

VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
REGULAR MEETING
JULY 19, 2011

A Regular Meeting was held by the Board of Trustees on Tuesday, July 19, 2011 at 7:35 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

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

CITIZENS: Fourteen (14).

Mayor Swiderski: While we have a public hearing scheduled for tonight, we are going to first start with the regular meeting, pass one particular resolution, recess, go to the public hearing, finish that, and then return to the regular meeting, in the interest of not wasting our honored guests' time. I would like to thank two Trustees who are operating under less than ideal circumstances. Trustee Jennings, with a recently detached retina, who has joined us in his recuperation, and Trustee Quinlan with a sick wife at home, who I thank for being here as well for the celebration.

First item on the agenda is an item we have been waiting for many years to get to, finally. We do all sorts of things well in this village. One thing we do not do very well is celebrate our major successes. This is a big deal. After literally hundreds, if not thousands, of hours of work on the part of the committee that is in this room, as well as other groups who have reviewed, the public who has come in, the Trustees here who went through line by line, and the members of the Planning Board, as well, we have come to this moment.

It is a big moment, and I want to acknowledge that and have a moment to raise a non-alcoholic glass of sparkling apple juice and celebrate what is, I think, a pivotal moment for our village. Moving forward, in many ways what we do will be guided by a reflected vision of the Village by the Village. That is a great moment for us.

On your way out, you can grab the three pages of final revisions the Board has made. I want to touch on this because it is important. Meg did some edits to the circulation chapter that will help us down the road in search for funding and grants; some clarity there provides us with greater ability to seek those grants. I made a revision on affordable housing that incorporates language that the county requested in a letter to us as a result of their review of the document: that we consider model laws that are coming out of the settlement on affordable housing.

The county letter had two other requests in it. One of them was to lighten language around the financial consideration on the use of property. They thought that we were too oriented toward making sure it was positive for the Village. I went through the document, and found at least one spot where we said quite explicitly if it makes sense and it may not be profitable for the Village, we can do it anyway. We did not feel we had to address that request.

The third request was one regarding the use of Hillside Woods as a connector for trails. They felt that language in the document precluded the use of the woods as a connector between the South County Trailway and the Aqueduct. We received the letter two weeks ago. We could not, as a Board, agree exactly on the word changes, so we have not made any changes in this version, at least for now. We think, to some degree, they are misreading what is there. Also, it is not something we want to necessarily do quickly. So that request we have set aside, for now at least. I will be responding to the county's letter indicating what changes we have made and why we have not made the other two changes. So we have made a few changes, but none of them are material.

52:11 ADOPTION OF COMPREHENSIVE PLAN

Trustee Armacost: Congratulations. You did an unbelievable job. We would not have this document if it were not for each of you and for all of the people that you consulted. You were very thoughtful in your deliberations. We have something which is very exciting for us to begin to think about implementing. I would encourage you all to join the Economic Development Committee and any other committees of the Village that might be charged with implementing so that we keep all of you working on this project indefinitely into the future. On behalf of all of us, and on behalf of myself, thank you so much for your hard work.

Trustee Jennings: Absolutely I second that. Hastings is a very fortunate community inasmuch as we have citizens who are willing to volunteer their time and experience and expertise for the good of the Village. I cannot think of a single group, however, who has worked harder or achieved more than the Comprehensive Plan Committee over the last few years. It has been a remarkable thing to observe, and sometimes to attend. You have raised the bar as far as citizen government is concerned. So for that, as well as for the product of our very excellent Comprehensive Plan, I thank you.

Trustee Quinlan: There are a lot of people to thank. The people in this room, obviously we are very proud of the work you did. I would like to add a few other names, because without them we would not have a comprehensive plan, I do not believe: Diggitt McLaughlin, Marge Apel and Danielle Goodman. Although it has been talked about for years, this process finally started in July of 2006. It has taken this long to do it, but I am very happy. There are

a lot of people that I could name besides those three, and the people here, and thank God we finally have a comprehensive plan.

Trustee Walker: It is almost exactly five years to the day that the Board announced the formation of the preliminary committee. So well done, my congratulations, and I think you did an incredibly professional and thorough job. That is coming from a professional planner. I want to add special thanks to Kathy Sullivan, who couldn't be here tonight. Please let her know how appreciative we are. She is another one of those people without whom we could not have done it. So many, many thanks to Kathy, and to all of you.

Mayor Swiderski: This is in the greatest spirit of public service. We live in divided times, where almost sadly that has become a dirty word. You performed a service on your own free time, and a considerable amount of it, that will benefit the thousands of people in this community, not just now, but for years to come. And that is real public service. Thank you. I would be delighted to ask for a roll call vote. Do I have a motion?

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

WHEREAS, the Board of Trustees passed a resolution on July 18, 2006 to initiate the development and consideration of a Comprehensive Plan for the Village of Hastings-on-Hudson, and appointed an initial Committee to research types and process of other comprehensive plans and report their findings to the Board; and

WHEREAS, the Committee delivered a "Report on the Comprehensive Plan Process" on April 23, 2007; and

WHEREAS, the Board of Trustees appointed members to a Comprehensive Plan Committee on Sept. 11, 2007 and charged the Committee with the development of a Comprehensive Plan; and

WHEREAS, the Comprehensive Plan Committee held numerous committee meetings and community meetings over the course of several years in order to develop a Comprehensive Plan; and

WHEREAS, Public Hearings on the Comprehensive Plan were held by the Board of Trustees on May 24, 2011 and June 9, 2011; and

WHEREAS, the Board of Trustees determined on June 21, 2011 that the Comprehensive Plan would have no adverse impacts on the environment and therefore issued a Negative Declaration under the State Environmental Quality Review Act; now therefore be it

RESOLVED: that the Mayor and Board of Trustees adopt the Village of Hastings-on-Hudson Comprehensive Plan dated March, 2011.

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

Mayor Swiderski: We have a comprehensive plan.

Ellen Hendrickx, Comprehensive Plan Committee: I can easily speak for the rest of the committee in commending Kathy Sullivan, who led us and who worked so hard. We are so sorry that she cannot be here because she deserves a lot of credit. And also Liz Leheny, who worked with us, from PPSA. I wanted to say that on the original committee, Jim Stadler, whom we have dedicated this plan to, and who is a very special person. Thank you to the Board for your part in helping us get through this.

Jim Metzger, Comprehensive Plan Committee: We could not have done this without Sue Maggiotto. Her connection, it was a labor of love in both directions. There was an incredible amount of work that went on after hours, late into the night. And the flow of information was key to making sure that we kept moving forward. We also have some other members of the original committee. Elizabeth Felber, and Meg Walker, of course, Jim Stadler, Kathy Sullivan, and Mary Madigan. They got the ball rolling. They took a look at what other communities had done. We decided, at the beginning of this process, we wanted to set the bar that other communities would look to us and say this is how it should be done. Kathy Sullivan, who I would never speak for because the volume in my voice has never gone that low, but Kathy kept us on the straight and narrow, and for three years did not let us waver. There are some of us, myself probably at the top of that list, that came into this with some agenda. And we very quickly, as a group, decided it is not about us, it is about the community. The community stood up, and they let their voice be heard. We always talk about the fifth Beatle. Well, David Skolnik is here, and he is sort of our twelfth member of

the committee. It was an absolute joy to work on, even when we were deep in the trenches and trying to make those decisions. It was an extraordinary effort on everybody's part, so thank you.

Harry Thomas, Comprehensive Plan Committee: In turn, I would like to thank the Board of Trustees for support during the whole process. And in particular, giving us the support of Susan Maggiotto, without whom we probably could not have gotten the whole job done. Then the Board went over the report line by line, as you said, and has taken it on as your own, our own, the Village's own. Thank you.

[Recess 7:50 p.m.]
[Reconvene 8:10 p.m.]

APPROVAL OF MINUTES

On MOTION of Trustee Armacost, SECONDED by Trustee Walker with a voice vote of all in favor, the Minutes of the Regular Meeting and Public Hearing of June 21, 2011 were approved as presented.

APPROVAL OF WARRANTS

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

Multi-Fund No. 6-2011-12	\$ 6,711.00
Multi-Fund No. 8-2011-12	\$ 85,209.09
Multi-Fund No. 10-2011-12	\$ 82,417.98
Multi-Fund No. 12-2011-12	\$149,599.97

PUBLIC COMMENTS

John Gonder, 153 James Street: This symbol is like Texas longhorns. I hate Texas football teams. And it also means 2 percent, the new law of New York State. This means victory for old people and young people in Hastings. But I am afraid that like politicians they get a way, always have some gimmick. There is that thing for villages that they can override it by three-fifths of the vote. I just hope this board does not way, Mr. Frobel, come in with 4 ½ percent. Do not worry about the 2 percent, we will override it. You are trying to force old people out of town, sell their houses. My old house, somebody will enlarge it, build it, you will get permits, you will get more taxes, and you will be glad if I moved out. And the same

with young people that cannot afford it. So I hope you try to make that 2 percent, or the cost of living, whichever is less. Thank you.

Susan Cooper, 378 Warburton Avenue: I am actually here tonight in lieu of my husband, David Zung, who had a recent letter to *The Enterprise*, which you may have read. Before I say a word about that, I have his permission, by the way, to be here. I want to comment on the request for increased police benefits, which strikes me as completely out of the realm of reality at this time in history. That would apply to any request from any public worker at this point in time for an increase in pension. It almost approaches something of a delusional nature to think that this would be reasonable to ask of a public struggling economically. Along that line, my husband wrote a letter asking for a raise from the Village, and he could not be here tonight to discuss those new benefits. But he did get a response from Paul Feiner. I will mention a couple key points from that. I have copies if you like.

Paul Feiner said he read David's letter in *The Enterprise* and he is saying that one of the problems village governments have and the town has is that we have little control over salaries. If we do not settle a contract, then it goes to an arbitration panel, which usually imposes larger increases. So he is sharing two letters to the governor that he sent out recently opposing arbitrations. And I think local government should have control over our salaries. If we eliminate arbitration, it will make it much easier to control police salaries and benefits.

So there are two letters to the governor. One paragraph says that in addition, the state should provide local governments with a comparison of salary and benefits for similar jobs. Although the salaries of New York State employees are currently posted on the Web site, it's difficult to compare salaries and benefits because the posting are for names, not for job titles. Some benefits are hidden: vacation, longevity, uniform allowances, sick pay incentive, overtime differential rates, medical buyouts, etc. He is talking about the difficulty, in terms of the tax cap, with meeting these obligations. But he has taken a stand. It is due time for all our public officials to no longer say our hands are tied, we cannot do anything, these are state-mandated. Yes, they are mandated, and the tax cap is a blunt instrument to force those changes. But I think without the tax cap, what will happen. Individuals and nations only act reasonably when they have exhausted all of their options. This is a case in point. He is saying that arbitration panels were created in New York as part of the Taylor Law in the 1960s, with the objective of creating harmonious and cooperative relationships between government and its employees. The law is outdated and should be repealed.

David Skolnik, 47 Hillside Avenue: I am glad that Chief Bloomer is here this evening because I wanted to thank publicly him, even if he had nothing to do with it, and the Village Manager, Fran Frobels, even if he had nothing to do with it, but I had brought to their

attention this ongoing problem at Ravensdale bridge, where there had been a pile of dirt on the eastbound side with no reflectors. It seemed hazardous, and stayed there. After speaking with Fran last week, the next day it got taken care of. Since I so rarely compliment anybody here, I thought I would take advantage of it. So thank you both.

I had sent Paul Feiner a letter and received a written memo from Paul Feiner which you may have received. It indicates that he was copying a memo from the Greenburgh police chief that there was a delay in the work because there was a drainage problem that was being redesigned. I am bringing this to your attention, given how close we are to that September date when that daycare is planned to open. I do not have a high degree of confidence that all the entities will stay on top of this project and what is going to ensue in terms of traffic there. I did finally get a voice message from Mr. Feiner. If there is any information that I get from him, I will certainly ask that he pass it along to you. But I would just like you to be, on some level, aware of what the situation is there.

APPOINTMENTS

Mayor Swiderski: We are announcing two roles filled, one on the Youth Council Elizabeth Okin Gabay, filling a term that expires in 2012, and one on the Affordable Housing Committee, David Booker. Both of these are effective today. Thank you for the public service you will commit on our behalf.

3:11 ADOPTION OF LOCAL LAW NO. 7 OF 2011 TO INCREASE FINES FOR CERTAIN PARKING AND TRAFFIC VIOLATIONS

Village Manager Frobel: Nothing I can add, Mayor, to what we have discussed during our work session and the public hearing. A number of these fines, in early drafts of this ordinance we indicated the actual year that it was last adjusted. Some are upwards to eight, 10 years in the past. They have not been looked at.

Mayor Swiderski: I have an implementation question. Do we need to order new tickets?

Police Chief Bloomer: When we ordered the last batch of tickets, I anticipated that at some point the fines would be raised, so the fines do not correspond to the charge. Every fine is covered so they will check the charge and circle the fine. The tickets do not need changing.

Mayor Swiderski: What if there are multiple violations?

Police Chief Bloomer: Then they get two tickets, three tickets, four tickets.

Mayor Swiderski: In terms of when this goes into effect, what is the filing of the secretary of state? Does that mean a letter? What are the legal steps? At which point is the bad news delivered to the public that the expense has gone up?

Village Clerk Maggiotto: Marianne will sign off on the law and I will mail it tomorrow to the secretary of state. We get a letter back of acknowledgment within a week or two.

Mayor Swiderski: Is it receipt of an acknowledgment that it goes into effect?

Village Clerk Maggiotto: Yes.

Mayor Swiderski: And is it in effect at that moment, or can we make an announcement to the public and say it is effective as of a certain date?

Village Clerk Maggiotto: It has to be filed. The only way that I know that it is filed is when I get that letter back.

Village Attorney Stecich: But if what you wanted to make it effective on a later date you can just change this - it will take effect upon August 15 or whatever date you want.

Mayor Swiderski: Do we want to set a specific date, or it magically goes up on a given day? I do not care that much.

Village Manager Frobel: I would not.

On MOTION of Trustee Jennings, 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. 7 of 2011 amending the Code of the Village of Hastings-on-Hudson, Westchester County, New York, Chapter 282 Vehicles and Traffic to increase fines for certain parking and traffic violations as follows:

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

Section 1: Section 63-3 of the Code of the Village of Hastings-on-Hudson (Designation of fines to be paid) is hereby amended to read as follows:
Fines shall be as follows:

Type of Violation	Fine
Meter violation	\$ 20
Parked over lines	\$ 20
Backed into meter	\$ 20
Overtime parking	\$ 20
No parking (bus, taxi, crosswalk)	\$ 20
No parking (street cleaning)	\$ 25
No parking (other, corner, etc.)	\$ 20
All-night parking 3:00 a.m. to 6:00 a.m.	\$ 20
Alternate parking 2:00 a.m. to 6:00 a.m.	\$ 20
Fire zone or hydrant	\$110
Blocking driveway	\$ 25
Parked on sidewalk	\$ 20
Parked left side to curb	\$ 20
Parked more than 12 inches from curb	\$ 20
Parked on bridge	\$ 20
Other parking	\$ 20
Handicapped parking	\$110
Alternate parking	\$ 25
Expired registration	\$ 25
Expired inspection	\$ 25
No prepaid parking permit	\$ 25
No village parking sticker	\$ 25
Back wheels to curb	\$ 20

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		X
Mayor Peter Swiderski	X	

54:11 APPROVAL OF CROSSWALKS

Village Manager Frobel: At the last meeting we heard from Chief Bloomer as he reported his conversation with New York DOT and members of the Safety Council. We would like the Board to affirm what you heard that evening if, in fact, you support this effort to have these crosswalks indicated.

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

RESOLVED: that the Mayor and Board of Trustees approve the recommendation of the Safety Council to paint crosswalks and place appropriate signage at the intersections of Broadway and Flower Avenue, Minturn Street, Warburton Avenue, and Fraser Place.

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

55:11 AWARD OF CONTRACT – AUDIT SERVICES

Village Manager Frobel: The Board interviewed all four finalists last Tuesday. We came away feeling that all four of them could do a fine job. I have since had a conversation with the comptroller's office to get some indication about the quality of the firms, and all of them are fine. We are ready to make an appointment.

Mayor Swiderski: I was given the task by the Board, who agreed on two finalists. I followed up with both and made reference calls to the winner of the contract. The conversation and the reference calls were excellent, as you might imagine. It is an interesting choice, an exciting choice, as hard as it can be believed for an audit firm. We look forward to change of face and change of analysis.

Trustee Armacost: And a cheaper cost.

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

WHEREAS, the Mayor and Board of Trustees at their meeting on June 7, 2011 approved the issuance of a Request for Proposals for independent audit services for the conduct of an annual audit of the financial accounts and records of the Village of Hastings-on-Hudson, and

WHEREAS, four proposals were received on July 5, 2011, now therefore be it

RESOLVED: that the Mayor and Board of Trustees authorize the Village Manager to sign the agreement with Nugent & Haeussler, P.C., Montgomery, New York, for audit services as follows:

Year ending May 31, 2011	\$25,000
Year ending May 31, 2012	\$25,500
Year ending May 31, 2013	\$26,000
Year ending May 31, 2014	\$26,500
Year ending May 31, 2015	\$27,000

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

56:11 AWARD OF CONTRACT – QUARRY PARK DESIGN

Village Manager Frobel: This has been a long, involved process. It began in July, 2007, when we accepted responses to RFPs for certain architectural landscape design services for the Quarry Park design. It came out of a grant that the community received, and one that finally, in December of 2010, was executed by the secretary of state's office and the Village. Part of the delay was the fact that in response to that first RFP it exceeded the grant money that we had available to us. We needed to negotiate with the bidder, the one that the quarry study committee wanted to do the work. It was their recommendation to do the work. It has taken a little longer than we would have liked, but we are at a point where we are looking to

move forward with this award. This work is critical for our closure plan. The key element of that plan is to supply Malcolm Pirnie with certain data so that they can secure for us that exemption from full closure of the Quarry Park besides this preliminary design for the design of the park itself. The other element is, this work is important to us because we need a good working estimate for the actual closure and the construction of a park. Out of this we will have a working budget, and we will be in far better shape to apply for grants to help us transform that quarry area into a community park.

It is the recommendation of the group that we award this to Matthews Nielsen. We would like them to begin the work as soon as possible. Again, to recap, the element of it that is most important to me is that they supply that data to our engineering firm so that we can secure the closure of that property.

Trustee Walker: I should point out that their preliminary proposal was too high, but we told them that we really wanted to work with them. They have a fine reputation, and they have been helping the Village with this process for several years now. The committee wanted to not start the RFP process over again, but work with Matthews Nielsen. We were very pleased when we asked them bring their costs down that there was cost-cutting and elimination of meetings and so on in order to bring it down so that it would not cost us any additional money, other than what we have through grants. In other words, we have the match available without any money coming from the Village. So through in-kind services that will be performed by volunteers as well as probably some DPW time, and then the grants that we already have from Scenic Hudson, we are able to match this grant from the Department of State.

That pleased us very much that we could take the first step. This is preliminary design; this is not design of the entire project. It does not include construction documents and it does not include construction supervision, contract administration. But it does get us a design. With that, we hope we can do further fund-raising and we can apply for additional grants. .

Village Manager Frobel: As Meg mentions, the idea was not to rely on public money, but rather to use our grants as a match for this. That full grant was \$85,000. We are only, at this time, accessing half of it. So we are going to be able to continue to work with that as our future budget.

Trustee Walker: Two members of the Quarry Committee are here tonight, Kevin Dawkins and John Flack. Thank you for being here.

Mayor Swiderski: Meg, thank you for stepping in over the last few months and spending quite a bit of time setting out a plan that has not cost us any money so far, and seems to be more prudent, and is finally moving the ball forward.

Trustee Walker: I know I cannot come to the Board and ask for money. So it makes us very creative. We have to figure out ways.

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

RESOLVED: that the Mayor and Board of Trustees award the contract for Quarry Park Design to Mathews Nielsen, New York, New York, for an amount not to exceed \$40,000, to be paid from grant proceeds and in-kind services.

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

57:11 APPROVAL OF COLLECTIVE BARGAINING AGREEMENT – TEAMSTERS

Village Manager Frobel: We have reached agreement with the employees of the sanitation and highway and vehicular maintenance department. It is a three-year proposal. The first year began June 1, 2010 and it concludes on May 31, 2013. Not everyone attained everything we would have liked. Part of collective bargaining is that: reaching agreement without the need for outside forces to dictate to you the terms of that contract. We did have some help with the mediator. Her role was more to try to bring about cooperation than dictate terms. I think it is a fair contract. It has a cost of living increase in the second year, the year we are in today, of 1.25 percent, and then the third and final year of 2.25 percent. We were able to make some headway in our allocation of manpower, in particular in sanitation routing. You are going to see a fuller day for the men on Thursday and Friday. We are going to better allocate the men by making some modifications in how we go about collecting our residential refuse. Again, not everything was gained that we wanted. But we reached agreement that will yield benefits to the community in terms of more efficient allocation of our manpower, at what I believe is a reasonable cost.

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

RESOLVED: that the Mayor and Board of Trustees approve the collective bargaining agreement as attached with Local 456, International Brotherhood of Teamsters, for the period June 1, 2010, to May 31, 2013, and authorize the Village Manager to sign the agreement.

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

Mayor Swiderski: , Fran, I would like to thank both your countless hours and the Teamsters for coming to a meeting of the minds on this. It is substantially better than many other communities have enjoyed. The work rules, for us, are the most important events. So we will enjoy flexibility that, over the years, we seem to have lost and have now gained back. That is quite important to us.

Trustee Armacost: I have a couple of citizens who have asked me for copies of these contracts, and I am not sure whether they are publicly available.

Mayor Swiderski: They are public as of now.

Trustee Armacost: So what does one do? One instructs the person to go to the Web site? Are they available there, or does one instruct the person to go to Susan?

Village Attorney Stecich: They should make a formal request under the Freedom of Information Act. There is a form at Village hall.

Trustee Quinlan: Currently, at least on Hillside Avenue, we have the recycling paper and the commingled picked up on Friday. So we put them both out on Thursday. My understanding now, that is going to be split into two days, and that is going to be Village-wide?

Village Manager Frobel: Yes.

Trustee Quinlan: And when will that take place?

Village Manager Frobel: We have designed an advertisement that is going to appear for the next several weeks in *The Enterprise*. It will be an e-mail out to the community. It will also be on WHOH, and it will be on our Web site. So we have about a month of informing the community of this transition. I expect we will be ready on September 1 to make that switch. But also in working with the men, the drivers, part of this idea came from the employees. But we realize that there is going to be a transition. In the first few weeks, there will be some missed stops and we will have to go back and continue to communicate and educate the community. But September 1 is the goal.

VILLAGE MANAGER'S REPORT

Village Manager Frobel: I am going to yield my time to the Chief of Police. The Chief has asked for a few minutes tonight to talk about some public safety concerns over the past several weeks with activity in the community.

Police Chief Bloomer: Normally, the end of school year is an active time with our youth - active as in they require us to be very busy answering youth-related calls. In anticipation of that, we normally step up patrol on those weekends leading up to the end of the school year and up to the 4th of July, after which time things die down. This year has been incredibly active. In the two weekends that we did not put extra officers on, these incidents took place. I will not read them all, but as you can see we have had some serious crimes, and that is what they are, crimes. We currently have about 13 kids in court on Wednesday nights that have gotten into trouble.

My reason for bringing it to your attention is that I recall from our budget process that we wanted to meet more and discuss where we are with our budget, and where we are higher and lower, throughout the year instead of waiting until January, February, March. This overtime that we have paid from June through July is, as you can see, a little over \$6,500. We stopped the last two weekends, but I certainly have to pick that up again this weekend. We are going to have guys out in the parks. One of things we had this spring was the porta-potties that were on fire so we had extra patrol. Usually kids start with summer jobs or they go away or they are just used to being off, and things quiet down. It has not happened. So starting this weekend we will be in Zinsser Park and in the Burke Estate and in Draper Park, etc.

But that is money that I do not have accounted for in my budget. Is it possible we are going to take it from another area? Certainly. But as of right this minute, it is certainly an item that

I had not accounted for that has the potential to be a very costly item. I do not have any answers as to why this year is more than usual. No answers for it, but it is a fact. This weekend a car was turned over. So we have had serious incidents. It seems the only time we do not is when we have the extra officers in all the parks, which keeps things under control.

Clearly, drinking is behind almost every one of these incidents, if not every one. But it is certainly a concern. I have spoken to the Manager the last couple of weekends about my frustration, my dread, as to a Friday or a Saturday night. The night we had that heavy rain on a Friday night was my pleasure at not having to worry about coming in here Saturday morning and finding all kinds of problems. But the people that live near Reynolds Field are clearly tired of the noise. The people that live near the Burke Estate are clearly tired of the noise, the people that live near Draper. Again, for the 4th of July you know you are going to get some fireworks calls, but they have not stopped. The noise is every night.

The rhetorical question would be, how did it become the Village's responsibility to baby-sit for a percentage of kids, not a small percentage of kids, that are out every night, same kids? Some of these people that are coming to court have been arrested two and three times already. It is frustrating to my officers. It is becoming expensive. And I want to bring it to your attention so that it is not a surprise at the end of the year.

Trustee Armacost: When they come to court are they fined, or what happens to them as a result of this behavior?

Police Chief Bloomer: Again, each offense would dictate a different disposition. But in most cases there is a fine involved, or restitution involved if we can catch kids that are responsible. Like the bus stop, where they smashed the glass, I believe we will have those kids required to pay restitution. Part of the expense of being arrested is hiring an attorney, and you are talking a couple thousand dollars. But generally, for a trespass there is a fine involved. For other offenses, for some of the drug offenses, for an alcohol offense, there is a fine involved, yes.

Trustee Armacost: Do the fines offset the cost in overtime?

Police Chief Bloomer: I am sure they do not. We would have to arrest an awful lot of kids probably to offset that. But even if it does, it does not go back into my line so it does not help me. But I assume that at some point those fines would add up. It is income to the Village. Do we get all of that? Does the state get some of that? I do not know that.

Trustee Walker: How old are most of these kids?

Police Chief Bloomer: It spreads out over grades 9 through 12. But right now, we have a lot of kids that just graduated that are in trouble. And that starts with porta-potties. Clearly, that money that they are going to have to pay is not going to equate to what we have spent to catch them. It is not going to be even close.

Trustee Armacost: So they are just covering the cost of replacing them, as opposed to the cost of your time spent.

Police Chief Bloomer: They will have to pay for the cost of replacing them and they have had to pay for an attorney. They will probably be on some type of probation, not that word, for a period of time. But I do not think salaries are part of something that can be reimbursed. We do not get into, and I do not think we should, what the fines are. Our job is to enforce and catch. And then that is the court's job. But I have never seen where overtime was reimbursed when you catch somebody. Could be, I do not know. So that is discouraging. We could hope for some rainy Friday nights and hope that some people start going away. It is frustrating, but I am just bringing it to your attention.

Trustee Armacost: Do you have a sense of why it is any different this year than any other year? Is it a particular group of kids, or is it some shift in behavior?

Police Chief Bloomer: I will not touch that. But I do think there is a real increase in drinking, which I think leads to all these things.

[Female Voice]: Where do they get it?

Police Chief Bloomer: Older brothers, cabinets at home. It used to be whenever you had kids drinking it was kegs. That is no more. There are no more kegs since they passed the keg legislation. But you are talking about large amounts of alcohol, and some of it comes from home and some of it comes from older kids. These are all Hastings kids that are involved, yes.

Mayor Swiderski: Chief, thank you. In the end, from my perspective, it is not the financial issue so much as the disruption to your force and to the community that I find most disturbing. Especially the level of increase.

Police Chief Bloomer: This is over just two weekends. During the week is not so bad.

Mayor Swiderski: The destructiveness is higher than I recall.

Trustee Armacost: You came here to say that it is a budget issue. But what else are you asking?

Police Chief Bloomer: I am hoping that parents watch this and say where is my child on a Friday and Saturday night, and can I keep better track of them? And make sure I know whether they have been drinking when they came home, and should I tell them that being arrested is a serious thing, it is not a minor thing. I would hope they would do all those things.

Trustee Armacost: One suggestion is that you write fantastic memos. I have read many of your memos on many things, and I find them very persuasive. I am wondering whether this is something that should go out to the community, and maybe as the school also to send it out to their list. I do not know how many people watch this broadcast, and it might miss a lot of people. I think this is not about the budget. I mean, yes, it is. But this is about a much deeper issue that we are dealing with. It seems a shame to hide that under the budget, and not address it directly. I think you can develop a quite eloquent letter that has parents think twice about what they are doing or not doing with their children. And also help them to develop peer language: children saying no to other children. Maybe the Youth Council has something to say or value to add here. It is a fantastic group of people who care about youth on these kinds of topics. Maybe we can use this opportunity not to just make it about the budget. And the school should know.

Police Chief Bloomer: Well, we have that group that meets. The superintendent is part of that, and I will sit down with him. He is very workable. I think he has been great so I will talk to him, see what we can come up with.

Trustee Armacost: Thank you for letting us know.

Mayor Swiderski: Thank you. Discouraging is the right word.

BOARD DISCUSSION AND COMMENTS

1. Proposed Local Laws on Taxi Parking and No Parking on William Street

Village Manager Frobel: Susan, we left that on for what? If there were any follow-up questions?

Village Clerk Maggiotto: You had the public hearing on it, so we thought we should know what direction you want to go. Do you want it on for the next meeting as a local law?

Trustee Armacost: I do not have an issue with that one.

Trustee Walker: No, I am OK with that.

Mayor Swiderski: Unanimous. Two resolutions, I guess.

2. Riverview Park

Village Manager Frobel: Trustee Walker and I have been working with a group of citizens in designing our application to the state, which is due late summer. There are two elements of it. We are looking at some work at Quarry Park and improvements at the Riverview Park. We thought tonight, to keep the Board informed as to how we are proceeding and to making sure we are on the right track, we would spend a few minutes talking about the progress we have made and the direction we are headed for an application in late summer.

Trustee Walker: This is a preliminary budget so it is a little rough, and here is a plan. I wanted to describe to you the strategy that Fran and I have come up, working with Margaret Moulton, who is writing the grant proposal for this state parks grant. We have been working with Nancy DeNatale, who is here tonight. She has been instrumental in pulling disparate groups together, which she is to be congratulated for. We have had a couple of public meetings. The first one was when we were addressing the parks for the CDBG application. We decided to address Riverview Park even though it was not in the community development block grant district because we were looking at other parks on Warburton and we wanted to look at them as a whole. We had over 30 people come to the first meeting. We got a good direction. We had a second meeting about three weeks ago, where we had almost 30 people again. And we had that one in the park.

So we have heard from a lot of folks. The interesting thing is that the idea has been proposed that we combine a dog park with a people park. The dog park proponents, the advocates who were working hard a few years ago to create a dog park in either Riverview Park or in another park in Hastings, have gotten on board. They like the idea. They have no problem with the park being only part dog park. And then members of the community who would like to use the park on a regular basis have come to the meetings and advocated for creating a very simple park for kids to play in, for neighbors to come and have picnics and community gatherings.

So it has been pulled together very nicely. I want to thank Donna Gutkin, who lives in the neighborhood and who is a landscape architect who has worked for the Village before. She volunteered her time to prepare this plan. It is preliminary, but it shows you the three-part division: the dog park on the left, which would have a large and a small dog area, and a

general meeting area in the middle, and then a kids' area on the right, which would preserve some of the asphalt that is there now from the previous basketball court and skate park that would allow for kids to ride around on bikes and tricycles. And then a structure that would allow people to enjoy the view, an arbor structure that runs along the edge. There is a precipitous drop there. The idea that Donna has proposed is to create a place for people to sit and enjoy the view. And, of course, the view is critical as well. Right now it is completely obscured by trees and vines. So part of the proposal is to clear at least some of the weedy trees and the vines to open up the view. There are some large lovely trees that would be preserved.

It is divided into two phases. We are proposing to, within the first phase, do a lot of the tree and vine removal, do the demolition, put in some of the furniture, do regrading to make the dog park more accessible, do some of the paving and planting. The budget, including the tree removal and some of the project management that would be provided by the Village and the committee and Donna, comes to \$70,000. We are tweaking numbers, so I want to just tell you the strategy. The community is discussing raising money themselves to remove the trees and the vines, because there are a number of people whose views will be greatly improved. We think it is not only for a park, but for the benefit of the residents that the view be opened up. I think it is a great idea to see if we can raise some of that money from private individuals who will be benefiting. In fact, one resident has already contributed money and the work has already been done. Part of Riverview Park has already been opened up, the lower part where the dog park would be.

With that idea, as well some Parks Department in-kind labor, as well as volunteer work, we think we can come up with a match of \$32,000 or \$33,000, so the Village may only have to put in a couple thousand dollars. If we can tweak this more, maybe the Village will not have to put in anything. But that is the goal, and that is phase one.

Phase two would include the structure and more furniture, putting in plumbing and electrical work. The total budget then would be \$121,500. That is the strategy for that. Margaret will work on the proposal, and we will tweak the numbers with the committee, and we will come back in August for a resolution from the Board to go after this grant, understanding that the match would from our taxpayers in the Village would be minimal, or nothing.

Trustee Armacost: Sounds great.

Trustee Walker: Margaret and Fran and I have been talking about how to proceed with the quarry, and going after additional grant money to move that further along. I asked Kevin and John to stick around, because we haven't had a chance to go over this with the committee.

I have a budget, but I would rather not give it to you because it is just going to lead to confusion. It is very complicated, but I will tell you what the strategy is and try to summarize it. The numbers still have to be worked on a little bit. As you know, we are dedicating \$40,000 to Matthews Nielsen, who would be working on the preliminary design. We have other grants from Scenic Hudson. We have some in-kind service from DPW. We have already done design work and construction work on a portion of the trail that leads from Quarry Park down to the waterfront, eventually the waterfront.

The big picture, the big concept, is to lump these projects together. Think of them as one big project of completing the quarry and the trail. They kind of go hand-in-hand, and the trail really provides additional access to Quarry Park and also to the Aqueduct. So the trail, in a way, even though it leads down to Southside, you cannot really get onto the waterfront from there yet, does lead you to the Rowley's Bridge trail. But it is a critical piece in the future of looking at this as a connector. And we have received money in the past to work on the trail. We would like to go after more trail money, and we would like to go after money to complete the design of the park.

At this point, rather than looking for money to do the construction of Quarry Park, our thought is to look for money to complete the design and engineering and complete the trail. Then after that is completed, go after money to do the construction. We are proposing this for a couple of reasons. One is, we do not really know what the cost is going to be of the construction of the quarry. A lot of it is going to be the cost of fill. We do not know how much fill yet until the landscape architects do the preliminary design work. Then we will have an idea of how much fill. That will give us a pretty good idea of what the cost will be. They will be able to give us a cost estimate at the end of preliminary design. Number two is, I do not think we can come up with a match for that kind of money. We are talking probably \$400,000 or \$500,000 to complete Quarry Park because of the cost of the fill, primarily.

At this point, that is too much for the Village to bear, so we do not think it is a good idea to go after that money right now. Now, just as I described with the Riverview Park, what we are trying to do with Quarry Park is use grants to match other grants. We have come up with a strategy where if we use the work that has already been done on Quarry Park, and the money that we have got from the DOS for Quarry Park as a match, then we can go after a substantial amount from the parks department.

It is going to be around \$130,000, something like that. But it is still a little rough. We are working on the numbers. But it would be about \$130,000 so that we would be able to complete the construction of the trail and the design. And we have additional funds from DOS that we can use.

So the idea is to use grants to match grants, and get as far as we can with the money that we have, using it to leverage more money. The quarry committee is hearing this for the first time. I apologize, but if you have any comments about I would be welcome to hear.

Kevin Dawkins, Quarry Committee: It sounds very thoughtful. It sounds like it puts stages on the long-term project at a lower cost. If we are successful in getting a grant for this combined project, and that money can then be leveraged as a match for our bigger project, basically what you are giving up is time, on first glance at the proposal. That is all that comes to mind at the moment. But I would like to hear your thoughts, Fran, about the feasibility and the practicality of it.

Village Manager Frobel: When we had our last meeting I had mentioned that I felt we were better poised to go after a grant to complete the trail. We had already bid it once complete. We had already designed it. But the grant was received in 2002, and when we finally got around to constructing it in 2007, the purchasing power was lessened, so we had to break it in half. The thought was, as I mentioned at our last workshop together, that for this grant we may be better off trying to convince the state to fund the completion of the trail, since we would be prepared to move forward pretty quickly. Meg asked for those numbers just yesterday, and I had to spend a little time digging them out. But the thought was, since in all likelihood Matthews Nielsen is going to have a hard time coming up with hard numbers in that very short timeline that this grant is due and the action you heard the Board take tonight on awarding that work to them, I do not think we will be ready for September 1 to put a good application in that says with certainty what it will cost to build the park. So yes, it is a loss in time, but it will be time well spent.

Mr. Dawkins: But my understanding is that we do not submit an application for the construction, which is the \$400,000 plan we were talking about, but you would apply for funding to do the trail and design work on the park itself?

Village Manager Frobel: As I understand, final design.

Mr. Dawkins: And the final design, seems to me, would generate a clear cost estimate for what construction would be.

Village Manager Frobel: Oh, yes, they would have a good idea of that.

Trustee Walker: We will probably get a pretty good idea just through preliminary design of what the cost will be. But Fran is right. We are not going to see that in time.

Mr. Dawkins: No. In fact, Kim Matthews, when I got back to her after our meeting last week, I asked if it is possible to have those numbers by August 1. She said no, but certainly by September 1. And, of course, that is the deadline.

Trustee Walker: But the other reason is that we have to be realistic about how we match that money if we were to be awarded. Let us say we go after \$200,000.

Mr. Dawkins: No, I am quite aware of that. We had discussions about trying to raise funds privately, and having documents and designs will be helpful in that. But there is no guarantee to the Village at all that we could raise that money in that period of time.

Trustee Walker: There is no guarantee that we will get a grant either.

Mr. Dawkins: That is true, too. But that was my other question. Looking at the criteria for this grant, we all agreed that Quarry Park meets a lot of those criteria quite well. Do you feel that combining these two will enhance the chances of the Village? In thinking about it I think that enhances it, because connectivity is a big element, and they give you a lot of points for that: and walkability and connecting different parts of the community. It may help us in going back to Riverkeeper because one of the things they pointed out was we were claiming there was a connection to the river with a trail that was not there. Perhaps that might mitigate that concern that they expressed.

Trustee Walker: You mentioned the other piece I forgot. Once we have a complete budget and hard numbers about the construction costs for Quarry Park, then the Board is more comfortable going to Riverkeeper and asking them to release some of the money in the environmental trust fund. Until we have those hard numbers it is hard to do that. We do not want to go back and ask a second time so we want to have one definitive number. That is the other reason we need that cost estimate. Then that will help us with a match toward a future grant proposal for construction costs. The first time we went to them they said no for a variety of reasons. But we will be in better shape, and we will also have an opportunity to discuss it more among ourselves, rather than rush through it to get ready for this grant proposal, to try to have a discussion about matching that with Riverkeeper. We just do not have time to do that.

Mr. Dawkins: Right. I also think there is an advantage to the fund-raising efforts to have a more definitive picture, literate picture, of what the park is going to look like. We can sell off naming rights to certain features if we know what is going to be there, for example.

Trustee Walker: So this is not moving as quickly as we would have liked. But in this economic climate I think this is the right way to go.

Mr. Dawkins: I do not see anything negative other than it will put off, for some period of time, making an application for construction. But if it is going to enhance that application, then I can see the benefit of doing that.

Trustee Walker: It will enhance that. Because the pot of money is so limited this year, going to state parks and asking for a big chunk of money would be risky. Asking them for a smaller amount for a phased-in process is a better strategy.

Mayor Swiderski: Strategy and approach, it makes sense. It is a strategy and a approach that is thoughtful, and I think makes sense.

Trustee Walker: The other thing is that we have this half a trail. It seems pathetic to not to complete it. And to think of it as part of the overall project is important.

Vanessa Merton, 111 Pinecrest Parkway: This is in reference to Riverview Park, this preliminary proposal which I just saw in the last couple of days, and talked about a little with my neighbors. People down at the south end of town are very pleased that the Village is looking at turning that into a more useful, usable facility for that area. Particularly, clearing the view seems like a great way to proceed. But I want to flag a few concerns from this preliminary proposal. I have some concerns that are structural and budgetary. The current plan seems heavy in the direction of dogs, and light, in terms of expenditures, in the direction of people. There is something called the overlook, which I do not pretend to understand. But it costs \$30,000, which is a significant chunk of the money involved. Or together with the promenade it does; I am not totally clear. It appears to be a large area in the middle of the dog area. By comparison, there is about \$3,000 allocated for seats and tables for people to gather. There are no barbecue facilities or anything like that. I do not see any recreational potential in the way it is laid out at this point. There is not anyplace where you could throw a Frisbee or play kickball or soccer or anything like that. My concerns are that as it stands now the allocation of the funding seems to make a very beautiful and intriguing facility, very usable for the dogs, but maybe not as usual for the people.

I appreciate the notion that there would be scarcely any taxpayer money, although that does seem almost too good to be true in this day and age. But in terms of getting grant money and then what you spend it on, that is still allocation, that is still value judgments. It seems that when you look at this outlay, for a simple park where people could gather and hang out and sit and have picnics, it is a great deal of money being spent. There is a lot of money for plants. I try to figure out how many plants you would get on the retail market for \$11,000. It is a lot of plants. When I think of all the plants I have in my backyard I would be happy to

donate, and even personally bring there and plant, if need be, especially if it would save money. I am sure I wouldn't be the only person.

The other concern I have is that in that in our area the sidewalks are horrific in every direction. There is also the problem which I have spoken with the Board before and gotten some help with: the stairwell between Pinecrest Drive and Pinecrest Parkway, which is a very nice cut-through. When you apply for grants you can usually apply for necessary repairs in the immediate area and so forth. I know the sidewalks are not supposed to be public responsibility in theory. However, in reality we are where we are, we have what we have. I am talking about a slight unbalancing of the allocation of funding to some very nice, elaborate art pads and other things in the park, which are great. Some day, if we have more money, we could do more of that. But at a time when we have basic needs that possibly could be addressed by some of this funding, that would be beneficial to that part of the community in a multitude of ways, I would not want to lose track of that possibility.

Trustee Walker: Your points are really good, Vanessa. We need to look at this as a very preliminary plan. We are using it to go after this grant. But there are a lot of different ways the plan could be tweaked, and discussion needs to happen around that. Your ideas about access are important, too. There is a bus stop in front of the park. It would be nice if we could put a bench there perhaps, and a bus shelter. That would improve access as well. There a number of things we can bring into the discussion. For now, we just needed something to work with. We can even tweak it, but not too much because Margaret is already working on the grant proposal. But certainly we can have more meetings about the plan because people are seeing it for the first time. So it is not over yet.

3. Village Email Policy

Mayor Swiderski: We are introducing a preliminary draft of a Village e-mail policy driven off by some early work that Fran did. What we found when we went out looking for an e-mail policy, since it is always better to borrow or steal somebody's else's, is that we were not able to find anything coherent for what we were looking for. So it is our first attempt at the first part of an electronic policy. It is posted on the Village Web site. We are going to seek public comment and, over the course of the next meeting or two, formalize this component and, over time, add to it.

Village Manager Frobel: In August of 2006 I drafted, and the department heads have, a policy governing internal use of e-mail and computer policy. We have strict guidelines as to how we are assigned, and we are to use, the tools given to us as employees. This is an external policy. My policy did not provide Raf with the written guidelines that are helpful to him in handling e-mail that goes out as a matter of business through our mailing list.

Mayor Swiderski: For starters, I am calling it an external electronic communication policy because in this day and age, it is not just an e-mail distribution list. There are other pieces, ultimately, that we need to get around to addressing. If we, as individual Board members, or any member of the Village government, communicates to the public we should have in place guidelines on what is allowed and not allowed, retention issues and everything else. The same applies to the use of social media, Twitter, texting. We do not have anything in place, and we should formally put in place basic policies. I do not want to belabor this. I do not want a 20-page manual because nobody will ever follow it. Brevity is the key of wit and, in this case, good policy will provide the technology department with some basic guidance on what we can send out or rebroadcast and what we should not.

You do not want to make it too explicit because it rules out some of the flexibility you need. On the other hand, we should categorically rule out categories of communication: political or outright commercial advertising. This sets out some of what typically should go out, what should not, and some guidelines and policies that will cover those communications. It is a work in progress. We do not want to over-belabor it. What we want to avoid is sending out things we should not be sending out, both legally and from a sense of respect for the value of this list and people's time, and try to ensure that we have a set of guidelines. Right now, we are operating on common sense. That usually works, except when it does not. We are trying to minimize those times where it does not. I encourage the Board and the public to communicate and tell me whether it should be stricter, in what ways, less strict, alternate things that may be included – feedback, so we can craft this as a first phase of several other phases that we will eventually roll out on external communications.

Ms. Merton: Are elections considered noteworthy events? Or are they considered political activity?

Mayor Swiderski: Notification of time and place is a public good. Anything beyond that would be heading into political.

Ms. Merton: Maybe you would want to make that explicit so it is not confusing. And possibly, time and place: would that only be elections, general elections? What about primaries, or caucuses? I will put that on the table.

Mayor Swiderski: That is an interesting question.

Ms. Merton: Because some people would see that as also public.

Mayor Swiderski: A primary is, technically, a battle between a party. And is that political? I do not know. If you are simply providing notification to the public you are not choosing sides or anything. You are just providing notification of an event.

Ms. Merton: To me, it seems like that is what it is. That is just me. But I do think you should address it. If the Village is forwarding a message from another governmental entity, and that governmental entity includes what could be or would be identified as political content, which trumps? Because it has political content is it not forwarded, or is it forwarded automatically as a governmental message?

Mayor Swiderski: I would say the former.

Ms. Merton: So if it is a governmental message, but it is explicitly political in the sense of recommending a particular candidate or vote, then it would not be forwarded.

Mayor Swiderski: That is right.

Ms. Merton: It would be useful to make that explicit, as well.

Mayor Swiderski: We do not want to get into issues of equal time. We do not want to adjudicate. Again, these are fine lines. If the League of Women Voters is having a debate is that a political event, or is that a public service. I would argue it is probably a public service. Now, if the Democratic committee is having a meet the candidates night that might be heading into a political event, because at that point, you are choosing a set of candidates. These are not easy issues, and a lot of them ultimately are judgment calls. But we want to start trying to create a framework to think about this because they come up.

Trustee Armacost: Let us say a mistake was made and something went out, going back to your equal time question. What is the remedy? How do you make up for it to those people if you do not want to do an equal time scenario? I think that was one of the fallouts from what prompted this.

Mayor Swiderski: I would argue not to compound the flaw by further engaging in that partisan activity, to back away from whatever it was, and to state clearly that was a mistake. Part of this is to try to avoid those situations in the first place by making it clear that those sort of mails should not go out. It is like saying if we accidentally sent out an advertisement for one restaurant do we need to send out advertisements for all restaurants. Probably not. Probably we should say it was an error and we will try to endeavor not to do it again. But if you head into the realm of trying to compensate for your error in choosing a side by trying to choose other sides, you start to head off into exactly what you want to avoid in the first place.

Trustee Armacost: I am not asking you to decide what the remedy is now. We should address the remedy here. We should make clear what we are going to do if there is a situation where enough people feel like a mistake was made.

Mayor Swiderski: I do not want to go on what a lot of people feel a mistake was made, or not. I am not going to take a poll, and try to figure out there were six people who complained so therefore we should issue a second side to an issue. That is not the way to do policy either. I am happy to say the remedy is, a mistake is made, the Village will issue a retraction and indicate the e-mail should not have gone out.

Trustee Armacost: That is what I am saying. That we note what the remedy is going to be so that people are clear, so that we are not in a situation afterwards where we have people lobbying for different kinds of remedies. We are making very clear what the remedy is going to be in a situation. And we can think about what is the appropriate remedy. As I said, you do not have to decide now.

Mayor Swiderski: All right, I agree. I think that makes sense.

Trustee Walker: Would a Chamber of Commerce activity be a commercial activity, and would we therefore not publicize it for them?

Mayor Swiderski: It depends upon what the activity is. The Chamber of Commerce is heading off into delicate territory. If the Chamber of Commerce is sponsoring a Friday Night Live, which clearly is a public good and a service, I do not think there is an issue. Some of these are judgment calls. You have to do a sniff test, and say does this feel like you are choosing one commercial establishment over another. If you are, that is an issue.

Trustee Walker: We have been trying to build a close relationship with the Chamber of Commerce and really assist. It benefits everybody to have a vibrant downtown, an economically successful downtown. So when there are opportunities to help them as a whole, then it makes sense. If it is singling out any particular businesses, then you get into the commercial activity that excludes other commercial activities, potentially.

Mayor Swiderski: Right. Last holiday season I put out a flier that listed essentially every possible gift venue in town. That is probably allowable because you are seeking to promote commercial activity across the board by urging people to think of the resources within the Village. I attempted to mention every resource. That would probably still remain allowable. You are not choosing. You are endorsing something generally. But these are all tough. You do not want to endorse commercial enterprise, but you do want to promote the downtown.

These are difficult issues, and we have to come up with guidelines that legally keep us clear and yet allow us to promote our downtown without it being nakedly commercial.

Trustee Walker: I am not advocating advertising, but I am just curious. Is that a state law?

Mayor Swiderski: I think that is outright prohibited, is it not? You cannot sell advertising.

Village Attorney Stecich: It is essentially a gift, free advertising, so the constitution does not allow that. The problem is the way it is worded. I would say a Chamber of Commerce announcement is commercial. So you have to be a little more delicate in the wording, because I would say that would be banned by this, the way it is drafted.

Trustee Walker: Maybe commercial activity that benefits specific businesses.

Village Attorney Stecich: Yes, exactly.

Mayor Swiderski: I wish this were better-charted territory. I wish there was a model communication policy put out by one of the municipal authorities, municipal organizations. To some degree, it is astonishing to me there is not one.

Trustee Armacost: Did you contact NYCOM about this?

Village Manager Frobel: I worked with my professional association, ICMA.

Trustee Armacost: NYCOM may have policies. They may have had to deal with this issue.

Trustee Jennings: I wanted to ask about another possible ambiguity and the one procedural thing. The ambiguity is civic and not-for-profit organizations. Let me pull a name out of the hat: the Hastings Education Foundation, for example. It is in the nature of those entities to sometimes blur the line between holding events and fund-raising. So under the "OK" category, we have notices to the public for noteworthy events in and near the Village. And then under the "prohibited" category we have the word "fund-raising." I can think of a number of scenarios in which on a given announcement I would not know which one of those would apply. And this is not the same as the commercial question.

Mayor Swiderski: No, it is not. You are right.

Trustee Armacost: It could apply to the volunteer fire department, it could apply to lots of different groups which we would want to encourage people to contribute to.

Trustee Walker: For example, if the volunteer fire department has a carnival, which is essentially a fund-raising event, are we not to ...

Trustee Armacost: Or the police department.

Village Manager Frobel: We try to have a blanket, where it says "Village-sponsored events." In other words, if you endorse, for example the Friday Night Live or the volunteer firemen, then certainly that would be sanctioned. It could go out. That was the blanket we threw over it, saying Village-sponsored events.

Mayor Swiderski: That is probably the right way to cut it, because that way, every charity that throws a fund-raiser does not necessarily expect us to recirculate that. On the other hand, there are Village-sponsored and affiliated organizations that we may want to promote.

Trustee Armacost: I think probably with the prohibited list, we were talking about language, shifting it to commercial activities benefiting specific businesses. This language probably just needs to be thought through more carefully.

Mayor Swiderski: Again, this is very much a first draft. Little League is a good example. It is not necessarily Village-sponsored, but it is an organization we want to support because it is of broad interest to hundreds of families. A Little League parade you may want to broadly support, but a fund-raising event maybe not. There are distinctions.

Trustee Armacost: But if the Little League is raising money to pay for maintenance of your park, then you may well want to be supportive.

Mayor Swiderski: Exactly. But each one of these you have to examine and think what is the thread that heads back to Village interests, and what we should or should not support. It is not always apparent. You have to think, and take a breath. We have the Hastings Village Arts Committee that sponsors events, and there are not-for-profits that have events. Not that they are necessarily in competition with each other, but striking the right balance takes some thought.

Trustee Armacost: Some of these are quite tricky judgment calls. In the policy section B, where it is talking about the decision-making process, there needs to be a line explicitly stating that in cases where it is unclear, Fran is the decision-maker. Most things are not complicated. But where it is complicated, ultimately Fran is the one who needs to decide and should be accountable for it. He is the Village Manager. Anything that goes out is in his

name, and he is acting on our behalf. That should be there explicitly so the burden of responsibility is with the right person.

Mayor Swiderski: That is a very good point.

Trustee Jennings: I do not disagree with that. The buck should stop with the Village Manager. But we should try to craft language about consultation in questionable cases. It is not just a question of who is going to be held responsible. It is also making sure that the process has several people looking at it and they come to a consensus, instead of just leaving it to be the judgment call of any single individual.

Village Manager Frobel: That is my style anyway. I do not hesitate to ask other people's advice. That is a big help. That is why for so long Raf has had the burden of trying to make some of these judgment calls. It has worked fairly well.

Mayor Swiderski: For 99.99 percent of the time. As you come up with thoughts and think about this, it is as intriguing an issue of policy-making as there is, these distinctions.

Trustee Armacost: It does not say explicitly, but in F: said list is the property of the Village. I think it should also say, and will not be sold under any circumstance.

Village Manager Frobel: There has been pressure in the past to access that list, and we have resisted that. It was strenuous.

Mayor Swiderski: Sold, or shared.

Trustee Walker: How many people are on the list?

Village Technology Director Zaratzian: It is 1,680.

Village Manager Frobel: And that is for all three lists? Because you can pick and choose; there are some choices you can make.

Village Technology Director Zaratzian: There are only two: Parks and Rec, and then there is the Village-wide e-mail. I would like to have some clarification on where you want to go with Facebook and Twitter. Right now, the Recreation Department is using both of them. I have shied away from it because it allows public comment, and I am not sure which way you want to go with it.

Mayor Swiderski: I am not, either. My brain hurts, starting with this. And then I think we do it a policy at a time. I am not being facetious.

Village Manager Frobel: Because that is separate from this issue, Raf. Right?

Village Technology Director Zaratzian: No, it is not. It is all together.

Mayor Swiderski: Social networking is another form of policy we need to do. There may be some utility to have a code of conduct for all Village employees when it comes to that sort of stuff. The First Amendment is the First Amendment, but you may also provide advice on what you may want to air in your own social networking sites.

Village Technology Director Zaratzian: This policy should also state that it is not just the Technology Department, but also the Recreation Department sending out e-mails. I have no control over what they send out.

Mayor Swiderski: That is a good point. What we do not want to have happen is everything comes through a choke point; whatever we come up with has to apply to whoever this is delegated to. There may come a point where the Arts Committee has its own mailing list. This should apply to them, as well.

Trustee Armacost: Is there a Village Twitter account, or are people posting from their own individual Twitter account?

Village Technology Director Zaratzian: I am saying there is a Facebook for the Hastings Recreation Department and there is a Twitter for the Hastings Recreation Department.

Trustee Armacost: So it applies to those.

Mayor Swiderski: It should apply.

Trustee Walker: I have run into a lot of people who do not even know about the e-mail list. I wonder if there is a way that we can promote it. It seems unbelievable to me that people do not know about it. But could we set up a table at the Farmers' Market?

Mayor Swiderski: I would be willing to man that at one Farmers' Market.

Trustee Walker: We have about half the households in Hastings on the list. But what about that other half?

Trustee Armacost: There are some people who actually do not want any more information. Then they are not the ones one wants to reach. Raf has multiple channels. You have got the TV, the calendar, the e-mail lists, a whole bunch of different ways. Peter has his own list that he sends to people.

Trustee Walker: We are relying a lot on this e-mail list for a lot of our communication.

Mayor Swiderski: We are.

Trustee Armacost: Is the Web site posted with every announcement that goes out? That is what I thought. There are people who do not deal with electronics. There is a point at which it becomes very difficult. You cannot send a mailing to everyone.

Mayor Swiderski: No, but newcomers come to town, they do not all know to sign up.

Trustee Armacost: The real estate agents should be getting a package from the Village, a welcome package for new residents, which includes this kind of information.

Village Technology Director Zaratzian: Right now, Sue Smith does that. And the calendar is part of it.

Mayor Swiderski: There is a cover letter from me, too.

Village Technology Director Zaratzian: The real estate people come to the Community Center and take our calendars all the time, so it is definitely being given out. But it should be noted that the e-mail list has done a lot to save the Village money, environmentally. Our switch from paper to electronics started with it. At a time that not too many governments were using it, we started using it. It has proven itself to be a very cost-effective way of communication. Part of the problem is generational with e-mail. There are those who take it to be like a letter, and they have to read it. They do not, if they are not interested, just hit the "delete" button. They find it cumbersome when we send out five or six at the same time. They seem to get annoyed with us. But we are not wasting anything. It is virtual. There is no paper being wasted, like junk mail. One of the most cost-effective ways of communicating with the public is e-mail. Now, in a couple of years it may be adding Facebook or some form of that type of thing, or Google Plus works, or whatever. But right now, I would still use e-mail, especially with our green team, our whole idea of greening everything and making things paperless.

Mayor Swiderski: Meg, were you implying we should go back to paper?

Trustee Walker: No. More people onto the list, that is all.

Trustee Armacost: But if people do not want to be on the list I think they should be allowed not to be on the list.

Trustee Walker: I am not saying to force them. Just give people the opportunity because a lot of people do not know about it, or they do not know how to get on it, or they have not thought about doing it. Just make it available to more people, that is all.

Trustee Armacost: There could be a cross e-mail posting, where the Village says if you want to be on the school's list, this is the way to get on, and the school says if you want to be on the Village list, and that happens on a quarterly basis, so you at least are hitting all of those sets of people, and you are cross-pollinating. You could pick some people up that way, but there are going to be people who do not want to be picked up, and that is fine.

Trustee Jennings: Many lists have an option of a weekly summary or digest rather than receive many e-mails every day. Do we have such a function?

Village Technology Director Zaratzian: When we were doing it ourselves, there was an option in the software for that. But I do not believe the current Web-hosting list company does that. I can check. But remember, the Web site basically is that, because every e-mail we send out is posted right there. You can go back and read as many e-mails as you want.

Trustee Jennings: What are the data on un-subscribing? How many people drop off our list?

Village Technology Director Zaratzian: So far, we have not seen that much of a drop-off. I cannot tell you now. I used to be able to tell because when we did it in-house the server would tell me those things. When we host somewhere else, I do not have that capability any more. But it keeps getting more. So what it means is, even though people are un-subscribing, sometimes they un-subscribe because they change e-mail addresses and they change from Cablevision to Verizon or something like that. They un-subscribe, and they just subscribe again. But this e-mail list keeps getting bigger. That, to me, means it is working. If people did not want it, it would get smaller and smaller and smaller. I apologize to the people out there who have to deal with all the e-mails, but I think it is part of being a citizen in the Village of Hastings to deal with the e-mails.

4. Sustainability

Mayor Swiderski: Bruce, do you want to speak to the green building code law work underway?

Trustee Jennings: I cannot give very much information at the moment. At this time, there is a small technical group doing some drafting work to submit to the entire group that is working on the project. The big group is on hold while that smaller group of four or five people refine the draft of what will eventually be turned into an amendment to our building code for the Board of Trustees to consider, and to pass and enact eventually. I think it is going to move forward in the next few weeks. It has just been a question of being able to schedule people to do the final drafting. It is a busy time for a lot of folks.

When we make a transition in terms of our recycling pickup scheduling, this would be an opportune time to reiterate some information about the importance of recycling, about the county's new, broader policy on recycling plastic materials, and the like. I would hope we would craft some messages, not only tell people that they do paper on one day and plastic and metal on the other, but that we do so in a way that is conducive to increasing our recycling. I hope that does not run afoul of our new guidelines because it is, in fact, not simply information. It is also an attempt to alter people's behavior. I do hope that the sustainability message can piggyback on the transition with the DPW policies and scheduling. This would be a great opportunity.

Mayor Swiderski: I have no problem on that. If it has a triangle, recycle it.

Trustee Armacost: Quite a few people have asked me if they can get new recycling containers. Did you mention that you were looking into pricing them, or making them available to people? Maybe in that same communication, if that information can be in it, it goes together nicely as a package.

Village Manager Frobel: Very definitely. We have ordered the bins. They should be here in time for this September 1 transition. They are the larger 18-gallon bin, reflective of recycling more of the plastic. We will be selling them at the Community Center. We do expect to beef up the educational aspect of this at the same time. They are going to cost \$10. They are very reasonably priced. We piggybacked on the county bid, and we are realizing a little profit. The profit will be set aside for other efforts to promote recycling. We have been working closely with our Conservation Commission on this notion. We will have a little kitty so we can continue to promote recycling by whatever means it might take, and not have to turn to the community for out of pocket expenses.

Trustee Armacost: t Fran and Mike Gunther have organized for garbage cans to be put at certain entrances to Hillside Woods. Several people have commented to me on how useful that is, one in particular at the corner of Edgewood and Taft. Thank you for doing that.

Village Manager Frobel: Dobbs Ferry is currently out to bid to purchase LED street lights. We are going to be looking at that very closely, and perhaps coming back to you in September. Our goal is to begin to transition. We have 85 incandescent lights, and we would be first replacing those. We have had two LED lights here at Village hall for people to observe. There are also eight locations in Dobbs Ferry, where LED lights with various strengths are on display that people can observe. I can circulate that list to the Trustees, and if you have some spare time go over and look at them. But we expect to be coming back to you as early as September with the suggestion that we buy some of the LED bulbs under this purchase.

Mayor Swiderski: The payback on that now is under two years. We are burning incandescent bulbs that are so expensive in terms of electricity. It is around a \$350 expense for each LED?

Village Manager Frobel: It could be a very quick payback.

Mayor Swiderski: The incandescents we have, these are not the sodiums. These are the more old-fashioned ones. They are just expensive.

Village Manager Frobel: They are expensive to operate, so we thought we would start with the 85.

Mayor Swiderski: It is 5 or 10 percent of our light stock that accounts for 30 percent of our budget. And we are talking \$120,000 a year for public lighting, so it is a big chunk.

5. Waterfront Update

Village Manager Frobel: To report on Trustee Quinlan's behalf, on the Tappan Terminal site, the Chevron site, last week they completed the removal of about seven remaining containers that had contaminated soil. Chevron expects to be back maybe the end of the summer, doing some additional work, but for July and August, it will be very quiet on the site. On the Exxon Mobil site, the company's engineer contacted us yesterday indicating that they are going to have to clear-cut the site to begin the process of bringing down this cap. We knew this day was going to come, but they are letting us know now that perhaps as early as next year they will be looking to execute a permit which they are in the process of securing from the Village to remove all the trees. As the woman indicated to me from the

Exxon Mobil engineer, they want to do the covering in conjunction with Chevron. So maybe the entire site can now be cut at one time to begin this process of bringing this cap on. We are going to have to keep an eye on that.

I have suggested to the company would they consider to replant elsewhere in the community rather than on that site. It would not make much sense to plant on the site, when we do not know what you want it to look like at the end of the day. So the thought was perhaps we could indicate some other locations throughout the community that they could fund.

Trustee Walker: Unless we ask them to replace the buffer between the site and the tracks.

Village Manager Frobel: Give me some feedback on that. They have not formally started the permitting process, but Deven has to determine a fee for that permit. He wants to work with the Tree Board to inform them about what is happening. But there is no way around clearing the site, with these trees that have been allowed to grow in the last 25 years.

Mayor Swiderski: What is the story with the bioremediation on Exxon?

Village Manager Frobel: I cannot help you on that, Mayor. I do not know.

EXECUTIVE SESSION

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

Mayor Swiderski: Is there a Friday Night Live in August?

Trustee Walker: No, but here will be one on September 16. It is going to be exciting because we are working with the Hastings High School alumni association on a musicians' reunion. Musicians from all over the country who graduated from Hastings High School are returning to honor their former music teacher, Pete DeLuke, who apparently launched many remarkable music careers at Hastings High School. There is going to be a concert in Boulanger Plaza. Current high school kids will be involved as well, and middle school kids.

ADJOURNMENT

On MOTION of Trustee Armacost, SECONDED by Trustee Jennings with a voice vote of all in favor, Mayor Swiderski adjourned the Regular Meeting at 10:05 p.m.