

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
REGULAR MEETING
OCTOBER 18, 2011**

A Regular Meeting was held by the Board of Trustees on Tuesday, October 18, 2011 at 7:30 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

PRESENT: Acting Mayor Meg Walker, Trustee Bruce Jennings, Trustee Jeremiah Quinlan, Trustee Nicola Armacost, Village Manager Francis A. Frobel, and Village Attorney Marianne Stecich.

ABSENT: Mayor Peter Swiderski

CITIZENS: Ten (10).

Presentation – Reassessment in Town of Greenburgh, Edye McCarthy, Assessor

Edye McCarthy, Assessor, Town of Greenburgh: Thank you for having me tonight. I just handed out a packet. On page three, you can see the distribution of property taxes: the school district is almost 66 percent, the Village is 21 percent, the County is 11.5, and the Town's portion of your tax is 1.9 percent. The Town of Greenburgh has not done a reassessment since 1956, so the values are a little outdated and there are significant inequities in the assessment roll. The properties that are currently under-assessed cannot be reassessed just because they are under-assessed. The properties that over-assessed have several different forums to have their assessments reviewed: informal hearings through the year at the assessment department in the Town of Greenburgh, grievance proceedings for residential properties, and certioraris and small claims.

Tax-exempt properties do not pay property taxes, and therefore the other property taxpayers have to make up that share of the burden. There are several inconsistencies throughout the assessment roll, one of which is condominiums and co-operatives. As we appraise properties for tax purposes, we appraise them based on the current market value. For condominiums and co-operatives, by New York State real property tax law we are mandated to use a different methodology. Therefore, what you are looking at is a de facto exemption. The condominiums and co-operatives are paying approximately 40 to 60 percent of what a single-family homeowner would pay. The only way to rectify that is for a municipality to do a complete revaluation and adopt "the homestead/non-homestead exemption."

Just because your properties are correctly assessed based on your market value you think that you are paying the correct amount of taxes. Because there are so many other properties that are over- and under-assessed that they are paying too much or too little in property taxes, even though your year properties are correctly assessed based on the market you may or may not be paying the correct amount of taxes. That is a huge issue.

There are two different components to your taxes. One is the budget, how much money a municipality needs to operate. The other one is the assessment roll. Therefore, as the assessment roll is going down, which you will see in a couple minutes, your taxes have to go up in order for the municipality to operate. That is one of the things that has been happening, along with the unfunded mandates.

Assessment rolls change for physical and economic changes for your properties. If you do an improvement on your house, if you renovate your bathrooms or add a garage or swimming pool, your assessment will be reviewed. For commercial properties, the economics of the building will change; if it is vacant, if it is occupied, how much it is occupied. Those are the increases that I just talked about. The decreases are because of informal assessment reviews, grievances, small claims, and certioraris.

One of the key components that I would like to bring home tonight is in a chart, "Residential-Commercial Property Assessment Distribution." In 2001, residential property owners were paying 45.9 percent of the tax base, and commercial property owners were paying 54.1 percent. That is a 15 percent spread between the commercial and the residential. In 2010, residential property owners are now paying 49.9 percent and commercial property owners are paying 50.1 percent. The burden is shifting to the homeowner. This is a function of not doing a reassessment and a function of the equalization rate determined by New York State. They are virtually the same at this point. In another year or two or three, the chart will flip, where the residential property owners are paying more than the commercials.

There is a chart that shows that if a single-family home is valued at \$480,000 they would be paying taxes based on an assessed value of \$13,500, whereas the condominium and co-operative with the same market value, \$480,000, are paying taxes based on \$8,800. That burden is shifted to all the other property owners in your municipality.

As far as the certioraris, small claims and informal assessment review processes, that occurs throughout the year. The taxing jurisdictions, the town, county, school and villages, we are very aggressive. We make sure that if a certiorari refund is due it is due appropriately. That means the derivation of the market value.

Now to the revaluation. Part of what these certioraris are affecting, all of the taxing jurisdictions: the town, the county, the school (there are ten school districts in the town) and the villages, are paying back approximately \$10 million a year in certiorari refunds, due to the fact that we have not done a reassessment in so long, and the methodology and the equalization rate. It costs the municipalities to represent the taxing jurisdictions throughout the year approximately a million dollars additionally. That is between salaries, appraisals, court costs, interest rates on bonding if we have to go that route. If the Town were to do a revaluation now, it would cost, and this is definitely an approximate number, \$4 million.

That would be spread over somewhere between three and five years. That is how long it would take for the implementation.

The benefits of a reassessment is everybody's assessment would be equal and equitable. The reduction in the level of certiorari refunds would be minimized over time. I do not want anybody to misunderstand that if a revaluation is completed right now, certioraris and small claims are going to go away. They are definitely going to be mitigated, but they are not going away initially. You, as the administration and all the administrations in the Town of Greenburgh, will have increased control of your budgeting process. Right now, you reserve funds for certiorari refunds. That will be lessened significantly.

The major challenge of a reassessment is educating the taxpayer. It has been a very long time, there are very few people that live in the jurisdiction since 1956 that are aware of the processes that we went through. Another one of the challenges would be addressing the taxpayer concerns. In all honesty, political apprehension about committing. And the commitment to maintain the values at the current market levels. If the municipality is going to spend \$4 million on a reassessment, the only way to make it work is to commit to maintaining those values going forward.

One of the options is adopting the homestead/non-homestead exemption. If you have a \$500,000 home or a \$500,000 commercial piece of property, that is taxed the same. The difference in the homestead/non-homestead exemption is that you can tax the classes differently.

Another misconception of reassessment is that it gives the right of the administrations to increase property taxes. That is not correct. That is just a shifting of the burden and a reallocation of the taxes. Another one that is not correct is that higher assessments will bring in higher taxes. Again, we will not know that answer until the numbers are out. If you have properties that are increasing and other properties that are decreasing, it depends on how many increase, how many stay the same, and how many decrease before you will know whether your taxes are going to go up or not.

There are several municipalities in Westchester County that have gone through the reassessment process recently: Bronxville, Rye Town and Pelham. They have been doing an annual update for the last five to seven years. I do not know if I should say this on TV, but no politicians have lost their jobs, and taxpayers are not leaving in droves, and as long as the public relations is steady and taxpayers have a comfort level, then people understand it. The town of Mamaroneck is in the process, they just hired a contractor to do the reassessment. Scarsdale has put out a Request for Proposals for a contractor to do their reassessment. Where is the Town of Greenburgh? We have been talking about this. We have been going to school districts and villages to bring this to everybody's attention. We are in the process

currently. We have already hired a contractor to do a revaluation impact study. That will tell us where the shifts would occur the most.

Acting Mayor Walker: I am sorry, we need to start our meeting. We could collect our questions and ask Village Manager Frobel to send them to you. It takes a while to get into this, and I wish we could get into it a little more tonight, but unfortunately, we have time constraints.

Ms. McCarthy: I understand that. And if you would like me to come back, I would be more than happy to do that.

Acting Mayor Walker: That is a possibility. Let us see what questions folks have. And you are giving this talk to the other municipalities in Greenburgh.

Ms. McCarthy: I have spoken with five of the other villages, and several of the other school districts.

Acting Mayor Walker: Have you spoken to our school district?

Ms. McCarthy: I have.

Acting Mayor Walker: We really appreciate your coming and presenting, and we will review the materials. I think we will probably get back to you with some questions.

I am here in place of Mayor Swiderski. He is on business in Poland. I am honored to get to be the mayor tonight.

APPROVAL OF MINUTES

On MOTION of Trustee Jennings, SECONDED by Trustee Armacost with a voice vote of all in favor, the Minutes of the Regular Meeting of October 4, 2011 were approved as presented.

APPROVAL OF WARRANTS

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

Multi-Fund No. 29-2011-12 \$ 80,695.63
Multi-Fund No. 30-2011-12 \$ 5,445.74

PUBLIC COMMENTS

Acting Mayor Walker: I would like to keep you to three minutes tonight because Trustee Armacost needs to leave at 9 o'clock, and we need to cover some resolutions.

Tim Downey, 520 Farragut Parkway: I wanted to touch on the blower ban, which was lifted Saturday. We could adopt a more intelligent law than we currently have. The utility of the machine is valuable to those in the industry. It clearly is valuable to the people who take care of the school because they are frequently using it throughout the year without consequence. The police have done a good using discretion, or attempting to enforce it when they can catch people.

Two weeks ago, while handing educational material out to a contractor on Villard, pre blower ban being lifted, he was using a blower. I was surprised they were putt-putting along. They were being very conscientious about it. I think they have had a re-training or time to think about it over the past three years. I suggest we come back and look at this law, to change it, where we could allow perhaps one blower per vehicle, have it registered, collect a fee, submit it the way Ardsley does. Ardsley had a law in place where they collect a fee per truck. It gives the benefit for people to use the machine without having to play hide-and-seek from the law, which is currently what is going on.

John Gonder, 153 James Street: The Board has not yet discussed the new state law about tax caps, and I was wondering when you were going to do it. You have two meetings in November, two in December, and then you have four months or so before you come up with the 2012 budget. You should discuss it early. You need revenue, and you should look at the tax-exempt properties. I am not counting churches or synagogues. Graham School, for one. We give a lot of police work out there, and if we give police work we must use court work. Then you have Andrus. We have ambulances going up there, e fire department inspections and what have you in case there is an emergency that they have to go. You may want to write a letter and ask them if they could contribute to the Village coffers. Other villages or cities are doing that, I understand. You get a lot of money from BP, but it is peanuts. Mayor Swiderski has gotten a million-dollar grant for a building we do not own and for property we do not own. And we do not have the money in our bank. But you get money for recreation, Friday Night Live and other things. Why do you not ask BP for half a million dollars. They can afford it. They have been screwing around down there for 18 years should have been digging years ago to get rid of the PCBs. You could go to Exxon Mobil, ask them maybe for a quarter million dollars. There is nothing wrong with it. Some of you must be good speakers to get a thousand dollars here and there. This would help keeping people like Faith Evans in this community.

Village Manager Frobel: One response, to the tax cap issue. The Board has received information on the tax levy cap. There is a meeting next week that they will be invited to; the Village Officials Committee will be meeting with representatives from the New York Conference of Mayors. They are going to discuss, in detail, the impact of that law. Also, we have been aggressively pursuing the opportunity to receive payments in lieu of taxes from the nonprofit organizations. The Chief and I have attended a couple of meetings, where we are exploring opportunities that some of those nonprofits that you cited would make a payment to the Village for the services they receive.

69:11 ADOPTION OF THE GREATER GREENBURGH PLANNING AREA ALL HAZARDS MITIGATION PLAN

Village Manager Frobel: At your last meeting you heard the efforts of the Town of Greenburgh in taking the lead in developing this plan. You heard from the Chief, one of the sergeants who has been involved, and our own staff Building Inspector. Tonight, we are looking to have it adopted. The resolution has been adopted by two of our neighbors, for certain, Elmsford and Dobbs Ferry.

Village Attorney Stecich: And Irvington.

Village Manager Frobel: Greenburgh is preparing an RFP to implement some of the items in this plan so that we can aggressively pursue grants to come up with permanent resolution to some of the hazards that we are faced with. Tonight we have one of the consultants who worked on that plan for us, Jonathan Raser.

Mr. Raser: The sources of all the data used in this report were from the risk assessment process. It was to look at potential flooding for your one-year, five-year, 10-year, 100-year events within the unincorporated Greenburgh and six villages. We used what comes from census replacement cost value data, which was corroborated with the assessor's data. But understand that the loss data that we use is replacement cost value of structures. FEMA does not pay for property land value unless they are doing an acquisition. Similarly, if FEMA had a flood-insured property, and they had flood damage, FEMA is going to pay on the losses to the structure and the contents; they are not going to pay for the land assessed value. And it is the cost to return the structure to the condition it was pre-damage. Which is why sometimes people see some of these values and say that doesn't make sense with our assessed property and tax values. Understand it is replacement cost value from the FEMA payout perspective.

Trustee Armacost: So this is based on census data?

Mr. Raser: Some has to do with census data. They have also got building stock data. But that is backed up against your assessor data. We bring that together. It is recent data,

understanding that the census data comes from 2000 because the 2010 updated census data was not available for the software. But everything has been prorated up. These values are simply being used for planning purposes. When you come to looking at projects, you then drill down to actual values directly from your assessor. The Village-wide, jurisdictional-wide are for planning purposes so that you can assess our risk for a severe windstorm compared to earthquake risk or compared to flood risk, so we know where we need to be focusing our attention when we look at mitigation.

Trustee Armacost: This chart seems to be important in terms of how money will be divided between the villages. It seems to be quite a strategic chart.

Mr. Raser: FEMA does not sit there and debate. The way that you get at the mitigation grant funding sources is by applying for it. They could be for public property projects, infrastructure projects, drainage control projects. They could also be for private property. If you have flood-prone properties, it could be for buyouts, elevations, acquisitions of like private property. You will not get anything unless you apply for it. After Irene we know there will be a large amount of mitigation money available within the state. The state has to make priorities to say how we are going to distribute this amount of money equitably. But they will be looking at where the greatest risk is. It is not just your assessed value, but how much of your value is at risk.

Acting Mayor Walker: But when you say "a project," it could be even doing a more detailed assessment of private property that is at risk, something like that where you could go in? It seems very general when it comes to property damage.

Mr. Raser: Well, no. But for this planning project I looked at NFIP policy claims, repetitive loss like property, specifically throughout it. We have data for every single NFIP claim within it. We cannot put that in the plan; it is confidential, because private property owners have that right to confidentiality. We know where they are, the Village knows where these clusters of problem areas are. So this project has looked at that, and it has tried to put in mitigation strategies to go address loss areas and look holistically at areas, especially after you have had the flooding events of Irene and Lee, it is more emphasized as to where these areas and where these projects have to focus on; whether it be for private property, commercial property, or for village infrastructure projects.

Acting Mayor Walker: I was surprised that there were so many properties on this map, private property shown that have flood insurance, and they are not necessarily ...

Mr. Raser: They are outside of floodplains, which is very true.

Acting Mayor Walker: It would seem that flood insurance is very expensive. Are they not doing any mitigation to prevent their basements from flooding?

Mr. Raser: Flood insurance is very inexpensive if you lie outside of a special flood hazard area. But the flood hazard areas are not the only places that receive flooding. There are stormwater issues and drainage issues which come up. And some people get it. Seepage coming up into a basement, by the way, is not an NFIP flood-claimable thing. It has to be the overland flow of water. But the fact that there were so many policies outside of the floodplains was an interesting point that we tried to demonstrate to people: that your risk lies beyond just the floodplains. What is very interesting in this report, too, is looking at how many people are flood-insured who lie in floodplains and how few of those people are flood-insured and why not. And that is a public outreach strategy, which is identified within every one of the jurisdiction's annexes chapter to the plan. It says that outreach and understanding of these programs has to be improved.

Acting Mayor Walker: We spent a lot of time in the last few meetings discussing some stormwater issues in areas that lie outside the floodplain. In fact, they are pretty high up on our hills. But because our storm sewers are old, and probably undersized for some of these storm events, they are not able to always carry all the water that they are required to. Rebuilding catchbasins, things like that, is that the kind of project that we could address?

Mr. Raser: Those projects can be addressed through federal funding. But you have to show benefits, which means avoided losses, that are equal to, or exceed the cost of, the project. Your benefits for that would be are you flooding properties and causing damage, are you closing roads and having to divert people, are you forcing your emergency protective services to put up barriers and your DPW to clean up and clean out storm drains. Those are benefits that you have to look at. The cost is just benefit cost. So yes, those projects are eligible. The plan has to be adopted by the jurisdiction in order for that jurisdiction to get covered and be able to apply for federal funding. If a certain village decides not to adopt, that does not impact the other jurisdictions.

Trustee Armacost: So the jurisdictions that have adopted, how successful have they been in securing the money that they have gone after?

Mr. Raser: That is a very good question. The Greenburgh plan was just approved by FEMA about a month ago. And we are in the adoption process now, which is why I am in front of the Board now, to encourage you to do it. We have just finished up a plan in Scarsdale, which has gotten grant funding in the Halcyon Park area; New Rochelle has a grant application in, which looks like it will be approved. I can give you statistics for the amount of money, but we are talking several hundred thousand dollars to half a million dollar drainage control projects that were in their five-year capital budgets. With the grants 75

percent is the federal share; 25 percent has to come from a local match. But they were already planning on spending that money. Seventy-five percent is now getting covered by the feds. So that is how, fiscally, it works.

Trustee Armacost: Those statistics would be quite interesting. I do not think it will affect whether we adopt it or not, but it would be nice to know that at the end of the day you have a 90 percent chance or an 80 percent chance of getting money. Then we have to work out where the match comes from. If the statistics are high it would be good.

Mr. Raser: Adopting the plan does not commit you to doing anything because all these projects say "pending funding." There are two general types of projects, or mitigation strategies, within this plan. One, things that you can fund on your own budget: public outreach, fliers. Making sure that you are enforcing your own NFIP floodplain regulations. That is stuff that you are supposed to already be committed to doing. It is not requiring extra money, it is requiring understanding that these are the ways that we can also control risk. Then you have the projects that do take money, and these are the ones that open up other federal funding opportunities for you.

Acting Mayor Walker: What kinds of things do municipalities go after, what kinds of grants do they go after, together intermunicipally?

Mr. Raser: The beauty of doing a project like this together is that it allows you to look at stormwater projects that cross municipal boundary lines. There could be things where there are some more risk assessment things, particularly on the earthquake hazard. There could be county-level projects that they are going to apply for the funding, but ask to get support from the villages who can help to assess their critical facilities for seismic risk. So there are projects that work intermunicipally. A lot of the planning things like comprehensive planning and looking at land use in a general sense to get green acres funding and blue acres funding will work on a state, county, regional and local level. A lot of this planning process is to look at it holistically and get the different agencies and the legislature involved in how to mitigate risk. I certainly encourage you to spend some time reading the plan. The most important to read is the executive summary, and read your own annex chapter in it, where your risk and your strategy are laid out clearly.

Acting Mayor Walker: Our county legislator, MaryJane Shimsky, would like to say something.

MaryJane Shimsky, Westchester County Legislator: I live at 35 Ashley Road. I wanted to come here especially tonight to underscore the importance of getting an all-hazard mitigation plan adopted promptly. For the past several months, I and the other county legislators who represent areas along the Saw Mill River have established the Saw Mill River

Basin Advisory Board. Fran has come to the last couple of meetings. Fostering this kind of intermunicipal cooperation and joint decision-making will help everyone along the river devise and implement the best solutions for easing the flooding problems we are suffering on an increasing basis. When we get to the action phase we are going to need money. How much we are not sure because we are not sure exactly what kinds of public works we may want as part of a flood mitigation plan or other remediation that might cost money. But it seems that we almost certainly will need money of some kind.

Federal hazard mitigation money can be a very important part of our funding formula. The way the federal regulations are now being written and implemented, we need an all-hazards mitigation plan in order to qualify for most, if not all, kinds of federal funding. Doing the plan with the other municipalities throughout Greenburgh has undoubtedly helped the Village save a lot of money because the costs for the planning are being shared among the town and the six villages. Having that richness of discussion and input on issues that face us all to various degrees is also helpful in making the plan a high-quality one.

It is important to get something passed and in place. Without naming names, along other parts of the river there are municipalities who have let this go. The federal government expects a plan in place by sometime in December. You can apply for extensions. But when you are in that situation you are behind the eight ball, you have to move quickly, and you have to go through the trouble of applying for your application before you even get to square one with your mitigation planning. You need to find your consultant first.

It is a real mess for a number of municipalities along the river at this point because they were not prudent in making sure that they entered this process at an earlier phase. We are lucky here that everyone has had the foresight to put a joint plan together. The sooner we can get this adopted the better off we will be, and it will help ensure that we will get the maximum options for funding. I am sure it will be true of other hazards we seek to mitigate, as well.

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

WHEREAS, the Town of Greenburgh (Unincorporated Greenburgh and the Villages of Ardsley, Dobbs Ferry, Elmsford, Hastings-on-Hudson, Irvington and Tarrytown) has exposure to natural hazards that increase the risk to life, property, environment and the County's economy; and

WHEREAS, pro-active mitigation of known hazards before a disaster event can reduce or eliminate long-term risk to life and property; and

WHEREAS, the Disaster Mitigation Act of 2000 (Public Law 106-390) established new requirements for pre- and post-disaster hazard mitigation programs; and

WHEREAS, a coalition of Greenburgh municipalities with like planning objectives has been formed to pool resources and create consistent mitigation strategies within the Greater Greenburgh Planning Area; and

WHEREAS, the coalition has completed a planning process that engages the public, assesses the risk and vulnerability to the impacts of natural hazards, develops a mitigation strategy consistent with a uniform goals and objectives, and creates a plan for implementing, evaluating and revising this strategy; now therefore be it

RESOLVED: that the Village of Hastings-on-Hudson

- 1) Adopts in its entirety the Greater Greenburgh Planning Area All Hazards Mitigation Plan (the “Plan”) as the jurisdiction’s Natural Hazard Mitigation Plan, and resolves to execute the actions identified in the Plan that pertains to this jurisdiction.
- 2) Will use the adopted and approved portions of the Plan to guide pre- and post-disaster mitigation of the hazards identified.
- 3) Will coordinate the strategies identified in the Plan with other planning programs and mechanisms under its jurisdictional authority.
- 4) Will continue its support of the Mitigation Planning Committee as described within the Plan.
- 5) Will help to promote and support the mitigation successes of all participants in this Plan.
- 6) Will incorporate mitigation planning as an integral component of government and partner operations.
- 7) Will provide an update of the Plan in conjunction with the planning partnership no less than every five years.

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

70:11 LEASE EXTENSION AGREEMENT – PROPERTY AT 126-128 WASHINGTON AVENUE

Village Attorney Stecich: This is the lease extension agreement. I sent it over last week. It was inadvertently not included in the packet. I also sent over a copy for the Dawkins to read, and I understand they did not get it either. But I gave it to Ms. Dawkins to take a look at tonight so she was familiar with it. What you got tonight was the draft of the lease extension agreement. The resolution authorizes the Board to pass it. It is really straightforward. It just applies to the Dawkins property because nobody else has made the request, although it would certainly set a precedent if somebody else came in and made the same request.

Acting Mayor Walker: You looked at the terms of the lease and also what is written into the bylaws of the Draper Estate. There is a requirement that the properties be reviewed periodically under the lease agreement or something else.

Village Attorney Stecich: According to their lease agreement that they be maintained.

Acting Mayor Walker: That they be maintained, but also be reviewed by the Draper Committee. That question came up when we were discussing this before.

Village Attorney Stecich: It is. If there is any violation it is a violation of the lease agreement. So it is in there. Somebody had asked that: are there any maintenance requirements, should we write it in. It was not that it was an issue on the Dawkins, but just in general. Also some of the questions that came up were about not paying your rent on time. It would not make sense to put it in this lease extension agreement because it would not apply to anybody else, and the Dawkins have had no issue paying the rent on time. There are people who do not.

Acting Mayor Walker: And we are setting a precedent because when you do something like this you set a precedent. But this is for one property.

Trustee Armacost: I was not here when this was discussed the first time. If they decide to leave what happens at that point? Does the lease pass on to the next person?

Village Attorney Stecich: Now, the Dawkins lease extension agreement runs from January 1993, when they bought it, to January 2092. So if they sell this to somebody else, and then assign the lease, the other people have it for the same amount of time, until 2092. They could, however, come in and make the same request: Just as the Dawkinses convinced you it is better for them to have a 99-year lease, we should have a 99-year lease running from when we bought it.

Trustee Armacost: But until they make that request, they just get the remainder of the lease that is not used.

Village Attorney Stecich: Until January 7, 2092. That is all that can be assigned.

Acting Mayor Walker: I know that this is done sometimes with large-scale developments, but is it typical? At the point when you close in on the 99-year lease or you get within 30 or 40 years when it starts to potentially affect a property value, would a municipality look at all the properties, look at the 99-year lease?

Village Attorney Stecich: I cannot tell you anything typical, since this is the only one I have ever seen. This is an unusual situation.

Trustee Armacost: It is quite common in England. There are lots of 99-year leases for properties there.

Acting Mayor Walker: I have seen it in other states.

Village Attorney Stecich: The World Trade Center originally had one. But I do not have experience with it.

Acting Mayor Walker: It is not going to affect us for awhile. Any other questions?

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

WHEREAS, the Lessees of the property owned by the Village of Hastings-on-Hudson at 126-128 Washington Avenue have requested a new 99-year lease on the property, beginning on the date the property was purchased from the original Lessees, and

WHEREAS, the Mayor and Board of Trustees have determined that it is in the best interest of the Village that the new owners of 126-128 Washington begin ownership with a 99-year lease, and

WHEREAS, the lease extension is a Type II action under the State Environmental Quality Review Act and does not require further review, now therefore be it

RESOLVED: that the Mayor and Board of Trustees approve the lease extension agreement extension for the property at 126-128 Washington Avenue.

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

71:11 APPROVAL OF PURCHASE – POLICE VEHICLE

Village Manager Frobel: In keeping with our practice of seeking alternative funding sources for our capital needs, the Chief was able to take advantage of this grant. It is an opportunity to replace an aging police SUV. That vehicle will be used by Mike Gunther in our Department of Public Works. His vehicle was slated for replacement. We see this an opportunity not only to replace the police equipment, but to address the capital need in our DPW. It is a great opportunity. I applaud the Chief in his aggressive effort to find these funding sources. I look forward to the resolution being adopted so that we can take possession.

Acting Mayor Walker: What is an "SSV" vehicle? That is right?

Police Chief Bloomer: Yes, that is right. I am going to correct one thing the Manager said. This was the work of my lieutenant, who did hours of work on this grant, and Raf, from the Village. SSV stands for Special Service Vehicle, and that means you have emergency equipment in the back. It is an SUV like the one we have, but with this one you will not have to honk the horn and then turn the thing to start it like the one we have out there. We have not had a new car in three years. Our cars are dropping. The last two cars we have gotten have been grants. The Village has not paid anything, and here they are paying \$4,000 of a \$30,000 car. The chickens are going to come home to roost. There is going to be a year

we are going to need three cars. We are down right now. If this was winter, our other SUV is down. It is the one that has been down for the better part of two years. At some point, we are going to need these cars. We will get through this year, especially since we are going to get this one. But down the road, we are going to be paying for it.

Trustee Armacost: You have shown such expertise in getting this grant that we are going to count on you for the others.

Police Chief Bloomer: The last two cars my lieutenant has gotten.

Trustee Armacost: Maybe we should move him into the fund-raising department of the Village.

Police Lieutenant David Dosin: I do a lot of research for the grants. It is unfortunate that there is nothing out there anymore, right now anyway. We have applied for technology grants, which we have received. We have applied for the car grants, which we received. But each day I look, and the federal government is not offering police grants anymore.

Acting Mayor Walker: Did this come from a government department?

Lieutenant Dosin: This is state. But I look every day, trying, but there is nothing out there.

Trustee Armacost: I want to congratulate you on being so resourceful. Please keep looking every day, and let us all know when you see the next one come up.

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

RESOLVED: that the Mayor and Board of Trustees approve the purchase under state contract of a 2012 Chevrolet Tahoe for use as a marked patrol SSV vehicle (SUV) in the amount of \$29,476.25, to be paid from grant proceeds (\$25,000, Byrne JAG Equipment Award) and the general fund (\$4,476.25).

ROLL CALL VOTE

AYE

NAY

Trustee Bruce Jennings	X	
Trustee Jeremiah Quinlan	X	
Trustee Nicola Armacost	X	
Mayor Peter Swiderski	Absent	
Acting Mayor Walker	X	

72:11 INDIAN POINT

Acting Mayor Walker: We have on the agenda the Indian Point resolution. Mr. Wolf is here. He presented it very thoroughly last month. We referred it to the Conservation Commission for their review, and we have not heard anything.

Peter Wolf, 1 Scenic Drive: There is someone here from the Conservation Commission.

Elisa Zazzara, 68 Southside Avenue: Peter last week came and gave us his report, much as he gave to you. We fully endorse it and think that you should pass the resolution.

Acting Mayor Walker: Do we need to review or read any aspects of it?

Trustee Armacost: I feel happy with it.

Trustee Quinlan: Yes, I am fine.

Acting Mayor Walker: We did have a thorough discussion so I think we are ready.

Mr. Gonder: I was wondering why you do not list this in the paper to have a hearing for other people to comment on this. I know you did it 10 years ago, and I read the one that Mr. Wolf had the last time. It did not make a lot of sense. When he says close it immediately, and then build these towers and this and thing, there was so much gobbledegook in it. If you want to shut it down because of earthquakes, that is one thing. If you want to shut it down because of terrorist attacks that is something else. But what is going to replace it? You have got to give other people a sense of discussing it in a public forum, rather than two meetings and then you have a resolution.

Acting Mayor Walker: My only question is, the idea is that it would be shut down immediately and then these things would be carried out. If they were able to accomplish these requirements, then it would be reopened. The idea is, it is almost like a moratorium; we do not want you to operate as long as these things have not been checked out and these measures taken to make it safe.

Mr. Wolf: That is correct.

Ellen Hendrickx, 136 Circle Drive: The legislature was considering a 50-mile radius for evacuation zone. I do not know if you wanted to explore that and consider that within your resolution.

Acting Mayor Walker: I mean we are within the 20 in the resolution. The 50, though, extends throughout New York City.

Trustee Armacost: This resolution applies to us, though. I think they can cover the rest of the people, since we are halfway through accepting it.

Acting Mayor Walker: Mayor Swiderski said the last time that we are enacting this because it does affect us, because we are within 20 miles of Indian Point and we feel that the evacuation plan should refer to us. So there is a potential impact on the Village of Hastings. I do not think we can take into account the entire City of New York.

Ms. Hendrickx: The point is that they are finding, as a result of the Fukushima problem, that it extended out a lot further. Certainly we may have the will to evacuate, but will we be able to evacuate, especially if it does affect the larger radius, and everyone is trying to use the same routes for evacuation. Which is a back door way of saying close the place.

Trustee Jennings: I do not read his as implying that more stringent requirements should not be taken. The fact that we mention a particular evacuation distance should not be taken to imply that we are saying that that is sufficient for safety purposes. We are saying that we want to have a safe evacuation plan within the area that encompasses the Village of Hastings-on-Hudson. If it turns out that we have no place to go because south of us is affected also, we do not by definition have a safe evacuation plan. We are not opposing other proposals that may be even more stringent. The force of this resolution is to say we would not like to see anything that is weaker than this.

Trustee Armacost: The equivalents in Manhattan have a lot more people. We are representing a relatively tiny constituency compared to all of those people. So they are the ones who should be mandating the 50 miles. Does it really help you if we say 50?

Ms. Hendrickx: I do not know. I am not in a position to say that. I just thought that it might help to be aware, and I do not know if referencing it makes any difference.

Mr. Wolf: You will find that there is a concerted effort not only by Riverkeeper but NRDC for a campaign that is starting in New York City. To answer this gentleman's point, a new study came out yesterday, done by the same consulting group that utilities use. But they were hired by Riverkeeper and NRDC to show that even without Indian Point there is enough energy in this area until 2020; in the interim, they plan to use a variety of approaches to get more energy for the area.

One of the points in Japan that was so surprising is that the data they expected to have by which to measure radiation, the direction, the amount and so forth, was blown to smithereens

and destroyed by the tsunami, so they do not have a gauge of how much radiation was released, or where it went, or how long. What I read is that it will continue to be a problem of emitting radiation from the Fukushima plant until sometime next year. The effect on the air and the water and the food is, at best, conjecture.

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

WHEREAS, the September 11, 2001 attack on America has demonstrated that new forms of terrorism threaten the lives of Americans, and the economy, property and natural resources on which they depend, and

WHEREAS, terrorists have made numerous credible threats to focus future attacks on America's infrastructure, including our nation's nuclear power plants, and

WHEREAS, of the nation's nuclear power fleet, Indian Point's plant is an especially inviting target given its proximity to the greater New York metropolitan area—home to 20 million people and the world's financial centers, and

WHEREAS, the complex and interconnected system of nuclear reactors, spent fuel storage structures, control rooms, and electrical switching equipment provides multiple target opportunities which could cause a catastrophic radiological event, and

WHEREAS, there is no national nuclear waste depository such as originally envisioned in Yucca Mountain, NV, so there is ever-growing increase of spent nuclear material being stored indefinitely on-site, which is much more vulnerable than the fuel in the reactors, and

WHEREAS, there is recent seismological data showing two faults in the immediate Indian Point area with a potential earthquake threat of a magnitude many times larger than the facility anticipated when constructed, and a major natural gas trunk pipeline nearby; and

WHEREAS, the U.S. Nuclear Regulatory Commission has deemed the Indian Point 3 nuclear plant the most vulnerable to an earthquake in the United States, and

WHEREAS, there was recently a nuclear incident in Japan which showed that neither the nuclear industry, nor the government, were adequately prepared for the incident, nor were able to adequately protect the neighboring citizenry, nor were able to properly restore the homes and livelihoods of 100,000+ people now displaced for months, and

WHEREAS, the area surrounding Indian Point has approximately ten times as many people as around the devastated nuclear plant in Fukushima, Japan, with no viable escape plan from an Indian Point disaster, and

WHEREAS, there was an unexpected earthquake in Virginia, which was felt in this area, and the impact to Indian Point is not yet fully known, and other unexpected earthquakes could occur, and

WHEREAS, many federal, state, county, and local officials, including the Governor of New York, have publicly stated opposition to the continued operation of the Indian Point nuclear plants, and

WHEREAS, Indian Point has a comparatively poor safety record with many shutdowns and reported leaks of radioactive materials into the Hudson River, and its Owner and Operator, Entergy, has repeatedly stated opposition to the ameliorating decisions of the New York State Department of Environmental Conservation (“the DEC”) to correct the situation, and

WHEREAS, there are serious questions regarding ongoing operations at aging nuclear facilities with virtually no records for nuclear plants 40 – 60 years old, and

WHEREAS, Entergy has applied for additional 20 year operating licenses following the expiration of current licenses in 2013 and 2015, and

WHEREAS, public hearings are planned in the next few months before the U.S. Nuclear Regulatory Commission and the DEC, and

WHEREAS, the events at Chernobyl and Fukushima have both substantially affected areas as far away from the nuclear facility as Hastings-on-Hudson is from Indian Point, now therefore be it

RESOLVED: by the Mayor and Board of Trustees that the Nuclear Regulatory Commission, in consultation with appropriate state and county agencies and officials, take the following actions:

1. Order an immediate shutdown of Indian Point's Unit Two and Unit Three reactors;
2. Convene an independent panel to review the facility's vulnerabilities, security measures and evacuation plans, and make recommendations on how best to minimize the facility's risk to surrounding communities;
3. Mandate, at minimum, immediate deployment of the following security measures:
 - a. obtainment of a permanent no-fly zone, for both private and commercial aircraft, from the Federal Aviation Administration in the air space within 10 nautical miles of the Indian Point facility;
 - b. a defense and security system sufficient to protect and defend the no-fly zone;
 - c. a defense and security system sufficient to protect the entire facility, including the containment and spent fuel storage buildings, control room and electrical equipment and transmission lines, from a land or water based terrorist attack.
4. Order the immediate review and comprehensive revision of licensee's Emergency Response Plan and Westchester County's Radiological Emergency Response Plan in order to account and prepare for possible terrorist attacks.
5. If, after conducting the above-mentioned review, the NRC cannot sufficiently ensure the security of the Indian Point facility against terrorist threats, and therefore the safety and security of surrounding communities, the NRC must take prompt action to permanently retire

the facility and explore the expeditious transition to a non-nuclear alternative for the Indian Point site.

6. Separate and apart from the above, in order to significantly reduce the long-term risk associated with potential radiological fire, order the Indian Point operator to undertake the immediate conversion of the current spent fuel storage technology from a water cooled system to a dry cask system in a bunkered structure.
7. Not renew the licenses for Indian Point Reactors 2 and 3, until it can be satisfactorily demonstrated that
 - a. the Indian Point nuclear plants can safely withstand a 7.0 earthquake,
 - b. a viable escape plan exists for a radius at least 20 miles from Indian Point,
 - c. nuclear waste is being stored in the safest possible manner,
 - d. highest safety procedures implemented which are transparent and verifiable,
 - e. cooling towers for the Hudson River as mandated by the DEC are installed,
 - f. aging of the physical plants do not pose an increased risk to the area, and be it further

RESOLVED: that copies of this resolution be forwarded to President Obama, the Nuclear Regulatory Commission, Senator Schumer, Senator Gillibrand, Representative Lowey, Representative Engel, Governor Cuomo, Senator Stewart-Cousins, Assemblyman Abinanti, County Executive Astorino, Legislator Shimsky, and Hudson Riverkeeper.

ROLL CALL VOTE	AYE	NAY
Trustee Bruce Jennings	X	
Trustee Jeremiah Quinlan	X	

Trustee Nicola Armacost	X
Mayor Peter Swiderski	Absent
Acting Mayor Walker	X

VILLAGE MANAGER'S REPORT

Village Manager Frobel: We are pursuing the LED street light conversion project. Much time and thought has gone into this. We are going to piggyback on Ardsley's bid for the LED street light conversion. We have identified several neighborhood streets might be good candidates. In your package this week I will give you a copy of the map. Our goal is to distribute upwards of 60 of the LED lamps. We are not going to do spotty reducing or eliminating some of the mercury vapor or the high-pressure sodium. We are looking to do a whole area so that aesthetically it will be pleasing and very efficient. I will be coming back to you at the next meeting with a request for authorization to purchase these lamps. We have a budget of about \$21,000 that we are looking to spend under this bid.

Acting Mayor Walker: The street lights are cobras as opposed to the ones in the downtown.

Village Manager Frobel: Right. We did talk about swapping out some of the decorative ones. The price is too high because you have got to re-fabricate the acorn head rather than just replace the inside.

Acting Mayor Walker: Eventually those prices may come down because the market is changing quickly on LEDs, right?

Village Manager Frobel: That is what we are finding, yes. And that would be our goal: to do the decorative at a future time. We will also have the analysis as to what the payback is. It could be upwards to three years, but we will have more detail on that in the future.

Trustee Jennings: Do you know the total number of street lights in the Village?

Village Manager Frobel: We have a working estimate of about 650.

Building Inspector Sharma: Total number of lights is about 684. That includes the traffic lights, as well. So between the decorative, four stoplight and the overheads we have about 675, 680 or so lights.

Village Manager Frobel: Part of this initially is developing a baseline. We are finding there are some inconsistencies in what Con Ed believes we have and what we are being

charged for versus how many lamps are on the street. And what the composition is; how many are high-pressure sodium, how many are mercury vapor, and how many are incandescent. What I have learned since we began this process is that, over time, we have been converting and eliminating most of the incandescent lights throughout the Village.

Acting Mayor Walker: Because they are the least energy efficient.

Village Manager Frobel: Yes.

Trustee Armacost: So are you saying that we are being overcharged?

Village Manager Frobel: We are not certain. What we are doing now is physically going out to inventory each of the lamps to determine against the list that we received from Con Ed as to whether their list is accurate. It appears they may have stopped compiling that kind of data back in 2003. Since then we have replaced lamps from the incandescent to the more efficient high-pressure sodium. We are not sure Con Ed is aware of that.

Acting Mayor Walker: So there is no way to meter them, then.

Village Manager Frobel: No, it is a flat rate. Based on the wattage, Deven? Deven has taken the lead in this; he has become the expert for us.

Building Inspector Sharma: We did update the data with Con Edison. We used to get, before my time, a spread sheet from Con Edison every year. The Public Works Department would update it, what lights were changed, added, or deleted. Since then, they have computerized. The people who used to do it retired. We proposed to do the mass updating in the next few weeks' time. Now everything can be done with the computer. Currently, as I found out, the price per kilowatt hour for the street lights is about 19 cents. It may have gone up to 21 cents. It appears to me, with the rough calculation I did, for the number of lights we would be replacing with LEDs we would be reducing the wattage by two-thirds for the same amount of light. And the price of these lamps, not including the installation that we would be doing ourselves, we should be able to get paid back in about 3-1/4 years.

Trustee Armacost: When will you complete the inventory so that we know whether we are being overcharged?

Village Manager Frobel: We are trying to figure that out because we do not have the staff. We have got a couple of scenarios as to how we will do it. Maybe in three weeks. Con Ed has a right to audit our work. They have three months to verify our findings. So you might not see a change before late next spring. But in the meantime, we should be installing the

LED. Jim Sugrue spends most of November putting in the decorative Christmas lights, and he cannot do both. So we are looking at December for installation if the Board approves the purchase and if weather permits.

Acting Mayor Walker: And the life of the LED is much longer than the other lamps so there would be some savings in re-lamping, as well, in labor costs.

Building Inspector Sharma: Under the bid that Dobbs Ferry got, the company that we will buy these fixtures from, Hadco Philips, warranties them for 10 years. The representative did the calculations for me and extended the fixtures to 18 years. But for practical purposes, if they are only warranted for 10 years I looked at the savings over a 10-year period. The fixture we would be replacing would normally be replaced every two to three years. So that cost of replacing the incandescent and the mercury vapor lamps would happen three times during the time these other pieces are warranted for.

Ms. Zazzara: Is attention being paid at all to light pollution? For instance, some of the cobra heads do not just put light out on the street, but they put it out to the sides which then gets into folks' homes and also pollutes the air for stargazing. Is any attention paid to that, or is there a way to make some of those cobras not spill where they are not needed?

Village Manager Frobel: I know we talked about that, Deven. Can you talk about how they are angled? I know the consultant has got in some technical language.

Building Inspector Sharma: LED light, not that I know a whole lot more, just what I have been told and what I have studied, is very directional, very linear. As a matter of fact, they have to put diffusers to make the lights diffuse to the area they should light up. And yes, there is a cover on top and these lights only light downwards and at an angle that is specified.

Acting Mayor Walker: So even the lamp itself is directional. It has a top on it to prevent spillage, whether upward or to the sides.

Building Inspector Sharma: I understand it has many different little light emitting diodes, LEDs. Depending on how many, that adds to the wattage or level of illumination. In front of those LEDs they put some kind of diffusing filaments. With that, they also add color to it. Otherwise, it is very white. So to give it the right color, they call it "temperature," to make it as natural as is possible.

Village Manager Frobel: Next topic, I have asked Mike Gunther to join us. Mike is in charge of the project on Circle Drive. That project has moved along very nicely. The infrastructure is near complete as to what we outlined for the Board two weeks ago. Today,

we did a major pour with the new curb that was put in on the west side of Circle Drive, which I think will be quite an improvement. We did not do the work as quickly as we had originally outlined because last week, Wednesday, Thursday and Friday there was a threat of rain. If we had taken out the existing curb in the absence of the new one being ready to be installed we ran the risk of people having water in their front lawns. So we are in good shape. Mike, do you want to offer a few comments as to how we are moving forward?

Superintendent Gunther: Today the curb has been all poured. Tomorrow we are expecting one to three inches of rain in a short period of time, so I think it will get the test. Hopefully the weather will cooperate. Fran suggested we move some crews around and some guys stay, so if the weather cooperates we will get it blacktopped and get those ugly orange cones away from the neighborhood and clean it all up. Hopefully by the weekend, but we will see how long this rain lasts tomorrow. If not, by early next week we will have everything done.

Acting Mayor Walker: I walked it yesterday and was impressed by the work they were doing. When you walk up Ferndale from Circle on the left-hand side of the street there are pipes that come from the private properties. They are large, at least two that I noticed come directly out onto the street. Are those the springs that people were talking about, or are those coming from people's downspouts from their roofs?

Superintendent Gunther: There is a small 4-inch one, it is probably a spring. The one right near the catchbasin, I have never seen any force come out of that. It usually just spills right out and goes right into the catchbasin. There is a larger pipe that goes under the driveways. They did the same thing: there used to be a culvert, or those brick walls under the driveway, where they put that pipe. But most of that stays on the side of the road. In past weeks we cleaned all the basins above. We are trying to keep all the water on one side of the road, and it usually does.

Acting Mayor Walker: Right. So none of that is coming directly from somebody's downspout. That is other water that would end up there anyway.

Superintendent Gunther: No, I never see any force coming out of any of those pipes.

Village Manager Frobel: And if the weatherman is accurate, and we get the severe weather that is anticipated, we will have a good test tomorrow. Our men have done a great job of building those two large catchbasins on Ferndale and Circle. And then, again, it has been poured. So we will see, but we feel good about it.

Ms. Hendrickx: I have been watching this go along as I drive by. I have not walked it. But I saw sandbags above where the raised curb is.

Superintendent Gunther: We have had a problem. The reason we put them back up on Ferndale at the bottom of Scenic is because we had some washout issues there. When we get to the asphalt work, and a lot of preparation has got to go into it before then, they will take care of those sandbags, too.

Trustee Armacost: I want to commend you, Fran, on the letter you wrote to everyone in the Village, where you encouraged people to clean the drains that are abutting their property. Some people may not even realize they have drains, particularly if their house is low down and the drain is on a road that is higher up and they never go to that spot. But that advice was very useful. I encourage people to walk around their entire property and see whether those drains need debris removed from them. In some cases there are rocks sitting in the drains and lots of gravel, and certainly lots of leaves.

Acting Mayor Walker: And that needs to be done on a regular basis. Especially in the fall with all the leaves washing down so frequently they need to be cleaned out.

Village Manager Frobel: Final topic, we received word last week that the New York State Local Government Efficiency Grant program will be funded. We are going to be making an application under that program. We are exploring the practicality, the feasibility, the wisdom of combining either some or all of our DPW operations with Dobbs Ferry. There was some question as to whether or not it would be funded. Initial indications were it would not be, but we verified last week that it appears to be ready and within the next several weeks we will get notification. We already have the commitment from Dobbs Ferry that they are very much interested in joining with us in pursuit of that grant. If the grant is not funded, there still seems to be a spirit to look at the efficiencies of the two departments. That will be discussed at a later time if, in fact, the grant is not awarded.

BOARD DISCUSSION AND COMMENTS

1. Safe Driving Initiatives

Acting Mayor Walker: I asked Village Manager Frobel to put this on our agenda discussion about traffic safety and safe driving habits. There have been some very serious accidents recently in Hastings. A bicyclist was killed about a month ago, a really unfortunate accident. And last week a middle schooler was hit in the crosswalk at Mt. Hope and Farragut. Before we have another fatality or another serious accident where somebody is really injured we need to think about what we can do to make it safer for people to walk and ride bikes and cross streets in Hastings.

This was brought up continuously during the comprehensive planning process. The community was really concerned about it, and it is in our Comp Plan and something we can address without having to pass zoning, without having to go after grant money. We can address this ourselves through education campaigns and other means, one of which is a digital sign that you can roll around town to tell people how fast they are going. I was so pleased to hear that the Village is trying one out. It is a used sign, but it is inexpensive and I think there is a grant available, as well. Chief Bloomer will speak to this in a minute. But this is an opportunity to talk about how we could use this sign to improve driving habits and driving safety in the Village.

The Safety Council plays an important role in this, as well, but they look more at specific complaints about streets or crosswalks or signals, needed stop signs, that sort of thing. It is the Board's role to look more at the general issues and policies, and maybe have a discussion with the Safety Council about these things. We can talk about how we can do that. The Safety Council usually waits until a problem comes to them. Maybe we can be proactive and get involved before there are problems.

First I would like to talk about are the use of cell phones, particularly texting, but any use of cell phones while driving, and how we can enforce the law and educate people about the dangers, particularly since it has become so rampant among teenagers. We adults have to be good role models for the teenagers, but how can we help everybody drive more safely and stop especially texting while driving.

The second item is speeding. Chief Bloomer has interesting things to say about that, but I have been doing observations. The Village's speed limit is 25 miles an hour except where otherwise posted, and that is in only a few places, on the major streets like Broadway or Warburton or the beginning of Farragut where you come off the highway. I have been driving around, trying 30 and 25, sticking with the speed limit, and I have people passing me on the left and sometimes on the right. I have people behind me tailing closely. I believe that people are going faster than 30 miles an hour in this village, and 25 in residential areas. Experiment yourself and see what it is like to drive those speed limits. It is a very subtle thing. They may not be going 50 or 60 miles an hour, they may be only going 34 miles an hour. But it makes a big difference. One study has shown that when drivers hit a pedestrian at 40 miles an hour there is an 80 percent chance that pedestrian will be killed. If a driver hits a pedestrian at 30 miles an hour, there is an 80 percent chance that pedestrian will survive. So there is a big difference between 30 and 40 miles an hour.

The third topic is traffic calming, and can we introduce some other kinds of measures such as speed humps on streets where we do see a lot of speeding, or where it is a very narrow street, such as Washington Avenue or James Street where there is a straightaway and people are

rushing to get to the train and they speed up, or where there is a crossing, like a crossing at the Aqueduct, for example, at Villard or Washington. Can we have a speed hump to help at those crossings, or even a raised crosswalk.

The fourth topic is crosswalks: how can we make our crosswalks safer and how can we enforce the state regulation, which is you must stop for a pedestrian in the crosswalk. How many times have you found that nobody will stop for you? This is particularly important at the school, where the student was hit, and in the downtown where you get a lot of pedestrian traffic. Pedestrians have rights, too, to get across the street.

I would like to ask Chief Bloomer to talk. The police department is taking some proactive steps.

Police Chief Bloomer: We will talk about the message board first. We have been wanting for years to acquire a message board for the Village. Not only would it serve as a speed warning, but you can use it for a variety of things. In this hurricane, we could have used it for "road closed," "wires down," "street work going on," a myriad of things. It is limited only by your imagination as to what this sign can do. Signs are expensive. The price for a new sign is \$21,000. We have been going back and forth with the dealer for a couple of years on it. He came to my lieutenant about a month ago and said that the Fort Lee police have traded in a 2007 sign, but it is in perfect condition. He brought it here last week for us to try out. That is the one that you may have seen. He wanted \$9,500 for it. My lieutenant talked him down to \$9,000. My lieutenant came up with a grant that covers \$5,000 of the \$9,000, so it leaves \$4,000. They have taken it back to do some modifications, to fix the radar part. We are getting it back Thursday, and we will be trying it out in different spots. The feedback we have gotten so far is extremely positive. It has been on Rosedale where we have had some complaints; it has been on James Street; we had it on Farragut near the school.

The sign is immensely important because I cannot put a police officer every place that somebody wants a police officer posted. You mentioned James Street and Washington. I could give you 15 other streets since September 1 that I have gotten speeding complaints on. It is the number one issue, next to parking. We will have two guys on the road, like we have tonight; we had plans tonight to detail officers to two different locations where we have had some break-ins. At 5 o'clock there was a DWI auto accident, and both officers are tied up for the next three hours. You have something planned and something comes up, you do not get to it. So that means every time I put somebody out there, for the most part, it is on overtime. The county pays for some of that, the state pays for some of that. But ultimately, I run out of that money and it comes back to here. The budget is tight, and we just do not have a person to put at all these places. This sign can be used to supplement that. To put it on Rosedale and warn people of speeding; to put it on James Street, warn people of speeding; to put it on

Farragut and remind people to stop for pedestrians. We put it on Maple to remind people about cell phone usage. That is why I think it is so important.

We started a program the first day of school that we call Operation Jump Street. *Jump Street* was a TV show where a young cop was put in the schools to do undercover. We take our youngest officer, who is 21 years old, and we dress him as a high school student. He gets a book bag, he gets books, he wears shorts. He goes back and forth in that crosswalk in front of the school for four hours, from 7 a.m. to 11 a.m.. We have a police car parked on the side road that videotapes the intersection, and whenever somebody does not yield to him they are pulled over and given a ticket. We have done it twice. Both times, we were able to write 12 summonses, and we have another scheduled. I am not going to tell you when it is, but we have another one scheduled shortly.

We are sometimes limited by there being two chase cars to go get one car north and one car south, and they are both writing tickets at the same time. And then Officer Pacheco is left to stroll back and forth on his own. So we have been working on that since the beginning of the year. That was because of the young man that was hit in the crosswalk last school year. And we just had a kid hit a week ago. Same thing. The child was crossing the street, in the crosswalk. Cars going south stopped to let her cross. One car going north stopped to let her cross, and another car driven by an older Hastings person went to pass the first car and struck the child in the crosswalk. AT some point we are going to speak *The Enterprise* to promote our activities so that more people are aware of it. But on the days it is not there, we can put the sign up there to say "Stop For Peds at Crossing."

Texting is not as easy to spot as you think, but cell phone usage certainly is. One of my sergeants, Sergeant Hayden, has taken the lead in our cell phone activity. Again, it takes manpower. We will have one unmarked car who will sit at Five Corners and call out the offenders. We have only done that once, and it was not nearly as successful as I thought it was going to be. I do not know why. We just did not find a lot of violators. Which is odd, because when you drive down the street you see it all the time. We have another one of those dates planned, and I am not going to tell you when that is. But it is coming up.

Some of the streets you mentioned, clearly there is either speeding or the perception that they are speeding. I would argue. On Washington Avenue people are not going over 40 miles an hour. I took the Manager in my car yesterday. We blocked the road at both ends. I tried to get to 40 miles an hour. You cannot do that. You would crash, or you would suffer a heart attack. You cannot. Thirty miles an hour is too fast on Washington Avenue, but they are not going 40 on Washington Avenue. Can there be an occasional person who drives down one of these streets at 40 or 42 miles an hour? Of course. And if you live there and you witness it, it is your perception that everybody is going that fast. Speed humps, one thing the Safety

Council has never been in favor of. Counsel should be involved because there are liabilities. Greenburgh has an interesting study on speed humps, which I would like to read a little of.

"Speed bumps are not considered at all appropriate for roads. Speed humps should never be put in without appropriate traffic and engineering studies conducted first." One of those things that you should look at is grades of street. If it is an eight percent grade or more you should not put a speed hump there. So I do not think Washington Avenue is going to be appropriate for it. You cannot put one within 200 feet of an intersection. You have to make it visible for 200 feet from both sides. You have to do a study on the effects of drainage. You have to do a study on the effects on parking. So, for example, if you did find a spot on Washington Avenue that you could fit it in with all these other things, you are going to take parking spaces away from both sides. Also, you have to have appropriate street lighting over the speed hump so people can see it so they are not hitting it and crashing. A lot of considerations, and not that easy to accomplish. I want Officer Ryan to speak on speed humps because he lives in Dobbs and there is a speed hump in front of his house.

Acting Mayor Walker: A hump, or a bump?

Police Chief Bloomer: A hump. Let him give his experience on it.

Police Officer Ryan: I have a speed hump right outside my front lawn, and in my opinion it does not help at all. All I listen to is, boo-boomp, boo-boomp, boo-boomp all night long. Either people are going to drive fast, or they are going to drive slow. The speed hump does not slow anybody down. All it does is make people swerve to try to go around.

Police Chief Bloomer: The study says that many residents are not going to want it near their house. Clearly, the best deterrent, as common sense would tell you and this report tells you, is a police car. One of the things Greenburgh does, and one of the things we have done historically, is to park an empty police car on the street. People see it. By the time they realize nobody is in it, they have slowed down already. And it is no cost. It is one of the things we have done throughout the Village for the last couple years. On the highway to Scranton you will see an inflatable officer.

Acting Mayor Walker: You would think on a street like Washington or James or Rosedale, where there is parking on both sides, and if they are fairly narrow, that people would not be able to go fast. Yet it seems like they do, on the straightaways particularly. A lot of cars have been hit on Washington Avenue, a lot of cats have been killed on James Street. They are not going 40 miles an hour, but they may be going 35 miles an hour or just fast enough to create a hazard.

Police Chief Bloomer: That is very true.

Acting Mayor Walker: And make it difficult to cross the street at times, or back out of your driveway. We are raising this as a question. We do not necessarily have the answers.

Trustee Armacost: Another issue that came up is the roundabout, the circle, at Hillside. I cannot tell you the number of times I have come to it and people have gone the wrong way round the circle. Maybe it is just not a thing that is very common. In certain parts of the world it is quite common. In Massachusetts, on Cape Cod, it is very common. Maybe there are people who are just not used to that. But even just painting arrows on the road or having a sign. There have been so many near misses because people have gone the wrong way round that circle. Having painted arrows showing you the way you go round cannot be very expensive, and could help people understand how those things work.

Acting Mayor Walker: I think that is a good point. We raised it a few years ago and it did not seem like it was a problem. But I have encouraged it. You feel like you are going to have a head-on collision sometimes there.

Trustee Armacost: There are lots of young people who are relatively new drivers who are parking around that area because it is so close to the school. Again, they may not be that familiar with dealing with circles, or roundabouts.

Trustee Quinlan: I think if anybody in our police department sees someone speeding, texting, talking on a cell phone, not stopping at a crosswalk they are going to get a ticket. These laws are enforced by our police department, so what is the solution? I do not see a solution, other than that they are being enforced to the best of our ability and we have to live with it. If people are speeding they are just not using proper judgment. We can talk about it all night and all day, and tomorrow and all week, and the same person that is going to go down James Street at 45 or 50 miles an hour, or Hillside Avenue, is going to do so, and if the police see them they are going to get a ticket. So that is life.

Trustee Armacost: What we heard from Chief Bloomer, though, are a number of different tactics that are being used to address this issue, which all seemed quite clever. I particularly like the idea of the parked car with no one in it. I am sure that there are more tactics you employ as you can. We should applaud you for the work that you are doing and hope that you catch lots more people and raise lots more money through all the tickets that you write, and stop the incidences that we are seeing.

Village Manager Frobel: James Street is on the agenda for Thursday night's Safety Council. Specific concerns for that neighborhood.

Acting Mayor Walker: I would like to see us not necessarily preempt the Safety Council. We are not going to spend money on speed humps if they do not work, but we can propose or promote an education campaign, because if we do not speak about these things, tacitly these laws are broken. We all break them all the time. People who are very well-meaning forget to stop for a pedestrian in the crosswalk, people who are very well-meaning go 35 miles an hour instead of 25 miles an hour. You just do not think about it, and we all do it. We have to raise awareness about it and we have to be good role models for the young people who are just starting to drive.

Trustee Armacost: Did you have a particular plan? Because it is not clear what you are proposing exactly.

Acting Mayor Walker: I drove by the new message board parked in front of Village Hall. I was very pleased to see it because it was just what I was thinking about and I did not even know you were doing that. I also noticed that the state has started a no-texting campaign on Route 287, where they had something like Operation No-Texting on big signs. They are trying to get the message across, so I am wondering if there are ways. I am opening it as a question, but we should have an action plan. There are several people here who would like to talk about it, and we could come back with an action plan, if you are interested.

Trustee Quinlan: I have an action plan: to authorize the \$9,000 to buy the new machine.

Trustee Armacost: It is actually only \$4,000.

Trustee Quinlan: Let us do it, let us buy it. That is another tactic that seems to work.

Acting Mayor Walker: We used to get a significant amount of revenue on Broadway before we introduced the traffic calming measures there. We are not placing police cars as frequently because people are going more slowly. We learned that it does work. We can start thinking about continuing that idea for North Broadway, and looking at, for example, reducing Farragut from two lanes to one lane in each direction in certain places. There are other traffic calming measures that we could look at. I wanted your approval. There is a group of people that has been meeting in an ad hoc way about transportation issues. Several of them are here tonight. But to continue to propose and discuss these things with the police department. When we have fatalities in this village, and we have people getting seriously injured, is a really serious issue.

Police Chief Bloomer: You have to be careful about talking about accidents, because without the facts, it is not always the driver.

Trustee Quinlan: That is the point I was going to make. You talk about the fatality. We really do not know what happened or whose fault it was.

Acting Mayor Walker: No, we do not know and we do not know that it was the driver's at all. But bicyclists also have to obey traffic regulations.

Trustee Quinlan: A lot of people do not respect bicyclists when they are riding their bike in a proper manner. That is another issue, but that is America. Americans do not respect bicyclists so you have to be careful.

Trustee Armacost: Meg, to your point about getting approval for a group to think about these issues and make recommendations to the Safety Council, I do not have any issues with that. It would be useful if whatever they recommend is consistent with the Comprehensive Plan, which had a lot of things to say about this. If it can be built on the ground that was laid there, that would be the most effective.

Acting Mayor Walker: Much of this is in the Comprehensive Plan.

Trustee Armacost: So what we are asking for is elaborating action steps that come out of the Comprehensive Plan. If it is about making those recommendations actionable, that seems quite sensible to me.

Acting Mayor Walker: I want to applaud the police department for taking the initiative to introduce strategies to help with the speeding and the pedestrians in the crosswalks. We believe strongly that this is an important step. Whatever else you can come up, we would like to hear about it.

Kerry-Jane King, Chair, Conservation Commission: There are several Conservation Commission members here tonight. One of the goals of not only the Comprehensive Plan but also the Hastings sustainability plan that was put together by Bruce Jennings, is to encourage walkability, to encourage bicycling, Safe Routes to School, those initiatives. One of the Conservation Commission's goals is to improve walkability and bicycle safety, and to encourage students to walk and bicycle to school and generally for the public to walk as opposed to using their car. I have been working with a member of the Conservation Commission on that, and also with this ad hoc group you were talking about. As we see more and more students walking and riding bikes to school, and this is something that is catching on in the middle school and high school, is safety. My daughter rides to school every morning. Every morning I feel anxious as I see her leave the house on James Street and go down the street between cars. So this is a real concern to me personally, as well as a concern

for me as a member of the Conservation Commission. We would like to see everything done possible to make bicycling to school, as well as walking to school, safer.

Perhaps we could consider lowering the maximum speed throughout the Village to 25 from 30. The speed limit throughout the Village is 25 except where posted, and then some places it is posted as 30. That may confuse some drivers. When drivers see 30 they may assume that 30 is the norm throughout the Village and may think it is OK to travel at 35 miles an hour because they are not paying that much attention to the speed signs.

I wanted to raise this issue of speed on particular streets like James and Washington. It may well be that there is not that much speeding on the street, but the residents perceive people to be speeding simply because the speed is too high for those streets. The speed limit on James is 25, but there is no buffer between houses and the road. So if you are standing in front of your house talking to your neighbor, you can literally have your coat swiped by a passing car. We have had three sets of mirrors swiped from our cars that have parked on the street. It may be simply that 25 for some roads is too high and we should lower the speed limit on particular roads.

I wonder whether it would be possible to try out some temporary traffic calming measures, do some pilot demonstrations of different approaches that encourage people through visuals. I love this idea of the message sign. But also perhaps a planter here or a bollard there, or some visual that gets the drivers' attention and encourages them to slow down and to look around them, and realize they are on narrow residential streets where children are playing, where there are pets, where there are cars parked and people may be trying to cross between cars, where there are crosswalks. I recommend that we look at possible, low-cost, temporary measures and try them out to see what effect they might have. This would all have to be done in conjunction with the safety board and the police department.

Ron Cascone, 33 Terrace Drive: I have given this a lot of thought. I live off of Villard, and I walk my dog down Villard and up North Calumet. Folks congregate at the corner of Villard and Terrace every morning with their children, waiting for the school bus. This morning I was almost hit by what looked like a limo that was coming down, and I do not think I am wrong about this, about 40. I practically did not see him. Villard is the poster street of problems in this village. It is a very long hill. Maybe only Mt. Hope is worse, and that has got a turn in it. But the feature of Villard which is different from Washington is, you can see all the way down Washington. When you are on Villard, you cannot see beyond Circle Drive to where Calumet is. And there are two corners where kids wait for school buses in the morning. My neighbor said he has seen many times people screeching to a halt behind a school bus. They have got to be going really fast to have to screech to a halt.

We talked about speed bumps. With due respect to the police department who have statistics and concepts about this, I have been on streets in other villages where I had to do 15 miles an hour the whole way. There is a street parallel to the Saw Mill in Ardsley.

Acting Mayor Walker: Northfield.

Mr. Cascone: Northfield. It has a lot of speed bumps, and stop signs everywhere. You cannot do more than 15 miles an hour on that street. What is the down side of that? I do not see it. You know that that street has speed bumps, speed humps, and you go slow. I do not care if some people wreck their transmissions or undercarriages by speeding on Villard. I would like that to happen because these people are endangering my life. I walk my dog in the morning, I see my neighbors with their kids on the street, I think it is terrible. I think that street is a particular psychological issue, where you think you can speed on that street because there are very few cars parked for a long stretch. Between Circle and South Calumet there are only two houses that front on the street. Otherwise, you are looking at greenspace. So I do not think anyone is going to be upset if you had a speed bump.

I know that there are temporary speed bumps that you can get. I am concerned also about speed bumps in terms of plowing the streets. So I do not think it is a perfect solution, but I think we ought to try temporary speed bumps between maybe north of Circle down to somewhere around Calumet. It is worth trying. No one is going to drive into the front of anyone's house. It is not possible there. And the cost-benefit ratio of protecting the children and dog walkers like me and other folks, teenagers who walk to school down that street. There is no sidewalk on the south side of Villard between Circle and Terrace. That is a hazard because that street is full of kids in the morning walking to school. We all talked about it this morning. The parents and I were standing around talking about it. They were all for speed bumps, two of them, in that area.

Ms. Zazzara: Stop signs as opposed to speed bumps: is that a possibility? I am thinking out loud here. There are Neighborhood Watches for crimes and stuff. You are very creative in the force, something like a Neighborhood Watch if you see people texting. Crosswalks. Many of the streets where bus stops are, they are state roads. But there should be a crosswalk at every bus stop. Street paintings, again not very expensive. In Eastchester they did a bunch of bike chevrons for areas where people can bike. I would vote for those.

David Skolnik, 47 Hillside Avenue: I do not know if it is three years ago, or whether you will remember when the council heard, in group with the Planning Board, the results of the traffic studies. You had extensive meetings there. At that point, not a lot of what was proposed ultimately got approved by the Board, after a lot of consideration. But at that time, one of the things that I had been proposing for your consideration was an organized approach

to this problem that brought together members of the Safety Council, the Planning Board, this board, the public as well. But something that deals with it in a measured and thorough, comprehensive approach. These problems have existed for a long time. There have been systemic reasons why they do not get addressed. I was involved on the subcommittee with the Comprehensive Plan in this area. There were many aspects of this that I was, and continue to be, less than satisfied with in the plan. I would be reluctant to think that you would want to use that plan as a model for going forward. I know there is an aversion to creating more committees. But I think that is the way you need to do it.

Acting Mayor Walker: We did approve the Comprehensive Plan so it is our duty to implement it. But I think your suggestion about creating a committee is a good one, and something when Mayor Swiderski comes back we can address. The point that Trustee Armacost made, as well, is that we need to start implementing the measures in the Comprehensive Plan. It does not mean that every one of those recommendations is going to be implemented. It means that they will be seriously considered. The Safety Council needs to be involved, the police department needs to be involved. So coming up with a way to do it that includes those committees would be a good idea. And in the meantime, we can look to do some temporary measures and propose those to the police department, as Kerry Jane was suggesting. But we will talk to Mayor Swiderski about addressing it and creating a committee, because we are talking about implementing the Comprehensive Plan, whether you like those measures or not.

Mr. Skolnik: Exactly. However, I will point out that in many steps along the way, what I tried to point out in the Comprehensive Plan process and what I am pointing out now is that it was presented that clearly the importance of the Comprehensive Plan went beyond the specific traffic issues. There were clearly things presented in a way that yes, these things were going to get approved. But there was a lot that when it came time to actually implementing, at some point in this process you have to be able to slow down and measure and consider seriously. So my encouragement is not to go off too quickly on that.

Acting Mayor Walker: That is a very good suggestion. A number of good recommendations were mentioned here. Things need to be studied further. I would like to come up with a list of action steps that we run by Chief Bloomer and the Safety Council, and then bring back to the Board. The first one might be the creation of a committee, if you all are OK with that.

Trustee Quinlan: Just want to think about it.

Acting Mayor Walker: Well, you think about it and we can talk about it in another meeting. And that is probably enough on that topic for tonight.

2. Update on the Waterfront

Trustee Quinlan: I have nothing to add tonight on the waterfront.

3. Other

Acting Mayor Walker: We do not think we have a quorum for our meeting on November 1.

Trustee Jennings: I will not be here on the first.

Trustee Quinlan: I will not be here, and Trustee Armacost will not be here.

[Discussion of dates]

Village Attorney Stecich: I cannot be here Nov. 7, if there are legal matters I can deal with them ahead of time.

Village Manager Frobel: I was going to suggest canceling the 15th as well.

Trustee Quinlan: And have one meeting in November? I hate to do that without the Mayor.

Trustee Jennings: I do not have a suggestion for the agenda, but it seems we have enough work to do that we should not lose a meeting because we have to do a little rescheduling.

Acting Mayor Walker: Trustee Armacost is going to be gone on the 15th. I was going to suggest talking about the budget in November, but we cannot do that without her. But there are other issues. Let us say November 7 and 15 for our meetings.

On Friday, November 4 there will be a Friday Night Live in the Community Center focused on food. It might be called The Taste of Hastings. It will be about sustainable food and promoting our restaurants.

ADJOURNMENT

On MOTION of Trustee Quinlan, SECONDED by Trustee Jennings with a voice vote of all in favor, Mayor Swiderski adjourned the Regular Meeting at 9:40 p.m.