

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

A Regular Meeting was held by the Board of Trustees on Tuesday, July 6, 2010 at 7:40 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

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

ABSENT: Trustee Jeremiah Quinlan, Trustee Nicola Armacost

CITIZENS: Sixteen (16).

PRESENTATION – DRAFT COMPREHENSIVE PLAN

Mayor Swiderski: We start off this evening with a major milestone. After what sounds like a lot, but as far as these things go is a compressed period of time, our Comprehensive Plan Advisory Committee is ready to present a draft for the Board of Trustees' consideration. The dedication, the time, the effort, the consideration, the thought shines forward from the pages and we all look forward to reviewing it in detail.

Kathy Sullivan, Comprehensive Plan Committee Chair: I have been fortunate to be the chair of the Comprehensive Plan Committee for the last two and a half years. In October, 2008 we met at a workshop for the first time. The Village Board members said a few words, said good luck, and walked out and left us to our own devices. So I will tell you what we have been up to. Two and a half years later, 50-plus meetings, which we have enjoyed counting, a variety of public meetings. Some have been held by the committee itself, others were held with the assistance of John Dennehey of the Hudson Valley Greenway. We worked with the planning studio from Hunter College in the spring of 2009. That group gave us some new perspectives, as well as worked hard alongside us as we were getting our feet wet in understanding the community. We had the able assistance of Liz Leheny of PPSA, now PPG. And we were fortunate to have a variety of public meetings and, more importantly, dialogues that were held by John Shapiro, who is a former principal from that firm. Out of those dialogues, we were grateful to get the draft recommendations last fall.

We also need to acknowledge the invaluable work that we had with our subcommittees last fall. A number of volunteers from the community met with us to dig down into those recommendations and make them Hastings'. We would like to acknowledge all of them in the final plan.

I want to thank the committee; I always paraphrase it as this: we agreed to disagree. I think that is a model in a time where people are not so civil toward each other. We have very different opinions, and held them very strongly; some people have been here for a long time, and others a shorter period of time. But what held us together was the shared desire to do our best for our community's future. The next group to thank is the community itself, which attended meetings and gave us feedback in a variety of ways. But another big thanks is to the work of other people who preceded us. We have built upon the work of the Vision Plan, the Large Tract Committee of the Planning Board, and also the LWRP. So we owe a lot of gratitude to people who have thought long and hard about these issues also. Finally, some big thanks. One to Susan Maggiotto, who is our Village contact as well as guide as well as sounding board as well as longtime resident whose advice and counsel were very much appreciated. We owe a great deal to the Technology Department, to Raf and to Jen, for making sure we were on WHOH. We feel we are leaving our lunchtime audience in the lurch, from people who have enjoyed watching our antics and hopefully followed along as we talked through some of these things.

We tried to think comprehensively about our community, but the world we started in, in 2008, is quite different than 2010. Sustainability in 2008 was a concept that we struggled to define, and today the plan we developed struggles to define how we can make our community sustainable. We look forward to working with the Board and with the Planning Board to complete this task.

I appreciate John Gonder being here. When I looked into past plans, there was something his mother was part of, in 1955. It was a group of people like us who got together, trying to talk about the Village's future, and said one of the recommendations was to do a master plan or comprehensive plan. I hope we have accomplished that today.

John Metzger, 427 Warburton Avenue: About three years ago I got a phone call from Mayor Kinnally and he asked me if I would serve on the Comprehensive Plan Committee. I remember thinking how proud I would be to do that. I also said to him, and I remember clearly saying this because he kind of pooh-poohed it a little, that this may be the most important thing I do, certainly in the second half of my life. I can probably speak for the other members of the committee. This is an incredibly important document for the Village and for the people who live here now, the people who will come in the future. I hope we did people like Mr. Gonder proud, people who have given us the inspiration to look at what came before and what we can make better, decisions we needed to make so that when their children and their grandchildren come back to Hastings they would be proud of what we did. It is an incredible moment to stand here after standing before this Board for so many years talking about the concept of a comprehensive plan. And now it is here. What I wish is that you take this plan, go through it, mark it up, figure out what you like and do not like, and

come back to us, let us work as we have been working for three years, and make this thing happen sooner rather than later. It is all too easy to say it is too expensive, it is too time-consuming, nobody wants to put in the effort, we have the document, that is good enough. That is never good enough. Now we need to enact it. There are people on the Board who are more than willing to step up and have you do that. And I am sure there will be people in the future that will join us to do that. So let us take it, let us move forward with it. It should not languish in somebody's desk.

There is a lesson to be learned from this: if you want to put together a committee, find a chairperson. If anybody embodied Teddy Roosevelt's speak softly and carry a big stick our chairperson is that. Kathy has been extraordinary. Everybody on our committee would attest to that, and I know I am embarrassing her so I am not going to say too much more. You also need to find a consultant who can step up to the plate, do twice as much as they promise, and do it twice as good as you thought they would be able to. It was an extraordinary dialogue, watching us collect information and have Kathy take this information and talk to Liz Leheny. We would get a draft back, and everything that we wanted was there. The level of communication was extraordinary. If we could do more things in the Village at that level of communication we would have a lot less problems.

Ellen Hendrickx, 136 Circle Drive: I would say thank you to the Board of Trustees for giving us this opportunity, and I look forward to our work session.

Trustee Jennings: I received the document a few days ago. I have begun to read it and can hardly put it down. I look forward to beginning that process of digging in and working together to finalize it. I think it is very well-written. It seems to be extremely thoughtful and comprehensive. I am looking forward to engaging with the committee and thinking about the substantive issues. Hopefully, the Board of Trustees will be able to make a constructive contribution to the finalization of this plan. Thank you for your work.

Trustee Walker: I would like to echo those sentiments. Congratulations to everybody on the committee. You all put in a tremendous amount of work and thought and dedication. Especially Kathy Sullivan, thank you so much for being their fearless leader. It is so impressive how you all were able to work together and pull these disparate issues together. We know how difficult many of these issues are to address. I applaud you all in finding the common ground and in listening to each other and listening to the community, and coming to, in most cases I think, the right decision about what we should be doing. I am thrilled, and I look forward to having an approved comprehensive plan. Of course, the next step is implementation. WE have to look at that very seriously, how we then implement it. You have raised the bar very high, and that is a good thing. It is a plan that is going to endure for quite a while. So thank you.

Mayor Swiderski: I would also like to extend my thanks to the consultant, as well. We do not always get our value for the money with consultants. I can think of a few occasions where I win. This is not one of them. Value for the money, and a tangible deliverable that the Village will rely on for five years in the future, and as it is revised, even further than that. This is a living and breathing framework. I do not think it is static. I do not see it ending, though I do not suggest for a moment that your work continues at the same pace. But in three or four years when we convene the Advisory Committee again, we will ask for a revisiting to see if things should be modified, added and changed. It is a world very different from what it was five years ago, and who knows what the next five years will bring. This will form much of the structure of what we do as a Board and what we worry about. New things will come up for sure. But this represents many of the major agenda items for this village, and I look forward to the implementation. We believe many of the things we are doing now are in the spirit of what is in the plan, and moving forward it will be quite easy to pick up and continue pushing forward what is in the plan.

I do not want to get yet into the precise details of the next steps, other than the work session on July 20. We are asking the Comprehensive Plan Committee members to attend, as well as the Planning Board. What we plan to do is not wordsmithing but rather a substantive review of whether there are issues raised that we would like to see further explained, disagreements whatever, and try to resolve those as much as possible in that work session. It is going to be a dynamic and quick-moving session, but a document of this depth and breadth I do not think we will get through in one session. We consider tonight the submission of the draft from the Advisory Committee to us, and that this is now our document that we take as our own with some great eagerness to move to approval. We would like to see this moved through the full process of approval in far less time than you took to create it. This is not the LWRP. It is the Comprehensive Plan. I am hoping by early next year we will be done worrying about which one of the items in it are our agenda items for the next year. So it is a huge milestone. You should be proud. You have collectively put in thousands of hours, and it shows. Thank you.

APPROVAL OF MINUTES

On MOTION of Trustee Walker, SECONDED by Trustee Jennings with a voice vote of all in favor, the Minutes of the Public Hearing of June 15, 2010 were approved as presented.

On MOTION of Trustee Walker, SECONDED by Trustee Jennings with a voice vote of all in favor, the Minutes of the Regular Meeting of June 15, 2010 were approved as presented.

On MOTION of Trustee Walker, SECONDED by Trustee Jennings with a voice vote of all in favor, the Minutes of the Executive Session of June 15, 2010 were approved as presented.

APPROVAL OF WARRANTS

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

Multi-Fund No. 4-2010-11	\$217,017.37
Multi-Fund No. 6-2010-11	\$ 90,610.26
Multi-Fund No. 7-2010-11	\$ 79,208.44
Multi-Fund No. 8-2010-11	\$185,678.47

PUBLIC COMMENTS

John Gonder, 153 James Street: I do not see anything on the agenda with regard to deer. They have increased 50 percent this spring. I hope you got your metric system going. Still after a storm drain repair up on Pulvers Woods. The only person I have seen look at it is Mr. Frobel, and I am concerned. We had a dry period. That water is still running through that storm drain at almost a gallon a minute. It is leaking on an uncovered section, and should be covered and repaired. Last meeting I mentioned about the ethics code in this village. A state audit spurred a review of Greenburgh's ethics. I hope maybe I put an impression on one or two of the Trustees, or the Mayor, to review our ethics code. I gave you two suggestions and I hope you take those.

Cyndy Travis, 427 Warburton Avenue: I would like to make a comment in relation to the meeting with the DEC, Exxon and Chevron this past week, specifically about the monitoring of the dust from the site. We heard that they heard what we were saying in terms of not having just these little 3-foot tripods down on the site at the perimeter but including pushing it out into the community that is immediately affected by the wind, including where I live and many of my neighbors as well as the train platform. And let us not forget all the DPW workers who are affected constantly by the wind off the waterfront. Can you address anything that you might have spoken about with them? Will they actually add these?

Mayor Swiderski: I have not had that conversation.

Village Manager Frobel: I have.

Mayor Swiderski: But we will. It is not just common sense, it is the right thing to do. Really we are talking about a rounding error. It is nothing in terms of expense. Both points

you mentioned in terms of physical locations and the amount of effort involved to monitor those locations is nothing. I do not know why it was even worth more than one minute at that meeting.

Ms. Travis: They could have said of course we will do it, instead of hemming and hawing.

Mayor Swiderski: Asking Exxon and Chevron whether the expense was an issue was a good question.

Ms. Travis: And their public relations people were there. I thought they could comment on where they stand with us. So if you could make sure the public knows what their answer will be. They sound like they are starting soon. They said summer of 2010.

Village Manager Frobel: That is their goal, yes.

Ms. Hendrickx: On the same topic, we also discussed transparency and they have agreed to that. I hope the Board of Trustees will hold their feet to the fire because the inclusiveness, and more public sessions, would be very welcome.

Mayor Swiderski: They do not have the equivalent of the One North Street Web site that ARCO has for posting documents. Whether they put up something or funnel things for us to post, that should be also a component.

David Skolnik, 47 Hillside Avenue: Are there any updates with regard to the intersection construction on Ravensdale and 9A?

Village Manager Frobel: Deven Sharma, the Building Inspector, has served as the contact between the town and the contractor. He has not indicated any problems. It is moving on schedule. I have not heard any positive feedback on our desire to improve the pedestrian safety, though, which is something that Deven is trying to push, as well.

Tim Downey, 520 Farragut Parkway: In reviewing meetings for the past few months, it appears the meeting quality, productivity, and efficiency has deteriorated. Members of the Board are coming to discussions not fully prepared, thus often turning this valuable time into little more than chat and discussion among Board members. At times, it seems Board members feel compelled to speak to hear the sound of their voices. Members speak out of turn, over one another, and often just silly talk with little substance. Thus, many of the public are feeling frustrated with the lack of focus on issues and accomplishments. I would like to remind you of the outstanding and thoughtful deliberation and discussion you all demonstrated in the winter regarding the Building 21 issue. That was a high mark, perhaps

not in the outcome as many may feel, but in the focused, thoughtful contribution you all made in a decisive action and desire to move forward. During the past number of meetings we have wasted time on discussions like curbing at the end of Ridge Street, whether it should lie flat or stand up. I heard one Board member say that a person once planted on the trail at one time. That is not a public trail unless you call a path which extends 100 yards south into private property and then into an extremely steep slope somehow a trail. It is not a high value to the Village for which so much time should be invested. It would be wiser, for example, to invest energy into the former Hastings House in the center of the Village, something which could bring revenue and renewed life to the Village core. Time was spent in discussions time after time on decibel levels and attempts to construct laws when, by your own admission, you do not know what they are or sound like. You just cut and paste passages from other village codes and law books, and I thought that was fairly disgraceful. Finally, after many meetings have passed you bring in Chief Bloomer and he cleans up the mess in a little under 20 minutes. Perhaps the issue needed to come to a point where someone of the Chief's leadership and position had to straighten things for the better. I would suggest before we start making up laws on the fly we should include the Chief in the beginning to see what is enforceable or needed.

Before these meetings get underway, each person needs to check in with himself or herself to take each meeting as a serious responsibility they have chosen to assume, and not waste your time and Susan's time recording these endless ramblings, and not waste the time of folks who attend the meetings or watch from home. What I have not heard from this Board in many months is any further discussion on financial guidance you all are supposed to have as your highest priority. We have had some chat on this topic around budget time, and now that is a long-ago memory. I would hope we would come back to this item, perhaps the most important item you have to work with every six weeks or so, to update the residents. At the last meeting we were back to blowing money on paving contracts. I say blowing money because we should be operating in a needs versus wants frame of mind. The roads are largely serviceable: not great, but we cannot afford great. Not with all the debt service we have and other big-ticket items facing us. We have spent money in recent weeks grinding stumps of trees throughout the Village. I am wondering if any of you have looked around the Village in the past month or so and seen all the major elm trees dying throughout the Village in locations like Branford and Ravensdale, the Broadway slit, and so forth. You have yet another big-ticket, unplanned expense causing many thousands of dollars to remove these, and they need to be done in a timely manner. I would hope the Tree Committee or conservation board had seen this and informed the proper parties. This is an additional unforeseen, costly expense like the March storms and the Broadway sewer break, draining funds we do not have.

We have to be clear about our needs versus wants, and stumps can wait. We have been wasting time week after week on decibels, discussing whether they should be measured from property lines, bedrooms, or under pillows. Yet there has been no discussion on our debt situation, reserve account, or other financial reportings. Are we going to come back next March with sad faces and victim-like behavior?

Trustee Armacost spoke of the less-than-good paving job and the potholes throughout the Village. There are two reasons, and Mr. Frobels informed us. One is the lack of a roller, and I would say perhaps the other is the skill to do so. Mr. Frobels also spoke briefly of capital improvements needed throughout the Village. Then, like the flick of a switch, we are back to chatting about things of importance like the Village poet and other such items. I ask you to be sincere about your responsibility at our meetings. We could go on and on pointing out how Rome is burning, but we are doing our version of BP and yacht sailing here. We had, at one time, a blacktop roller here in the Village. No one knows where it went. I am surprised we have not replaced it. There is talk of an additional \$20,000 or \$30,000 earmarked for the deer issue. Is this a responsible use of the funds? I would rather see us buy a blacktop roller than to waste that kind of money on deer. I have also heard recently that there is possibly a better solution, costing a great deal less, for which I would be in favor.

The last meeting, I heard the grandest one of all. There is still the insanity floating about regarding the quarry. How long are we going to keep kicking around this problem of the organic waste disposal within the Village? Are we going to saddle generations in future years with the problem? I handed you a fantastic solution to this issue many months ago: move the DPW to the old quarry site, get the mess off the shoreline of the river, construct a modern, clean, gated, and lighted recycling center with proper camera technology to stop the never-ending lawless dumping and mess down there. The benefits of financial positives are enormous. I will detail that plan and address objections with anyone; simply give me the opportunity. Have any of you driven by the DPW facility in the past month or so? The debris is coming into the tracks, rolling southward Yonkers. It is over the concrete barriers, in front of the concrete barriers. It seems our system is not working. Every surrounding village has long ago cleaned up their mess from March, and still yet we have ours. We have about \$200,000 worth of machinery out there right now blocking this pile. I was told there was an offer for several thousands of dollars to take it away, clean it up, or grind it. Yet we did not do it, probably because we do not have the money in the checkbook.

In summary, I would like to just say we need to look more carefully at what we are doing with our money and speak to the community more on those issues than to worry about village poets and other trivial items we get distracted on all too often.

55:10 ADOPTION OF LOCAL LAW NO. 5 OF 2010 AMENDING CHAPTER 282, VEHICLES AND TRAFFIC, TO PROHIBIT PARKING ON THE EXTENSION OF RIDGE STREET AND TO PROVIDE FOR STOP SIGNS ON CLARENCE AND STANLEY AVENUES

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 hereby adopt Local Law No. 5 of 2010 amending the Code of the Village of Hastings-on-Hudson, Westchester County, New York, Chapter 282, Vehicles and Traffic, as follows:

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

Section 1: Section 282-25 (Parking prohibited in designated locations) of the Code of the Village of Hastings-on-Hudson is hereby amended to read as follows:

(91) No parking on the southern extension of Ridge Street, along both sides of the gravel road.

Section 2: Paragraph A(25) of section 282-16 (Through highways) of the Code of the Village of Hastings-on-Hudson is hereby amended to read as follows (deleted language ~~stricken~~; new language in *italics*):

(25) The intersection of South Clinton Avenue and Stanley Avenue is hereby designated as a ~~yield~~ *stop* intersection, and a stop sign shall be erected on Stanley Avenue at its entrance to South Clinton Avenue.

Section 3: Section 282-16 (Through highways) of the Code of the Village of Hastings-on-Hudson is hereby amended by adding the following new paragraph:

(59) The intersection of eastbound Clarence Avenue and Stanley Avenue is hereby designated a stop intersection, and a stop sign shall be erected on the southwest corner.

Section 4: All ordinances, local laws, and parts thereof inconsistent with this local law are hereby repealed.

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

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

56:10 APPROVAL OF SETTLEMENT WITH CLARKSTOWN LANDFILL JOINT DEFENSE GROUP

Village Attorney Stecich: This was a demand made some time ago to recover for the costs of the Clarkstown cleanup from the industrial polluters who were being sued by the attorney general. We managed, through work I was also doing with Irvington, to reduce the demand from \$60,000 to \$15,000. This is a very good settlement for the Village. There is no issue, no question of liability. We dumped there, as did all of the other villages in the Town of Greenburgh. The numbers are based on numbers we gave for how much we deposited there, and we verified them with the time of use. We had the amount demanded reduced accordingly. The settlement agreement will be part of the attorney general's consent decree so nobody can come after us anymore for our use of that landfill. That will be the end, hopefully, of the landfill cleanups. You will recall we had a settlement a few years ago with regard to the Croton landfill.

Mayor Swiderski: You were just a tad modest in your explanation. These suits are not uncommon; typically, the target communities band together and try to fight as a group. We did initially, and then had some defections in our ranks as villages settled separately. Our Village Attorney, however, suggested we not do that and made what I would call a Hail Mary pass in writing to Attorney General Cuomo advising him of how this suit affected municipalities and suggesting that action on his part could help municipalities. Indeed, that is exactly what happened. That ruling came down upon consideration of the letter, and saved us considerable money. You can say it is part of the Village Attorney's job to do something like that, but it was thinking out of the box and a reach that was quite successful. So thank you. Full credit where it is due, and it was a pleasant surprise. We never expected to settle so low.

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

RESOLVED: that the Mayor and Board of Trustees hereby approve a settlement with the Clarkstown Landfill Joint Defense Group and authorize the Village Attorney to execute said settlement, and be it further

RESOLVED: that a payment of \$15,000 is authorized in accordance with the terms and conditions of the settlement to be paid from the General Fund.

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

Mayor Swiderski: We have three different grant authorizations, all asking us to approve what could be three different grants against one pool of money. I would like you to give us some color around this. There is a decision here above and beyond the individual grants, and probably more discussion than might be apparent from the resolution.

Village Manager Frobel: I agree. I think it is wise to listen to the presentation for all three of the projects, and then make a decision if you are inclined to support one, or all, or two. The New York State Office of Parks, Recreation, and Historic Preservation is currently accepting applications. Twice a year they make an opportunity to towns and villages to apply in areas of park development, historic preservation, acquisition, and heritage areas. Our staff has focused our efforts in park development. In meeting with committees and special interest groups we isolated our focus down to three areas. One is the construction of a public park at the quarry site. Two is expanded parking and relocation and purchase of new playground apparatus at Uniontown Park. And third, addressing some of our ADA concerns at Kinnally Cove, Zinsser Park, and the swimming pool. A municipality may apply for any number of projects, however, only one application per municipality will be approved, and the maximum grant is \$400,000. All these grants require a 50 percent local match. The match can be in cash or in-kind services, which are spelled out in the rule book. These

applications are due by July 12, so we have been on a fairly tight timeline. But over the course of the time we have made some good progress. We need to discuss each project, make a decision as to what is affordable, what is timely. I can tell you that the competition state-wide will be extremely keen. For example, in the round of applications we made last fall the state told us they had \$20 million available to distribute and they received in excess of \$98 million in requests.

The first one is the ADA. There are a number of improvements we would like to make at Chemka Pool, Kinnally Cove, and Zinsser Park. I think this is a very positive program. Although we submitted it last year, again due to the competing other projects it was not funded. This has the strongest possibility in coming up with matching effort apart from dollars. Our public works crews can do some of the demolition work, maybe a little site work. At Kinnally Cove we have the staff that can continue with those brick pavers that the foreman had started at the beginning of the park.

Uniontown Park is a very ambitious program, one that you heard during the process is necessary. We know the number of families that use that facility. We have heard for a number of years about the difficulties with parking. This is an opportunity to double the amount of parking or relieve some of tension from the neighbors with cars having to park on the street. Although it will not go away, it will alleviate that. The design of the parking lot offers opportunities to improve drainage and minimize the need for any kind of infrastructure through the type of paving we would like to do. That one also holds some opportunities for other than cash contribution. We may be able to line up some volunteers to help us put down the pavers in the parking lot, and our public works crews can do some of the demolition of the existing parking lot and the removing of the play apparatus.

Quarry Park is clearly the most ambitious, the most expensive. We are addressing some of the environmental concerns in terms of developing a plan for its closure; we do have, I believe, adequate money to begin the design of the park. This application would take you to that near-final step, and that would be construction of a usable park for the community. My concern remains the need for matching funds. We agonized during the budget process, and the Board had to make hard decisions about items that you would have liked to have purchased but because of limited monies were not able to. Both Uniontown and, clearly, the Quarry work will require a cash contribution. It is a construction project, and we are not equipped to build a public park of the type I suspect will be designed at the Quarry. I also think it is somewhat premature. I would like to get through the environmental concerns and the design before we come with the cost estimate. Although we do have a very rough cost estimate, it is far in excess of what I think is affordable for us at this time. My concern remains our debt. Our match for all of these will have to be borrowed. Your own rules require you not to exceed 10 percent of your operating budget for your debt; we are about 9.7

percent today. So we were pointed in the right direction, although we are soon going to take delivery of our new ladder truck which will probably boost us over the 10 percent limit again.

A lot to think about. Again, we can certainly submit. But the agony is in how we come up with our match. All three of the projects are worthwhile and would serve the community well. I would love nothing more than to get involved in building something like the Quarry Park, but at this time it is just not affordable. The one that is attainable is the Uniontown parking lot and playground apparatus, and I would like to take a shot for the ADA improvements that I think would be well-received.

Margaret Moulton is here, who has been very important in helping me fashion these grant applications. We can answer a lot of the detail.

Mayor Swiderski: Could you give a sense of the timeline here? The submission is a week from today.

Village Manager Frobels: Yesterday.

Mayor Swiderski: And when is the decision made, when is the money granted, and what is the expenditure timeline for that?

Village Manager Frobels: I suspect they will make a decision early fall/winter. If they hold true to form, being the state, it could take up to a year to get a signed contract. That is what it took last time. In fact, you just signed it a few weeks ago for us, the one for the design for the Quarry. So if it is awarded in October, maybe a contract next October/November of 2011. Then we would have five years to spend the money. So we are probably a year away from coming to you with designs ready to go out for construction.

Trustee Walker: If I were the state and I got these three grant proposals, and I could only grant one, I would choose the cheapest. Unfortunately, we are competing with ourselves. So as soon as we put a \$35,000 grant proposal in there compared to an \$800,000, or whichever one we decide to go with, I imagine they would choose the \$35,000 one and say this will get us off the hook with Hastings. We did not give them any money last year, but this year we will give them a few pennies. So there is some danger in that. On the other hand, the ADA compliance in our parks is really critical.

Village Manager Frobels: True. That number, by the way, between when that was typed and tonight has gone up. I think it is closer to \$45,000, Margaret?

Mayor Swiderski: Forty-five thousand, including the match, or they give us \$45,000 and we match \$45,000?

Village Manager Frobel: No, a \$45,000 total grant. We pay half and they pay half of that amount. The estimated cost is \$45,000.

Mayor Swiderski: So the match is \$22,500.

Village Manager Frobel: Yes. And I believe a lot of that can be done with our own people.

Trustee Walker: One question I have is how you came up with the numbers. The \$45,000, for example, did you have a contractor look at it? Do you have some actual prices?

Village Manager Frobel: We did, and we do. Part of the application is the reasonableness of cost. The state is going to make a valid test to be certain we are close to what we expect it to be. Ray Gomes prepared those estimates in working with local contractors, and he has a sense for the cost of material.

Trustee Walker: It is important to point out that these we are not doing this by the seat of our pants, that these are estimated by contractors.

Village Manager Frobel: Right. And the staff knows that it is important to ask for sufficient money to get the job done. Because we have run into that before, where we have not had enough to complete.

Trustee Walker: Why in the resolution, do we have to say "if appropriate, a conservation easement preservation covenant to the deed of the assisted property"?

Village Manager Frobel: I do not know. That is taken strictly from the application.

Village Attorney Stecich: It probably happens if it is a historic property and they give money. You want to preserve a tower on top of a building, you get money for it. Then you would have to put a deed restriction that nobody could ever change it. Certainly for historic properties and probably for the parks, too. You would have to enter into a covenant that this will never be used except for these park purposes or whatever purpose they gave the money for.

Trustee Walker: So even if it is dedicated parkland, they want some additional assurance that we are not going to turn this into something else, or that we are going to continue to use this for the purpose that we proposed.

Village Attorney Stecich: Maybe people are doing work for something that is not dedicated parkland. Not every piece of parkland is dedicated parkland.

Trustee Walker: Regarding Uniontown, I still have concerns about the relocation of the playground. I know we do not have to resolve that tonight. The proposal is good, it is well-deserved, the Uniontown neighbourhood has put up with a lot of additional parking on their streets. I see no reason to hold up expanding that parking lot. But I would love to look at the best location for a playground there.

Village Manager Frobel: Gene is here, the Little League president. They were going to survey some of the parents and get their input. He did get some feedback, and I do not think there were strenuous objections to the relocation. We did press on that.

Trustee Walker: Right. We can look at that. that does not affect the proposal. And then Quarry Park. The big question is, this \$800,000 would cover what? How did we come up with this estimate of the construction?

Village Manager Frobel: I had several conversations with Kim Matthews on that. Their estimate for the construction phase is anywhere from \$925,000 to \$1 million. Their staff has been working today on coming up with a better estimate. But as of last week, that was their understanding of what the scope would be. The difficulty has been that because we have not agreed on the design we are giving her a very difficult task: to come up with a vision for the site with no consensus among ourselves as to how we want it to look. We do know that under our effort with the DEC, if we are successful in getting this exemption from the full closure requirement, it limits what we can do anyway in terms of no structures, no water type of amenities.

Trustee Walker: A pond, for example.

Village Manager Frobel: None of that. Strictly a pathway, plantings, a fairly stripped-down design. But t even knowing that, her opinion is that it could be upwards of \$1 million in construction costs.

Trustee Walker: And that is not including the remediation.

Village Manager Frobel: Oh, no.

Trustee Walker: I t find this hard to believe that it would cost that much.

Village Manager Frobel: Let me back up. The remediation, if we get the exemption, becomes a cover and some drainage concerns that they want to make sure there is nothing moving off-site. I would say that the price would include the cover and it would address some of the environmental concerns. In her original proposal in 2008 she had teamed up with an engineering firm, not Malcolm Pirnie. So I asked her to go back to them and get an estimate as to what they think and it is all-inclusive. I do not have a definitive answer.

Trustee Walker: We had discussed at the last meeting possibly including the Quarry Trail completion.

Village Manager Frobel: I would love to include it. That was one of the top five, to complete the Quarry Trail. But with the pressure I felt from Uniontown and the Quarry Park, I said we cannot come to the Board with that; that is going to have to wait for another day.

Mayor Swiderski: Fran, that \$800,000 includes part of the remediation?

Village Manager Frobel: Yes, it includes some coverage of the site.

Mayor Swiderski: Assuming that is all that is required.

Village Manager Frobel: Yes.

Mayor Swiderski: But we will not know that until when?

Village Manager Frobel: We will not know until Malcolm Pirnie prepares the closure plan and the post closure plan. I do not even have a proposal from them yet as to what that will cost.

Mayor Swiderski: But they are in no position to issue a finding on what needs to be cleaned up. That is the DEC, I would assume.

Village Manager Frobel: Malcolm Pirnie will study the site and make that recommendation to the DEC. The DEC has certain standards. We had a conversation with all the parties last week so Malcolm Pirnie has a pretty good sense of what is expected of them.

Mayor Swiderski: OK. So they make the recommendation, the DEC approves it, and based on that, we have a level of cleanup. Some sort of record of decision is issued.

Village Manager Frobel: Yes.

Mayor Swiderski: And we have got a level of cleanup. Is that an accurate description?

Chris Lomolino, 24 Aqueduct Lane: The Village has requested, at the suggestion of the DEC, that we be exempt from the full closure. So in all likelihood, where this is going, and all of the parties agree on this, is there will be two feet of clean fill distributed over the footprint of the old dump. The plan for the park will be a very modified, very modest plan that will involve trailways and plantings throughout the area so it can be suitable for public use, and some connectors between Draper Park, the Quarry, the Old Croton Aqueduct, and the Quarry Trail so that whole connectivity in that part of the Village can be accomplished, going down, ultimately, to the waterfront.

Our committee believes that this grant is crucial to the evolution of the project. I do not know whether the Board members have had an opportunity to read the grant application, but it is like it was written for Quarry Park. It is for park planning and development. We have already raised the funds for the design work and we are ready to embark on the design work. The Board had asked us to go back to the landscape architects and negotiate a much more modest proposal. We are at the point where we can do that now.

But this grant is very significant. It is up to \$400,000. The criteria in the grant are very well suited to the Quarry project. This is state money coming into the Village. This is not taxpayer money coming out of the general fund.

Mayor Swiderski: It requires a match.

Ms. Lomolino: It does, and I would like to speak to the match. I carefully read the application, as did our committee. We believe we already have the match for this grant, and here is how we have it. We can use the Scenic Hudson grant, which is \$35,000, as part of the match. We also got a grant from the Department of State for \$85,000; that is part of the match. We can use all of the in-kind services going back three years. That means every bit of Fran's time spent on the Quarry project, and we have many meetings, all of us; any other professional services; Angie's time. Anybody else's time that has been spent by the Village can be paid for on an hourly basis as part of the match, rather, including the services of all of the volunteers on the committee, including the time spent by DPW, machinery used by DPW, et cetera. WE believe if you look back three years, and you calculate that time, it is in excess of \$50,000. Furthermore, they made a change to this grant this year such that if the Village is repurposing land such as we are for Quarry Park the fair market value of the land can be used as match, which is very interesting because it is a 5.5 acre site with Hudson River views in the Village of Hastings. We can either ask Village professionals to give an

educated estimate of the value or we can get an appraisal. So I believe the match is already in place, and there is no need for borrowing or for cash expenditure.

Trustee Walker: I agree that this project is well suited for this grant program, everything from connectivity, the park development and so on, it just seemed to really fit the Quarry park. But the problem I have is that the \$800,000 is now the estimated construction cost, and the other amounts that you mentioned are going toward design, toward some of the remedial expenses, the engineering costs. They are not going toward construction. So they are looking for a match, another \$400,000, part of which can be in-kind, that would go toward the construction. I do not see how that other money can help us.

Ms. Lomolino: I think it can help us, but I think the fair market value of the 5.5 acres in itself is enough to match this.

Trustee Walker: But, Chris, the fair market value does not pay construction costs.

Ms. Lomolino: I realize that. But the grant does.

Trustee Walker: But we would get \$400,000 from the state toward the construction. And if the cost of the construction is \$800,000 we have to come up with the other \$400,000.

Ms. Lomolino: First of all, the \$800,000 was an estimate from when we had a much more evolved design. We have yet to negotiate for the design work. We are about to do that now. And when we negotiate for the design work it will be a much more stripped down design. The \$800,000 is from a former generation of construction costs, and I expect it will be much less than that. We are talking about two feet of clean fill, some land being moved to create pathways and connectors between all of the sites including the Old Croton Aqueduct, and plantings. It is very modest, and I do not anticipate it will cost \$800,000. However, we have one year from the awarding of the grant to come up with the match. Once we have even a tentative design, we can start to fund raise during that year. But as of right now, I think we have the match for that grant and that it would be advisable for the Board to apply for the grant. In fact, apply for all three grants, and leave it at that and hope that we get one.

Surrounding communities have done very well with these grants. And the first part of Quarry Trail, was it not built with a New York State Office of Parks grant? Frankly, I think we should include the completion of Quarry Trail in this package because one of the criteria that gets us more points in the competitive process is that the Department of Parks is continuing a project that has already been begun and they already funded the first part of Quarry Trail. So we can include part two of Quarry Trail in the grant application for Quarry Park, and it will increase the possibility of coming out with enough points to win the grant.

Trustee Walker: I agree with that. I think we should look at the trail and the park as being a package and not separate projects.

Ms. Lomolino: Yes, our committee believes that, as well.

Trustee Walker: However, I still am concerned. These folks are really savvy. They know what they are looking at. They are going to know the difference between an \$800,000 construction project and a \$400,000 construction project. If they see we are applying for \$800,000, and this is just seeding and capping, they are going to say why are they asking for so much. They will want actual estimates, a contractor's estimate of what it is really going to cost based on something tangible, like a design or something produced by an engineer. So my concern is that we can always try, but I do not think we are going to get very far with it because it does not have enough hard numbers in it and we are asking for so much. And I do not think the Village wants to come up with \$400,000. I know you are right. I know that we will reduce this budget considerably when we get to that point, and it is not going to be an \$800,000 project because we cannot afford that.

Ms. Lomolino: Well, let us make it a different number, then.

Trustee Walker: So we need to make it a different number, but the number has to be based on something. You cannot just pluck it out of the air.

Ms. Lomolino: As the Village Manager mentioned, the difficulty here is that we have the money for the design work. We are about to commence the design work. We know in general what the design will look like. But estimating the construction cost is a function of the design. So can we estimate a \$500,000 construction cost? Yes, we can. And we could even do it and make it fit.

Trustee Walker: What they are looking for is detail and itemization. The reason we got the grant for the Quarry Trail is because I sat down with an engineer and we went item by item. The engineer happened to be David Walrath who was a Trustee, an engineer with a lot of experience. We brought others in, as well. I got prices for grubbing and rooting of trees, and itemized prices for masonry. We broke it down and showed them that we knew what we were talking about. Unfortunately, it did not go far enough when we built the trail. But we got the grant because it was a realistic cost estimate. You cannot just throw out a number without doing a realistic cost estimate.

Ms. Lomolino: This is true. On the other hand, what we have done as far as we can go with this is that we have a professional landscape architect who has been at the site many times,

who understands the project, and who is prepared to help us with the application with cost estimates. We are not going to have bid documents ready to go, but we are going to have a sufficient conceptual design so we can come up with an order of magnitude cost for the project. If the Board is uncomfortable with \$800,000 it can be stripped down further. Also, Matthews Nielsen is corresponding with Malcolm Pirnie for the DEC requirements, and they will be built into this, as well. The grant is not for design work. The grant is for park construction. The great part about it is, if we spend the upcoming year resolving the design, which is a very exciting part of the project, by the time the grant is awarded and the money is in hand it will be time to begin park construction.

Trustee Walker: I would like nothing more than to move through it. But I am afraid that they are still going to look for a match to the construction costs. They are not going to take the design necessarily as a match. I guess that would require a conversation with them.

Village Manager Frobels: No, you are right. We need hard dollars in construction to match. My service and Ray Gomes' and Mike's do not help us. We need cash to pay a contractor to build the park.

Trustee Walker: Let us say the cost if \$400,000. We got it down to half, which would be more realistic. Yes, we can come up with some of that in-kind. The DPW and the Parks Department might be able to do some of that. But I still think we are going to have to come up with probably \$150,000 in cash at least.

Village Manager Frobels: Oh, easily. Again, the architect is aware of our desire for a scaled-down version, and her estimate at that time was, and I have my notes, from \$925,000 upwards to \$1 million. I have to go on her estimate.

Mayor Swiderski: That is the scaled-down?

Village Manager Frobels: Yes. My concern besides our out of pocket is that we have a cash flow problem. I am going to have to borrow the full amount and hope to get reimbursed at the end of the day. The state has not been advancing money for these projects. The contract would be paid during the project, but we have to up-front that money, and I do not know how we can do it. So there are few things I have to worry about.

Ms. Lomolino: Fran, what money is it that you would have to front if we have the match and we can draw down the grant?

Village Manager Frobels: The reimbursement is at the end of the project, when the project is complete and closed down.

Ms. Lomolino: But if we are awarded the grant, we have one year to come up with the match that you are discussing.

Trustee Walker: One year is not very long, Chris.

Ms. Lomolino: I think I have said everything I have to say. Thank you.

Trustee Walker: Thank you. I would like nothing more than to get this project underway. I am just worried about our finances.

Village Manager Frobel: I think it is the timing. If we were further along on the design it might be a different situation. But our finances have not changed, you are right.

Trustee Jennings: I am concerned about a number of things that I am hearing. A lot of it has to do with timing and uncertainty of what will qualify as a match and what will not. We have six days to apply for this? If we miss this cycle, would there be another cycle in a year?

Village Manager Frobel: Normally, there have been two. And the Department of State also offers grant opportunities.

Trustee Jennings: One should not submit a sloppy grant; not only will we not get the award, but it will not help our reputation among the agencies that are making these awards, over time. I also do not think we should apply for a grant that we cannot afford if we get it. That does not speak well of the grant-seeker, either. In our current situation we must not seek more state funding than we can afford to match. We have to have our match lined up. We are very close to the top of our limit on bonded indebtedness, and until we pay down some of that debt we cannot undertake new projects that would require new borrowing. These are all important considerations, in addition to the very important consideration of having accurate estimates for the construction costs. I am not opposed to the Quarry Park concept at all, but I do not think we are ready to apply for this grant. I do not think we have done our homework, I do not think we have our ducks lined up, I do not think we have the wherewithal to receive this grant. If we put in something sloppy and get turned down, that is not cost-free. If we get an award that we cannot afford to accept, that is a bad outcome also. I cannot put my finger on the good outcome right now. I do not believe, given our priorities, that we should invest several hundred thousand dollars of Hastings' money in a project like this at this time. I am not sure that is where our fiscal priorities should be. So I have a series of questions. They are not hostile, but the practical upshot of my concern is that we have not gotten ourselves ready in the last six to eight months to apply for this grant and we only have six more days. I do not think we should do it under these circumstances.

Kevin Dawkins, Trailways Committee, 126 Washington Avenue: The sense of disappointment in the room is palpable. People have been working very hard to try to bring this dream to fruition for several years. Bruce, I think your comments are germane to the discussion. But could we use the points of this discussion as a road map and set a plan so that when the next cycle comes up we will know what steps need to be taken, what information needs to be gotten from whom, and how we can put together a grant that will be a winner.

I do grant work myself with the federal government, and they are sticklers, especially when there is a lot of competition. And 5:1 is really a pretty good ratio compared to some of the other government grant programs that are out there. But it would be most effective if we could put these points into an action plan so that when this next cycle comes up we are ready, so when the application is due, it is a done deal. The grant is tailor made for this project, and it would be a shame to not make a good attempt to win these monies. There are opportunities to raise funds privately. The group is forming a not-for-profit corporation. Having design elements will help in that process, as will having a commitment from the community and from the state. People are not going to hand over their money without knowing others are in.

I do not profess to understand the matching system, but it would be good to get clarification. Going back three or four years, I remember Jerry saying this is a great idea but where are we going to get \$3 million from. We cannot ask the Village taxpayers to foot that bill. We said we would not do that, that there are ways to raise funds. So far a significant amount of money has been raised. The committee and the Village working together have gotten two sizeable ones, well over six figures, so there are people who believe in this outside of the Village because they have put money in. If we can use this discussion, and the key points that each of you have made about your concerns, to turn that around and make a constructive road map to get us to the point where all the t's are crossed, all the i's are dotted and it meets the criteria that these people are looking for.

Trustee Walker: That is a good point, and we have to start now. If you really have the money for the design, then our goal would be to have that design completed three to four months before this grant is due next year. Have meetings with the community along the way, as the design is being developed. We would feel more comfortable if we knew that there were a large number of people in the community who are really eager to see this done, and that community meetings are well attended, and there's a lot of support behind spending Village money on this. At the same time, you can start to raise funds privately, and then we will have that for a match, as well. Once you have the design, you cannot stop there. You have to get a cost estimate based on that design, maybe from the landscape architect, and based on that we apply for the grant. All of this is assuming that we are able to come up with

the match. If we are spending cash on the project, if we are spending money to pay a contractor, let us say, \$400,000, half of that comes from the state and half of that comes from us in some form or another. But it cannot come from design because design does not pay for construction. You can use those monies sometimes to match other projects that do not require paying a contractor cash – there is some sleight of hand there that you can do sometimes with those monies – but if you have a \$400,000 construction project or an \$800,000 construction project, and you have \$400,000 from the state, you have got to come up with the money to pay for the rest of it. You cannot pay for it with Matthews Neilsen's design work. Right?

Mr. Dawkins: If you say so. Yes, that is certainly clear. Is that the way it works?

Village Manager Frobel: That is what I have been trying to tell the group every time we meet. It is hard dollars that we need.

Mr. Dawkins: So if f this \$400,000 grant were to be awarded either now or in the future, none of the monies that have been raised, none of the grants have been awarded, that money does not match up against that \$400,000.

Trustee Walker: Because it is a reimbursable grant. They are paying for half of the construction cost of this park, and at the closeout they want to see all the bills that we paid. We have to pay all the bills for the entire construction up front, until the thing is completed. Once it is completed, they look at those bills and then they might pay half of the construction costs, depending on what the contract is, and we have to come up with the other half. We already will have paid it out of pocket.

Mr. Dawkins: I understand that. So it is reasonable to take the design monies that have been awarded, and to commission the landscape architect firm to begin the design process, and from that, the figures for the construction will evolve.

Village Manager Frobel: Yes.

Trustee Walker: Right. Usually a landscape architecture fee is about 10 percent of construction cost. So their \$250,000 fee, if that is what it is and I am sure we can get it down, they are assuming a construction cost of \$2.5 million.

Mr. Dawkins: Right. Those were the assumptions, and they were based on a much more elaborate design scheme than has evolved in the past couple of years.

Trustee Walker: We have to work our way back from the end, like how much can we afford to spend on a construction project, and come up with a budget. Then 10 percent of that construction cost we assume would be the landscape architect's fee.

Mr. Dawkins: We can take the transcript from this discussion and have our road map. We can have actionable milestones we can attempt to achieve before the next application.

Trustee Walker: I think it is the right thing to do to get the designer moving on it, and we do the tests and things. That you have money to work toward the remediation.

Mr. Dawkins: Right. Well, most of that, I believe, has been done.

Village Manager Frobel: The money is in place.

Trustee Walker: That money is in place, so there a lot of things we can be doing. I'm sorry because I feel like we have been dragging our feet for the last year. Then we come to this six days before the grant is due, and we are at this point. I feel really bad about that. We do have to come up with a strategy and a schedule and work toward it with you.

Mr. Dawkins: It sounds like there is a much sharper focus now and that can only benefit the project. So thank you.

Ms. Lomolino: There is an aura that has settled over this discussion: that we are not ready to apply for the grant, that we do not have our ducks in a row, and it is not the case. Our committee has been meeting regularly for more than five years. We have had innumerable discussions and meetings with landscape architects. We have put out an RFP. We have accumulated funds. It is unfortunate that the Village did not give us more lead time to prepare. However, even in this time crunch we have a prestigious landscape architecture firm that is experienced at putting together grant applications. They can put together the grant application in the proper time. As for the match, the application says that the municipality can use as its match the fair market value of the land they are dedicating to the project. I cannot see why they would have put that in the application if they did not intend that it would be the case. We did not even apply for this grant last year. So this will be the second year running that we will let this Parks Department grant go. We can put together a viable grant application. The Hastings Historical Society, River Arts, Friends of the Old Croton Aqueduct and others will be sending letters of support. If the Board does not apply for the grant they are sending a message to our committee that is quite unavoidable and is the wrong message. This group has diligently pursued this project for a long time, and applying for a grant is not a huge step for the Village. I would encourage the Board to do that.

Trustee Walker: There is one other way to skin this cat. As you look at the entire project we would still have to have viable construction costs, and \$800,000 for us is not viable. We have to come up with some number that we can live with to put into the whole package. Then we could put the Quarry Trail in it. You create this whole package of the total cost for this park, and then you wrap in the other things that you have spent money on: the designs, the other grants you have received. Then maybe it makes sense to put the value of the land in. The problem is coming up with that construction money. That is what we are stuck on. We cannot come up with \$400,000 of the construction cost of \$800,000. But if we look at the entire project costs, and figure out a number for the construction that we can live with, we can probably use your other grants as matches.

Trustee Jennings: But the fundamental problem that you pointed out before was that we cannot move in-kind and other matching monies from one category, design, to another category, construction.

Trustee Walker: Not necessarily. What I am saying is, we cannot pay for construction with that. If the construction is really \$800,000 we are stuck.

Trustee Jennings: Your notion of combining suggests that we can somehow leverage these other monies for our match for construction, and we cannot. If the construction costs \$100,000 rather than \$800,000, the point would still be the same. We would still have to come up with \$100,000 in cash to match it.

Trustee Walker: It depends. You can take the whole package and you say this is a \$2 million park. The land itself is worth a million dollars. And we have already spent \$500,000. How much money have you raised so far?

Ms. Lomolino: It is \$85,000 plus \$35,000 plus the in-kind.

Trustee Walker: So we have got \$150,000 already raised and we have the value of the land; let us say that is \$1.3 million. The project is a \$2 million project, so we apply for \$700,000 or \$800,000 to cover the rest of the project, period. It covers the whole thing, all the construction. But the way we are looking at it in this proposal, we are only going after construction. Is it worth it to do that? I do not know. The problem is having all those costs itemized. To make them realize that we have thought this through in terms of what everything is going to cost, that is the tricky part. But yes, I think then you can use those grants if you bundle everything together.

Ms. Lomolino: If you bundled everything together you might be able to use the original grants that you got for the Quarry Trail.

Trustee Walker: You might. We have to find out how far back they will accept. We did some of that for Kinnally Cove.

Ms. Lomolino: Perhaps what we can do, since we have Matthews Nielsen working hard to pull the grant application together, and I assure you they would not submit anything that was not up to snuff and did not represent the Village adequately, and since we know that Trustee Walker is a very good grant writer and has brought quite a bit of grant money into the Village, can I suggest that we have a discussion and work out some of the details with Kim Matthews so that we can get the application done?

Trustee Walker: The problem is, we have to vote on it.

Margaret Moulton, 50 Chestnut Drive: I am working as a grant writer for the Village. This is Part D from the application, applicant share. The last section says, "Real property: the value of all property acquired, donated or converted from other purposes should be included in the project schedule. One year retroactivity applies to all three categories. The acquisition must be after July 12, 2009." So if this property was acquired before a year ago you cannot use it as a match.

Village Manager Frobel: I was going to point that out, but I did not want to confuse the issue. It really makes allusion to donated land to a village. We own the property already. It is not like we are acquiring it ourselves.

Trustee Walker: We were able to do it in Kinnally Cove because we used the value of the property because we did acquire it as a match. There, we could point to the fact that we acquired it. In this case, we did not.

Mayor Swiderski: To me it boils down to what is the bottom line figure for the construction. If it is anything over a few hundred thousand dollars, and our match is not there, then this is a pipe dream. We are not going to find \$300,000 for the construction. If this project costs \$400,000 in total, and we can massage this so it worked, it would be one thing. But it is going to cost more than \$400,000. And we do not have the number now.

Trustee Walker: Right. And if our only match is the \$150,000 that we have been able to get so far, that is still not going to help us come up with the construction costs.

Trustee Jennings: Perhaps even more serious, not only do we not have the number, we do not have the basis for that number because we have to get it out of detailed estimates or bids.

Mayor Swiderski: Based on a design.

Trustee Jennings: Yes, based on a design. So it is unfortunate if we have to miss again this year. In retrospect we all should have worked faster several months ago, but we have been having this conversation for months. I remember a conversation when we were talking about what would count as a match, could we have the time, volunteers put in, and so forth. We have been talking about that for a long time, and we do not know any more tonight, apparently, than we knew many months ago. I think Kevin is right. The upshot is that we need a plan for preparing a rigorous grant application. To do this at the 11th hour strikes me as a fool's errand, I am sorry to say.

Mr. Downey: I mean this in no disrespect to my fellow residents. They have worked long and hard, and they are passionate about this. But in December, 2005 I was kind of ushered out of that group when they had the first Quarry meetings in the library. It is frustrating coming here; seems like wood panels, and I do not get the right response or feedback from the Trustees or other members. I feel for the time and effort they put in, but I look at the greater good. At some point, there has to be a sacrifice; we cannot afford another park in this village when, for example, the one right above it, Draper Park, is lightly used, at best. These things then become ongoing resource drains for maintenance going forward. Timing is everything with the idea, for example, that I brought back possibly using that as a new facility location for the DPW. If I am Riverkeeper or I am Exxon Mobil, and I look back over the tracks and I see the disaster that we have down there, it is unbelievable to me that we can tell everyone to clean up. We cannot clean our own mess up down there. I took the time to measure the Dobbs Ferry facility. We have the equivalent footprint up there to do even a better system than they have. We need to look long-term at what is going to be an investment that is going to get returned to this village versus another playground park for adults. It would be nice to have a space like that. I know what I am talking about when it comes to timing. They just did a basketball court at the Reynolds Field lower court. They dug out their dirt. I went down there to get the material to use for a location or to find a home for it. I found out this weekend they took it to the Burke Estate, and they dumped it. Now it is a school issue.

At Uniontown we want to move a playground to the back by the basketball courts. But they are going to need to bring fill in there. Well, they just dumped it over in the Burke Estate because we were not prepared. We could have shuttled it from Reynolds Field and began the preparations free, no cost. Now they are going to have to spend money to clean up this mess, re-handle the material.

Mayor Swiderski: You are going off-topic. We are debating these three grants.

Mr. Downey: This goes to the Quarry. When they did the Harmon Center I came to Mr. Frobel in December, 2005 and said you are letting a valuable resource go out of the Village in terms of stone and the contractor would love to have a free place to get rid of the stone. He mentioned it to the contractor and they dumped it down at Anaconda. Subsequently, your Kinnally Cove is the result of the Harmon Center because I came there with the idea of having free material brought down there. We stockpiled it temporarily, we saved an enormous amount of money. We have a great asset there, but once it is gone for a park it will never come back. They are not making more land here. The Comprehensive Plan talks about all the tree planting and vegetation. Where is this stuff going to go? Are we just going to keep heaping up down there? We had, in December of last year, this \$5,000 permit for disposal. I am sure not a single one has been purchased. We are not operating sanely when it comes to this.

Trustee Walker: I did not see Quarry Park mentioned in the Comprehensive Plan and I wondered if you had had discussions with the committee about it. If we want to do it, we should put it in the Comprehensive Plan.

Ms. Lomolino: My understanding is that it was not in earlier drafts, but there was a discussion and it is in the current draft. I want to reiterate that it was never the intention of this committee to spend Hastings' taxpayer money. Quarry Park is not in the Village budget, and we have stuck with that and we believe we will continue to stick with that premise. The construction of Quarry Park and Quarry Trail will not be done with Village money and are not competing with fire trucks and other Village needs.

Trustee Walker: I volunteer. I will help you going forward.

Mayor Swiderski: On to Uniontown. Meg, you had started with some questions. Did you finish with your point?

Trustee Walker: We will look at it when the time comes. If we want to apply for a grant I do not think my questions about the location of the playground should hold up the proposal.

Gene Calamari: I am president of the Little League. I was going to address your concerns, and then offer some new information. Joanne Corrigan on our board ,has been soliciting the parents that use the playground. Although they feel that moving it further away from its current location is not the perfect solution, they see that as the best solution, given that putting it further back into the woods there is a significant amount of rock and there would be a lot of tree cutting. The location that we spoke of, near the basketball courts, they agreed was the best compromise. When it was explained that the last parking spot would be about 150 feet from the playground they felt is not very remote. The concern was separating the

playground from the parking area as a safety issue; that that was one of the things that we wanted to do. And moving it further into the woods from its current location would continue it next to the parking area, which we wanted to avoid. I did not come away from discussions with Joanne that this was really a major concern for them. They did not want it to hold up the project.

I met this morning with a representative from Atlantic Richfield at Uniontown. Knowing that we would have to match things in a grant, and knowing that that is difficult in these financial times, we discussed them becoming partners on this project. They seemed very agreeable. The dollar amount is something he is going to get back to me on within the next week. Also, I believe that Exxon and Chevron own 14 acres on the waterfront. Perhaps they also would be willing to improve their public standing in the Village by being partners on this. This would, I would imagine, reduce the amount that the Village would have to come up with. I would like to thank Fran and Margaret for guiding the Little League through this.

Mayor Swiderski: Is the Little League proposing to participate in a match?

Mr. Calamari: We would love to. We will participate, for sure. How much is going to be the question. Certainly, something in the thousands, but I do not know what it would be. We are definitely contributing to the snack bar renovation over and above what the Village has already committed. We will then turn our attention to contributing to the rest of the project at Uniontown and all our fund-raising efforts, as well.

Trustee Walker: Does this number, \$212,000, represent just the cost of the playground and the parking lot?

Village Manager Frobel: It includes fencing, a walkway from the parking lot to the playground, I believe.

Ms. Moulton: We will have a two-part presentation. We will have this project that we are asking for, these particular funds and the 50 percent match for the parking lot and the playground. But there is a whole section about what the Little League has already contributed and what they have done and the dollar amounts and the volunteer hours. We are going to show that commitment, that they have already put in a lot of money.

Trustee Walker: But, Margaret, the Village still has to come with \$106,000, it sounds like.

Village Manager Frobel: No, it will be less than that.

Ms. Moulton: It is less than that. There is a lot of workforce in it, but there will be cash.

Trustee Walker: But is there a way to lump all this stuff together if it was done in the last year? You mentioned the one-year retroactive. So if you could lump the snack bar and all the improvements of the Little League in together and make it one big project, and say retroactively we have already done this piece of it, then we can get a higher percentage toward construction cost from the state.

Ms. Moulton: When did you spend the \$34,000?

Mr. Calamari: Last year we spent \$34,000 on the dugouts.

Mayor Swiderski: When last year?

Mr. Calamari: During the summertime.

Ms. Moulton: But after, or before, July 12, 2009?

Mr. Calamari: The construction went on during the course of the summer so it was not finished until August sometime.

Ms. Moulton: Perfect.

Trustee Walker: So maybe look at a way to try to increase the percentage of state funds that go into construction and reduces the Village's amount. What you have done will go into a direct match to the construction costs. That is what we were trying to do with the Quarry, as well. It is trying to figure out how to make it bigger.

Mayor Swiderski: Do you understand what we are saying?

Mr. Calamari: Not completely.

Mayor Swiderski: Instead of the \$212,000 grant it would be more because it would include the concession stand project as part of the grant. But because that is fully paid for already internally, essentially the 50 percent match...

Mr. Calamari: Has already been reduced.

Mayor Swiderski: That is right.

Mr. Calamari: OK, that is wonderful. We spent that \$34,000 last summer, it went through until August right up until the fall before it was done. Prior to that, I do not know how far back you are allowed to go. We spent \$17,000 on the batting cages and the renovation of the basketball courts. So there has been money ongoing being spent. We imagined this as something we could accomplish in pieces. The snack bar was the next piece to go out to bid this summer.

Ms. Moulton: We had a long, detailed conversation about all those monies.

Trustee Walker: Great. So you have all those numbers. That will help us reduce it.

Mayor Swiderski: We are at the point where we can start talking about is it one grant or two grants that we apply for in the hopes of getting one. Right?

Village Manager Frobel: That is the hope.

Trustee Walker: The reason to apply for two is that sometimes they are looking to fill various niches. There is the ADA niche, there may be the recreational niche.

Mayor Swiderski: Well, we are not going to get two grants, but you increasing the odds, the gaming. But what about your observation that throwing in a \$35,000 grant ...

Trustee Walker: That is the risk.

Village Manager Frobel: Margaret, are you going to talk about the scoring?

Ms. Moulton: I can do that, although I want to clarify something I said earlier that was misleading. For the ADA grant, the project total is \$94,320. So our half of that is \$47,160.

Trustee Walker: There is the project number and then there is the amount we are actually applying for, which is half.

Mayor Swiderski: So it is closer in dollar terms. It is, as you say, tempting to maximize our possibility of getting a grant by having two irons in the fire.

Trustee Walker: Because of the way they score. They give you points for meeting certain requirements, especially this year's target goals.

Mayor Swiderski: And there is no chance that we will win both.

Village Manager Frobel: No, they will definitely only award one per municipality.

Trustee Jennings: Some federal agencies evaluate proposals and score them on the merits first independent of the budget request. They have a cutoff, and then go back and tweak the amount of money they have to spend. But they do not start by picking small requests. Is that the way the process works?

Trustee Walker: I am not sure. I think the cost definitely comes in, but I do not know at what point it comes in.

Trustee Jennings: I think it comes in a bit more aggregated than project-by-project.

Trustee Walker: Let us hope it comes in later here.

Mayor Swiderski: It seems like the sense is to pass on two grant authorizations for Uniontown and for the disabled, and hope we get one. Is that accurate? Are we prepared to move to a vote?

Trustee Walker: Yes.

Mr. Downey: Could I get clarification very briefly, if those are your two choices right now? If you do apply for those two, then it is totally up to the department who is granting what their priorities are, whether the ADA is more important than the ball field, as opposed to if you were to make that choice based on priorities that you perceived for the community.

Mayor Swiderski: True. But both are important to us, important enough that we would fund the portion that is due us because it makes sense. However, we cannot predict which of those two priorities are likely to be more important to them, so by submitting both we are increasing our chances that one of them will pass the bar.

Mr. Downey: If you were trying to consider the numbers of people that were involved and impacted by these two, then you might come up with one. But the other part of my question is whether there is a significant legal obligation that we have.

Mayor Swiderski: The point is well taken. I cannot speak authoritatively to the number of disabled in the Village, but it is a tiny fraction of Little League members. However, there is an obligation, both from the perspective of what is right and ultimately also to lower our liability down the road to challenges about access.

Mr. Downey: If we were not to get the ADA grant, do we need to build something into the budget because of that obligation?

Village Manager Frobel: Yes. We need to address the gravel trail at Kinnally Cove. It needs to be of impermeable surface. That has to happen.

Trustee Walker: Impermeable, or just hard?

Village Manager Frobel: Easier. The gray stone never compacted the way they envisioned.

**57:10 GRANT AUTHORIZATION – NEW YORK STATE OFFICE OF PARKS,
RECREATION AND HISTORIC PRESERVATION FOR IMPROVEMENTS TO
UNIONTOWN PARK**

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

RESOLVED: that Francis A. Frobel as Village Manager of the Village of Hastings-on-Hudson is hereby authorized and directed to file an application for funds from the New York state Office of Parks, Recreation and Historic Preservation in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993, in an amount not to exceed \$212,000, with a 50 percent (50%) local match, and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to Hastings-on-Hudson for development of improvements to Uniontown Park and, if appropriate, a conservation easement/preservation covenant to the deed of the assisted property.

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

**58:10 GRANT AUTHORIZATION – NEW YORK STATE OFFICE OF PARKS,
RECREATION AND HISTORIC PRESERVATION FOR CONSTRUCTION OF A
PUBLIC PARK AT THE FORMER QUARRY SITE**

Trustee Walker: We cannot move it and vote against it.

Trustee Jennings: Of course she can.

Mayor Swiderski: You are asking for the motion to be considered, and then you vote nay on it. It is a motion for the roll call vote, is it not?

Village Attorney Stecich: That is a pretty unusual situation.

Village Clerk Maggiotto: You do not have to bring it to the floor.

Village Attorney Stecich: You could just not vote in it, and that way you are not voting it down.

Trustee Jennings: We should be clear on this for the future. When the Mayor asks for a motion, it is a motion to consider. It is not a motion to approve. Right?

Village Attorney Stecich: No, I do not believe so. You move whatever the substance of it is. You could say for the future we could check Robert's Rules. This has never come up. I would think you just do not need to vote on it.

Village Clerk Maggiotto: I would just not consider it.

Mayor Swiderski: All right, then strike it from the record. I withdraw the motion. Learn something every day.

Village Attorney Stecich: Or maybe not, but we will check. I will check Robert's Rules on it. It has never come up, but I will take a look at it. The resolution, when it is put on, usually you are going to move forward with it.

Mayor Swiderski: Not necessarily.

Village Clerk Maggiotto: There have been resolutions that have been dropped at the meeting.

Mayor Swiderski: Have there been resolutions that were voted down?

Village Clerk Maggiotto: No, I meant that were not moved at all. They were just not considered.

Trustee Walker: So none of us are moving it forward.

59:10 GRANT AUTHORIZATION – NEW YORK STATE OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION FOR IMPROVEMENTS TO PARKS FOR EASE OF ACCESS FOR DISABLED PERSONS

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

RESOLVED: that Francis A. Frobel as Village Manager of the Village of Hastings-on-Hudson is hereby authorized and directed to file an application for funds from the New York state Office of Parks, Recreation and Historic Preservation in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993, in an amount not to exceed \$94,320 with a fifty percent (50%) local match, and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to Hastings-on-Hudson for improvements at several public parks for ease of access for disabled persons and, if appropriate, a conservation easement/preservation covenant to the deed of the assisted property.

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

60:10 SETTLEMENT AGREEMENT – POLICE BENEVOLENT ASSOCIATION

Village Manager Frobel: The contract with the police union expired on May 31, 2009. Over the course of the past year and a few months, I have been in negotiations with the union and we have reached agreement for the settlement. The new contract will cover a four-year period beginning June 1, 2009 and will run until May 31, 2013. For the period beginning

June 1, 2009 the contract calls for a 2 percent cost of living increase; on June 1, 2010 a 2 percent increase; on June 1, 2011 a 3 percent increase; and June 1, 2012 a 4 percent increase. There are no other financial improvements to the contract. We were able to get several offsets that are quite creative and will assist us in reducing the cost of the operation. Specifically, we are looking to offer an incentive that if a police officer does not take his vacation on the midnight, which always generates overtime, we should realize a savings of upwards to \$11,356 a year, or over the course of this contract about \$45,000. We are also offering an improved sick leave package that if they do not use their sick leave they have an added incentive. We believe that incentive in avoiding overtime will yield about \$18,000 for the Village over the course of this contract. And we are also offering an improved buy-back on their personal leave days which, again, is designed to reduce the overtime situation and, over the course of the contract, a modest savings of about \$8,000.

The significant offering that this contract contains is an incentive whereby we will we will offer an alternative health option. Under this proposal, if a police officer refuses the health care package which the Village is obligated to provide him, we will pay a lump sum of \$4,500. If we could have, and this is somewhat speculative, five employees taking advantage of this over the course of the contract the savings would be substantial, upwards to \$400,000. So we see some real savings here. These offsets that I speak of are entirely the option of the police officer. There is no obligation for him not to take his vacation during midnight, but if he chooses not to there is an incentive. If he is entitled to his sick leave, but does not take the time allowed, he will be receiving an incentive. And the medical insurance refund, again if they choose not to take the package that they are entitled to the Village should realize some savings. These were hard, tough negotiations, especially in this climate. But I am pleased to recommend the package to the Board this evening.

Trustee Walker: I am ready to go forward with it.

Trustee Jennings: I am, too. It is a win-win. It is good for the Village and it is good for our very fine police officers.

Trustee Walker: And, Village Manager, thank you for sticking with it. We came out in a good situation. Thank you for your hard work.

Mayor Swiderski: I want to add just a bit more color because this is the most important contract we are going to sign in terms of the impact on Village finances. The police have enjoyed, over the last 12 years, annual increases, steady as clockwork, of 4 percent. This is in line with what other communities have seen and, in fact becomes, through the way negotiations with unions work in New York State, self-reinforcing, because unions in New York State cannot strike, under the Taylor Law. However, under the Taylor Law, they go

into arbitration, and arbitration in New York is driven by comparables with local communities. You can go in saying you want to give zero, and the officers can say 4 percent. Then they will look at all the communities around who have signed contracts in the last two years, see 3 percent and 4 percent, and that becomes the basis for the negotiated settlement. It becomes a self-referential loop, where 3 percent and 4 percent become the norm. Over the last four years, that increase was 16 percent; over the next four years the increase will be 11 percent. It does not sound like much of a drop but, in fact, it is pretty substantial. It is 40 percent off of what we have had to date and it sets a standard of expectation which is healthy. In tough times, the unions have agreed to take less than they have typically, and we have worked with them to come to something we can manage as best we can.

Stubbornly sticking by your guns, and going into arbitration in New York State, is not a winning strategy for villages. In the six-month process of negotiation that we went through, one of the things we saw was that in historic arbitration results in New York State with the unions over the last year they did do nearly as well as this did for us. So we should be pleased. It sets a benchmark for surrounding communities, as well. It helps them in their negotiations. This was all done amicably, with a union representing men we are proud of. In the end, you want men pleased to work here. They are, and they understand that they have a good situation. We, in turn, want to feel that the raises we offer are affordable. I think they are more so than they have been in the past. It is a step in the right direction and I have to thank Fran for sticking by his guns and, in the end, the police union for negotiating with us in good faith throughout this process.

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

RESOLVED: that the Mayor and Board of Trustees approve the settlement agreement with the Police Benevolent Association for the period June 1, 2009 to May 31, 2013, and authorize the Village Manager to sign the contract.

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

**61:10 SCHEDULE PUBLIC HEARING – PROPOSED LOCAL LAW NO. 6
AMENDING THE ZONING CODE WITH RESPECT TO PORTABLE HOME
STORAGE UNITS**

Village Attorney Stecich: This is the law that we discussed at the last meeting. The Board had one question about temporary uses. I discussed it with the Building Inspector, as I informed you in a memo. It is really not an issue. There is one change in this, paragraph C, that specifies that any temporary field office or portable home storage unit can be placed only on a driveway in the rear yard or in an enclosed garage or similar structure. That was a clarification suggested by one of the Trustees at the last meeting. Otherwise, it is the same as what we considered last meeting.

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 Public Hearing for Thursday, August 12, 2010 at 7:30 p.m. to consider the advisability of adopting Proposed Local Law No. 6 amending the Zoning Code with respect to portable home storage units.

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

VILLAGE MANAGER’S REPORT

Village Manager Frobel: I received word today from Ardsley that the road resurfacing bid specifications will be out this Friday. They are due in by July 23. The Ardsley board is looking to award it at their August 2 meeting.

Mayor Swiderski: The villages cooperate on the paving contract; Ardsley carries the burden of preparing and running the competition for a winner for contract that then covers all six river town villages. That is why this is on Ardsley agenda and on their board to approve.

Village Manager Frobel: Over the past several weeks staff has been working very hard on preparing all the necessary documentation for reimbursement to the federal government for

that March storm. FEMA, the Federal Emergency Management Agency, has been here interviewing us, and we're preparing a slew of documents to justify some of those out of pocket expenses that the Village incurred. We hope to receive from FEMA upwards of \$75,000 for those expenses. This involves volunteer hours from the fire department and DPW and, chiefly, debris cleanup. Earlier this evening it was mentioned about the condition of our yard. Part of that was the storm-related debris left there. It was largely removed today. We had a hard time getting a hauler to come in and pick it up. Because he had some other commitments, he'll probably be there tomorrow, as well, to finish it up. But that, too, will be submitted as part of our out of pocket expenses that we suffered during that storm.

The auditors were here all of last week. They have largely completed their field work. I reported to the Board briefly about what I expect will be their findings when they present that audit to you in November. I have been and I will continue to provide you with financial reporting. If the Mayor and the Board would like that as part of your meeting we can certainly do an oral presentation. But I do not want the community to think that we are not supplying the Board with some of that critical financial information which you need to know. We are closely monitoring the budget already and we are only a few months into it. As I noted during my report on the audit finding, two major revenue sources were down dramatically, yet I think we were able to recover on the expenditure side. But it is something that we have got to watch very carefully. If you desire, periodically we can have an oral presentation and we will go over those numbers. Tim has left, but he needs to know, and I will tell him, that we do share the financial information and we do closely watch it and take our stewardship very responsibly. We know our task ahead of this year.

BOARD DISCUSSION AND COMMENTS

1. Proposed Design Guidelines for the Central Business District

Mayor Swiderski: An ARB final draft, which seems to have hung in limbo, probably largely to my fault for several months, has been delivered to everybody. Our next meeting, July 20, is discussion around the Comprehensive Plan. We need to put this on our agenda, but it probably should happen in September.

Trustee Walker: I would like to be assured that local businesses and landlords know what we are up to. I would like the opportunity to hear from them, if they have any concerns or questions, because they are the ones who are most affected by it. Very few landlords have been involved in this process, to my knowledge. One thought is to send letters or notices to the landlords. It could be tied to a meeting with the landlords about the downtown in general. That was one of the things I was talking to the EDC about last year. We were considering having a meeting to talk about Friday Night Live and the signage and various

things. The landlords should know that we are working to improve this downtown, which will only increase their rents and their property values, and that this is one piece of that larger effort. At the same time, it would be great to have feedback from them because we do not see them at meetings typically.

Mayor Swiderski: It is probably time for us to recharge the EDC anyway to focus on downtown issues which we need help on.

Trustee Jennings: What about mailing this draft to the landlords? We could ask for their feedback in writing or we could schedule a public meeting.

Trustee Walker: I think that is a good idea.

Mayor Swiderski: Do we have listings of landlords downtown?

Trustee Walker: Some of them are listed only through their banks, so the EDC was rounding up their real addresses. The Village has addresses, but we might even have more useful addresses from the EDC. It is worth talking to them about.

Mayor Swiderski: Is this on Susan or is it on the EDC to supply those good addresses?

Village Clerk Maggiotto: I can contact them.

Trustee Walker: Would you contact them and mention that I brought it up, that I thought this was a good opportunity to engage the property owners, and copy me on the email? Then we can have further discussion. We will start the conversation with the EDC because there may be other things they would like to cover, other things I would like to cover. It could be an opportunity to talk about what is going on in the downtown with them.

2. Update on Waterfront

Mayor Swiderski: We had a meeting last week with Exxon, Chevron, the DEC, and the Village and Riverkeeper in attendance to discuss the Record of Decision as to how the cleanup of the southern 14 acres is going to proceed. That cleanup is to start this summer, and will involve physical removal of some material – I calculated it is under 80 truckloads, which sounds like a lot but is not – and then a bioremediation of the remaining soil in place, pumping in oxygenated liquids, hydrogen peroxide and possibly nutrient liquids like Miracle-Gro, that result in an explosion of bacteria in the soil which consult the volatile leftovers of the petrochemicals, that were stored on-site, and ultimately reducing their numbers to safe levels. The site will be cleaned up to the point that all uses, with some

restrictions, will be allowed, including residential with some restrictions. That will happen, within three years, an amazingly short time frame. Shovels will hit the soil this summer for the first time on the waterfront, cleaning up and removing stuff other than the debris from fallen buildings which we have knocked down. It is a big step.

Trustee Walker: It is terrific news. It moves us so much further forward than we imagined this year, even if it is just the 14 acres at the south.

Mayor Swiderski: That is one-third of the site.

Trustee Walker: It is one-third of the whole waterfront. But it tells us that we have to get moving in our planning process. My question to Fran is, is there an opportunity to reapply for that DOS grant and come up with a new proposal for form based zoning to implement the recommendation in the Comprehensive Plan?

Village Manager Frobel: Where we last left the story the state was going to cancel the grant. We had written and asked for an extension so we could do some zoning work. The state contacted me and said no, not only can we not agree to that, but we are letting the grant lapse because you have not spent it. They have never put that in writing, and I suspect it is because they are reluctant to do that and they are hoping we have got something we can come back with.

Trustee Walker: So we should ask them about it.

Mayor Swiderski: We have the delivery of a comprehensive plan draft, which covers the waterfront.

Trustee Walker: LWRP.

Mayor Swiderski: There are components that lend themselves to a request for assistance in zoning that will pay for something we do not have a clue as to how to pay for now.

Village Manager Frobel: Let me re-contact Bonnie Devine tomorrow and tell her we are interested in keeping that grant.

Trustee Walker: You can mention the fact that we have this three-year time schedule now on the south and we need to get moving on our planning. I spoke to Exxon Mobil and Chevron last week and said we want to get moving on this, would you be a part of this process, and they said yes.

3. Other

Trustee Jennings: The development of amendments to our building code for greater energy efficiency is going forward this summer. There will be a meeting at the Community Center tomorrow night to hear a presentation about one of the innovative and interesting approaches to that kind of regulation. The Planning Board and the Conservation Commission have been doing a great deal of work, and this is something that is an important part of our overall sustainability plan. It has good momentum going, and I wanted to make note of that.

Mayor Swiderski: Meg, Friday, July 16?

Trustee Walker: Midsummer Magic. We are so fortunate to have Vinny DePonto, also known as "Vanishing Vinny", a student protégé of our beloved master magician, Pino Gareri, who passed away a few years ago. Vinny came to us and said he would love to be a guest producer for a night of magic for Friday Night Live in honor of Pino. So this is a tribute to Pino Gareri, who had a magic shop in downtown Hastings for many years and entertained hundreds and hundreds of kids and adults in Hastings with his magic. Vinny is putting together about 10 other magicians who are going to be performing, as well as jugglers, acrobats, dancers, other kinds of buskers, palm readers and tarot card readers. So it is going to be exciting and, how else can I put it, magical. It starts at 5:30 with a kids' performance at the VFW plaza. From 6 to 7:30 we are going to have street performers up and down Warburton Avenue. And then from 7:30 to 8:30 there will be a focus back at VFW with some wonderful performances starring Vinny and some of his other magician colleagues. Our own Matt Turk and Fred Gillen will be performing at the Community Center beginning at 8:30 thanks to Common Ground downtown.

ADJOURNMENT

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