

VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
REGULAR MEETING
MARCH 20, 2012

A Regular Meeting was held by the Board of Trustees on Tuesday, March 20, 2012 at 7:50 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

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

ABSENT: Trustee Meg Walker

CITIZENS: Four (4).

Mayor Swiderski: Trustee Walker is away on personal business, and this marks the last time that Trustee Quinlan will be seated here.

On MOTION of Trustee Quinlan, SECONDED by Trustee Armacost with a voice vote of all in favor, the Minutes of the Regular Meeting of February 28, 2012 were approved as presented.

On MOTION of Trustee Quinlan, SECONDED by Trustee Armacost with a voice vote of all in favor, the Minutes of the Regular Meeting of March 6, 2012 were approved as presented.

APPROVAL OF WARRANTS

On MOTION of Trustee Quinlan, SECONDED by Trustee Armacost with a voice vote of all in favor, the following Warrant was approved:

Multi-Fund No. 59-2011-12 \$233,164.14

PUBLIC COMMENTS

Jim Metzger, 429 Warburton Avenue: It is the end of a short era, but a fruitful era. I wanted to thank Trustee Quinlan. I had the honor of working on his campaign for the three terms that he sat before the Board. The work that has been done on the waterfront would possibly not have happened if it was not for Trustee Quinlan. He leaves a legacy that the future trustee, which we will find out about tonight, will have large shoes to fill. I cannot begin to thank him enough for his service. It has been an honor to work for you, and to watch you work for us. So thank you for that.

On a slightly uglier subject, I have been approached by a number of people in my neighborhood and I was going to come before you with this anyway. We have an issue with dogs in our neighborhood and people not cleaning up after their dogs. The situation tends to ebb and flow depending upon who is in the neighborhood, who is getting dogs, who is not getting dogs. It is becoming a serious problem. There was a time when people would indiscreetly let their dogs go on the grass. Now it is the middle of the sidewalk and, as I see it, it is a failure of the citizens that own these dogs. If people would do the right thing for their neighbors they would clean up after their dogs but, clearly, they do not.

It becomes a continuing program. One person lets it go, and the next person says, well, I do not have to clean up, clearly they do not enforce that around here. So that problem tends to expand exponentially. We need undercover enforcement because a police officer, in uniform, everybody is going to clean up. I know finding the manpower for that is a problem. But it is a \$100 fine. It is more money that if you get caught parking on the wrong side. There may be some small income for the Village to enforce this law. Once people realize that they are being observed they will tend to be more careful.

If that does not work, I do not know how we get the DPW to clean up but this is part of a quality of life issue in the Village. The same way a street sweeper comes by to make sure our roads are clean, we need to have some way of dealing with this. The situation is becoming somewhat intolerable. More people are now generating small businesses in our mixed use zone on Warburton Avenue and that is going to be a detriment to people who are coming to and from those businesses. It is something we need to address.

The other thin is somewhat in the future. The Warburton Avenue bridge is going to be re-paved. The Village is talking about putting parking meters on that bridge. I assume there is going to be public hearings on that, and I ask the Village to reconsider that thought. There are issues getting people to park in lots right next to the stores where they are going. I believe it is going to be an issue getting people to park on the bridge and walk a block. I recognize there are a lot of commuters that park there during the day. But if they are not able to park on the bridge, they are going to park further up on Warburton Avenue in an area that is already heavily congested. I ask you to consider the quality of our lives versus whatever revenue may be coming into the Village, and to consider not doing the parking meters on the bridge. I am not sure that they would benefit either one of us.

Mayor Swiderski: While I completely second your thoughts about Jerry's service, technically he is ours until the beginning of the next meeting and I am going to save my good-byes until then.

Tim Downey, 520 Farragut Parkway: I would like to thank Manager Frobel for the excellent job regarding the debt presentation. Not only does it help the residents better understand our current dilemmas, but it also lets the Mayor and the Trustees and the Village Manager speak from a position of greater strength when they have to deny people who come looking for funds. They can reference back: did you not hear the problem we are in? It saves people time by having this review so you do not have to make it a part-time job to ferret this information out. It was right there, and it was an excellent job.

Given the winter we just went through, perhaps we consider an option for cleanup day along the lines of what Jim was speaking of. I undertook some projects around the Village cleaning up this winter, and it is a great deal easier to do it in the wintertime before the foliage comes out, where you have to be more concerned getting in contact with ticks; just the ability to see and fetch some material out, you are not fighting the foliage. It makes it quicker, safer and easier, and it also easier than in May or whenever it traditionally is where they may have conflicts with their children doing activities of baseball, soccer, whatever the case may be. There may be an opportunity, if it is nice weather in the winter, let us get some exercise. Maybe in the future we will do it in February or March.

Capital equipment costs, and issues coming up in the future. I appreciated the time put into discussion of the capital expenditures with DPW equipment. This is a serious issue, something I have been poking around on for a number of years, and it is nice to see it is finally coming to the level of attention that it well deserves. We got to this place because we did not prioritize some of our expenditures. These are vital services to the Village. I would like to offer my experience and expertise in this area to be brought into the discussion. I may see things from a different vantage point than perhaps you folks up there who do not use this type equipment. The DPW has one perspective, but private industry does it from a different vantage point. An example would be Trustee Armacost asking could we purchase this equipment used. She may be thinking those boys just want to have nice new toys. I do not mean that like that, but sometimes that is the feeling. From an outside person's perspective, depending on the task and usage, definitely no because you are just buying somebody else's problem. There is a reason why that used piece of equipment is on the market. Based upon how you are going to use that equipment, it pays to buy brand-new so you can get those warranties. An example would be the dump truck, which I often see parked in front of the recreation department. That vehicle there mostly just moves bodies around to and fro. A 6-wheeled vehicle, getting 6 to 7 miles per gallon, just to move a body, maybe we ought to think of our equipment more strategically for what we are going to purchase. Particularly if there is a merger with Dobbs Ferry, that conversation might be important.

In the cover letter for the budget there was a concern about fuel. and how that item is going to have to be left flexible because we do not know where those costs are going. I would

suggest one way we could hedge right now and start on Monday is to do what Yonkers did and do what Paul Feiner has done. For Village vehicles, use a benchmark when gas goes above \$3.65 a gallon or something and then we have to make changes in how vehicles are used. The vehicles get penned here, and they are used during Village use only and not the personal use that we have heard they are showing up in Brooklyn and Lake George showing up. That entitlement is a cloak raised to the people who have that opportunity with a vehicle, and that is not one of those items that was discussed when we have that hollowed-out meeting in the Village in August. Many people with that vehicle, repairs, maintenance, insurance and so forth may be a fairly good portion of their discretionary or non-discretionary income, yet that is a direct income offset for those people who have that available to them. That is something to consider in the future.

Finally, blacktop. I spent a good deal of time this winter speaking with people in the blacktop industry and got an expanded education on that. I have disagreed with our practice of flipping the calendar and saying now we are going to spend 200 to 300 grand in resurfacing roads, when we should be looking at what has happened to our roads each and every year. This winter, being a very mild winter, we did not have destruction. So we should think differently: can we get away this year with patch and repair. Trustee Armacost mentioned how nicely the patch and repair was done on Mt. Hope. With the right contractor, the right equipment, the right budget: \$50,000 or \$70,000, we could mend a lot of roads instead of milling up what are essentially good roads. If we do it early enough, we keep those holes this big instead of car-killers.

The last item is plan B for the DPW. We are looking for funds to do the investigation into merging with Dobbs Ferry. You mentioned the value of the DPW building and how it relates to the waterfront. If Dobbs Ferry does not come through, we get a good offer or something starts to evolve on the waterfront, what is our plan B for our DPW? Again, I go back to what I have said for three or four years now: here is the quarry site. We are talking about quarry parks and quarry trails and funds. We also hear we are going to have another park at the waterfront. We are strapped for money. We do not need to expand more parks. That is a discretionary, silly item. I know this industry better than you in terms of what it costs to maintain it. We cannot afford to be treating insignificantly that cost increase. We look at other areas and say we cannot afford that thousand or two thousand. But then we are willing to toss away here, and we are going to get a beautiful park by the waterfront.

I would like to thank Trustee Quinlan for the great work he has done. Sometimes we differ in views, but I respect and appreciate him as a resident, somebody who has given his time. The waterfront would not have reached the levels of hopefulness that they have without his great efforts. I thank you for that.

John Gonder, 153 James Street: I also would thank Jeremiah Quinlan for his service, and I thank him that he has worked very hard on the BP property. And I hope he has a good golf game next Thursday. He really deserves it.

Mayor Swiderski: Jerry's service *on* the Board will stop next meeting. Jerry's service *to* the Board will not stop. He has agreed to continue in a capacity that we will come up with an appropriate title for, but something down the line of Board's representative on the waterfront and continue carrying on pushing that process forward. It is a wealth of experience and knowledge, trusted by all the players and the community. He will have a hard time prying my fingers from around his arm in holding to that task.

17:12 AUTHORIZATION TO SELL EXCESS VEHICLES

Village Manager Frobel: There are three vehicles the DPW believe should be declared surplus and allow us to sell them. The fourth one is a fire truck that the Chief has identified as surplus and one that he believes we should try to sell. Besides placing an ad in our local paper we are going to take advantage of a international auction service which Mike Gunther has identified has been successful in Dobbs Ferry and Scarsdale in disposing of their surplus equipment. We think the time is right for these pieces of apparatus to be sold and disposed of. The garbage truck was described to you as in terrible shape; the dump truck has been parked for a number of months and not been use. The 2000 Chevy van we may hold off for a while. That is the former senior van which at times has to go into service for us. The pumper was once the front-line pumper at Uniontown. It was converted to a rescue rig, and is now looking to be taken out of service completely.

Trustee Armacost: Are we going to dispose of these and not replace them?

Village Manager Frobel: The pumper has already been replaced, the Chevy van has been replaced. We are looking for a small dump truck for the DPW. Ultimately we are going to need to buy another garbage truck.

Trustee Armacost: You want to dispose of these before we go through the budget process?

Village Manager Frobel: They are not being used now. They are off-line. He cannot even use the garbage truck. It is in such poor condition it will not hold garbage; it falls through it. The dump truck has not been used for a number of months. So they are of no value to us now. They have got other spares that they have used to fill in, but even those spares are in poor shape.

Trustee Armacost: Is your idea that you will sell it so you will know what the revenue is before we decide on a budget? I am trying to work out the relationship between the sale and the budget process.

Village Manager Frobel: Yes. In the budget we have a line item for scrap metal and a line item for sale of minor equipment. For the scrap metal, we budgeted \$5,000. So far, we have received a little over \$3,000. It would help us make budget. For the fire truck we hope to realize quite a bit more than a few thousand. My hope is that the proceeds from the sale of that would go towards purchasing the radios the Fire Chief talked about at your last meeting.

Trustee Armacost: So this is budgeted for next year's budget, or for this past year's budget?

Village Manager Frobel: No, current year. This current year we budgeted, as I said, \$5,000 for scrap metal. We have not hit that yet, but it is this year's budget.

Trustee Armacost: So that would be additional income then.

Village Manager Frobel: That would be additional income, yes.

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

RESOLVED: that the Mayor and Board of Trustees declare the following as excess vehicles and authorize the Village Manager to sell same by public bid:

1994 Mack 25yd Rear Load Packer
1996 Chevy 2yd Dump
2000 Chevy Van
1981 Hahn Pumper

ROLL CALL VOTE

AYE

NAY

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

18:12 AUTHORIZATION TO RECEIVE BIDS - CHEMICAL CONTROLLERS FOR CHEMKA POOL

Village Manager Frobel: The Director of Parks and Recreation brought to my attention during our review of the capital budget the fact that the chemical controllers at the pool are aged. They were installed when the pool was last renovated in 2004, and then last year they were somewhat unreliable at times. They are a device that is critical in determining the proper amount of chlorine that is placed in all three pools. Now would be the time to replace them. If they were to fail in the summer it would be disruptive. And also, the timing was somewhat good in that we did very well on our revenues for our pool program this year. Although we are going to make a dramatic impact on our outstanding internal debt, we figure the cost of this is about \$15,000, and now would be the most advantageous time to purchase them, given the fact that our revenues far exceeded what we had planned on. So I supported the effort. Kendra has received three very good bids through an RFP process, but I feel we should bid it and see if we can do even better than what we received as a low bid estimate as to what it will cost.

Trustee Armacost: So that \$15,000 will stay within the separate pool fund.

Village Manager Frobel: Yes. Because they are a separate, stand-alone fund, the pool.

Trustee Armacost: Are you going to tell them your calculations?

Village Manager Frobel: As to what we realized? We realized about \$94,000 over estimated revenue. We can attribute that to Kendra's aggressive proposal in different programs that she has run, and the money we received through our 50 out-of-Village memberships. Our plan worked. We generated enough money to pay down 95 percent of the internal debt. Now we are at a point where we can afford to replace this equipment.

Trustee Armacost: So you realized \$94,000 which you did not expect to come in. The internal debt was at \$101,000. So if we did not have expenditures, the internal debt would be down to \$7,000. With this additional expense, this \$15,000, the internal debt would be up to \$23,000 if we do it this way, which seems very reasonable to me.

Trustee Jennings: If it holds true to form, we will retire that \$22,000 after next summer.

Village Manager Frobel: Yes. They have done some wonderful work up there. We will go over this in the budget process, but some of the programs they have developed have really taken off. They are very aggressive in attracting a wide variety of the community to participate in programs that are charged the citizens to attend.

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

RESOLVED: that the Mayor and Board of Trustees authorize the Village Manager to receive bids for the purchase and installation of chemical controllers at the Chemka Pool.

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

Village Manager Frobel: We will bid it, and we expect to come back quickly with the recommendation and have that installed before Memorial Day. Kendra indicates it should not be problem in supply or lining up a contractor and getting the Department of Health approval to approve the program.

Trustee Jennings: But \$15,000 is installed, right?

Village Manager Frobel: Yes, that is everything. That is material and labor.

19:12 WESTCHESTER COUNTY DEPARTMENT OF COMMUNITY MENTAL HEALTH UNIFIED SERVICES 2012/2016 AGREEMENT

Village Manager Frobel: This is our program that pays over 81 percent of our operating costs for our Youth Advocacy program. It is funded largely through the federal government and the state, passed through the county. Hastings has been recipient of this grant for a long time. The last time I was involved in it was in 2005. We have had an opportunity to review the contract. It is largely unchanged from the one that we executed five years ago, with the exception that it is an increase over the course of the last five years. We were expecting to receive \$743,400. This one, if everything works out OK, we expect to receive \$811,089. So a nice increase if it all materializes. I say that only because this year we did run into the snag where the state cut back their funding. But we anticipate receiving this, and this is what we will plan on our operations.

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 authorize the Village Manager to execute the Unified Services Agreement between the Village of Hastings-on-Hudson and the Westchester County Department of Community Mental Health for the period January 1, 2012 through December 31, 2016.

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

20:12 APPROVAL OF AMENDMENT TO COOPERATIVE AGREEMENT WITH NYCLASS

Village Manager Frobel: We have had a relationship with New York CLASS for a number of years. They have been existence for upwards of 20. It is a municipal cooperative investment pool. Susan tells me we have not used them as frequently because their interest rates have been very poor. But they seem to have shaken up their board of directors and they are reaching out again to former member communities with an amendment to the agreement. This is just one of several financial institutions that we turn to and determine whether it is wise to make our investments with them, given their rate of return.

Trustee Armacost: Have you examined other options?

Village Manager Frobel: We invest in a host of lending institutions. We are dictated as to how far we can go with our investments, but this is viewed as very safe and sanctioned by the state. Susan does our investments for us, so I did not know if she can add anything.

Village Clerk Maggiotto: There are not many opportunities for the Village. We are fortunate to earn interest on the accounts that have with our main bank, which is Hudson Valley Bank, and for the past year or two that is where the money has sat. They suggest that with this change they will now be offering interest rates again. The beauty of CLASS is that it was liquid, perfectly safe, and gave a decent rate of interest. It was not long ago we were earning 5 percent, 6 percent. Let us hope those days come back.

Trustee Armacost: What are we earning at the moment?

Village Clerk Maggiotto: Zero with CLASS, and that is why we took the money out. We have minimal deposits in all the accounts. But it is very easy because the money goes back and forth, which is an advantage when you are dealing with the small amounts of money we generally have available.

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

WHEREAS, the Village of Hastings-on-Hudson is currently a participant in the NYCLASS program, and

WHEREAS, the Village of Hastings-on-Hudson has been notified of an amendment to the Cooperative Agreement governing NYCLASS which reflects that the Village of Potsdam will become the new Lead Participant and provides for changes to the Investment Advisor from time to time as determined by the Governing Board of NYCLASS (the form of such Amendment which is attached hereto), and

WHEREAS, the Village Manager recommends that the Board of Trustees approve an Amendment to the Cooperative Liquid Assets Securities System Municipal Cooperation Agreement, in which certain terms are modified to reflect the change in the Lead Participant and Investment Advisor for the program, now therefore be it

RESOLVED: that the Mayor and Board of Trustees of the Village of Hastings-on-Hudson does hereby authorize the Village Manager to execute the amendment.

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

VILLAGE MANAGER'S REPORT

Village Manager Frobel: We began this week with our catchbasin cleaning program with the outside vendor that we use. As of this afternoon, upwards to 70 of the basins have been cleaned out. He will be working the rest of the week with our crews to help him. We have been focusing in those low-lying areas where there are some ponding problems. Our goal is to clean out most of the basins this year and get that accomplished, which is long overdue, getting those basins ready for heavy rains we may get in the spring.

Street sweeping was scheduled to begin early this week. I met last week with the contractor who was the low bid with Elmsford, Ardsley, and other communities. They will be starting Thursday. Our focus is going to be in the downtown area, and then going out into the outlying areas as part of a Village-wide cleanup. It is an experiment. We are trying with an outside vendor. We have modified our collective bargaining contract to give us that flexibility. I am very confident we will be pleased with the results.

Mayor Swiderski: And what is the frequency?

Village Manager Frobel: It is going to be on a per diem basis. We are going to try to go a little slow and careful, as it impacts the budget. But the principal focus will be in the downtown business district. That will be more frequent, probably twice a week. And then in the outlying areas maybe three or four times a year. They do not need the attention that the downtown does. You will notice that we have had a hard time. The last few weeks the downtown has been, in my opinion, dirty. We have not been able to get Dobbs Ferry's sweeper out here. They have had problems with their machine; our machine is not operational right now. I was hoping to get through the winter, and we have. Now we are going to begin in earnest to do a lot of sweeping of our streets and parking lots.

Our LED installation is moving along a little more slowly than we would have liked. Our focus has been replacing the more expensive incandescent lamps. According to Jim Sugrue, our lighting expert, in the older fixtures the wires have become brittle and dried out, so there is more work involved with wire replacement, but I told him to take his time. It is time well spent because once they are installed they are installed for quite a while and I do not want him to have to go back. But we are making good progress.

Finally, potholes. It has been a milder winter, but some of our roads have really taken a pounding. We began today with an outside contractor to help us saw-cut some sections of Ravensdale. We will be paving that tomorrow. We are going to be contacting the paving contractor who did our roads this past summer to give us some prices where we are going to

be doing some large patches rather than just filling potholes with the cold patch, which is what our crews have been doing over the winter, with not a great degree of satisfaction. Mt. Hope in particular has some terrible sections that are beyond just filling potholes. They have got to be cut and then done on a larger area. But as the speaker tonight indicated, we are getting away from milling of extensive areas. Rather, just having them pave it, roll it, and get it done properly rather than take down some of the subsurface. So we are making some changes in operations, and I hope you will be pleased with what you will see over the next several days.

I asked Susan to report to you on our tax lien sale. I asked her to give the Board a report as to how successful that was.

Village Clerk Maggiotto: Today the unpaid taxes were sold in a tax lien sale to seven bidders. We only had 33 properties that had taxes remaining unpaid. The total amount on all those liens was \$72,000. We sold all except \$547, which means that, for all practical purposes, we are at 100 percent collection on our liens. And even if we had not sold them, it is 0.007 percent unsold. So people in Hastings are paying their taxes.

Mayor Swiderski: Remind me of the process of how it happens.

Village Clerk Maggiotto: If a tax is unpaid it becomes a lien on the property as of the end of this month. Today we had the sale, and if they remain unpaid they get turned over to a third party. The party owns the tax lien on the property. What this means to the taxpayer is, when and if they want to pay that lien off they pay the third party. They continue to pay the one percent per month interest that the Village would have collected, but they also need to pay whatever fees the third party assesses them. It is more advantageous to pay the Village now than pay more later.

Mayor Swiderski: How are they bidding against each other for the liens?

Village Clerk Maggiotto: Practically speaking, they divide them up. Some of them have prior liens on the property, and so they give each other the courtesy of allowing them to continue to buy the same lien so they have a stronger interest in the property. They work it out among themselves. Some years, they have bid the interest rate down. This year that did not happen. They came to some agreement that they parceled them out.

I also wanted to mention that the Board of Assessment Review met last night. I gave you the spread sheet which shows all the complaints on real property taxes. The Board had to discuss and act on them, and the bottom line number of grievances they allowed was \$278,678, which is a lowering of your assessed values by that much. Another process is

coming up. If people wish to take it to the next level they can apply for small claims assessment review and have it lowered even further. As with other communities, we had a significant increase in the number of people grieving their taxes, and they were successful because of what is happening to the market.

BOARD DISCUSSION AND COMMENTS

1. Update on the Waterfront

Trustee Quinlan: In the future, what I plan to do, in the short term, is work on the southern portion of the waterfront. The BP/ARCO property is going to have a lull based on the time it is going to take the DEC to review and decide on what they are going to do to change the proposed PRAP regarding the comments that they have received from the different parties, including the Village. Today I reviewed the comments that were made by Riverkeeper, which were quite extensive and technical. On the Tappan Terminal site there have not been a lot of meetings and action and communication between the responsible parties, the DEC and the Village, so am going to attempt to shake that up and see what I can find out in the coming months. I am going to try to sit down with the responsible parties and their representatives to see how soon the cleanup is going to happen, and what their future plans are for that property now that the northern portion of the property is moving along.

I would like to turn it over to the Mayor to talk about the infrastructure committee.

Mayor Swiderski: We chose an infrastructure committee last meeting. It is a very strong committee. We have Douglas Alligood, Richard Bass, Jeffrey Gaspar, Lee Kinnally, Kerry Gould-Schmit, Guy Sliker, Brian Steinwurtzel and Ed Weinstein. Half of that committee, Mr. Weinstein, Mr. Kinnally, Mr. Bass and Mr. Alligood, have deep experience with the waterfront; a lot of mental energy spent on it, and bring a lot of institutional knowledge to that committee. The other half bring a fresh perspective. We have engineers, architects, planners, an attorney, and a developer. We have newcomers who are three years to the Village, and people who have been here their whole lives. It is a real mix in terms of communities represented within the Village, skill sets, and experience in dealing with these issues. We had 30 résumés, and it was an effort to bring it down to that number. Just about every one of them had a relevant qualification, so it was an abundance of appropriately skilled residents. I do not think I am betraying any trust from the executive committee to say we had a tough time to winnow it down to those eight. In fact, we had a tough time winnowing it down to the original seven, so we made it eight because we did not want to go any further. We felt everybody's skill set was worth keeping.

The next task is to kick off the process. Jerry will help that new committee by finding a date when they can meet and start the logistics of what it takes to set up a committee: helping them to choose a chair, understand their requirements under the sunshine law, understand what resources they have available to them, and the general timeline. This all falls under the general category of the charge of the committee, which is what is the committee going to do. BP is seeking from us an infrastructure plan that indicates where we see the roads, or road; the underground infrastructure, where the conduits and sewers go; and where the parks go. I have imagined it as a detailed map that outlines these things, and memoranda describing what uses in the park drive the shape of that park, and why the road winds the way it does.

That was the original thought around the charge. Meg spent quite a bit of time walking me through how communities go through this. She should know, she does this for a living. We have a huge resource up here on the Board who almost single-handedly could run this process. And she has. She did it in the year 2000 for the community when we were more flush with money for consultants. She helped to organize and run the series of workshops that envisioned what the waterfront might be.

Twelve years have come and gone. Those visions need to be revisited. Some of that work needs to transpire again because, as she very correctly put it, you cannot plan where a park goes if you do not know what that park is going to be used for. And specifically, the waterfront uses. Where is the kayaks' let-in going to be? Where will the ferry stop and disgorge people, if that is what we envision for the waterfront? Will there be a place where there is a pier that canoes can come up to? Is there an idea for a band shell, or some use that enjoys the river views? Whatever those are, we need to have the public discussion to queue up those requirements, and then the committee has to factor that in to a plan that is detailed enough to state where those things are, because they will materially affect, we hope, what BP will do in its remediation. Specifically, BP is not committed by the state, for example, on the exact outline of where there will be bulkhead along the shore versus a slope-in. And that may differ depending on what we want to do on the waterfront. So if we want the ferry to stop at the northern end, where the northwest corner will be built out, that will require a bulkhead of certain strength and at certain depth. BP would need to know that now as they begin their engineering work for planning the cleanup.

If this is where the ferry is going to stop, this is where the kayaks are going to go, this is where kids will go swimming, and I am really dreaming there, you can then begin to say this is where the paths will run, because logically, you have to tie those in to where roads are likely to be. That affects BP's planning. As they are laying fill, they can grade it and lay gravel instead of dirt rather than have us turn around and dig it up again. They are trying to engineer around our needs so they give us something that will require less money and effort on our end and they can incorporate at a relatively marginal expense.

The same thing for the roads. If we know a road is going to go somewhere, why lay down 18 inches of dirt? That is where you put what would be the road bed. This is why BP wants input from us, and that is why it makes sense for us to provide it. This saves us money down the road if the responsibility for the park construction is on us, or a developer less money. Whatever the case is, you think about it now rather than having to bulldoze up what was just laid down by BP during the remediation.

At the end of many hours spent with Meg talking about this, I realized that this effort is not just underground infrastructure. It is some very concrete thoughts about what that park is going to be for the Village, and there is going to be more than one pass at the public to get that input. We cannot afford, nor do we have the time, to do quite the same effort that was done 12 years ago. It is just the park that we are talking about, but there is going to have to be a public outreach component that is not nominal. It is not just a review of a plan after the fact. It is providing input before they begin the plan. So I modified these terms to reflect that input.

Meg was not sure how much BP is giving us at the end of this process. She had a vision that it is drop the keys into our hands and there will be a park there. We do not have that commitment from BP. We have got the commitment that they will lay the infrastructure to support our vision. So where the trees go, or what the treatments are for the sidewalks, or what the curbstones should look like we do not have to go that detailed. But we need to know how the parks will be used and where the key water features will be. That will drive the paths and the roads, which we also need to determine, as well.

The charge expanded from the version originally distributed to the Board for its review, and I did not feel comfortable turning it over to the new committee without input, because it is a more detailed charge than the first pass. I am trying to paraphrase what was several hours of Meg alternately scaring the daylights out of me with the amount of work involved and exciting me about the fact that we are now talking about real things instead of dream things on the horizon. I tried to distill it down to something that still could be managed in ten months' time, but it is an aggressive charge.

Trustee Quinlan: I am satisfied with it. It shows a lot of work by you and Trustee Walker, and I have no changes. It is comprehensive and general and specific enough to let them take it and run. The Mayor and I had a meeting with BP/ARCO last week and we asked the question about laying the infrastructure: is that going to be narrowly defined or generally defined, or how is that going to play itself out? They are going to take it back and, hopefully, give us an answer.

Trustee Jennings: I am in agreement and support of this version of the charge. It is very well thought out and very sensible. Adding to the committee's purview questions about the shoreline usage seems to make a lot of sense. I had thought of this as making recommendations for what BP would do in the excavation process, but now I now see that this committee will also enable us as a village to have input and make recommendations that in terms of the decisions that the state and BP will have to make in their technical details. They went through a long process of working out the technical details, such as the bulkhead construction, what kind of bulkhead, and where and so forth. With this expansion of the charge to the committee, we are going to weigh in even more directly on the kind of esplanade we want, the kind of bulkhead we want, the kind of uses we want the bulkhead to permit us to have. It is very important that the Village continue to have a strong voice and input in the entire planning process with the state and with BP, and not just infrastructure but a lot of things. We are already seeing that this is going to be an ongoing opportunity for the Village. We may not always get exactly what we want, but we should always have the voice. We should never sit back passively and just hope that the state will come up with what is good for the Village.

Trustee Armacost: I have no problems with the things that you have added, but the one thing that I had asked for is not to have decided already that the infrastructure would go underneath. I still think that one could read this and assume that that was the only option. We have heard from various members of the public that there are other options.

Mayor Swiderski: I will make that modification. I made it one place, but not in all places.

There is another issue, and we might as well cut to the chase for the elephant in the room. That is Building 52. Its presence or absence directly affects this planning, and its presence or absence is something the Board, over the course of this year, will have to determine. If that building is to be kept it is going to need to be mothballed. If it is not to be kept, then it needs to come down before the remediation because the site on which it sits is contaminated and would need to be partly excavated and cleaned if the building was not going to be there.

What we do not want to have happen is come to the end of the cleanup and the state has indicated that a slab is adequate protection, and realize that the building cannot remain and then literally have another mini-cleanup because the building comes down. The slab has to be torn at to get at the material underneath it. So this is going to be a busy year for the waterfront. We are going to have to figure out what happens to 52. And, unfortunately, this committee may have to come up with version A and B of the plan because I do not know if they will move fast enough for the committee to determine the prospects for that building.

Trustee Armacost: And there has to be a financing plan if it is going to be preserved.

Mayor Swiderski: And I need to share with the Board Doug Alligood's thoughts on how that is to be done. We have approximately \$1.5 million now left in BP money that was dedicated to mothballing, but more generally, Building 52. That money is not sitting in our bank account. It is a pool that BP draws down against when they have done their engineering studies, and if we are to mothball we would draw down against as well. The question is, can the building be mothballed adequately for \$1.5 million to hold it for eight years? The engineering output from the studies that BP has done has indicated that there are problems there enough so that the \$1.5 million will not even be close. Doug Alligood is of the opinion that some of the steps that need to be taken may not be required, and there could indeed be sufficient monies to mothball the building for eight years.

At this point in time, and I am going to stress those words "at this point in time," that \$1.5 million is not fungible, meaning if we decide to blow up the building, so to speak, we do not get that \$1.5 million for something else. But were it to become fungible, it would make the discussion more interesting. So we are going to be stepping through how to think about and deal with what to do with 52 over the next half-year. I do not know if it will happen fast enough to drive the infrastructure committee, but it is about time. We are at that point that if this building is going to come down it needs to come down before remediation begins because it will be a part of the remediation site, or it needs to stay up. It is time for us to figure out what we need to do.

Trustee Quinlan: Should the Board request then two different plans from the infrastructure committee?

Mayor Swiderski: I am afraid we are not going to have a choice. I do not know if we are going to move fast enough.

Trustee Quinlan: That is why I am asking. I am trying to make a list of some of the things I want them to consider. Should I put that on the list, or not?

Mayor Swiderski: I am afraid that that corner of the property, with the plan, is just different for that corner of the property; how the road goes, or not.

Trustee Quinlan: I happen to agree with you. The bottom line is it is a two acre building.

Mayor Swiderski: Two acres out of 28.

Trustee Quinlan: It is in a very important section of the 28 acres, to say the least. So I think there is going to have to be with and without because it is right there in the northeast corner, which is nearest the downtown, nearest the train station, nearest the bridge. And it is in a classic spot for whatever is going to be there, and where the public can easily reach it.

Mayor Swiderski: It is where the Comprehensive Plan, the LWRP, transit hub-oriented development, and smart growth all say you build near the transit hubs. So whatever happens to that building it will be a core structure for whatever happens to the waterfront, and a core location and possibly core structure. We do not have a choice.

Trustee Quinlan: You agree with me, and it is clear, that at least for that portion there will have to be two modification plans.

Mayor Swiderski: Right. The other two elephants, are the north and south bridges. The access issues for the site have always been acknowledged as enormously serious, and we have to sort out what Metro-North's plans are for the north bridge. There has always been discussion about building it up higher so the double-decker trains can flow under it. Also, the fate of the bridge in itself, whose ownership we are in the process of determining. We do not even know that. So the infrastructure committee works in an environment of some uncertainty. There are some issues here that are not entirely clear, but we do not have a choice. We will not delay movement on the waterfront waiting for certainty on these issues because it could be awhile. So there is going to be some shades of gray in this work, some assumptions that have to be made.

Trustee Armacost: Do we have a sense of the timing on resolving breakdown for the OSHA issue or the height increase of the bridge issue?

Mayor Swiderski: We are just beginning to look into that. We are just beginning the title search, and Jerry is going to be reaching out. But the Metro-North discussion is a critical one. They cannot replace that bridge while the remediation is under way and yet you do not want to finish remediation and then have Metro-North begin a five-year project.

Speaking of slabs, this site is covered with them. Those slabs are potential building sites if they choose to remain. But if BP chooses to leave them, if the state allows it, it forces the equation, because if a developer comes in, they cannot tear those slabs up without another mini-remediation occurring. So the fate of some of those slabs is part of the set of decisions that will have to unfold. It is going to be the year of the waterfront. Again, everything through the state has been dreaming. This is now engineering. Engineering is not the world of dreams. This is real, and I am very glad we have a strong waterfront committee, because we are going to need them.

Mr. Gonder: Did you ever get the stabilization, those logs that are supported? That information is really critical, is it not? It has been a long time obtaining it.

Mayor Swiderski: BP did not carry out the engineering study because it already spent a chunk of money on the building itself, already got a price tag that was substantially more than the amount of money they had set aside for us. Effectively, we are asking what do you want us to do here. Do you want us to look at the piles, do you want to make the decision based on what you have here? You are bringing up yet another element, which is the state of the piles underneath these slabs. Now, the slabs, almost universally, have not cracked. When 51 came down, the slab did not crack. These are solid structures built on firm footings. They are wood, by and large. But London Bridge stood for 600 years on wood pilings. Wood pilings can last a long time.

So we will pass this on. Maybe I will make a modification to mention a possible two plans to accommodate 52. I am going to distribute it out to the committee with a note indicating your role and that you will be reaching out to them.

Mr. Metzger: Regarding Building 52, were you saying you are going to ask the waterfront committee to look at the potential of two different solutions to that? Because that is what I would advocate for: trying to do adaptive reuse on that building.

Mayor Swiderski: Absolutely.

Mr. Metzger: You look at the Irvington waterfront. We all know the pluses of that. I also understand there may come a time when we say this is not feasible. But I would like to not put that cart before the horse before we have real answers to that. I am very excited about this. We have all been waiting. I have only been in the Village 13 years, but it has been an issue since the day I moved in. For a lot of people it has been an issue for decades. Unfortunately, this project is going to run like a lot of planning projects do: we spend decades discussing the possibility of it, and then we spend months trying to solve it. I believe the people you have put on this board are probably up to this task, and I encourage them to work hard and come up with a solution. I see February 28. Is that date cast in stone? Or if BP's schedule moves back, our schedule can move back?

Mayor Swiderski: Yes, though it is a volunteer committee that signed on to a limited scope. I hesitate to blow up their lives just because school got extended.

Mr. Metzger: I assume this is available for public comment.

Mayor Swiderski: It is going to be up.

Mr. Metzger: On the public meeting portion you say the committee will hold an initial public workshop to brainstorm uses, activities and destinations for the public spaces on the waterfront, essentially a program for the public spaces. The only word of caution that I have is the use of the word "uses." The LWRP spent many years trying to determine uses, and that became a huge point of contention. What I consider a viable use, you may not. That is where the idea of form-based planning came in the Comp Plan.

Mayor Swiderski: Park use.

Mr. Metzger: Fine. I just wanted to make that clear. That when we get together we are not talking about whether it is going to be a Ferris wheel or a go-kart track; it is going to be a public use that might involve active participation, that sort of thing. I am saying that is one potential. It may be the park has quiet areas and more active areas.

Mayor Swiderski: But there will be some explicit statements about where a dock is likely to be because that part will have to be armored.

The other thing I should stress is that this plan is not 28 acres. It is 42 acres. While we have not had the same consent decree signed with Exxon, nor the same discussions, it is pointless to talk about a road network or park that ends magically at this dividing line on the border with Exxon. So the plan will cover the property. Exxon is beginning the final planning for their remediation. We will be asking to meet with their project manager and engineer to see if this process can advise them in how they lay their gravel and fill. They will be doing the same thing six years earlier. They are going to be doing this probably next year.

Mr. Metzger: I would also suggest that not only are we looking at the north and south sites, but we are also looking east and west of the railroad tracks.

Mayor Swiderski: Not on this.

Mr. Metzger: Only in that if we are discussing those 800-pound elephants in the room, those 8,000-pound elephants, the access to potential bridges will most likely occur on one side of the railroad tracks. So that needs to be considered as a potential for how you get across the tracks. I am not suggesting we develop that entire process, but the access to the site will be developed on the east side of the tracks. That is what I am suggesting.

Mayor Swiderski: I agree. Any other thoughts on the topic? They have a job, do they not?

2. Other

Trustee Armacost: Susan and I were involved in this together. The Conservation Commission, Sustainable Hastings, and Groundwork Hudson have organized volunteers who have quietly been doing phenomenal work in bringing down vines in various places. A lot of work was done along Stanley Avenue and the Saw Mill River Parkway. People have gotten together on an ad hoc basis on Sunday afternoons for maybe two hours. All different ages have shown up. We had one little fellow who was four who came, and he spent his time picking up bits of rubbish and putting them in a big orange bag and was proud every time he put something in. Other people dragged vines away, other people cut vines. There were boys who thought they were Tarzan, swinging on the vines before they came down. It was a lot of fun, and it has done an amazing job in clearing a lot of vines. I want to encourage people to come out. This is exactly the season because, as Tim was mentioning, it is pre all the foliage coming out so you can get a lot done.

Mayor Swiderski: Are you rooting them out of the ground? Do they grow back?

Trustee Armacost: I am no expert. We all need to sit at the feet of Haven Colgate because she is amazing in terms of the gentleness and thoughtfulness with which she teaches all of us. The main activity is cutting the vines so they are not attached to the ground anymore. You can pull them down, or eventually they will fall down. But that is the thing that is strangling the trees. If we can pull them up from the roots we try to. The root system is very deep and complicated so it is hard to get everything up. But we tried to get as much as we could.

Mayor Swiderski: But they will come back at those tree sites.

Trustee Armacost: Eventually. But those vines have been there for many years. We are taking away a good 20 years' worth, I would say, of vines that have gradually crept up. And it is very satisfying to see. Haven also pointed out that there are some vines which are native which she would rather be kept, and some which are not. We were pretty much taking down whatever vines we could see. It was hard to separate. But the group is growing. At the moment we are focusing on Stanley Avenue, but I am sure we will move to other parts of the Village. And then the Village cleanup day is coming in April, near Earth Day.

Village Manager Frobel: Right, we try to have it around that time.

Trustee Quinlan: Are you thinking of expanding it to Hillside Woods? There are vines everywhere.

Trustee Armacost: People were asking Haven whether she gave them permission to do what she taught them in other places, like Hillside Woods. Haven, hopefully, had the authority to say yes.

Mayor Swiderski: Because she did.

Trustee Armacost: Because she did, exactly. So yes, certainly Hillside Woods needs it. And all of the land along the side of the highway, the extension of Stanley Avenue all the way down needs it, as well. And the entranceway into Hastings along Farragut needs it, when you look at the trees in there. What we are doing is helping protect trees from being killed and falling down, which is a hazard.

Mr. Downey: By cutting them low we can employ the deer, believe it or not. They like to browse on one vine in particular called porcelain vine. You will see this occur in the summertime, July and August. We are using them to benefit. This big, thick vine will regenerate and put out these small, young, tender shoots and they just keep clipping them down, hopefully, to not regenerate. The other tactic would be if you are a hiker or a dog walker and you enjoy going through the woods, you might consider buying a saw and a scabbard and keeping it with you. Make it a game, and walk through. You would be amazed, deep into the woods, some of the old vines, Chinese bittersweet, which sometimes is four inches in girth. You do not realize what damage they are doing until you look up and follow the trail. If you just hit those six vines in that major oak or London plane tree, you have done a big savings and it only takes a few seconds with a good saw while you are walking the dog or making it part of your hiking. We do not want a lot of bloody people coming out of the woods who have cut themselves with saws or loppers. But for those capable of doing it, it is a nice little idea.

Village Attorney Stecich: Are all vines bad?

Trustee Armacost: No, that is one of things Haven mentioned. For example, there is a wild honeysuckle that is local that until the honeysuckle comes out it is difficult to know that it is honeysuckle.

Village Attorney Stecich: So you have to have somebody who knows vines with you before you just go taking down vines.

Trustee Armacost: Well, exactly. She taught us which ones were which. But some, it is very obvious that they are a problem. Where they are strangling the tree it is pretty obvious. I wanted to thank that group and particularly Haven.

Mayor Swiderski: Any other Board discussion and comment? All right, well, let us get through the announcements. Then when Susan comes up with the official results we can read the last resolution for the night.

EXECUTIVE SESSION

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

Mayor Swiderski: Talk amongst yourselves until we get a vote here.

21:12 CERTIFICATION OF ELECTION RESULTS

Mayor Swiderski: Official election results are in for March 20, 2012. We have a total of 271 votes cast, two of which were absentee. We have a total of 236 cast for Niki, 226 cast for Marge Apel, and 260 cast for Joe DiSalvo, which were uncontested. There were no write-in votes, so we have ourselves two trustees and a judge.

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

RESOLVED: that the Mayor and Board of Trustees hereby accept the Election Results and that Nicola Armacost and Marjorie Apel are declared Trustees for a term of two (2) official years each and Joseph DiSalvo is declared Village Justice for a term of four (4) official years.

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

ADJOURNMENT

On MOTION of Trustee Quinlan, SECONDED by Trustee Armacost with a voice vote of all in favor, Mayor Swiderski adjourned the Regular Meeting at 9:25 p.m.