

VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
REGULAR MEETING
SEPTEMBER 7, 2010

A Regular Meeting was held by the Board of Trustees on Tuesday, September 7, 2010 at 7:37 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

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

ABSENT: Trustee Jeremiah Quinlan

CITIZENS: Four (4).

Mayor Swiderski: I want to acknowledge and explain a tragedy that has resulted in flags being flown half-mast in all the river towns. Yesterday evening two workers in Tarrytown lost their lives, tragically, in an accident that speaks to the risks in everyday municipal service. A foreman in the DPW went down a manhole to check on sewage blockage and immediately lost consciousness and fell the distance of the tube down to the bottom. A fireman who observed it, but was not sure what had happened, sought to rescue the individual, went down, also lost consciousness. When their bodies were finally retrieved, both had expired.

It was entirely tragic: 48 and 51 years old, families, lives, respected figures in those communities, as they would be in ours, with 20 years of service. I have been heartsick all day thinking about it. They have asked us to run our flags at half-mast, and we are doing so. We will have a moment of silence at the end of the meeting in memory of those two men. They may not be Hastings residents, but they are our brothers, in all sorts of ways, in service, and I want to acknowledge their loss.

APPOINTMENTS

Trustee Armacost: I am delighted that we have an extensive list of appointments of people who have served on boards and commissions and have agreed to renew their terms, which came up this year: Advisory Committee for the Disabled, Maureen Bassman; Architectural Review Board, Ellen Hendrickx; Conservation Commission, Ron Cascone, Mary Lambert, Haven Colgate, and Sharon Kivowitz-Siegel; Economic Development Committee, Diane Adler; Ethics Board, Dr. Harrison Bloom, Maureen Cole; Library Board of Trustees, Daniel Frank; Parks and Recreation Commission, Samantha Merton and Carolyn Summers; Planning Board, Eva Alligood; Public Health Board, Dr. Randolph Cole and Eileen Quinlan; Tree Board, Brett Schneiderman; Youth Council, Donna Hart, Jeanne Newman, Jeff Edelman.

We would like to thank each of these individuals for their service to the Village. We very much value the hard work that they have put in. It involves both time and energy, and we are deeply grateful. I would like to say that on behalf of everyone here and, I am sure, members of the community who have benefited from their service. So thanks to all of you, and congratulations on your reappointment.

Mayor Swiderski: I would like to acknowledge one of the volunteers in the audience. Ellen Hendrickx is maybe atypical in that not only does she serve on a board, but she has served on the Comprehensive Plan Committee which was a magnet for huge amounts of time, and also on the Democratic Committee. So a three-time player as volunteer. We appreciate your service. I do not want to put you up as an example for others because it is way too intimidating. We will be reaching out to the community. While some were reappointed, not all chose to ask for that privilege. So we will be putting out a list of openings on various boards and inviting résumés.

APPROVAL OF MINUTES

On MOTION of Trustee Walker, SECONDED by Trustee Armacost with a voice vote of all in favor, the Minutes of the Public Hearing of August 24, 2010 were approved as presented.

On MOTION of Trustee Walker, SECONDED by Trustee Armacost with a voice vote of all in favor, the Minutes of the Regular Meeting of August 24, 2010 were approved as presented.

On MOTION of Trustee Walker, SECONDED by Trustee Armacost with a voice vote of all in favor, the Minutes of the Executive Session of August 24, 2010 were approved as presented.

APPROVAL OF WARRANTS

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

Multi-Fund No. 20-2010-11 \$21,636.99

Multi-Fund No. 22-2010-11 \$ 3,928.55

PUBLIC COMMENTS

John Gonder, 153 James Street: I want to ask if you ever thought of reviewing the code of ethics, and also use the sunshine law to do things out in public and not behind closed doors. I know Mr. Mayor, you do not answer questions. However, you got the largest grant in Hastings, \$2 million. I was wondering if you have a check for that \$2 million and have you spent any of the money. I want to ask if you would reconsider the net-and-bolt on a pilot plan. I will let you use my property because there are six to eight deer at least three times a

day, sometimes five times a day. I would give you \$100 for every deer, up to 10, that you catch. You may want to consider it in case your contraceptive method does not work.

Mayor Swiderski: Sometimes we answer questions. There is no formal \$2 million check. It was a commitment for \$2 million worth of renovation. The first step in that process begins in a week. About \$30,000 of that \$2 million is purchasing the services of an engineering firm that, in conjunction with oversight with the Hastings Waterfront Committee that we have set up, will be poking at Building 52 very hard to see if it has the underlying issues 51 did or if it is indeed stable. The first step in any engineering save of the building is a thorough check of its structure and underlying steel superstructure. They are going to start with the roof. Then they will peel back the brick in certain areas to see the state of the steel superstructure underneath the building. Finally they are going to do a couple of test bores in the foundation to see if it is stable and solid. Around March after all the studies are done, we will get a full-scale engineering assessment of the building and their estimate as to the expense to mothball it properly and save it for future use. One possible outcome is that the building is beyond salvage, and we will have to contend with that. Another is that it is in good shape. It is going to come down to a practical issue of dollars and cents. That \$2 million may be enough, or it may be a drop in the bucket of what we need. We need to find out. So that is the first step, and it is about to start.

David Skolnik, 47 Hillside Avenue: With regard to the deer I would make a suggestion modifying what Mr. Gonder just proposed. It addresses what in the long-term disturbs me, which is that whatever the decision, I understand as much as you explained last time. I feel you did not give the community a chance at having the dialogue. I understand that it is a long shot that a dialogue like that can be had effectively. It would be hard to do and would take a lot of work on your part. But you are shortchanging the process. As much as the last number of people suggested that this experiment would be a worthy one for Hastings in terms of what it might produce for a larger scale, I felt like the more important experiment for this community would be to figure out how to have that dialogue. The reason I was going to modify Mr. Gonder's proposal is that if you put net-and-bolt back on the table any chance of having that dialogue is going to go away. It is still fresh, there are still very strong feelings about it. But the only way the conversation can be had is if people are not suspecting that at the end of that discussion something really momentous is going to happen. Enough of it has to be off the table so that people are able to come to it without feeling threatened. I sympathize with the idea of keeping an open mind on all the possibilities, but I propose that you try to consider how to frame discussion. And it is not a discussion that ultimately is going to mean a consensus. Ultimately you and the Board have to make the decision. But by skipping over the process the community is not being given a chance.

Mayor Swiderski: I understand, and it is very thoughtful and appreciated.

Trustee Walker: We have always talked about having a broader discussion about this, and I do not believe we have ruled it out. What happened was that immunocontraception started to look more viable than it had whenever we started this discussion. We all thought it was worth investigating further and understanding whether it could work here, and getting the

latest data and asking a professor at Tufts to make a project of it. We know what net-and-bolt is all about pretty much, but if we get more data on the immunocontraception we might then be able to have a much better community discussion, once we have the real facts. Right now we are all kind of conjecturing. We are not sure whether or not it is going to work. But at a certain point, we have a little more confidence that it will work. Do you not think it is the right thing to have a discussion at that point when we can speak to the data?

Mr. Skolnik: If by collecting data you are talking about going forward with this gentleman and that program, you are looking at a five-year span, which has some significance. Even that data might be wrong in terms of the time frame. There were some issues even going forward in terms of the study as it is now. I saw the information on the Greenburgh site and I read other things. First of all, you have to accept a certain predisposition on the part of the people who have come forward with this. Both the doctor and the people that were here have a very clear and experiential bias, not only an opinion. The data on which he has based the viability of this I do not think has been demonstrated. That is one of the things I was hoping to see. There was an article in *The Times* yesterday about what is going on out West in terms of trying to control the horse herds. One of Dr. Rutberg's early areas of experimentation was, in fact, in the wild herds of horses out West. So it put up a little flag to me that I would like you to have that discussion in the community. The discussion is not what happens at the end of that experiment. It is looking carefully at what the data is that would even support moving in that direction.

Tim Downey, 520 Farragut Parkway: I was disappointed last meeting when I finally got feedback from the Board on the quarry issue. When I hear people express their view yea or nay, and then explain why, it is frustrating to think I am not getting my point across. When I hear folks up there repeat things to the effect that we do not want to become a dump like it was in the past, or composting is a good idea, I had none of those things as part of my position as to why I would like to see that valuable space used as opposed to making a park. Then we would really have a problem if we want to have a new location for a modern, gated, locked, secure facility which we do not have right now and most other communities do have. I see I have more work to do. When you took office and you came into this position you took an oath to do what is best for the Village. I would ask all of you to go down there on a Saturday when it is busy with the chaos of the truck and look at it, and say, How can I ignore this problem if my oath was such that I have to look for the best interests of the entire community versus trying to preserve a valuable parcel of land for a small contingent of folks. Go down there and see the calamity. We have this permit law; it is not working. We have people dumping there illegally. I know who some of them are, I have seen them. The new trick is to go around back behind the building, out of camera site, and dump. You can go down there and see these cubes of debris sliding out a truck. It did not come out of a trunk, from a homeowner. It is abusing the law. There is no way to play nanny police down there 24 hours a day. It is not what our police force is supposed to be doing.

We have the same footprint give or take a few feet that the Dobbs Ferry facility has. When I broach this conversation about merging departments with people in Dobbs Ferry they say no way, they want no part of Hastings. They are only employees, they are not the people who

make the big decisions. But the people who make decisions are going to be sensitive to their employees' wishes. They want no part of it. They have their system, they like the way it is done up there. Well, if we are not going abroad, and we are not thinking about the waterfront space, then we are out of land here unless we are going to use Hillside or the school. Those are not good uses. They talk about cleaning up the quarry. Cleaning up never is cleaning up; cleaning up is taking one problem from one site and putting it into somebody else's neighborhood someplace else. We would be better served there concreting over, slabbing it, putting in a building, paving over certain areas they need for parking, and having other permeable areas of surface for proper drainage and so forth.

There is a lot to be had in this discussion in terms of what would be the best use for the community from border to border, not just a small group who lives approximate to the quarry on the Aqueduct. I am going to be coming up in future meetings. I am going to keep working away on this point. But the genesis of it is your oath that is for the Village as a whole. You cannot go down there and see the disaster where we are using borrowed land from Metro-North, the mess everywhere, and say that we have a system that works. We are bleeding money out there. We are not thinking green in terms of long term. Each one of you can have a role, a very important role. Trustee Armacost, the numbers would work out wonderful for you in terms of what we could save in the future. Trustee Jennings, this would be part of your green initiative in terms of how Hastings becomes more sustainable. Trustee Walker would be perfect for this discussion in terms of how to make a new park that works in a small space. Trustee Quinlan, it would be perfect as I spoke before: taking down material, incorporating with the waterfront, how we could save money, how we could get benefits of scale where we could do this very cost-effectively. All of this would relieve Manager Frobel of this strain of trying to find money all the time to get rid of this stuff, and how to manage it.

Mayor Swiderski: At this point in time I am going to invite the Board to pew number one so we can observe on the screen some sample photos taken, and so our audience on the camera can observe that, as well.

Bob Zahn, 24 Crossbar Road: At the last Board meeting I presented an idea for a photo essay called "Our Town: The Village of Hastings-on-Hudson, New York." *Our Town* is a play written by Thornton Wilder in which he depicted a character study of an average town's citizens. I relate that to Hastings-on-Hudson, where I have lived for 17 years, and where we all seem to know each other. It's a great feeling. It's unlike many other places. As I have a love for portraiture photography, I wanted to start expressing myself creatively. In the past two weeks I have devoted seven or eight days to taking photographs. I have releases from everybody whose image is in this presentation. About 32 people have agreed to be in it, but I am only going to be showing a portion of that tonight, in deference to five minutes.

[Presentation of photographs]

Mayor Swiderski: What is your goal for final disposition of this?

Mr. Zahn: My first goal is to have a one-person show for the Village of Hastings-on-Hudson, and invite other people to come and see it, perhaps in the library. I do not know of any gallery in the Village that could support this. Everything has to be considered.

67:10 ADOPTION OF LOCAL LAW NO. 6 OF 2010 PORTABLE HOME STORAGE UNITS

Mayor Swiderski: This is a small change to the law to address something that has only crept into existence in the last decade. It addresses a hole in the law, as well as cleans up some of the language.

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. 6 of 2010 amending the Zoning Code of the Village of Hastings-on-Hudson, Westchester County, New York, with respect to Portable Home Storage Units as follows:

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

Section 1: ' 295-51 (Tents, trailers, boats, recreational vehicles and mobile homes) is hereby amended to read as follows (new language in *italics*; deleted language ~~stricken~~):

▪ **295-51. Tents, trailers, boats, recreational vehicles and mobile homes and portable home storage units.**

A. Except as provided in this section and ~~' 295-67C(3) of this chapter,~~ tents, trailers, houseboats, boats, ~~recreational vehicles and~~ mobile homes, and portable home storage units whether supported on wheels, a foundation or otherwise, shall not be ~~used~~ *permitted* as a principal or accessory use or a part of any principal or accessory use in any district, including, without limitation, use for permanent dwelling purposes.

B. A temporary permit for use of a ~~tent,~~ trailer¹, ~~boat,~~ recreational

¹ The term Atrailer@ is defined in the Zoning Code as follows: AAny vehicle mounted on wheels, movable either by its own power or by being drawn by another vehicle, and includes vehicles that are equipped to be used for living or sleeping quarters or so as to permit cooking. Such vehicles remain trailers even if the wheels are removed and/or the vehicle is placed on a temporary or permanent foundation.@

~~vehicle or mobile home or portable home storage unit~~ as temporary field office *or for storage* in connection with and only during the course of construction or repair of a principal or accessory use on the same lot may be issued by the Building Inspector for a period not exceeding six months, renewable at his or her discretion if work on the construction is diligently progressing but not yet completed, for not more than two additional six-month periods. *The fee for such temporary permit shall be fixed by the Board of Trustees by resolution. Such temporary permit shall automatically expire 14 days after construction or repair is completed.*

- C. *Any such temporary field office or portable home storage unit may be placed only on a driveway, in the rear yard, or in an enclosed garage or similar structure. No ~~such temporary field office shall be used for overnight living quarters unless a temporary certificate of occupancy has been issued by the Village Manager. Such a temporary certificate of occupancy shall not be granted for a period exceeding six months, renewable at the discretion of the Village Manager for not more than two additional six-month periods; shall expire upon the expiration or termination of the temporary field office permit; and shall not be granted until a water supply and a sanitary sewage disposal system have been approved and constructed and are in operation for the overnight living quarters.~~*

Section 2: ' 295-5 (Definitions) is hereby amended by adding the following new definition:

PORTABLE HOME STORAGE UNIT B A transportable unit designed and used primarily for temporary storage of building materials (before they are used for building purposes), household goods, and other such materials for use on a limited basis on residential property.

Section 3: ' 295-67.C(3) (Accessory uses) is hereby amended to read as follows (new language in *italics*):

- (3) Storage and parking of trailers, boats and snowmobiles, provided that:
- (a) No more than one boat, one trailer and one snowmobile may be parked or stored on a lot, except that a boat may be parked or stored on a boat trailer;

- (b) Any boat (with its trailer) or snowmobile shall either be parked or stored fully enclosed in a garage or similar structure or, if parked or stored outside, shall be parked or stored at least 10 feet from any side or rear lot line and at least 20 feet from the front lot line;
- (c) The trailer shall not exceed 140 square feet in horizontal cross-section area and, *except as provided in ' 295-51*, shall be parked or stored fully enclosed in a garage or similar structure; and
- (d) The parking or storing of a trailer or boat or snowmobile shall not impair the provision of the required off-street parking for the structure or land use on that lot as specified in this chapter.

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	X	
Mayor Peter Swiderski	X	

VILLAGE MANAGER’S REPORT

Village Manager Frobel: Mayor, if I could yield my time and talk under Board discussion on the waterfront I will update the cleanup efforts.

BOARD DISCUSSION AND COMMENTS

1. River Towns' Tourist Board

Mayor Swiderski: We have been contacted by the nucleus of this group, currently based in Irvington and looking for participation out of Dobbs and Hastings, looking for us to appoint somebody from our Board or from the community. We have not found somebody from the community yet to serve. But it is a worthwhile project we would like to get underway, at least on an interim basis, until we find somebody on a permanent basis. Meg will serve on the board as a liaison from Hastings, and kick off

what we hope will be a promising endeavor. It comes at no cost to the Village, but may yield, indirectly certainly, revenue, and, directly hopefully, business for our restaurants and stores. It is an interesting and exciting idea.

Trustee Jennings: Will we consider at a future meeting a resolution supporting this endeavor? The organizers feel that if they have some kind of official statement from the boards of the various villages they will be in a better position to negotiate.

Mayor Swiderski: Perfectly happy to, though I would take the dedication of a Trustee as a liaison as a pretty serious commitment. If we are dedicating our own time to it they should take that in a quite formal sense.

Trustee Jennings: It was my impression that they would like some statement other than simply the appointment of a liaison. That does not necessarily have to come now. Perhaps the members of the Board should consider the written proposal that has been developed for this group, and then after deliberation we could decide whether we want to do that kind of statement, or not.

Trustee Walker: I was going to ask if there had been discussion about each one of the river towns passing a resolution. Perhaps the language is crafted, then, by this group.

Trustee Armacost: Have the other towns passed such a resolution and perhaps we can look at their language.

Mayor Swiderski: They have not.

Trustee Armacost: Maybe we come up with language communally.

Mayor Swiderski: It is a point well-taken. I do not think we are in a state to do that tonight.

Trustee Walker: I will find out more, and come back to the Board with some language; it probably would be useful to have something similar in all the river towns.

2. Waterfront Cleanup Plans/Progress

Village Manager Frobel: Last week we held a pre-construction meeting with the engineering team hired by Exxon Mobil to begin what they are calling "phase one" of the cleanup of that eight-acre site. We have reached agreement on the hours of

operation. They will be working from about 8 to 4. There will be no truck traffic leaving or entering the site during those hours in which the schools are either arriving or being dismissed. They expect to be there for about three weeks. The first phase begins tomorrow with the placement of an air monitoring device. They have chosen the site that we recommended up at Riverview Park. They will be collecting air samples to have their baseline established before they begin work next Monday. Next Monday they will be mobilizing their crew.

The first phase of the work is to remove all the vegetative cover on the site, cut it down, and stockpile it. From there, they are going to begin to mechanically break up the concrete pads. Once they remove the pad, they will be calling in the DEC to examine the soil underneath. Even though there have been borings, once it is removed they will have a better opportunity to examine the soil. Once they have clearance from the DEC, they will begin to remove the concrete material and, of course, the soil that they have been assigned to remove. It should take about three weeks if everything goes smoothly. Once that is complete Chevron expects to begin work on their adjoining site. The idea is not to have the two firms working at the same time, but rather finish one and start the next. But they have not agreed; Chevron has not yet picked a contractor or a hauling firm to move the soil.

We will be closely monitoring it. They will be giving me a timeline on a weekly basis. We will be down there periodically to keep an eye on them. The route of the truck traffic is the exact route that was used during the demolition of the buildings by BP/ARCO. That worked out well. All in all we are comfortable with the protocols that are in place and we are confident that after three weeks they will be finished with their work and the team hired by Chevron will begin the work on their site.

Mayor Swiderski: You call that "phase one." Do you want to detail a sense of what phase two will be, and when that will start?

Village Manager Frobel: The next phase will be some of the cleaning of the remaining soil. That has not yet been agreed upon by the DEC.

Mayor Swiderski: That is the bioremediation?

Village Manager Frobel: Yes. The engineers we met with last week are strictly phase one, which is removing the vegetative cover, the concrete pad, and some of the soil. That is all they are assigned to do, and that is as far as they would commit as to what they know will be the next phases.

Trustee Walker: When they are removing the vegetative cover, are you talking about just where the oil storage facilities were as opposed to the entire eight acres?

Village Manager Frobel: No, it is my understanding it is the entire site. They are going to clear all that.

Trustee Walker: There is a significant amount of fully-grown trees, as well as on the Chevron/Uhlich site, a major amount of vegetation. By stripping all that vegetation, will there be erosion? I am asking the question, and not posing it as a problem. I had not imagined them taking all of the vegetation off. There is a lot along the railroad tracks, and then there is a lot along the water, that kind of disheveled riprap. All of a sudden it will be bare, and is that going to lead to erosion or other problems?

Village Manager Frobel: I will check further with them. They will have to practice best management practices.

Trustee Walker: Yes, they are going to have to do something. Is there going to be a whole stormwater management protocol?

Village Manager Frobel: I will have to double-check on that. I do not know, I cannot answer that. The way they described it, the vegetative cover where the saplings that had grown up through the concrete cracks and a lot of the grasses. They did not get into the kind of detailed questions you are asking.

Trustee Walker: But you know what I mean. There is a lot of vegetation there. I imagined it only in the areas where they needed to focus. But they may be doing the whole site. The second question I had was, is the bioremediation going to go on on both the Uhlich and the Exxon Mobil properties? If so, would they be using different contractors to do the same thing?

Village Manager Frobel: I asked the question about separate contractors for just the removal of the concrete, et cetera. It may be the same trucking firm, but Chevron has not selected yet. I assumed it was going to be, but not necessarily so. They are negotiating with others.

Trustee Walker: That space is going to be done by a separate contractor anyway from phase one.

Village Manager Frobel: Right. In all likelihood.

Trustee Walker: We are excited that they are using a new technology, but if they are using a new technology it would probably be wise to do it under one contractor at one time as opposed to doing it in two separate places by two separate contractors at two different times. You understand.

Village Manager Frobel: I do, but I cannot answer that. But we are pleased that they are going to do the demolition part separately. That makes sense for the ease of traffic, et cetera. But I will ask the question on the limits of the vegetative clearing.

Trustee Armacost: Fantastic that it is happening. Congratulations on moving that process forward.

Mayor Swiderski: The scale for the public to get a sense of what is involved here, the southern 14 acres are quite distinct from the northern 28. The problems they face are extremely different, and the total cost of the cleanup on the bottom third of the site is about three percent of the cost of the northern two-thirds. So we are talking somewhere between \$5 million and \$10 million versus somewhere on the order of \$350 million. The magnitude of work involved is entirely different. But nonetheless, it is to clean up and it is an exciting moment.

Trustee Jennings: What is the time frame predicted for the Tappan Terminal southern site?

Mayor Swiderski: The bioremediation is a two-year, at least, effort. It percolates away, and we were led to believe that it was on the order of two, perhaps three, years. It will be monitored, and cease when it is beginning to tail off in effectiveness. But it sits there and stews for a couple of years.

Trustee Jennings: But it has to be monitored; there are health risks involved during that process.

Mayor Swiderski: Not because of the process itself, no. But there remains material in the ground. You would not want to build a house there.

Trustee Jennings: No, not build. But I am wondering if any usage at all is possible before the BP site is finished.

Mayor Swiderski: I do not think so.

Trustee Armacost: Or unauthorized access by curious young minds, for example. There will be warning signs up.

Trustee Jennings: And there is no way to get to it anyhow.

Mayor Swiderski: This I have learned from my curious minds: that there are all sorts of ways to get there.

Trustee Jennings: No, I do not mean surreptitious. I am talking about some kind of open and official access or utilization, park utilization or something like that. That is not going to be possible until the ARCO cleanup is finished.

Trustee Walker: So why is that? You could probably have the bridge approved for pedestrian use. It is used for pedestrian use now. I do not know if you could or not, but let us say that you could. And you could park on the far side, and come over and have a pedestrian-accessible park even before we rebuild a bridge.

Mayor Swiderski: We could except for the small issue of the ownership disposition of that property.

Trustee Walker: No, theoretically.

Mayor Swiderski: Theoretically, yes.

Trustee Walker: If they wanted it to be used for something, theoretically you could have access to it separate from the ARCO site. The ARCO site is not necessarily limiting the use; the bridge is limiting the use. So if we had the bridge rebuilt, or if a developer were to rebuild the bridge, then the site could be used even while the ARCO site is being cleaned up. It s private property and we cannot dictate a use for it. But we do have to plan for the use.

Mr. Skolnik: Are you continuing to document or think about documenting the process photographically? And given that this is significant, would there be any merit to trying to get some school-age kids down there to see it to try to instill some awareness that there is something there and that something was happening.

Mayor Swiderski: We are certainly going to alert the community via e-mail because there will be enough activity there that we will want to allay concerns that it is not something bad. I have not thought about the schools. I am not sure how eager Exxon would be to have access to the public to the site.

Mr. Skolnik: I did not mean access that would involve that. Just somehow bring some awareness to an age that might find it interesting.

Trustee Walker: Put some video cameras up above filming the process.

Village Manager Frobel: I mentioned briefly the air monitoring devices. They will be collecting that data this week for their baseline. Chevron will use a separate air monitoring station and separate equipment when they go live. They are not going to use the same.

Mayor Swiderski: Similarly, a unit on Warburton?

Village Manager Frobel: Same idea, same site, same level of sophistication. If elevations go beyond a certain level, immediately it would be transmitted to a signal to the foreman on the site and everything will shut down until it is corrected. Finally, Exxon Mobil is looking to remove the catwalk and all the structure that is in the river before the end of the calendar year. So that project is moving forward, as well, but not yet.

Trustee Jennings: In 2004-2005, when we thought the remediation process with ARCO would move more quickly with the state, I had some conversations with people at the high school and a preliminary conversation with some of the ARCO engineers. On both sides they were extremely receptive to the idea of using this cleanup as a kind of living laboratory and an educational opportunity. The ARCO technical people could come into the high school science classroom and talk about the science and engineering of what they are doing. There might be some on-site possibilities for students. But even if that were not the case, there still would be a great deal of possibility. This summer, with Trustee Walker, we had a program involving college and high school teachers who came to Hastings, did a tour of the site, and spent an afternoon with us talking about both the science of the remediation and the technical aspects as well as the planning process in the community. So both sides of that coin were discussed, and it was clear that the high school teachers, who were not from Hastings but from other schools in the region, saw a lot of educational possibilities for their science students.

Now, the Exxon Mobil remediation process has a different science, a different chemistry, a whole different thing than the ARCO problem; that too could be an educational opportunity. That is going to happen pretty quickly so we would probably have to work fast if that is going to happen. But we have a few years to continue to work this out between our local high school teachers and ARCO, for sure. We should stay on it because it is a wonderful opportunity not only to learn science, but the students get a more direct sense of what is going on in their own hometown which makes the science all the more interesting.

Trustee Armacost: If you have got cutting edge happening in your back garden you should be doing something. It should be documented, there should be exposure visits. It is a wonderful way for us to cooperate with the school system. I am sure that the little kids, the

middle school kids, and the high school kids would all get different things out of it, and there are a lot of adults in the community that would find it fascinating. We have a lot of amateur geologists and other people who are interested for a variety of reasons. There are people who are interested from a health perspective. I think it makes it less scary if you have spoken to the scientists who are dealing with it so that you can understand what is going on. But it pretty cool science that is happening right here.

Trustee Walker: Maybe we should write a proposal to the Hastings Education Foundation.

Mayor Swiderski: First let us get Exxon to buy into the idea again. I will add a postscript that this weekend I took two hikes across the river, one along the top of the cliffs and one along the base, both terminating at the state line lookout which is directly across from Hastings. It looks right down onto the waterfront. Forty-two acres, you really see it. I was intrigued by what people were saying as they looked through those binoculars you can rent. You have hundreds of people peering down on us from the Palisades every day, and it never occurred to me. They do not know who we are. What is that village? That looks like an industrial site. When that is a park and thriving and lively, the perception will be a lot more attractive than it is now.

4. Other

Trustee Walker: We had to cancel our Hastings Harvest Friday Night Live, unfortunately, due to the non-hurricane, Earl. It looked on Thursday, like it was really going to be serious, but in the end it was nothing. It was a complete fizzle. So we were unhappy that we had to do that, but we are planning one for October 1 which is going to be our first anniversary. I want to thank Atlantic Richfield Company for making a donation to help make, sorry, Mr. Gonder, Friday Night Live possible going forward. We are going to be looking for other donations throughout the community to help us through the next year.

Mr. Gonder: Exxon Mobil, Chevron donations?

Trustee Walker: We should go to them and ask, definitely.

Mr. Gonder: And Atlantic Richfield, I think you have them in their pocket and that is why your code of ethics has to be revised.

EXECUTIVE SESSION

On MOTION of Trustee Jennings, SECONDED by Trustee Walker with a voice vote of all in favor, the Board scheduled an Executive Session immediately following the Regular Meeting to discuss personnel on Boards and Commissions.

ADJOURNMENT

If we could all stand in memory of the two lost lives yesterday. God bless.

On MOTION of Trustee Walker, SECONDED by Trustee Armacost with a voice vote of all in favor, Mayor Swiderski adjourned the Regular Meeting at 8:40 p.m. in memory of Anthony Ruggiero and John Kelly of Tarrytown.