

VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
REGULAR MEETING
APRIL 5, 2011

A Regular Meeting was held by the Board of Trustees on Tuesday, April 5, 2011 at 7:50 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

PRESENT: Mayor Peter Swiderski, Trustee Bruce Jennings, Trustee Jeremiah Quinlan (8:05 p.m.), Trustee Meg Walker, Trustee Nicola Armacost, Village Manager Francis A. Frobela, Village Attorney Marianne Stecich, and Deputy Village Manager Clerk Susan Maggionto.

CITIZENS: Ten (10).

APPOINTMENTS

Mayor Swiderski: We have a list of reappointments and appointments. Terms tend to expire in April, and boards typically stagger the terms so not everybody rolls off at the same time. Depending upon the number of years of the term, varying numbers of positions can become due for renewal.

For the Advisory Committee for the Disabled, which is a three-year term, we are appointing Danielle Goodman, who was originally appointed in 2009; and Joan Walsh, who was originally appointed in 1993. For the Architectural Review Board, which also has a three-year term, we are reappointing Bennett Fradkin, who first served in 2005, and Mitch Koch, who first served in 1999. For the Conservation Commission, which is a two-year term and which is a Village Manager appointment with the advice and consent of the Board of Trustees, we have Kerry-Jane King, 2007 first year of service and being reappointed; Elisa Zazzara, 2009; and Sharon Kivowitz Siegel, 2010, two-year term. Draper Park Review Board, two-year term, Suzanne Smith, 1993 for the first time; Barbara Thompson, 2006; and Thomas Lee, 2001. We are appointing to the Economic Development Committee, a three-year term, Nina Cangiano, 2007 was her first; John Doherty, 2007; and Elliot Wiener, 2008. The Ethics Board, which has five-year terms, has Phyllis Frankel, who first served in 1994, reappointed; and former judge Michael McElroy, also 1994. The Library Board of Trustees, which is a five-year term, has Becca Mudge being reappointed after her first term; and Joanna Reisman, who was appointed in 2009 for an expiring term. We have the Planning Board, five-year terms, Rhoda Barr as an alternate, 1983; Bruce Dale, who first served in 2006; and James Cameron, also in 2006. We are appointing a new person to the Planning Board, Rebecca Strutton, with a five-year term expiring 2016. She last worked for the Village on the Comprehensive Plan Committee. The Board of Police Commissioners, which is a three-year term, is going to have George Gevas reappointed for a three-year term, 1986 was when he first began his work for us. It is impressive. The Safety Council, which is another Village Manager appointment, has a three-year term, and Joseph Rodriguez, who

was first appointed in 1993, is being reappointed. For the Tree Board, a two-year term, William Crosby, who joined in 2009. The Youth Council, a three-year term, with Jennifer Altman, who first joined in 2007. The Zoning Board of Appeals, Stan Pycior has served out his maximum of two full terms. Matt Collins, the alternate, is being appointed full-time. Mark Pennington is being appointed as alternate, and his term will expire in 2014.

It is a lot of people, giving a lot of their time, and many of them have already done so to date. Their service is profoundly appreciated. It is often thankless, sometimes difficult, and always appreciated. Finally, gratitude to Niki who ran this process, called every one of those appointments to make sure people wanted to serve again; in many cases, learning much about what the boards are up to. She spent far more hours on this than I would like to admit, and it is much appreciated. Thank you.

APPROVAL OF MINUTES

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

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

APPROVAL OF WARRANTS

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

Multi-Fund No. 54-2010-11 \$53,088.72
Multi-Fund No. 55-2010-11 \$ 3,666.20
Multi-Fund No. 56-2010-11 \$89,904.91
Multi-Fund No. 57-2010-11 \$ 9,224.93

PUBLIC COMMENTS

David Skolnik, 47 Hillside Avenue: Paul Feiner sent an email regarding Saw Mill Parkway driving conditions. He indicated he was going to have a discussion on some level, either the county or the state. I wondered if we might be able to support any effort to get some of these conditions addressed, because they certainly are significant.

Village Manager Frobel: I have the email. I have a meeting tomorrow morning with the director of planning for the Town, and I will ask him what their plans are and how we might be able to help.

Mr. Skolnik: I can forward it tonight.

Mayor Swiderski: To the Board. I do not know if others have caught that, but I did not.

Trustee Walker: No. I would like to know the conditions that he is concerned about.

Mayor Swiderski: Was he seeking participation out of the villages?

Mr. Skolnik: He seemed to at least want to solicit individual response on a larger scale.

Tim Downey, 520 Farragut Parkway: The last meeting we had I tried to address one aspect of the deer control issue: the difficulties in attempting to use a birth control method to effect population reduction. When I think about it I come up with challenges that would make net reduction seem almost impossible. You see the bias in publications or discussions, where they speak of bullets and arrows flying about, which is ludicrous and shows a level of ignorance. It is never mentioned how this can happen with darts loaded with tranquilizer, where a deer is missed and you now have this narcotic on the ground, or this little projectile, whether it releases the narcotic or not, lost under the leaves or snow. Once a deer is struck, you have a similar condition you would have using other means, where you could lose control of the animal. As any hunter would know, when a deer is struck by a projectile their instinct is to travel down low. They run downhill first, flatten out, and then they will figure out something after that. If the area is going to be executed in Hillside, downhill means towards the parkway. Now we have a doped-up deer heading down to the parkway. If that deer is struck, how does that affect the overall cost and effectiveness of the program? Or if it is struck later on down the road, we have a tagged deer three weeks later, three months later, a year later struck. I often question that investment.

Rough terrain. Anyone who walks that area in Hillside will know, since the storms of last year, there is a tremendous amount of deadfall. A deer darted, running away, escaping, could perhaps injure itself. What if this deer is darted and the participants come upon the deer. All of a sudden, upon examination and doing what they are going to do to it, they realize it has some extra equipment. They realize they have now shot a buck instead of a doe, because at that time of year the large percentage will no longer have antlers. Or they are a young buck, where you cannot verify what the deer is. Short of having very good binoculars and having a good chance to view its head, you do not know what you are shooting.

One of the discussion points that is often brought by the anti-hunting position is that if you do not do a mass takedown of the deer, in the 70 percent to 80 percent range, if you only affect 20 percent or 30 percent, then there is a natural rebound effect. Does not that discussion work both ways? If you were to sterilize, say, half of the deer would not the same condition happen with the remaining half that were not sterilized? Would that not possibly trigger the same response in the does who are un-darted, thereby having more births? But then they may say, no, those deer are still there. The ones that are darted are still there. Then are we not still having that many more targets for automobiles, walking around mowing down the woods and carrying the ticks about?

Last year there was an article in the *Enterprise* quoting a person who has worked in wildlife fertility for about 20 years. It says that almost all studies show that the female deer in suburban areas do not go anywhere. If that is the case then how did they get here in the first place? It says about 90 percent of female deer spend their lives in the area where they were born. Again, how did they get here? I know where they came from in the '70s and '80s. They came from Irvington and the Ridge Hill-Sprain Road area. But then if you are saying 90 percent stay in their area, that means it only took 10 percent to do what we had occur over these past number of years. I would like to bring some of these points to the public discussion, because the group that brings their case, when you examine it closely and if you understand how this works, as I do, their arguments fall and collapse upon themselves.

John Gonder, 153 James Street: I am here to talk about the budget. I understand there is a 4 ½ percent increase. Then I read there is something like Saw Mill's wildlife park zoo? And then I realize it was an April Fool's joke in *Rivertowns Enterprise*. I was hoping that maybe that 4 ½ percent increase was an April Fool's joke. Not only for seniors like myself, these increases are killing us. But it is also the young people that have not had raises for the last four or five years that are just trying to hold on to jobs. I hope the Board goes over that budget with a fine toothed comb.

I am very disappointed in this board in the last several years in regard to large decisions and small decisions. The only thing you really accomplished in the last couple of years is Friday Night Live, thanks to Meg Walker. A tremendous job. Why can we not get that enthusiasm over the deer population and do something?

The waterfront, 22 years going down the drain year after year, excuse, excuse, excuse. We hear reports it may be four or five years, maybe six it is going to be cleaned up. Last meeting we heard maybe 10 years. Why do we not have a court monitor pushing and helping us get this thing finally resolved? You have done nothing in 18 or 20 years in regard to a real cleanup at Atlantic Richfield/BP. And you always accept money from them. You have your hand out all the time. That's unethical, and you people do not realize that.

I told you about potholes three weeks ago. Bronxville, Yonkers, Greenburgh, everybody fixes the potholes except us. There is one on High Street you probably could get lost in it. Ravensdale Road is terrible. High Street, James Street, what is being done? Put somebody in charge of potholes and get them fixed. I told you about a stop sign going across the railroad bridge. It is on a utility pole facing east. You are looking at Building 52. The sign is white with gray letters. I bet you not one of you looked at that sign, and it is a safety hazard. I was coming from MacEachron Park and almost got hit. I hope that now you have a new board starting you get some of these things accomplished, not in years but in months.

28:11 FARMERS' MARKET – APPROVAL OF USE OF MUNICIPAL BUILDING PARKING LOT

Village Manager Frobel: This is your annual request for consideration to continue to use our parking lot at Village hall. We certainly support it. It is a wonderful program, and one that we hope will continue. They participate in covering the cost for the crossing guard. Any out-of-pocket expenses are their responsibility. I believe we have accommodated all the needs of any disabled person to access the facility.

Ms. Smith: This is the 14th year for the market, which is pretty amazing. I guess that means it is a real tradition. You are aware of the reasons that we want to continue the market and have it in this location. But some of the numbers are interesting. We did a survey this past September. We try to do it every two years or so. Sixty-one percent of our shoppers said that they shopped and did errands in both the market and the downtown in a single trip. An essential part of the market's mission is to strengthen the Village business district. Being close to the downtown also means being near many residences so people can walk to the market. Twenty-five percent of the shoppers walked or biked to the market. It was also appreciated that the market is next to the library. Another errand that can be done with a market visit, or vice versa. Together with the Municipal Building, it provides restrooms, running water, and electricity for market patrons, vendors, and volunteers.

Seventy-four percent of the market shoppers drive to the market, and 32 percent of those use the free Saturday lots, the Zinsser lot and the Con Ed lot. Those numbers are quite consistent with 2008, which is the last time we did the survey. The market is attracting shoppers from outside Hastings. Forty-four percent of them are coming from elsewhere, with 22 percent of that 44 percent being from the river towns area. The weekly attendance, as counted monthly, averaged 1,478 people. We do not count children and dogs. The dogs alone would make a big jump in our numbers. The number is a bit higher than 2009, but less than 2007 and 2008.

The vendors love coming to Hastings. They are here for our friendly spirit, the steady and engaged customers, people who want to talk with the people who are shopping or they are shopping with the vendors' help. And, of course, their products are well received by our shoppers. Also, the market has been successful in attracting many people with disabilities. This is evident. We have a regular group of five or six handicapped-signed vehicles that park up in the three spots here in Village hall and very much appreciate that. They are right on the edge of the market, by the driveway entrance. We do have someone at the library from 8:30 a.m. on, when the market opens. We have provided an attendant at the lower door. In fact, that is not used except very rarely over the couple of years we have had it. We find that people with strollers appreciate it. There are also handicapped spots on Maple Avenue; we do not keep count of that. But they are obviously used all the time or a lot of the time. In order to address the increased traffic on Maple Avenue, we employ at our own expense a traffic control person on Spring and Maple Avenue, so people cannot go north on Maple, to try to relieve traffic for the neighborhood. But for people who are crossing on foot, and a lot of them are going back and forth to the Village, there is a calming effect of having a guard help them cross. We certainly do encourage the free parking at the Zinsser lot, also.

I thought the numbers were kind of interesting, that it is fairly consistent over time. We are being successful in a lot of the things that we do, and in the appreciation that people all across the county, and our neighbors, have for the market, and for being able to come to Hastings and be in a place that is so lovely.

It is rather isolated, in a way; we would like it to be more visible so people know we are here. But it does have a very nice effect for the shoppers in terms of kids. You do not have to be so concerned where your kids are all the time because there is lots of opportunity for freedom, things for them to look at and do. It is a lovely family setting, which this setting really enhances.

Mr. Skolnik: Yesterday there was a collapse of a catchbasin in the parking lot, something that before the market starts up again should be attended to.

Village Manager Frobel: It will.

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 approve the use of the Municipal Building parking lot for the 2011 Farmers' Market on Saturdays beginning June 4, 2011.

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	

SCHEDULE SPECIAL MEETING – REVIEW OF PROPOSED COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS

Mayor Swiderski: We are striking this from the agenda.

Village Clerk Maggiotto: Yes, we need a work session, not a special meeting.

29:11 SCHEDULE PUBLIC HEARING – PROPOSED LOCAL LAW NO. 4 OF 2011 SOLID WASTE MANAGEMENT

Trustee Jennings: At our last meeting we had an extensive discussion of a previous draft of this newly-revised law, and a few changes were made in accordance with that discussion. Attorney Stecich was helpful to us at that point. It has been thoroughly discussed and looked at very closely. People who helped us from the Conservation Commission did a very diligent job of research. It is definitely an improvement over the existing thing we have on the books, and it will be helpful. It is just one more way in which our village is taking seriously our sustainability and environmental responsibilities in many ways. I support this. Elisa Zazzara and Haven Colgate worked very hard on this on behalf of the Conservation Commission. I daresay the entire commission had some discussion and some input into it, as well. Village staff members undoubtedly helped. My thanks to everybody who helped.

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

RESOLVED: that the Mayor and Board of Trustees schedule a Public Hearing for Tuesday, Apr. 26, 2011 to consider the advisability of adopting Proposed Local Law No. 4 of 2011 Amending Chapter 244, Solid Waste, of the Code of the Village of Hastings-on-Hudson.

ROLL CALL VOTE

AYE

NAY

Trustee Bruce Jennings
Trustee Jeremiah Quinlan
Trustee Meg Walker
Trustee Nicola Armacost
Mayor Peter Swiderski

Trustee Quinlan: A question on the memo. It says the garbage containers can be left either curbside or a location chosen by the resident. So the law is going to stay the same that we have now.

Village Manager Frobel: The law talks about 100 feet from the curb. Now it is at a location agreed upon by the homeowner and us.

Trustee Quinlan: So it could be more than 100 feet.

Village Manager Frobel: Could be.

30:11 ARBOR DAY PROCLAMATION

Village Manager Frobel: We have not yet specified any particular program that we are going to be taking part in this month. But Ray Gomes and Parks and Rec will be involved in this. I expect to have some details later on. This is something that we traditionally support.

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

WHEREAS, on January 4, 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

WHEREAS, this holiday, called Arbor Day, was observed with the planting of more than a million trees in Nebraska on April 8, 1874, and in 1875 became a legal holiday in Nebraska, and

WHEREAS, Arbor Day is now observed throughout the nation and the world, and

WHEREAS, trees reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

WHEREAS, trees in our Village increase property values, enhance the economic vitality of business areas, and beautify our community; now therefore be it

RESOLVED: that the Village of Hastings-on-Hudson, recognized as a Tree City USA Community by the National Arbor Day Foundation for the last twenty-seven (27) years, desires to continue its tree planting ways, and be it further

RESOLVED: that Mayor Peter Swiderski does hereby proclaim Friday, April 29, 2011 as Arbor Day in the Village of Hastings-on-Hudson and urges all citizens to support efforts to care for our trees and woodlands.

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	

31:11 REQUESTING AUTHORIZATION FOR VILLAGES TO IMPOSE HOTEL/MOTEL OCCUPANCY TAX

Village Manager Frobel: This does not directly benefit the Village at this time. This came out of our village officials' meeting. Some of our neighbors would like the opportunity to collect that occupancy tax to help their financial situation. This is more in the category of offering some support to our neighbors.

Mayor Swiderski: That is right. It has been a topic over the last few months. It has gone far enough so that Mr. Abinanti has offered to sponsor this bill. I do want to acknowledge

that we received an impassioned and thoughtful response from a Village resident stating that some communities, one cited in particular in Orange County, when they impose the tax received a pushback from local bed and breakfasts, a couple of which may have been driven out of business by the tax. It can damage business and scare it away to other areas. We do not have motels, hotels, and bed and breakfasts here, but it is not out of the question that one day we might. I want to address that concern by saying that it would require a village law to be passed to be enacted in the Village. If it turns out to be something we do not think we need, we do not have to do it. However, this does provide support to surrounding villages who do want to do it. In the spirit of both solidarity with those villages, and leaving options open for us, I would like careful Board consideration.

Trustee Jennings: If the state legislature gives the Town of Greenburgh and the villages permission to levy this tax, the revenues go to the municipality that the hotel or motel is located within?

Mayor Swiderski: Right. It is a little at odds with the way, for example, the sales tax is apportioned. We do not get sales tax collected in Hastings directly. It is allocated to the Village on a per capita basis. This is different. This is direct. The mortgage tax also works a little differently than either. We get half of the mortgage tax, and the rest devolves up to other municipal levels. But in this case, we would be getting all of it.

Trustee Armacost: I find it very odd to be passing this legislation when it has got nothing to do with anything in our village.

Mayor Swiderski: It might.

Trustee Armacost: Well, then you can pass it then. I find it a little peculiar to be passing it. That solidarity argument, having not read all the reasons in favor of doing it, that was not sent to me, it just seems a little odd. It would be better to be able to have a sense of exactly the impact, both pros and cons of this, before creating legislation just because other villages want us to. That is my personal view on it.

Mayor Swiderski: We are not creating legislation here.

Trustee Armacost: We are endorsing legislation.

Mayor Swiderski: We are requesting a submission by Abinanti, and adding our name to a pool of other villages.

Trustee Armacost: I find it an odd process, but that is my personal view.

Trustee Walker: I think it is important because it enables us, at some time, then, to pass a law requiring this tax. It does not mean that we have to. If there is no reason to, we probably never will. But at least it enables us to in the future. I think that is a positive thing, and it also supports our neighbors, which is a positive thing, too. They may come to our rescue at some point if we need their support.

Trustee Armacost: We are enabled to do that irrespective of whether we do this.

Mayor Swiderski: That is true. But if we chose not to participate in this, and our village name was struck from the enabling legislation, at that point we would be making a request for a single village for enabling legislation by Abinanti to be submitted for a single village, our village, at that point. I am going to be candid here. Apparently, the politics do not favor this legislation at this point in time. So as it is, it is an uphill battle. To not participate this time around, have it pass, and face uncertain future down the road, seems unnecessary.

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

WHEREAS, Section 1202 of the New York State Tax Law authorizes and empowers certain cities and counties in New York State to adopt and amend local laws imposing a Hotel and/or Motel “Occupancy Tax” upon persons occupying hotels or motels in certain counties and cities; and

WHEREAS, Section 1202 is not applicable to “Permanent Residents” of a hotel or motel which are persons occupying any room or rooms in a hotel or motel for at least thirty (30) consecutive days; and

WHEREAS, Section 1202 provides that any tax imposed shall be paid by the person liable thereof to the owner of the room for hire, or to the person entitled to be paid the rent or charge for the room, and that such owner or person shall be liable for collection and payment of the tax to the chief fiscal officer of the municipality; and

WHEREAS, the New York State Legislature has, over the past few years, authorized a Hotel and/or Motel Occupancy Tax for the City of White Plains, the City of New Rochelle, the City of Peekskill and the Village of Rye Brook; and

WHEREAS, there are more than 2,000 rooms for rent in the Town of Greenburgh and the Villages of Ardsley, Dobbs Ferry, Elmsford, Hastings-on-Hudson, Irvington and Tarrytown that would be subject to the occupancy tax; and

WHEREAS, the adoption of legislation that provides for a Hotel and/or Motel Occupancy Tax by local option via local law will provide the Town and Villages another source of funds to provide much needed services to our residents that are becoming much more difficult to provide due to the economic situation impacting local governments; and

WHEREAS, the implementation of a Hotel and/or Motel Occupancy Tax will not have a cost impact upon the residents of our communities since the tax is paid by visitors to our communities and not the local residents; and

WHEREAS, the implementation of a hotel tax will more directly align the interests of the hotel industry with that of the municipalities and will provide an incentive for the municipalities and the hotel industry to work collaboratively to further those interests; and

WHEREAS, the past actions of the New York State Legislature to adopt legislation for a Hotel and/or Motel Occupancy Tax in White Plains, New Rochelle, Peekskill and Rye Brook are applauded by our communities and the Town of Greenburgh and the Villages of Ardsley, Dobbs Ferry, Elmsford, Hastings-on-Hudson, Irvington and Tarrytown hereby request the same consideration from the New York State Legislature, now therefore be it

RESOLVED: that the Mayor and Board of Trustees of the Village of Hastings-on-Hudson do hereby support the legislation sponsored by Assemblyperson Thomas Abinanti (A05191) which authorizes the Town of Greenburgh and the six Villages in the Town of Greenburgh to adopt local laws in their respective local governments to impose a three percent (3%) Hotel/Motel Occupancy Tax.

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: The Board will recall earlier this year we made application to the State of New York court system for a grant. We received word that we have received that grant in the amount of \$4,960. There is no local match required. We will be buying some computer equipment, a judge's robe, and some office equipment for our municipal court.

BOARD DISCUSSION AND COMMENTS

1. Boards and Commissions

Trustee Armacost: In the process of asking people whether they wanted to be reappointed to various boards and commissions, it became clear that we have about six boards and commissions that are not really functioning for different reasons. Sometimes it is because they have served their purpose. Sometimes it is because they are no longer required by law. Sometimes it is just that they have been inactive for several years. I want to raise the issue of handling some of those boards and commissions and whether we can disband them. I have had a conversation with Marianne, and she has some views on this as well which I think would be helpful to share with you.

The simplest ones are where it is clear they are no longer required by law, for example, the Fire Code Board of Review; that one I think we should just remove from the list. There is no one on it so it does not affect anyone. The other ones that have served their purpose are the Cable TV Committee and Comprehensive Plan Committee. Marianne and I feel we should announce that we are very grateful for the service of the people who were involved, we are very pleased with the results, and those boards and committees are being disbanded.

There is one board, the Public Health Board, which has not met in quite some time. In talking to that group, their suggestion is that the board be disbanded, and what we do instead is have a list of experts to contact in an advisory capacity on specific issues that may be of public health concern. The people who are currently on that committee will help us to create that list.

Then we have two others which are interesting. One is the Building Board, which is not fulfilling the purpose for which it was created. That is no longer needed. But in one particular instance it came together to condemn a building that had been destroyed through a fire. So it is serving a different purpose. Its membership is the head of zoning, the head of planning, the Fire Chief, and two private citizens. We suggest that it be an entity that comes into being as needed, which is sort of the way it is functioning, but shift its status a bit. Take off the need for the public citizens in that scenario. The purpose is only to condemn buildings at this point. The other board that has been inactive is the LWRP. The chair has resigned and, Meg, you're technically still on it, so we need to work out the process there.

Mayor Swiderski: I have no issue with any of your suggestions.

Trustee Armacost: So it would be announcing and disbanding the Fire Code Board of Review, the Cable TV Committee, the Comprehensive Plan Committee, the Public Health Board. And then on the Building Board, readjusting the way it is framed. Marianne?

Village Attorney Stecich: It would require amending the Code. The chapter it is in describes functions. But there is another chapter, the unsafe building chapter, which relies on the Building Board to make a decision whether a building be declared unsafe. We used that recently and it was effective. Rather than the determination just being made by the Building Inspector or by the Building Inspector in consultation with me, it is reviewed at another level. If it is an important decision it should be reviewed at another level. So it would require a couple of amendments to the Code, but not a big deal.

Village Manager Frobel: Marianne, does not that board also review action by Deven if he were to deny?

Village Attorney Stecich: That is what it says, but no.

Village Manager Frobel: What would be your remedy, then, if you were denied?

Village Attorney Stecich: If it is an appeal from something that is in the Zoning Code, your appeal is to the Zoning Board of Appeals. Or if it is an appeal from something that is in the uniform building code, there is an appeal process in the state.

Trustee Walker: Who do you go to at the state?

Village Attorney Stecich: It an appeals office. I am not sure exactly who. But it is used enough. Not a lot, not every year. But occasionally things come up. I cannot think of an example. There is a building codes division. It makes a lot more sense for them to do it than

anybody in the Village, in addition to which, even if it did make more sense for the Village, state law requires that.

Trustee Jennings: I do not have any objection to the action that we are talking about this evening. But Marianne's comments remind me that we are in the process of adding provisions to our building code relating to environmental, sustainability, greenhouse gases, energy efficiency: so-called "green amendments" to our building code that are being studied now, and will come before us for deliberations. We will need to address the procedural questions and the appeal questions, the Building Inspector's role, and what recourse a property owner might have in relationship to these new provisions. There probably will not be a state-level agency to which we can send people who want to appeal a local decision. At some point, we are going to have to recreate some sort of entity or process, at least, for things of this kind. Because of the special nature of the expertise, it may not be a good function for this past group. But it is foreseen now that before long we are going to need an entity to help us manage the regulations of the green building code.

Trustee Armacost: That is an important point, Bruce. There is only one citizen member of this particular committee at the moment. So there is room to make a number of shifts including, at that point, when the changes are made, to require additional members or, as we choose people, look at those particular qualifications if this ends up being the right kind of entity to deal with that. But at the moment, it is more adjusting the language so that what it currently does is incorporated somewhere, and that we take out the language that refers to functions that it has not performed for many years. That is the recommendation at this point.

And then on the LWRP, I do not know. That is probably not a five-minute discussion, but there is a question of has it fulfilled its function.

Trustee Walker: Yes.

Trustee Armacost: It is in the same situation as the Comprehensive Plan, in which case I think we announce that, again, we are very grateful for the work that people have done and then it folds in the same way as the other ones have folded.

Trustee Walker: I think that is correct. I think that the members of the LWRP Committee would probably agree that their work is done: in giving us the document, it basically is now in our hands, and we have to determine what to do with it, similar to the Comprehensive Plan. In the future we may want to have a waterfront committee for other reasons. But I do not think that is the same as the LWRP Committee, whose charge was to draft an LWRP document. That has fulfilled its mission.

Trustee Quinlan: Trustee Armacost, I agree with all your recommendations wholeheartedly. With the clarification that Trustee Walker has given, it is clear that they fulfilled their duty so we should disband their board.

I do have some questions about the Building Board. We need somebody to condemn buildings when it is justified, and we need somebody to do something about the greening of the Code, which probably are not state regulations. Marianne what kind of issue would it be in regard to a building that would be appealed to the state?

Village Attorney Stecich: Say a wall has to be a certain depth, has to be a firewall or something. And maybe it is next to a building where it ...

Trustee Quinlan: So it has to be three feet, it is only two foot or something like that.

Village Attorney Stecich: Yes. It is very specific.

Trustee Quinlan: And those are state requirements.

Village Attorney Stecich: Yes. The state codes are massive, like two Manhattan phone books worth of regulations in them: fire regulations, energy regulations, or whatever. It is hose regulations that do not relate to any zoning issues at all, the pure building issues.

Trustee Quinlan: So we have three categories. We have the variances, we have the state codes, and then we have our own codes. We are going to have to tinker with that to have some sort of board that is going to do the third. Because you go the state for the state, you go to the Zoning Board for the variances, and then we are going to go to a third. I think we should have at least one member of the public and not just heads of boards. It gives a different twist to have a member of the public to be a member of that board. Other than that, I say get rid of all the ones that you recommend. As we have discussed as long as you have been a Trustee, there are way too many boards and commissions and some of them are not being used.

Trustee Armacost: Thank you, and to your point, maybe those adjustment should be made all at the same time. I do not know whether we want to make the adjustment that you and I have talked about, Marianne, first, and then Bruce's adjustment later, because there is nothing urgent happening with this. It is housekeeping, tidying-up activity.

Village Attorney Stecich: Whatever changes are made are not going to get in the way of what Bruce is suggesting. And at that point, let us say you thought the Building Board was the appropriate board for appealing these greening decisions, then you just add that to their

powers. You may, on the other hand, think that is not the board that makes the most sense. You might want to have a board that is more heavily weighted with conservation types, and then you can create it at that point.

Mr. Metzger: I am appearing as a member of the Comprehensive Plan Committee. I would like to suggest that that committee not be disbanded until the Village-wide meeting that the Board is going to be holding at some point in the future. If questions do come up, you may need some feedback from the committee. It would probably be better for the committee to remain in force until such time as you either approve or disapprove the plan.

Trustee Armacost: I do not have a problem with that. Just so you know, when we make this decision it will reduce our boards from 26 to 21. So we are moving in the right direction.

The second point I wanted to raise was that there are a number of boards and commissions that require membership of other board and commission members. The ones that are affected are Parks and Rec, Draper Park Review, Quarry Study, and Conservation. That is four where people are spread thin as a result of this kind of a requirement. What has happened is that the people who are appointed from another board simply have not shown up to the meetings, so the boards and commissions that were owed that person are running with less members. I would recommend that we make adjustments. Some of these boards and commissions were created by resolution so it is easy. We can just have a resolution to say that we do not have that kind of a requirement anymore and that it can be an individual from the community as opposed to from another board or commission. For Parks and Rec it is embedded in the Code, so we would need to make a change to the Code. Probably these provisions came up at a time when it was more difficult to exchange information. A number were created in the '70s, when sharing by email was not envisioned as a possibility. Showing up and sitting on the committees was the way it had to be done. This is a humanitarian act on our part to acknowledge all the hard work that people do, and not put them in a position of having to stretch beyond their capacity. I would like to recommend and ask Marianne if she would draft those shifts either in legislation, or in the form of a resolution because it was created by a resolution, to make that change.

Trustee Jennings: I do not have an objection. But the broader question is the fact that perhaps do not have as good a mechanism of coordination and joint deliberation on issues where the expertise of two or more of these groups overlap. It has been my experience that as we embrace new things: economic development, downtown, tourism, walkable communities, sustainability, even the waterfront, we are finding convergence, not specialization. I fully agree that the older system should be changed, but I do not think it is a magic bullet. I think we are still going to have to work on some way to increase the dialogue

and the exchange of expertise, consensus building among several of our committees. Right now, it is too fragmented, and there is this tendency to develop little bailiwicks or silos: I am on X committee, so I only have to think about one, two, three; and I am on the Y committee, so I only have to think about four, five, six. But that is not the reality of our village. Call it a management system if you want to be fancy, but we have to figure out a better way to utilize the expertise of our volunteers both for the sake of the Village, and also to honor them and their time. We are sometimes wasting people's time because of this phenomenon of poor communication. I wanted to put that on the table for future discussion.

Trustee Walker: I agree with Bruce. You were addressing the communication among the boards and committees. But there is also the question of communication between the boards and committees and our Board. There used to be liaisons from the Board of Trustees to many of the major boards, and I am thankful that we do not each have an assignment to attend meetings of another organization. Just as we are relieving others of this double duty, I am happy that we have been relieved of the 3333 duty. However, we are not communicating as well as we could with many of the boards. We need to discuss a management structure but as well, a communication structure with the Board of Trustees, whether it is having a board come each month to report on activities, or some other means.

Trustee Armacost: I agree with both of you. That also came up in the course of these discussions. Some of the boards and commissions are functioning very happily and working very well on their own, and it would be useful to know more about what they are doing from our purpose, and for us to share information with them. It would be wonderful to have quarterly reports, or at least biannual reports. A couple of the chairs like that idea; others are not sure, and some I have not had a chance to talk to about the idea yet. It may be that that is not the best mechanism. But trying to find a way to increase the communication without creating additional burdens of time for people: that is the challenge.

I have chatted to quite a few people who have been serving as a result of this process. It is truly is a remarkable group of unbelievably talented and committed people, who are juggling personal obligations, work obligations, all sorts of different kinds of obligations in order to serve the Village. I was very moved and touched by that. This process of disbanding should be viewed as a recognition of all the extraordinary work, because truly they have done an unbelievable job. I am sure you all feel the same way. I wanted to make that point because it came out very clearly in this process.

Trustee Walker: We have talked about this, but we should officially institute an annual get-together of all the volunteers and boards and commissions. Whether it is a barbecue in the park or a party at the Community Center, it would give everybody a chance to meet each other. We can thank them and celebrate them at the same time.

Mayor Swiderski: Niki, how do you want to handle the formal disbanding?

Trustee Armacost: In the same way as you appoint people at the beginning of a meeting, maybe next meeting you say some lovely words about our appreciation for all the people who have been involved. Those five can be officially recognized, and we move on. The other ones are a question of tinkering with the legislation or creating resolutions that free things up.

Trustee Quinlan: But not the Comprehensive Plan until the meeting.

Mayor Swiderski: Until we decide.

Trustee Quinlan: Yes, until we finish it, OK?

2. Dobbs Ferry River Towns Square Scoping Document for Draft Environmental Impact Statement

Mayor Swiderski: Dobbs Ferry has before it a development proposal located just to the west of where the New York Sports Club is and slightly to the north. It is, as proposed, a substantial development: over 200 units of housing, commercial space that is likely to be some sort of food market, a restaurant, and other commercial uses. It is a substantial build-out of that area. I was going to write a letter requesting that Dobbs Ferry, when they engage the consulting company to complete the Draft Environmental Impact Statement, carry out a traffic study in more locations than they originally offered, most of them within the borders of Hastings, so that the hit to our infrastructure is more accurately reflected and, if remediation makes sense, is included.

While I was discussing that with the Dobbs Ferry mayor, a citizen who is with us tonight, Danielle Goodman, submitted a letter that detailed community concerns for the Ravensdale community that went substantially beyond traffic. I thought it would make sense to place this on the Board agenda because the letter should not just be from me, and determine if there are other factors that the Board may want to have mentioned in that letter. I would suggest as a result of this discussion, the letter I draft I circulate internally to make sure everybody is comfortable with it before we submit it. We do not have much time. This would happen shortly.

Trustee Walker: I agree with the traffic impacts. I will not identify specific intersections right now, and I think Danielle has probably already done some of that in her letter. But I particularly wanted to talk about community character and economic impacts. When the

ShopRite supermarket was proposed in the '90s, in addition to traffic we were very concerned about the impact of the ShopRite on our own supermarket as well as drug stores and other retailers in our downtown. They asked in the scoping document to look at Ardsley and Dobbs Ferry but they did not include Hastings. I do think it should be included.

Mayor Swiderski: Just to be explicit, what you are requesting is that their market study, which analyzes the impact on local stores, including Hastings.

Trustee Walker: Particularly our supermarket, but our other retail shops. The 70,000 square foot supermarket is almost three times the size of our A&P. That is almost as big as the ShopRite that we fought very aggressively. We spend a lot of time in this village looking at the potential economic impacts and the community character, even going to the extent of saying what happens if our stores close here in Hastings, and what would the impact be if we had no A&P. If we all had to drive to the ShopRite, we did not have a walkable village anymore. There are also a lot of issues associated with the amount of commercial space that they are suggesting. Dobbs Ferry is already addressing the traffic impacts in that immediate vicinity, which are critical. I use the New York Sports Club, and it is already hairy to drive around there and park there. So clearly, that is going to have to be explored, and I know that they are asking for that. I am most concerned about our downtown.

Trustee Quinlan: I would like to hear from Trustee Goodman about what her other concerns were. Traffic obviously is a problem, and Meg, you make a good point about the effects on our downtown. We have to weigh in as a village quite strongly, but ultimately it is going to be up to Dobbs Ferry. I am sure that they will listen to your letter and some of the issues. Are there any other issues that I am missing besides economic and traffic?

Danielle Goodman, 28 Ashley Road: I am sorry I did not get here earlier, but as I understand it you reappointed me to the Committee for the Disabled. I am grateful for the appointment, and am honored to serve. I know that you usually say thank you for your service, so thank you for your service.

And thank you for putting this matter on your overloaded schedule. I did not mean to jump the gun on anything that you might do here by writing this letter. But at the point in time that I wrote it, the deadline for submitting written public comments was April 8. So, hastily, I worked with my neighbors to get something in just so it would be there as a place saver. No position is being taken on the project itself. But if we do not identify potential impacts and ask for the study, then we will not get any mitigation if there is any to be had. So I just look at it as a regional planning exercise. It sits on our border. The intersection of Ravensdale and Farragut is 1.7 miles away from the development. Something not covered in my letter is the fact that the scoping document asks for a land use study only within a half-mile of the

project. One of the things I was going to ask to be added is to increase that scope of study by Dobbs. The three areas my neighbors and I identified were traffic, watershed management issues, and county trunk sewer line issues. Traffic should be more than just traffic counts. It is a quality of life thing. One thing I wanted to tighten up in this letter was tied into the land use. Although they are studying traffic, they are not studying our land use. If you are going to study, for example, the Ravensdale corridor it is not just about cars. It is about the fact that there are 28 homes there with 21 active driveways, two crosswalks, and the three-way stop with a blind curve. So if they were not going to study that situation then I was going to give them demographic data, like how many people live along Ravensdale Road. So traffic is a big concern, and not just traffic, but the danger, the hazards from traffic, the noise, the air quality. Westchester already does not meet the EPA standards, so that is an issue. And the trash that people toss from their cars along Ravensdale Road.

Flooding. I am not a water engineer, but Mr. Metzger and I have studied the Saw Mill and I have pictures from some years ago. This last round of flooding was bad. And your village is the reroute. When the Saw Mill is closed the traffic comes up 9-A, it comes through Ravensdale, it heads for Broadway. If it is going Broadway north, it comes up Farragut. If it is coming Broadway south, it will cut through James and then Tompkins, and then Broadway south. It is a real problem.

I do not think that this scoping document, as drafted, really deals with the conditions. They talk about the one-year storm, the five-year storm. I do not even know how to address that. But my point is, it should be studied because this is a substantial build-out and that watershed is filled right now. If you look due north, at Elmsford, this last round of flooding, the intersection of 9-A and 119 flooded. Elmsford has constant problems. Why? Because they, for good or bad, permitted very dense building along the Saw Mill River. It all comes downstream then to us, and beyond to Yonkers. The sewage lines, I just do not know. I quoted some statistics I got from Beczak, but if you look even today there was a major sewer break in Kentucky where people died from this sewage plant erupting. Again, it is rain, it is watershed issues. I wish someone would just take a leadership role here, and there should be set-aside.

The other thing about this build-out is, there are currently eight acres of open space there. After this is completed, half of that will be gone. So those are my additional concerns. Meg, thank you. I did not have time to even address the economics. I just stuck to my issues, but absolutely that is a concern. The builders that are involved in this project build for Bed Bath & Beyond. Need I say more? I know I fought that project so you might think that this is ironic, but you have to be somewhat protective of the 9-A parcel. We already have a project planned, and those residents have to get in and out of their driveways and they have to be spared of flooding. That is why I think the floodplain and the whole 9-A corridor all the way

up to Holly Place and Marion, as well, that is another neighborhood, should be included. Those residents were going to get in touch with you.

Mayor Swiderski: They have, and the intersections down in the Holly Place area will be included.

Ms. Goodman: I have the rainfall statistics. The last round of flooding, we had 7 inches between 3/6 and 3/7. But oddly enough, when we had the worst of the flooding, which was on 3/10, there was only 1.77 inches. So the frozen ground, the conditions, this study does not take into account back-to-back storms at all. But thank you very much for taking this up.

Mr. Downey: There are very few people in the community I consider as thoughtful and caring as Danielle. But we have to be careful how this is communicated to Dobbs Ferry. Once we say you are taking business from our village, or, you could affect our village, if that tone comes across what is going to happen when we try to do something at the waterfront. If we start getting into this battle of the villages, and me-ism and my-ism, we are going down a bad road. That wording has to be done very carefully.

Trustee Walker: Dobbs Ferry is in the same boat with their supermarket. Fifteen years ago, when we were facing the ShopRite, Dobbs Ferry residents, and eventually Village officials and Hastings residents and Hastings village officials, collaborated on a lot of it because they were fearing the impacts of the ShopRite in both downtowns. So we worked together, and I think in this case it is the same thing. It is just that it was not recognized in their scoping document that Hastings is also potentially going to be impacted the way Dobbs Ferry and Ardsley will be. Their downtowns were mentioned, but Hastings was not.

Mr. Metzger: I was at the meeting with Danielle Goodman the other night. They are proposing 230 rental units of housing. And there is no public transportation to that site, which means the vast majority of those people are going to be commuting, not necessarily but probably, to the train station, whether it is in Dobbs Ferry or they find space near our train station. We need to look at the impact of 150 or 200 people utilizing the train from one station north of ours. It is something we need to be concerned about. We were very careful, to talk to Tim's concern, to not take any stance pro or con on this project, but strictly to raise the issues that affect Hastings and the surrounding community. There were people from Ardsley there. This is what it means to be a good neighbor. Mayor Connitt was very generous, and he mentioned that one of the things he appreciated, after Danielle and I and spoke, was that we have to be good neighbors with each other and we have to cover each other's backs because that is the only way we can all grow successfully.

Steve Rosenbloom, 5 Round Hill Road, Dobbs Ferry: One thing that was not discussed in depth is that a hotel is being proposed for this site one block in from the Saw Mill, over 100 units or 100 rental occupancy units. To my knowledge, there are not any hotels on the Saw Mill for people coming in and out on a transient basis. That will affect not just Dobbs Ferry, but also the surrounding communities. It will change the nature of the Saw Mill corridor and the aesthetics and quality of life of the town. It has already been mentioned that the supermarket is proposed, at 70,000 square feet, twice the size of Stop and Shop. It will certainly draw from the downtown of Dobbs Ferry and the downtowns of Hastings and Ardsley. On top of the 70,000 square feet of supermarket space, there is another 75,000 square feet of retail space proposed as well: restaurants, banks, which will be a drain on the surrounding community, will be in competition with the surrounding towns, and will greatly affect the downtown economies.

The traffic will be a nightmare. All of this activity, the 150,000 square feet of commercial rental space and the 225 apartments, is all supposed to feed into the Saw Mill at the same entrance to Lawrence Street that currently exists. It might be widened a little bit, but it is still going to be a huge problem. If anybody goes to Starbucks or the sports club, you see how hard it is now to get in and out. Can you imagine how hard it is going to be getting on and off the Saw Mill Parkway after 225 apartments and 150,000 square feet of commercial space is built? I think all of this will affect Hastings. Additionally, they are talking about extending the gas line down, which only goes to Ogden Avenue. They are talking about an extension of gas pipelines down onto this property. Again, that has wider implications for the surrounding villages. Flooding has been mentioned, a real big problem in terms of traffic. Where all the trucks are going to come from, and how they are going to access the new supermarkets, these huge trucks? They are not allowed on the Saw Mill, but how are they going to get to these new markets? Are they going to be coming through the adjoining towns and villages? So there are a lot of issues. I am glad to see that this town is taking an active interest in it, and I look forward to following up on this.

Ken Tuccillo, 1155 Warburton Avenue, Yonkers: I am not in Hastings anymore, but this is an issue of regional concern. I agree with everything that has been said. I would like to raise the issue of Hillside Woods. I understand that originally the scoping document talked about a trail through Hillside Woods. They may be taking it out, but the impact on Hillside Woods is something that this Board should definitely consider. This village worked very hard to raise more than \$3 million to purchase Hillside Woods. The people of the town voted in a bond to raise that money, with the assistance of the county and the state. There is definitely a vested interest in preserving it. This is a project which, it sounds to me, is going to be about the size of downtown Hastings. Does anybody know how many square feet of retail and commercial we have in downtown Hastings? I think it is probably less than this.

Mayor Swiderski: It is less than the combined.

Mr. Tuccillo: So this is going to be bigger than the downtown of Hastings is. It is going to be right next to Hillside Woods, which is a very sensitive environmental area with rare species and some protected species. That is something that definitely should be taken into consideration by the village board of Dobbs Ferry. I think that Dobbs Ferry will probably appreciate Hastings' input. One thing I have noticed over 30 years around here is that it is not always true that the board walks into this wanting the project to go through. Some people seem to take that as an assumption. But they are faced with a developer who wants this to go through, and who they have to listen to or get sued. So we should not assume that the Dobbs Ferry board wants this. But they may need our assistance and also the assistance of Yonkers, perhaps, in trying to show that this is just an outrageously large project that is going to impact the Village.

Mr. Skolnik: I know that this issue was peripherally discussed at the last Planning Board meeting. One thing that is unfortunate in the time frame that Danielle has outlined is that it does not seem as though the Planning Board would have, within the scope of their regular schedule, time to address this. But it would make a tremendous amount of sense to have their input in this effort, as well. I do not know if there is a way that that can be accomplished. In their meeting, the point also came up of the issue of the parkway character. There is, in fact, a hotel in Elmsford, but nevertheless, it certainly would impact within that area, and have a dramatic impact to the quality. Plus, for sure, the traffic.

Danielle mentioned very gently this idea of looking at this as a regional planning exercise. But I find it exasperating and frustrating that regional planning has been talked about for years and it does not happen and I do not see any evidence of it. One of the first items you discussed was the hotel tax. Even though it did not particularly impact us at least at this point, it was framed as a gesture of supporting our neighbors. I find it ironic that we have tended to make these kinds of gestures, another of which is Ridge Hill and the decisions that were made in allocating the \$5 million on road projects, which the Board ended up deferring to the surrounding villages. We did not really get any project that impacted us. We deferred to Ardsley, to Greenburgh with this. So we have been very generous with this. In fact, I would like to see some more definitive effort. Mr. Frobel said he was going to be meeting with the planner of Greenburgh. I am wondering, between Mr. Abinanti, Mary Jane, if there is some definitive regional movement that can occur. Not the least of which is that Ken just mentioned something about maybe getting Yonkers' input on this too. Which is, of course, ironic since the project that is coming up right north of Costco is going to certainly impact just as much in this project.

One of the frustrating things is that these things have always been looked at piecemeal. We look at one thing, and then we look at another thing. This issue of traffic studies has become almost laughable from two points of view. If you were to collect the traffic studies that have been done recently, between Ridge Hill and the subsequent ones that were done by the traffic consultant for the Ridge Hill committee, all in the same region, and then the ones that were done recently for the 9-A daycare center in that same region: all of these things get done, and nobody seems to understand what the ultimate impact. I have never seen somebody go back and look and say were we right about these projections. So the idea of doing yet a whole nother series of studies, I am a little skeptical unless it is done in a much more global way.

Ms. Goodman: The other thing, and it has been touched on, but the view shed, the ridge line. Chauncey Square, I do not know how that happened. Maybe it was neg dec'd. Because there is no traffic study for Chauncey Square. I suddenly pulled up one day and said how did this happen. So this is going to be more of that. And it is a bad precedent. Perhaps we could work something in about the ridge line, the view shed because we see it. Dobbs Ferry gets off at Ashford. We come down the line, and it is hard on the eyes.

Trustee Walker: Dobbs Ferry's zoning allows this development. It was recently rezoned. The new zoning allows for this type of mixed-use development. So be careful what you wish for. They could have planned this area so this would not happen, but they planned it so that it would happen, recently. I find that ironic. But on the other hand, the county, their old comprehensive plan advised municipalities to concentrate development in existing centers near public transportation and near existing infrastructure. That was probably 20 years ago. They are writing a new one, it is pretty much complete, that says the same thing even more forcefully. Here, the municipalities are just ignoring this. We have been talking about planning around centers for over 20 years, and yet we get Ridge Hill and we get the Stew Leonard's and we get this. We are ignoring principles of good planning in this region, unfortunately.

Ms. Goodman: For us the immediate impact is worse than Ridge Hill because Ridge Hill will get disbursed. There is the Thruway, the Sprain, Tuckahoe Road and Jackson Avenue. But this is closer to home.

Trustee Walker: One other point. In their scoping document, they are going to be looking at most of the development that is underway or proposed. But they did not mention the one next to Stew Leonard's.

Mayor Swiderski: I will try to structure something and circulate it. Patty, has the Planning Board had discussions on this?

Patty Speranza, Planning Board Chair: We briefly touched on it at the last meeting. At our next meeting coming up in April we are also looking at the information that we are gathering for the proposed developments over the border in Yonkers, both the one at Costco and there is one right off of 9-A that is residential. So we are looking at that. We are trying to pull that all together and see exactly what we are looking at in this area.

Mayor Swiderski: In regard to timing, your meeting is April 21?

Planning Board Member Speranza: Right.

Mayor Swiderski: I do not think there is any time left to take your comments and put them in. I would like to propose that when I circulate a draft to my Board, I will circulate it to you, and if you could get a flash reaction, as quickly as you can, from Planning Board members who would want to comment, it will give me four or five days to integrate responses back to the final.

Planning Board Member Speranza: That is a good way to proceed.

Mayor Swiderski: Allusions are being made to the Stew Leonard's complex which, in size, blows even this away. Just for sense of scale, 200 units are trivial. The one at Stew Leonard's is 400 units. And it is with a structure that is 130,000 square feet large, which is larger than everything proposed here combined. And another structure that is 30,000 square feet large. The only positive thing I can say is that traffic is going to be such a nightmare we will have to shop in Hastings because nobody will ever be able to get out.

3. Update on the Waterfront

Trustee Quinlan: The only development is we had a meeting a week ago Monday which Village Manager Frobels and Mayor Swiderski and I attended. It was with BP/ARCO, Riverkeeper, and Hastings. Our consultants, BP/ARCO's, and Riverkeeper's were there, and BP/ARCO's and Riverkeeper's lawyers. We were talking about, and had a presentation on, the modified revised feasibility study that is going to be submitted by BP/ARCO to the DEC any day now. We talked about trying to form some sort of cooperation, if possible, between Riverkeeper, the Village, and BP/ARCO on at least whittling down the alternatives, of which there are at least 10, to recommend to the DEC if we possibly can. We are working on that now. Riverkeeper now is studying it. Mayor Swiderski and myself were in agreement about which alternatives we thought were at least acceptable. We would whittle it down to two, and they are thinking about it.

Mayor Swiderski: As part of that meeting we also distributed the memo that Meg and I wrote on uses, and I think the timing was very fortuitous, because it fed Riverkeeper's staff information they wanted to hear about.

4. Other

Trustee Walker: I wondered what happened with our number six bus line.

Village Manager Frobel: There will be no change in the routing.

Trustee Walker: The Chief wanted the number one buses to go up Main Street. Was there a discussion about the number one buses?

Village Manager Frobel: They will not consider that.

Trustee Walker: Have we scheduled a cleanup day in April?

Village Manager Frobel: We do not have a date yet. That is one of the things for Ray to consider.

Mayor Swiderski: There is this group of AmeriCorps volunteers in town. I think they are doing something on the April 17, which may be too soon for us to marshal resources. There are nine of them, as eager and appealing a group as you will ever encounter. They are organizing an effort to do a cleanup and vine-cutting within Hastings that weekend.

Trustee Walker: That weekend, yes. And we want to make sure that the public is invited.

Mayor Swiderski: Ideally we could work around that, but it is hard to do that within a week-and-a-half.

Village Manager Frobel: For what, our cleanup program?

Trustee Walker: I do not think it necessarily has to coincide with our cleanup program. But if we can let people know that this is happening, they could be trained.

Mayor Swiderski: But it will muddy the water if we have their cleanup, and then ours two weeks later.

Trustee Walker: I think theirs is more of a vine-trimming effort, right?

Village Manager Frobel: That is what I understand. Ray got involved in that, and that was his report.

Trustee Walker: It would just be nice, when they are doing it, to invite either the youth group that they are meeting with, or adults. It is an opportunity to learn their techniques and learn about vine cutting. We need to do more vine cutting in this village. It is one of these things that you have to keep up over time. They are making a heroic right now, but next year we will have to do something similar.

Next week we are discussing the CDBG grant proposals. Susan and I have been looking at a number of parks, sidewalks, public space improvements. We are going to be talking about this in more detail next week. But we have organized a public meeting for Thursday at the Community Center to talk specifically about the parks along Warburton Avenue. Some are within the census tracts that qualify for the low- and moderate-income levels for CDBG monies and some are not. We are going to be talking about Wagner Park, which is where Warburton hits Broadway; the Vestpocket park which is across from Antoinette's, that little one; and Riverview Park, which is the south end of Warburton Avenue and not in the CDBG district but we think that it should be discussed anyway. We would like to get some community input on these parks. They should be used by their neighbors to a much greater degree than they are. Each one of them can serve an important purpose, not only in their immediate neighborhood but in the overall community. So I want to encourage people to come on Thursday night.

Mayor Swiderski: I want to talk about the budget process and dates.

Trustee Armacost: I was going to ask how many meetings we need and the dates. Last year was my first experience in a budget process. Different departments would meet on different days, and they would defend their budget, in a sense. If we can move away from the notion of defending the budget to a place where we, as a Board of Trustees, are discussing strategic tradeoffs that have to be made, I think that is a healthier place to be. It is less adversarial. The Village Manager has helped us tremendously by bringing us a budget that instead of having a nine or ten percent tax increase embedded in it, which is what happened to us last year, where we have to go through that process of bringing it down to four percent before we even discuss it, he has brought us a budget that is at four percent. That makes it much easier for us to then be making strategic choices at this point. So I am hopeful that it could possibly be one or even two meetings, but not four.

Mayor Swiderski: I have a thought that involves serving you up in a role that I am putting you on the spot by asking you to do. What I liked about the DPW discussion we had on the garbage law was that everybody's issues went to Bruce and he churned out a memo that

summarized the issues and we came in to a focused discussion on those issues. I would like to suggest that we submit to you key issues we identify in the budget as it now stands, and have you broadcast back out to the Board and to Fran ahead of next Tuesday. This would help Fran structure what the meeting might look like. For example, it may turn out that third quarters of our comments are around the DPW budget and the fire department budget, and nothing on Bill Finkeldey and the Community Center. So maybe Bill does not have to come down this year, and the time is better allocated to looking at the other ones. It will allow you to get it on Monday morning and you will not have much time to tell the departments. But at least it might focus the discussion. I do not imagine we can complete it one night. And now we head into scheduling hell. Next week is April 12.

Village Manager Frobel: That is our public hearing on the budget.

[Discussion of dates for budget work sessions]

Mayor Swiderski: April 26 will be the second half of the budget discussion, where we will be acting on any changes that may have come out of our discussion from a work session on April 14.

[Discussion of date for budget approval]

32:11 SCHEDULE SPECIAL MEETING FOR ADOPTION OF FY 2011 -2012 BUDGET

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

RESOLVED: that the Mayor and Board of Trustees schedule a Special Meeting for Wednesday, Apr. 27, 2010 at 7:00 p.m. at a place to be determined to approve the Village budget for FY 2011 – 2012.

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	

Trustee Quinlan: May I recommend that we dedicate most of the April 26 meeting to the budget.

Trustee Armacost: If we need to. We may all be resolved on April 14. It is optimistic, but I agree with you, Jerry.

Mayor Swiderski: That is so optimistic it is not realistic.

Trustee Quinlan: One thing I want to explain briefly. We had asked the Village Manager to develop a budget that would not be higher than 4 ½ percent. And he did it. So a lot of our work was done there. I plan to take a look at the budget, but we gave the Manager a charge and he followed it. So I am hoping that there are not too many more problems. I am hoping that this will not be the type of process it has been in the past, which I have been against for the last five years.

Mayor Swiderski: Right. And there is a component which we cannot ignore, which is that we have come before departments and the departments have turned around and lobbied hard in response. That has always been the way. It is understandable. What I would ask is the Board's consideration whether that could be done and consolidated into a single e-mail or document to us by Fran ahead of the budget meeting, if there are disagreements that you are aware of, that there are departments that feel strongly and would like to come before us, rather than stumble through that process, which is just gruesome.

Trustee Armacost: So are you suggesting that even though the budget has been brought down already that you are going to give opportunities to departments to lobby to increase it?

Mayor Swiderski: That is an ugly way to put it, but yes.

Trustee Armacost: I think that is a peculiar process.

Trustee Quinlan: I agree with Trustee Armacost.

Mayor Swiderski: It is a Board with five votes. I am always happy to take the sense of the Board if there is a disagreement. I am just trying to provide an opportunity, if some department feels very strongly that something needs to happen, that it be considered. If everybody feels that it has been pre-screened by the Village Manager, and it is ready for our review, then I will can the proposal. I was just trying to provide a mechanism.

Trustee Quinlan: Just because something has always been done does not mean it is right. This is something I have been lobbying on for the last five years, that this process just becomes a cheerleading event by the departments, who obviously for very good reasons, including if I was a department head I would want to do it, too, is come and get more money. Who would not? But we are trying to revolutionize the system to help the taxpayers with our high taxes. There is going to have to be a balancing act. I, for one, think that Hastings has an enormous amount of services. They are great services. To a certain extent, and this is not going to be popular, you have to balance between high taxes and services. That is what the Village Manager has tried to do this year. I have seen the budget, and it is not a bad idea.

Mayor Swiderski: I understand your point. I would argue we have made great strides in changing the process. I am simply trying to preserve a public mechanism for a sharp disagreement to be aired that does not involve private lobbying. I understand what you are saying. I am not meaning to undercut the Village Manager.

Trustee Quinlan: No, I hope I did not even hint at that.

Mayor Swiderski: But if there is a strong feeling that there is no need for it, that is fine.

Trustee Walker: Well, I agree with Jerry that we should not open the door, invite department heads to come and lobby.

Mayor Swiderski: That is not what I am asking for.

Trustee Walker: But Niki mentioned that this is an opportunity for us to evaluate our policies. It is like strategic planning. We have to decide, if there are questions about where the money should go that are disagreements or difficult issues, we need to resolve them. I was wondering is if the Village Manager could point out some areas where there may have been some tradeoffs or questions. Not necessarily disagreements among department heads, but areas where he thinks we should focus our efforts from a policy point of view and from looking toward the future, for example, building up our reserve fund. We need to have a discussion, but it needs to be targeted and it needs to be looking toward the future.

Mayor Swiderski: In practical terms, what are you suggesting?

Trustee Walker: In practical terms, I am asking the Village Manager to point out things. We are going to go through the budget, and we are going to look at things and flag things that we are concerned about, and then if the Village Manager could point us perhaps at things that he thinks are good discussions that we should have now that would help in long-term budget planning.

Trustee Jennings: The process as we have done it this year, which I think is much better than the past, was to set a target, a ceiling figure, when we instructed the Village Manager to begin the internal budget preparation process with the staff. But when we came up with that figure, the 4.5 percent that it was this year, I never intended that that was a decision about what the tax increase ought ultimately to be. I thought of it as a ceiling, not a floor. Therefore, I think we have always been open to the possibility of reducing the budget that the Village Manager has submitted to us. So this process is about now making our own hard choices. The staff having done that, we now have to take responsibility and come up with something that we feel is reasonable. This process that we are going to go through in the next couple of weeks could very well be a process that will reduce the tax increase lower than the preliminary budget contemplates. Because of that, it may be a timely thing for us to receive input. I would prefer to have it in writing. I do not like the lobbying forum approach of the department heads. But I would be comfortable if any of the Village staff, in consultation with the Village Manager or independently, would like to develop a memo to us and explain why we should not cut a particular item any further than the draft budget has done, or maybe even make a case for increasing it, but at least explain to us why this is as low as we dare go. We can get all the knowledge and information we need to have in order to be responsible elected officials by getting this in writing. I do not think this has to be an in-person communication. But I do think there is a place for it now. There would not be if we were just pretty much going to say 4.5 percent, that is what we wanted in the first place, this is fine. But I do not envision that. I envision more reductions.

Trustee Armacost: I one hundred percent agree with Bruce. The point was that that was a ceiling. It was to stop the scenario that had happened at least in my first experience, which I found a shocking experience.

Mayor Swiderski: But which part do you agree? That part, or what about the idea of the written submissions? Because that is what you disagreed with the first time around.

Trustee Armacost: I disagreed with written submissions to argue that it be increased. That is what I have a problem with.

Mayor Swiderski: But that is a possible outcome of asking departments.

Trustee Armacost: I think it is a very mixed message. If we are agreed that the message is that we instituted a ceiling, and now we change that and say it was a ceiling but we are just kidding, it was kind of a ceiling but if you feel like it should go up then make your case for it to go up, that is a very mixed message. A ceiling is a ceiling. That means it can go lower, but if it is a ceiling it should not go higher than the ceiling. I do not mind if it is in writing, I

do not mind if it is in person, whatever feels most transparent for them, most democratic in terms of having views being heard and most effect for us. That aspect does not bother me. But I really do feel quite strongly about the ceiling. That was the point back when we did this, and I do not think it is helpful to shift that at this point. I think then you are do not know where it is going to go. Someone could argue, well, it should be 10 percent higher; that was just completely unfair that it was reduced to this level, and really we need X number of whatever it is. I do not think that is helpful. I also think it undermines very hard work. I know it is painful, and it is very emotional this business of doing this budget process. Fran put a lot of work into that, and I think we should respect that, as well. That is why I feel strongly about the ceiling being maintained. If we go lower, then that is great for taxpayers, I guess.

Trustee Jennings: I did not intend to invite written comments in order to give the staff an opportunity to lobby for increases. I was intending that as we go into this last phase making changes in the budget that the Village Manager and the department heads have negotiated within our guidelines, we do not want to cut ourselves off from information that might be helpful to our deliberations. It is quite artificial to say the staff is not allowed to talk to us anymore. We want to be sure that we avail ourselves of staff expertise, not in the spirit of I want more for my department, but in the spirit of here is what I think would happen if you cut this any further.

Mayor Swiderski: Fran, how would you like this process to work?

Village Manager Frobel: We will get the comments from the Board through Trustee Armacost. A memo will be presented to me highlighting those areas of common concern, and we will proceed from there. Department heads have the public hearing as an opportunity to speak out. They can communicate, and they may have already communicated, with Board members, on the budget. I have no knowledge of that, but that could happen. I am a realist.

Mayor Swiderski: So you do not see a need for the round of consolidated input from the various department heads.

Village Manager Frobel: Only on the basis of the memo that may be forthcoming. That will key us in on areas that the Board is concerned about.

Mayor Swiderski: I will accept that. That is a compelling response. They can respond to concerns raised. I do not know if that response has a lot of time to gel into written form by Tuesday night if they get it on Monday morning, but if they can, if they want to, they may not want to, and they convey that to you, and you present that, that would be useful. I will

withdraw my request then, and present it that way. Thank you. And thanks for the spirited debate.

Trustee Walker: Niki needs our comments by when?

Mayor Swiderski: Friday would leave you the weekend to pull them together? Is that reasonable?

Trustee Armacost: Yes.

EXECUTIVE SESSION

On MOTION of Trustee Walker, **SECONDED** by Trustee Armacost with a voice vote of all in favor, the Board scheduled an Executive Session immediately following the Regular Meeting to discuss contract matters.

ADJOURNMENT

On MOTION of Trustee Armacost, **SECONDED** by Trustee Walker with a voice vote of all in favor, Mayor Swiderski adjourned the Regular Meeting at 10:15 p.m.