

VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
REGULAR MEETING
FEBRUARY 28, 2012

A Regular Meeting was held by the Board of Trustees on Tuesday, February 28, 2012 at 8:45 p.m. in the James Harmon Community Center, 44 Main Street.

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

CITIZENS: Seven (7).

Mayor Swiderski: We apologize for the delay of start. We had a session with advice of counsel and ran later than expected.

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 February 7, 2012 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. 54-2011-12 \$274,147.08
Multi-Fund No. 55-2011-12 \$ 17,217.27
Multi-Fund No. 57-2011-12 \$ 21,890.10

PUBLIC COMMENTS

County Legislator Mary Jane Shimsky, 35 Ashley Road: I am here to discuss the Warburton Avenue bridge. Construction is going to take place not this year, but in 2013. We currently have the bonding legislation in committee at the Board of Legislators. We are waiting for a last bit of paperwork to show approximately our expenses for the design and construction. We have had some issues with communication. I am hoping that we will be able to get the necessary documentation soon. Once we do, we are ready to vote it out to the full floor of the legislature. At this point, we have voted it out of government operations, which deals with the public works aspect of the project. It is currently in budget, which is why we are waiting for the financials. Once we get the financials and it all looks good, we

will vote it out of there. I am hoping that at the next full Board meeting in early March, we will be able to vote the bonding. Later in the year this project and a group of others will go out as a batch for a bond. In the spring we will be ready to construct. Village Manager Frobels and I have been in communication about some issues with the bridge. I passed on his concerns about the lighting and other concerns with the crumbling stairway to the county executive's office late this afternoon, and I await their response. Hopefully, we will be able to keep everything in reasonably good order until construction.

Mayor Swiderski: There is a repeated concern raised in public and private regarding lighting on that bridge because of the removal of one of the street lights. We had assumed that the renovation would occur this summer so remaining in that situation was acceptable for a few months. More than a year seems to beg some sort of response. Is the county capable or willing to do anything in that regard?

Ms. Shimsky: As I said, I just sent the communication to the county executive's office today. That should be routed to the appropriate people in public works. Since we are talking about a substantial period of time before construction that it is incumbent on them to do something about the lighting. I stressed its importance as a safety issue in my e-mail.

Mayor Swiderski: Thank you. Any other questions? Public comments?

John Gonder, 135 James Street: The budget. We need a plaque for the Lipchitz "Heaven and Earth" monument. Maybe you can get the art council to fund it, or maybe you will have some money left over from snow removal. Unless he did not want the plaque. Somebody should look it up and find out why there was none.

Chemka Pool. Let all students of Hastings school system swim for a dollar or two dollars. Let adult membership pay for the balance of the cost of operating the pool.

Most of you work out of town at your profession, and you do not know what goes on sometimes. We need at least three more police officers to make this village safe again. We in the Village are not safe from crimes. Examples: bank holdup, robbery, break-in on a family business, thieves, burglaries in homes/churches, fights in bars, drug problems, assaults, Graham School problems, Hastings High School, online thefts, youngsters drinking. The crooks and bad people know we do not have enough police. Hastings is easy pickings for criminals. We do not have enough police for vehicle violations. Drivers do not make full stops at signs, not stopping for pedestrians in crosswalk. I have seen this happen so many times. Proof: a youngster got hit in a crosswalk on Farragut at school; a resident got killed near Ravensdale Road.

We need more police. This is a way you can pay for more police. You get Trustees Armacost and Quinlan to go to BP/ARCO and negotiate the million-dollar grant to stabilize Building 52. We do not own Building 52, nor the property. The Village does not receive any real benefits or tangible results of this money. The only one that benefits is BP/ARCO. The two Trustees could tell BP/ARCO we need the million dollars for other important things like more police to make this a more safe community again.

Susan Cooper, 378 Warburton Avenue: I want to read a few excerpts from some articles about the Pentagon. It is not about my being for or against the Pentagon. It is just as it relates to budgets.

"The Pentagon is talking about trimming core programs in order to pay for skyrocketing pension costs. The Pentagon Advisory Panel is saying that at some point cost pressures from the retirement benefits will start to impede capabilities. If the trend continues, there will be difficulty buying equipment, providing maintenance, and training. The panel is proposing a new retirement plan similar to a 401(k) instead of a defined benefit plan."

I am bringing this up because if you take out the word "Pentagon" and substitute "local village employment system" or "local school system," you end up with the same financial conundrum. Many people have read about what happened in Rhode Island recently, where a liberal Democrat was elected to state treasurer to deal with the cascading fiscal problems they were having due to this very issue. A Democratic governor had more grim news about the state's fiscal crisis on Wednesday. He is saying, "Illinois has watched its debt climb, largely as a result of increasing pension costs," which Mr. Quinn, the Democrat governor, pegged at about \$5.2 billion this year, triple what they cost in 2009.

In the *New York Times* today, there is a front page article about cities borrowing from pensions to pay for them. "Municipalities are struggling to meet their pension obligations which have risen partly because of generous retirement packages for public employees, and partly because turbulence in the stock market has slowed the pensions." People think maybe New York is somehow shielded from this. But there is Poughkeepsie: the mayor of Poughkeepsie said that "rising pension costs could bankrupt the city," adding that the city had cut its workforce to 367 from 418 employees in four years as it struggled to compensate.

These are good examples of what we are up against. It also shows that we are not just dealing here with a local issue. This is systemic problem that should be viewed as such and proactively dealt with in order to provide stability for the overall common good of everyone. I do not think it is served any longer by Democratic or Republican stances, as evidenced by some of these examples.

Barbara Tuchman, the Pulitzer Prize-winning historian, who wrote "March of Folly," "The Guns of August," "Stillwell," talks about self-interest. She says that we all have it, it is necessary, but that enlightened self-interest acknowledges that no single group is separate from the whole. In terms of the budget it would be helpful for the taxpayer to see which items are mandated and which are not, and what might be negotiated before a mandate change happens.

Roger Scheiber, 104 Overlook Road: This afternoon I wrote an e-mail in regards to the hotel tax that you are going to vote upon tonight. My first comment was it is a stupid idea. I do not want to say that you are stupid, just that you need to be informed more. I handed you a copy of the *Westchester County Business Journal*. The lead article this week is "Hotel Tax Could Be Tough Sell in Albany." Albany is looking at these types of taxes as a way to get around the property tax cap, plain and simple. This is not going to be very pleasing to our governor and many in Albany when they see things like this. I have had some experience. I have worked in other parts of government, and I know that these issues affect many in Albany. You have to be aware of that, number one.

Number two, I do not think you understand what the hotel industry thinks about this tax. Like all of us, they are struggling. Adding an occupancy tax will hurt them tremendously. The reason I called this a stupid idea is, as far as I know we do not have any hotels, motels, lodging facilities, B&Bs in the Village of Hastings-on-Hudson, so why do we have a tax on something that we do not have? It seems unnecessary. I do understand that the surrounding villages and our town and other towns in Westchester are also advocating for this tax. And I would assume that you are doing it in support of them, but it is still not a very good idea. We have possibilities on our waterfront. A hotel could be a fantastic tratable for us in the future. It could bring jobs, property tax and sales tax, as well. If you do not have a hotel tax it could be seen as an economic incentive. You will now be in the economic development business by being the only village not to have it. But the biggest part is that it is not going to fly in Albany, and I could bet my bottom dollar on that. I was you, I would table this issue for now and get more informed before you vote on it.

Mayor Swiderski: Indeed, it is in solidarity with the other villages: We do not have any taxable rooms. Most around us do. We did not do this without reaching out to the hotels and checking their level of comfort or distress. We worked out as a compromise with them that a percentage of the tax would be set aside for each town that had rooms to promote tourism and to promote people coming to that community. Most of the hotels in this region are corporate layover, largely. It is not clear to me how they would be negatively impacted. We did not hear that argument out of them. So out of respect to the other communities who are seeking this tax which, in fact, has been passed in thousands of communities, we decided to join them.

Mr. Scheiber: There are two uses of hotels. One is corporate. Corporate will look at every dollar that is spent. Three percent is a big deal. The ones who are using hundreds of thousands of nights of use will look at this as a negative and they will try to find someplace else. The other use tends to be local. The reason I know this is I work at hospitality and tourism alliance in another county. I also work with the state on hotel and tourism issues. In an area like Hastings, the people who will be paying the taxes will be the local people. The people that live here, and their guests, will be paying the bulk of that tax. So you are adding a tax to your village residents primarily.

Trustee Armacost: I am not clear why anyone would be paying a tax here if we have no hotels in the Village.

Mayor Swiderski: Right. I am not going to argue with your assessment of the likelihood of passage. That is a separate issue. But I would hesitate to lump this in with the tax cap issue. When one revenue stream is capped, lots of communities are going to be looking for both cuts as well as new streams of potential revenues. Again, this is neither innovative nor particularly new. It is done in thousands of communities, and I will not be surprised if it is done in more.

13:12 HOME RULE REQUEST – HOTEL OCCUPANCY TAX

Trustee Walker: Since I have been active with the Rivertowns Tourism Board I see a direct relationship between this tax and the increased revenues it will bring us as a group of municipalities, including Tarrytown, to promote tourism, rather than asking our taxpayers to help us promote tourism, or to construct new signage by the train station indicating where the Aqueduct is or providing maps of the downtown showing where restaurants and services for hikers and bikers are. I see this tax as beneficial to fund the promotion we need to drive people into our downtown. We have to look at ways to get people into our downtown. That is the relationship I see between this tax and our potential economic development.

Trustee Quinlan: I have been thinking about this since we last discussed it at the last Board meeting. Roger makes a good point about how much taxes can we continue to pay. Hotel/motel is a business, and taxing them is not going to help their business. I have grave concerns. Plus, we do not have any hotels and motels. As much as I want to cooperate with the other villages, I do not see the other villages particularly cooperating with Hastings. For example, it is fairly certain Dobbs Ferry is going to probably have this mega development on the Saw Mill River Parkway by the New York Sports Club, and that is certainly not going to help Hastings. Our Planning Board has sent them comments concerning some of the problems that will happen in Hastings and the surrounding areas if

that development is built. I do not think Dobbs is that concerned about what we think, nor maybe should they be. Meg makes a good point that it would help fund tourism. But in New York State and Westchester we are taxing everybody incredibly much, and this is just another tax. I am not in favor of more taxes on anybody, including businesses, individuals, properties. So I have grave reservations about this.

Trustee Jennings: I understand that we are not voting on the question of whether or not Hastings is going to institute a hotel tax, since we have no hotels. This is about enabling legislation to give local authorities in Greenburgh and Mount Pleasant the right to pass such a law and to raise such tax if the municipalities choose to do so. This is not just a hotel tax question. This is a home rule question. If home rule and municipal government is to continue to be important we are going to have to find alternatives to the property tax in terms of raising revenue. Otherwise, we will get our revenue from Albany and Albany will tell us what to do. Either local municipalities are going to be fiscally sustainable entities or they will not be, in which case we will have essentially government at a higher level than local.

I also note the last "whereas" clause, and I would like clarification. If any of the villages, including us, were not to support this, would it mean that this law could not go through, and Greenburgh and Mount Pleasant would not be granted the authority? If so, there are serious consequences to our backing off and waiting and seeing.

Mayor Swiderski: It would have to be amended to reflect that we are not a part of the law. In all likelihood, given the legislative calendar, this law would not be resubmitted in time for this legislative season, but it certainly could be down the road.

Trustee Jennings: Then the action we take tonight has consequences. It is not just symbolic. That, for me, is sufficient to motivate my vote "aye" on this resolution.

Trustee Armacost: I am torn on this because the issues Bruce has raised regarding home rule are very important. The clause which we discussed at some length about setting aside one-sixth of the revenue to promote economic development and tourism, is a value. My understanding was that a part of the quid pro quo of voting in favor was that you get your sixth, irrespective of your hotel quotient.

Mayor Swiderski: I do not think so. It is specific to the community in which the rooms are. But it is certainly going to contribute funding to the tourism board that we are part of. We are not directly benefiting. It is not a direct control over those monies. In theory, Tarrytown could always decide not to participate in the joint effort and pursue activities specifically for Tarrytown. That is at odds with what we have seen in the last year, but it is entirely financially possible.

Trustee Armacost: That becomes less attractive then. It seems like we end up acting in solidarity and in good faith, and there is not a quid pro quo, which makes me think, as Jerry and Roger have argued, that it becomes an additional tax measure where people in the Village are paying in a different way. They are paying taxes every time their relatives or whatever have to stay in one of these other places. Is it only Hastings, Dobbs Ferry, Ardsley?

Mayor Swiderski: It is Greenburgh and all the villages in Greenburgh.

Village Attorney Stecich: And just the village of Sleepy Hollow in Mount Pleasant.

Mayor Swiderski: The very definition of "in solidarity" precludes a direct quid pro quo in some cases. We have, over the course of the last five years, done many things as a group of villages that have served us well in terms of saving money, in terms of jointly presenting out to the state, to Con Ed, to Cablevision, to various contractors. Sometimes all of us benefit, sometimes only some of us did. But we have absolutely gained in joint ventures and in acting in solidarity. So while the quid pro quo here is not direct and neither is the obligation to implement a tax if we should build a hotel, the principle of solidarity to date has served us well. I would argue that expecting or demanding a quid pro quo in all cases is very much not in the spirit of solidarity. Sometimes you do things that do not directly benefit you because you know you are paying forward for the good will that you hope to reap on other causes and events. So it does not particularly bother me that on this resolution we do not benefit now, or likely do so any time soon. But we benefit in good will and in a statement around the importance of home rule.

Trustee Armacost: Is there anything in this that generates any revenue for us?

Mayor Swiderski: Directly for Hastings now? No.

Trustee Armacost: Not even through the tourist board.

Mayor Swiderski: Not directly. Communities who are part of the tourist board who have hotel rooms in their villages will clearly enjoy substantial inflows, and one-sixth of that inflow will be substantial. Tarrytown has hundreds of rooms, and this tax will potentially put tens of thousands of dollars into their coffers specifically for tourist-related causes. We are cooperating as a group because we understand that we are more interesting as a destination as a group. For example, heading up the Croton Aqueduct affects a bunch of villages along the way. Advertising and promoting that as a group is more effective than doing it piecemeal.

So I cannot promise that those tens of thousands will directly benefit Hastings, but they are likely to directly benefit the effort to bring people to this region. Indirectly, we cannot be hurt by that. People might flow to our villages. And they, in turn, may spend money.

Trustee Jennings: We will get some sales tax?

Mayor Swiderski: Yes, indirectly. The stores which are stressed in our communities may enjoy some relief. It is indirect, but that is all we have here.

Trustee Quinlan: There may be less people that want to come to the hotels because the cost is higher. So indirectly, maybe less people might shop. It just depends on your philosophy. When my friends and relatives visit Hastings they sometimes stay in hotels and motels, and it is going to be more expensive for them and for everybody. I do not think taxing people and businesses is a good idea. I think less taxes are better than more taxes, and we are just taxed up to the kazoo around here.

Trustee Walker: One way to look at this is we are authorizing municipalities to impose taxes; we are not imposing a tax. Giving other communities that opportunity is important, even if we are not going to profit directly from it.

Trustee Quinlan: It is the first step, though.

Trustee Armacost: To me, philosophically, it is an odd situation. The solidarity part I am not so clear. I am not so clear the way in which this is supportive. The home rule part is important. Were it not being applied to taxes in this way, where it is a convoluted scenario in terms of benefit, it is an important argument. But the other arguments are a bit loose. They are not very compelling in tough economic times. I do not particularly care how Albany views it. It is more whether it is necessary for us to do. If you do not have to pass legislation which does not affect anyone in your community, why would you do that? It is an unnecessary law in that sense.

Mayor Swiderski: It may not affect us now, but it may down the road. It avoids an odd exclusion in a law, and eliminates our odds of passage of a home rule legislation. If we decide not to participate now, but in 10 years' time decide that revenue would be sweet, and we now have a hotel, it would be a far bigger challenge to pass. So while, again, the benefit is not immediate it is not impossible to imagine us enjoying it. I will point out once again that the hotel industry here is not going to fight this in Albany. If they were concerned about the impact on their financial situation, they have got lobbyists they pay to carry their water, and they are not doing so here. So apparently, what we are asking is neither highly unusual nor terribly offensive to them. They have sought and received some benefit, indirect as it

may be, by setting aside some money for development and tourism, but beyond that we are not shoving this down their throats. I am not sure how grievously it wounds their coffers because we would certainly hear about it. As it is, I think there will be resistance in Albany anyway, but it is not going to come from them.

Trustee Quinlan: If it is not going to come from them, then except for someone like me who might be philosophically against more taxation ...

Mayor Swiderski: There are a lot of people like you, Jerry.

Trustee Quinlan: I wish there were. Why are our taxes so high then?

Mayor Swiderski: There are a lot of people like you, and there is a governor in Albany who has points to make and he may decide this is the way to make his points. I am not an expert on politics up there. What has happened in the last couple of years has confounded a lot of people in the sense that things seem to have gotten unstuck, and are moving. But I have no ability to predict how any one piece of legislation will pass. I just know that there is a sense that this sort of bill will face resistance. On the other hand, it will not come from the parties affected.

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

WHEREAS, Bill No. A08804 has been introduced in the New York State Assembly to amend the tax law, in relation to authorizing the town of Greenburgh to adopt a local law to impose a hotel/motel occupancy tax for hotels not located in a village; and authorizing specified villages in the towns of Greenburgh and Mount Pleasant to adopt local laws to impose a hotel/motel occupancy tax in such villages, and

WHEREAS, during these difficult economic times, municipalities need additional non-property tax sources of revenue to fund the basic services to keep their communities safe and properly serviced, and

WHEREAS, this legislation will assist the town of Greenburgh and its villages and the Village of Sleepy Hollow in the town of Mt. Pleasant to fund necessary services, and

WHEREAS, after discussion with the hospitality industry, the bill has been revised to require that the municipality levying the tax set aside one-sixth of the taxes collected to promote economic development and tourism within the respective municipality, and

WHEREAS, the Village of Hastings-on-Hudson will benefit from economic development and an increase in tourism in the area and may benefit from increased revenues in the future if hotel/motel development occurs in Hastings, and

WHEREAS, under the Municipal Home Rule Law, the enactment of such special law requires the support of the involved villages, now therefore be it

RESOLVED: that the Mayor and Board of Trustees of the Village of Hastings-on-Hudson adopt a Municipal Home Rule Request asking the enactment of Assembly Bill No. A08804 to amend the tax law regarding a hotel/motel occupancy tax.

Trustee Armacost: I am abstaining. Do I have to say? Can I not abstain?

Village Attorney Stecich: The truth is you are not supposed to abstain.

Trustee Quinlan: It has happened before.

Village Attorney Stecich: I know, but there have been some articles about it that you are not supposed to. Sometimes you have to because of a conflict of interest or something like that, but other than that you are generally not supposed to. You are supposed to vote. But nothing can happen to you if you do not.

Trustee Armacost: Am I allowed to abstain? What I want to do is abstain. If I am not allowed to, then I will vote.

Village Attorney Stecich: It was about a year ago that this issue came up. It came up in a context where it was going to make a difference whether something passed or not. I remember I had to research it at the time, and that was way back. It said that you are not supposed to abstain. But, in truth, people do.

Mayor Swiderski: In the meanwhile, can Trustee Armacost do so and that article be shared after this meeting so we know the rules moving forward, and we can proceed with the vote?

Village Attorney Stecich: Yes, because it is not going to make a difference. It is a bigger deal if it would make a difference. I will try to find the file.

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

15:12 AWARD OF BID – LAWN MAINTENANCE AND WATERING CONTRACT

Village Manager Frobel: The specifications were prepared and the bids were opened on February 10. This is for a three-year contract for the maintenance of the property owned by the Village. We were able to attract three very qualified bidders. Their prices were very close, which indicates to me an understanding of the work and the fact that it is a fair price. We are recommending it be awarded to the low bidder. I had an opportunity to meet with the bidder yesterday, and I have checked a reference and the staff checked several references. The references are outstanding, and we are recommending tonight that it be awarded to the company as indicated in the resolution.

It is a savings over our current price. We have been very well served by Ryan & Ryan Landscaping for the past six years. They have done a very good job for us. They were one of the bidders but I see no reason not to award it to the low bidder.

Trustee Quinlan: And the difference from the bids?

Village Manager Frobel: About \$700 a year.

Trustee Quinlan: By giving the bid to Michael Bellantoni of North White Plains we saved \$2,100 over three years; \$700 a year?

Village Manager Frobel: Yes, \$700 a year.

Trustee Quinlan: I do not mean to be the fly in the ointment, but Ryan & Ryan are local. They have been doing a good job for six years. Although this does save \$700 a year, that is

not a lot of money considering that we have had great experience with people who participate in the community in a lot more ways than just doing our lawn maintenance. We know their work. We know when we can reach them, they will come down and do what they have to do. They do extra work, as I understand, over the past six years, that sometimes they do not charge us for. Sometimes you get what you pay for. I am satisfied with their work, and I do not think it is worthwhile to change for \$700 a year to someone who we do not know.

Despite the fact that you have interviewed them, Fran, and you have seen their references, it has been my experience in hiring people over the last 20 years that sometimes I have done very well and sometimes I have made terrible mistakes, and those were usually based on interviews and references. Somebody looks great and you hire them, and they turn out to be crummy. So I would rather give the bid to who we know, local people who have done a good job for six years, and pay the extra \$700.

Mayor Swiderski: What is our flexibility in a bidding process for selecting one over another?

Village Attorney Stecich: If it is more than \$10,000 a year, it is subject to open bidding, and you have to take the lowest responsible bidder. I am assuming that all the bids were for the exact same services.

Village Manager Frobel: They were. I share Jerry's concern, obviously. I have been very pleased with Ryan & Ryan. There is another local bidder in between Ryan & Ryan and the low bidder, which is also a local firm, Vulpone. They provided this service for the Village when I arrived here over six years ago. And they, too, provided an excellent service. So I was torn here. I share the bias. I would like to have a local for the reasons you enumerated. Ryan & Ryan are readily available, they have provided work for us at no cost. In my conversation with Sean Ryan, I said I wish you could quantify that for us. He was not able to but, as Marianne points out, these are the rules that we operated under.

Trustee Quinlan: If we have no choice, why are we even voting? Are you not wasting my time?

Mayor Swiderski: You have got to authorize the contract.

Trustee Armacost: Why can he not provide a value for that? Either you provide the services, and you can identify what those services were and there is a value that can be assigned. Because then you are not comparing apples and apples. You are comparing apples and oranges, and that is not a fair process.

Village Manager Frobel: There is a bid document. All parties read it. All parties attended, as I understand, the pre-bid tour. The low bidder certainly did. This is the document they are bidding on. Ryan & Ryan has done work for us in the past outside of the contract, but I do not have a value to place on that. It would not be fair to the other bidder to compare that into this equation.

Trustee Armacost: Then you have to follow the procurement guidelines. The Village needs to work hard to make sure that if there are services which are being provided which are not being compensated for, that that is somehow acknowledged; there is a value associated with that. That needs to be made part of a bid so that you are in a situation where you are comparing similar things. But given that that did not happen, you have to follow the procurement guidelines. Otherwise, you run into liability issues of other kinds.

Trustee Jennings: I have a question about the flexibility or the discretionary authority in terms of those procurement guidelines. Is there a justification for the choice of someone other than the lowest bidder if, as a matter of public policy, we want to support local Hastings businesses, or we need to have the provider be readily available from time to time, and that that is something that geography determines and therefore we should pick the nearer rather than the further-away provider. Does that wash with the law?

Village Attorney Stecich: Just because they are local, that would not wash. You would have to have a reason why it is important the person or the company be local, and you stated that in your second example. But if that was a requirement of your contract, and it may well be, then you would have to say in the bid document that the person has to be available to be here within one-half hour. You would make that part of your specs that the person has to have the capability of being here within half an hour of when they are called, or whatever is the advantage you would get from the person living close. If it is part of your specs, and this person cannot meet it, then either they would not bid or when you followed up on their references you find out it takes them a long time to get there and then you could reject them as not a responsible bidder. This procurement policy, by the way, is not governed by Village policy. This is state law. In recent years, I have seen frequently it does not work to the municipality's benefit. I do not know anything about this firm. It may be great. But there are times when villages have to take the lowest bidder because they are the lowest bidder, when somebody else might do a better job.

Trustee Jennings: An example of not having home rule.

Village Attorney Stecich: When it was first enabled the law made a lot of sense because bidders were going to favorites, and you were not necessarily getting the lowest price, but the law has got some down sides.

Village Manager Frobel: This type of work really does not lend itself to urgency in the sense of public safety. It is not like snow removal. Also, there is a provision for cancellation for nonperformance. We will know if they are not measuring up to the standards that we have come to expect with our previous contractors.

Trustee Quinlan: We do not have any choice. Why are we even sitting here voting on it?

Village Attorney Stecich: You have to approve the money.

Trustee Quinlan: But I do not get it.

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

RESOLVED: the Mayor and Board of Trustees award the bid for Lawn Maintenance and Watering to Michael Bellantoni, Inc., North White Plains, New York, for a three (3) year period, Mar. 1, 2012 to Dec. 31, 2015, in the amount of \$65,300.00 per year, to be paid from the General Fund.

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

16:12 AUTHORIZATION OF JOINT APPLICATION WITH DOBBS FERRY FOR LOCAL GOVERNMENT EFFICIENCY GRANT

Village Manager Frobel: I have briefed the Board periodically on how this has been moving forward. Most recently, the staff met with Dobbs and we began to rough out this application. We are near ready to submit it. The deadline is March 21. We will have it in by then. If awarded, we will prepare an RFP looking for certain management consulting services to help us through this process.

We think it has some great advantages. Both towns realize that there is probably a better way to do business in terms of providing DPW services, and there is a host of options that we expect the consultant will lay out in terms of moving forward, if funded. There is \$4 million available state-wide. It will be competitive, but we think we can prepare a good application and entice the state to award it. There is a whole host of things we can look at, from certain sections of the DPW to sanitation to possibly subcontracting some of our services, maybe looking towards the private sector to provide some of this work.

Mayor Swiderski: This comes out of a commitment several years ago to start with examination of the consolidation of facilities at the Dobbs Ferry site near Lawrence Street, a substantial site where, in theory, with some building we could be accommodated. The state requires a full examination, including of services. The original intent was simply facilities. I cannot imagine it would start with anything other than that initially, but that is partly what the study is set to determine. We physically visited this site a couple times, and have agreed with Dobbs Ferry that this is a sensible first step to examine these options.

Trustee Walker: Fran, do you know what the criteria are for awarding of these grants? It seems like this is one of these situations where we are highly competitive with other municipalities. But if there were more applications than there is grant money, how are they going to choose and what can we do to sweeten our grant proposal?

Village Manager Frobel: The resolution was drafted in a particular way by the grant consultant. It is her opinion that by strongly showing the community's commitment to following through with the work it is going to go a long way. The fact that we have met actively in pursuit of this will lend credence to the fact that we are committed. Under previous rounds, the state had modified the rules. The rules were such that if you were funded and the report was prepared and you rejected the proposal, you were obligated to restore or would not be eligible for the grant itself. That has been dropped. But the state is looking for a strong commitment to follow through on the recommendations; if not in their entirety, certainly as part of it.

Trustee Walker: So meetings, letters. You are providing a lot of background information on everything that we have been doing with Dobbs Ferry.

Village Manager Frobel: We did. And also, they needed a lot of financial information. She began a pre-preparation for consolidation in terms of looking at manpower, equipment, the budget, level of services. A lot of work had to go in even to get us to this point in adding the credence to the application itself.

Trustee Walker: Are we paying for this service?

Village Manager Frobel: The work is being shared by the two communities.

Trustee Walker: It is not contingent upon getting the grant. So we are paying here.

Village Manager Frobel: Yes.

Trustee Walker: But some of the work is useful in moving forward that she is doing now.

Village Manager Frobel: Definitely. Some of the work we are doing now will be useful to the consultants, if we are ultimately funded, as a beginning point for their research.

Trustee Armacost: Has she got a good track record in terms of winning grants?

Village Manager Frobel: Dobbs Ferry believes so. They have been very satisfied with her work. I cannot talk specifically about what grants she has been successful in securing, but they have been pleased with her work.

Mayor Swiderski: This addresses a couple of issues. It addresses thinking about our long-term financial sustainability. It also indirectly speaks to the larger discussion about the waterfront. One of the major aspects of this move is consolidating our facilities away from the waterfront. Arguably, our DPW has the best view in the metropolitan New York region, and that entire area should be considered part of the waterfront and part of our thinking about it. It is highlighted in the Comprehensive Plan as an area that should be considered as part of the waterfront planning, and this factors into that.

Trustee Walker: Which has economic development potential for the Village, as well, so it is not just a savings in services and facilities. It is the potential of developing Village-owned property.

Mayor Swiderski: And Dobbs Ferry, from their perspective, has a gold-plated facility that went dramatically over budget. They welcomed leveraging that facility. There are lots of wins here.

Trustee Jennings: Also it will improve our waste management practices and systems, recycling and composting and the like, because we will have the larger base of a larger department, and better facilities at our disposal.

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

WHEREAS, the Villages of Hastings-on-Hudson and Dobbs Ferry are concerned about municipal expenses and the growth in property taxes over the last decade; and

WHEREAS, the two Villages believe there are benefits to be achieved through shared-services and desire to undertake a study of a possible consolidation of their respective Departments of Public Works to analyze potential sustainable financial savings and operational efficiencies in the delivery of public works services to the residents of both villages; and

WHEREAS, the Villages require a feasibility study to identify and analyze all consolidation alternatives including a full functional consolidation, the extent of the potential savings, the possibilities for shared or combined service deliveries, and the taxpayer impacts under each; and

WHEREAS, the New York State Department of State is currently accepting applications for Local Government Efficiency grants that provide up to \$25,000 for each local government involved in a planning project; and

WHEREAS, such a grant will require the applicants to provide matching funds equal to 10% of the total project (study) cost.

WHEREAS, it is contemplated the two Villages will share equally in said matching funds, now therefore be it

RESOLVED: that the Board of Trustees of the Village of Hastings-on-Hudson supports and authorizes the filing of an application to the New York State Department of State, Division of Local Government Services for a Local Government Efficiency Grant in an amount not to exceed \$50,000, and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to the Villages of Hastings and Dobbs

Ferry for a feasibility study of the consolidation of Public Works services.

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

VILLAGE MANAGER'S REPORT

Village Manager Frobel: The Sugar Pond shelter design group received four proposals for reconstruction or re-modification to that. They have invited all the architects who have offered proposals to meet with them on March 7. From there they will be coming to make a recommendation of one firm to take the lead at looking at how we can turn that facility into an outdoor classroom, if you will.

Also, the quarry park design committee is going to be meeting tomorrow night with Matthew Nielson, the company that has taken the lead in preparing some pre-design for the quarry park. Meg and I will be meeting with the team, and we will be reporting back to you as to some of the preliminary design work, or cost estimates, that they have developed.

Trustee Walker: Regarding the Sugar Pond hut, this is a preliminary design. It is not the construction documents for reconstruction of the hut. But it is the first step toward that. The school district got a \$3,500 grant from the Hastings Education Foundation, so the Village's recreation department is partnering the school system in this. The architect that will be hired is doing the creative part, thinking it all through without moving it into construction documents. I wanted to point that out because money is going to have to be sought after this step in order to get it designed and built.

Trustee Jennings: Would you foresee, beyond this initial grant and the initial work, the continuing involvement of financial support of the school district?

Village Manager Frobel: I would hope so. I would expect so. Their plan was to have an outdoor classroom, or at least part of it. I would hope it would be an ongoing effort.

Trustee Walker: It is both storage for recreational equipment and use for a warming hut for ice skating and other activities that the recreation department would like to do there. And

then, literally, a classroom where a teacher from Hillside School could bring his or her class there and have an indoor-outdoor experience there.

Trustee Armacost: My question related to the note that you sent us relating to the other grants. I wondered whether there was anything to say.

Village Manager Frobel: We are certainly disappointed. CDBG has always been our principal grant that we received. Susan has had conversation with staff at the county level to determine what happened. I think it comes down to competitive grants, others proposals.

Village Clerk Maggiotto: The simple answer is too many applications, too few resources. They just did not have the money to give out. The reality is they do not have anything at all. The whole process has been pretty much stopped by the housing issue, the court case. There are even questions whether the CDBG program is going to continue as a viable program. So it is kind of a moot point. However, we still have to push forward. We were advised that we could ask for a reconsideration for any year of granting, which we might do for the steps. The informal comment on the park was that they did not think that the money that we had requested was sufficient to make any significant changes in the park. It is so tiny, we thought if we asked for a small amount of money that would be in our favor, but it did not work that way. But I believe we could push harder on those commuter steps.

Village Manager Frobel: We will send follow-up letter for the second year. There was also a comment on the commuter steps, as I understood, Susan, that perhaps it did not address a low-mod requirement as heavily as others. Part of the requirement is that the grant specifically addresses low-mod income persons. Their field observation was that it seemed to be used heavily during the rush hour by the community at large. So that did not score as well as we might have hoped, for that reason. So a disappointment. But again, we will take that appeal and try for the second-year funding. But as Susan mentioned, some of this is tied up in the funding with that court case and whether or not HUD will release money for distribution.

Trustee Walker: So there is actually no money available in the first year? Nobody is getting a grant..

Village Clerk Maggiotto: Well, we lost in the recommendations of the planning department. The planning department does not yet have the money to distribute that comes from the federal government. So if and when the money comes, we would not get it.

Trustee Armacost: Oh, so we did lose. Irrespective of whether the money is there.

BOARD DISCUSSION AND COMMENTS

1. Proposed Remedial Action Plan (PRAP) – Comments

Trustee Quinlan: Dick Brownell, our paid consultant from Malcolm Pirnie, and I discussed the PRAP. These are the comments that we would like to make to the DEC regarding the PRAP. There will be other comments from BP/ARCO and Riverkeeper. I would like to know from the Board whether you agree with these comments. One is the sanitary process with the sewers. We would like an investigation as to the significant source of contaminations they may have. Both of us think there is a very good chance that they are significantly compromised by contamination, and not only that but by age.

The second one is not easy to do, but it is easy to make a comment. Hopefully, the DEC and the Village and Riverkeeper and BP/ARCO will work together, to an extent, to get the railroad approval to move out some of the contaminated soil by railroad. The third is pretty common sense. We think we need strict standards for the soils that they bring in. We would like them as clean as possible. I understand from speaking to the engineers that a more sandy soil will be less inclined to be washed away in storms and will help anchor whatever you are going to put into the soil. Some people are suggesting that some of the soil that we take out of the river be used as fill, depending on how clean it is. We want to make sure that the stricter standards are used for the clean soil that is going to be brought in.

The last one is about armoring. We are talking about the size of the rocks that we are going to put in if a sloped alternative is decided on other portions than the northwest corner. It is Dick's opinion, and mine also, that if you use larger rocks like the ones in Irvington you will have less storm damage. They require less maintenance and have a lower risk of soil losses becoming significant. If you use smaller rocks, and have a softer shoreline with less armoring, it may be compatible with the state's interest in creating estuary habitats, which is important, but you run the risk of having more of it wash away during storms. It is harder to maintain.

Mayor Swiderski: As a co-conspirator on all these discussions, I want to say that the Village was involved, including Dick Brownell, in this process from the very beginning. The outcome was neither a particular surprise, nor does it reflect an absence of our input to date. It is, in fact, representational of what we have been saying for years. We did not know what the exact remedy was going to be until they came out with it, but it was not a surprise. Our comments do not run telephone-book in size because in many ways our comments have been incorporated to date.

With that said, I have no issue with any of those. I tend to err, and does Dick and you, on a preference for armoring over estuaries. I worry about storm events, I worry about climate change and its impact on storm events. I do not feel like creating a pretty estuary and then seeing our waterfront wash away when the next hurricane comes barreling up the Hudson. So as far as I am concerned, the bigger and stronger the better the armoring.

Trustee Quinlan: The question came up about what exactly does the consent decree indicate about the type of fill; what are they going to do? The DEC wants two feet, and the consent decree says five feet. That is going to be up for discussion, and is going to end up maybe going back to the courts. My view, and the state and BP/ARCO know it, is we need the five feet of clean fill brought in after the contamination is removed. From my reading of the consent decree, that is almost over the entire site. There was some discussion last time we talked about how much that would be. But it seems to me that any soil that is removed, which is going to be pretty much over the entire site, is going to have to be filled with five feet of fill. That five feet will consist of six inches at the bottom of the five feet of almost a cement cap of six inches. Then there will be four feet of clean fill. But as Jim Metzger said at the last meeting, and he was correct, it is going to be more of a rubble. It is hard to describe it, but it cannot be anything more. It can be rocks and things like that that can be more than three inches thick, three inches long, something like this. That is going to be four feet, and sand and things like that. And then the last six inches are going to be clean dirt. That is what the consent decree says.

That is all going to be subject to change because the DEC is talking about two feet of clean fill. The DEC was not a party to the consent decree, nor are they bound by it to any degree. What we are concerned about, as a village, and what I hope the Board is concerned about is making it as clean as possible. Two feet does not seem enough. And if you are going to have five feet, it should be as clean as possible, because there are going to be things happening there that no one can control in terms of plantings and diggings and kids doing whatever they do and adults doing whatever they do. It is going to go a lot more than two feet down. They have a plastic covering below two feet. That seems, to me, not adequate.

Trustee Jennings: I remember the considerations that we went through at the time of the federal lawsuit and the consent decree from the federal court. It is my recollection that what the DEC is now talking about in terms of the remediation plan is no surprise, because their standard back in the early 2000s was also snow fence and however much, 18 inches or whatever the depth was. We deliberately shaped our demands, on the settlement which BP eventually agreed to, in opposition to the state's standard. Now, you say, I think, correctly, that the state is not governed by this federal court decision. But BP is, I think.

I want to be flexible and make this go forward, but I am not much in favor of going back to the federal court and easing the requirements that we achieved at that time just because the DEC feels that much less requirements are all they want to call for. I think maybe BP is going to be under two sets of goals and procedures here, those laid down by the state, ultimately, but then there are still going to be the additional requirements that have nothing to do with the state, but they have everything to do with that federal court. If I am thinking about this in the wrong way, please correct me.

Trustee Quinlan: No, you and Peter are thinking about it in the correct way. BP knows what our position is. They are not saying anything about it because, obviously, on one end they would like to do less. It would be less expensive to put two feet in a plastic barrier than five feet in cement. But they know what they are bound by, and they know how we feel. I am sure Riverkeeper is probably going to feel the same way we do because they agreed to it, too, at that time.

Trustee Jennings: I remember that it requires all our agreement if there is going to be a change.

Trustee Quinlan: I did not want to get into that too much today because that is really in the future. But I wanted to explain something that I did not know the answer to at the last meeting. It does not have to anything with the comments. The comments are just make the fill, whatever it is, as clean as possible. I do not want to get into that discussion tonight. That will be a discussion that you guys can have over the next four, five, six years. But I wanted to clarify what exactly was required by the consent decree as opposed to the PRAP.

Trustee Walker: I feel strongly that we should be enforcing that five foot decision, and I am not sure at what point, but what is that five feet going to consist of besides being clean; how much topsoil, what do we need. I think we would need a landscape architect to help us determine what we need in terms of planting trees and putting in some topography. We can get into that in more detail, but I would like, if we all agree, that five feet is important. It does not have to be in the PRAP. The consent decree will supersede it.

The second comment I had was about the long-term monitoring and maintenance of the pumps that they are going to be installed in the northwest corner. I am not sure how long they are going to continue to pump out PCBs, but that is going to be right in the center. Well, I do not know where it is going to be, but we are hoping that that is going to be a park. And here is some kind of building or a number of buildings, I do not know what it is going to look like, that are going to be enclosing this equipment.

Trustee Quinlan: You are talking about the intermediate remedial measures (IRMs), right? The pumps.

Trustee Walker: Right. And I think it would be nice if the PRAP addressed that long term because the Village is going to be saddled with the IRMs, but we are going to have a park there so how do we integrate these IRMs into a park? About the armor, is there a hybrid version? It would be environmentally important to have some areas close to the river's edge that would have potential for habitat: plantings, whether it is trees or wetland grasses or whatever, but something that could attract birds and wildlife. I understand the concern about the storms eroding the shoreline, but can we have our cake and eat it, too? I understand this is in place of a bulkhead, so it has got to be as stable as a bulkhead in supporting the land and keeping the edge from eroding. But at the same time, is there not a way to plant it? Maybe we cannot get into that now in the PRAP, but I do not think we should close the door on that.

Trustee Armacost: It seems reasonable to me. The one thing that I have asked about a bunch of times is where the two feet meets the five feet. It seems that is going to look very peculiar if the two feet decision cannot be moved up.

Mayor Swiderski: The two feet is on the Exxon property. You will have, in the current configuration, an odd slope.

Trustee Armacost: It will look weird.

Trustee Walker: It will not look weird. These kinds of things can be massaged by landscape architects in grading and so on. It probably will not look that odd.

Trustee Armacost: But it is very odd to think half of the place, or whatever, three-quarters, is X percentage safer than the other place. When the mothers have to say, Well, children, you cannot play in this section.

Mayor Swiderski: No, that is not true. Because the Exxon third ...

Trustee Armacost: Is less filthy.

Mayor Swiderski: Good way to put it. The contaminants there are largely volatile chemicals, and it is not the same issue. It will be a far cleaner property compared to the northern third, which will have permanently within it far nastier stuff. The volatiles eventually bake away. In the northern third there will be things there long after our bones have gone to dust.

Trustee Walker: But then the south end is going to be more vulnerable to flooding potentially.

Trustee Walker: More vulnerable than the BP property. So that is a big difference.

Mayor Swiderski: Three feet is three feet.

Trustee Walker: I do not know. The PRAP cannot solve that one.

Ellen Hendrickx, 136 Circle Drive: When the contaminated soil is removed, how far does that lower the height of the waterfront area? One foot, two feet, six inches? Do we know?

Mayor Swiderski: It is not removed equally across the site. There are specific areas that will go down as far as 12 feet. In other areas, there will be no removal whatsoever. So when they talk about a five foot cap they are talking about a five foot cap from the current elevation, not from digging down 12 feet and then starting from there.

Ms. Hendrickx: Five feet from the highest point of the current elevation, in effect?

Mayor Swiderski: That is a good question because it is y not an entirely flat property. There are several feet difference. I think it is supposed to be five feet at any given point. It is five feet of fill. It does not specify. It is like a blanket being laid down over the property.

Ms. Hendrickx: I wanted to make sure that there was not a differential so that the end result, if it ends up being two feet, it is really six inches or a foot, because flooding is an issue.

Trustee Jennings: Do you know what they are planning to do under the existing concrete slabs of the buildings that have been removed? Suppose there is a hotspot three or four or five or six or seven feet underneath one of those floors. Are they planning to chop all that stuff up and then look down, or are they just going to ignore whatever is underneath there?

Trustee Quinlan: My understanding is, if there is a hotspot, they are going to break up the cement and go after it. The problem is, and I hate to bring this up, there are numerous hotspots under Building 52.

Mayor Swiderski: Though there were some statements made at that meeting that excavation would not occur near 52.

Trustee Jennings: Can they go sideways to get this stuff out?

Trustee Quinlan: I do not know.

Trustee Walker: They have sometimes said in the past that those concrete slabs serve as a cap, as a barrier.

Trustee Quinlan: A lot of this is going to come out in the design phase. Although this is significant progress, it is the very beginning of how. It is the beginning of the end, but it is the beginning because they are going to have to decide so many questions like the ones you brought up, Bruce, in the design phase of how are they going to get at this stuff, whether it is worthwhile to go after it or leave it capped.

Trustee Quinlan: I have some guidance on these comments. Do you think we should edit this at all, or just send it in?

Trustee Jennings: A little editing, because there are a couple of incomplete sentences.

Trustee Quinlan: I was thinking about making it short and sweet. For example, under one: evaluate and, as appropriate, remediate sanitary/process sewers on the site. And for another example to make it short and sweet: evaluate the use of adjacent railroads thoroughly, and use it to the extent reasonable. I have been working on it while we have been talking. Three is more difficult. We have to figure out how to make that clearer. And four would be, again, simple: where a sloped shoreline will be employed, because we do not know where it is going to be employed yet, heavy armoring will provide better protection. Three, we have to fool around with. It is not quite clear how that would be worded.

Trustee Walker: What about the comments we made tonight?

Trustee Quinlan: The only real thing we talked about is the estuary habitat. I knew that was going to be a problem.

Trustee Walker: And the IRMs.

Trustee Quinlan: My understanding with the IRMs is, as long as they are able to get those PCBs out of the soil, there is going to be a series of small sheds that are going to be off-limits to everybody. They are going to pump it out, and it is going to be taken out in barrels by BP/ARCO for as long as it takes.

Trustee Walker: Maybe we make them into art projects. I was concerned, also, with the safety.

Trustee Armacost: But I do not think that needs to go in the memo. I think you have authority, Jerry, to edit the memo.

Mayor Swiderski: That is a design issue.

2. Conduct of Future Village Elections

Village Clerk Maggiotto: I wanted to talk about future Village elections, how they are going to be conducted. Last year there was some difficulty in the Village obtaining the electronic voting machines from the county. Emergency legislation was passed by the state that allowed villages to use the lever machines for two years. This is the second year we will be using them, for the last time, on the March 20 elections.

After this year we have to make a decision on how to proceed. We had a meeting with the county election commissioners. We have two choices. We can rent the electronic machines in the future from them and pay all the associated costs. Or we can simply turn over the conduct of the elections to the county. The county commissioners are strongly urging that we turn over the elections to them. They would like control of all elections. They feel it is more efficient and more economical for the taxpayer. Why should we be taxing people twice, in effect? They already have the cost built in to their budgets to run elections. They do it for some villages.

Mayor Swiderski: At what cost? Do they charge you for it?

Village Clerk Maggiotto: No, they have not. Cost was a big issue, what future costs might be. The two commissioners told us that they could almost guarantee that there would be no charge-back to the villages for the county's conducting of their elections. They have each talked to their respective county legislators. They do not think that there is any movement towards charging the villages. They would like to see an increase in their budget to accommodate the extra work that this might entail, although it is not a great deal. We are only talking about 12 villages that would be added to their load. But they did encourage us that if we want to do this we should urge our county legislators to be favorable to this budget increase for them.

I did think about what changes, in effect, would be here. All the paperwork would be handled through the county. The Village Clerk would have a very minimal role here except for all the housekeeping stuff that they ask me to do anyway for the other elections. They would hire and pay all the election inspectors. They might make us return to eight election districts. A number of years ago we changed to one for Village elections. That could just be

a technical thing. We might still be allowed to have voting in one place. A machine can be programmed to record any of eight districts. But they might require that the voting be counted district by district because that is the way they do it.

The major change that I see is that the Board of Trustees would not be able to certify the election the night of the election. We would have unofficial results, reading off of those electronic machines, but we would not have access to write-ins or to absentee ballots. In some cases, rarely, they could determine the outcome of the election. Generally, you will know what the results of the election are that night, but you will have to have a subsequent meeting to certify. That would require getting the official results from the Board of Elections. There is a slight conflict here with village law because we have to certify within either 24 or 48 hours. They are saying that we are not operating under village law any longer if we turn the election over to them. So the certification could be whenever. Possibly, you could certify a week later, or the next night, depending on how it works out.

Trustee Armacost: Could we modify village law?

Village Clerk Maggiotto: No, this is New York State law. Somehow, some accommodation would have to be made. It is a cost issue. What they were holding over our heads, because they really want to take over elections, was apportioning the costs. If you do not want us to do it, then we are going to figure out what it is going to cost and we are going to charge you accordingly. They threw out numbers like \$30,000 or \$40,000, once they figure in their programming, pro rate the use of the machines, and so on. Whatever, there may be some costs. There certainly are costs for printing the paper ballots alone. There is one vendor who prints these ballots. That alone is more than my budget for running the whole election.

This is what I would like to know from you tonight. Do you have any concerns about the county running our village elections? If so, maybe you could think about it and we could address them. Or, at this point, would you be inclined to move along? It requires a resolution from the Board of Trustees six months in advance of the next election, so it would have to be done sometime in the summer, or we could do it sooner.

Mayor Swiderski: Do you have concerns?

Village Clerk Maggiotto: No.

Mayor Swiderski: Other than the certification issue, is there anything that invokes an eye roll that they tend to do things one way and it will be received poorly here?

Village Clerk Maggiotto: I do not think the voter would know the difference.

Trustee Armacost: Can you quantify the amount we would save?

Village Clerk Maggiotto: We have a budget this year of about \$3,000 for running the elections. There would be no cost, simply no cost.

Trustee Armacost: And did you not raise at some point, I do not know if it was related to this or if it was independent, that we would need to change the dates of our elections?

Village Clerk Maggiotto: No.

Trustee Armacost: That was not related to this?

Village Clerk Maggiotto: Not at all. They will run the election in March, as we do it. Some villages have changed to November, but that is purely a policy decision on the part of the village and you would certainly not need to do that.

Trustee Walker: Why does the county want to run them so badly?

Village Clerk Maggiotto: They have serious concern about control of their machines, their property. That is part of it. Part of it is interfacing with the villages. You have 12 villages coming to them with different needs and requirements. They have to accommodate us, but I think they see it as being a much simpler process if it is standardized.

Trustee Walker: Because we would be going to them anyway to get the voting machines.

Village Clerk Maggiotto: Yes, they are the only game in town. We would have to obtain the machines from them.

Mayor Swiderski: And we would have to pay a rental fee, probably greatly in excess of the \$3,000 we have gotten by annually.

Village Clerk Maggiotto: Yes. The rental fee, the money to print the ballots, the money to pay the inspectors, the legal notices. Some villages already have the county running their March elections, and they all report no problems. Irvington, I believe, does it. It seems to have worked well.

Village Attorney Stecich: Recently Irvington had to have a referendum because they enacted a law that would allow certain games of chance, and they were able to work that out pretty simply with the county.

Village Clerk Maggiotto: That is the other thing. I have never run an election with a referendum, and I hope I do not have to because I never have done it and it is quite complicated. It requires experience. Again, it is efficiency.

Trustee Quinlan: I think it is a good idea.

Mayor Swiderski: I think it is a good idea.

Trustee Jennings: I think it is a good idea, too. In terms of the selection of the people who work the books, that is part of our current \$3,000 budget, I assume. We have a process for selecting them. If that was turned over to the county, would they still hire people from Hastings?

Village Clerk Maggiotto: Inspectors have to be certified on the new machines, so they have to go through county training anyway. They have their list of trained inspectors, and they would choose the Hastings people.

Trustee Jennings: I do see some value in knowing the people who are sitting at the table.

Trustee Armacost: So we get revenue, and no jobs are lost.

Mayor Swiderski: The emotional satisfaction of certifying an election on the night has never been worth \$3,000 to me.

Village Clerk Maggiotto: Or possibly more. That was the part that concerned me the most, that our expenses could go up and we would have no control over it. Now we have to speak to our county legislator to convey the idea that we would like to proceed with this and we feel it is a good expenditure in the budget. We will take it to the next step.

Ms. Hendrickx: What is the objection to changing our elections to November if the county is going to run it anyway?

Mayor Swiderski: Historically, the argument is always, in these villages, that the March elections are engaged in by people who know who is on the ballot, who are engaged enough to care to vote, and that the votes cast are not accidental byproducts of voting tickets that might happen in a fall election, but rather an engaged citizenry who has a chance to focus on local issues because they punch through the noise of a November election and people are able to listen.

That has been the dominant argument; one, personally, that I have bought into. There is almost no chance in a town as heavily Democratic as us that an insurgent candidate would ever win in a November campaign. As a Democrat that should satisfy me just fine. But the fact is that in a March election there is a chance of that because that individual could make enough of an effort to garner the votes to win. That seems to be another compelling reason to consider keeping it that way. Does anyone have a different feeling here? We are all Democrats, so we would all benefit by a November election. But I like the potential of the threat. It keeps it just marginally more honest.

3. Other

Ms. Hendrickx: Tomorrow night Legislator Harckham is moderating a fair and affordable forum in Bedford Hills with a number of experts. If anyone wants to know anything about fair and affordable housing it might be worthwhile to attend.

Trustee Armacost: We have received a huge outpouring of applicants, all well qualified and impressive, for the waterfront infrastructure committee. We thank all of those people who have applied; we are going to make a decision shortly.

Mayor Swiderski: I am embarrassed to put the actual numbers out there. Twenty-nine résumés came in by the punch clock time period, and another three beyond that. That is phenomenal. It is a moving tribute to a village that wants to be engaged. The quality of the résumés, and what I found exciting was there was a large number of new résumés, meaning people we have not seen active in a public sphere coming out of nowhere and eminently and incredibly qualified in some cases. We have an embarrassment of riches. The heartfelt cover letters, in many cases, were literally moving

Trustee Armacost: People from different walks of life, all of which are relevant; each relevant to the decisions that need to be made.

Mayor Swiderski: Friday, March 2 we return to Friday Night Live madness. I will turn this over to Meg.

Trustee Walker: This is the first one of the year, kicking off Friday Night Live with global sounds. The sounds are moderately going to be African. The Village is partnering with the Purple Crayon, we are happy to say. Another partner is going to be the Rainwater Grill, so we will have three venues with music beginning with a family program, particularly geared towards kids and interactive drumming and trying out different African instruments from 6 to 7 p.m. at the Community Center. Then the focus will shift to the Purple Crayon with a Malian band. This is pure coincidence that I just came back from Mali. I can speak with

experience now of having heard a lot of Malian music over the last couple of weeks. It is just extraordinary. We have a suggested donation of \$10. We are not excluding families there, but we are encouraging families to come to the Community Center and then move on to the Purple Crayon after they get to play with the drums and so on here. Then we will move to the Rainwater Grill at 9 p.m. with more entertainment. We want to thank Green Mountain Energy for sponsoring this event. They will have a table here. I wanted to thank Adel Hinawi from the Purple Crayon for putting this together. If it is a nice night, Rainwater is going to set up outside with a grill and we are going to have some music outside, as well.

EXECUTIVE SESSION

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

ADJOURNMENT

On MOTION of Trustee Jennings, SECONDED by Trustee Walker with a voice vote of all in favor, Mayor Swiderski adjourned the Regular Meeting at 9:50 p.m.