money down there. Manager Frobel said in the last meeting how we had difficulty disposing of stuff. We are at the mercy of Yonkers. I heard there were vehicles being turned away. But the following day they had landscapers from all over the county shoveling stuff down there for free because no one else is managing the material properly. The line was better than an eighth of a mile long out of the Yonkers facility. People had to shut off their engines and wait there for hours to get rid of it.

The storm was an unusual event. But I still come back to the money. We are bleeding money out in the tens of thousands of dollars annually. If we had a longer-term vision, if we could get a new facility built for next to free which accommodates and works with the waterfront as far as soil and rocks, it might be a huge win-win all around. Not only that, the facility on Southside is very inefficient because anything from Washington Avenue on down is a waste of gasoline and time going back and forth, whereas if you could launch right out into your workspace, always working in a circular motion, it is more efficient in terms of fuel and wear and tear. Each one of those dollar bills and wasted gallons adds up throughout the year, year after year after year. Timing would be a miracle on this, but it might be something to consider in terms of longer-term vision. You could even go with a building that is state of the art in terms of green roofs so people do not look out at a metal building down below. You could have state of the art recycling facilities, where you do not have stuff blowing around and men wasting labor hours chasing material. You go down now in front of the salt bin, you have mattresses tossed on top of branches, chips spit all over the hill. I see the disastrous inefficient use of time because you have to give the people the tools to work with, the space to work with. We do not have it.

**Mayor Swiderski:** Discussions about the ultimate disposition of Southside are part of the Comprehensive Plan Committee process and are not at odds with what you are talking about. Also, public comment typically is three to five minutes. Mr. Downey approached me before the meeting saying this might go over five minutes, which was respectful. I appreciate it, and I said it was a lighter agenda so it was OK to exceed that.

**Trustee Jennings:** I would like to say that the fact that during the public comment period we listen to what citizens have to say and we often do not respond does not mean that we are not taking what is being said seriously or just brushing it aside. It does not mean that at all to

us. We follow up after the meeting at other times. We pay attention to what is being said. I just hope the people who view it on TV do not get the wrong impression that our silence indicates dismissing of what is being said. That is not true at all.

**Mr. Downey:** When I am speaking I am looking at your eyes and at your body language. When I see people nodding, or acknowledging, I know they are listening. I see the interest, by the looks on faces and the emotions there.

**Mayor Swiderski:** At this point in the meeting we used to have two minutes for volunteers and public service comments. I did want to take that two minutes myself to make a request to the Village, now that the storms have passed and the debris is upon us. While we have a Village cleanup day, typically staffed by a few dozen volunteers, I would like to appeal to people for when you walk your dog take two bags with you, one for picking up after your dog and one for garbage. If you are going to the train station on foot and you pick up one piece of garbage, and everybody else did that, it would, in a matter of days, make for a cleaner village. With the recession of the snow, there seems to be litter everywhere. It is a bummer, and our DPW is stretched enough as it is and does not go onto private property to clean up. So if you have not checked the condition of your sidewalk, please do. And if you have not trimmed back the branches before your sidewalk, it is also time to consider that before they begin sprouting. So an appeal to the public to help keep our Village clean.

### **35:10 APPROVAL OF SUSTAINABILITY ACTION PLAN**

**Trustee Jennings:** I appreciate all the comments and suggestions. I would like to underscore that this is going to be a work plan. It is a managerial tool, not a law. It is going to be a dynamic document. We are going to complete items on it, and cross them off the list. We are going to add new items as we go along. We are going to revise it. We will, if the Board sees fit to approve it tonight, put it on the Web site and it will be available to the public. I encourage people to look at it and to submit your ideas and add to it. A lot of people in the Village know a lot about different facets of this. There is so much information we cannot even keep up with all the Web sites and all the meetings that are going on. There is going to be a meeting tomorrow night in Dobbs Ferry which is doing something directly parallel, their own sustainability action plan. Many other villages and towns in Westchester County have this already or are in the process of doing it. I look forward to this as a first step for an ongoing activity of the Village, and I hope the Board will see fit to put its blessing on that activity. It is terribly important for us and the future of Hastings.

**Trustee Walker:** This is incredibly rich and thorough and very exciting. There were only a couple of comments I wanted to make which do not change my desire to approve it tonight, but maybe for additions down the road. One is under transportation. It is to promote walking

and biking in the Village through the maintenance and construction, if you can, of new sidewalks, bike paths, and bike lanes. The comp plan is identifying places where we should be doing that in the future. It is important that we do that, and it is important that we voice strong support for this, because when it comes time to apply for grants from the Department of Transportation or the federal government or whomever, the more planning and support that we have voiced as a Board for this kind of thing, the better. We can say it is in our sustainability action plan and we supported it and we put it in our comp plan. That is really critical in getting grants.

The second thing ties to something that is in the LWRP under 5.1: preserve, protect, and restore wetlands. We say restrict development within wetlands. That probably means that we should be passing legislation to protect wetlands. There is that recommendation in the LWRP. Soon of the tasks would be to study what kind of legislation we would like to pass. That is really important, especially since we have got some significant wetlands in the Saw Mill River valley that have not been designated by the DEC, so somebody has got to protect them.

The last thing is that you are going to go talk to Dobbs Ferry. I think that is terrific, because we really need to cooperate intermunicipally so we can find opportunities for going after money together or doing planning together or looking at model ordinances, coming up with ordinances together, that sort of thing. That kind of intermunicipal cooperation is critical and it will save us money, and it will also be easier to get grants.

**Trustee Quinlan:** I have nothing to add to. I am in favor of it and I will vote for it.

**Mayor Swiderski:** Bruce, having stepped through it in its working draft with you I think it is great. You take the concrete step of putting activities in the quarter when they should occur. I am going to gently point out that you are the taskmaster. So for an item that is in this quarter, we would look to you to queue this stuff up and make sure this all happens reasonably within the schedule. I think we all want to, and we just need to be urged down the path.

**Trustee Jennings:** You are right. It goes against my nature to impose deadlines, but without them things fall through the cracks. That is the beauty of this thing. If any of us have some free time, a quick glance at this will give us several to-do items for that day, that month, that quarter. In terms of Meg's comment, this is not a law, but it has implications for the governance we are going to have to do going forward. It has implications for activities, especially for the Conservation Commission. They have reorganized themselves around this document into different tasks and subcommittees. They are going to be whip crackers for us, and for me, as well. There are some things this implies for the Board of Trustees, and we are

going to have to talk about some of them fairly soon because some of them are budgetary. Changing things is not free. It will save money in the long run, but it may cost money in the shorter run. I am going to keep my eye on the implications that this plan would have for the Board of Trustees, and working with Mr. Frobel, the Village governmental staff. The Conservation Commission is going to be going forward with a lot of the other facets of it, working with the Comprehensive Plan people. There is going to be a lot of energy and interdigitation within Hastings and we hope with the other villages. We can do every one of the things on this list and reduce our little carbon footprint, but unless it is done regionally it will not make much of an impact. We have to work together with our neighbors.

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

**WHEREAS,** the Village of Hastings-on-Hudson wishes to make a clear statement that it embraces the objectives of sustainability as a matter of public policy, and

**WHEREAS,** Trustee Bruce Jennings, in consultation with stakeholder groups and citizens, including the Conservation Commission, the Planning Board, the Comprehensive Plan Committee, citizens' groups, and Village staff, has developed a Sustainability Action Plan to be used as a tool to coordinate the activities of individuals and groups working on sustainability actions in the Village, and

**WHEREAS,** the Sustainability Action Plan is viewed as not static or complete, but will be monitored, evaluated, and changed as the need arises, now therefore be it

**RESOLVED:** that the Mayor and Board of Trustees endorse the objectives of the Sustainability Action Plan and approve it as a guide for sustainability action in the Village.

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

**Mayor Swiderski:** Thank you, Bruce. There was a lot of work on this, and it is the sort of thing that I look forward to posting on the Web site, not just for the Village to see but to point other mayors to. It is a model for not just pie in the sky statements, but specific actions that a community can take in a specific time frame. Would it not have been nice if you could have stolen somebody else's instead of having to go through this. You could go in and see what other communities have done, and it is nice to be able to offer this up to the rest of the Greenburgh villages and elsewhere.

**Trustee Jennings:** I did steal a lot, I must confess. But it is also nice to be something that others imitate, and I feel a little proud of that.

### **36:10 ACCEPTANCE OF GIFT OF SCULPTURE**

**Michael Ambrozek, 16 Sheldon Place:** I would like to make a comment about this donation from Greg Wyatt. I know him personally. He is a former Village resident, with his brother, Roger. I went to school with him here. It is very nice that he is working here and returning something to the Village. He has major pieces of sculpture at the Cathedral of St. John the Divine, as well as Columbia University. So I want you to be aware that he is a very significant sculptor in this country. He is the son of Stanley Wyatt, who is also a very famous artist.

Digressing slightly but still talking about artworks, we have a major bronze sculpture in the front of the Municipal Building, which is by Jacques Lipchitz. It is titled "Between Heaven and Earth," and it does not have a plaque on it indicating the sculptor or the title. I think it would be very good if we could consider finding some money in the budget for a plaque so that visitors to the Village and residents can read what this sculpture is and who it was donated by. Jacques Lipchitz was a resident who loved the Village very much and we should acknowledge it.

**Trustee Walker:** Putting my public space planner hat on here, one of the things I think is really critical and I did bring it up when we met with the artist – I should preface my comment by saying I think the gift is fantastic. It is very important to honor the fact that Jasper Cropsey lived here and that Hastings is an important village in the history of art in America. Hastings played a significant role as part of the Hudson River School, and it is important to honor that role. I am wholeheartedly eager to accept this gift. But there is a term for art that is just dropped in a park or a plaza without a proper setting: "plop art." This risks becoming plop art if we do not do something. I am not saying "we" as necessarily the Village. But if we cannot create a nice setting for it, with landscaping and benches and

something attractive to honor it so you have a place to contemplate it and so it is more than just a great piece of sculpture, then sitting there by itself, it gets lost in the park. When we talked about this with Mr. Wyatt, he said he was going to talk to the Cropsey Museum, or the Cropsey Foundation, about providing some funds for benches and perhaps creating this setting. I am wondering if we could get a local landscape architect to donate time and design a setting, and recommend flowers, shrubs, something else to make it into something more, a very special place. I am not saying we should go out and spend money to do this, and it does not change the fact that we should pass this resolution, but it is something to think about.

**Mayor Swiderski:** I completely agree. I walked the potential sites with Mr. Wyatt and Superintendent Gomes and we looked at a number of different locations. One particular spot in MacEachron Park oriented well with existing benches, but could be turned into something more attractive. Part of the problem with that location is that there has been serious erosion at certain points in MacEachron Park where the fence is eroded away and there has got to be some infill to create a stable area. There are always natural uses of the park, where people throw balls et cetera that you have to accommodate when you are placing this. You do not want to preempt what the park has been used for, and you also do not want to put it somewhere that it becomes a hangout at the wrong time of day. So there are all sorts of considerations. But we found a couple of locations and, as this project develops, we will talk about it a lot more. I like the idea of getting a landscape architect and working it up into something more than it is. We had a sample version of what it might look like. It is not a small sculpture. It is not large but it is certainly chest height and makes a statement.

**Trustee Walker:** Did the Parks Commission discuss it?

**Village Manager Frobel:** Yes, Ray brought it up at the meeting. We are also exploring a grant that is open right now to provide money for some shoreline stabilization.

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

**WHEREAS,** the Hudson River School of Painting is one of the major achievements of American culture, bringing forth towering figures such as Thomas Cole, Frederic Church, and Jasper Cropsey, whose representations of Hudson Valley scenery became America's first national landscape, and

**WHEREAS,** Sculptor Greg Wyatt, director of the art educational programs at the Academy of Art at the Newington-Cropsey Foundation, seeks to work with the vast educational heritage of this

illustrious Hudson River School of Painting with projects in schools and communities along the Hudson River, and

**WHEREAS,** Mr. Wyatt, with the support of the Hudson River Valley Greenway Communities Council and the Newington Cropsey Foundation, proposes to create three architectural bronze sculptural markers placed at key artistic and historical sites along the Hudson River, including the Hastings-on-Hudson waterfront, where Jasper Cropsey, a Hastings resident, created magnificent panoramas of the Hudson River, and

**WHEREAS,** these markers will include a written description offering the viewer a historical and aesthetic connection to the vista, and will be known as the “Arch” Tribute Series honoring the Hudson River School of Painters, the arch being a poignant symbol for the achievements of these painters who depicted a nature full of arch-like forms, now therefore be it

**RESOLVED,** that the Mayor and Board of Trustees gratefully accept this historic bronze marker to be placed permanently at MacEachron Waterfront Park as a gift to the residents of Hastings-on-Hudson and to all visitors to the Hastings waterfront.

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

**37:10 NYS SNOW AND ICE AGREEMENT AMENDMENT**

**Village Manager Frobel:** Each year we enter into an agreement with the New York State Department of Transportation to maintain certain roads in the Village under their jurisdiction. When we enter into that agreement, they give you an estimate as to what they anticipate the payment to the Village will be. This amends that agreement based on experience. We are looking to receive a little over \$7,000 more for the work we performed in that snow season of 2008 - 2009.

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 Amendment B to change the estimated expenditure for the New York State Snow and Ice Agreement 2008-09 snow season from \$8,320.00 to \$15,441.92.

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

### **38:10 SCHEDULE PUBLIC HEARING - REVISED CAMP FEES**

**Mayor Swiderski:** The full seasons go up by \$25, and the weeklies go up by \$10.

**Village Manager Frobel:** Not much to add, Mayor. It is a request of the Parks and Recreation Commission that you consider raising those fees. They have not been raised since 2008. This will cover some additional expenses that we have realized as a result of using school facilities during this program.

**Mayor Swiderski:** Let us be explicit on that. It is not pointing fingers. It is just an explanation. As the relationship between the school and the Village evolves, certain things which previously were done for free are now compensated for by payments between entities. The school and the Village have agreed that if the amount involved is truly nominal we are not going to bother, but if the school has to open a building and keep a janitor on staff we should cover that marginal amount. Similarly, if we put the Community Center to the school's use, or other Village facilities, we would charge the nominal amount to the school. In the end we are simply moving money from one pocket to another, from the taxpayer's point of view, since the taxpayer either pays the school or pays us but, in the end, has to cover these costs. This is simply placing the cost of these items on the entity actually using that item. Last year, the school began to charge us because they opened up Hillside School to the camp. That cost was not insignificant. It was high single-digit thousands.

We sucked it up and swallowed it last year without passing that on to the individuals. As a result, it was effectively borne by all taxpayers because it came out of general funds. As with most of our park expenses, the idea here is that the user pays the actual cost, or close to the actual cost, of the services provided by the Parks and Rec Department. So this is offloading that expense onto the campers.

**Village Manager Frobel:** That summarizes it nicely. We do offer scholarships for those families that find this an added burden.

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

**RESOLVED:** that the Mayor and Board of Trustees schedule a Public Hearing for Tuesday, Apr. 20, 2010 at 7:30 p.m. or shortly thereafter to consider the advisability of increasing fees for the summer camps as follows:

<u>PROGRAM</u>	<u>CURRENT FEE</u>	<u>PROPOSED FEE</u>
Hillside Camp Full Season		
Early Bird	\$500.00	\$525.00
Regular	\$540.00	\$565.00
Hillside Camp Weekly		
Early Bird	\$ 95.00	\$105.00
Regular	\$100.00	\$110.00
Early Learning Camp Full		
Early Bird	\$325.00	\$350.00
Regular	\$350.00	\$375.00
Early Learning Weekly		
Early Bird	\$ 80.00	\$ 90.00
Regular	\$ 90.00	\$100.00

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

**39:10 SCHEDULE SPECIAL MEETING FOR ADOPTION OF 2010 – 2011 BUDGET**

**Village Manager Frobel:** Residents are urged to come out and speak at the Public Hearing next week on the budget. You have a series of work sessions following that hearing, all leading up to adoption of the budget.

**Trustee Quinlan:** The Public Hearing is on the budget, as proposed. But that there will be a number of work sessions, and there is absolutely no guarantee that that budget will be in the amount that will be before the public at the initial hearing. The hearing is required by law and we have to pass the budget by May 1, but there is a lot of work to be done after the hearing. I think it is important that we hear from the public before we start our work to see exactly what the budget is going to be.

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 schedule a Special Meeting for Wednesday, Apr. 28, 2010 at 7:30 p.m. to adopt the 2010 – 2011 Village budget.

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

**VILLAGE MANAGER’S REPORT**

**Village Manager Frobel:** We had a sewer line break at the corner of Broadway and Fraser. We had crews out there the early part of this week. It should have been finished up today. It was a tough one. We were about 10 feet deep. It was an aging clay pipe, about an 8-inch pipe, under utilities. We had to contend with natural gas, water, and telephone. This is an indication of further things to come. As our infrastructure continues to age we are going to see more and more of these types of breaks. This was not a big one, yet it pretty much took apart our budget. We do not really budget enough for sewer breaks, so now we will have to adjust some other line items to cover that. We did receive three quotes for that work ranging

from \$10,000 to \$17,500. We, of course, went with the low bid. It was a very responsible company. They are the ones that do all the work for United Water, which worked to our advantage because they had to put this pipe in just below the water line. It was a tricky job.

Out here in front of Village hall we have a portable sign on loan. If we are lucky enough, we are going to receive a grant for purchase of that sign. The police department is very enthused about it. It is a message board and can indicate any number of items. But it also reads the speed of a car and advises the motorist at what speed they are traveling and what the posted speed limit is. This time, for example, one of the messages is watch for pedestrians in the crosswalk. We like it. We are going to move it around to various locations while we have it.

**Trustee Walker:** Is that something you think we will use frequently enough that we need to have our own, or could we perhaps share it with another village, or the town for that matter?

**Village Manager Frobel:** You could probably share one, if we are unsuccessful in getting our grant. We see a host of applications: Farmers' Market this weekend, Take it to the River program, First Friday night, as well as posting the speed limit. The idea is to keep it short so it does not distract them, obviously. But it is quick enough, you get a message across.

**Mr. Ambrozek:** One important application where this could be used is when we had the recent heavy rains and winds that brought down a lot of branches and we had closed roads. Some of these roads could not be properly posted, and I think there was a vehicular accident because of that. So I could certainly see signs like this being used.

**Village Manager Frobel:** Which leads me to my third point. I have given the Mayor some information about what our strategy is to address the debris that is scattered still throughout the community. The Mayor is going to be taking that and bringing a message out to the community. We have limited crews. They are working each day after their normal routes to continue to pick up, but we will have more to the community in two days as to what our strategy is to address that.

**Trustee Walker:** Having observed how much debris there is in the parks, I am wondering if there is some kind of cleanup that we could add to the litter cleanup, where citizens pull branches and sticks, or rake the stuff up into piles so it can be more easily removed. I have talked to my neighbors on Washington Avenue, and several of them said we would be happy to go out and rake and pick up stuff in Draper Park, for example. I think people would be willing to do that, and it might reduce the work load.

**Mayor Swiderski:** One idea is that on cleanup weekend have one day be parks cleanup and one day be streets cleanup.

**Mayor Swiderski:** Following on speaking of sewer breaks, and this is just kudos to volunteer assistance. The sewer break in December on the Rowley's Bridge Trail resulted in literally an industrial level of activity in Rowley's Bridge area to fix that. If you have not walked that trail since the break, it is heartbreaking, and astonishing how much work had to be done to level the road to bring in the heavy equipment to fix the break, and then to contour the hillsides that were dug out to fix this break. Bruce Bolger, Aiken Tompkins, and Carolyn Summers spent dozens of hours working with the county to come up with a plan to try to leave behind a park that is not entirely devastated by this effort. They came at it over and over again, working with the county that did not have near the money we wanted to finish the job as we would like. But we at least got something contoured correctly and left it behind in as reasonable shape as we could have hoped for, given the disastrous shape that park at the end of that cleanup. It would have broken Fred Hubbard's heart if he saw what was done to that park. But thank you so much to those three. A lot of work done on their end, and it is much appreciated.

## **BOARD DISCUSSION AND COMMENTS**

### **1. Update on the Waterfront**

**Trustee Quinlan:** On April 16 there is going to be another technical meeting between the Village and BP/ARCO and the DEC in Albany. Our engineer will be present, and I plan to attend by telephone conference. The meetings typically last between two and three hours, and they discuss many technical issues, which I think is important. We are still trying to make some progress on the BP/ARCO site when it comes to figuring out a remediation. We are pre-design right now, but we are still trying to bang everyone's heads together to try to get it done in a reasonable, timely manner. Three things are going on. We have to get a safe cleanup, we have to get a timely cleanup, and we have to get a cleanup within a budget for BP/ARCO. Everyone is revolving around those three issues. We are trying to get something done.

As to the Tappan Terminal site, we are still waiting for the design phase. The consent decree has been signed, and I am waiting and working with the DEC to set up a public forum. We are going to see how far the design phase goes before we do that, but I am expecting we will have that sometime in September to explain what the cleanup will be. It has already been decided upon. It just depends on the design of the cleanup. A lot of it depends on the experiments with the natural biological extraction of the decontaminants. It is all very complicated, and we will get into it in greater detail as the design phase moves on, but a lot of contaminated soil is to be removed and new fill coming in.

**Mayor Swiderski:** By barge, right?

**Trustee Quinlan:** That is a good question. When it comes to ExxonMobil and the DEC, the Village has been left quite out of the picture. I have been trying to force myself into the discussions to the extent that I can, but there has been no lawsuit regarding that southern 17 acres. And ExxonMobil, as anyone knows if they read the papers in the last couple of weeks, is the second-largest corporation in the world, only surpassed by one in China. So we will try to work out getting a lot of the soil brought in by barge. The problem with bringing it out by barge is that very few places on the Hudson River are willing to offload that contaminated soil into their town because they are afraid of what could happen to spills. So it is a complicated issue. It is very unlike the demolition of the buildings, which was mostly steel and brick. The brick stayed, but most of the things that went out by barge were uncontaminated steel. So we will see what happens, but it will be an exciting start to see the contamination of parts of the waterfront leave and have clean soil replaced.

**Mayor Swiderski:** Jerry, a year has passed since you first began to tackle the waterfront; what your energy and dedication on that effort has brought to fruition has been remarkable. We have seen more direct action taken on the waterfront and the shepherding along of the process at the DEC than, certainly, the rest of my term up here for six years. I want to extend my thanks, sincere and bottom of my heart gratitude, for the hours you have put in, in dogged persistence in pushing this along for a year now. Anyone who walks by sees the results, and they are in large part due to your efforts. Thank you so very much for that work.

**Trustee Quinlan:** Well, thanks, Peter. A lot of it has to do with luck and timing like everything else in life. It was about time that something did happen, so although I have been working hard on it I cannot take all the credit. But it has been interesting, and I thank you, Peter, for those kind words. When you gave me this assignment and I accepted it I was hesitant about what kind of progress we could make. But one of the reasons I did run again, and one of the reasons I was sworn in tonight, is because it has become a fascinating area that I have been totally involved in. It is one of the reasons I decided to become a Trustee for the next two years, to see if I can make something happen down there.

**Trustee Walker:** What is the status of the Building 52 committee?

**Mayor Swiderski:** I know that Doug knows of his appointment. I do not know if he has done anything in the intervening two weeks. I have not spoken to him. That is a good question. We have got to gin that up.

## **2. Update on Comprehensive Plan**

**Trustee Quinlan:** As to the Comprehensive Plan, not a lot has happened. Last week was a vacation week. Nothing is going to happen between now and the next Board meeting that I know of.

## **3. Other**

**Mayor Swiderski:** Regarding sign regulation, the next day the sign in question was unilaterally taken down, showing the restraint and self-regulation that Niki spoke of. In quiet polling of the Boardmembers after that event, the appetite to make legal changes seems to have diminished since that action. I asked that our Village Attorney look at a voluntary self-regulation that Ardsley uses and they report has been highly successful. Marianne based something off of that, passed it to me, and I promptly went on vacation and did nothing with it. I will circulate that to the Board. I will circulate that to the organization that put up the sign, to the political parties in town, and get the feedback about whether it is something people could live with. If we can self-regulate ourselves, I would much rather do that than anything more draconian. I would like to leave it at that for the time being. I know there are a number of people in town eager to see more than that, but if we can avoid that I would rather avoid it, personally.

**Mr. Ambrozek:** Just a quick respectful comment, something that was said a few moments back about the Village cleanup. I respect and appreciate everything Trustee Walker does. I love her as a person, but one thing concerns me. I get concerned if leaves are stripped off the ground, for erosion reasons. In Dan Rile Park, where our family walks our dogs, 60 percent of the time we come back with litter. Last year, when they did the cleanup, people dragged branches out onto Branford. The Village does not have the time or the resources to start cleaning up branches in the woods. The best thing I think they could do is leave leaves. Take it off the turf areas and walkways, perhaps. Branches and limbs, get creative with it. People over there did some really smart things. They lined the pathways with logs, cut them up; they made shoulders and borders. Or just take loppers and go to it, give your shoulder some exercise. Cut them up fine and small; help Mother Nature decompose. But we cannot put any more stuff out there for the DPW to pick up. Litter and trash, yes.

**Trustee Walker:** I think you are right.

**Mayor Swiderski:** Completely agree.

**Trustee Quinlan:** Good point.

**Trustee Walker:** But we could focus on the lawn areas. It is practically impossible to mow because there is so much debris.

**Mr. Ambrozek:** Agreed. That could just go to the side.

### **EXECUTIVE SESSION**

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

### **ADJOURNMENT**

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