

VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
REGULAR MEETING
MARCH 1, 2011

A Regular Meeting was held by the Board of Trustees on Tuesday, March 1, 2011 at 7:35 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

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

CITIZENS: Three (3).

APPOINTMENT

Trustee Armacost: We have one appointment, Sean Taggart for the Village Arts Commission.

Mayor Swiderski: So appointed.

APPROVAL OF MINUTES

On MOTION of Trustee Jennings, SECONDED by Trustee Walker with a voice vote of all in favor, the Minutes of the Executive Session of February 15, 2011 were approved as presented.

On MOTION of Trustee Jennings, SECONDED by Trustee Walker with a voice vote of all in favor, the Minutes of the Public Hearing of February 15, 2011 were approved as presented.

On MOTION of Trustee Jennings, SECONDED by Trustee Walker with a voice vote of all in favor, the Minutes of the Regular Meeting of February 15, 2011 were approved as presented.

APPROVAL OF WARRANTS

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

Multi-Fund No. 49-2010-11 \$134,365.02

PUBLIC COMMENTS

John Gonder, 153 James Street: Some people ask me why I come to Board meetings, and there are three reasons. One, I love the updates on the deer, the waterfront, and I am entertained sometimes. I love going to Village Board meetings. It is an education, and I think it is important. Each Trustee has a function. Friday Night Live, Trustee Walker takes care of that. Quinlan gives us updates on the waterfront. In the past, the Mayor gave us deer updates, but we have not had any because you have changed your policy. Trustee Jennings, Mr. Greentree, is getting things in order for the 21st century. Trustee Armacost is redesigning the budget process. All of you do other things, but these are the things that you hit me in the head with. But I want to know which Trustee is in charge of fixing potholes. My jaws hurt, my bursitis, my arthritis. I have a few vehicles. They are getting beat up. If you do not have money maybe you could go to Joe Sontchi at Atlantic Richfield and get some money and get a contractor in here to fix them. Ravensdale Road, Farragut, Broadway, High Street, James Street, they are all in terrible shape. I hope you do something about it because somebody is going to get seriously hurt. A rim may break. In fact, today a wheel came off in New Jersey on one of the turnpikes and someone got killed. So accidents can happen because of these potholes, and they are pretty bad and I hope you take care of it.

Mayor Swiderski: This is certainly an issue of the moment for a lot of people. It has been a brutal winter, and the potholes are as bad as we have seen them. At this point in the cycle we do what is called "cold patch" It gets us through until we have the hot patch in the summer do a more permanent fix.

Mr. Gonder: I do not see any cold patches done yet.

Mayor Swiderski: It is starting in but when the snow hits and melts and hits you need some prolonged period where it dries out and you have a chance to do it. I have seen some patched, but there are a lot of them.

Trustee Armacost: I know some have been patched because I was about to complain but was beaten to it because it had been organized by the DPW team. They need our support and praise as well as our requests for service at the same time.

Village Manager Frobel: It will be a priority. Broadway has a serious defect from where it splits all the way to the Yonkers line. Where they ground off the center line is defective and it is now open the entire length. The state has been made aware of it, and they are going to have to come back and make some serious repairs.

Tim Downey, 520 Farragut Parkway: I would like to thank Deven and Fran and Raf for the scanning of the documentation. The time it will save, the efficiencies, just a few bucks over what you are currently paying, and potentially the opportunity to realize income from it: it is a great idea.

The first meeting in February the quarry came up again. At the last meeting there was a big sell for the quarry concept. Then we had the follow-up this week in the *Enterprise* with a big cheerleading article regarding the quarry. Given our current fiscal state, the downgrading of our bond rating in the fall, I do not understand why we are pursuing this idea of doing something to the quarry which, in the end, will cost us in its construction. We need pothole repair, curbs, pruning, everything else for infrastructure first before we go to luxury items.

Secondly, regarding the practices of Ryan and Ryan Landscaping, who does the Village parks and fields: in the past, the debris that he used to bring to the DPW would be a couple thousand dollars of costs in dumping and handling to the Village. This year, because he finally adopted a practice that I have been preaching, they went to zero. It cost the Village nothing. So I found you money outside of your budget that you can use for other things. I do not understand, again, why we need this quarry park as opposed to keeping it as a resource down the road. When I hear people talking about putting ponds in there I see the Burke Estate situation in the '90s, where they dig it all up and we have phragmites galore. That is exactly what will happen in that space. You have to give us a reason why. You also have to tell how is it going to be maintained. Are we going to dump this on Sue Smith and her warriors, or is it going to be put into the Village budget? We are going to slide it in quietly over time to Ray Gomes.

It is not fair the way you are presenting it. It is not what you took your oath to do. It does not line up with what we need to prioritize in this village. I know some of you would take heat if one of you breaks ranks, but anyone who gives you heat or flack on this and attacks you personally is not your friend anyway. You should dismiss them. We need to focus on what we have to do in the Village first. People cannot walk up Edgar's Lane because of the mulberry tree over the walkway. Minturn, gutters are blown out. Lefurgy Avenue going to Hillside, no curbing and the sidewalks are being undermined and washed out. People are paying to put their own curbs up in the Village. That is not right. You press people to replace sidewalks, they should not have to pay to do their own curbing from their houses.

I have previously asked the Mayor if he would speak, if he had the information together, about the DPW facility and the direction we are heading. If you can release information, if you have compiled anything, it would be greatly appreciated.

Mayor Swiderski: It is public comment and does not necessarily mean we answer all the time, but I do want to address the two issues.

On the quarry, the commitment is long-standing now several years that that will be a park. However, in our discussions there is no commitment of resources. It is simply moving along a process where there is grant money already to pay for the design work, et cetera. There is no great eagerness any time soon to spend money there. However, the Board and the members of the Comprehensive Plan Committee made a determination that that plot of land should be a park. Ultimately that is what it will be. Beyond that determination and a desire to develop plans for it, we have not made any commitment of resources and do not see that happening this year and probably not next.

Regarding the DPW, I can say that we are in discussions with Dobbs Ferry on a joint bid for a contract to examine ultimately consolidating facilities and, further ahead, possibly departments. That is a very early discussion. There will be a more formal announcement down the road. But both departments are aware of that, so what we are saying publicly here will not come as a surprise to the men who work for the two departments. It is a multi-year process. The facility at Dobbs, while spanking new and beautiful, cannot accommodate a second department without modification. So it is a process, but it is an opportunity we seek to pursue.

Mr. Downey: One of your most powerful tools is a thing called a stop-loss. I was against making the quarry a park in 2005, when this discussion first came up, because I had the foresight to say we are going to need something down the road. You are entrenching your plans, but it is never too late to put a stop-loss and say, sorry, we have reexamined the numbers, they are not going to work, because it will be an additional expense to the Village to maintain it. There is no way around it.

Mayor Swiderski: Without a doubt, it would add to the maintenance expense of the Parks and Rec Department. As a percentage of our total parkland I do not know how significant it would be, and whether that would necessitate the addition of somebody. It would grow our net parks by seven acres, maybe four I suppose we have around 180 under our responsibility now. So is an addition of four acres to 180 a tipping point event of any sort in terms of additional manpower? I doubt it. But again, that is an event a number of years out. The commitment of that space to parkland, however, I do not think there is a lot of question about that. It is not a question of stubbornness. A number of different bodies have looked at that and have decided accordingly. Not everybody will always agree with what we do here, but it is not likely to be revisited any time soon.

Trustee Armacost: That spot is a natural amphitheater and could be a source of revenue depending on how it ends up being developed. We do not have enough data at this point to say what the net expense or income would be for the Village but, hopefully, we would develop it in a way where it would be a source of income as opposed to an expense.

Village Manager Frobel: There are still environmental concerns about the site. We see this as a way to address not only that pressure, but a way to turn it into a very low maintenance open space area for the community to benefit from.

Trustee Walker: We are conscious of the long-term maintenance aspects and are working with the landscape architect to come up with the most self-sustaining planting and grading plan that we can find. We do not want it to be more turf that has to be mowed, trees and shrubs that have to be pruned. We want it to be as natural as possible, kind of an extension of the woods around Draper Park. But I hear you when you say look at the phragmites that have grown up at the Burke Estate. Yes, this is a wet area, too.

Mr. Downey: You cannot stop those.

Trustee Walker: I know. So what do you do over the long term? It is a good question. But it is a beautiful space, and it is adjacent to an important state park which is on the National Register of Historic Places. It has important history in Hastings. There are a lot of reasons for it to be a park. It is just going to be a natural, low-maintenance park. It will take a long time to rehabilitate it. It is not going to happen in the next couple of years.

Mr. Downey: One of my concerns is not only the expense but other capital expenses, too. There is the capital of your energy and your emotional time to put into a project. When I see the problem we have at the pool, where the neighborhoods are grossly impacted, swim teams that come from out of town are tapped on the shoulder by the police to move and all the mess that goes on there because it was not properly engineered to accommodate the volume that it would receive. When I see the problem at Uniontown, where cars park and create a hazard, and burden that neighbor. Not just the money, I see the capital in terms of focused intention. Those are some of the things that call for our attention over another playground. We could enhance our current parks and make them more beautiful.

Mayor Swiderski: On to resolutions. I understand that the first one is struck from the agenda.

Village Manager Frobel: You heard at your last meeting the advantages we saw in entering into that contract with the New York GIS group, but we are still hammering out the details in the contract so we are not ready this evening.

**19:11 APPROVAL OF AGREEMENT – COMPLUS DATA INNOVATIONS, INC
FOR PARKING TICKET MANAGEMENT**

Village Manager Frobel: We have had a long-term relationship with Complus and have been very satisfied with their level of service and pleased with their pricing. But as we go through out budget deliberation process, the staff indicated that it was time to take a closer look at this relationship and see if there was some savings that we could realize, and also some improvements in the level of services.

Judge Joseph DiSalvo, Village Justice: It is my pleasure to be on this side of the bench. Complus has been a contract we have used for a long time. On his own, Court Clerk Chris Janiello initiated this review. I encouraged him along, and sent him back one more time with regard to the numbers and he did better. I am going to ask him to step forward and describe the contract and what we anticipate will be the overall savings.

Chris Janiello, Court Clerk: Complus is a program we use for our parking management; based on the tickets that are paid they get a percentage. Currently we are at 13.5 percent for a New York ticket and 25 percent on an out of state ticket. When it came for budget time I questioned Complus. I said our contract is from 2004; can you do something better? We went back and forth, back and forth. They are going to provide us with new handhelds which will be for the parking enforcement officers; it will be an updated version with a camera if there is an offense that they need to take a picture of. They will provide maintenance on them. They also provide us with a computer. There is one in my office, and there is also one downstairs. Any maintenance is included in the contract, so that is something the Village is not paying for. They provide us the monitor for the computer, any technical support. All that is included in the contract. I told Complus we have been a long-standing customer, what can you do for us. I got them down to 12.5 percent across the board.

Mayor Swiderski: Is that on all tickets, or on those paid via the Web site?

Court Clerk Janiello: On any paid tickets. They also get a \$3.50 convenience fee from the Web site per ticket. But if a person chooses to pay in person they do not get that \$3.50 fee. Plus, they also send out notices. If someone has over 25 tickets they will suspend their registration. Any person that has over three tickets, they will scofflaw their registration, meaning when they come up for renewal we get that registration. Until that person pays the tickets the person cannot renew their car registration. So they do a lot of legwork as far as motor vehicle documentation, keeping our records current. If you get a ticket on a license plate, they upload the data into our computer so we will have current information as to who the ticket is for. They also send out notices for us. They send out up to five notices per

ticket. So you cannot have somebody that says I did not know about a ticket, basically. They are also going back with some old tickets, trying to collect on those as well.

Trustee Jennings: The \$3.50 fee for paying by the Web site, does the offender pay that pay that as an add-on to the ticket, or does the Village?

Court Clerk Janiello: The Village does not pay. The offender pays, and that goes directly to Complus. It is like a convenience fee.

Trustee Armacost: I want to congratulate you on negotiating a great deal right at the time when we need deals like that negotiated. So a heartfelt thanks. Do you have an estimate of what you think the savings will be. Reducing it to 12.5 percent from 25 percent is a substantial reduction.

Court Clerk Janiello: We calculated, based on 2010, that our in-states are about 87.7 percent of our tickets and the out of state is 12.3 percent.

Trustee Armacost: Do you have a dollar amount you think it will save?

Court Clerk Janiello:

It is hard to give accurate figures because the figures we are working off are a nine-month out of the 12 months. The ratio we took we applied to the existing amount we paid to Complus during the last budget year. We are getting about 7.4 percent on 87 percent of our tickets, and we get a 50 percent savings on the other portion. So it is a blend. I estimate somewhere between 7 and 10 percent.

Mayor Swiderski: In terms of a dollar figure, what is the total income from tickets?

Court Clerk Janiello: We paid Complus last year \$25,800.

Mayor Swiderski: So probably on the order of \$7,000?

Court Clerk Janiello: No, I think that is going to be less.

Trustee Armacost: That is 50 percent. I think it would be less. So are you saying that it is about 7 percent of \$25,000?

Court Clerk Janiello: I think it is between 7 percent and 10 percent of \$25,000.

Trustee Armacost: Still, that is substantial.

Court Clerk Janiello: They will also be offering us a parking program for the permits, and that will be free of charge.

Trustee Jennings: The enforcement officers will have a camera in the machine. Will they take a picture of the license plate of the car that is being ticketed?

Court Clerk Janiello: Or they can take a picture of the violation, if is somebody that parked in a fire zone or something like that. A good thing with the parking permit program is that we get a lot of tickets with people that do not have their permits in the car. If they scan the registration, it will come up and say so-and-so has a permit so that person would not get a ticket. If somebody gets a ticket that should not have a ticket, they will come to court if they want to fight a ticket, and we would not have to go to the expense of somebody coming to court, going before the judge, and all that.

Trustee Walker: I wonder if we can enforce parking turnover better with this built-in camera. If there is a two-hour limit right now it is difficult unless you chalk the tires and so on, and it is time-consuming. The camera would have the time on it, potentially, and when they are walking back they would see that same car, that same license plate was there for more than two hours.

Village Manager Frobel: Let us look into that. We will talk to the Chief, and get his feelings.

Judge DiSalvo: I would say that with regard to photography we are seeing an impact in the court on the trials that are conducted when persons have been videotaped by the new equipment in the police cars. It is an effective tool for the police because it very often results in a person choosing not to have a trial, and instead to plead guilty with an explanation. I have noticed a number of instances where that has taken place. Perhaps with still photography we will have the same kind of thing when people are disputing parking tickets.

I would echo Trustee Armacost's comments with respect to Mr. Janiello. What you see here tonight is a sample of what I see all the time. I bless the day I selected him as the Court Clerk, with the Mayor's approval. He is doing a very good job in many aspects.

Mayor Swiderski: Although in the course of the contract, that is \$3,000 or \$4,000 a year times three years, so it is \$12,000 found money.

Village Attorney Stecich: Chris did send me the contract to review. We had some changes back and forth, aside from the substantive things he had already negotiated. They made the changes, so I am comfortable with it.

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 a three-year agreement with Complus Data Innovations, Inc. for parking ticket management for a fee of 12.5% of In-State and Out-of-State Parking Collections.

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

20:11 SCHEDULE PUBLIC HEARING 2011 - 2012 PROPOSED BUDGET

Village Manager Frobel: The budget will be in your hands no later than March 17, so you have the better part of a month to look it over in advance of that public hearing.

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 schedule a Public Hearing for Tuesday, April 12, 2011 at 7:30 p.m. or shortly thereafter to consider the proposed 2011 - 2012 Budget.

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

VILLAGE MANAGER'S REPORT

Village Manager Frobel: We had our green team kickoff meeting today. It was a joint effort with Dobbs Ferry. Hastings' team, which has met a couple times already, was able to join and meet the consultant who will be helping us get organized and chart a course of activities that we will be looking to accomplish over the next several months. It was a very positive meeting, a lot of good question, a lot of feedback from the Hastings delegation. We are well on our way. We will probably have a meeting of our entire workforce sometime later this month, for which we will be in attendance and impress upon our employees the importance of this effort, and inviting as many people as would like to serve on the green team. I think you are going to see some results over the next 12 to 18 months as we begin this effort.

Westchester County is pursuing reimbursement to those communities impacted by that winter storm at the end of December. We submitted the damage assessment report. For Hastings it was about \$38,707 of unexpected expenses incurred as a result of fighting that two-day storm. It does not appear, and we are not optimistic, that the county will be able to meet the threshold necessary to generate that kind of reimbursement. But nonetheless, we submitted our loss information.

Trustee Walker: What does that primarily consist of? Is it overtime?

Village Manager Frobel: Mostly salt, but the men on overtime, some damage and repairs to two of our vehicles, one policeman on overtime.

BOARD DISCUSSION AND COMMENTS

1. Tourism Board

Trustee Walker: I asked Susan to put in our packages the intermunicipal agreement that we signed with the other river towns in Westchester when we formed the Historic River Towns of Westchester consortium in 1994, and then it was updated when the group was expanded to Hudson Valley River Towns. It is very similar to what we are talking about with the Tourism Board: just three towns, but a similar concept: promoting tourism, economic development, downtown revitalization among the three towns. And to look for ways to partner in a number of ways. Initially we are talking about going after grants together to design and create and purchase signage together, and perhaps information kiosks at the train stations and along the Aqueduct. There would be savings in the purchase of the signage, but also the state and other funding entities look more favorably on intermunicipal grants than they do on single-municipal grants.

But I thought I would throw out a question. We may only be talking at this point about using the Aqueduct as a recreational destination for tourists to attract them to our river towns so that they can also visit our restaurants and our shops and take advantage of all the resources that we have. It could be a day-long or a weekend visit, and we become a destination for people visiting New York City or staying in the hotels in Tarrytown. But this could become something bigger if there are other grants that we might want to go after with the other two towns. For example, we could go after waterfront grants together: attracting kayakers who use the Hudson River water trail and might want to stop in our three towns. Maybe we go after kayak landing improvements or dock improvements or signage on our waterfront. I have not talked to the Tourism Board about this, but if we do an intermunicipal agreement it maybe should be a little broader than just looking at grants around the Aqueduct or the downtown. I might convey your thoughts to the Tourism Board and the representatives from the other two villages.

Trustee Jennings: The Tourism Board has a broad vision of activities that promote tourism in the river towns: hiking along the Aqueduct, kayaking, as you mentioned, but also things that would involve perhaps commercial tours of people coming up from the city to this area and walking around and shopping for a time; advertisements on Metro-North; advertisements in the local hotels, radio commercials. So there is a broad-gauged idea floating around. Does an intermunicipal agreement have to be about particular activity, or could it not be simply we all agree to support the general goal of promoting tourism in this area? Then we could go after projects and funding to buy ad space on Metro-North, or have an ad campaign like South Yonkers. SOYO has had a campaign in the last few years to promote the whole neighborhood. Limiting it to the Aqueduct does not sound like such a great idea to me.

Trustee Walker: I did not mean to strictly limit it to the Aqueduct. But is there a way to even be broader about it? Definitely we want to buy advertising together. Right now we are not expending anything, of course. We are working with Bruce Bolger and his company, which is looking for sponsors who then help to pay for the advertising. So we are not incurring any costs. But if we were able to get grants together, we might be able to do a range of tourism-related things. We could go after grants to improve the Aqueduct crossings on all the streets that go through our towns, and to do pedestrian signage, and maybe raised "speed tables" at the crosswalks to do traffic calming on those streets. A range of things that are not necessarily directly related to tourism, but would improve the facility that we are offering to the tourists.

Trustee Armacost: Broad is definitely better. If this is successful, we are going to have ideas in three or four years which we do not want to be restricted by, where you have to go back and pass new resolutions. It could include historical issues, as well, if they are not

already covered by this other body. There are so many different things that come under the rubric of tourism, and it should definitely be framed broadly.

Trustee Walker: Another example is downtown revitalization. There may be grants that we could go after together for façade improvements. Let's say we hired a consultant together that would help us all create historic districts.

Trustee Armacost: Or signage that was matching in some way. I am sure there are examples in other areas where there are three or four villages or municipalities that are tied to one another and have used tourism in that kind of way.

Trustee Walker: But do we need to restrict it to tourism? Could it be economic development?

Trustee Armacost: It depends what the purpose is, and whether you want to be tied in that way to other villages. But certainly, in terms of tourism, it should be framed broadly. If it no longer becomes a tourist board, then it is a different entity, and we need to discuss what it is at that point.

Trustee Walker: True. I have seen the Historic River Towns of Westchester, now the Historic Hudson River Towns, move from tourism into a lot of other areas: planning, for example, and putting on conferences together, and doing a lot of things that might not just fall under tourism and economic development.

Trustee Armacost: What is important is that there is not redundancy between organizations. You do not want to create turf problems where people are competing for the same kind of grants because it has been framed so broadly that now we are in the same space as the historic associations. I would watch out for that. But certainly in terms of tourism it should be framed broadly.

Trustee Walker: Do others agree that it should be restricted to tourism, but tourism in a broad sense?

Mayor Swiderski: I agree. While I do not mind dreaming big let us start with that. Bring it back to the committee that we are interested in this, but tourism for starters.

Trustee Walker: Clearly there are things that we do not need an intermunicipal agreement to do. But then if we do go after grants or if we do want to hire somebody together, as you noticed if you read over the intermunicipal agreement for Historic River Towns they created a board which then hired a marketing consultant. Then they formed a nonprofit. So there are

many steps beyond. We do not necessarily need to get into that at this point. But it was interesting to see that it is very similar to what we are talking about.

2. Mary Jane Shimsky – County Board of Legislators

Mayor Swiderski: I would like to welcome a new member of the County Board of Legislators have you introduce yourself to those who do not know you.

Mary Jane Shimsky, 35 Ashley Road: I am now on the job. I signed the book, which is the official act, yesterday. I have been in meeting after meeting ever since. I have my committee assignments. I understand there is contact information available for me once I figure out how to work my computer, which, since I have not sat behind my desk yet, is a bit of an issue. But I am looking forward to serving the residents of Hastings and the rest of the legislative district, which includes the river towns of Dobbs Ferry and Irvington, Ardsley, and much of unincorporated Greenburgh, Hartsdale, Edgemont, and some of the connective tissue in between. I will be sending contact information around in the next day or two. There will also be a newsletter in the not too distant future. I look forward to dealing with everyone's questions, listening to their concerns, and helping with any matters people have with the county. I am looking forward to working with all of you in this new capacity.

3. Update on the Waterfront

Trustee Quinlan: We will start with Building 52. The containment process, which is the inner part of the interior of the building, has been completed. The fire department has been on the site to evaluate the structure, and site-specific emergency plans are in place. The removal of asbestos will begin tomorrow. The company that is doing the asbestos removal expects that the work will be completed by April 1.

On the Exxon Mobil site, the next thing that they are going to do is remove the settled material in the groundwater tanks by truck. I do not know how many truckloads that is going to be. All this material is going to be disposed of off-site. Once that is completed, there is approximately six truckloads of remaining excavated soil for off-site disposal. Then they will be pretty much closed with that portion of their cleanup. They will remove anything else that is down there.

In the Chevron-Uhlich site, there are 16 roll-off boxes that are covered and are going to be taken off. The DEC has approved six of them to be removed in the next three to four weeks. Then they are going to be working on the next ten to approve their removal, and they are going to be removed sometime in April. The DEC is monitoring and inspecting that, and making sure the soil is safe to be removed.

A backhoe is going to return to the site and there is going to more soil removed. Then, early summer, mid-summer, they are going to come back onto the site and start the installation of the groundwater treatment system. That will probably require a tree removal permit, as well, because that will be quite an extensive groundwater treatment system. All the ground has to be treated. We will have to worry about some trees at that point, but we will worry about that when we get there. I would like to thank Village Manager Frobel because he is on top of it, he has been going to meetings. Most of what I know comes from him, so thank you very much, Fran. I appreciate all the hard work you put into this.

4. Other

Mayor Swiderski: The Comprehensive Plan has gone off to Elizabeth Leheny. I did not specify to her how we want this to appear to the public. I assume we want it in final form with the redline off and our modifications in there, but I did not want to make that assumption without verifying with you that is how you all wanted to see it.

Trustee Armacost: It is confusing to see it with redline. Unless they are being open for discussion again, it is much better to give it in as final a form as possible.

Mayor Swiderski: They are not. This is our document.

Trustee Walker: I think so, too.

Trustee Jennings: I agree. And was there not a question about whether we are going to restore the double-column formatting, the pictures and all that?

Mayor Swiderski: It is not going to be beautiful. What she will do is restore the charts and diagrams that are necessary to make it a coherent document for the public to review. After we go through the public review, we will then have the final pretty pass where we make it look like the nice thing we have worked with. All right, then it is in the hands of Ms. Leheny. I will send her a note tomorrow morning indicating to take it as a final form.

The second item, on the issue of financial guidelines that we discussed last meeting, Niki and I met this weekend. Last meeting I raised the issue that with the public-private partnerships that we now have, and the multiplicity of organizations that are both raising money, receiving money, et cetera, while we have an ethics code, and while we have some sense of how it should work, we do not have a formal set of financial guidelines. Niki came up with a logical overlay for what this might look like.

If you are comfortable with it, this is what I would like to present to the working group.

"After some consideration, we are proposing that the working group be composed of the head of the ethics committee, Judge McElroy, Susan Maggiotto, who also functions in a treasurer role, Marianne Stecich, our Village Attorney; Bruce Jennings, the Board of Trustees; and at least two, and possibly three, outside residents.

"Since this is a working group, there is no point in designating voting versus not-voting members. The thought is that the group will arrive at a proposed consensual set of recommendations for the Board of Trustees, to function as procedural guidelines for three different set of issues. These are administrative procedural guidelines to help guide choices in the same vein as procurement guidelines or investment guidelines or expense policies. They are not laws or resolutions.

"The first would be a guideline on receiving funds from specific entities. This could be corporations or public or private foundations, or other types of institutions or individuals. These guidelines should outline the conditions under which may or may not be appropriate to receive funding from these entities, and the conditions under which it is appropriate not for the Village to solicit funding from these entities, including the implications of matching fund obligations, if any.

"The second guideline would be a guideline on giving funds to specific entities. These could be village boards or commissions, other village entities, or private organizations. These guidelines should outline how this type of giving should be budgeted, when discussions about this type of giving should take place, whether it is during the budget process which is public in nature, processes that should be followed, what discretion should be allowed to village staff, et cetera.

"The focus should be on ensuring that the requisite amount of transparency and fairness is maintained, without erring too much into micromanagement and creating too many procedures. Finally, a guideline on fund-raising efforts by village entities, such as village boards, commissions, or village departments and employees. The guidelines should outline the conditions under which the village entities can conduct fund-raising efforts, who they can solicit funding from, what processes they should follow, how funds collected in the name of the village can be used, how checks should be made out, and how the village will document receipt and use of funds, et cetera."

Niki was responsible for these proposed guidelines. I will be surprised, and maybe a little disappointed if any one of these guidelines is more than a couple of pages. It may very well be that they are shorter than a page, but we need them and we will clarify ambiguities we now face. It is a healthy step for us to take. At the next meeting I will incorporate any changes you might have and we will put this brief before the working group. I am not soliciting comments now if you are not prepared to say anything, but certainly if there is any reaction to the idea.

Trustee Walker: You have reduced it to the three areas very clearly. It simplified something that seemed so overly complicated the last time we were talking about it.

Mayor Swiderski: It really did. It is receiving, giving, and raising. Each one of those issues, we have done the best we can and I do not think there has been anything untoward, but in all these places it would be nice if we had something simple to follow.

Trustee Walker: I like the transparency part. A lot of things can happen throughout the year and add up to quite a bit of money, especially that it seems like nickels and dimes when you are doing it. It is something that maybe we need to think about as a whole at budget time, rather than little expenditures throughout the year. So that is very smart.

Trustee Jennings: I have received some comments on the draft of the revision of our solid waste management policy, and if I get more in the next few days of course I will incorporate them. But I thought the next logical step to take would be for me to take the comments I have received and put them in the form of a set of points for further discussion. In the entire draft there may be three or four particular points that require more discussion. We are clearly in agreement about 90 percent. There may be four or five points that we need to discuss as a board before we put it for a public hearing and on the docket for action. I would like to propose that as a part of the next meeting's review and discussion we take that up as an internal discussion, and then we will be able to have the final draft for official consideration after that next step.

Mayor Swiderski: Why do we not set Friday as a deadline for any final comments.

Trustee Armacost: Given the report by Trustee Quinlan on the waterfront, I wondered if the team that Doug Alligood has put together should be speaking to us at some point soon.

Mayor Swiderski: I know that he has spoken to the engineering firm running the assessment of the building. I do not know where that stands. I will ask him to present to the Board.

Mayor Swiderski: This is a good segue for another item. There is not any more time left to go through an elaborate public process and I am not sure it is necessary, but Meg and I need to distill out of the LWRP and the Comprehensive Plan salient comments about uses of the waterfront that the DEC needs to keep in mind as they review BP's proposal, which will be on the table at the end of March. We are running out of time to do this, and I am not going to try to rally people into forming a committee and doing this by committee. We will write a memo that summarizes uses people have spoken about on the waterfront, and specifically where, and pass it by the Board for discussion and post it on the Web site for public input so that we can forward it to BP and to the DEC as part of their evaluation of the cleanup proposals now being looked at for the waterfront. They need to keep in mind that we would like to use the waterfront for water uses.

Trustee Jennings: I agree that we should do that. But it reminds me of a larger question. Do you have a sense of our timetable in terms of the rezoning of the waterfront? We had a lot of discussion with the Comprehensive Plan Committee and others about the concept of form-based zoning which, as I continue to not fully understand, is different from specifying particular uses. This will not preclude the later things, I assume.

Mayor Swiderski: No. A review by the public and an approval of the Comprehensive Plan predates work on the zoning because the Comprehensive Plan covers that topic and needs to be approved before we can begin work on that.

Trustee Walker: But the things that we are going to be looking at are water uses and how the reconstruction of the bulkhead and the increase in the extension at the northwest corner could affect our docking and the kinds of water uses that we wanted to have that were either in that area or close to that area. For example, next to the north cove, in the LWRP we had shown a place for a ferry terminal and a major docking spot if we wanted water taxis or historic boats to come up. I am not talking necessarily about the deep water docking which we might have at the south end, but an area where you might have water transportation close to the downtown. We do not want to preclude that. We also do not want to have something built that starts to increase the silting up of that area.

Trustee Quinlan: Are we going to have a map?

Mayor Swiderski: I do not know if we are going to have a map. That is a sidebar conversation I want to have with you to get the latest proposal out of BP for where the bump-out will be so we can overlay over what the Comprehensive Plan and the LWRP has proposed, and where we can say please try to ensure some of the cove is preserved sufficiently so we can get a kayak in there, or whatever.

Trustee Walker: The LWRP has a harbor management plan, which I do not think anybody would be surprised at when you see what is on it. It is what we have been discussing for years. No surprises. But I think that we are getting into the potential conflict.

Mayor Swiderski: Conflict is probably the wrong word. I doubt we will get everything we had hoped for because the shoreline is going to change substantially.

Trustee Walker: Yes, and we may need to rethink it.

Mayor Swiderski: We will have to rethink it, but they should remember that we have a vision of water uses here and to keep that in mind. That may mean they mention that there should be greater reinforcing on the bump-out because you may need to put a wharf there. On the next step, when we get to the engineering, they have these items to consider. They have indicated they need this now so we need to provide it now.

Trustee Quinlan: It is a great idea and I think it is very useful. But you have to understand, that nothing has been decided. I am hoping for a bump-out on the north cove. If we get it I do not know whether it is going to be a third of an acre or a fourth of an acre. That will not be decided for a time. That is not even definite, but it looks positive. But there are some people that do not like the idea of a bump-out at all. I am in favor of a slope-back starting about where the north cove starts. That is where the bulkhead would end, and it would be nice to have a slope-back down through to the end of the property, at least Exxon Mobil. But that also is a big question mark. That would allow for a more gentle, natural look like an Irvington look to the waterfront instead of a bulkhead.

The bulkhead is necessary for a lot of reasons: to contain the PCBs that are in that most-polluted northern part of the waterfront. In terms of reinforcing the bulkhead, I think the bulkhead is going to be strong enough. But could the bulkhead withstand a wharf? My guess is yes, but who knows. It is going to be sheeted metal grounded fairly deep into the river, with a lot of centrifugal force on both sides to keep it there, hopefully, for 100 years. That is what they talk about, with filters and everything else. It is very complicated. We have to present it to them that we want these water uses and we want them preserved in some sort of way that we can use them as water.

Nothing has been decided yet. It will be interesting to see the revised feasibility plan. I will be interested to see the DEC's response to it. What the Village is working for at this point is to get a consensus for a combination of bulkhead and slope-back. We also have to remember that if the bulkhead creates land we are obligated to improve like two-to-one, they have not even decided on the ratio yet, or three-to-one to give it back to the river.

Trustee Walker: In another location, you mean. You mean carve in.

Mayor Swiderski: Either carve in or create a marshland.

Trustee Quinlan: I do not know about in Hastings. That has not been decided yet. But somewhere along the Hudson River. Once you take a part of the river we have to find someplace to give it back. There is still a lot up for grabs, but I would clearly indicate that at least the north cove and the south cove should be preserved as possible places for water usage. Now the question is, are you talking about canoes and Sunfishes? Are you talking about motor boats, or are you taking about big boats like ferries and water taxis? I will tell you that, again, there is even no consensus within the parties. Some people love the idea of only having canoes and sunfishes and no motorboats. Because motorboats have oil and gas, and they are not great for fish.

Trustee Walker: In fact, we have never shown a boat launching.

Trustee Armacost: About this memo, are you going to just write it and send it, or are you going to write it and circulate it to us?

Mayor Swiderski: Circulate it to us, post it on the Web site.

Trustee Armacost: Is it going to just be on the Web site, and a meeting?

Trustee Quinlan: That is a good question. Are we going to sit here and debate this forever?

Mayor Swiderski: We do not have the time for that because it is fairly important this get to the DEC sooner than not. For me, the idea was to post it on the Web site and ask for public input simply by e-mail, and circulate it to the Board and review it next meeting. But let me follow up with the DEC and see what sort of time frame we have here.

Trustee Quinlan: Supposedly, BP and ARCO is going to submit their revised feasibility plan, let us just say, by April 10. They tell me some time, two weeks, after March 21.

Mayor Swiderski: I do not know if we are going to have time for a proper public process. We are going to post it and give it to you, and send out an e-mail to the community asking for reaction to it.

Trustee Armacost: So we are not giving you feedback prior to your posting it.

Mayor Swiderski: No.

Trustee Armacost: It sounded like it was going to be drawing stuff from the LWRP and the Comprehensive Plan. It was sounding more like a four- or five-page memo as opposed to a one-page, we are going to tell them we want some space on the waterfront for launching boats. It sounded more comprehensive than that.

Mayor Swiderski: No, it is going to be on the order of a couple of pages.

Trustee Walker: I think of it visually as a plan. If we just gave them our harbor management plan, that would go a long way to explaining what we have been talking about for the last ten years. It is basic stuff that we have all been talking about: a place to launch small boats, a place for visiting boats to come up, a deepwater area at the south end. In terms of draught, boats do not need a lot of deep water anymore. Most boats do not draw very much so we may be OK even if they have a sloping area. But if we can just give them an idea of the types of boats and the locations, and the edge condition. I do not think there are going to be any big surprises. We do not have to explain it all; it is all in a plan, really.

Trustee Quinlan: We may not have too much to disagree with; other people might.

Trustee Armacost: I do not know exactly what you are talking about. The harbor management plan is not top of mind to me so I would like to have a chance to look at it.

Trustee Walker: You will see it. We circulate that plan, and we discuss if there are areas where there are going to be decisions about sacrificing something. We want to be able to talk about that now rather than later.

Trustee Quinlan: We have the promenade going the length of the waterfront, at least the length of the Exxon Mobil site because they were part of the litigation. So how does that play into the north cove and the slope-back? I do not want it to be modified, I do not think anybody does. That pretty much is written in stone.

Mayor Swiderski: It is written in stone, and I am not eager to get into a description of what is on land. The promenade is written in stone and it is a working assumption. We can say that in the memo but, again, this is nothing deeply controversial. People want water uses on the waterfront. If the ferry turns out to be off of the concrete caissons at the south one day instead, ultimately this is a wish list and not a formal plan.

Trustee Walker: If you do an extension, if you push something out into the water, you see this up and down the river. Does that then cause a large area downstream to silt up? That could, then, affect whatever we want to do.

Trustee Armacost: The water goes backwards and forwards. It is tidal.

Trustee Walker: Yes, but it happens. And it has happened up and down the river. That is why the area in front of the tennis club filled in. They put a barge there and it was deeper water, and then it all of a sudden started to fill in because the barge was there.

Trustee Quinlan: They are aware of that problem because they own the land. That is something that has been discussed, and Riverkeeper is very interested in that topic.

Trustee Walker: And then how does that affect the water uses?

Trustee Armacost: That is why it would be useful to see the memo, because then we will know the questions we want to ask.

Mayor Swiderski: Right. We have talked this through. You will get a memo this weekend.

Trustee Walker: This is related to the buses and the downtown. I wonder if we could put that on the agenda on our next meeting.

Trustee Quinlan: Again more agenda items?

Mayor Swiderski: Put it there, and if we can get to it we will.

Trustee Quinlan: I am going to be away for most of April so I probably will not be here for the budget vote, but I will let everybody know what I think about it. But the second meeting in April is April 19, which is Passover. It might behoove us to move the second April meeting to the 26th.

Trustee Walker: This Friday is Friday Night Live. It is Hastings Off The Shelf, our literary celebration. I am pleased to have Nancy DeNatale here tonight because she is the chair of the Arts Commission and she and Susan Soriano have been doing a fantastic job as our guest producers organizing this event. So hats off to Nancy and Susan. Thank you so much.

The schedule is up tonight on the rivertownsguide.com Web site. We have got a wonderful jazz concert, with the Jazz Collective and Tim Armacost, from 8:30 to 10 at the Community Center. There will be poetry, poetry slams, writers and novelists reading from their work,

kids' activities in a couple of locations, things going on in restaurants, in optical shops, in stores all over the downtown. The library will also be holding the My Favorite Poem event. Bruce is going to host the poetry contest awards ceremony. I wanted to ask Trustees if you would be so kind as to host an even in a particular venue, to introduce poets or writers. Nancy, is there anything you would like to add? They have so many activities going on, and I have not even seen the whole list. But it is in a number of venues, such as the library, the Community Center, Human Bodyworks, Bauer Optical. The laundromat is hosting a kids' reading.

Ms. DeNatale: There are a couple of other things that are going to be fun like the magnetic poetry wall, which will be in one of the restaurants, we hope, and somebody showing their historic graphic novels. They were all the newest rage a few years ago, but they have some that are historic that are from the early 1900s. Manhattan Rare Books is hosting that. We are going to have some visitors from out of town that will be reading their work. We were hard-pressed to build on last year's literary Friday Night Live, but we tried. So we have got a couple of things up our sleeve, and it is all the way through town. It starts at the Station Café and goes up Spring Street and the length of Warburton and up Main Street. It is going to culminate with the jazz group.

Trustee Walker: Nancy, would you say a few words about this being the culmination of the public art project, the memory houses.

Ms. DeNatale: The spirit houses that are around town, the Memory Lane project by Marie-Claude Giroux. She is wrapping up that project, thanks to your funding, thank you very much, with a book that she has published herself of the contributions from the residents of Hastings: their ideas on home, Hastings, et cetera. She will be at Human Bodyworks to present that, and she will present a copy to the Historical Society, one to you, Mr. Mayor, and one to the library. She will have other copies for people who want them.

Trustee Armacost: On March 12 the Purple Crayon is having its grand launch. It is supposed to be a fabulous event. They have a great band and creative cocktails being developed and handed out as a gift to all who register and sign up to show up.

Trustee Walker: There is a proposal for affordable housing at 10 West Main that is being developed by Eric Anderson's former partner. That is the yellow four-family house before the steps to the train station next to the Steinschneider lot. Proposals have come before the Planning Board before. The new proposal is for affordable housing that would maintain the existing building and then build something adjacent to it, and have surface parking. The developer would like to meet with community members and have a preliminary discussion before they launch into design. We are looking at dates for perhaps next week or the week

after. This is particularly for people who live in the area or have businesses or own properties around the site. It will be open to the public, but we particularly want folks who are impacted by it to come and express their opinion. I say "we" only because the developer asked me if it would be all right to do a meeting like this. I spoke to the Mayor and to Patty Speranza, and we all thought that it was an opportunity to get some public input before the design gets off the ground.

EXECUTIVE SESSION

On MOTION of Trustee Armacost, 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.

ADJOURNMENT

Mayor Swiderski: We will adjourn the meeting in honor of those who are fighting and dying for freedom and the right to vote in other countries at this very moment.

On MOTION of Trustee Armacost, SECONDED by Trustee Jennings with a voice vote of all in favor, Mayor Swiderski adjourned the Regular Meeting at 9:10 p.m.