

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
REGULAR MEETING
OCTOBER 4, 2011**

A Regular was held by the Board of Trustees on Tuesday, October 4, 2011 at 7:40 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

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

ABSENT: Trustee Meg Walker

CITIZENS: Fifteen (15).

APPROVAL OF MINUTES

On MOTION of Trustee Armacost, SECONDED by Trustee Jennings with a voice vote of all in favor, the Minutes of the Regular Meeting and Executive Session of September 20, 2011 were approved as presented.

APPROVAL OF WARRANTS

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

Multi-Fund No. 25-2011-12	\$ 12,218.10
Multi-Fund No. 27-2011-12	\$ 40,597.80

PUBLIC COMMENTS

Mayor Swiderski: A reminder, it is limited to three minutes. Slight modification. I heard Mr. Downey last meeting and understand the spirit, and while comments are an opportunity to be heard rather than provoke a discussion, if there is a specific question and it is something we can answer, if the agenda allows it and it can be answered in a timely manner we will try to do so. On the other hand, if it a longer discussion we can take it off-line.

John Gonder, 153 James Street: If I was a betting man, I would say a thousand to one you will all have arrived at a two percent tax increase. You will vote probably five-nothing to go for whatever you believe the budget should be. You should start your budget process a lot earlier so Trustee Armacost will not be in the same position as last year, on a Thursday night asking for 24 or 48 hours and you did not give it to her.

On your agenda last week there was no mention of an item which was a resolution to stop Indian Point, and I was wondering how it got there. It did not come under public comments. I think the man was a Coast Guard man, well-educated. I was wondering how you get items on the agenda when they are not on the agenda.

Mayor Swiderski: That item should have been on the agenda. I asked for it to be put on retroactively. Peter Wolf headed the Conservation Commission for years, and he was also the author, I think, of the original resolution that had been passed back in November of 2001. He had asked for us to reconsider that resolution. Through a set of misses, it did not land up on the agenda; it would have otherwise. We did discuss it, you were here for that. It was remanded to the Conservation Commission for review. I do not know where it stands there.

Sam Feldman, 10 Circle Drive: Here with some of the Circle Drive gang. I had an issue for the last six weeks where the road in front of my house deteriorated. It looked like it was going to collapse. Water started coming up my front lawn. Mike I want to thank for coming Monday, and the crew has been working Monday and Tuesday to fix it. It erupted into a volcano-ish effect Thursday, just as Rosh Hashanah was starting. Fifteen people about to come and the water just came up, and I believe Mr. Frobel saw it. Thank God, no flooding into the basement. But my issue is symptomatic of the problems everybody has with Circle Drive: the drainage, the ice that is going to take over the whole street, the flooding in some people's basements.

I have a letter to Mike Gunther that Wendy Grace and Peter Walberg asked me to read because they are on vacation.

"We're happy to see that your crew is here working on drains at the base of Chestnut. But we're alarmed at what's going on down Circle Drive and Ferndale. The drainage situation really hasn't changed in years. They don't go away by putting sandbags, which certainly don't help the property value. "In front of our house, 20 Circle, we see a collapse of the street, which I brought to your attention a year ago. The holes have continued to lengthen and deepen, and it's the town's responsibility. Please repair it."

I have been here before about Circle Drive. But my immediate issue, I went a little crazy over the weekend with fliers just to get some action and bring it to the attention again.

Village Manager Frobel: I have this topic under Manager's Report; it deserves more time than the three or five minute rule. I have Mike Gunther here tonight, I have a diagram of the improvements that we have been working on over the last several weeks in that neighborhood. If we move it to that portion of the meeting, it would benefit everyone.

Mayor Swiderski: We have a very light resolution calendar, so we are getting to this issue in a matter of minutes; we will not be keeping you late. We will be getting to your issue of concern, and it makes sense to address that, as a group, then.

Ms. Balaban: It is very painful to come into Circle Drive every day and to see that it looks like a Third World country, with these sandbags in front of three or four different houses and the safety cones and the sawhorses. It is a beautiful street, and it is very upsetting to me because I have been there 50 years and I have never seen anything like this.

Tim Downey, 520 Farragut Parkway: Under board discussion last meeting, there was time spent speaking with the fire chief about a replacement vehicle and some insurance money in the amount of about \$12,000 for replacement of radios, equipment, and gear that were going to come with a new used car for the fire department. Yet when we came to the topic, and it may have been because Manager Frobel was not here so it was not handled in a certain fashion, we were told that there were going to be two loans wrapped together in the form of a larger loan, and it was a good rate we received, and things improved. I could not solve for X with that type of sentence. Then Trustee Armacost finally asked what was the amount of the loan. Oh, it was \$2.5 million. What was the change, or difference, in the rate? About a half a percent. Quick back to the napkin math, that is about 12,000 bucks. But no one spoke about this; there is no detail on these type of things. We get a gloss-over, and then we pass it on. I think it would demand a little more time and attention from you to speak to the public and give us a sense where we are going with our indebtedness and our bonds and how things work. We need to hear a little more detail.

When they talked about the salary increases, the judge did a nice job; spoke on behalf of the people that he was concerned about. Trustee Armacost also weighed in on that, and added some detail. Yet in August, the big pay increase for salaries, first of all I found it kind of odd that we would wait until the end of August when the Village is pretty much emptied out in vacations that we would bring up that kind of uncomfortable topic of employee salaries. And, of course, Trustee Armacost was not here. I also found that odd because she is generally the financial watchdog of the group. So we hear about the salaries, and what we hear is, they work hard and we want to attract and retain good people. But we do not want to attract anybody. The Village Manager does not have a secretary, we have been shorthanded on the DPW, we have been shorthanded on the police department. So we are not looking to attract anybody. Retain: no one is going to leave this job for something else; they are happy to have a job. I would like to see the language cleaned up a bit, and speak to the public in a more mature manner than "attract and retain."

In the August we were going to spend \$275,000 on a paving contract. That was both cash and bond which means it is going to cost more than that. Not one Trustee picked it up. No one said, wait a minute. It was under the recommendation of Michael Gunther in the Village DPW budget discussions in the springtime that we were going put this 275 grand into patch and repair and save some money, work towards the reserve account. I have pushed many times on this item. Let us put this money into infrastructure. Areas on Lefurgy and all across Mt. Hope have no curbing. Gravel is washing across the roads and it looks like sin. I would like the Board to be more clear in their dialogue with the community: what is our indebtedness, what monies are we going to spend, what is our time frame. Taking the loan that we heard about last meeting, and wrapping it into a larger loan and then eventually going to bond, that does not tell us if the debt is less. Depending on where you are on the principal and interest you could increase the cost of the debt. I would like more detail when we have discussions on monetary issues.

68:11 HASTINGS FARMERS' MARKET – APPROVAL OF USE OF MUNICIPAL BUILDING PARKING LOT

Village Manager Frobel: This is the annual request from the organizers of our Farmers' Market to use our parking lot during December and April and May next year. During the winter months they will be inside the Community Center.

Sue Smith, Farmers' Market: We would probably be inside in December if Santa Claus was not there. Cannot compete. In the last couple of years it has been really cold, but we will tough it out rain or shine.

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 approve the use of the Municipal Building parking lot for the Hastings Farmers' Market on Dec. 10, 2011, Apr. 14, 2012, and May 12, 2012.

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

VILLAGE MANAGER'S REPORT

Village Manager Frobel: You have heard the concerns expressed by the residents on Circle Drive, Ferndale, and Chestnut Drive. Mike and the DPW crew have done quite a bit of work over the past several weeks to alleviate and address some of these concerns. Last Thursday we had quite a downpour. It triggered having to accelerate our work to address some immediate concerns. I have a sketch that describes the improvements that we have already accomplished and what we are looking to do over the next several weeks.

By everyone's estimation this has been an unusual season. Hastings has received 53.3 inches of rainfall as of October 1. Our annual average is about 45 inches of rain. The highest rainfall we received over the last 13 years was 49 inches. What concerns us is that October is typically one of our heaviest months for rainfall. On average, Hastings will receive an additional 4 inches of rain in the month of October. In November and December, it drops off to 1 inch on average. We have been hit extraordinarily hard over the past several weeks.

Mike began by making improvements to catchbasins at Chestnut Drive, Chestnut and Circle on the southern part of the map. Mike has been restoring three basins there. The idea was to begin at the highest elevation and work his way down. Since that time, they have worked at the base almost at the intersection of Circle and Ferndale. There is a large double-wide basin and one smaller one the men have also rebuilt. The one that gave us a lot of difficulty is the one further down Ferndale which was mentioned earlier. That is the one where there is no catchbasin. The map indicates one because it was installed today. We were led to believe it was a broken pipe. But, in fact, there was no connection between the pipe; rather, it was a sump with two pipes entering into a concrete vault-type structure with a metal plate over the top of it. What happened was, it quickly filled. And then as mentioned, it bubbled up and over the street. That basin, at that point that about on the western side of Ferndale near Circle, takes 80 percent of the water that flows down those two streets. The infrastructure there was really taxed. It had worked OK previous years, but when we hit that downpour last Thursday is when it really tested it, and it failed. That should be completed by tomorrow.

From the intersection of Chestnut to not quite the Ferndale and Circle Drive intersection we are going to have a contractor build a concrete curb. This will pretty much channel the water that travels along the western side of Circle headed north, and it will keep it on the roadway, not spilling onto those homeowners living on that side of Circle. It will also help the situation for the residents down on Terrace. They have traditionally been flooded out with water that cascades over the existing bituminous concrete berm onto the property down onto Terrace. So we think that will take care of it.

Mike Gunther, Superintendent of Public Works: We are working on now that basin that Fran talked about coming down Ferndale. We uncovered the one on Circle today, put a double grate to catch a lot of main water coming down the west side of Circle where that concrete curb is going to go. It will not affect number 10 or number 6, who had the most water the last time. Years ago when they put the grates in, they were not positioned right. They are up high, they are at surface level. There are certain grates you use for a steep slope coming down a hill to catch the water to bring it down underground. So it comes down Ferndale, comes across Circle, pushes the water that is coming nicely across Circle. Although it is not moving like a rapids; it is slowly going down and pushes it right over the curb. That will not happen anymore. They are looking at the same grate we installed today in front of number 10. It is 48 by 50 inches, a big area to catch water. That is going to go on Ferndale, also, to catch all that water coming down.

Village Manager Frobel: From in front of number 10, Mike is also going to cut the pavement, from number 10 headed northwesterly.

Superintendent Gunther: What happened with the last storm, there was a buried catchbasin in front of number 10. Years ago, I do not know if it was before my time, I was not aware of it, somehow a catchbasin got buried. And like Fran said, there was a plate put over the top of it, it filled up with debris, got plugged up. That is what it caused. But also, when it caused the asphalt to raise up in front between 10 and 6, it raised up on the side of the curb so now you only have a few inches of curb. We are going to cut that down, take that asphalt out. There is probably a good 6-inch curb there. We are going to put all that reveal back again with new asphalt. And we will patch. Circle Drive is bumpy. It is probably going to break, and we will have to look into doing something, patching up the best we can before this winter. Now we are pressed for time, with the weather. Hopefully, it stays 70 degrees all winter long. That would be great.

Village Manager Frobel: Now, as you go up Ferndale you have the two basins near Scenic and further up Ferndale as it intersects with Chestnut. Those, too, are also being cleaned out and touched up to see if they have got any danger of failure. We are going to take out the existing bituminous asphalt and put in this concrete berm. That will channel the water down to those two catchbasins. That should handle the water coming off those streets.

Mayor Swiderski: What about a drainage situation that results in ice?

Superintendent Gunther: Years ago, we had the old white pipe that was sitting exposed for many years. That is an underground spring that comes from various properties between Chestnut and Ferndale. We got a pipe in the ground.

Village Manager Frobel: It goes through a basin, and then travels down to that next basin further down. There has not been spillage onto the street from that since we installed it.

Superintendent Gunther: No. There have been others spots that did. But like Fran said, the amount of rain we have everything is still so saturated it is perking up. It is not staying underground. We will have to keep an eye on it if there is further stuff we have to look at for the drainage coming next year. Last year there were a few small patches of ice, not as much as we have talked about many years ago. There used to be ice a good portion of Circle Drive down towards Villard Avenue. We took care of that. There is more we have to look into in the winter; there are other spots. Water comes out one year under somebody's wall, or it comes from somewhere else.

Village Manager Frobel: The sandbags we apologize for. They are used to protect the property. They will be removed when the contractor begins his work on Monday, weather permitting. The sawhorses have long been gone except for where we are working in front of number 10. I think we have made some good progress.

Superintendent Gunther: Weather permitting we should be done by Friday of next week, everything complete, pavement back, blacktopped, the yellow cones taken away. The only cones are the orange ones because we have to do some blacktop work. I apologize for the unsightliness, but that is what happens.

Village Manager Frobel: There is an expense, obviously. Mike has a budget he is working with, the grates we have to buy. This will all come out of our operating budget. But for \$10,000 to \$12,000 we should be able to alleviate the problems identified by the neighbors.

Trustee Armacost: Since we curtailed the opportunity to ask questions earlier, if any members of the public want to ask questions it seems fair to allow them to now.

Melvin Berry, 15 Circle Drive: My driveway bisects Circle and Ferndale. I have a stone wall facing Circle Drive. The stone wall supports my driveway. My recent water problem, and I was not here on Thursday for the big one, is over time. I am a resident for the past 45 years. For the first time in 44 years, I noticed underground water oozing out of the base of the stone wall, which is 4 feet high, swamping my grass plot and dripping onto Circle Drive. It was so unusual that I immediately called Superintendent Michael Gunther. He was gracious enough to respond immediately. He saw the event. My concern is that the underground water erosion will eventually collapse my driveway. We see evidence of erosion on the upper part of Ferndale Drive. I hear horror stories of flooded basements from my neighbors, and I urge the Board to take action to resolve the problem. Perhaps we should consider returning to moats.

Jared Levin, 14 Circle Drive: I appreciate that work is going to be done because we are right next to the Feldman's house and that water comes cascading over the wall there. It floods our yard and our basement, and it also comes over our driveway and floods the garage. Calling that a spring is a bit of a euphemism. What I was told is that it is water coming from further up Ferndale, that there is a house, or houses, where they had to get rid of the rainwater; groundwater may be coming from further up the hill, and that it is piped down underground there, I guess, to Circle Drive. But the amount of water that comes out of there is pretty stupendous when we get a heavy rain, and it has happened several times. I have some photos. You can see that the water totally bypasses the drains that are there, and it just comes along the wall. And what does not go over the wall, a lot of it goes down our driveway. Then it also goes on to the next two houses. So a lot of the water that they had coming over onto their property last week was water coming from that spring, or pipe.

There is a drain that is supposed to catch that water, but you can see from the pictures the water was like a fire hydrant. It just goes right over the drain. I do not think much of it goes into the drain when it is heavy rain. You can see it heading across the road, missing a drain and going down along the curb there. Then cars that are parked there, it goes over the curb. If the tires are close to the curb it makes a little channel and the water hops right over. If that source of water can be addressed in this plan, it seems like another drain might be needed. Or I do not know, it has got to be stopped before it gets to our driveway because we can only make our driveway so high to keep that water from going over and then it is unusable.

Mr. Downey: I hope that we are exhausting every possible lead to get grant money, emergency funds, particularly now that the federal government wants to print money and throw it out there for shovel-ready jobs. There seems to be a great deal of effort in grants for this silly Quarry Park item. And now we are going to reword it because the grant processes have changed. We are going to color it in certain ways, and we are going to try and get money for a quarry park that we do not need. I hope at least as much effort is put into the infrastructure, which I have been pounding at this mic for for over two years: get the money so the DPW has a vacuum, a roller, whatever they need in the way of equipment to maintain this village. It is crumbling at our feet, and we are at a nexus point where it is evident that we need to invest in our infrastructure and put that at a higher priority than worrying about parks that will have nice reflecting sounds off of walls.

Trustee Armacost: Fran, are you aware of infrastructure grants that come up, or are there any new ones that have come as a result of the hurricane, where there is a compelling state/federal/local interest in avoiding these problems before they cause billions of dollars worth of damage? It is solving the problem before it becomes a huge insurance issue or some other such issue.

Village Manager Frobel: I am not aware of anything for this particular problem. You will hear later on tonight about our hazard mitigation plan which addresses flooding in neighborhoods. But this is more a rainfall situation with basic infrastructure that needs to be upgraded to handle what is happening in terms of the heavier rain than normal we have experienced this season.

Mayor Swiderski: A storm situation, we do get FEMA reimbursement.

Trustee Armacost: I take your point that it is an interesting question whether it is a spring, or not. Let us say it is a spring. Then it is a flooding issue. If it is not a spring, if it is water that is being channeled from someone else's property higher up the hill, then it is a separate issue.

Mayor Swiderski: Civil.

Trustee Armacost: Yes, but if it is a spring, then it is a flooding issue, and it is important to determine the cause.

Village Manager Frobel: I do not know. I had been told it was a spring. I know it flows mostly throughout the year. I thought it had to do with the hydraulics with all the rock and the formations there pushing it up. In a normal rainfall the improvements Mike has made from the spring and the catchbasin, linking it to another basin underground, has worked. When you get the kind of downfall we got Thursday, it does cascade. It pours out of the concrete trough that he built under the basin, which is a reduced size, and it does sheet-flow across Circle to its next lowest spot. I think with this concrete berm that we are looking to build, that will continue to channel it down to two catchbasins that are going to be better equipped to handle that kind of unusual rainfall. Mike, can you add to that?

Superintendent Gunther: I agree with Fran. Once we get this curb set along here it is going to be a lot higher. Water runs in the street. It rains, water comes to the streets where it is designed to do. That little spring that is coming down, I have heard before my time, years ago, that it used to be a little creek that runs between the properties. Where the water comes from, I do not know. It could be spilling right up above. We will look into it. We put that little pipe in just to get the groundwater off. It is not designed to handle the water that comes out of that pipe. It is a bigger pipe. We can maybe take the grate off and leave it open. It is only a 4-inch pipe. It may cut it down a little but with that curbing, it will keep the water on the street where it belongs.

Village Manager Frobel: We have talked about removing the grate, leave it open for awhile and see if it captures more of the water.

Mr. Berry: The problem that I mentioned did not occur on a Thursday. It was the rains before the hurricane time. So it had nothing to do with what happened on Thursday.

Village Manager Frobel: Yes, thank you for that clarification.

Mr. Downey: During Hurricane Irene, I stood up there in the rain and studied the road condition because there was some work I was scheduled to do there. A suggestion would be that you get a small milling machine, going up the street you mill the left side down, then you pull the whole road again with paving and you twist and bank the road. You keep it forced into the uphill bank. What I had heard from residents is that the banking of the water changed and forced it to the west side. So you mill down the inside, double-pave the side, and then you will slow the velocity and twist the water back inside. One you put that curb in, now you have a fixed elevation. Now you are going to have to play off that elevation all the time. I am saying bank the road first, and then work on that new high bank. And then go with your elevation up from that point.

Village Manager Frobel: I do not think we are working with a level of tolerance that Tim is describing. What Mike is suggesting, milling down below, is going to work. Up here, I think we have got it pretty much figured out that it is going to address this concern.

Superintendent Gunther: On Circle Drive, all the water is designed to go to the west side. From the basins up on the corner of Chestnut and Circle, they all drain into it. They drain to another basin, cross the road, come down further, and they go out to another catchbasin. They bubble up out of that catchbasin and run along the road. So all the water is designed, from all the catchbasins we have, to stay on the west side of Circle. Again, this curb will keep the water in the road. We will be putting in big basins if we need to, put a basin somewhere in the area where that spring is coming out. If we cannot control it, we are taking the grate off that smaller pipe. We have to take the necessary steps Fran and I discussed, go with our plan, start with baby steps. Get it all done, and we will see if there is anything else needed come the next heavy rain event.

Mr. Levin: Can you tell us when that grate will be taken away from the pipe to see if that helps, because winter is coming.

Village Manager Frobel: You are convinced that that is going to be the solution. We have spoken a few times in the field. I am not. What you saw in the photographs depicts a very unusual situation. It is heavy rain.

Mr. Levin: We only moved here in December, and it has happened many times.

Village Manager Frobel: I know you have lived there a short time. But give us a chance. Let us see if this works. As Mike said, we are going to tweak it as we go on.

Mr. Levin: OK. But I just want to point out that the photos show that that water is the water that then flows and affects the next two houses down also. The house on the other side of the Feldman's, they also have sandbags there to keep it from going down the path to their house and their driveway.

Trustee Armacost: How do the drains get cleaned of leaves? Some people do take a personal interest in the drains outside their house and clean them, but there are lots of people who do not. When I walk my dog, I see a lot of drains that do not have that. Clearly, that would help the situation in certain places.

Village Manager Frobel: We have a service that cleans our catchbasins. Unfortunately, most of the basins you see are very shallow and it takes very little debris, sand, sweepings, leaves to fill them. Mike has a list of a number of locations through the Village that his crews, whenever there is a threat of rain, go out and clean them by hand. What he is doing now in this neighborhood is cleaning all those basins by hand to make sure they are clear going into the winter.

Trustee Armacost: I am wondering whether we have a post-falling of the leaves plan. Pretty much all of the ones that I go past are clogged up on a daily basis just on my little street and on Cliff Street. I am very sympathetic to your situation, and you are dealing with flooding. We are going to have many more groups of people come and chat to us about these issues if we do not have a plan that deals with the whole Village.

Village Manager Frobel: Mike, can you add to what I said about the service we have that cleans them?

Superintendent Gunther: I think Fran said it before. If we know there is going to be a rain event—but Thursday we did not know—we do certain sensitive areas throughout the town. We go out and check streams, catchbasin tops to make sure they are all clear. But like I said, Thursday was an unusual event. We usually do it about every year, do the catchbasins in sensitive areas. We have close to probably 500 catchbasins in the town. You get the service in, it is probably going to take a good month to get all those basins cleaned out. Not only to be cleaned out every time, but we do it on a regular basis through the sensitive areas.

Village Manager Frobel: The cleaning service is part of our stormwater discharge permit. We are required to do it, so it is done periodically during the year., usually in the spring.

Ellen Solomon, 16 Circle Drive: We have a spring on the other side of the street, and when the water shoots out of there and comes down the street I do not know if 8 inches is going to be enough to catch that.

Superintendent Gunther: The asphalt curb that is there now is on an angle. It is not straight up and down. It fell over, so it is probably less. What it does is make a ramp for the water to come out of that spring. We are looking at taking that cap over, get more than half of that water away from the street. But a straight wall. I am also looking into not only the 8 inches, but the curb is flat. On top of it, put a lip so when that water hits that curb it will not go up. It will stay out in the street.

Ms. Solomon: So 8 inches will be OK.

Superintendent Gunther: Eight inches will be fine.

Village Manager Frobel: Over time, the bituminous asphalt curb, as Mike mentioned, has softened and sloped more. Cars park on it when it is warm in the summer and it has really lessened its effectiveness. This is going to be a much more permanent solution to this problem. And again, this lip on the top will prevent the spillover that might hit it if it exceeds the 8 inches.

Mr. Levin: I do think that rebuilding that lip will help, so I would be glad to see that. I am not sure I got an answer to the question about the grate where the spring is.

Village Manager Frobel: I am not sure. I have got to be careful because I do not want a lot of debris to get it and compound the problem downstream. If it is working with the grate, let us see. Let us give it a chance to see if it handles the water from the next event. As I mentioned at the onset, October is one of the heaviest months for rainfall. We average 4 inches. So I think we are going to have an opportunity over the next several weeks to see if what Mike is doing is working and whether we need to change the grate on that spring.

Mr. Levin: If that lip, or curb, can be built quickly I am OK.

Village Manager Frobel: They are going to start Monday.

Mr. Levin: Is there a way, when you get to where our driveway is, it can be diverted a little so it goes past our driveway instead of going down. It has already been built up as much as it can and still allow a car to get in without damage.

Village Manager Frobel: The proposed concrete does not extend as far as your home. Your concrete curb there should be just fine. We do not see rebuilding it in front of your home. The open lot you have, we will be working up in that area for certain. But not down near your home.

Mr. Levin: OK. You mean that is diverting it, but our garage gets flooded every time there is a heavy rain. Before you get to our steps maybe, or maybe another drain needs to be put in there to catch it.

Village Manager Frobel: Let us meet in the field again and go over this with Mike, and we can make certain as to your comfort.

Mr. Feldman: Being that we are neighbors, when it really rains it is like watching a movie. Ferndale meets Circle. It goes directly into his driveway just because that is the straight line. I see it go right into his garage so I do not know how he uses his garage. I do not know how that gets fixed, but that is what I see. You keep talking about this spring. But when it really comes down, it just comes down Ferndale into his garage.

Ms. Berry, 15 Circle Drive: This may not be relevant, but when we were living there we had moats. I did not even know what flooding was, or ice on Circle Drive. When they took those moats away is when all the problems started. So my recommendation is we build moats again.

Village Manager Frobel: We agree with you. They were lovely, they were made with brick, they worked very well. And there are still remnants in the area. Mike has mentioned to me that it is a tragedy that for whatever reason they paved the curb and created this problem. Those moats, with the old brick, must have been lovely. And it is gone.

Mayor Swiderski: I do not know if this is the new normal, the wetter environment and a wetter climate. And I do not know if what we saw this year is what we will see in the future. It was a real outlier year in terms of quantity of rain. I am not denigrating your misery. Quite a few of the neighborhoods have hydrological issues happening they have not seen in the past. The ground is so saturated there are streams where there were not streams before, underground. So is this the new normal? I do not know, but is something I suspect we are going to be dealing with more and more. And to Niki's point, it may be that our planning has to be more aggressive to handle what may be a new normal.

Village Manager Frobel: Next meeting I am going to have Mike back here on our continuing discussion with the federal EPA and our underground fuel storage tanks. We were successful in convincing the EPA. We were able to prove, despite what they thought, that these tanks are of fiberglass construction, which was some wonderful news. But there are still improvements that are going to be required at the facility. We think it is advisable to go forward with those improvements, even though long-term we may be looking at a different location. We are going to be under the gun to make these improvements regardless. But the idea is to minimize the expense. And we will have a plan for you, perhaps, at the next meeting to talk about it.

Trustee Armacost: Fran, will you outline the expenses? Not just the mitigation, but a clear indication of the expenses and where the money will come from? Is that part of the plan?

Village Manager Frobel: Yes, it will have to be. We do not have any estimates now as to the requirements for new pumps and some piping and leak detection devices. But we will have all that laid out for you so that you are aware of what we are looking at to bring ourselves into compliance with those EPA standards.

Trustee Armacost: And will you also outline alternatives, even if they are challenging, like renting from other places, or shutting them down and renting from other places?

Mayor Swiderski: For market rate. The baseline is market rate, right?

Village Manager Frobel: Yes, I previewed that to the Board, that we have reached out to Dobbs Ferry as an alternative. We are looking at the rental of above-ground tanks as an alternative. But we can begin to put some prices to that as we go forward. Our major hurdle was to convince the EPA of what we thought, what we knew, but yet were not able to demonstrate initially through our record keeping that the tanks are, in fact, fiberglass construction. That was a major accomplishment because the federal government had already been convinced that they were steel and needed to be pulled out. So that was quite an accomplishment on the staff's part to go into the archives and demonstrate, from looking at the plans, that the construction of the garage and the tanks, what they were made of.

Trustee Armacost: I know you looked at a deal with the Dobbs Ferry DPW. But have you looked at deals with petrol stations?

Village Manager Frobel: We have.

Trustee Armacost: Have you looked at the prices?

Village Manager Frobel: No. I have discussed with staff members some of the pros and cons relying on local vendors to supply us with fuel in terms of availability, hours of operation, and whether they have product. Diesel is critical to us. Mike will fill the trucks up at two in the morning so he has got to make sure we have a facility that is readily available for him to get the fuel they need during a snowstorm. So those are all going to be alternatives that we are going to be preparing for your consideration.

Trustee Armacost: I could imagine it would be a very attractive contract, and that some petrol stations would make themselves available at two in the morning.

Village Manager Frobel: Do not know, but that is what we are going to have to find out.

BOARD DISCUSSION AND COMMENTS

1. Hazard Mitigation Plan

Village Manager Frobel: Hastings joined with five other villages, under the auspices of the Town of Greenburgh, to prepare what we call a comprehensive emergency management plan. The town received a grant for this. It came at no expense to the town or the villages. What we did was, in working with a private consultant, develop a plan. With Deven's help and Sergeant DiBlasio and the Chief, we will introduce the plan to you. It is on our Web site. Deven does have an excerpt from it as it relates to the specifics for Hastings. At the next meeting we can ask Greenburgh Police Chief DeCarlo, the lead staff member in this process, and the consultants to talk to you. You may have seen the e-mail from Paul Feiner that went out the other day. We think the adoption of this plan would put us in pretty good stead with the federal government when they begin to consider grants for major improvements to address flooding and some of the infrastructure problems that have been identified in this report. Obviously no guarantee, but we think it will serve as a good stepping stone to that.

The plan is broken into three sections. There is one that is called risk reduction. What that talks about is prevention and mitigation, both short- and long-term. There is a second section on response, which is how we handle an emergency situation: staff that is energized, how we alert the public, how we allocate our equipment and resources. Probably most importantly is how we coordinate our efforts with neighboring agencies. And then finally recovery: how we begin to clean up, how we restore a neighborhood or a situation to the pre-event status.

This is a process that has been going on for a number of months. Deven and the Sergeant have faithfully been attending the meetings, representing Hastings. Some of it is boilerplate. There are some demographics that the consultant includes in the report, some general

language about the order of succession and some of the local ordinances and regulations that address hazard mitigation. But, the heart of it is what I want Deven to hand out for you tonight. Even that is broken into about five different sections. It is going to require a resolution on the part of the Board, and all the other villages adopting it, so that it can be approved by the federal government. As Mr. Feiner indicated, the draft has already been sent along and has been received by FEMA. But it will need adoption by resolution of the various municipalities.

Police Chief Bloomer: We started this process in April, 2010. I will give you a *caveat* here. This plan has just been given to us, so we are all very new at looking at it and we are finding our way through it this week. There are going to be some things we do not have answers to yet. The Town of Greenburgh, and Ardsley, Dobbs Ferry, Elmsford, Hastings, Irvington and Tarrytown, wanted to make a comprehensive plan that covered all these villages in case of an emergency and in case we need help from those other villages. It seems timely now, especially since we just had the hurricane in August, that this is coming to fruition at this point. One of the goals of it is to look at potential hazards, flooding, areas, and different things that you can prepare ahead of time.

Very rarely will there be an emergency that only affects Hastings. So the plan is great, and having a plan is great, and it opens us up to receiving different grants and benefits. But if we have a hurricane here the hurricane is also going to hit Dobbs Ferry. If we have an earthquake here, the earthquake is also going to hit Dobbs Ferry and the other villages. So one of the main tenets of this plan is that the village has to be able to take care of their own needs first, and then you can reach out to other communities. It makes sense because they are going to be dealing with the same issues that we are, at the same time.

As the Manager said, there are three different phases: risk reduction, which we have done, used to identify potential hazards and to make sure people are trained to respond to those hazards. In the response, we had to designate an emergency operations center, which is this building, and then a backup emergency operations center, which is the ambulance building. So should something happen here or on the train tracks that we had to evacuate this building, there is a secondary location. It also covers notification of residents in the area and monitoring the event as it took place. And then the recovery is to assess your damage and design to get things back to where they were pre-incident. That is the police department's role. A lot of this is not police-related. Some of the parts that we just highlighted are. When responding to a disaster the villages are required to use their own personnel and their own equipment first, and then the Manager has the option and the authority to request assistance from surrounding communities.

Village Manager Frobel: We do have an emergency management plan already in place, , and it was last amended in 2002. Elements are taken from that and wraps it around the town and the other communities. It formalizes some of those relationships we already have. Deven, why do you not go over the annex to Hastings?

Building Inspector Sharma: This project was undertaken under the Disaster Mitigation Act of 2000. There were some grants made available to the counties or different towns to prepare a plan. When the plan is adopted by the various municipalities, and accepted by FEMA, from time to time we could reach out and try to get some funding to mitigate some of the disaster areas that we foresee to mitigate ahead of time, if possible.

One of the things we were asked to do was to identify as far as Hastings is concerned the order of severity of the hazards that we foresee in earthquakes, floods, storms snowstorms, et cetera. An earthquake is here a low priority thing. Of course, it can happen but we and all the municipalities identified that as a low probability occurrence. We thought storms and flooding were the first two activities that could cause us damage. We identified some of the things we could do if we had the grant money, and whenever that money becomes available. Study the flooding situation in the Village. The Fenway study that was done a few years ago we said we could look into further. Stormwater management is the issue that was being discussed before as part of the Fenway study. That was one project, if we could get the funding for it, that we would like to do. The other we identified was that in some of our buildings we want to have generators. We never had the funding to do it at the time, and we continue to look for funding sources but have not found any yet. But under this act if it becomes available there are some buildings that we would like to have emergency power generation possibilities. Those are the few things we identified for now that we would like to do as preemptive measures to something that may happen in the future.

Village Manager Frobel: Section F under proposed hazard mitigation initiatives is what Deven was talking about. Those are some of the initiatives that we have identified that we need to talk about. On page 5-12, where it talks about hazard-prone areas, protect structures from future damage, repetitive loss and severe repetitive loss properties as priority, that is the next topic, where I talk about our efforts in joining with our neighbors to address flooding along the Saw Mill River. In working with the flood hazard map, which is an exhibit at the end of this, the federal government will look it and see that is one of the priorities we have. The purpose of this was to show the federal government that we have made a conscious effort to identify those areas in the community that are at risk, and begin to take steps to correct it. Again, it is because the federal government is no longer going to reimburse and restore properties that have been habitually damaged through weather events, without taking some steps to stop it from happening.

That makes good sense. We have already seen that in some of the homes on Nepera Place this year, where their boilers and hot water heaters were replaced once already. The second time, they are not receiving FEMA assistance because they, as homeowners, have not taken steps to waterproof their homes. Again, this is a plan. The consultant can be here at our next meeting to get into more detail about the process. But we thought tonight to just introduce it, give you a chance to look this over, and then generate any questions between now and the next meeting.

Trustee Armacost: On the executive summary document, on page ES-4, there is an interesting chart that has its summary of estimated annualized general building stock losses by a municipality for earthquake, flood, and wind. I was wondering how those figures were arrived at. They are estimates, so they are projected over what period of time? Is that for one event? Would that be the projection for another Irene, or is it over a period of time? How do you kind of interpret that data? For what period of time are we talking about? Is it a one-off event?

Village Manager Frobel: Annualized general building stock losses, I hazard. Deven, why do you not contact the consultant and pose that question as to how those numbers were generated.

Trustee Armacost: We have relatively low numbers on earthquake, but we have quite high numbers on flood on the basis of our size.

Mayor Swiderski: But on your point, the experience in this last flood was that Elmsford was underwater. That, on this chart, is a fraction of the cost. So however this was calculated.

Village Attorney Stecich: Irvington's is five times bigger, even though Irvington is smaller. That is odd.

Village Manager Frobel: It is ironic. The Saw Mill does not even reach Irvington. They do not border it.

Village Attorney Stecich: Actually, Irvington goes over to the Saw Mill. There is a wooded area, but it is not an area that would be flooded. It is just all wooded.

Trustee Armacost: Let us say we go together for a grant as a group. My guess is that the way the money is apportioned has to do with the way in which your potential damage is assessed. So I think this chart could be important. I would like to know how these numbers were calculated.

Village Attorney Stecich: I thought Irvington because of the Hudson, and it has thriving businesses, on the Hudson. In the last flood, the Red Hat restaurant was flooded.

Trustee Armacost: Also, just to know about the apportionment. Assuming we were able to identify grants, what the thought is on how the money gets divided. Is it a percentage of the total amount per village or is it based on actual damage assessment, which is a different thing? So if you under-calculated the number here, and you experience a lot more damage, that could be disadvantageous to that municipality, at the end of the day.

Mayor Swiderski: Certainly, Elmsford arguably took more damage than the rest of us combined in this last storm, easily.

Trustee Armacost: But it is a great initiative. It is smart to be prepared for when the grants become available, if they do.

Mayor Swiderski: And also, from the planning perspective, the simple act of coordinating with the other villages and thinking about this.

Village Manager Frobel: Let me close by pointing out I know the Trustees appreciate it, but it has been a rather tedious process. I have to tell you the number of meetings that the sergeant and Deven attended, with the Chief, myself, and Mike, this is quite a document. It did draw from the Comprehensive Plan. There were some good documents we had to build from. But as you can detect by going through it, this was all customized to Hastings and I think it is going to serve us well. We are looking forward to adopting it, passing it on to at least get in line on the outside chance there is some money available to take on some of these initiatives. But these fellows did a good job in getting us to that first point. So thanks.

2. Saw Mill River Advisory Committee Update

Village Manager Frobel: I put this on the agenda to elaborate on my written report. I have attended their meetings. We are pursuing that initiative. It is going to be critical that we join with our neighbors. Anything Hastings does to reduce the Saw Mill River flooding would not be effective unless neighbors upstream make similar or more extensive improvements. It is a problem that goes well beyond geographical boundaries. I think Mary Jane Shinsky's suggestion that the county take the lead in preparation of an intermunicipal agreement is the way to go. They have the staff and the resources to prepare that. Out of that would come a request for proposal to look at just the Saw Mill River flood basin area. Out of that, I assume, would be some major infrastructure improvements that are necessary. This is a big project. It impacts Hastings, obviously, our residents who live on the Saw Mill. Other

communities, as the Mayor mentioned, Elmsford in particular is just getting hammered from storms. It needs to be addressed. It is going to take a number of years. Just to get to the point where we have a consultant on board doing the work will take months. A good comprehensive report like this will take quite a bit of time. During that meeting, it came out that the Army Corps started a report at one time on this. For whatever reason, money dried up and it was not completed. I can tell you it will be costly, and the only way to embark on something like this is to share it with our neighbors. Individually we could not do it.

Mayor Swiderski: I also wanted to make the point that this is not just finger-pointing, but in this sort of meeting there is a fair amount of information that can be shared to counter the sense that problems in our neighborhood are caused by other communities. There was a fair amount of that, in the sense that changes in upstream communities have an effect on downstream communities, and not all of it sensible. But any effort that gets the communities talking on the topic is good. I have heard that some of the sentiments downstream and upstream are quite sharp and inaccurate.

Village Manager Frobel: Also, as I indicated in my written report, it is going to be critical for the New York DOT to be vigilant in clearing the streams. The shopping carts, the tires, the things that obstruct the culverts cause problems. You heard tonight that Mike has a list of things that he religiously goes out and checks the locations for any kind of blockage. That really addressed the Fenwick area where, as you know, we had that elaborate study with some good suggestions. But some basic just going out there and being vigilant has made quite a difference. We have not seen the wet basements. We have seen the culverts stay flowing. We have made some real improvements there just through some low-cost, practical approaches. It seems to work. But that is going to be critical because the Saw Mill does have problems where it begins to back up because of obstructions. There are trees, stumps, and things that are going to require a real effort on the part of the New York DOT to keep that clear. And it is their responsibility; the waterways do belong to the State of New York.

3. Update on the Waterfront

Trustee Quinlan: Not much has happened since the last meeting except there has been some discussion between the Arts Council and BP/ARCO about having an artistic display on the footprint of Building 51. They have been sharing ideas and talking about different scenarios. It is a great idea, and I hope that we are going to see something soon there, maybe this winter or at least this spring.

4. Other

Jeff Altman, 156 Villard Avenue: I did want to mention some of the problems with the drainage on Circle Drive, and what I saw. I walked in the street on Sunday, and saw where the road surface was depressed in front of 10 Circle probably because of the burst pipe. I saw where the pavement is breaking up on Ferndale Drive from about 15 Circle all the way up to Scenic Drive. It is just starting to break up, and that may be because of the drainage. I also saw that someone who is on Ferndale, number 32, has equipment in the back. I do not know whether he is trying to medicate flooding, or not. Then there is also a drainage problem at the very top of Villard, probably around 230, 234, where whenever we get enough rain the water just settles there. It does not go anywhere, and then when it starts getting cold it freezes and has broken up the pavement in places. It has broken up the pavement the last time, this last winter I think in front of number 216, and even into 210. I n sent a picture of the problem about a year and a half ago. Is anything going to be done about it? It has really become a problem. Sometimes the water will y go down the hill on the east side of Villard and it freezes.

Mayor Swiderski: Earlier in this meeting we had almost a half-hour spent with residents of Circle Drive, Chestnut, and Ferndale on this very topic. Supervisor Gunther laid out a plan for what we are doing to deal with it. There was extensive back and forth with the community on this topic. We are doing quite a bit. You can review the tape tomorrow to see the discussion because quite a bit of change is being made now.

Trustee Armacost: I think he is raising a different point that was not discussed, unless 210 Villard is right there. It is further up, is it not?

Village Manager Frobel: Yes. Let me take a look. It sounds like some ponding situations, and I will speak to Michael about it.

Mr. Altman: Yes. Because as I said, during the winter the water goes downhill and sometimes it will freeze. Years ago there was an issue of the ice barriers forming in front of those driveways, and it is happening again. I sometimes have had a problem, too. I am at 156, and sometimes that ice barrier can be pretty hard to break up. You have to put down a lot of deicing salt, and it really becomes a real nuisance.

The other thing I wanted to address, what is being done about the washout that occurred near the Chemka Pool during the summer after a heavy thunderstorm moved through? There is another washout on Villard between Terrace and Circle, a small one. I do not know if that is Village property or not, but there is a small washout there. So what is being done to address that washout by the Chemka Pool?

Village Manager Frobel: The crews will be working at the pool over the winter months, any improvements they have to make. There is a lamp that is down. We just took delivery of that. So there are a bunch of improvements the men will be making over the winter.

Mr. Altman: Is there anything going to be done to help keep the water from entering the pool area? This has happened a number of times in the past. There was one instance in 1995, before the pool was in its current configuration, when there was a very heavy thunderstorm. Water ended up in what then was the wading pool and it knocked it out for a couple of days. One of the principal problems is that the drain of the parking lot can become obstructed. One time I had to go up there during a storm to clear the debris away, and it was just on the verge of going over the side. Fortunately, I cleared it away in time and the water did go down the drain. Is anything being done to try to enlarge the opening or something?

Village Manager Frobel: No. We think just by keeping it free of debris. We had the one washout during a downpour this summer. And just for the crews being vigilant, keeping it open, there has not been a drain problem. But citizens like you can make a difference by clearing it when you see it like that.

Trustee Armacost: It is quite helpful to report it in the way that you have tonight.

Mr. Altman: This is just one of a few problems I have seen in the Village. And also the storm drains, where there has been damage, holes in the pavement. There is one by number 15 Circle where the cover is off right now, and there has been some damage. That has also been a repeated problem sometimes. I know the recent rains have not helped matters any.

This is related to the pool. I am getting conflicting information on when Ray Gomes is supposed to be leaving office. Is he leaving at the end of the year, or early next June?

Village Manager Frobel: He is looking to retire sometime next year. I do not know exactly when.

Mr. Altman: I know we have been having some issues. But the point I was bringing out is some of the drainage. You are aware of what has been happening on Villard. That has been a problem there.

ADJOURNMENT

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