

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
REGULAR MEETING
OCTOBER 19, 2010**

A Regular Meeting was held by the Board of Trustees on Tuesday, October 19, 2010 at 8:45 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

PRESENT: Mayor Peter Swiderski, Trustee Jeremiah Quinlan, Trustee Meg Walker, Trustee Nicola Armacost, Village Attorney Marianne Stecich, and Deputy Manager Susan Maggiotto.

ABSENT: Trustee Bruce Jennings, Village Manager Francis Fobel.

CITIZENS: Six (6).

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 October 5, 2010 were approved as presented.

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APPROVAL OF WARRANTS

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

Multi-Fund No. 26-2010-11 \$130,556.91
Multi-Fund No. 27-2010-11 \$ 49,642.95
Multi-Fund No. 28-2010-11 \$262,968.43

PUBLIC COMMENTS

John Gonder, 153 James Street: The Architectural Review Board should look at the sidewalks around here, and the back steps. I brought it up about two years ago, someone's going to get hurt. You should rope off those steps. But I want to talk about the deer. Pulvers Woods would be an ideal place, or my property, to try the net-and-bolt. Even though most of the Boardmembers are not for that, I am afraid it is going to take another two or three years, and the population is going to double again. Pulvers Woods is very small, and a lot of people's properties come into Pulvers Woods. I guarantee you will get eight to ten deer there. I will still give you my offer of \$100 a deer you take away. But try the net-and-bolt, because if your other thing does not work at least you have a backup plan.

Tim Downey, 520 Farragut Parkway: Thank you for the feedback at the last meeting. I understand you do not want to get into a dialogue, but that one round of comment is constructive. Regarding the comments on the blower issue, it is a matter of perspective. As I was describing my observations, it was interesting to note that a member on the other side of this banister was nodding his head up and down in agreement with me, unconsciously. I do not think they knew they were doing it, but they were in agreement on the site and the conditions on the roadways. Many of the roadways over the past month or two have become so filthy and messy with the autumn drop. That is typical, but that is why I say the utility of the blowers, used properly with a properly constructed law similar to what maybe Ardsley has done, would be a slight improvement. I am in agreement with Trustee Quinlan. He said he appreciated the reduced noise. I am all for that, but it would be nice if we could have the benefit of reduced noise, but also have cleaner roadways, clean properties, and not have all the stuff going into storm drains, which is what happens when it rains.

The other comment was your response to the DPW facility. I was encouraged to hear that that is on your mind and down the road you are going to be commenting on that. I would like to be a part of that discussion. That site has been a mess for years and years, and it would be nice to know that we are moving forward with something that is more cost-effective, more efficient, and environmentally more sound. Again, I appreciate your thoughts on that, too.

David Skolnik, 47 Hillside Avenue: My questions relate to my adopted intersection of 9-A and Jackson. I was in Greenburgh today filing a request for just the diagram. You may have this already, in which case I would love to see it. But I was trying to understand the current construction of the plan there. Is anyone on this board thoroughly aware of what the final configuration is supposed to be?

Mayor Swiderski: No.

Trustee Walker: We were looking at the recommended changes from the committee that was looking at intersections to change because of the Ridge Hill settlement. The plan of that intersection was included in that book with all those other intersections. It showed adding an additional turning lane beyond the turning lane they are adding now. I think the Village Manager has that book that has the diagram showing the new turn lanes being added to Ravensdale and 9-A.

Mr. Skolnik: I have seen the traffic drawings, and not being a trained engineer I cannot understand them. But what I have seen there is quite confusing. The other day when I asked one of the workers e, it seemed as though what he was describing was, in fact, that they were creating that lane that, to my understanding, this Board had voted not to approve.

Trustee Walker: They are adding a turning lane. But what we disagreed with, or one of the recommendations that we did not take up, was yet another right-turn lane.

Mr. Skolnik: The one that was objected to would have been northbound, a right-turn lane from 9-A to Jackson. I do not know if you have been down there, but it would certainly seem as though that is being created. The issue is going to be discussed at the Planning Board on Thursday so I would not belabor it at this point. But it would be useful to have a sense of clarify about what is being done there. Hopefully that will accomplish that. I have also been trying to get the findings statement for the work that was being done as part not of the Ridge Hill settlement, but what agreed-to work was being done. My issue remains the lack of a pedestrian crossing and trying to get the information we would need if some measure were to be taken, mainly by Greenburgh and not by us. I am trying to find that. I asked the Manager to look into, and he said he would, obtaining the engineering report on the Ravensdale bridge. I was looking for some statement on the integrity of the bridge. Hopefully, he will be able to get that from the DOT faster than I would.

Mr. Downey: I would to like to shed a little light on what is going on in the construction. I spoke to the construction manager. What they are doing there is a patchwork project in terms of living up to what they said they were going to do for Ridge Hill. What you see on Ravensdale is the finished product, sheet piling with a fence to cover their liability. It is hideous-looking, but it gives them the turn lane. What they are doing on the property which is formerly State Farm, Sinatra Funeral Homes owns it, on the 9-A northbound side, they are doing similar to what you saw on 287, those I-beams. They are going to slide concrete panels down between those I-beams and that is going to be the retaining medium. It is going to look like a big graffiti wall, it is going to look horrible. The roadway that cut into Ravensdale is going to be too narrow, and it is going to be somewhat difficult to make the sweeping turns. They are going to play games with the lines and the paint, and that is how they are going to get away with what they said in terms of road improvement.

Trustee Walker: There are new left-turn lanes in each case, but in order to create those left-turn lanes they are shifting the road over which makes it look like right-turn lanes. Right?

Mayor Swiderski: Right. Not ideal.

71:10 APPROVAL OF INCREASED AND NEW FEES

Deputy Manager Maggiotto: We believe the Board should be ready to act on this. We did not hear any comments in the public hearing. Village Manager Frobel has conveyed his rationale for it. So we feel it is time to move forward.

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

Sue Smith: I would like a sense of how you would feel about starting a weekly market earlier, like in May. We have resisted the idea of trying to go to a weekly market all year long, which more and more communities are doing. We have not been interested in that. But I am wondering what your sentiments might be if we were to come back and ask for that. We have not, as a committee, decided that that is what we want to do. We said we would consider it.

Mayor Swiderski: When does it typically begin?

Sue Smith: It usually begins at the beginning of June, so it would be a month earlier, starting May 7. I have not talked to the neighbors about it at this stage, and I think that would be an important piece to do.

Trustee Walker: Is there enough fresh produce to warrant it?

Sue Smith: It is like the winter market. A lot of it is prepared foods. There would be some leafy things that early, but not a lot. But some years everything comes in early. And in the winter market, we had greenhouse produce

Trustee Walker: If the neighbors are not averse to it, I would certainly entertain the idea.

Trustee Quinlan: Me, too.

Trustee Armacost: Me, too.

Mayor Swiderski: I am sensitive to the neighbors. We do this on their indulgence. To some degree, the fact that we use exactly half the weekends seems fair. Encroach much beyond that and it begins to feel like we are asking a lot.

Sue Smith: We will sound it out and see how it goes. Thank you very much.

73:10 INTERMUNICIPAL AGREEMENT POLICE DEPARTMENTS MUTUAL AID AND RESPONSE PLAN

Deputy Manager Maggiotto: This is a renewal of an existing agreement that formalizes the way our public safety organizations call upon each other for assistance. It carried on in fact, even though it formally terminated on July 31. This is for another five-year term. The agreement is specific about how the county is divided up and how people are called for aid. Practically speaking, they pick up the phone and they call when they need help. We had two occasions this week when we responded with mutual aid. One was to the incident in Thornwood, and the other was a pedestrian accident in Dobbs Ferry. Generally, when we are called on for things like that, it is handled with the officers on duty. We are able to spare them, and they go. So it does not involve any extra personnel except in extraordinary circumstances. Chief Bloomer is fully on board with this.

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

RESOLVED: that the Mayor and Board of Trustees authorize the Village Manager to sign the Intermunicipal Agreement with Westchester County for the Mutual Aid and Rapid Response Plan for the Police Departments of Westchester County commencing on July 31, 2010 and terminating July 30, 2015.

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

VILLAGE MANAGER'S REPORT

Deputy Manager Maggiotto: Hastings is celebrating Halloween this coming weekend. The activities this year are all going to be on Sunday, starting at 10 with the window painting from 10 to 12, and then again from 3 to 5. The parade is 1 to 3 in the downtown, where many merchants will have sidewalk sales and open their stores for trick-or-treating to all our little gremlins and goblins. There will be a hayride, as well. So come downtown on Sunday, Oct. 4, and we will have a lovely time. In case of bad weather, the rain date is Oct. 31.

Trustee Walker: I hear there is a haunted house. Is that part of the Village's celebration, or is that a separate, 12-Miles-North activity?

Trustee Armacost: It is a 12-Miles-North activity, and open to all Village residents. It is going to be in the same location that Toast was in, directly opposite the Community Center. But I do not think it is this weekend. I think it is Halloween.

Mayor Swiderski: It is in the days preceding it. Anything that group does is always with a flair and successful. I am looking forward to it. It is certainly filling a niche. We need it.

BOARD DISCUSSION AND COMMENTS

1. Town Request to Discuss Reassessment

Mayor Swiderski: I asked for this to be put on the Board agenda. We have received a request from the Town of Greenburgh, Paul Feiner specifically, or an offer, to come speak before our Board about reassessment. This follows on a multi-year effort, where Supervisor Feiner set up a committee that looked at the pros and cons of reassessment. The committee was composed of Greenburgh resident. It was very thoughtful, worked very hard, and came up with a presentation that leaned toward the value of a town-wide reassessment. Supervisor Feiner has spoke, along with Edye McCarthy. What is her official role?

Deputy Manager Maggiotto: She is the assessor for Greenburgh.

Mayor Swiderski: She spoke before Irvington. This is an important issue, bound to be an intensely emotional one. In any town-wide reassessment, every house would be newly assessed. The last time that was done was in 1959, and since then we have been operating under an arcane series of mechanisms, increasingly unique in New York State, where we have two different assessing rolls here in the Village: one, which is the Village's own assessment roll for our own taxes, which we run, and the town runs the assessment roll for the school assessment.

So the same house can have considerably different assessments under the two different methodologies, older houses may have different assessments from new ones, and ones that have had renovation may have different ones. We all know the pathologies that come out of this, after 51 years. A number of communities have looked at reassessments. It is not done frequently. Rye and Bronxville have done it in Westchester, others are looking at it. It is not cheap. You have to hire a firm. But it does have certain benefits, not the least of which is restablizing home values so they are fair again. But also, and this is where I get vague, in resetting the residential versus commercial tax rates. That has advantages for us, as well.

But it is a huge move. The first is to consider gathering information. Paul has made this request, I am putting it before the Board and looking for feedback.

Trustee Armacost: I think that would be very valuable to invite them to speak and to hear what they have discovered.

Trustee Walker: I think it would be very valuable, as well.

Trustee Armacost: If they have documents that they have already produced, it would be quite useful to have those.

Mayor Swiderski: They have a PowerPoint presentation, which I have seen. Every time I approach this issue I have got to relearn it because it is so arcane. You need to get into the details to understand these adjustment rates that the state issues and how co-ops and condos are treated differently, and why. It is complicated.

Trustee Armacost: But beyond the PowerPoint, if they have reports it would be useful for us to have that information and to make it available publicly.

Trustee Quinlan: Who is going to give us the presentation?

Mayor Swiderski: I think Edye gives the presentation.

Trustee Quinlan: And she is going to be in favor this?

Mayor Swiderski: Well, she is going to lay out the case for it.

Trustee Quinlan: So she is going to come in and try to convince us that it is a good thing. She has her own agenda. Is that right?

Mayor Swiderski: Yes.

Trustee Quinlan: We are not going to hear the other side of the story, right?

Mayor Swiderski: No. But I want to understand that agenda because I do not understand the positives clearly enough. Supervisor Feiner is politically very astute; touching the live wire of reassessment is usually the implosion of a political figure. So for him to have a strong opinion about this, and for the Board there to have a strong opinion, at least merits listening to. Maybe there is a case worth hearing that would be worth understanding. By hearing it we are not committing to anything. We are simply hearing a case.

Trustee Quinlan: Do you know how long this presentation is?

Mayor Swiderski: I do not think the presentation was the issue up in Irvington. It was the public reaction afterwards that took some time. The presentation, I think, was 45 minutes.

Trustee Quinlan: Do we plan to have public participation after this presentation?

Mayor Swiderski: The public should have a right to ask questions of the people putting forth a proposal that would have as material an impact on residents as anything we do here.

Trustee Quinlan: I am concerned I hear only one side of the story. That is a mistake. I would like to hear from the people, if there are any. It has been in place since the '50s so I have to assume there is a good reason for it. I am not going to say we cannot hear the presentation. My concerns are that somebody is going to try to convince us that it is a good thing. That is fine, but I would like to hear the other side of the story. I have very grave doubts about the whole process. I do not know if we are going to get into that tonight, or we are just going to decide whether we should have a presentation that is going to try to convince us to reassess all the property values in Greenburgh. I am not going to say no. But I have problems with one side of the story just because I am a lawyer.

Mayor Swiderski: Right. And other than issues of equity, which are not trivial, I do not understand the issue well enough to see what the Village tax base gets out of it. If it is just an equity issue, I understand that. But are there other factors that I do not understand that I would like to hear about. So that is part of it.

Trustee Walker: For example, looking at commercial assessments. That make a difference.

Trustee Armacost: A huge amount of income may come to us through reassessment.

Mayor Swiderski: Right, because right now we are getting killed by certioraris.

Trustee Quinlan: So that would probably mean that reassessment will bring down our tax base, if we are going to make it fairer.

Trustee Armacost: Not necessarily. It should be the same pool of money that just ends up being squished in a different direction. So if there are people who are overpaying, what it means is that there are people who are underpaying. Then there will be people who will stay somewhere in between. That, theoretically is what should happen.

Trustee Quinlan: Right, but no one knows what is *going to* happen.

Trustee Armacost: No, but that is why you listen to them to see what they have to say and whether it seems sensible. If it does not seem sensible, then the collective decision is no. But if it does seem sensible, and if there are lots of things that can be gained for the Village through it, then it is worth considering.

Trustee Quinlan: It is going to come down to the same old story: the people with the newer, bigger houses are going to want a reassessment, and the people with the older, smaller houses that have been reassessed smaller are not going to want it. So let us call a spade a spade. If you have a new, big, modern house or you have done major renovations in your house you are going to think it is a great idea. And if you have had a house for a long time, and you have small closets and small rooms and no garages and things like that, there is a good chance your taxes are going to go up. Plus, I have grave doubts that it is going to cause more gentrification of Hastings; older, less affluent people are not going to be able to afford the higher taxes. They are going to talk about senior citizens getting a break, but they are not going to tell us what kind of break, how much money you have to make, what age. We are going to hear a bunch of generalizations with no answer, and they think it is a good idea. I do not trust career politicians to fool around with the tax code because it is going to increase our taxes. Paul Feiner is a career politician. He is going to increase our taxes.

Mayor Swiderski: If that is all it is, then it will not be a very compelling presentation and it will be a short discussion. But I am not going to prejudge it, because he is, indeed, a career politician. And that was my point. This tends to not be the sort of thing you march into because it is enormously controversial. Very few communities do this for that very reason. So if there are truly compelling reasons to do it, let us hear them. If, in the end, they are unconvincing, then we have said we considered it and we stepped away from it.

Trustee Quinlan: It is going to be vague. They have said in their e-mails already that they cannot give us any answers about how much it is going to cost, who is going to be affected. There are not going to be any specific proposals, there are going to be generalities. They can come in here and talk about it. I think the public should be heard but I do not know if the public needs to be heard that night. The public needs to be heard after we hear two sides of the story. And we are not hearing the other side of the story.

Mayor Swiderski: But what is the other side of the story?

Trustee Quinlan: The other side of the story is keep it the way it is. Who is going to come here and present that?

Trustee Armacost: You just presented the other side of the story, Jerry. You are welcome to make a PowerPoint presentation on keep it the way it is.

Mayor Swiderski: The other side of the story are the people affected.

Trustee Quinlan: Exactly.

Mayor Swiderski: And there is no coherent constituency yet that we can turn to and say you give the other side. We will hear it all right. They heard it up in Irvington. The other side came out quite clearly. I heard from Mayor Siegel that the room tilted against this when people spoke up. But again, it is not outrageous for us to listen to the presentation because it is an issue that 51 years later is worth hearing and understanding how it affects us financially. We do not lose anything by holding a hearing.

Trustee Quinlan: It is going to be a presentation. It is not going to be a public hearing. I am in favor of the presentation. But at the end you are not going to have a clear idea of the tax implications for the Village or for the people because we are not going to know until there is a reassessment. One thing I do know is that everyone's taxes are going to go up because we are going to have to pay for the reassessments. It is going to cost millions of dollars. Right? How are we going to pay for the millions of dollars?

Mayor Swiderski: I do not know. I do not know if it is millions of dollars.

Trustee Quinlan: We would need to go to every house and reassess every house in town.

Mayor Swiderski: I do not know, which is why I invite the presentation. Communities do it, so it does happen. If it is not merited by the expense, then it would never happen, yet it does. I want to understand the case for spending that sort of money. If it does not yield a re-allotment between commercial and residential in favor of the residences, then what you are predicting would happen would happen and I do not see why that would be attractive. However, if it does yield a long-term realignment, that could easily possibly justify the effort. I do not know. I want to hear it. But nothing is lost.

Trustee Walker: Right. And maybe the certioraris are coming to us right now because assessments have not happened in 51 years. If there is a reassessment, maybe they cannot make the same argument.

Trustee Armacost: They cannot make the same argument because a fair system has been installed at that point.

Mayor Swiderski: Let us find a time period when they can come. I do not think it should be part of our Board meeting. It is going to kill the evening, without a doubt.

Trustee Armacost: I agree.

2. Comprehensive Plan – Scheduling of Next Work Session

Mayor Swiderski: We are down to, hopefully, the tail end of the meetings on the Comprehensive Plan. We are looking for a date in the next month that will work for everybody.

[Discussion of date]

Mayor Swiderski: Tuesday, Nov. 9, at the Community Center. It does not matter when we have it. It takes three hours no matter when we start. So 7 to 10.

Trustee Armacost: Can we try for less? Can we aim for less?

Mayor Swiderski: We got past the waterfront, and the last third is a little less controversial. If we do finish earlier, we can review any problems people have with prior edits.

Trustee Walker: Can we check and see if Marianne is available, because she may have some comments about the language?

Mayor Swiderski: Indeed. In terms of the discussion around reassessment, I do not know if Tuesday is necessary for that. I think they do Wednesday meetings. Why do I not come back to the Board with available dates for them, and we will throw it out and see what works.

Trustee Armacost: I am not going to be here on November 4.

Trustee Quinlan: I am not going to be here that first week in November, so I am missing the Board meeting on Nov. 2.

Mayor Swiderski: Even more important we need a budget date, where we review a preliminary estimate discussed last time of what Village Manager Frobels sees in terms of increased costs and us setting some sort of cap for the budgeting process. That does need to happen in November.

Trustee Armacost: The next two weeks are not great weeks on days that are not Tuesdays or Mondays, for me. Nov. 11 I can do.

Trustee Quinlan: What is this meeting going to be about? Is it just going to be us?

Mayor Swiderski: This is us and Fran in a work session going over his estimates on what the costs are, and us trying to come up with a cap that he will use in his budgeting process with his departments.

Trustee Quinlan: Have you guys met with him?

Trustee Armacost: Yes.

Trustee Quinlan: Is there any way you could get a cap, or do you need everybody?

Trustee Armacost: I have my personal view on a cap.

Trustee Quinlan: I am sure I will agree with you.

Trustee Armacost: It should be influenced by what his issues are.

Mayor Swiderski: We should hear the numbers.

Trustee Armacost: But what I noticed in reading the minutes is that he was focused on expenses that will go up. What I also want him to be equally focused on is expenses that will go down. I do not want this to be a discussion only of estimates of what is going to increase. That is not going to be helpful. We are in a place of austerity, and this has to be about things that can be reasonably capped, as well. I do not know whether you guys share that view. Jerry does. Yes!

Trustee Quinlan: I can do Nov. 11, but how long is the meeting going to take? Is it just going to be us?

Mayor Swiderski: It is just going to be us. It is not a public comment period. It should be an hour and a half.

Trustee Quinlan: Nov. 11 is Veterans Day. It means nothing to me, but the courts are closed.

Deputy Village Manager Maggiotto: Village offices are closed.

Mayor Swiderski: That is OK.

Trustee Quinlan: So we are going to meet Nov. 9 and Nov. 11. Sounds like a really fun week.

Mayor Swiderski: Well, it just underscores your commitment to the Village.

Trustee Armacost: You are going to be on holiday the week before.

Mayor Swiderski: Yes, you will come back fresh as a daisy for this.

Trustee Quinlan: Yes, sure.

Trustee Armacost: But what about this other meeting?

Mayor Swiderski: I have got to get a range, and I will come back and we will see what we can do. There is no rush. He is reaching out to all the villages, and only Irvington has gone through this. Ardsley is considering it, and will want to hear the presentation. I do not know about the other villages. It may be better in January.

3. Update on Waterfront

Trustee Quinlan: As I reported last time, they had not started with the soil excavation at the Tappan Terminal site because they had to submit a new dewatering plan, which I explained in detail last time. They have submitted their dewatering plan to the DEC. I spoke to Bill Ports this week, and they are still determining the general scope of the dewatering effort, which is removing the water before the soil is shipped out. It is very complicated, and it is very important that they get it right. They did some test pits under the four concrete platforms that held the tanks. They found that the soil was not grossly contaminated to the extent that the DEC requires it to be removed. Obviously, Exxon Mobil wants to avoid removing those concrete pads because it is expensive. They convinced the DEC, not unreasonably, that there was not reason to remove the concrete pads because the soil underneath did not have to be excavated. The DEC agreed that they can remain there. They have not been chopped up to any great extent, and they are going to serve as a cap on the soil that remains. The Mayor has some concerns about that because it will be more expensive for a developer to get rid of that concrete before anything is built there.

Trustee Walker: Were there not underground oil storage tanks on that site? Are you saying that the storage tanks were actually above ground on the concrete platforms?

Trustee Quinlan: That is my understanding. I do not think there was any underground storage. I do not believe that the fill and the water level lent itself to underground storage.

Trustee Walker: OK, that makes sense. So there might not be a lot of oil contamination, or PAHs, and what they are removing is something else?

Trustee Quinlan: Most of the soil they are removing has the petroleum contamination.

Trustee Walker: Yes, but that is only in one area then.

Trustee Quinlan: Yes, it is one area. It is not an insignificant area. It is a seven acre site, so they are talking about a couple hundred truckloads of soil.

Trustee Walker: Still significant, but maybe not as much as they initially thought.

Trustee Quinlan: This is after they dug test pits and test trenches all over the place. This is what the DEC approved for them to do. So it is a start. This is going to put everything back a couple of weeks. But after Exxon Mobil is done, then Chevron is going to do the same thing. They are going to remove the extremely contaminated soil from two different sites on their property. We were hoping to get done by January 1, but now it is already October 19. So we will see what happens.

In the north, George Heitzman and Bill Ports are meeting with ARCO next week, and they are trying to pin down a schedule to move forward with the design and description of the options so they can get a revised, modified feasibility study that, hopefully, will be done in late January. Our engineer from Malcolm Pirnie suspects that it may take longer. They are also reviewing the offshore probing results. They are trying to find out the nature and extent of the riprap, which will have impacts on the size and costs and feasibility of the bump-out on the northern shore; they are going to build, possibly, between a quarter and a half acre of the bump-out on the north side. It is extremely polluted in that end. It is in the design phase. We are not going to see anything happen there for maybe two, three, four years, unfortunately. But there is an end in sight and we are pushing them as hard as we can. Also, the DEC has moved the copper background level to less of a level which they consider contamination, which might mean less dredging in the alternatives where dredging is considered, which will help speed up the process of cleaning it up. The next thing we are going to do is arrange a teleconference with the Village and Riverkeeper after they meet next week to see exactly what is going on.

Trustee Walker: Are they trying out the different options? Have they decided on a option for removal of the DNAPL? They were going to do a test first. Have they done those tests?

Trustee Quinlan: What they are doing now is they have the immediate remedial plan, which is, digging wells and heating up the DNAPL to make it into a liquid form. They are pumping it up and putting it into barrels and moving it out. That is one way they are going to try to do it. The other way is by excavation.

Trustee Walker: Right. But they are testing out that suctioning, pumping process.

Trustee Quinlan: They are testing, and it is working to a certain extent. Maybe not to the extent we hoped it would be working, but there is some DNAPL which is a gooey PCB that is being removed. There are so many options being discussed. It is amazing stuff, and it is very complicated. We have some pretty smart engineers who are trying to figure out a way to clean up the site so people can enjoy it through recreation, commercial, or residential. But is severely contaminated, especially the north end. So we will see what happens. It is not so depressing as I made it sound. I just try to be honest. But we are going to try, and the south is going to be moving forward. I am a little disappointed at this point, but I am on the phone with them, I am e-mailing them, I am calling them, I am hanging out with them and trying to get them motivated to do it. That is all I can do.

4. Other

Trustee Walker: We are going to have the first Friday Night Live film festival on November 5. We are seeking films from filmmakers of all ages, both professional and non-professional. The categories are youth 13 and under, then 14 to 18, then adult. We have an amazing number of people in the film industry in this area. We have decided to open it up to the other river towns. We are going to show the films in several venues: the Community Center in the big room, and possibly upstairs, as well; and in the Orr Room in the library. We may be looking for a third venue. It depends on what comes in. We also want to have an opportunity for little kids to see movies, not necessarily made by Hastings filmmakers but that perhaps have Hastings connections, such as *The Wizard of Oz* or other movies that have Hastings residents acting in them. We are eager to get more films, so send them in.

Trustee Quinlan: I have one other item. If you are going down the path to MacEachron Park, there is the wall and a little indentation. You can see the city beautifully from that location. Instead of having a bench there, off the path, we have a Porta-Potty. If you had a bench there, you would have a beautiful view of the lights of the city and the river and the water tower. I had a meeting with Angelo Liberatore of Harvest and we went over and looked at it, and we questioned why the Porta-Potty was sited there.

Deputy Manager Maggiotto: Do you have an alternate site for the Porta-Potty?

Trustee Quinlan: You could go down the path. It used to be down on the left where the trees are.

Deputy Manager Maggiotto: So you are saying it has been moved. We will talk to Ray. It could be miscommunication with the company placing it there.

Trustee Quinlan: Yes, maybe they thought it was easier, or more room.

Trustee Walker: It should be in a more secluded spot.

Trustee Quinlan: I do not know how expensive benches are. We have a beautiful set of benches running the whole length of the river. I do not know who paid for those.

Deputy Manager Maggiotto: A lot of benches are donations, which is very nice.

Trustee Quinlan: Do you know how much a bench costs?

Deputy Manager Maggiotto: Several hundred dollars. I would say under \$500.

Trustee Quinlan: I have somebody in mind who might be willing to pay for a bench there. And that somebody is who I had the discussion with. Maybe he would be willing to pay some money and we could find some other people that are willing to pay money as long as we are talking about something under \$500. I do not think that is going to be a big hassle to come up with \$500 from a bunch of concerned citizens to have a beautiful bench in a perfect spot in our own park. I am sorry to take up time, but sometimes it is the small things that make all the difference in the world.

Mayor Swiderski: They matter.

Trustee Quinlan: To show my commitment to the Village.

PUBLIC HEARING

On MOTION of Trustee Walker, SECONDED by Trustee Quinlan with a voice vote of all in favor, the Board scheduled a Public Hearing for Tuesday, November 2, 2010 to discuss the changes required to support the new design guidelines and regulate temporary signs.

EXECUTIVE SESSION

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

Trustee Walker: How do we get things on the agenda of the Safety Council?

Deputy Manager Maggiotto: Through the Village Manager.

Trustee Walker: It does not necessarily have to be reviewed by anybody before it goes before them?

Deputy Manager Maggiotto: No. Letters, e-mails – that is how the residents do it.

Mayor Swiderski: You raised a good question, because that is a question that can be asked for a number of boards. If you want the Public Health Board to look at something, for example, it should come through us, and we agree that it is something they should look at.

Trustee Walker: The Arts Commission is actively seeking ideas from the public. They were at the Farmers' Market last week doing surveys, which was great.

Mayor Swiderski: I would like to adjourn in honor of two members of the Hook and Ladder Company, Captain Nelson McGinagle and Captain George Matte who, for 40 years, have provided active service to that unit. A letter inviting me to a ceremony for acknowledgment of that service slipped through the cracks, as I contended with the family health crisis of last week. I am guilty of both not attending and not informing other Board members of that event.

However, I would like to acknowledge their service; it is truly a milestone. If you think about active service for 40 years, starting, let us say, at age 20, that is a whole life waking up in the middle of the night and heading out on holidays and interrupting family events. So I would like to adjourn in their honor.

ADJOURNMENT

On MOTION of Walker, SECONDED by Trustee Armacost with a voice vote of all in favor, Mayor Swiderski adjourned the Regular Meeting in honor of Fire Department Captain Nelson McGinagle and Captain George Matte at 8:55 p.m.