

VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
REGULAR MEETING
MAY 17, 2011

A Regular Meeting was held by the Board of Trustees on Tuesday, May 17, 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 (8:40 p.m.), Village Manager Francis A. Frobels, Village Attorney Marianne Stecich, and Village Clerk Susan Maggiotto.

CITIZENS: Three (3).

APPROVAL OF WARRANTS

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

Multi-Fund No. 64-2010-11 \$158,235.46

APPROVAL OF MINUTES

On MOTION of Trustee Quinlan, SECONDED by Trustee Jennings with a voice vote of all in favor, the following Meeting Minutes were approved as presented:

1. Public Hearing, Regular Meeting, Executive Session of April 26, 2011.
2. Special Meeting of April 27, 2011.
3. Public Hearings No.1 and 2, Regular Meeting, Executive Session May 3, 2011.

PUBLIC COMMENTS

John Gonder, 153 James Street: I think that Friday Night Live a couple weeks ago was really great. They did a nice job, the dance. Sometimes I think we are going down, down, down the drain in the Village of Hastings. One reason, simple thing as potholes. I know you cannot fix them in rainy weather, but last week it was beautiful. I did not see any crews trying to fix potholes. I am talking High Street, Villard, Main. Street, main thoroughfares. I am not talking about the side streets. Something has to be done. A simple thing, fixing potholes. I know, Mr. Mayor, you do not answer questions. But sometimes you do.

Mayor Swiderski: Sometimes I do.

Mr. Gonder: What happened to the noise ordinance in restaurants and bars?

Mayor Swiderski: It is on the agenda today. The Chief will speaking to that issue.

Mr. Gonder: The deer problem has been at least six years. You tried to do something, and then down the drain. Is it going to be another six years? Atlantic Richfield and BP, they knocked down a lot of buildings but really have not cleaned up very much. And it is going to be what? Another generation? First I hear six years, then 10, then 10 alternate programs. I still think you should get a judge to put a court monitor in place.

And one big problem is that swimming pool. Last year you got 20 people, 20 families maybe 25. This year, 50. What is it going to be next year, a hundred? Why do you not make the pool just like the library, free to everyone in this village? I know it is a tax burden, but I do not mind sharing the police when there is a problem in Irvington or Dobbs Ferry, or an ambulance when there is a problem. Or even sanitation if a truck breaks down. But I hate sharing our pool to outsiders. It seems that the pool is only for the elite of this village. I know you give some scholarships. But still it should be for everybody, not 50 families outside, maybe next year it will be 100. Was there an investigation why the thing came down? Is it the economy? Is people moving out and cannot afford it? What is it? There must be a reason. Or have you investigated? Did you even think of covering the pool with one of those tents, and maybe making a deal with the school using it and having it used all year? Think, have some visions. But just do not give it out to other people. If they want the private pool, let them go and join the private club.

Tim Downey, 520 Farragut Parkway: I left a few fliers regarding the meeting at the Embassy Club in Dobbs Ferry this coming Monday. The Dobbs Ferry Wildlife Committee is putting on an in-depth and responsible meeting, it appears. At two prior meetings this season I spoke on the deer situation. We have tough financial situations here, so I can understand if nothing were to be attempted in the immediate future. But going forward, I have addressed the issues of the conception, I have addressed issues regarding the range of the deer and the difficulties those two together create. I would like to touch on the idea of using bow and arrow with qualified individuals in a respected fashion to address the deer population numbers. I have spent a good deal of time speaking to hunters. I used to be a hunter years ago, but I wanted to refresh with the new technology and new weaponry. I went to a local archer shop and I tried one of the new bows. I had not picked up a bow in 17 years. But indoor shooting from the length of one wall here to the other, I put two arrows into the size of a silver dollar. Where you point these things is where they go. That does not say much about my shooting skill. It just shows the accuracy of these weapons. There has been a lot

of comment about arrows flying about. That is nonsense and that language should be left out of this discussion. People feel it is inhumane. I have some compassion for that discussion. But 70 to 80 percent of the time when a deer is struck by an arrow they run a distance of approximately the front door of this building to, say, Maud's. Generally, within three or four minutes the deer has died of suffocation for lack of oxygen to the organs and the brain. I am not saying it is 100 percent or perfect. But then neither is the site of seeing deer smashed along the road, dismembered, ripped apart, impaled on the fence in Mt. Hope Boulevard like happened this past March and then, struggling, disemboweling itself. If we do not do something to check these deer, we are going to see more of this waste and brutal maiming of the animals. Management of the deer through archery presents a true mathematical way of reducing their numbers, doing it quick, and doing it in as humane a fashion as possible. Understand you are taking a life and that is never a good thing. But given not doing anything, where do the numbers go from here?

40:11 WESTCHESTER URBAN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION FOR FY 2012-2014

Village Manager Frobel: Over the past several weeks the staff has been working to develop a program that addresses our capital needs both short-term and long-term. In keeping with the philosophy of minimizing the budgetary impact, the staff has put together a wonderful program; one that I think is achievable, and one that addresses two needs that have been readily brought to our attention.

Susan Maggiotto has headed up the Village's drafting of the CDBG program for a number of years, and this evening she would like to spend some time with you going over the program and explaining it to you in some detail.

Village Clerk Maggiotto: CDBG runs on a three-year cycle, and we are now approaching the beginning of another three-year cycle. We are asked to submit our applications for the coming three years. Hastings has been part of the Westchester Urban County Consortium through Title 1 of the Housing and Community Development Act of 1974 since 1976. Most communities in Westchester are part of the consortium, and the big cities operate separately. But it is an efficient way to access these funds that come through the Department of Housing and Urban Development, and they are targeted to benefit to low- to moderate-income groups.

We are told by the census what our target area is. We have to use the 2000 census. The first slide shows you the area where 47.1 percent of people qualify as low-moderate income. They change the numbers every year, but for last year that is an income for a family of four

of \$83,800 for a single-family, \$58,600 for a single individual. So 47 percent fall into that range. If you look at the map, the bottom half of the yellow is Washington Avenue, and then it goes down around where Draper Park is, down almost to Nodine Place, and then up Warburton to where Warburton meets Broadway, and at Edgar's Lane and Edmarth at the top. The eastern border is mostly Broadway. The western border is this side of Maple Avenue. Interestingly, in the 1990 census the target area extended down to the southern border of Hastings. But it has gotten smaller. I do not know what is going to happen in the 2010 census, but for this proposal we have to use the 2000 census data.

I told you we have participated since 1976. I did a brief accounting of the projects that we have done, and the monies received. That is in your packets. The grand total that we have received through this program is over \$1.7 million. CDBG had been responsible for some major improvement in this area, most recently, the Washington Avenue curbs and sidewalks and our senior hybrid van. Before that, a considerable amount of money went towards our Community Center. Ridge Street reconstruction was a major project, as was all of Southside and around the train station and the parking lot. All those sidewalk improvements and street improvements were part of this project. Going way back, the VFW plaza was one of the early projects in the period from '76 to '96.

So we have been pretty fairly treated. I will go through some of these slides. We have to meet a national objective in order to qualify. One of them is the benefit to the low- to moderate-income persons. There are special funds set aside for affordable housing if we were going to have some project, but we will not be accessing that. One thing the county looks at in evaluating our programs is whether they meet with our own plans for our community. Certainly, under our proposed Comprehensive Plan these, these projects that we have selected do further these goals from our comprehensive plan.

We started the process by a lot of brainstorming. Meg spearheaded a community meeting in April where the parks were talked about. Some of this was through the efforts of our own representative to the Community Development Advisory Group, Barbara Sansverie, so we did look at a number of things. One of the reasons that we considered Wagner Park is because our liaison from the county, Suzette Lopane, went through our Comprehensive Plan and thought that it met one of our objectives of improving our gateways to the Village. So that was the genesis of that. But we whittled the list down in response to our current needs and abilities to meet the matches.

Our two projects are the Vestpocket Park and the stairway. The Vestpocket Park is consistent with the county priority of sustainable investment. Neighborhood revitalization is an important part of it, especially if it builds on affordable housing efforts. The Vestpocket park is right down the street from our affordable housing project at Division Street. Again, the comprehensive plan objectives.

For those who are not familiar with it, the Vestpocket Park is almost directly across the street from Antoinette's on Warburton. You can see it on the right there. Here is the inside of it, through those refurbished iron gates. This was a project that was done in the early '70s with federal money, and according to those in planning it looks like it was done in the early '70s. It has certain dated elements. Probably the most dated part is that it prescribes activities; it does not leave you open for all kinds of different activities. It tells you where to sit; you can see the chess tables there. There is a walkway that probably could use improvement. It is bordered on the north and south by concrete walls that are not in such bad shape. They could use a little refurbishing, and we thought it would be a wonderful place to put some murals. The Arts Commission is interested in developing murals to make this a warmer area.

We do not have to draw up the plan now. We just need to have somewhat of an idea of what we are going to do. Our early thinking was to refurbish the benches and so on, but talking with Meg and with several other people, the Girl Scouts have been very interested in this and have done a lot of planting and other kinds of cosmetic things, we are looking at is getting rid of a lot of the elements, leaving that big open area as a stage, and building some steps around it to access it. The rest of the park would be mostly open. We would reuse the tables and maybe set them at a far end. We would like to see it as an outdoor arts center, outdoor performance center, a place for that community but also the community at large that would think of it as an art park on the Hudson. Here is the view of the Hudson River right across the street from the park.

In terms of the funding for that project, we did get some estimates on what it would cost to do what we would call Phase 1, which would be to get rid of the elements we did not want; to build up the steps to the upper area so we would have a useful space; to clear the rest of it and leave it open for different kinds of activities. The budget for that came to approximately \$25,000. Of our \$12,500 donation-contribution we already have a \$5,000 donation. We would use Village labor to do some of the work to the tune of \$2,500, which would leave a cash contribution of \$5,000, which we could budget for, and/or have fund-raising for. I have been in touch with the Girl Scouts recently, and they are very happy to stay involved and get involved with fund-raising. So that would be the contribution from the Village.

The next slide is the stairway. We are all familiar with what these stairs look like. Our plan would be simple. We have talked to several contractors. Tim Downey helped us out with some ideas on it. We would be pretty much encasing the steps in concrete, replacing the railings, the fencing, making it not only safer, but a more attractive passageway as a route. It does meet one of the county's objectives in particular of sustainability and transportation; getting people to public transportation. As a walking route, it certainly serves many people in the low-mod area who use it both to walk to the train and to the waterfront. In this slide we are showing the connection up to Main Street and Warburton Avenue, but we were trying to tie it in with the idea, not formally proposed yet, that this property with this house on it would be affordable housing. We have to tie a lot of things together in these applications, and one of them is that these stairs would serve an affordable housing site in the future.

The best estimate that we got, after putting a lot of numbers together, is that could do it for \$90,000, half of which the Village would contribute, \$45,000. We put it in the application for 2014. Three years from now we would budget that amount of money. We do not foresee borrowing it; we foresee spending it out of the general fund. You might want to move it up to two years from now, depending on how optimistic you feel. We heard all the comments after the last meeting, when the presentation came on the heels of serious budget discussions. But it seemed to us responsible to look at improving an important element of the walkability in this village with another party helping us with the cost.

I welcome your questions or comments.

Mayor Swiderski: Anyone on the Board?

Trustee Jennings: Are we at the stage where we have submitted it?

Village Clerk Maggiotto: No.

Trustee Jennings: So we are at the stage of approving the submission. We do not have to give detailed plans with this application. So there will be later conversation if we get the money exactly how to structure it, right?

Village Clerk Maggiotto: Correct.

Trustee Jennings: I do not have a comment or a question about the wisdom of submitting for the grant. I think it is a good idea. I have some thoughts about the design of the park, but we will wait until the right time for that.

Village Clerk Maggiotto: Yes, absolutely we certainly would welcome that. That will be a community effort.

Pat Fusco, 16 Main Street: You are going to fix that area, but you know what hangs out there: kids drinking and kids drugging. The police are and try to deal with things, and they do not have enough to do it with. Just letting the kids take over, which they are doing, and they will have a nicer place to sit. I might even go down there and join them. Something has to be done with the kids first before you start elaborating on that part of town. The police can use the money, the highway department can use it. They need a new sweeper, and you are worried about a bunch of cement steps. That park on Warburton, nobody uses it except the druggies. I know this because a lot of us are trying to help clean up this mess. The police cannot do it all by themselves because they shorted them and it is not fair. Something has to be done to give the police department money and the highway department so Main Street is clean and doesn't look like garbage.

They are worried about side stairs. What about Main Street? There is garbage all over. They do not sweep. The parking lot is horrendous. It is a disgusting mess, and you are worried about fixing stairs and a park. The stairs can be poured. My husband was in construction. You bring a truck in, it will leave the cement, and you work your way through it. You do not have to spend thousands of dollars to fix it. It is not necessary. There are other things in this community that need the money, and it is time that everybody wakes up. I am sorry, Chief, but everybody looks and sees what is going on because they have got their eyes shut. The Village people do not exist. It is everything but the Village people. I am a little tired of it, and I am not putting up with it. I am here tonight to create some kind of a movement if we are lucky. Mr. Mayor, you walk down through town you do not see anything. You go down to get the train. Take time and look, and you will see what a garbage area that is. Those stairs do not have to be fixed so the teenagers have another place for drugs and drinking.

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

RESOLVED: that the Mayor and Village of Hastings-on-Hudson Board of Trustees approve the submittal of the FY2012-14 Community Development Block Grant (CDBG) Application for the project grants administered through the Westchester CDBG Urban County Consortium as follows:

PROJECT	CDBG FY	CDBG Amount	Village Amount	Total Cost
1. Warburton Vest-Pocket Park Reconstruction	FY 2012	\$12,500	\$12,500	\$25,000
2. Southside Stairway from Downtown to Train Station and Waterfront	FY 2014	\$45,000	\$45,000	\$90,000
TOTALS FY 2012-2014		\$57,500	\$57,500	\$115,000

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

41:11 ADOPTION OF LOCAL LAW NO. 5 OF 2011 AMENDING CHAPTER 101, BUILDING CONSTRUCTION

Village Attorney Stecich: This brings this section of the Code on the Building Board up to date. It was an old section that was adopted prior to the Uniform Building Code. This makes it consistent with that and consistent with the actual practice. It is a board that is used only rarely, when it is necessary to close a building as unsafe.

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

RESOLVED: that the Mayor and Board of Trustees hereby adopt Local Law No. 5 of 2011 amending the Code of the Village of Hastings-on-Hudson, Westchester County, New York, Chapter 101 Building Construction as follows:

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

Section 1: Section 101-4, Duties of the Building Board, of the Village Code is hereby amended to read as follows:

▪ **101-4. Duties of Building Board.**

- A. The Building Board shall be responsible for enforcing Chapter 106, Unsafe Buildings, of the Village Code, including docketing unsafe buildings.
- B. The Building Board shall have the authority to revoke building permits as provided in ' 295-101 of the Village Code.

Section 2: Section 101-5, Duties of the Building Inspector, is hereby amended by deleting the penultimate sentence, AHe shall render a complete monthly report to the Building Board.@

Section 3: Section 101-7, Appeals, is hereby deleted.

Section 4: Section 101-8, Conflict of interest, is hereby amended to read as follows:

▪ **101-8. Conflict of interest.**

- A. In all cases where the Building Inspector is financially interested in a building being constructed or reconstructed, he shall not inspect officially or issue permits or certificates.
- B. In any such case the Board of Trustees shall appoint a substitute to perform the normal function of the Building Inspector with relation to the particular building specified.

Section 5: All ordinances, local laws, and parts thereof inconsistent with this local law are hereby repealed.

Section 6: This local law shall take effect immediately upon filing in the office of the New York Secretary of State.

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

**42:11 ADOPTION OF LOCAL LAW NO. 6 OF 2011 AMENDING CHAPTER 209,
PARKS AND RECREATION**

Village Manager Frobel: This eliminates the mandatory membership on the Parks & Recreation Commission of a member of the Conservation Commission.

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

RESOLVED: that the Mayor and Board of Trustees hereby adopt Local Law No. 6 of 2011 amending the Code of the Village of Hastings-on-Hudson, Westchester County, New York, Chapter 2109 Parks and Recreation as follows:

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

Section 1: Section 209-12, paragraph A, Parks and Recreation Commission, of the Village Code is hereby amended to read as follows:

A. Appointment and organization. The Parks and Recreation Commission shall consist of seven members who shall be residents of the Village. Six of such members shall be appointed by the Village Manager with the advice and consent of the Mayor and Board of Trustees. The seventh member shall be jointly designated by the Village Manager and by the Board of Education of Union Free School District No. 4.

Section 2: All ordinances, local laws, and parts thereof inconsistent with this local law are hereby repealed.

Section 3: This local law shall take effect immediately upon filing in the office of the New York Secretary of State.

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

VILLAGE MANAGER’S REPORT

Village Manager Frobel: A reminder to the community that leaf blowers are no longer allowed from the period May 16 through October 14. There are exemptions available for those that have health-related ailments but, by and large, they are prohibited. The police will be responding to calls from citizens that they are being used. This is our fourth year of this ordinance being in place and I think most people should be aware that it is a local law and is vigorously enforced.

Ray Gomes informs me that Chemka Pool is going to be ready to be open on Saturday, May 28. His crew has been working quite hard over the last several weeks. No leaks, it looks wonderful. I was there last week. There is some work to be done in the bathhouse area, but it will be ready for the opening. A word of encouragement that families should take advantage of the early bird special. It is quite a savings, and we would hope that applications would be coming in over the next several weeks.

Finally, I have provided you with a copy of the capital improvement program, the manual that I put together a number of years ago. It is updated. I will be meeting with the department heads next week as they begin to develop their six-year capital improvement plan. I know these are difficult fiscal times, but we will develop a plan that addresses our capital needs over the next six years. As I have noted before, we have stuck pretty rigorously to the plan. It is a document that is very valuable to us as we structure our needs with sensitivity to our affordability.

Trustee Walker: Some of the things that we might be going after in the next five years would include matching some of these grants, for example the sidewalks and even the CDBG that we are talking about now. Does that go into the capital plan if it is more than \$10,000?

Village Manager Frobel: It does. It has a dollar value and a life expectancy. Also in the plan, you will see I have where the money would come from, whether I recommend it being a bond issue or a potential grant or donations or in-kind. We structure it so that we show you not only the item cost, but an anticipated revenue stream, as well.

Trustee Walker: I know it is a sore point because we really do not have money this year. But we are talking about the next five years, and we have got to think optimistically. In looking at some of the recommendations in the Comprehensive Plan, perhaps we, the Board, can put forward some ideas that may not necessarily fall under a particular department head, the things that fall between the cracks like sidewalks and street improvements. There are other examples of improvements in the Comp Plan that we might want to look at. Is there a role for the Board to make recommendations?

Village Manager Frobel: Most certainly. Over the summer months, we will be putting this together. Then we will have a full presentation of where we think our needs will lie over the next several years. But it is a living document. It is not something that is absolutely adopted and is ironclad. You will see that things have slipped. I had anticipated, for example, the sweeper or another garbage truck or some dump trucks we have not bought in the last several years. So obviously, it is very fluid and responds to our fiscal health.

Trustee Walker: In thinking about how we implement the Comp Plan, the approval is really a beginning, not an end. There are going to be steps we need to look at in terms of implementation. I think of it as a planning process that we need to do as a village, not just as board. The capital plan gives us also a format in which to make some recommendations of how to prioritize the Comp Plan.

Village Manager Frobel: Very definitely. It can be a very valuable tool, and it is a planning tool. Here in Hastings, it is more just a planning tool. Where I have worked before it was actually the capital improvement plan and the budget, and every year you had public hearing input, and it became the document that you lived by. So we are trying. What I did when I first arrived here was put it together. As I said, it has served as our map, our guide, into trying to anticipate projects and structure them so that they do not impact all in one year. You try to spread it out over the course of its life expectancy. I think you will enjoy the process. It should be very informative, and it will be a very valuable experience.

Police Chief Bloomer: On the Manager's report, the opening weekend of the pool will also take in the Memorial Day parade. We have a new route this year. The parade will start at Reynolds, and will go down Main Street. So to go to the pool on that Sunday afternoon you are not going to be allowed to approach it from the Chauncey Lane area. You will have to come in through Hillside Avenue or Mt. Hope Boulevard.

BOARD DISCUSSION AND COMMENTS

1. VFW Park Improvements

Village Manager Frobel: I thought the representative from the Chamber was going to be here. I had it on the agenda to keep the Board informed of the progress in the development of the park. I met with some of the planners over the past week and the next step, and to me it is a significant step, is the removal of the large pine tree that serves as our seasonal tree lighting event. The plans include taking it down and the creation of a gazebo, ultimately, but short-term a staging area for some of their outdoor activities. I got a little nervous because I did not fully appreciate, when I first saw the sketch, that that tree had to go. But as they have explained to me, if we are intent in keeping to the plan that the group has developed it is in the way. The plan is to have the tree lighting held at the Community Center. But again, knowing the sensitivity about trees in the community, I was uncomfortable just on my say-so to proceed with removal of that tree. The urgency is that the group who is refashioning the park is looking to have it down and something in place for the next Friday Night Live event. I do not want to be the stumbling block in the way of their plans if, in fact, it was the Board's OK to go ahead and take that down. That is why it is on the agenda tonight.

Mayor Swiderski: I have a couple of questions and it is fortunate that Mr. Downey is here because he might be able to answer one of them. My first question is the possibility of a successful replanting of that tree. I know it is fairly big.

Village Manager Frobel: I do have some experience in transplanting trees that big. It can be done. There is a very expensive hydraulic tree spade that puts it in. It digs underneath the wall of it and transplants it. But the guarantee, I would be surprised. It is dicey, even going to the expense of that.

Mr. Downey: Myself and the fellows in my company came down and took care of the clearing. I would like to mention we received a generous donation of time from Paul Bunyon's Tree Service who assisted me in the clearing of the material that was there. At the last minute, I was asked to take that tree down. I said I would like to see a replacement first. A tree spade could not do it because it would have to back down from the VFW and it would be out of balance. You would have to crane it out into the street. You are looking at ten grand just to move that tree, and this is the wrong time of year to do that. That would have to be done after its new growth, sometime in July or August, or in storm season. So it is a complete loss to attempt to try and transplant a tree that size.

Trustee Walker: Was the idea to plant a tree at the Community Center?

Village Manager Frobel: There is. And I want Ray to go very slow on that. Because one, there is not much land there. And a pine tree, within 20 years, I think someone is going to say what was he thinking? How could he possibly have allowed a pine tree to be planted there? It will soon overtake that entire little plaza.

Trustee Walker: I was thinking that maybe something could be planted further up the hill off to the side. The tree-lighting ceremony could move up the hill. If in the future, there is a little plaza like I think is planned, there may be even gathering space further up the hill. Of course, that is on the VFW property, not on Village property. But the tree-lighting ceremony is a really nice celebration, and it is also nice to have it right in the heart of the downtown, if possible. So maybe there is a place to put it here, where people could gather around it safely and we would not have to be in the street like we usually are during the tree-lighting ceremony. But I do think removing from its current location provides a really important space that we do not have right now. So I think there is a very strong argument for removing it, and I am totally for it. I just would love to see something planted that will become the seasonal tree-lighting tree.

Village Manager Frobel: So the preference would be to have a replacement tree planted at the VFW park somewhere.

Trustee Walker: That is my preference, because I cannot picture it in front of the Community Center. You are absolutely right, it would just take over everything.

Trustee Quinlan: One of the things that concerns me is when are going to get the gazebo? People are going to ask happened to the tree? There is going to be a little stage for Friday Night Live, and that is not going to appear to be much. It is going to be a stage on the ground, and it could be a long time until we get the gazebo. I would like to see the gazebo a couple of weeks after the tree is taken down. I am afraid there is going to be a big lapse, and the gazebo is never going to get there. It is going to be a year or something.

Village Manager Frobel: It could be awhile because it depends on their fund-raising.

Trustee Quinlan: That is what I am nervous about. Why cut down the tree until you are ready to put up the gazebo?

Trustee Walker: It is to have a stage area for performances.

Trustee Quinlan: Cut down a tree so we can have a stage? What about the park right there, that little plaza? Can you not dance there?

Trustee Walker: We do use it. But the idea is that there would be a place that is raised so the audience can be on the plaza area, and then the band or whoever is performing is up above.

Trustee Quinlan: How often are we going to do that? Are we going to have it once a year, times a year, five times a year? We are cutting down a nice tree for how many performances?

Trustee Walker: We would probably have a lot more performances if we had a nice performance space there. At this point we do something almost every month, when the weather is nice, in the plaza for Friday Night Live. But I understand your concern.

Trustee Quinlan: I do like trees, but we have plenty of trees in Hillside Woods. It is not like I am a tree-hugger, per se, but I am worried that we cut down a nice tree and what are we getting in return until we get the gazebo.

Trustee Jennings: Jerry is asking a very good question. To me, a plan is not a sketch on a piece of paper. A plan is a sequence of actions and answering those very questions that Jerry just posed: how will this be used, what is the plan to utilize it, how often will it be used and in what way? I was taken by your statement, Fran, about the urgency of taking down the tree right now so as to be ready for the next Friday Night Live. Perhaps I am forgetting conversations that we had on the Board and, if I am, I apologize. But we are revisiting some of the details of this plan, and maybe we should revisit that in a more systemic way rather than just commenting about one tree.

I would not favor taking the tree down right now. The next Friday Night Live will be a very successful one even if the tree is still standing. I would like to have more information about why the gazebo has to be there, why a performing space is incompatible with the existence of a nice tree, what the stormwater drainage runoff implications of taking that tree away would be on that very hilly slope. A tree that size absorbs an enormous amount of water, and if nothing is absorbing that water it is going to go someplace. What is the plan for that? I would not at all be comfortable with having that tree cut down in the next few days or weeks.

Mayor Swiderski: I am inclined to concur. I do not see the urgency. I would like to see indication of a phased plan. I appreciate the concept of turning what is effectively an unused space into a multilayer space that will address a number of community needs, and I am excited that there is a group of people willing to address that and want to do something,

especially Liz Liebeskind, who has an eye for these things. Everything she touches turns to gold. But I am not inclined to move hastily without understanding the sequence. For one thing, I like a holiday tree. And unless there is some sort of transition provided, waiting for a four foot shrub to grow into one is a multi-year process. I hesitate to say go ahead without addressing what is a need for a community icon.

Trustee Quinlan: I can see the need for the gazebo. I like gazebos, gazebos are great. But you take down the tree to put a stage but the idea is to put in a gazebo. So then what are we going to do with the stage?

Trustee Walker: It is a gazebo/stage.

Trustee Quinlan: I have not seen the plans for that. Most gazebos are nice circular things, and you can put bands in there. But you would not have dances in them or anything.

Trustee Walker: No, it is true. It does limit the size of performances.

Trustee Quinlan: A gazebo is a gazebo. It has got railings around it. So I am against it now, but if someone told me we were going to cut down the tree and we have the money to build the gazebo immediately as soon as we cut down the tree then I would be in favor of it. What I do not want to see is cut down the tree and then have an empty space for a long period of time. Lastly, there is a certain thing that I like about having a Christmas tree lighting in the winter outside when it could be snowing and cold, and singing. Inside the Community Center it is going to be a fake Christmas tree, right?

Village Manager Frobel: Probably.

Trustee Quinlan: I am not too wild about that.

Trustee Walker: I think it is one of the nicest activities we have at the VFW. It is almost like we are taking one activity in order to improve another activity, which is creating a performance area. But I do not see why we cannot have them both.

Mayor Swiderski: I think that is the desire. So can they communicate that back, with apologies for no attention to derail the energy to develop this. Because again, it is a dead space. And the vision and how it has been expressed is exciting.

Trustee Walker: Last year for Spring Thing/Friday Night Live Liz put a stage over to the side next to the birch tree. They can do that again this year until we get this figured out.

Ms. Fusco: That tree is 50 years old, to start with. And who would be paying for the gazebo and everything else that is being done there?

Village Manager Frobel: They are hoping for donations to privately raise enough money to build it.

Ms. Fusco: Also, I thought the VFW was for the men and women that were in the war and that were terminated. Now you are going to make it something else?

Mayor Swiderski: Everything here is being done with the full cooperation and support of the people in the VFW, and the tree is not 50 years old.

Ms. Fusco: Let me tell you something. This town went to hell in a hand basket.

Mayor Swiderski: Thank you for the input.

2. Downtown Noise Update

Police Chief Bloomer: Just to revisit where we were last year, the first page are the two sections that refer to noise. The second page, in early March I started to see an increase in calls on music in the Village. You can see the dates and the times and the violators, the locations. The complaints were all loud music. There is one in January. The other ones, between February 18 and March 10, there were five or six of those in a short period of time. On March 1 I sent a letter to the owners of John's Bar, although there were no complaints from them, Rainwater, and the Roadhouse. I asked them to come in for a meeting on March 15, which all three did. I showed them these violations and, in some cases, the owners were not aware that at these late hours these violations were taking place. We got good cooperation from both the Roadhouse and Rainwater. There were no violations from John's during that time. Rainwater and the Roadhouse made some accommodations to try to reduce the music complaints. The Roadhouse built sort of a mud room entry so there is a second door to try to be a buffer for some noise. Rainwater moved the location of their band to the back of the restaurant to try to reduce some of the noise that was going outside. So as long as I feel that the owners are cooperating, we are trying to work with them. At that March 15 meeting they were very cooperative. The last page is the or noise complaints since that time. As you can see, both the Roadhouse and Rainwater just have about one a month for music. So there has been some improvement.

Most of the complaints, and the thing that concerns me because I do not have an answer for it and it is not covered in the code, are the people that gather outside. Part of that is the health department requirement that you cannot smoke in the restaurant or the bar. Once the nice

weather comes, a conversation of two or three people, if you live above it or you live across the street, that is loud. The other part is that on Main Street we have some tables that are outside. That encourages people, if the tables are out and people are out eating, it gets later and the noise goes right up to the apartments.

I do not know what the answer would be for the people that are going outside to smoke, other than for us to say go back inside or to be quiet. There is nothing in the code that would cover that if that is, in fact, all that they are doing: standing outside and smoking. The tables outside is something that if we notice is a problem in the spring we should probably address. Perhaps a time when the tables have to cease operation. The music, the owners are cooperating. It is not perfect at this point, but we are still working on it. I have spoken to a couple of residents of Main Street to tell them that this was going to be on tonight. I do think that the bar owners have been responsive when I have asked them to come in.

It is not perfect, but I think we are getting better. The problem that we are really seeing is the people outside, and not just the front. Even the back of Roadhouse, if people go out in the back the people that live on West Main Street or the people that live above are subjected to the noise of people talking. So that is where I am so far.

Mayor Swiderski: Last year we considered changes to the law. You requested a delay so you could see if working with the bar owners could achieve some of the effect a law might achieve. What you are saying is, right now, you are not asking for modifications to the law, that you think working with the bar owners is as effective as a new law would be.

Police Chief Bloomer: As far as the music, yes. Working with them is just as effective as anything we could put in, at least at this point. The table management is something that we are going to have to watch very closely and perhaps add something. I have spoken to the management from Rainwater because that is where the problem is at this point. They are aware of it. They have tried to make some corrections. The last complaint was persons outside. At this point, I do not have wording. I do not know what other communities do for tables outside. I would probably talk to Dobbs Ferry because I know they have some of the same situations.

Mayor Swiderski: In regards to people talking outside, it is at odds with the no-smoking inside. It is hard.

Police Chief Bloomer: Right. I do not know how we would legislate that. But the people that are sitting outside, after they are eating and still sitting outside, I think that is something we could do. Again, if you step outside for a few moments to smoke that is one thing. If you are sitting outside for several hours, or an hour, after your dinner, and you are finishing up a

drink I think that is something else. We are still in this rainy, cold pattern. But it is going to get nicer and we will have to watch it because there will be more people outside.

Trustee Jennings: I am looking at the time on your list, Chief, and see that the most recent complaint is 1:33 a.m. That indicates the time when people were outside, presumably, as well as the time the complaint was received by you?

Police Chief Bloomer: Correct.

Trustee Jennings: It does strike me that we should be able to say something to the restaurant owner about the hours of table service and operation. I cannot believe that they are serving that late. The other thing is people who perhaps purchase a drink inside at the bar and then bring the drink outside and sit at the tables outside. So they are not really getting table service, they are transporting their own drink. Do we have any laws about transporting a glass of liquor, an alcoholic beverage from a restaurant out into the sidewalk and into the street, whether you are standing or sitting at a table that is now closed?

Police Chief Bloomer: If you are sitting at the table on Main Street, whether it was 7 p.m. or 2 a.m., would be the same. The time element there would not be any different. You are not allowed to walk down the street with an open container, no. To sit at a table, I would have to look at the wording. But if there is such wording, and we were enforcing it, we cannot say at 6 o'clock we do not see it, at 7 o'clock we do not see it, at 1 o'clock in the morning we see it. It is either you can bring it out or you cannot. That has nothing to do with the time.

Trustee Jennings: I understand that. But the hours of table service in the sidewalk area can surely be controlled. We cannot control people who come outside the restaurant to smoke, I guess. But we surely can control somebody who comes outside the restaurant with a glass in their hand and then creates a nuisance thereby.

Police Chief Bloomer: I do not want to speak for the owner, but as I recall they do cut off service at a decent time outside. So I think what you are saying is correct that people are coming out. The problem is that those tables cannot be moved in and out. That going to be his responsibility to discourage or put chairs on the tables, or in some way make it so that they cannot sit there.

Trustee Jennings: I understand why you could not move the tables. I have seen other restaurants with a similar layout where they have a rope or something. They make it clear that the table area is closed, and then when people go and sit there it seems to me they are

doing it at the sufferance of the owner. That is fine, but not if they are making so much noise that generate complaints. Then we ought to be able to move them along.

Village Manager Frobel: Susan, the permit we issue. Does it cut off the time for serving outdoors? I cannot recall.

Village Clerk Maggiotto: I think it does. On those sidewalks they are outside at the pleasure of the Village. We do not have to allow the tables outside if the sidewalk were too small, or whatever. It is something that has always been in the Manager's purview to control. I am pretty sure time is part of it.

Village Attorney Stecich: It is not in the ordinance other than the section of the Code that you cannot obstruct sidewalks. It must just be regulated by the Manager's office, by practice. The permit is kind of a license to obstruct the sidewalk. A lot of municipalities do have sidewalk café laws. They do regulate that. But the practice here is just to do it. And it seems to me, as long as you are allowing people to do it, it is Village property, you can put whatever limits you want on it without having to enact a law, just part of that same policy.

Police Chief Bloomer: I do think they are amenable to further discussion and our requirement that they put more restrictions on their patrons.

Trustee Walker: I had a question about the days of the week. In the first list of complaints there are two complaints that were on a Wednesday night-Thursday morning. That struck me as unusual, especially the 2:58 a.m. and 3:44 a.m. I did not think the Roadhouse has had music during the week.

Police Chief Bloomer: I think it is a jukebox. Not that any night is better than another, but when you see the Wednesday-Thursday and Thursday night, those are generally working nights for the people that live downtown. And those are some of the things that caught my eye, which is why I asked the owners to come in.

Trustee Quinlan: T The thing that bothers me is some of the times seem so late: 3:44 a.m., 3:29 a.m., 3:45 a.m.

Police Chief Bloomer: I agree.

Trustee Quinlan: There has got to be a line of cooperation with the owners. They have to understand that.

Police Chief Bloomer: Again, not to be an apologist for the owner, the owner said that he leaves at 2 a.m. and was unaware that these complaints had come in. I think you will see that once he was made aware we do not have those late problems. In one case we do, but we do not have nearly the amount of incidents.

Trustee Quinlan: How loud do you need a jukebox? It is one thing if a band is playing and you are getting some live music. There is some benefit. But to have your jukebox blasting away at 4 o'clock in the morning, or 3:30, in my opinion there is no excuse for that. There is just someone in there that is either drunk, or the guy who is cleaning up the place, maybe even just sweeping it out, has just got the jukebox on too loud. That has got to end.

Police Chief Bloomer: I agree.

Mayor Swiderski: In terms of next steps here, regarding tables is the sentiment to reach out to the restaurant owner and ask him to restrict access to the tables after a reasonable hour?

Police Chief Bloomer: I will speak with him, reach out to him this week or early next week. Again, I do not want one or two incidents to cloud all of his business. But based on my conversation with him, I think he is agreeable to work with it. If you live there and it is one or two, it is one or two too many. But I think he will work with us. And if we still see a whole series of these with the tables, especially the loud persons, then we come back and say put a strict time on it.

Ms. Fusco: I am one of the people that lives on Main Street, and I am one of the people that makes the calls. On Monday night they have a karaoke night. On Tuesday they have singers. On Wednesday, a piano player, Thursday a piano player. And Friday, whatever else: a band, a DJ. The tables are closed at 10 p.m., and the only thing that is open are the three tables in front of the bar section. And they go out there, and they are drunk, they are loud, and they are obnoxious and they are vulgar. Meander down into the Village at a late hour and see what is going on down there. But I have spoke to them on several occasions. I spoke to Kenny, and I have spoke to the other partner. And he yeses me to death, and he does whatever he wants. This cannot continue. There are seven kids within a block from there down to Slices that go to school. You have three chefs that live within a two-door radius from there. You also have a bus driver who gets up at 5 a.m. to drive school buses with kids on it. Nobody gets any sleep. This is not fair and something has to be done.

Bill does not have hardly any problems. It is this place, the Rainwater. They only have a five-year lease on that place, and they are going to get out. It is really bad. I am the one that makes most of the calls. I have to get sleep, I am very sick, and I cannot get hysterical like this anymore or be up all night with them. I take 11 pills to stay alive. If you were smart you

would put a DWI checkpoint by the A&P and you would be very surprised what you get. They tear up the parking lot. There are broken bottles, broken glass. They take a drink from here down to the other bar, from the other bar to this bar. It is unnecessary. When we were doing it, we got in trouble for going out in the streets with a drink. It was not allowed. You were not to come out of the bar with it, and you were told so.

The policemen cannot go up there and stand marshal guard over these people. They have not enough of cops, they got a shortage. They got two cops on a call. When I call, it takes a half-hour to get there. I understand, so I do not scream or complain. It is not an emergency, but if it is ever an emergency they had to get Yonkers cops to help them, like a week or two weeks ago those other cops were engaged in something and some other sleaze decided to create a disturbance. It is just getting bad. I have pictures. I am going to give them to you to look at. This is what goes on in that village. They dump garbage there. Nobody cares, *no-body* cares. I am tired of it. I have a home in Delaware. I could go any day. But I do not feel my neighbors should have to live in a pigsty. The kids tear up the place. The walls where they have the seats, square toppings on them, well, the little darlings were jumping back and forth, jumping back and forth. They broke one. You ought to see them scatter. I called police headquarters. They could not send anybody because they were engaged in a more important situation, and I understand that. I told my neighbors I was coming down here, and I was going to cause a war, which I am doing, as you see, because I do not think it is fair what they are doing to everybody who lives in the neighborhood. They are only going to be here for five years. I cannot say which one says he wants out, but he wants out of this town. Parking is brutal. Now they have a young crowd in there, and it is unbearable, the noise. Really, Mr. Mayor, come into the Village. I will call you and tell you what night it is and you come down and see what is going on. And then you will not think I am just a crackpot. People are afraid to come up here to speak to anybody because the people in the building are afraid to get thrown out. The other people do not want to get involved. I do not care. You cannot do nothing to me because I have a home in Delaware. I told the Chief I was going to be here. He does the best job with what he has got, but he needs more help. He cannot be in three places at once. I am tired of this poor man having to get crazy. I get crazy enough for everybody.

Mayor Swiderski: Thank you. Chief, the second half of your presentation?

3. Parking Fines

Village Manager Frobel: Let me offer some background. The Chief was involved, but I put this on the agenda to get some feedback from the Board. I put together a summary of motor vehicle fines indicating the number issued, current fine, and the proposed. I was hoping to get some feedback from the Board before we work with Marianne and have this

prepared as an amendment to the local law. Hastings is lower than most of our neighbors. We have a summary of some of the neighboring communities and what they charge. It has not been looked at in awhile, and something that we think should be considered.

Trustee Armacost: When we were looking at the audit, it was something like \$217,000 in parking tickets or maybe they were speeding tickets, I do not know, had not been collected. I would like to see some evidence that they are going to be collected before we do this. We already increased taxes. As you know, this is a different form of taxation, so I would like to hear what the plan is to collect that \$217,000, whatever it was.

Village Manager Frobel: I spoke a little about that during our hearing, and the difficulty that the court experiences when these types of parking fees get beyond a certain level and the person either moves out of the area or sells the car. I have spoken to the Clerk of the Court, and the Chief as well, as to what some of our problems are in collecting these. Chief, do you want to offer any comment about what happens?

Police Chief Bloomer: I do not want to be giving pointers to people. Unfortunately what can happen, is if, for example, your car ends up with one tickets, two tickets, three tickets, 10 tickets, 20 tickets. At some point, when your fines are so high that they exceed the value of the car you simply turn the plates in, reregister the car, and those fines do not go with the name, they go with the plate. So it becomes impossible. That plate, 123-ABC, for example, cannot be used. But Fran Frobel can register that same car, or your wife can register that same car, and the fines do not go with the car. They go with the plate. So that money is on the books as being owed. Or you move to Florida and you turn in your car, or any number of reasons: your license gets suspended and you get rid of your car and those fines are not collected because people just do not come in and pay it. There is no hammer.

Trustee Armacost: The plates get handed in, but there is no evidence that the plates have been handed in?

Police Chief Bloomer: No. As a matter of fact, the computer will tell us that the plate was handed in.

Trustee Armacost: I do not understand why they are not written off. When you see in the audit that there is \$217,000, that is a lot of money. It would be useful to know which ones are that case. If it is only \$30,000 that are like that, it would be useful for us to know because that is a lot of money that is potentially there for the Village. My view is we should be collecting fines we have already issued as opposed to raising fines. Or at least show that we are collecting those fines, or have a write-off strategy to address those issues.

Village Manager Frobel: Let me talk to the judge. I had reported verbally as to the process. This judge has not, but previous judges will write off certain fines that are uncollectible. But let me get a report from the judge as to the process and what their strategy is to more aggressively realize those fines. We do have an outside service. As I indicated before, their fee is part of what we collect. So it is in their business interest to be aggressive in collecting the fines and fees. Let us take a look at that, as well. I will prepare a report.

Trustee Quinlan: I am most concerned about raising the parking violations: metered parking, overtime parking, alternate parking, all-night parking. I do not know what "other" is, but let us put that aside for a second. Some of them are no front plate, no issues; parked on sidewalk, parked on bridge, no issues. So let us just talk about meter violations because that is the big one. I think we could increase it for an expired inspection, expired registration. These are violations that are very important, that your car should be inspected for safety reasons; that you should have expired registration. I am not opposed to increasing those types of violations.

But there are all kinds of parking. Let's say blocking a driveway, well, that is no good. You are taking somebody else's right to move in and out of their driveway. I do not have any problem with increasing that. But meter violations and overtime parking. Basically, as Trustee Armacost said, it is another form of taxation on our residents. You can look at it that way. I recently voted for a budget with a tax increase of over four percent, and I did that with serious reservations, especially on some of the issues that Trustee Armacost had brought up about the timing of the information she received, the actual expenditures versus the budget. Before we levy another tax on our residents we should have the quarterly meetings that were promised to see if we can daylight other monies to save, to prevent further tax increases such as this.

The second point I would like to raise, and I think it is just as important, is raising the meter violations and the overtime parking will have a negative impact on the revitalization of the downtown. It will discourage shoppers, hurt merchants, and mostly also hurt the residents of the downtown. There is not a lot of parking downtown, and people need cars in Westchester, and we should be encouraging people to come to our downtown, live in our downtown, and enjoy our downtown, not only in parking, but in noise, in good stores, in clean cleanliness. That type of increase bothers me, and I think it bothers a lot of Village residents.

The recommendation is to increase it from \$10 to \$25. That is 150 percent, by my estimations. That is just unbelievable, to try to increase something by 150 percent in one fell swoop. If there are other people on this board who think we should increase the meter violations, then I would ask you, please, to consider raising it maybe \$5, which is 50 percent. But not 150 percent.

Trustee Walker: I think there is a good argument for increasing the meter violations and the overtime parking, but let me first address the overtime parking. There are very few tickets issued currently. I do not know which year this is, but the number that was issued was 11 tickets for overtime parking. I think that is a critical issue. I feel more strongly that that should be enforced more frequently than that the ticket be raised. In other words, there are a lot of folks who park all day in the downtown that get a ticket, and they leave their car. So they been there for two hours, they get a ticket and they leave it there for the rest of the day. I think enforcing the two-hour turnover is important because it would discourage downtown employees and downtown residents from overstaying in one spot. And we are providing meters at a lower rate for downtown employees, outside of the central business district, but not very far, really. So I think you need to have a carrot and a stick. The carrot is these lower-cost meters for downtown merchants and employees. But the stick has got to be that we have got to enforce that two-hour limit.

Police Chief Bloomer: I'm sorry. This is not accurate. This overtime parking is really holiday parking. It is the same thing, it is just listed differently, which means somebody writes a ticket and puts "overtime parking" or somebody puts "holiday parking." So if you look at the bottom, there were actually 173 tickets, plus 11, so 184. It is only enforced during Christmas time.

Trustee Walker: With new technology there must be some ways to do it that is not so labor-intensive as marking the tires, because if we are going to have a two-hour limit, then we really should enforce it.

Village Manager Frobel: I have spoken with the Chief about that and that is a possibility. When they see the ticket there, if it is there for two hours they will go back and issue another ticket.

Trustee Walker: I understand what you are saying. But I think it is really critical that the turnover be increased in the downtown so that there is more parking for shoppers and it is not just the merchants that are occupying all the spaces on the street, particularly on the streets in front of the shops. It goes on all the time. That would encourage them to park a little more remotely. I agree with Jerry particularly on the expired inspection and registration and so on. I think those could be \$25. But the meter violations and the overtime parking, an increase of that much all at once is too much.

Village Manager Frobel: That is what I needed to hear. I needed the feedback. It ranges all over the area: some are \$25, some are \$35.

Trustee Walker: But then Irvington is free, right? They do not even have meters. Not that I think that is the direction we should go in, but they probably enforce the two-hour.

Village Manager Frobel: They have an overtime for unmetered parking at \$25.

Trustee Walker: I do not know if it is \$15 or \$20, but I think \$25 seems like a big leap all at once, particularly for the meter violation.

Village Manager Frobel: Let me take this feedback back with me, and I will work with the Chief and with the court judge to determine how we are going on collecting the back ones, and come back with something else.

Trustee Walker: Some of the others, hydrant the handicapped, \$110 is OK. It is really important, serious infractions and there should be serious penalties.

Trustee Armacost: Exactly.

Trustee Quinlan: I agree.

Trustee Jennings: I have a question about the definition of "alternative" parking. What does that mean?

Trustee Walker: No parking on Monday and Thursday on this side, Tuesday on that. Alternate side of the street parking.

Trustee Jennings: I am thinking of a particular scenario: people who park in the unmetered lots that you have to pay for in the train station parking lot.

Police Chief Bloomer: That is called "no prepaid permit." I do not have the same piece of paper you have. But the charge is no prepaid permit.

Trustee Jennings: I do not see it on this chart.

Mayor Swiderski: I think it is under "other."

Mayor Swiderski: That \$10 is not much.

Trustee Jennings: I think that is an interesting problem. We are almost inviting people to do that when we only charge then \$10 for a ticket, given the alternative cost of driving into the city and putting it in a lot, a parking garage. So that is an interesting one.

We should raise it a little bit. Jumping from \$10 to \$25 in one go is a pretty big leap. I do, on the other hand, favor the principle of increasing the amount of revenue that we get from this. I do not think that viewing this as a tax is the best way to view it. I view it as a penalty for violating the common rules, and taking more than your fair share of time and space on the public streets. That is not a tax. And people who violate those rules should pay a penalty. If we do not extract a certain amount of revenue from the people who do that, the people who are paying the taxes are subsidizing the remainder. So if I could get an extra \$50,000 from the rule violators to pay for the necessary expenses of the Village, that might be \$50,000 that the property tax payers would not have to pay. I do not see it as a bad thing to increase the amount of revenue we raise through these penalties.

Police Chief Bloomer: The purpose of any ticket, parking or moving, is to ensure voluntary compliance, that when the officer is not there somebody is going to obey the sign or the rule or the speed limit. The Manager and I went through some of the more dangerous things, like parking on the corner. Inherently that is not safe; that is why it is not allowed there. So when somebody is parked on the corner and the bus tries to make the turn, it cannot, or when the truck tries to make the turn. Those are the bulk of the ones that we raised.

The meter, while I have no opinion on the fine that it should be, I do think, to Trustee Walker's point, you would know this better than me as a planner, the way to open up spaces in front of people's businesses is to make it so that you do not leave your car there all day. So that is either raise the rate of the meter-because is there not a study that shows that-or raise the fine. That is where that was coming from, is to try to open up spaces so that customers can park in front of the store, where residents can park in front and run in and out with their groceries or different things.

Mayor Swiderski: I am largely in accord with Trustee Jennings. A penalty is no more a tax than a fine. It is like calling any fine imposed a tax. It is not. It is a fine. And there is no equivalence, though I understand that the meter violations are a point of irritation and can drive people from the downtown. So I would not be inclined to go to \$25, though I think \$15 would not particularly bother me. It has been unchanged for quite a long time.

The other suggested increases on expired inspection, registration, the proposed amounts do not particularly bother me. They are in keeping with other communities. Some of these are quite serious, and I do not mind imposing a greater fine. As the Chief says, you are looking to ensure compliance. With inflation and time, the pain has to be increased a bit to induce compliance. I do not have a particular problem with most of the fee increases, other than meter violation and the alternate parking. Alternate parking is often an issue for people who cannot seem to find a spot early in the morning, and it is a scramble. While I like a clean

street, without a sweeper now in service I am not critically inclined to make it as much. But the others I have no problem with. So maybe a second pass.

Village Manager Frobel: Very helpful. I needed that kind of feedback so, again, thank you. Thank you, Chief.

Trustee Jennings: Do we have any tow-away zones in the Village?

Police Chief Bloomer: No. We normally will not tow a car without having called the owner or knocked on the door, or tried to look up in our parking sticker database a phone number. There is no zone, per se, that is a tow zone. Even during snow emergencies we try to leave it when cars park in violation of that. We will knock on the door or try to locate the owner, in some cases in New York City locate the owner. Now, if they are doing tree work or line work and we have posted it, somebody has not moved his car, it is towed. If something is parked illegally in excess of 24 hours it is considered an abandoned vehicle and we have the authority to tow it.

Village Manager Frobel: We also tow during a snow emergency.

Police Chief Bloomer: We start posting it, as you know, 12 hours or a day before, so as a last resort, but most of the time we do not.

Trustee Armacost: Fran can you tell us, if the current fine is \$10 and 6,200 were issued, we brought in \$62,000, right?

Village Manager Frobel: That is how many were issued, yes.

Trustee Armacost: So can you tell us, of these fines last year how much was collected?

Village Manager Frobel: Yes. I will give you that in a follow-up.

Trustee Armacost: If you could do that for the last five years so that we can see how effective this is? I have no problem fining people for all sorts of things, but I do have a problem if we are not enforcing those rules effectively. It would be interesting to see if we do a better job, for example, at bringing in the money on one particular type of violation versus another. I think that is a useful piece of information for us. So for example, are we really good at bringing in the money on expired registration versus something else.

Village Manager Frobel: OK. That is what I have got to figure out. I have to go back five years. Let me do a little work on that.

Trustee Jennings: Chief, would it require a change of state law to change the ability to identify and apprehend and fine scofflaws when they turn in their plates or otherwise do the maneuvers of evasion that you are talking about? That surely would be a way to cut down on the uncollected fines. I would think the state governments, which seem to need all the money they can get, would be looking into that, too.

Police Chief Bloomer: I am not qualified to answer that other than to say I do not think that is something we could do on a local scale. DMV are so overwhelmed with the volume that it is so difficult to track. Can it be done computer-wise? I just do not know how much manpower hours it takes and the staffing. If somebody moved to Florida or Connecticut, they would never have gone to the DMV to turn in their plates. They would have just reregistered in another state perhaps. I do not know how feasible it is to be able to count all of that money.

Trustee Jennings: I understand the point about people who move out of state. I heard something on the radio recently about NYC having a humongous amount of scofflaw money owed, and they think most of those people are still living in the city. I do not have the evidence to know how much of it is crossing state lines. I suspect there is a good deal still here in New York, if not here in Hastings.

Police Chief Bloomer: I think you are right.

Village Manager Frobel: We have the one right now that is several hundred dollars that we are aware of, and frustrated. All right, thank you. Just a preview. This is an outgrowth of a comprehensive look we took at our parking situation Village-wide. What is coming up next is, I have been in contact with a vendor who will make a proposal to me, in writing, about allowing resident permits to pay for the per-day fee through their telephone. We are going to be getting to that next level, where a person will not have to feed the meter but will be doing it through automatic steps. Part of that program will be an effort to increase the daily rate at the commuter lot, as well.

Mayor Swiderski: To finish up this current topic, I did hear recently from a friend who went 20 miles over the limit in Virginia that he was fined \$2,000. So really, 15 bucks? What is the problem?

4. Update on the Waterfront

Trustee Quinlan: I spoke to Mr. Larson of BP/ARCO on May 4 in a telephone conversation, and he informed me that the revised feasibility plan will be submitted to the

DEC on or before May 20. I asked him about the report on the condition of Building 52. There are two different phases to that report; above the slab and below the slab. Below the slab has not begun. That could be a very complicated process. They are working on above the slab. Stillman, who is doing the engineering report for BP/ARCO, has sent a draft report to BP/ARCO. BP/ARCO, after reviewing the draft report, has sent back questions to clarify some issues, and they are waiting for a response. Mr. Larson indicated that although they are working on the revised feasibility plan and the report on Building 52, in conjunction they are concentrating more on the revised feasibility plan. He hopes that the report on Building 52, above the slab, will be done by the end of May, the beginning of June. He promised he would share the report with Mr. Alligood at the same time that the Village receives it.

On June 8 there is going to be a Community Center presentation on the status of the BP/ARCO site, from 7 to 9 p.m. in the Community Center. By that time he will have comments on the revised feasibility plan. He is going to talk about alternatives and the next step on what is going to happen on the BP/ARCO site, so there is some movement, although it might be slow.

5. Fund Balance Policy

Village Manager Frobel: Mayor, you had asked me to do research to see what other communities have done in terms of adopting a fund balance policy. In my memorandum earlier this month I spoke about the philosophy from a practitioner's point of view as to the importance of the fund balance. I indicated that Hastings has a policy. It is one sentence but it tells what you have indicated you would like to see in the fund balance. I strengthened it somewhat. I put it on the agenda tonight for feedback from the Board, if you think we are on the right track, if you were looking for something more elaborate. What I have given you is fairly typical. It is a policy, it is a goal, it is a desire. How you reach that is typically an administrative function as a line item in the operating budget: contribution to fund balance.

Mayor Swiderski: As the Board became acquainted with over the last month, the new GASB rules change categories of fund balances. Is the terminology here in keeping with the new GASB designation for next year? And, if not, could we make it so? So we jumped the gun, and are in line with what will be the GASB rules in the year's time.

Village Manager Frobel: My understanding - and I did not shoot this off to the auditors, I took it from their memorandum given us in late March as we had our exit conference on the audit - if the category is that unassigned fund balance, if it truly is the amount of money that is discretionary, not committed to a capital project, debt, any of the other categories that are now coming out, like committed fund balance, restricted fund balance, non-spendable fund balance, assigned fund balance, this is truly the unassigned balance, which I thought is what

you are looking for, it is that amount that is truly yours for those types of emergencies that I have spelled out here and to maintain your investment grade bond rating. So this is, in my estimation, the category, the designation, the nomenclature that you want. But again, I did not shoot this to the auditors because I wanted feedback from the Board first.

Trustee Armacost: The auditors indicated that in terms of the Moody's requirement, what Moody's looks at is the whole fund balance, not the undesignated, separately. Actually, they were contradictory on that point.

Mayor Swiderski: They were contradictory on that point.

Trustee Armacost: So I think that it is better to speak to Moody's directly and not speak to them, because they were a bit unclear. In which case, what is important is to be able to grow that full amount, irrespective of whether it is designated or undesignated; "reserve," as it used to be called, or undesignated.

Mayor Swiderski: Though in that case, it is not so much a full amount as the sum across the various new fund balance designations. That is what you mean, right?

Trustee Armacost: They explained that because we have been, up until now, borrowing from internal funds, there is something like, or there was, it is unclear where we stand exactly at this moment, \$866,000 of internal debt, if you like. So what fund balance we have created would be reserved against that. In other words, it would not be undesignated in the way that Fran has been describing it to be used for anything else. What Fran wants to do, understandably, is to build up that undesignated amount which is free from internal debt.

Village Manager Frobel: Exactly. But the full fund balance now, as it stands, would be that \$866,000 which is reserved, as well as anything else we build up.

Mayor Swiderski: Above and beyond it. It is probably best going to Moody's and understand their take on that.

Trustee Armacost: I do not know. I do not think we should approve this until we have had a conversation with a whole bunch of financial advisors is my personal view. But it is a sensible goal, ultimately.

Mayor Swiderski: That is right. A sensible goal, but the exact terminology is important here.

Trustee Armacost: We need to have a serious discussion about how we are going to manage these capital reserves, because it was talked about as if it was a reserve fund, which it is not. It was actually a debt fund. There was no money in there; it was not a capital fund in the true sense, in that you have allocated capital to it which you are then using for capital projects. It was internal debt. It is a very different kind of thing. So that is the practice up until now, and somehow or other that practice had been allowed to occur over time. I mean it was, I do not know, whatever, a practice that had been entered into. But it is not a reserve fund in the normal sense that you would understand a reserve fund.

Trustee Walker: But the money that was put into that internal debt was taken from reserve funds that did have funds in them.

Trustee Armacost: From the capital.

Trustee Walker: But, for example, it was not money taken from the Draper Park fund, for example, to pay for something else.

Trustee Armacost: I do not think so. I mean, Susan, you can answer. I do not think so.

Trustee Walker: So the internal debt is what I did not understand.

Village Manager Frobel: It was funded by the general fund, not Draper.

Trustee Walker: For example, you gave us that textbook account of why you should not borrow internally.

Village Manager Frobel: Right. It should be avoided unless you have a clear plan to return that money and restore it. What should have probably occurred is, each year a line item saying "restore money" or "put money into your capital improvement plan."

Trustee Walker: But we were not taking it out of one fund to put into another fund. We were taking it out of the general fund. In other words, it was not just going from one line item to another line item the way it is described in here. It was not like internal borrowing in that respect.

Village Manager Frobel: To pay vendors, material.

Trustee Armacost: What it did was, it created a cash flow problem at the end of the day. So for Susan's purposes, she had bills she has to pay and there actually was not money, even though there should have been money, because it had been used in this other way. So it is a

practice that had developed, which is just a very bad way to run things. It would be like you were borrowing from yourself to pay off a debt personally. You cannot do that very long. I mean, you start getting into really serious cash flow problems at a certain point.

Trustee Walker: But is different from the kind of borrowing that was described in this textbook, which was borrowing from reserve funds where there actual funds.

Village Manager Frobel: Right. That is what was happening.

Trustee Walker: We are talking about an accounting borrowing, which is simply on the books. And this is a real borrowing.

Mayor Swiderski: No, it was real borrowing.

Village Manager Frobel: But internal, and that is what the definition they gave.

Trustee Armacost: A normal reserve fund would be money where you said, OK, this is a capital fund, we are going to put money into this capital fund and we are going to grow it over time. It is \$100,000 this year, \$100,000 next year, et cetera. And you would have real money in that fund which you could use for any capital project, which it is the roads, or buying a truck, or whatever it is that you want to do. But we had not built up that money. We had taken it from somewhere else to buy the trucks, or for the overpayments of projects, or whatever it was that added up to that \$866,000. I was not around, I was not a Trustee at that time. So I am not sure exactly how it happened, but that was the result at the end of the day. That is what we inherited that we are dealing with at this point.

Trustee Jennings: I would like to change the subject slightly, but in terms of the things that were done with those transfers from the general fund. It is my understanding that at least in some of the cases that was done to buy some time so you would not have to take a short-term loan at unfavorable rates. You are anticipating a different kind of financing, different kind of bond issue later that you could bundle that all in. In some cases, those did not materialize so we ended up with the sort of un-repaid debt. But I understand the need for some financial flexibility, and the movement of money you have into where you need it, is not inherently a bad thing, it seems to me. But you do have to be very careful in what you are doing.

I want to get back to whatever we call this unrestricted fund. Fiscal flexibility is very important to us. Trustee Walker talked before about the Comprehensive Plan not being just a plan but also a set of future activities. It is a set of opportunities for future development of the Village. A lot of that is going to cost us money, and we do not want to have to finance everything out of bond indebtedness. So to have the financial flexibility to take advantage of

some matches and some grants and new opportunities is very important in the Village going forward. So I am absolutely in favor of building up this unrestricted, or flexible, reserve fund. The rainy day fund is, as the Village Manager puts it, is inherently a very important thing for us.

It was my understanding in the discussion of the budget we just passed that our practice has been to put a certain amount in what the budget calls "contingency." Then we build up this unrestricted fund by whatever we do not spend on truly contingent expenses and we deliberately overbudget so that we will build something up. That is what we did this year, unless I misunderstood what we were doing. Going forward, I like your suggestion that if only for the sake of greater transparency and accountability we call it building up a reserve fund, and we have a line item in our operating budget to build that up. Contingency is something else. We are going to have that, too, of course. But I do not think that merging them together, and then keeping our fingers crossed that we made a good guess, is necessarily the best way to budget year to year.

I would like to see our discussion of our budget next year touch on some of these points. I think we are all in agreement we need to build this thing up. I hope we are all in agreement that the flexibility it gives us is important. The only question is how to make sure we do it in a way the public can understand and we understand exactly what we are doing, because we are going to have to pay for this. There is no free lunch here.

Trustee Armacost: Well, just on the issue of flexibility, we have more flexibility if it is in the fund balance than if we put it into a designated reserve fund. So once it is in a reserve fund, it is a reserved capital fund. You can have different kinds of reserve funds, like there are reserve funds for fixing buildings. You can only use it for repairs. You can only use a capital fund for capital expenditures. So you are in a much more flexible position if you keep it in the fund balance as opposed to putting it into a reserve fund. But there are reasons why you want to put it in a reserve fund. There are pros and cons to each of those. But right now we have the most flexibility if it is in the fund balance and is undesignated. Basically, once we have made a decision to pay off, if we choose to, and there are reasons to do it and there are not reasons to do it, the \$866,000 whatever is left over is undesignated and can be used for other things. But we may not want to pay that \$866,000 now. Pay it off in the sense of getting rid of it, if it is more beneficial for us with Moody's to have a million, which it will be at the end of this year, in that fund balance.

Trustee Jennings: Unless they subtract it.

Trustee Armacost: Well, we have to find out because we have contradictory information.

Mayor Swiderski: It will be more than one flavor. Fran, thank you for this start of a formal discussion about a fund balance policy. The one sense this does not quite cut it, the paragraph is getting closer. Now we need the conversations with Moody's and others to understand, especially in the new world of the multi-fund designations in the new GASB, what is optimal for a village with our needs. That should drive our policy, as well.

Trustee Armacost: Exactly. It is a strategic question.

Mayor Swiderski: Thank you, and we will queue up the next round of questions.

6. Other

Mayor Swiderski: Dobbs Ferry is facing the same set of issues around deer control that we are. As we did a couple years ago in beginning to identify the impacts and the ways to deal with it, they have put together a forum next week at the Embassy Community Center, which will bring together the people who can best speak to methods and approaches on this issue: Dr. Allen Rutberg, who we want to work with if immuno is the direction we finally take; Kevin Clarke, from the DEC, who is responsible for wildlife management in this area; and then Glen Atchinson, who works with Westchester County on managing wildlife in the parks; and Mark Weckel, who manages the Mianus River Gorge in Bedford which had the deer management program, as well. It will be a useful forum and I will be there.

I have been in contact with Dr. Rutberg. The New York State DEC is revising its wildlife management policies. It does not happen often, and it is a major revision. They are not, at this moment in time, entertaining any new ideas in terms of licenses, et cetera until they are finished with that process, which they see happening late in June. They are reviewing what has worked, what is not working, and they are going to come out with new guidelines. We will be speaking both with the DEC, Dr. Rutberg and I, and people in Dobbs Ferry to figure out next steps. I will also be communicating with Mr. Clarke and his superiors, asking for the greatest flexibility in their wildlife management.

Dobbs Ferry, geographically, is a little different from us. The rules around bow hunting or firearms are the same: you need a 400-foot radius around where the hunter is. That is a 1,000-foot diameter circle, without schools or housing. Or if there is housing, everybody who lives there has to sign a permission form. Unlikely, at best, if it involves more than a few homes in this community. Within Hastings, I think there is one location with fulfills that rule in the depths of Hillside Woods. In Dobbs Ferry there are a couple. They have got some big plots of land so they can examine a range of options that would work less well here. They are beginning this process by talking about impacts, as well as methods.

Trustee Walker: Susan brought to my attention today that there is a NYSDOT funding round. It is funding that has come from the Federal Highway Administration. Unfortunately, they just issued the solicitation yesterday and the submittals are due May 27. It is the kind of transportation enhancement monies that we were hoping would be available this summer that pay for things like sidewalks and safe routes to school and traffic calming. I wanted to raise it in case the Board is interested in seeking a grant to build that piece of sidewalk that we decided we did not want to go after with CDBG monies, or were less inclined to, because of the 50/50 percent match. This match is an 80/20, so the Village's share is 20 percent. I do not know if they apply, but there are state programs out there that help municipalities meet their 20 percent obligation. So it is a much better grant program for us. It is highly competitive, but obviously you have to have something ready to go, shovel-ready.

We met with the DOT a couple of weeks ago, and they did not even know about this funding round. They were lukewarm on the Broadway sidewalk idea. They wanted us to gather more data; if we were to try to exclude the right turn lane at Olinda we would need to get traffic counts and pedestrian counts to them. I have heard from a lot of people who would love to see that piece of sidewalk completed. It would make the final link between the new sidewalks on Washington and the sidewalk that exists on Broadway, and help kids who are coming from the south end of town walk to school. A lot of folks complain that we have got just a couple feet there for kids to walk. It would be great to go after this grant, but I weigh that against us having to put everything together in the next few days.

Village Manager Frobel: Does it mention the eligible agencies, though? I thought there was talk about it not being open to everyone.

Trustee Walker: I did not see that. But they are not small projects. They say they should be at least \$150,000. That is not a requirement, but that is a recommendation. The state is going to pick what they think are the next projects and send them to the federal government. So it is a two-step process.

Village Manager Frobel: I thought it was restricted to states or countries. That is what I thought I read.

Trustee Walker: I do not think so. The state is eventually going to go after the money from the federal government, but they are pooling all these municipal requests together.

Mayor Swiderski: But they are skeptical about Broadway without further study. We do not have other projects immediately queued up that we would be willing to do a 20 percent match on a \$150,000 project, do we?

Trustee Walker: Not really. Fran, what was the Safe Routes to School project that you submitted a couple of years ago?

Village Manager Frobel: It was Hillside and then along Lefurgy.

Trustee Walker: Because that one is pretty much ready to go.

Village Manager Frobel: Not really, not design or anything.

Trustee Walker: No, it does not have to be designed. But in terms of a proposal, you put it together with photographs. Did you have an amount, an estimate?

Village Manager Frobel: Yes, we have a budget amount. It was a Safe Routes to School grant, which we thought was what we were looking for the next time it comes around. This is different than that, though.

Trustee Walker: This has some Safe Routes to School components in it, and this is the one that the people from NYMTC told me and Kerry-Jane about, that it was coming this summer. I think the thing to do is pick three different areas that might add up to \$150,000 if we were so inclined: Lefurgy; Hillside you mentioned, which you have already put together as a grant, and maybe Broadway. At this point, it would not be a lot of work to do Broadway. We would talk to the state again about the costs.

Village Manager Frobel: But I think you would need engineering. They did not seem inclined to give up pavement. Did you get that impression? The line-shifting is very difficult for them. I do not think they were favorably inclined to consider that shift.

Trustee Walker: I heard it a little differently, I think, if we prove that there was a lot of pedestrian activity on Broadway. We could not show it that day. They did not believe that people walked along Broadway.

Village Manager Frobel: The only other reason not to invest staff time is the match, the 20 percent.

Trustee Walker: Right. That is the question. If we were to put three things together, I think the sidewalk on Broadway would be under \$50,000. Based on what they said at that meeting, a standard sidewalk was \$14,000 per linear foot. And if you added the drainage, it seemed like it was under \$30,000 by their calculation. So the question is, \$30,000, and then I am not sure about the Lefurgy and Hillside Avenue.

Village Manager Frobel: There are right of way issues. It was a complicated project, and it was not inexpensive. My recommendation, I would pass this time rather than rush it and put in something that was not well thought out. And we still have uncertainty about our match.

Trustee Walker: Yes, that is the biggest piece.

Trustee Armacost: No, I think we are very clear we have got a lot of money for the match.

Village Manager Frobel: We do?

Trustee Armacost: Absolutely. I am 100 percent clear that we have money for the match. I mean, I do not know how much it is.

Mayor Swiderski: It is \$30,000.

Trustee Armacost: But \$30,000, absolutely, 100 percent we have for the match. I think the issue is whether we have someone who can draft a good proposal. I also think even if we do it the chances of winning are pretty slim, given what you have said.

Trustee Walker: It is pretty slim. The guy from NYMTC brought it up to us because he thought we were the perfect community to receive this kind of funding, because we have already done pedestrian planning, we have done the restriping of Broadway, we have shown that we are really interested in traffic calming and creating safer pedestrian areas. So we would get them, for sure, behind us. NYMTC helps review some of these grant proposals. I think we can build a case. But it is a lot of work in a very short period of time, I agree.

Another way to look at this is instead of looking at it in a piecemeal way is to look at it from a planner's point of view. We have got some great stuff in the Comp Plan, and maybe what we need to do is pull it together into projects where they are shovel-ready. Do our due diligence ahead of time, get some costs, and be ready to go next time this comes around. Unfortunately, these things are not getting reappropriated very often by Congress, and this is one that just happened a few days ago.

Trustee Armacost: But that process you are describing is quite expensive.

Trustee Walker: No, it is not expensive. It is really doing the pedestrian counts with volunteers. We have the traffic counts from a lot of our major intersections already done. We put it together in a package. It is more of a strategy. It is just a discussion, a strategy. And getting costs from engineers does not cost us anything, necessarily. So it is having the costs, having the counts, having the data, and having it ready to go. That is what the DOT

told us when we met with them when we went on-site. They said these projects have to be ready when the money is. You have to spend some time getting these projects ready so when the money comes available you can jump. This is a perfect example. Here comes the money, and we are not ready. But they did not say no. They just said you have to give us some good data, and then we can look at the alignment and determine whether or not it is feasible. But you have to show us the data that is necessary. I think we can do that on our own. I have set up lots of time lapse cameras myself.

Trustee Armacost: But it sounds like you have talked yourself out of this proposal.

Trustee Walker: I guess I am afraid of the time frame. I am bringing it up because we need to have the discussion. I mean, I can help, and Angie Witkowski was going to help with it. Susan, what do you think?

Village Clerk Maggiotto: I do not have an opinion.

Mayor Swiderski: Really?

Trustee Armacost: I think she has an opinion, she just does not want to share it.

Trustee Walker: There is even a sample proposal in here and it is not that difficult. We would have to get costs, but it is not a lengthy thing. The whole proposal was three pages.

Trustee Armacost: But is there someone who can write it, and does that person have time between now and the 27th? Those are the two questions. And if the answer is no to either one of those, we just stop the discussion. And point well taken. We need to gather this data, and someone needs to make sure that that happens.

Trustee Walker: Angie Witkowski was the one who made us aware of this grant, and she said she had the time to do it. So if we were willing to move ahead, she could help write it. We would pay her for that. We would have to provide her with some of the data and she would put it together. And we can take some of the old grant proposals that we have already written. The advantage to doing it is it gets us moving. Even if we do not get the funding, it starts us thinking on the process. And we would not have to start gathering the data until later if we got the grant, in this case. Or we gather the data so that we can take it to the DOT, get their blessing.

Trustee Armacost: Do you do an expression of interest and then you send it later, or is it all in one shot?

Trustee Walker: We are not sure because this is so succinct. But I think what happens is that you send this three-page proposal to the state. They decide which ones they want to send on. And they come back to you and ask for more information.

Trustee Armacost: Is there enough time to gather the data between when they are likely to respond?

Trustee Walker: Yes, I think so.

Mayor Swiderski: And an 80 percent match. Theirs is 80 percent, ours is 20 percent. That is very attractive.

Trustee Walker: Yes, that is very attractive and a lot better than the CDBG monies. I am willing to put some time into it. That is what you were fishing for, was it not?

Trustee Armacost: What I am trying to work out is whether you want to do it, or not.

Trustee Walker: Yes, I know. Let me put it this way. Our little ad hoc transportation committee met. It is made up people from the Conservation Commission and the Planning Board. We met last week, and they were very gung-ho about trying to go after money for that piece of Broadway. They said they would volunteer to do the pedestrian counts, they would manage time lapse film if that was what was required. I am speaking for a group of people who are very enthusiastic about it.

Mayor Swiderski: Then why are you so skeptical?

Trustee Walker: Because I know we have got to get this thing all packaged in 10 days. I did not know that when we were speaking about it with the group last Thursday.

Trustee Armacost: Yes, but you only have to do a three-page statement. So you do not have to get everything packaged. You just have to have a coherent three-page document. I support you 100 percent if you are on board with yourself.

Trustee Walker: It takes work, but we can do this, really. It is like I am volunteering my time and other people's time. I have to be careful.

Mayor Swiderski: Bandwidth.

Trustee Walker: I do appreciate that these things do not come along very often and one should take advantage of it.

Mayor Swiderski: Well, if we have Angie for what I assume is a nominal cost. Gathering the data, and making sure the pieces come in, is less of a hit on your bandwidth than writing it all. But you would still have to manage her, and the process.

Trustee Walker: Fran, the older grant proposals, the Safe Routes to School, they have costs associated with them? Did Angie work on those?

Village Manager Frobel: Oh, yes. I think that was one of her last projects, yes.

Trustee Walker: So she could pretty much pull those out easily. Putting the package together with three different Safe Routes to School would be the argument that we are making.

Village Manager Frobel: We also have the contact with the Board of Ed. She has got to revisit that and get them involved. Their letters of support were helpful. We had worked with a parent group when we redesigned that routing.

Trustee Walker: Yes, and we will go to NYMTC and see if we can get a letter of support.

Mayor Swiderski: If you are willing to tackle it, Meg.

Trustee Walker: All right. I can hear my colleagues saying, Go for it.

Village Manager Frobel: And Susan, Angie's workload? She can accomplish this?

Village Clerk Maggiotto: She said she could.

Trustee Walker: OK, we will do it. Cannot promise anything, but it is worth a try.

Village Clerk Maggiotto: I think we need a formal resolution, then.

Village Manager Frobel: Does it require one to accompany the grant, or can it come by later under separate cover? Often times they accept that. You meet the deadline, and you follow up it up with a supporting resolution at the next meeting. We will follow up on that.

Trustee Jennings: The Conservation Commission and the Planning Board have been working for many months with a group of architects and builders on modifications of our building code to make more energy efficient and environmentally sustainable standards so that what is built in Hastings in the future will be of better environmental quality. We are

making significant progress. We are coming fairly close to having something tangible in writing that the Conservation Commission will probably recommend to us. It is an interim set of amendments to our building code that will tighten them up and get them in better shape as far as these environmental standards are concerned. We are looking forward to more comprehensive green building codes that are coming down the pike at the state level. But for now, we wanted to do something that could be achieved in a relatively brief amount of time, like this year, 2011. It will be coming to us in a relatively short time for our work, deliberations, public hearings, review by the Village Attorney. But we are making progress.

Also, a state agency is interested in developing in places like parking lots solar-paneled structures to generate solar electricity. They plan to construct these apparatus at state expense. But localities need to indicate now that they are interested in being a site for this program, and then there will be a selection process. It is my understanding that it would not have any expense to the locality.

Mayor Swiderski: Do we benefit in any way?

Trustee Jennings: I am not sure how that works, but the electricity generated by these solar collectors is going to go somewhere, and could be offset in a regular Con Edison account or could be directly channeled.

Mayor Swiderski: Do we benefit, or does NYSERDA benefit?

Trustee Jennings: I do not know.

Village Manager Frobel: I think it has a host of benefits. We have talked about this.

Trustee Jennings: Yes, if we did benefit from it could be a substantial amount of electricity for the Village to use to offset our electric bills or to power our building. It is a very attractive concept. But we do have to put our hat in the ring.

Mayor Swiderski: What does that involve?

Trustee Jennings: I plan to follow up with Fran, and we will see what is involved. I have seen pictures of this in parking lots in university campuses and other large things, and it would be a natural for the train station parking lot.

Mayor Swiderski: Yes, absolutely.

Trustee Armacost: That sounds fantastic. Definitely go for it, particularly the income-generating aspect.

Mayor Swiderski: The expenditure expense saving.

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 a personnel contract.

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 10:10 p.m.