

VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
REGULAR MEETING
FEBRUARY 5, 2013

A Regular Meeting was held by the Board of Trustees on Tuesday, February 5, 2013 at 7:50 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

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

ABSENT: Trustee Meg Walker

CITIZENS: Eleven (11).

Mayor Swiderski: Trustee Walker is traveling on business.

APPOINTMENT

Mayor Swiderski: We have an appointment to the Board of Assessment Review, with Lee Kinnally to a five-year term expiring September 30, 2017.

APPROVAL OF MINUTES

Trustee Apel: The last page of the minutes, the Mayor speaks: "I do not want to feel like this is a 'raised' on the piggybank." I think he meant "raid."

Mayor Swiderski: Thank you for your diligence.

On MOTION of Trustee Apel, SECONDED by Trustee Jennings with a voice vote of all in favor, the Minutes of the Regular Meeting and Executive Session of January 22, 2013 were approved as amended.

APPROVAL OF WARRANTS

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

Multi-Fund No. 39-2012-13	\$ 52,120.67
Multi-Fund No. 38-2012-13	\$124,652.32

PUBLIC COMMENTS

Sue Smith, 645 Broadway: I would like to formally inform the Board and the community of an effort underway by the Historical Society and a small group of volunteers to establish Vietnam and Korean memorials in the community, or honor rolls I think it would be more formally called because we did not lose people in those two conflicts.

There has been interest in that because of the current Historical Society exhibit, Hastings Serves, and the response to that, and recognition that that is something that is missing in our community. We have one person is assembling the names of people from Hastings who served in both of those, and people who are motivated to do the necessary fund-raising, about \$10,000 for each of them, following an example from Irvington which has the list of the names in granite. The most obvious location is in front of the VFW near the World War II monument. That is Village property. The flagpole is part of the VFW, but the memorial is part of the Village.

So as we develop this proposal and find out if we can raise enough money to do it, I am open to all suggestions. We already have the World War I memorial down by the library, and World War II. So the Village has an axis of memorials. We would come back for a formal request for that to occur on your parkland. If we can get this going, and we are inclined to stick with it and try to make it happen, we are hoping it would be completed by Veterans' Day this fall, the 11th day of the 11th month at the 11th hour. Before the cold weather comes, it would be in place. The fund-raising would be the next few months into the summer. People seem motivated. We have had one gift from somebody who heard about this already, a substantial gift. It sounds like a lot of money, \$20,000 for the two of them, but I think it is a doable project.

Trustee Apel: Does that include the installation of support of the heavy stuff?

Ms. Smith: Yes, a base. It is a granite base that it sits on.

Mayor Swiderski: Terrific. I have no questions.

Trustee Armacost: It is going to be 100 percent private fund-raising?

Ms. Smith: I am happy to think of any other kind. I think we are open-minded. Anything is fair game.

Trustee Armacost: But you are not asking the Village for funding.

Ms. Smith: No, we are not in this. We would be happy to take a contribution, and all of you individually, of course.

Trustee Armacost: Right, so it is just private funding.

Ms. Smith: At least that is what is anticipated.

Mayor Swiderski: So the advisement of a project prepping us for a request for access to the land. It is definitely, I think, an appropriate use of public property. I do not think there will be any problem with that here. The particular siting we can work out at some other time.

Ms. Smith: We have approached the VFW about it and they are very supportive, glad not to have to do the work, but others have volunteered to do that. Fair enough.

Trustee Armacost: Are the other two memorials maintained by the Village or by the VFW?

Ms. Smith: I think the one at the library was redone under Neil's leadership by an Eagle Scout. That costs a lot of money.

Trustee Armacost: Meaning that the Eagle Scout revamped it or tidied it up.

Ms. Smith: Redid it, because it was falling apart.

John Gonder, 153 James Street: Repaired it and fixed names that were broken and stuff.

Trustee Jennings: I was wondering if the Hillside School, in connection with this project, was planning an educational program about the times, Hastings during the Korean War and so forth. Or is it simply going to be a monument?

Ms. Smith: We have not gotten that far in terms of what we could do to supplement that. The exhibit has got loads of information about the Korean and Vietnam Wars. Seeing people responding to it that has made us realize this is something that has not been and should be done in our community. But there may be some other kind of thing that we can do to supplement this to bring more attention to it. We are glad to keep that in mind.

Mr. Gonder: Several months ago, and maybe even a year ago, I asked the Board and specifically the Mayor about a priority list. They Mayor said it was the Comprehensive Plan. I thought that was a very good answer at the time. I noticed that we had a good start with Meg Walker's person from Bosnia that got this buffer zone going. It was late spring or early summer, and you put a delay because you did not want a hearing in the summer when people

were on vacation. But summer is gone, fall is gone, winter is half gone and this is most important for the community. This gentleman has something to do with issues in the MR-C zoning. Another woman had something in a couple of meetings for parking off Mt. Hope Boulevard. You spent a lot of time on that. It was important to her, but this is important to the whole community and you still have not scheduled a meeting. Do you know when you will?

Mayor Swiderski: No. The Comprehensive Plan has a rich number of suggestions and ideas that frankly overwhelmed us. We realized that if we did not prioritize our work in a sensible and structured way we would flail our way through that document and not attack it properly. So in the summer, we set up a group which is going through that document and prioritizing it. The results of that effort we will see in the first half of this year.

Trustee Armacost: Meg and I talked about this exact issue at an event we were at together. There were a number of issues encompassed in this buffer topic, and if we could narrow it down to the things we thought we might be able to expedite. Maybe if we could give that direction to the Comprehensive Plan group; a lot is embedded in there that is not quick stuff. But we had thought that maybe there was some stuff that was quicker that we could expedite. Both Meg and I felt it is important and it has a lot to do with the look and feel of the Village. It is a feel-good thing if you can fix some of those, particularly the gateways to the Village. So I agree with you that it is something that is a priority. We also suggested to the Comprehensive Plan group that they should prioritize. But if they can dissect this very meaty topic and raise to the surface those things that can be handled quicker, separate them out, that would be very useful to us and was our intention, and we will make Mr. Gonder happy.

Mr. Gonder: No, I do not think so. You would be better off having an open session, like a hearing, and let the community tell you what they think and then decide on it. It should be open to the entire community. When a woman from Bosnia spent a lot of time putting this document together, you are sort of pushing it off.

Mayor Swiderski: The Comprehensive Plan Committee runs open meetings, open to the community, and it is a fully transparent process. There is nothing being done in a back room.

Mr. Gonder: Yes. But you did say you were going to have a hearing. I think Trustee Apel said maybe we pick one at a time, and I was the one that said do it all at the same time.

Trustee Apel: You have the chairman of the committee here. I have been sitting in on these meetings, and this is not an easy process. Unless you have an overall plan, where you could figure out when you are going to do what, what is going to cost us money, we are just going

to be running around putting out fires. We know it is important, but we have to see it in the scheme of things. It may turn out that that is going to be the top of the pile, but we have to give the committee time go through all the topics. If Jim would like to say a few words he can tell you how many topics he has gone through and what he is doing.

Mr. Gonder: I am afraid you are going to end up like Dobbs Ferry, and have a big building at the crosswalks and something else over at Chauncey.

Trustee Apel: No, nothing is going to be done without community input.

Mr. Metzger: I am the chairman of the Comprehensive Plan implementation committee. We have reviewed four of the seven chapters in the Comp Plan. We started with the biggest one, large tracts, and moved into the waterfront which is a subchapter of that. We did the downtown at our last meeting, and we did circulation. This Thursday we will review the last three chapters, which are a little smaller in scope. We are hoping to find those few items we can put in front of the Board as part of the discussion for the budget process for this year. We have not made those decisions yet. Our long-term goal is to have a meeting before the community and present what we believe the priorities should be and open it to discussion. Marge has been in all but possibly one meeting and has been incredibly helpful. Unfortunately for Mr. Gonder it is not as simple as saying let us do everything together. We need to analyze the costs involved, the long-term ramifications for the Village. We are looking at all those issues and decide what is critical. Zoning overall, and then specific areas of zoning, are a fairly critical piece of the Comprehensive Plan. The question is how we identify it into components addressable by the Board in a realistic manner.

8:13 APPROVAL OF TAX CERTIORARI – TARRICONE, 15 HOLLY PLACE

Mayor Swiderski: What this translates into is a refund of Village taxes amounting to \$2,928.70.

Village Manager Frobel: You received a copy of the memo from the attorney handling the matter for the Village. The defense has been coordinated with both school district and the town, and the recommendation is for settlement.

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

WHEREAS, petitions having been filed by the property owner, below challenging real property tax assessments on the Village's assessment roll with respect to the following parcels:

Property Owner	Address Description	Year(s)
Tarricone, Deborah	15 Holly Place Sheet 12, Section 37 Block 718, Lot 28-33	2009- 2012

WHEREAS, petitioner's court challenge is now pending in Supreme Court Westchester County; and

WHEREAS, the Village and the property owner have reached a mutually agreeable resolution with regard to the assessments at issue in the Court challenges; now therefore be it

RESOLVED, Counsel to the Village Attorney is authorized to execute a settlement on behalf of the Village for assessments for no less than the following:

Years	Current AV	Reduced AV	AV Reduction
2009	17,000	13,900	3,100
2010	17,000	13,100	3,900
2011	17,000	14,100	2,900
2012	17,000	14,100	2,900

The refund of Village taxes amounts to \$2,928.70±.

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

9:13 APPOINTMENT OF ELECTION INSPECTORS

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 appoint the following Village Election Inspectors for General Village Election Day, Tuesday, March 19, 2013:

Democratic Inspectors: Barbara Lisio, John Russo, Elizabeth Waczek

Republican Inspectors: Jan Gustafson, Tim Hays, Veronica Wemer;

and be it further

RESOLVED: that compensation shall be \$225.00 each for five (5) inspectors and \$275.00 for one (1) captain.

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

10:13 CHANGE OF MEETING DATE

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

RESOLVED: that the Mayor and Board of Trustees change the Regular Meeting date of February 19, 2013 to February 12, 2013.

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

BOARD DISCUSSION AND COMMENTS

1. Green Building Code – Overview

Mayor Swiderski: We have received the draft green building code, modifications to our building code, reflecting a lot of work over a lot of time, that will have an impact on future development. This presentation will give us an overview.

Kerry-Jane King, Chair, Conservation Commission: The Conservation Commission has been working to put together a green building code, an amendment to the Village building code. It seeks to support the objectives of the Village's sustainable plan and to establish requirements for more sustainable and energy efficient building practices in the Village.

The code was put together by a group of resident architects and builders, most of whom are LEED-accredited professionals. Two of our main architects are here, Doug Alligood and Christina Griffin. They worked hard over a period of almost three years to put together. The draft was reviewed by the Planning Board and they provided us with many comments, most of which we have incorporated.

The Conservation Commission lead on this was Sharon Kivowitz. She assembled the working group and also coordinated the work. The code is pretty comprehensive, and it covers nonresidential buildings, commercial buildings, multi-family, housing developments, single-family and alterations and additions. It only applies to construction projects that require a building permit, and that is important to understand. Lots of small housing projects would not be affected by this code.

The reason we included alterations and additions is because 43 percent of building permits are for those types of projects in the Village so we would be missing a huge opportunity if we did not include them. The group has done a good job to identify measures that are cost-effective, that bring a real environment benefit and also are practical, measures that can be implemented with readily available materials and equipment. We estimate a cost of around a five percent increase over projects implemented under the existing code. We will be delving into that more in the work session, and both Doug and Christina will be providing examples of requirements and their costs and benefits. The code is somewhat flexible. We have some standard requirements, but we have also incorporated some options. Residents are required to seek a combination of options that add up to five points. Those options are not the type of thing you would necessarily consider in a regular building project, but they include interesting features like solar panels and other features that add a lot to the project and take us into the future in a direction that we should be going.

I wanted to recognize the great work of this group. Haven Colgate has also been very much involved in this project, and Deven has been with us all the way, and Trustee Jennings who has been at every meeting.

Mayor Swiderski: Any guidance you could provide us when we tackle the document in how to read it, how to think about it as we go through it.

Sharon Kivowitz, Chair Green Building Code working group: On February 27 we are having a work session. Christina is going to take us through a kitchen and townhouse remodel, and Doug will be taking us through a revisioning of the A&P lot. They are going to take you through what the code is going to require above and beyond what exists now, what the costs are going to be like, the availability of materials. I would not read it now with an idea that you are going to have some real world, concrete understanding on February 27.

Trustee Jennings: Early on we were advised, that rather than write a simple amendment saying you should comply with LEED requirements and Energy Star requirements, which would have been very simple, one piece of paper instead of 20 pages, instead to build certain specifications into the language of this document that you will be reading. Therefore, this document is somewhat technical and may make the eyelids heavy. But for important reasons this kind of thing needs to be in here. Marianne will second that. We consulted with her, too. This is not a document that is going to be used by the homeowner or the average citizen much at all. This is a document which will be utilized by professionals: the architects, the general contractor. They know what this means, they know how to read it. We have made an attempt to make it compatible with the kind of thing that architects are used to dealing with. To us laymen it is going to look pretty technical, but it has to be that way. I hope we on the Board do not get ourselves lost in the forest for the trees, that we try to get a general picture of how this is going to impact the ordinary homeowner in the next several years in Hastings, up to and including the waterfront itself.

Ms. Kivowitz: Just to say everything has to be LEED-certifiable or Energy Star did not work for us because we have our needs in this village and our own peculiarities. It came down to not rewriting the green construction that will be probably be enacted soon by the state. We thought about rewriting that for village. But we concluded that the best thing to do was to start from scratch, utilizing all these wonderful using LEED and the IGGC that is model language so it is very concrete and relevant for Hastings. I would also say it is cutting edge, it is pushing the envelope. But it is not radical. There is nothing in this code that is probably not going to be required fairly soon in New York State and elsewhere in the country. But we are definitely pushing the envelope, and I am not sure there are too many communities that have done quite what we have done.

Trustee Armacost: You said that you had tailored it to the Village in some way. If you can alert us to what you mean by that as you are going through the presentation that would be helpful for me. Kerry-Jane mentioned that you incorporated almost everything from the Planning Board, but that you did not incorporate some things. I would love to know what things you chose not to incorporate and why.

Trustee Jennings: There are different bodies and different sets of requirements and regulations that pertain to the built environment in Hastings: the Planning Board, the Zoning Board, Architectural Review Board and the Building Department. The amendments are only in the Building Department-building permit stream of the process that determines what kind of buildings get built and with what materials. It will not encroach upon, or change in any way, the responsibilities of the Planning Board and the site plan approval and the SEQRA and all the other things that the Planning Board does, and the enforcement of zoning. This will not change the zoning in any way. The Planning Board had a liaison with the committee that drafted this green code, and the Planning Board as a whole took a look at a penultimate draft of the document that the Trustees now have, and commented on that draft extensively. Extensive changes were made subsequent to their comments so we are grateful for the Planning Board's input. But this is not a question of altering the Planning Board's responsibilities and processes in any way. People who want to build something have to jump through a number of hoops in this village. This is one of them, but this does not take away any of the others. They have to jump through all of them

Trustee Apel: It was very comprehensive. I have to admit going around in circles figuring out who is in and who is out, who is exempt and who is not. I am a visual learner, so I would more like to see diagrams.

Ms. Kivowitz: If you are required to have a building permit you are in, either part one or part two, or two or three. Depending on the size of the alteration or addition, I think under 1,000 square feet, then you are not required to get the extra points. But otherwise, you are in if you are required to have a building permit.

Trustee Apel: Because otherwise, they have a whole bunch of exceptions here.

Ms. Kivowitz: That accepts you into the other one. Yes, it is a complicated, silly way of writing code. But that was the best way we could come up with to write it.

Trustee Apel: Well, at least it was in English. Very well done, thank you.

Mayor Swiderski: Thank you. And now back to regular scheduled programming.

VILLAGE MANAGER'S REPORT – Budget Development Presentation

Village Manager Frobel: In an effort to present the development of the operating budget for the next fiscal year, the staff and I prepared a series of slides that might aid in a clearer understanding of the fiscal forecast, and stress the constraints that we are working under.

The first report is the assessor's report. We received the tentative roll late last week. It is up, according to our assessor. He has placed our projected tentative roll at \$41,570,301, a slight increase of about \$120,000, or 0.29 percent. Certainly good news. The assessments would have been that much higher, but the small claims assessment review process resulted in losses. Most recently, we refunded about \$28,000 in property taxes as a result of that review. We fully expect assessments will be again lowered after the Board of Assessment Review meets in a few weeks. They will be rendering their decision in mid-March, and we will have our final roll in early April. In 2012, 146 grievances were filed and it resulted in an assessed value loss of \$275,954. If those trends continue we will lose all of the growth we have realized in 2012, plus some. So in all likelihood, when this budget reaches you I will be assuming a lower assessment available to us to levy the taxes upon.

Next is one of the critical slides in this entire presentation. We operate now under the two percent property tax levy cap law. Last year was the first year we worked with that, and we will be subject to it again this year. Last year, we had a permitted levy, or the amount we could have imposed on the taxpayer, of \$9,981,579. That would have been a full two percent levy. The budget you adopted required a levy of less than that: \$9,914,061 or 1.31 percent. That means there is an available tax cap reserve of about \$67,518. If a community does not impose the full levy you can roll forward that capacity to the next year's budget. You can only do that one time. It does not keep building up year after year, but you can roll it over for that fiscal year up to 1.5 percent. So you have got some reserve tax cap capacity.

In the budget we are working on now we figure our maximum tax cap levy will be \$10,112,342. That would be the full two percent available to you. To that amount you could add, if you chose to, your tax cap reserve, that \$67,518 that I referred to, giving you a total permitted fiscal year tax cap of \$10,179,860. If everything holds equal, and we have not yet looked at our revenues, our operation costs, all our revenue right down to the penny, we could probably raise an additional \$265,799 in taxes. This is all not what I am calling speculation. It is stronger than that. But in conversation with the comptroller's office as recently as last Thursday, they have not come out with a directive yet. They have not come out with the template which Hastings and these other communities have to use to plug in our numbers. The comptroller's office will tell us if these numbers are correct. So it is a footnote to this exercise that I have gone through here, realizing that it could change. I do not think it will change dramatically. I do not see how I can be that far off. But having said

that, the state does have the final say. They apologize, but they have not yet developed a template which is pre-populated with data. One of the factors is the growth in your assessed values, and I do not know what that number might be. So just keep that in mind. But these are very good guidelines to tell you where we are 45 days in advance of receiving the budget

I wanted to highlight some of the key cost factors. These cost represent probably 80 percent of your operations. When you look at your pensions, health care, wages and debt, of this expenditure pie it comprises almost 80 percent. One of the major cost factors for next year will be the cost we are required to pay into our pension system. I am not reading all the numbers to you. I have not had a chance to look it over. But we have been told to plan on an increase to the police pension in the amount of \$112,334, or about a 24.5 percent increase. On the municipal side, we have been told by the state to plan on a 15.2 percent increase in your pension cost, of a \$71,260 contribution. The largest increase will be what I expect we will need to contribute into our volunteer fire length of service award program pension. I have kept the Board apprised of this ongoing challenge to the methodology in which volunteers can acquire points. If that comes to pass, and if we agree that we only address going forward the changes to the plan, it will require an increased contribution of \$66,105.

Trustee Armacost: What percentage is that, Fran?

Village Manager Frobel: A 42 percent increase. You need to understand that that is only one-half of the equation. That probably reflects it optimistically. It reflects an optimistic approach to the settlement of that matter.

Trustee Armacost: So that was a change from the last version you gave us by about \$26,000, the increase from the version you gave us on Friday. The version on Friday had \$40,000 and this version has \$66,000.

Village Manager Frobel: Yes. I received, late Friday, an e-mail from the insurance company that provides the volunteer fire program to us for our men and women, with the projection of a 42 percent rate increase if you are willing to settle this matter in the manner that is being talked about.

Trustee Armacost: So when are we going to talk about that?

Village Manager Frobel: Marianne and I need to talk, in advance of the budget, with the Board to go over the documents we have already supplied with a written explanation. But we need to sit down and discuss that matter before the budget is released.

Trustee Armacost: In a public meeting?

Village Manager Frobel: No, because it involves litigation.

Moving on to health insurance, in January of this year we experienced a 7.9 increase, pretty much on target with what we were told to anticipate. January of next year, because this budget does not follow the calendar year, we expect anywhere from a 9 to 12 percent estimated increase in health care coverage, resulting in a \$62,000 additional contribution.

Wages. Our police contract expires in a few months, as does our DPW contract. I do not have any idea what that settlement would be. Our professional administrators, as you are aware, have not received an increase in four of the last five budget cycles. There has been a proposal to modify state law governing arbitrators' decisions for police contract awards. Some more details are coming out. In all likelihood, we would be in the category of distressed municipality. According to the mayors' group, it appears that a high percentage of communities would qualify under that standard so we would be subject to the change. And that change would be two percent. An arbitrator would be restricted to award a combined program, including wages, fringe benefits not to exceed two percent. So good news on two accounts. In all likelihood, we would be subject to that law if it passes. And two, there would be a cap of two percent not just on wages, but on all the entire package.

This is our debt chart. It remains very level for next year, about a \$1,373,168 payment. On utilities, I only highlight the fire hydrants. We have been told, from the New York Power Authority, to expect stable rates for the next 12 months. Con Ed is anticipating an increase for the delivery charge of 7 or 8 percent. But at least the cost of electricity will be stable or going down, which is a break. Fire hydrants continue to be, as I think all of us feel, an outrage. This is 9 percent, the fourth of the four-year deal where we fought the water company. We see an opportunity to modify state law and to have the cost for the hydrant rental folded into the cost to purchase water. It would be shared among all users of the water and not just unique to municipalities. We provide fire hydrant protection for a number of businesses, operations in the Village that do not pay property tax. It seems unfair to have that burden shouldered entirely by the municipality. We hope to see the law change, but we cannot count on that happening over the next 18 to 24 months.

Trustee Armacost: But is there a process?

Village Manager Frobel: Our collaborative has stuck together. We meet in the city manager's office in New Rochelle. We are continuing this effort. I think you will see something soon asking you to support the introduction of legislation to spread that cost of hydrant rental to all ratepayers.

Sales tax, we got the February report which covers the period ending through the holidays. It was down from the same reporting period a year ago. November, which was the report prior to that, was a slight increase. So we do not see much of a boost there. We had hoped the holiday season was going to see some increase, but it did not materialize. Mortgage tax has remained pretty constant, although it is up a little, but not enough really to speak about.

Our reserve fund remains at 5.6 percent, certainly in the right direction. We are going to guard against dipping into that to make this budget balance. That is going to become increasingly important. The state comptroller's office came out with its report in which all municipalities will now be subject to certain standards. We are going to be measured to determine our degree of fiscal stress. It is part of their effort to monitor municipalities to make certain that we are staying healthy and no one faces bankruptcy or something worse. But we will all be subject to this review. And one of the nice standards is your reserve fund and the intent to continue to build that up, which has been your philosophy.

Trustee Jennings: We used the word "stress" now in two different contexts. I am wondering if they are the same. Are we going to shoot ourselves in the foot in terms of the arbitrator if we build our reserve up so we are un-stressed?

Village Manager Frobel: No, and I do not know what basis the Conference of Mayors believes that a high percentage of villages would qualify under that definition. But they seem confident, and I really do not know what all those factors will be. It must have to do with assessed values and your ability to pay, and the fact that you have a heavy tax burden already. For an arbitrator to impose even a greater heavy burden on you would be unfair.

Trustee Armacost: There has been a trend that the arbitrators have understood the world in a financial crisis, and that they cannot issue judgments that are completely out of the capacity of the municipalities to pay. There were a whole slew of arbitrations that were in favor of municipalities that came out last year.

Village Manager Frobel: Of the communities in our immediate vicinity a high percentage are either at impasse or in arbitration, or about to enter into arbitration. If I told you 70 percent of our neighbors were already on that path ahead of us that would be pretty conservative. We will talk strategy later. We are getting into a stronger position, I think.

Capital needs. We have a five-year capital plan, and if you measure it against the five-year plan I put together seven years ago and the one we put together two years ago, you have stuck to it. Surprisingly, and by that I mean with the costs we are faced with, we have recognized our needs. We have not gotten everything department heads would have wanted, but we have done a commendable job in the very difficult times in which we have operated.

Mike Gunther still stresses that even though we have got two new large dump trucks being delivered and one small, he does have a need for two more trucks. Our study with Dobbs Ferry will factor into this, and whether something can be pushed off further. But be aware it could be from \$86,000 for one or \$102,000 if we purchase two.

Fire chiefs' vehicles. According to the fire chief, the cost for one fire chief vehicle fully equipped with radios, lights, detailing, is \$58,000. If you get two, then obviously the price doubles. You are going to hear more about that need. And emergency generators. The range there reflects the \$125,000 for the Community Center, which is our top priority, the \$285,000 which would equip not only the Community Center, the ambulance and all the fire departments. Our team is working towards hiring an electrical engineer to help us design new specifications. This is a very technical item and we want to make sure we get the type of equipment we need and not get partway into it and say we should have done this or done that. We do not have the expertise on staff to design it so there will be a cost and we are on that process. The other photo is part of your public safety investment, the \$319,000 program we have just recently put together addressing all our public safety needs, police, fire and DPW. That is just a cabinet that is now at the Andrus Nursing Home.

Our tennis courts are going to probably come up at some point over the next several months. They are in need of repair. Again, the DPW, our loader is giving us trouble. This is a very important piece of apparatus in our operation. We may hear some conversation about the need to replace that. Fortunately, we have been able to borrow from Dobbs when we need it for a very heavy job but, again, that will be part of our evaluation in a merger of the two departments' heavy equipment needs.

Before we end this topic, if we could look at our calendars and make sure that we set up the maximum number of work sessions so we can explore this budget in great detail. I will present the budget to you on March 15. We are available any evening to discuss it from March 18 through April 22. You are scheduled to adopt the budget prior to May 1. I put down April 23 for adoption as a safety net. The public hearing is on April 9 25, that Monday. I always figure Monday, Tuesday for the Board of Trustees at a minimum.

[Discussion of Dates]

Trustee Jennings: Our regularly scheduled meetings during this period will feature some time on the agenda to talk about the budget? Is that the plan?

Trustee Armacost: Are you planning, Fran, to have presentations? We are not going to do sessions with individual department heads?

Village Manager Frobel: I would like to. That was always the traditional way the manager would present the budget. I think it is helpful and important that the Trustees hear first-hand from those frontline supervisors. That gives you an opportunity to ask about particular aspects of their operation. The manager can do it. He is supposed to be skilled to know all the nuances of the operation. But you may want to drill down on something. Having that person there is appropriate. I would structure it where it might be two large departments and a couple of small ones so that we are not overwhelmed.

Friday, March 15 you will get the budget delivered to your home. March 20 is your first budget work session. That is where we will begin with departments. Then you have your public hearing on April 9 followed by a work session. Another work session is scheduled on April 15. And you are saying another evening? Let us pencil it in.

Trustee Armacost: I am asking you if you need another evening. But I do not think it is a good idea to stack them all in April.

Trustee Apel: How is March 27 or 28?

Trustee Armacost: It is a holiday for schools. I am not here that week. I am assuming Peter is not here, and I am assuming Meg is not here. It is the week of Easter.

Mayor Swiderski: I probably am not here.

Trustee Jennings: It seems to me that we could fit one department into the two or three regular meetings that we have in this period of time and accommodate information from them sequentially in that way, and we would not necessarily have to put a lot of people together on a work session night. Would that ruin the dynamic, Fran, do you think?

Village Manager Frobel: Not at all. That would be fine. I just try to minimize the intensity of it. I like to spread it out, as Niki pointed out, to allow follow-up questions. Sometimes one meeting is not enough so you have them come back and examine it closer. But another evening would be fine.

Trustee Jennings: Well, I would suggest that we do something with the departments on the budget rather similar to what we just did with the Conservation Commission and the green code. I do not know about number of minutes, but the same idea, and let someone speak and let the department heads address us and do Q&A.

Village Manager Frobel: I will feather those in on those regular meetings besides the three nights you have set aside thus far.

Two items. Getting back to the pension, the comptroller's office informs me they will not be granting an exemption for the payment for the municipal pension. As you know, under that 2 percent law, there is a factor for the extraordinary payment of pension. That will be allowed for the police, but not for the municipal pension contribution. The state does not believe that that 15 percent is extraordinary. It is more what they expected it to be. Last year we did not take advantage of it anyway, but it will not be an option for us on the municipal pension.

The second item is, under the law there is a new provision, which has not been adopted yet but I mentioned it briefly at the last meeting, the comptroller's office is trying to work out some kind of a structured payment to even out your payments. You would agree on a percent increase, say 12 percent is the number they are talking about, and that would be the increase you would pay over a determined period of time. In other words, they would minimize the spikes in the payment at a set amount. You would agree to a certain rate of return, rate payment, and that would be what you would expect to pay over the next several budget cycles. Supposedly you could opt out of that at any time. In year two or three if the rates have come down, and you say we are going back to pay as you go, we do not need this structured repayment, at that time you would have to pay back what you would have paid over that period that you had a predetermined amount. A little complicated. I will look at it but I would like the pay as you go. I do believe it will level out in time. And even if you took the lower payment you are going to owe what you would have paid during that time, only probably on an accelerated period.

The final note that I did not mention, is that a lot of our neighbors are adopting that resolution allowing you to go beyond the 2 percent. With a 60 percent vote, you can vote to exceed it. I just throw that out. I am going into this budget assuming we can make it work, perhaps exploring using that reserve cap that we did not use last year. But my goal is not to ask for the exemption, to make it work within the parameters that the law dictates, but at least realizing perhaps we will need to use that portion of the cap that we did not exercise last year.

Trustee Armacost: When you present the budget to us can you also give us your estimate as of that time of what you think the increase in the reserve fund is going to be at the end of this year? I think that factors in. It has been something you have been, traditionally, quite conservative about. It is nice for us, but it ends up being more than you estimate. But it is important as we evaluate the essentials versus the nice-to-have versus the tradeoff with increasing the reserve fund. I know it is very difficult to be precise, but if you can give us a sense of where you think we are going to be at the end of this year it would be helpful.

Village Manager Frobel: I will. And I have given you, in a narrative form, the trouble spots in the current year's budget. What I am preparing to give you this week is a chart I put together indicating those budgets that I already know are in trouble. In answer to your question, sitting here tonight I do not expect the fund balance will grow from this year's operations. That is largely due to the fact that we chose to pay that tax certiorari out of operations rather than renew a BAN. So that was \$162,000 that we did not anticipate. We have held the fact that if things get tough this year we may do a short term note to cover it. But I will have some numbers for the range.

Trustee Armacost: For example, I think you also applied for funding for hurricane relief. So there is money that is going to come in. I think it is very important that you count all the money that is planning to come in from the different sources.

Village Manager Frobel: Yes, and that is what I have done. I have done the budgets that are in trouble, where they are today, where I expect they will be on March 31, how they are over or under. And then I have what I think are the offsetting revenues, one of which is reimbursement from FEMA, what we expect to receive given what we are submitting. So that will be an offset.

Mayor Swiderski: Thank you. Very thorough, very clear. I do not want to editorialize or get political, but when I see the numbers on the pension increases I just do not understand how anybody reasonable in state government can think that sort of increase is sustainable by any community for any amount of time. It will break our backs. That alone blows up the 2 percent, and that is crazy. It is crazy that this falls on us, and it is crazy that the pensions are structured that way. And the stock market was kind last year. I do not understand

Village Manager Frobel: Some good news. Susan Maggiotto reports that the Village, and I do not have official word, received word from the county that the grant we applied under the Community Development Block Grant Program for improvements to the Warburton Avenue vest pocket park was approved. So that means a grant of about \$12,500. There were some planned improvements to the park, fixing up the wall, addressing some of the furniture that is built into the fabric of the park, dressing it up with some nice improvements. It does require a match, but certainly some good news. I would have liked to have seen them fund the other part of that same application, the improvements to the stairway from the Steinschneider lot down to the train station, but that was not funded. So certainly good news, and it will be exciting to see that improved.

BOARD DISCUSSION AND COMMENTS (continued)

2. Update on the Downtown

Mayor Swiderski: Meg is not here for an update on the downtown. I talked to her before this meeting. One of the things that needs to happen is more formal structure around her efforts. There is a downtown working group, but we need a specific charge to understand how far it goes and what it will cover. We have managed to find a number of very enthusiastic volunteers. We need to parameterize what they are doing so they do not exceed the scope and we stay on target, focused on the things we have said this downtown group will do. When Meg returns at the next meeting, we need to have it on the agenda. That is a public discussion.

3. Update on the Waterfront

Village Manager Frobel: At the Exxon Mobil site, the engineers report the soil cap is fully in place. We are expecting a site visit with our staff, our engineers, the company's engineers and the DEC to make sure the grades are right. Nothing much will happen now until May, when they will be back doing additional plantings and dressing up the site. At the Uhlich Color-Chevron site, everything is operational. They have a site visit planned at the end of this week to make sure everything is up to the standards they expect. The wells are operational, and the word is things are working fine.

Mayor Swiderski: BP confirms March 5 as a date to present on Building 52, as promised. I have told them to expect a 20-minute discussion on their end, and then a chance for the public to respond and ask questions. They will be bringing at least one of the engineers responsible for the spec work they did around the analysis of 52.

Additionally, a Yale University professor and a graduate student he works with have offered their services to the infrastructure committee to help create a properly structured survey to the community by e-mail to elicit feedback on the infrastructure maps they are coming up with. We are trying to reach out beyond the public meetings to solicit input on the ideas the infrastructure committee is coming up with above and beyond the usual public meetings, where only those who can spare an evening show up. This would be using some fairly sophisticated Internet-based survey tools, putting up a map of the waterfront and having people indicate where they would see a pier out to the water or a beach or whatever. It is free, which is always nice. The guy has done this a number of times for communities, and they know what they are doing. Meg, who has helped structure public discussions, will also provide questions she would like to see included.

We failed to mention this in the last month, but it is only right to acknowledge, Bill Finkeldey's retirement after nearly three decades of service to the Village. We have a new staffer joining in a couple of weeks to replace him, but that sort of service to the Village does not go without acknowledgment. Great things were done for a lot of children in this village by that man.

ADJOURNMENT

On MOTION of Trustee Armacost, SECONDED by Trustee Apel with a voice vote of all in favor, Mayor Swiderski adjourned the Regular Meeting at 9:20 p.m.