

VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
REGULAR MEETING
MAY 7, 2013

A Regular Meeting was held by the Board of Trustees on Tuesday, Tuesday, May 7, 2013 at 7:35 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

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

CITIZENS: Eighteen (18).

PRESENTATION - Warburton Avenue Bridge Reconstruction Project
Westchester County Planning Department

Scott Donnelly, Westchester Public Works: I am director of design coordination at the Westchester County Department of Public Works & Transportation. With me this evening is Suzette Lopane in our planning department, and Wayne Culver, from LKB, a consultant working on this project. Also here from the county is Mary Jane Shimsky, our county legislator from this district.

We have a very deteriorated bridge. The 2011 New York State DOT computed rating on the structure was a 4.44, 7 being the highest and 1 the worst. The bridge was constructed in 1890. The original structure was rehabbed several times in the past, the most recently being 1991-1992. It received a new deck at that time. It is a four-span structure with steel piers supporting it. The total length, bearing to bearing, is 271 feet 6 inches. The total width fascia to fascia is 46 feet. On the new structure the width is going to be 48 feet outside of bridge to outside of bridge. The structure has a roadway area of 34 feet with two lanes of traffic and two parking lanes. Seventeen feet per side leaves you with a nine foot travel lane and an eight foot parking space. Consequently, there were a very large number of traffic accidents: the typical, open the door and get sideswiped. In response to that, we kicked out the fascia a foot. Now we have enough room for a ten foot lane and an eight foot standard parking space. That should reduce the number of accidents t.

One of the primary things is the condition of the sidewalk. There are a lot of spalls, delamination, which allows the water to get through the deck. Consequently, from the underside you see a lot of spalling of concrete; primarily the concrete that covers the steel, and primarily the concrete that covers the steel floor beams of the structure. We are going to remove the entire bridge deck and the joints. We get a lot of complaints due to the noise. When bridge joints fail they tend to be noisy.

We are taking out the concrete parapet, the steel rail system, the concrete sidewalks, the concrete deck. It is a nine inch thick deck, with a six inch asphalt overlay. We are taking out the steel floor beams. They are only about 12 inches deep, and they run transverse on the bridge. We will be replacing it with "exodermic deck," which is a steel grading system that is partially filled with concrete. The total depth of the exodermic deck is around nine inches, and the top five inches is filled with concrete. It almost looks like an ice cube tray. We have selected that option because you get the best benefit of speed and quality, and it will increase the capacity. The current live load capacity is below what normally is used on new highway bridges. We do the best we can. Obviously, when you are designing a new bridge you will get the current highway rating standard, which is HS-25 loading. This will get us pretty close with the HS-24. So for all practical purposes, we are there.

The exodermic deck gives you speed of construction. That is a huge concern. This project will take place over two entire construction seasons. The options that we had for speeding things up were limited. We also looked into a prefabricated deck system, but because of the various components of this structure the best option was us to go with the exodermic deck. Once that is dried and cured, we will put on a spray of waterproofing membrane. We will put an asphalt overlay on top of that, and new concrete sidewalks and parapets. The existing parapet is about two feet six inches tall and it has about a two foot double steel railing on top. We intend to replace it with a concrete parapet that is three feet six inches tall with a pedestrian fence on top of that.

The existing substructure is made of two concrete stub abutments and three steel lattice piers. The height of the bridge is about 40 feet on average from the bottom flange to the surface below. The Village has a parking lot for commuters below. Also, midway through the bridge is an ornamental fence, and on the other side all the property is owned by the Newington Cropsey Foundation that we have been working with through this design phase.

We are going to paint all structural steel. The lattice steel of the piers is in relatively good condition, so we are going to be going with an overcoat system on that. We will be using what is known as Class B contaminant to handle the cleaning operations. Class A containment will be used for the upper portion of the bridge. The Class A containment bolt systems are designed to encapsulate the structure so that you do not have any lead contamination. We also have testing, monitoring, that goes hand-in-hand with the lead removal operations. We will have low-intensity street lighting on the structure. Suzette has looked into two systems: one, a curved low-intensity post, and one a luminaire with a polycarb unit similar to what is already in Hastings. Both heads for the polycarb unit and the curb unit are in accordance with your standard street lighting. The preliminary usage shows seven luminaires throughout the structure, but that can go either way.

Off-structure, we will mill and pave the asphalt, and replace the sidewalks and curbs starting at the south abutment of the structure and going to Washington Avenue. On the north side, we are going to be doing the same: going from the north abutment to Main Street. Construction will be done in stages. The goal is to maintain as much traffic as we possibly can. Unfortunately, because of the width of the structure, we will only be able to handle one lane of traffic. We have met with your emergency service people and our bus line people, and they have come up with the request that we provide a single lane of southbound traffic throughout the construction. We will detour the northbound traffic. We will keep one sidewalk open throughout construction for pedestrian traffic.

You have a construction season that is relatively short for the forming and painting. The demolition can be done in colder weather, and usually is. It is our intent to get this out to bid as soon as possible. If we get into construction in late summer-fall, we would include a phase 1-A. It is going to be done in two major phases. The phase 1-A would be to maintain the southbound traffic and one parking lane. This was discussed with Village representatives. We want to minimize the amount of detrimental effect during your holiday season. The idea is to maintain one lane of parking, at least, through the holiday season. We would put up the Jersey concrete barriers on one side of the bridge. We would do the east side of the bridge first. That would be our construction zone. And we would maintain the single lane of traffic southbound and the parking lane on the west side of the bridge. Then we would go to a 1-B phase after the holiday season, at which point we would take out parking completely on the structure and would still maintain the single lane of traffic and the pedestrian sidewalk.

Once that is completed in the end of the first year, we would go to phase two. We would not go with a 1-A phase; we would go right into the full construction. We would have the barrier right down the middle, and reconstruction the west side of the bridge while we shift the traffic over to the east side. Southbound traffic we would maintain; northbound traffic would be taken up Washington Avenue. At the intersection with Broadway we would set up a temporary traffic signal. We are working closely with New York State DOT on that. It is a lot easier to maintain the northbound traffic and detour the southbound, but we flipped it around based on concerns. You will head over to the Five Corners intersection from there. You will not be directed to go back down to Warburton, since the majority of people that go on Warburton eventually make their way out to Broadway. We will leave it up to the individuals who know the area to get back down to the other end. We may put up a sign that says Central Business District so they are aware of making the left-hand turn.

Trustee Apel: On the corner of Washington and Broadway, for people coming from Broadway going south and making a right turn, it is excessively tight, and you have to swing around. I am concerned about having to make that wider. I think it is dangerous. You are

going to have more traffic coming up there. So that needs to be looked into. With people making that left-hand turn with more traffic, and people coming south and trying to make a right-hand turn, it is going to be very congested.

Mr. Donnelly: We have been looking at a relative effect of the traffic situation with that. I think we have run some preliminary turning radius movements. I do not believe we have a problem, but we will look into it again just to make sure that there is none at that intersection.

Trustee Apel: The person going south on Broadway wants to make a right turn and there is somebody there. When you go to make a turn, it is very narrow there and then it gets a little wider. There are also some cars parked there. So it is dangerous.

Trustee Jennings: Northbound traffic on Broadway has a turn lane at that intersection. If the person coming off Washington Avenue to turn either left or right gets out too far, which they often do, then somebody traveling southbound on Broadway who does not want to turn cannot get by. It is gridlock. Even if there is not anybody there, you have to weave over into the turning lane. You are essentially breaking the law. It is a very poor intersection right now, and if you add a significant amount of traffic going in all directions it will exacerbate those problems.

Trustee Apel: Yes, it needs to be looked into further. I do not know if there is a count on exactly how many cars would normally go the other way and now are going to come up that way. But that is what I foresee without that problem.

Mr. Donnelly: We will look into it more. We originally maintained northbound traffic. The emergency service like the fire department felt there would be a substantial delay in going southbound, so we switched it around and opened up a Pandora's box worth of complications. But that is part of being an engineer, so we will look into it a little more.

Suzette Lopane, Westchester Planning Department: The police chief, the fire chief and I had a long conversation about those two intersections, the bottom of Washington Avenue and the top. At Warburton and Washington we are going to pull back the parking. We will add temporary no-parking striping on both sides all the way back. We need to do that not only for the bus turning movement, but for the car turning movement. That is going to happen during construction. Those parking spaces will be reestablished once the detour is gone at that location. We discussed it with the Bee-Line Bus personnel. They have articulated buses that need to go through that intersection so they made that turning movement with the bus. They do a test run to see if they can do it, and we agreed on how to deal with that. Also, we moved the stop bar back on Washington Avenue at Warburton so that those cars on Washington heading down are going to be much farther back. They are not going to be at

the stop light anymore just so there is more room in that intersection. At the top of Washington and Broadway, I did the sidewalks on Washington three, four years ago. I totally am familiar with that situation. It is very difficult. The temporary traffic signal will stop that occurrence of people going into the. We will probably put a stop bar at that intersection so we make sure they are far enough back. It is absolutely true, it is extremely tight. That section of Washington Avenue is signed No Trucks and Buses. I am very sorry we have to make that change for a few years, but the northbound was not going to work for the fire truck. For them to get the time to get to the southern of Hastings was a real problem.

Trustee Apel: It is very narrow on Washington. If you are going to have buses and everything going up and down that is going to be difficult. The northwest corner on Washington and Broadway may have to be enlarged. You may have to cut off that corner to make the turn.

Ms. Lopane: I think when you put the traffic signal in, and we put the proper striping in there.

Trustee Apel: No, because if you have a car here, and you are coming this way and you are making a turn, there is not enough space this way. There is not enough space now.

Ms. Lopane: I believe the Bee-Line bus will not be making the right turn onto Washington. So we will not be having that issue with the bus.

Trustee Apel: But it is still going to be there. And you are coming the other direction. I do not know why they built it this way to begin with. It is too narrow at the top. I recommend that the northeast corner be widened. There is just no way. We are not talking about a lot. We are talking a little place there where people come down.

Trustee Walker: There is a buffer for the resident who lives there.

Trustee Apel: When the car lands in there, he is not going to be happy.

Ms. Lopane: When we put the stop bar in we will set it back far enough so that making the turn or sitting at the intersection will be far enough back to allow that radius of the vehicle turning into Washington. That should solve that problem. But again, we are there, we are observing, we are making sure, if there are any problems, that we would correct that in the field with temporary striping.

Trustee Armacost: Are the buses only going in one direction, up Washington?

Ms. Lopane: Correct.

Mary Jane Shimsky, Westchester County Legislator : If you are trying to get the emergency vehicles coming back northbound to the fire house, send them up to where Warburton and Broadway converge. I do not know if the emergency vehicles can make that turn, but the streets are a little bit freer there. That might be an option.

Mayor Swiderski: Coming back is not the issue.

Village Manager Frobel: If there is no urgency the men will figure the best way.

Trustee Apel: After all is said and done, what are you leaving? When you demolish everything, what are we going to see? You are leaving the original steel?

Mr. Donnelly: Yes, the concrete is going, steel is staying.

Trustee Apel: And the original posts that are holding up the bridge.

Mr. Donnelly: Yes, the original steel columns.

Trustee Apel: When they are stripped, they will be tested to make sure that they are still as strong as they should be?

Mr. Donnelly: They will be inspected during construction. Having to paint the structure forces you to get hands-on. We know of several locations already, and there are some details in the plans for repairing those. But you always encounter new and exciting things when you take the paint away.

Trustee Apel: You are adding four feet of bridge?

Mr. Donnelly: No, we are adding two feet of bridge width. Length is going to be the same, and we are going to cantilever out a little further on there. This allows another foot worth of roadway on both sides. It will go a long way to mitigating the accidents that occur when you are opening your door from a parked position and a car comes by and takes it off.

Trustee Walker: My first question is about the pedestrian fence. This is a major destination in the region for people coming to look at the river and the Palisades. I have lived on Washington Avenue. For 20 years I walked that bridge a couple of times a day. There were always people taking pictures, enjoying the view. I understand the need for an anti-suicide fence. But I wondered if it could not be done in another more aesthetically

pleasing way that would allow for people to snap pictures. I did research online, and I found an example. A resident showed me an example of one done over the Colorado Street bridge in Pasadena. A beautiful iron fence, it curves out so you cannot climb over it. But it is attractive. I also looked at Cornell University's anti-suicide fences. They were chain link, but they said that was only temporary, they were going to come back and do something much more attractive later. Is there a way that we can do something that respects our views and the beauty of this bridge?

Mr. Donnelly: I understand it is a breathtaking view from both sides. The Cropsey side looks a little Shangri-La over there, and then the Hudson River and the Palisades, it really looks nice. We have two concerns. One is the threat of suicide or attempted suicide. There have been two within a three-year stretch, one successful and one mercifully unsuccessful. By constricting the size of the opening you can do something similar to what you alluded to in Pasadena or at Cornell. Cornell's concern, though, is down below you have a river gorge. Our concern is also for objects being tossed down, since you have parking directly beneath the structure on both sides. We have received numerous complaints from both the Cropsey Foundation people and the Village. Televisions were routinely tossed over the bridge, when they were big, cathode ray tube things. Now they are flat screens. So if you restrict the opening, you could still get a TV through. I know a bunch of things like bottles, all sorts of bricks. When we were out there about three months or so ago, talking to Al at the Newington Cropsey Foundation, he showed me the bed of his pickup truck, which had been nailed by a bowling ball. It does quite a bit of damage when it is tossed from 40 feet up. So the bigger objects will be restricted by keeping it as a narrow opening. If you go with a wire mesh with a vinyl coating on it, our plan was to go with a one by one so that you cannot get anything smaller than a marble or a small rock through it if you are that intent on it. The bigger the opening the more the danger of something bigger being thrown through.

Trustee Walker: My other concern is the need to widen. When you come over the bridge and you are coming into the downtown, our roads are very restricted in the downtown. My concern is that people are going to speed up once they have more space on the bridge.

Mr. Donnelly: I see your point. That is a phenomenon that you notice when we do larger-span bridges, when you have a long stretch. We found that phenomenon when you had a couple thousand foot long bridge, and you improved both the vertical and horizontal sight distances, the accident rates went up. You think you are mitigating it, and people are going faster. In this instance I do not believe it will be the case because the bridge is 271 feet, short relatively speaking. You are constrained by the parapet walls on both sides. I doubt that slight increase would be noticed for any appreciable speed.

Trustee Walker: But you think it is enough to mitigate the accidents?

Mr. Donnelly: Definitely it will have a huge effect with that.

Trustee Walker: I guess I am saying maybe we save money on widening the bridge, and we put it into a beautiful fence.

Trustee Armacost: I would like to know how many accidents and what the nature of the accidents were. Do you have those stats?

Mr. Donnelly: Yes, we could probably get that information.

Ms. Shimsky: Your police force has that.

Trustee Armacost: If someone could share them with us, that would be helpful. If there are 12 per year it is very different than if there are 600 per year. The research that Meg did on ways to make the anti-suicide fence more attractive was interesting. It would be interesting to hear your views both on the effectiveness of those measures in other places as well as the cost factors as well as the range of options. , Meg, you also talked about a net, although one wonders whether one would sort of create a circus in that scenario.

Mr. Donnelly: They tend to collect a lot of debris.

Trustee Armacost: But the point being that Meg went to quite a lot of work to gather that data. The spirit in which she gathered it was quite important in terms of maintaining a particular look which we value in the Village.

Mr. Donnelly: Definitely. Again, the suicide factor. If you reduce that spacing down to this, nobody fits through. Certainly there is an attractive wrought iron look. A lot of different things can be made. But that does not stop objects being thrown.

Trustee Apel: Unless there is a mesh that fits between those curves.

Trustee Walker: To me, mesh is a problem. Mesh blocks the view. I know the code is designed around a baby's head diameter.

Mr. Donnelly: Four inches, yes.

Trustee Walker: Still, some things can come through. But small things people could throw over the fence anyway. It is not going to be so high people could not throw something over. So whether it is going through or over, a small thing is not such an issue. I understand the

TV sets and car engines or whatever.

Trustee Armacost: We need to find a solution which is not a solution for the most extreme circumstance, but which is something that meets the goals that you are talking about, the suicide prevention as well as the debris aspect, both of which are important to the people who live around that area. But also maintain an attractive look, that is something that seems we should be weighing.

Trustee Walker: Is the historic type light fixture similar to what we have in the downtown?

Mr. Donnelly: Yes.

Trustee Walker: The way it is drawn there, it would be outside the fence.

Mr. Donnelly: We would build a haunch on the outside. It would be cantilevered out. It would be on the outside of the parapet so it would not protrude into the sidewalk.

Trustee Walker: So the fence is mounted on the inside of the parapet.

Mr. Donnelly: To the top of the parapet.

Trustee Walker: If it is curving, obviously it cannot be on the outside because it would hit the light. The light could not be mounted on the sidewalk or out to the edge of the sidewalk, more like they are in the rest of the downtown?

Mr. Donnelly: It could be on the sidewalk, but the only problem is the sidewalk ranges from five foot two inches to six foot two inches at its max. If we were kick it out, you would need at least a foot worth of base. Walking, you would have that danger of running into it.

Trustee Walker: But we have that same condition throughout the downtown, and we rarely have more than a six foot sidewalk.

Mr. Donnelly: On a bridge we like to keep it on the outside so you do not get that, because bridges tend to channel you, like we were talking before about the speed. They tend to constrict you artificially because you are looking out over a height. You would be amazed what people can run into. I have had projection out an inch and half, not big deal, and somebody comes along and says I caught my shoulder on it.

Trustee Jennings: Thank you for the clarification. I missed the idea that you were going to put a stop light there to control traffic. Because it is so important, I would like to reiterate a

point, which is that you are not going to keep all debris from being thrown over the side. People can throw it over any structure. So it is a red herring to say we are going to keep anything from being thrown off that bridge. The right way to think about it is the tradeoff between the danger and the inconvenience of the objects vis-à-vis the aesthetics, the view preservation. A lot of values up top are at stake here, and I urge you not to allow the desire to do something which impossible, eliminate all debris down below, to push you in the direction of a design that is very undesirable up above. I would also like to see some photographs of what you are proposing and maybe some of the alternatives.

Mr. Donnelly: The Newington Cropsey people are in favor of restricting it so nothing gets through. I mention that because we require a construction easement from them to grant us access to their property to do the construction. They have not come out and said it, but their approval is going to depend on us satisfying their requirements also. As a possible solution, I am wondering if we talk to them and they still want the tight aspect, perhaps on their side we can go slightly tight, and on the other side, overlooking the Hudson River, we go wide. If anything falls off on the Hudson River side it lands on your property, and if anything falls off on the east side, it falls on their property.

Trustee Jennings: That is worth discussing.

Trustee Apel: I think you are giving them power that they do not have. Before you proceed to say that again, I would check with the powers that be. I do not think they have the power to turn it down. If we want a different fence, that is the fence they are going to get.

Trustee Walker: As you pointed out, people enjoy the view looking out over the Cropsey Foundation, as well. One could encourage them to think about the look of it holistically. The view from the bridge is important, the view from Cropsey up to the bridge is important. They do not want to be looking at a chain link fence. Maybe they can be brought around.

Mr. Donnelly: Perhaps they could. I am not suggesting they are holding us hostage or anything like that. Without their approval our solution is simple: we do not do anything to the bridge. And eventually, when it reaches a certain point, we close it.

Trustee Apel: I do not understand why you say without their approval. Can someone please explain to me what law says that they have the power to do that?

Mr. Donnelly: They have private property, and we need access. Very few bridges fall under this type situation. Most of the time, a bridge over water you will have riparian rights. But this is over private property. We are not going to be taking any property; we need a temporary construction easement.

Trustee Apel: Maybe they could have the netting on their side. Netting down below, but the nice fence up above. Maybe they would be happy with that as a compromise.

Mr. Donnelly: I feel very uncomfortable about the netting. The netting works good in theory, but there are a lot of problems with it in practice. Junk collects and it is a pigeon breeding ground. And, quite frankly, there are a lot of people that if they could get through the fence would like to land on the netting. You see that at Yankee Stadium. Once in awhile you get some characters trying that.

Ms. Lopane: Can talk about the light alternatives? We want to resolve these issues tonight so we can proceed with the construction documentation. The project is two years long. We want to get a jump on things so we can do the phasing. Before Christmas, it would be nice to get one lane of parking and the southbound movement started, so people can adjust. We want to stick to a schedule as much as we can. It is hard for us even to do that.

Meg asked about the placement of the light. When I started working with Scott I did ask that question. I have done 40 lights in the Village, so I am cognizant of the fact that we have always tried to keep it in the band. It was very important to me, as well. The problem is, this deck is very thin. I am not going to be able to get a light in this deck. The other problem is, Scott does not want anyplace where water can penetrate; the steel becomes compromised because water is penetrating through where the light pole is. I took that to heart, so that is why you see the light on the outside of the parapet wall.

Why do we not put the light on the inside and put the fence on the outside? What happens is, that parapet wall becomes humongous. It is going to be three feet wide. So that was a non-starter. These are things I did think about. In terms of the aesthetic, what I looked at, Meg, was wanting to hold the curvature of the fence, and do the curvature of the light pole there. On Broadway you have this fixture. This is that fixture that the villages got together and decided they would start to use in the roadway lighting. I love the traditional pole and for the most part in the Village it works really well. But here on this bridge, I am trying to light the deck of the bridge a lot more. Those pedestrian lights that we put all over downtown are really meant for the pedestrian. I cannot light the street with those little street lights. I cannot do it, it does not work. That is why I chose, and like, this better. I am throwing more light onto the roadway. And also it is an LED, 40 watts. Those pedestrian lights, we use 100 watts. So this is great. You chose this fixture and I think it is wonderful. It will be a nice compliment to the fence. That is my spiel on the lights, if you could just say what you like.

Trustee Armacost: I like the modern ones, and I also like the other ones. How close in terms of placement are the traditional ones to the more modern-looking ones?

Ms. Lopane: It is about 80 feet on all of them. Fence posts are usually about eight feet apart. These lights are 80 feet apart, so you are going to go ten fence posts before you hit a light pole. It is a lot more poles than you had on the bridge before, but the bridge was not lit properly at all. There were dark spaces everywhere.

Trustee Armacost: Beyond the bridge the light looks different.

Ms. Lopane: This is the Washington Avenue side. It is a cobra head mounted on a wood pole. It is that light that you see all over the Village. It has an arm about six feet long.

Trustee Armacost: It is more similar to the new ones, though.

Ms. Lopane: Yes, you could say that. When I did the sidewalks on this side of Washington I did not do any of those traditional poles. I did the traditional poles on the down side of Washington, and then Ridge Street. But Ridge Street we mounted them on the pole.

Trustee Walker: But they run along Southside, as well, the traditional poles.

Ms. Lopane: On Southside, yes. If I want to call it a line, this section is going out of the downtown area and more into the residential area. So I felt it was a compromise. I just did not like the way this looks with the fence. It drove me nuts.

Trustee Walker: Do you think it would look better if we had a wrought iron fence?

Ms. Lopane: The problem with this whole thing is that I have to mount this three foot six feet high. So now this light pole is 19 feet high to the light center, and we are at 12 everywhere else in the Village.

Trustee Walker: So it is seven feet high. It is very high. I was going to comment on that. But that you have it that high to throw the light as far as you can.

Ms. Lopane: That is right. That is why, again, I looked at the contemporary and said this is working better for me aesthetically, it is going to blend into the landscape, it is going to throw the light. It is going to do all the things I want it to do. But I still felt I am not going to make the decision for you.

Trustee Walker: I am going to come down on the side of the traditional light because I think it would look beautiful driving across that bridge with those lights. I would love to bring them down a little because 19 is very high.

Trustee Apel: The other one is going to be high, too.

Trustee Armacost: But if you had to choose between the lights and the fence?

Trustee Walker: I want both. Why do we have to choose?

Trustee Apel: But the modern one is just as high. It is a tall, skinny thing.

Ms. Lopane: Have you looked at the new fixture? I can hardly even see it. It is so thin, the new fixture. It is really nice.

Trustee Apel: Yes, you will not even notice it.

Ms. Lopane: It has a smaller base. It is a nine inch bolt circle on the back so the projection off the parapet wall is going to be a lot smaller. The base on these traditional ones is 17 inches. It is huge.

Trustee Walker: We could look at bridges from all over where they use a traditional light, and it has a wonderful effect of creating the feeling that the downtown is extending. It is a welcoming feeling when you see that on the bridge. It is a very gracious look, different from your standard overheads, even though this is a nice overhead.

Ms. Lopane: It is just the effectiveness of lighting the deck. I just cannot get it to work.

Trustee Walker: Anything is better than what we have now because it is almost completely dark right now.

Trustee Jennings: Would not widening the structure as you propose materially shorten the period of time which the traffic and the bridge would be disrupted?

Mr. Donnelly: No. Sometimes it is critical and sometimes it could if it was a threshold. But now, it does not.

Trustee Jennings: It would be a boon to this village if we could make a better connection between the parking lot by the train station below and Warburton Avenue very close to the downtown. Could you build a stairway or some kind of connection? Now, everybody would not be able to climb. I know it is tall. But for the hearty among us.

Mr. Donnelly: Are you going to go into the ADA thing?

Trustee Apel: You would have to put in an elevator.

Ms. Lopane: There is a staircase at the end of the parking lot on Main Street.

Trustee Armacost: But it is not in good shape.

Ms. Lopane: I know that. I did investigative work on it because you put in a CDBG application for it. I am very well aware of that and I hope that will happen. But I love that staircase. One day I stood out there for an hour or so watching the people come down from the train. It is a wonderful flow of people going down right directly to the train station.

Trustee Jennings: I am aware of the staircase and I would like to fix it up, and it is a nice staircase. So since we already have a staircase, while you are doing this bridge could you give us an elevator?

Mr. Donnelly: We are about \$800,000 shy of that.

Trustee Armacost: You said this would be a two year time period . Does that assume that you will have to do some fixing of the steel structure? If you strip everything away and the steel structure needs work, is that going to be three or four seasons?

Mr. Donnelly: No. We believe based on the inspection of the structure it is in relatively good condition steel-wise. Some minor repairs need to be done, but you will have a large portion of time where you will not have a deck on top so the contractor will have access to that. If it does go longer you leave the painting to the end. You would not want to paint unless you had completed the work over it so you do not have all the leachate and whatnot dripping on your completed paint job. So if it does go over, it will be work done from below. We would focus on reopening the roadway. We would not want to lollygag with that. If some minor repairs were needed, we would do it from below. We would figure out a way to do that. Definitely we would not want to keep this open too long. It is way too much of a disruption and we know the effect it has on your community.

Mayor Swiderski: I agree with Meg, aesthetics matter. The chain link fence curved in is reminiscent to me of a prison walkway. The lights might aesthetically match the curve, but it strikes me as institutional. The downtown has a traditional feel, as well as the streetscape of Warburton and Washington before it, that is disrupted. The fact that the more traditional ones are not quite the same in lighting effect does not bother me, because they will be in keeping with the lighting elsewhere, and it will not feel like you are going through a prison facility. It would feel like a natural flow into a pretty downtown. I am going to cast my vote

in Meg's camp of tradition where we can have it, including the fencing. Chain link is horrible on property lines, and it is not great on institutional structures.

Is there a way you could have a clicker that stops the light on Washington and allows the fire trucks to head south on that street even if it is northbound so that they are able to head south on what is a northbound street by stopping the activity at Warburton and Washington?

Mr. Donnelly: Are you proposing on the structure having alternating traffic, or an override?

Mayor Swiderski: Only for emergency. I am sure it was considered, but I am throwing it out because the northbound traffic is being diverted, and yet the emergency vehicle movement is a periodic event. I do not know how many times an emergency vehicle heads over that bridge, but let us say it is once every two days. It seems like a great pretzel twist for everybody if we could accommodate that somehow.

Trustee Walker: Are you concerned about the north traffic being diverted because it is taking cars away from our downtown? That is something that occurred to me.

Mayor Swiderski: No, The factual statement was made that northbound traffic is the easiest to maintain and the bigger diversion with pointing it away to a detour and that the southbound is the greater inconvenience. If that is so, I am not questioning is there some way to accommodate it. Maybe I am setting up a head-on collision here and it is a silly question.

Ms. Lopane: No, we vetted it. That was one of the things that I thought of at the beginning. There are two reasons why we need this southbound movement. It is the Bee-Line buses and the emergency vehicles. So if we were going to do something like that, I would also have to allow the Bee-Line Bus to go through there. They cannot easily make that diversion because they are going to miss people getting picked up on Warburton.

Trustee Armacost: I do not see a reason why you have to have the same rule for the bus as you do for a fire engine.

Ms. Lopane: No, I am explaining why we did not choose to do that. There were the two factors. The other thing is the safety issue with the emergency vehicle. To be able to stop that traffic, he has got no visual there. He is coming from Main Street with that 75-foot ladder truck. He has no visual. He is going to make that turn and that could be a real problem. It is just the layout of the streets. There is not a lot of distance here. So this was the problem. I thought about it, because we have signals on either side.

Trustee Jennings: The fire truck has no visuals now.

Ms. Lopane: No, but there is two-way traffic. If there is only one-way traffic, and a car is coming from this way and this lane is now 17 feet wide, it is a problem.

Trustee Jennings: But the question presupposes that the traffic would be stopped at Washington, and by the time the fire truck turned the bridge would be clear.

Mr. Donnelly: The problem is, if the traffic is stacked on the bridge, if all the traffic is going this way and you have a traffic signal over here and it is stacked down there, no device will clear the traffic. You can trip the heads, and we have that.

Mayor Swiderski: Fair enough. It is an issue with the stack of traffic.

Trustee Walker: So the northbound Bee-Line coming into the downtown will be going up Washington, around, and then back down Main Street and picking people up?

Ms. Lopane: Yes. I asked them is that going to work. He says that works for us much better than any other diversion. He said diverting it the original way would not have worked at all, upset enough that the people on the bus are going to have a delay at pickup now.

Cindy Travis, 427 Warburton Avenue: I am south of the bridge. What are some of the colors you are talking about? Is this all straight stainless steel metal?

Mr. Donnelly: No, we are going to match the existing paint which is sage green. Lighting will be slightly different depending on which one is selected for that. If you are going with the other scheme downtown, black, Suzette?

Ms. Lopane: Black, yes.

Mr. Donnelly: So we go with black on that. If you go with the gooseneck luminaire it would probably be gray.

Ms. Travis: I agree with many of the Trustees that if you are trying to prevent objects people are good at throwing things up and over, even bowling balls. If you are making this about not letting small children go over the edge, that is one thing. Is there a way for this to be an opportunity to have the Arts Commission put out a competition to design a fence that is beautiful and structurally sound, and have it funded by DOT? We could make it a beautiful thing instead of the typical fencing over bridges. I also agree that the Cropsey should be treated the same with whatever you do. I also want to point out that driving up Washington

Avenue is very tight. People always feel like they are about to take off their side windows. Is there a way to stripe that up the middle? People need some sense of spatial clarity. Is it possible to not rip up the bridge until after the Christmas season?

Mr. Donnelly: That was the idea behind our 1-A phase, keeping the traffic flowing southbound but allow parking on one side of the bridge. That was a compromise. It is possible to delay the start of construction until afterwards. We just thought we would like to get a jump on it as fast as possible. But anything is possible with the sequencing.

Ms. Travis: The Christmas season gets very touchy about losing parking spacing for shoppers. Be ready to go, get everything in place, and hit it after New Year's Day. This is not as much for you as the Trustees: where is all this parking going?

Village Manager Frobel: We are working on some alternatives. We have reached out to a couple of local businesses to see if they would be available to provide some temporary parking during this two-year period. We talked with BP and we have talked to St. Matthew's. Those are the two largest. But we are searching out all available parking spaces.

Ms. Travis: The residents of Warburton and Washington, and a lot of the downtown people, park on the bridge. I am concerned about where they are going.

Mayor Swiderski: It is not good. It is a real loss of parking. What is the total?

Village Manager Frobel: It could be upwards of 60.

Ms. Travis: In my neck of the woods parking is already like a battlefield. Because we do not get street cleaning by us, maybe the alternate sides is suspended for two years. Unless you are really going to run the street sweeper, tell us, put out a notice. We move our cars all the time, and yet the streets are not clean.

Mitch Koch, 20 Marble Terrace: With regard to the additional traffic on Washington Avenue, and then turning onto Broadway, two critical feeder roads that pull into that Aqueduct Lane. It has always been a little sketchy, the blend is not good and the visibility is poor. So some strategy has got to be organized for that. The new traffic coming up from the shortcut up Division to Aqueduct is likely to be a problem, too. That brings me to the two most dangerous intersections in Hastings. The bottom of Division, of course. But this is a outside the purview of this group. But also the bottom of Olinda where it hits Broadway. The striping was done, and it is great. They provided two lanes of traffic. It was brilliant. Except it should say Right Turn Only on the lane that is passing t in front of Olinda. That is where the accidents happen.

Village Manager Frobel: DOT advised against that because we did not want people coming out of Olinda being confident that that person was, in fact, going to make that turn. We looked at that very carefully.

Mr. Koch: I stand with everybody. It would be shameful to put a chain link fence, especially a one by one, on the bridge. This is our patrimony, it is our view. It in the heart of the Village. The word "Cross Bronxville Expressway" comes to mind. This is just egregious. Do the citizens have any say? Is this the first time this has been given a public airing? I understand we want to get some approvals going with the lanes. We could put in abeyance the question of the parapet and the fence until there is a public airing because this is critical. To take a gorgeous bridge and turn it into a highway overpass is a real crime. When you are driving on the road right now the parapet is too high. You cannot see the view. Why does there have to be a parapet? Could there not be piers with fencing in between? It is already fairly low, but when you are in the car on the roadway you are already down about eight inches from the sidewalk. Then if you added three foot six inches we are about 40 or 50 inches up. You cannot see out. I am wondering if there is a compelling reason to put the parapet there other than supporting these lights.

Mr. Donnelly: You are limited by AASHTO requirements on that as far as the height goes and also the impact resistance on that.

Mr. Koch: The assumption is that the cars will break through the parked cars and jump the sidewalk, and then hit the parapet wall?

Mr. Donnelly: Yes. When you have a curb like that you get what is known as "vaulting effect." An out of control car can vault it. What is out there is old school. You have a two foot six inch high parapet, and then you have a conglomerate of two-rail bridge rail that was discontinued a decade or two ago. It is not standard at all. Wayne, I do not know if we can reduce the height back down to the original.

Wayne Culver, Engineer, Lockwood Kessler & Bartlett: For the parapet you could alternatively use a bridge rail, which would accomplish the same thing. It would still have some visual impact, but you would be able to see through it. The problem is now, with a standard bridge rail, you are going to need a four-rail bridge rail, which is a rather unsightly beast. You have to have a chain link fence in back of a four-rail bridge rail. There is no decorative treatment or anything like that.

Mr. Koch: Because?

Mr. Culver: Because it is a standard.

Mr. Koch: Are there no bridges allowed anymore without the four-rail bridge rail? There is no other alternative to concrete parapet or the four-rail rail?

Mr. Culver: For this case you have the pedestrian rail, where you would have the case where you have the six inch object that cannot get through it.

Mr. Koch: Leaving that aside, we are talking about the car.

Mr. Culver: You cannot leave it aside. You have to keep babies from getting through the railing, because it is a sidewalk also.

Mr. Koch: I understand the four inch sphere. But with regard to the car, there are many railings that would accommodate the four inch sphere; you see them all over Manhattan, for example, all the pedestrian walkways. Could the highway rail perhaps be a creative alternative to this parapet or the highway rail? The gist of this is, like let us not make it look like a highway overpass.

Mr. Culver: All railing on bridges has to be designed to withstand a 10-kip load, that is, 10,000 pounds at a height of 30 inches, spread over. You are allowed certain reduction factors, but that is your requirement. You do not have that lateral force requirement on a strictly pedestrian bridge. We could design anything you want. The only problem is, all these things have to be approved by the National Transportation and Safety Board based on actual impacts, and we do not have that extra couple of million bucks to do testing.

Mr. Koch: Presumably there have been examples where it has been tested and approved.

Mr. Culver: If you have a billion-dollar project, and you can convince the people to go with the aesthetics as the governing factor, it is possible to undergo that. But again, the budget of this project you are talking about millions and millions to get the testing.

Mr. Koch: I am just asking can they take a precedent from another bridge that has been tested and approved by the state of California, say, apply it to New York?

Mr. Culver: No.

Ms. Lopane: There are parked cars on both sides. My vehicle is a Saturn, it is not very big. It is just as high as the parapet wall. When I am driving down that road I cannot see over those vehicles. If you drive there right now, that parapet wall is going to be the same effect as those parked cars.

Mr. Koch: The difference between a solid concrete parapet and a parked car is huge.

Ms. Lopane: I do not know about that.

Mr. Donnelly: But do you really want the people looking at the view when they should be looking at the roadway driving?

Mr. Koch: What about the passengers? Last, is there going to be a public viewing of this? Who decides what it looks like?

Mayor Swiderski: We do, up here.

Mr. Koch: The Trustees are the final arbiters of this?

Mayor Swiderski: We provide input, and I assume this is a back and forth where you try to accommodate us.

Mr. Donnelly: We will definitely do our best. You have got to live with the project, but we have certain lateral movement that we can do. We are talking about the chain link fence out or whatever, there are certain things we can explore. There are certain other things that are nonnegotiable. But yes, obviously.

Mr. Koch: What things are nonnegotiable?

Mr. Donnelly: The capacity of the structure. There are certain things that we have to do. We are going to make it concrete and steel. We have chosen the exodermic deck system. We are locked with those things. The width, if you do not go with that extra foot of width then you are going to have a nine foot travel lane and an eight foot parking lane, which is what you have got right now, status quo. Two buses passing each other take each other's mirrors off when that happens. Eleven feet is the standard minimum. We cannot go the eleven feet, but we can give you ten feet. Ten feet will reduce the chances of passing collisions and also of step-outs.

Mr. Koch: I hear you. I just wanted to make sure that the public has an opportunity.

Mayor Swiderski: We are doing that now.

Jim Metzger, 427 Warburton Avenue: The fence is a non-starter. I believe code says 42-inch high is what we are required to have. The fence should be 42 inches high. If not, you

are in violation of our comprehensive plan, where we have determined that there are sight lines to the Palisades that are crucially important to the health and welfare of this village. That bridge is probably the single best view of the Palisades anybody is ever going to have who does not live in a building that has a view of the Palisades. First of all, thank you for wanting to repair our bridge.

Mr. Donnelly: It is my livelihood.

Mr. Metzger: And I appreciate that. As someone who went to Cornell back in the day when they did not have the chain link fence, I went back to Cornell last year. The chain link fence is an abomination. I understand that people commit suicide. I also understand that more people have committed suicide with handguns than have been killed in all the wars that we have had. We are not going to prevent suicides. So the idea of coming in and saying we are going to prevent a suicide, I do not know how many have happened in the last 30 or 40 years. We talked about two. There are tens of thousands of people that walk across this bridge. Some people do it every day, some people do it when they are visiting. It is crucial that we maintain that sight line to the Palisades. We are going to be redoing our waterfront, we want people to be able to see what we are doing on the waterfront. You cannot cage us in. That is going to be a non-starter here.

We are losing 60 parking spots. I appreciate the fact that you are trying to find parking for people that are going to the train. The traffic on Warburton Avenue is going to be a nightmare. If you talk about car doors being taken off by people trying to get in and out, I cannot get out of my car in the morning as it is now. I believe you are going to need a detour sign down on Odell to get the traffic coming from Yonkers to get up to Broadway before they ever get to Washington Avenue.

What Marge was talking about, the narrowing of the street at the top of Washington has absolutely nothing to do with how far back you move cars. The street is not wide enough to get an SUV and a bus in that same spot at the same time, regardless of who has a traffic light. We need to be careful about that. What you are trying to prevent on the bridge you are going to end up having on Washington Avenue. The widening of the street, I understand why you are doing that. I drive that street probably two, three times a day. Is the sidewalk getting any wider, or are you just widening the vehicular part of the bridge?

Mr. Culver: Just the vehicular part.

Mr. Metzger: The sidewalk is already too narrow. People walking in opposite directions cannot pass each other without doing this. To spend all of this money on the bridge and leave that sidewalk, which so many people use every day to get to the train, is a big mistake.

I do not understand why we are being presented with this project in whole cloth, and we are arguing about the details, why we did not have this kind of meeting prior to you doing all of this design work. I have been involved with certain issues with the county before, where we get presented with a project and we hash out what is worse, as opposed to what is in the best interest of the Village. Why are we not looking at a prefab situation, where we could crane in sections of a bridge and be done with this in six months.

I spoke to several store owners in the downtown, many of whom had no idea this meeting was going on. The Village, on a project of this magnitude, needs to do a better job of noticing the people that are going to be most affected by this, our merchants. There are some merchants barely hanging on. You start cutting out people being able to park in the downtown or getting to the downtown easily, you are going to kill a lot more stores. This should have been better noticed, there should have been a bigger meeting. I am surprised that this room is not packed with the same type of meeting we had when we were talking about a superintendent for our Parks and Rec. We should go through this again with a much bigger group of people. For lighting, we keep talking about 19 foot high poles and we are going to match this and that. Why are we not talking about doing strip LED lighting in the parapet to just light the sidewalk?

Mr. Donnelly: No. It is not done. You are not lighting the roadway at all. You are talking about something that is used in a movie house to channel people along the bridge.

Mr. Metzger: I understand you need lights for the roadway but I am suggesting to include LED lights built in to the parapet so that you can get a soft pool of light on the walkway. I think we have too much light pollution in the Village as it is. Regardless of the better fixtures that we are using and the LED lights, I would love to see the lighting minimized as much as possible and to do lighting on the sidewalk. Especially when you have cars that are casting shadows, it would be a good thing to do. The cost to install it is something. The cost to run LED lighting is next to nothing. How solid is this two-year construction project? What is going to be put in place to make sure the contractor is working their tail off to get this thing done in the time frame you have established? If they do not, there should be some serious monetary giveback to the loss of merchants' income.

Mr. Donnelly: It is a good idea. There are incentives and disincentives to any contract. You cannot have strictly disincentives, by New York State law. You must have the appropriate incentives also to early completion. We can certainly do that.

Mr. Metzger: Code on the fence. Forty-two inches, is that code? As opposed to what a perceived liability is?

Mr. Donnelly: It is a perceived liability issue. It is the standard national code.

Mr. Metzger: Which is 42 inches for a public space. Good, that is where we hold the fence.

Mr. Donnelly: Liability is a huge issue with Westchester County. I believe I have said it 30 times or whatever, in front of cameras, I have made my point. My defense will be the playing of this meeting. It is something that you really have to consider. The chances of people getting hurt both jumping and being struck is something to consider. We may be able to compromise and go down to something that makes sense, like Meg was talking about, with the restriction of perhaps not going to the lengths of the chain link fence. But we have to consider objects being thrown in some size, shape or form.

Tim Downey, 520 Farragut Parkway: Hastings does not have a chance; the attorneys are going to say do what we are going to do because of the liability. You are going to have to consider some sort of cantilevered, trawler-like booms to be safety catches as a possibility. I know it is an added cost, but if they are going to fight you tooth and nail you want your safety, they want their views, that is the only thing I can think of in terms of physics that works to catch objects going over the side.

The Village wants to make an improvement on the corner of Broadway and Washington. You do not want to pay for it, the Village does not want to pay for it. Has anyone thought to go to the state, since the state road is the issue that is creating that problem there? It is just some sheet piling and -concrete cast pieces, move the pole back, and widen that intersection.

Mr. Donnelly: They would not. That state is in rather dire financial straits. Even when things were good, not to say they were not cooperative on various issues but as far as payment for something like that only in instances where it would be a state-funded project. This is not one of them. It is 100 percent county. If it was a local projects unit project they would consider it.

Mr. Downey: You mentioned about the decking and the sidewalk. Our current curbing is steel-capped curbing. Are you putting back steel-faced curbing?

Mr. Donnelly: No. We would be putting back concrete curbing.

Mr. Downey: The problem with that is the plows beat the living daylight out of it. We are going to lose the curbing in short order. The most durable curbing is steel-plate facing. Today's concrete does not perform like the concrete of yesteryears. You really want to put steel-facing back on that. If not we are going to have chip-aways and the curb is going to deteriorate. I would urge you to go with steel-facing.

Mr. Donnelly: The only problem with that type of curbing is you do get water penetration.

Mr. Downey: There has got to be a way to seal it somehow. Membrane is and seal it somehow in there. Thank you for answering about the parapet. We want eyes straight ahead looking at drivers' positions, car doors opening. We do not want gazers looking into sunsets. You are widening for the purpose of safety, we do not want to start encouraging gazing.

Ms. Shimsky: What can be done in terms of noise and dust abatement during construction?

Mr. Donnelly: Not much as far as noise goes. Dust abatement? Yes, we can specify the use of vacuum-shrouded machinery. As I mentioned before, containment, Class A containment for the painting operations. Concrete can be wet down while you break it, and we can specify something to that effect in there. Unfortunately, noise is something that you are going to get a lot of. Demolition noise is bad, which fortunately works out good because demolition is best done in the wintertime when you have no temperature constraints, which is when people have their windows shut.

Trustee Armacost: In terms of the contractors, is that decided through a procurement process and what are the criteria for choosing the company?

Mr. Donnelly: Yes, and price. It is competitively bid. It is the lowest responsible contractor. It cannot be somebody who has no experience in the type of construction or somebody who has not done a similar project and come through on time and under budget. But the bottom line behind all government work is price.

John Gonder, 153 James Street: We have talked about meters on that bridge. Some people do not want it and others say it is revenue. Can the Board make a decision that they are going to put meters in, or for the next 20 years not put meters in?

Trustee Armacost: Or one of those units.

Mayor Swiderski: Pay stations.

Trustee Walker: That is a good idea.

Mr. Gonder: That is the other problem. You have to walk 200 and some feet.

Mayor Swiderski: At either end. But pay stations are where things are headed. Cheaper than putting meters in, which have their own issues.

Dave Skolnik, 47 Hillside Avenue: Other than affecting the view, a lot of the problems would be solved by building a Vermont-style covered bridge. It is a lot harder to kill yourself, throw your TV out. OK, reality. Has there been any discussion in this design, partly relating to the comp plan, about facilitating bicycles. This is a project like what happened some years ago at Jackson and 9-A. It does not seem as though that issue has come into consideration. It sounds like it would be difficult to incorporate, and yet that seems to be the ongoing problem in the entire region. With the widening maybe you could incorporate capacity for a bike lane. That is what the Comp Plan is trying to encourage.

A couple of weeks ago I made some comment with regard to the coloration of the LEDs that we are currently using. Is there an option that with regard to the temperature of that lighting? There is a problem at the intersection of Main and Warburton with people not from here not knowing when they were supposed to walk. I had raised the feasibility of installing walk lights in pedestrian signals. I was told that they were some astronomical sum, which I am sure it is. But in the context of this project and in the larger context of trying to encourage more presence in the Village of people that are not from here, a lot of these accommodations need to have a second look.

Marie Paquette, 12 Maple Lane: An earlier comment was made about the 60 parking spaces and that the word has not been out with the merchants. But the word is not out with a lot of the residents on Warburton and Washington that are going to be affected, coming home at night and getting up in morning and having their lives impacted. While there technical things that you have to get the show on the road, there is also Hastings housekeeping stuff that we should talk about a little more.

Mayor Swiderski: Agreed. We did not finish drawing a consensus around lighting and fencing. Marge, did you weigh in new versus old style?

Trustee Apel: I like the old-style lighting. It fits in with the rest of the Village. We do not want the chain link fence. It is ugly, and I think there is much nicer stuff out there. If we do a little more research we can get what we all want. .

Trustee Jennings: I agree. I would not want to have the proposed fencing in your design. I want to explore options. Since part of the case for the more modern light fixtures was that it went well with the fencing, since that is still an open question, I am not ready to weigh in on the lights. My aesthetic would be to have the traditional lights that give a continuum from the rest of the downtown, although I see the problem of having to put them up so high. I am not sure I have an opinion about lights yet, but I definitely am unhappy with the fencing and would ask for more choices about that.

Trustee Armacost: I agree 100 percent with Bruce. I do not like the fencing at all. If you can come up with a more creative solution it would be fantastic. I like the look of the old lights, but if it seems that the design lends itself to the new lights it bothers me a tad less than Meg. But I am not wildly enthusiastic about the new lights.

Jeff Pucillo, 4 West Main Street: This bridge is in my backyard. It is in my backyard. I am as close as any human being is to it. I spend a lot of time back there. I have children, I have chickens. I love them very much. I love my kids, too. If we are going to do this my life is probably kind of ruined for the next two years. I understand that. It is going to be loud. My wife is a stay-at-home mom, I do not know what the heck she is going to do. We park on that bridge. I have no idea what accommodations are going to be made for me. There is no free parking anywhere within walking distance of my house except for that bridge. I have to walk to the A&P to find the nearest free parking. So that is a concern.

But I am going to put my own needs aside and I am going to ask for one simple thing. If we are going to paint that bridge I would love it if we could paint "Hastings-on-Hudson" in really cool letters on the side of that bridge for the millions of people every year who pass through there and see that valley. That bridge could be a brilliant billboard promotion for this town, and get people understanding where we are, who we are. Could be some way of expressing our creative selves.

Mayor Swiderski: Somebody got a clap. So in terms of the next step.

Trustee Armacost: You did not say what you felt about this.

Mayor Swiderski: I did. I weighed in quite strongly with Meg. Aesthetics matter. It was described by one person as a highway overpass, I view it as a prison guard walkway. But either way, it speaks institution, it does not speak a gateway to the downtown. Something interesting in iron, whatever, within the realm of the budget and reality. I know you can manage something. I am inclined to giving some credence to worrying about people who jump. Two is many, in the last four years. I respect and understand the desire to discourage it. And it works, it does work. But I think you can accommodate that with something that is not institutional.

And that combined with the black lights, I agree with Meg. Approaching the Village with that on either side, and some fencing that is not institutional and that old-style lighting, would be very attractive and a nice improvement. If you can do something with that, we can plan for a meeting that will be better messaged out to the community, we will do that. I understand you have a tight schedule, so we will accommodate however quickly you can manage to come up with a new design.

Ms. Lopane: With regards to height of the fence, I need some guidance. We are looking at a parapet that is 42 inches and the fence on top is six feet. Are you objecting to the height of the fence, or are you objecting to the material?

Trustee Apel: We do not want a chain link fence.

Ms. Lopane: So you are objecting to the material.

Mayor Swiderski: And obstruction of view.

Ms. Lopane: So the height if the fence does not bother you as much.

Mayor Swiderski: There is a link. What is code when it comes to discouraging jumpers?

M. Lopane: There are mesh materials out there, and Meg is familiar with them, that have an aesthetic that is different than a chain link fence. There are definitely materials that we could use that would achieve both goals. Aesthetics is very subjective. I may like something that you do not like. So what I am asking is, you are looking for transparency.

Trustee Apel: You have a picture of what we are talking about.

Ms. Lopane: Are you talking about pickets?

Trustee Apel: No, we are talking about the curved fence. Why do we not show you?

Ms. Lopane: Those are pickets. I have an issue with that.

Mr. Donnelly: Since we are blazing new ground as far as the height goes, if we are going to go with something that is not a standard chain link fence with a one inch grid, if we are going off track, then it becomes subjective. It is what makes sense as far as deterrence. At a minimum, you would probably want it at eight feet. But if we are fooling around with the spacing and whatnot, now it becomes a judgmental type thing.

Trustee Jennings: We are still talking about something that curves inward. Who came up with six feet? Can somebody easily climb over if that is four feet and curved inward?

Mr. Donnelly: No. That is a standard thing. It has to do also with clearance for vehicles and overpass stuff. It is a function of a lot of things. Also the climbing, you cannot get a toehold on a one inch mesh. But the height is usually somewhere between eight and nine on

a typical pedestrian fence that would be used for that. If we are delving into I will not say uncharted territory because it has been done before on certain projects, it now becomes more up to the designer to get a feel for what we would consider safe. I would assume that you are talking about in the eight foot range.

Trustee Walker: Yes, I think that is right. I think eight feet.

Ms. Lopane: I do not know if you have been paying attention to the aesthetic discussion with regards to the Tappan Zee Bridge. They are at about eight foot three inches. They have a 42-inch parapet and then a fence. It does not have a curve to it, it is an angle. That is something you could think about. The mesh is somewhat transparent.

Meg, with the picket fence, as a designer I am always learning. In 1999 I put up a fence in the city of Peekskill, right on Main Street, and it is a picket fence. It looks like a jail. It is around a playground, and it is something that I have some feelings about. When you are walking next to a very tall, high picket fence it almost appears to be solid as you are walking along it. If you could just think a little more about mesh, I have some pictures.

Trustee Walker: When Suzette talks about a picket fence we are not talking about a little white wooden picket fence. These are narrow iron bars.

Ms. Lopane: But when you walk along the edge of them they look very solid and it can be very troublesome in its appearance. I have some photographs I took in the city a number of years ago. This is a compromise. If you want to pass them around, there are some blowups in there. There is a picket on the top of the feature, and there is a mesh on the bottom. So you are getting best of both worlds. If I want to take a picture through the picket I can do that. But I have the mesh there to protect from these larger objects falling.

Trustee Armacost: Is it possible for us to wait until our next Board meeting and look at some pictures and include other people in the discussion to the point people are making about notification to merchants as well as residents. People would like to see examples of what is being recommended. I feel like I am not making an informed decision now. I have a vague feeling I do not want it to look like a prison. I have a vague feeling I do not want the view to be obstructed. But I do not have a precise thing to recommend. It is a very creative bunch of people in our village that can come up with some examples, as well as you.

Ms. Lopane: I am waiting for those pictures to get around to you.

Trustee Armacost: For me, this is not quite my cup of tea.

Trustee Apel: No, that is very ugly.

Trustee Walker: Although the point that Suzette is making is interesting. That mesh is more transparent than those bars.

Ms. Lopane: I am trying to understand the aesthetic that you are looking for. I am trying to find what the problem is so I can take that back and resolve it and come up with something is going to work for all of us. Ultimately, design is all about compromise.

Trustee Apel: You do not want it to look like a sloppy chain link fence that eventually gets punched in. It gets horrible-looking, and you are concerned about not being able to see through it, take pictures and so forth. You want it to look classier than just something that someone might stick around a junkyard.

Ms. Lopane: I understand that. There are lots of different levels of chain link. But what I would try to impress upon you is that I am looking at something that is a mesh towards the bottom so that I can look through it. It is going to feel transparent from a distance, as I walk along it is going to have that transparency feel to it. But the picket is a little higher up; I am going to still be able to take that picture. But I am also going to provide some security. That safety issue is heart wrenching. When we make a new improvement to a facility that we have, and we know there is an existing problem, it is a huge problem to me. I do not want to just walk away from this and say that I have solved that problem. I do not think I have. But, aesthetically, I think I have an understanding unless you want to correct me.

Mayor Swiderski: If you can come back with a couple of suggestions, and we can hold a broader meetings and try to resolve it once for all, then it will involve another trip. But this is something we need to live with.

Ms. Lopane: I may just be able to send it to Fran and he can just distribute it to you.

Mayor Swiderski: We want the public.

Trustee Armacost: It is not just us. What I heard is that people care about this and want to have a chance to make a contribution.

Ms. Lopane: Absolutely, but I can still provide you with those sheets. And then you have them, and you can have that discussion.

Mr. Koch: We are trying to discourage people from jumping off the bridge, and I support that. On the other hand, one by one mesh is about not throwing garbage off. If we were to

put aside the garbage thing, then we would have a fence that we could see through that would discourage people from jumping and we would be able to strike a compromise.

Trustee Walker: In what Suzette was showing, the mesh is more transparent than the bars.

Mr. Koch: In some conditions.

Trustee Walker: Yes, maybe it is not in all conditions. Not that I like that aesthetic.

Mr. Metzger: When you have a chain link fence and you are walking down alongside of it, you might as well be walking through a solid wall. This so flies in the face of what that bridge means to this village.

Mayor Swiderski: The department has the request from the Village to come up with alternatives. The aesthetics of that clearly matter to us. If you can get some alternatives and then we will figure out how to schedule this, whether it is the next meeting or a subsequent one, one that we will message out more broadly, and ideally one that somebody can attend from the department to interact and give the input from the public.

Trustee Walker: Thank you so much for all the time you have put into this.

Trustee Armacost: Thank you.

Trustee Jennings: Thank you.

Mayor Swiderski: Like you say, this has to happen, and the misery it will impose is, to some degree, unavoidable. We can ameliorate some of it, but it is going to be an inconvenience no matter what. But the aesthetics are what we live with for the next 30 to 50 years, and it matters. Thank you.

APPROVAL OF MINUTES

On MOTION of Trustee Armacost, SECONDED by Trustee Walker with a voice vote of all in favor, the Minutes of the Public Hearing of April 9, 2013 were approved as presented.

On MOTION of Trustee Armacost, SECONDED by Trustee Walker with a voice vote of all in favor, the Minutes of the Regular Meeting of April 16, 2013 were approved as presented.

On MOTION of Trustee Armacost, SECONDED by Trustee Walker with a voice vote of all in favor, the Minutes of the Special Meeting of April 23, 2013 were approved as presented.

APPROVAL OF WARRANTS

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

Multi-Fund No. 55-2012-13 \$ 12,538.73

Multi-Fund No. 56-2012-13 \$152,555.49

Multi-Fund No. 57-2012-13 \$540,072.59

PUBLIC COMMENTS

Mr. Downey: In your e-mail about the taxes you said that total of our tax payments the Village collects, 21 percent, is used for the Village budget. To my amazement, half of that, 11 percent, goes to the county.

Mayor Swiderski: No, 21 percent is Village and then another 11 percent goes to the county. So in total, the Village and the county is about 30 percent.

Mr. Downey: A different way of saying it: for half as much that we pay the Village we get a fraction of that value back. Compared to the village that has sanitation, police and all the efforts and services of the village, we pay 50 cents to the county. Some parks, an airport, a lot of employees, a lot of pensions. That is something the Village residents should focus on. You take a good deal of pounding about the cost of running the Village, and we know the school is the greatest component, the county half as much as the Village. You have got to question some of the value in that.

I heard in the police presentation that Hastings is going to be too short of police officers shortly. The Dobbs Ferry police force will be up to four short, according to the Chief. Can we have some sort of cooperative working of police forces? Do you need to have the same scale of people on at midnight that you do during the day? Could there be, instead of two cars in Hastings, two in Dobbs Ferry, one in each and then one near the center that works both, possibly saving a man out there. I have heard from police officers that you could sit at Five Corners for hours on end and you will not see a car go by or a body or soul. We have a lot of labor sitting there not doing anything, but we have to go through the old form and format. We have to think differently than the model we have now. Same thing with DPW services. The way we do our overtime snow removal, it is not a big item but it is an item. The way we go about our procedures is antiquated. Four or five guys shoveling with shovels, when one machine could fly down the road and handle it.

I am wondering if you have given thought to my request at the last meeting to allow the handheld gas blower that is comparable to the electric blower.

Mayor Swiderski: I cannot speak for the rest of the Board. We have a hard enough time getting compliance with the law as it stands. I worry that introducing gradients of blowers and trying to explain and enforce that makes a law that is already difficult to enforce essentially unenforceable. I am not attracted to the notion of trying to impose gradients.

Mr. Downey: If you think about what you just said, it is difficult to enforce, it demonstrates there is a need for it. There is a need for it, and your landscape company said they would love if they could go with just a handheld blower. It would do the service that is needed in clearing the walkways. You cannot possibly think that a broom is going to handle the mess you see out there now, with the trees dropping all their stuff. A little handheld blower device, I would happy to help craft the wording since you do not know this line of work. .

What is enforceable? Because we know it is not working right now. The police are running around, they are wasting time, it is chaos out there. The law is not meeting the need. If nothing else, for a trial for a year. Because your open-and-shut version has not worked, is not working, and it is going to be facing the same problem come May 15.

Mayor Swiderski: I will not say it is working pretty well, but I would worry about it not working at all. I would say it is working pretty well. The Village is a whole lot quieter in the middle of the summer.

Mr. Downey: The noise of the handheld I am talking about is like the electric. I am subduing the noise, but I am giving the opportunity to be perform the work. We are going to hear the conversation of stormwater runoff. People go with the garden hose because their landscaper cannot do it. They wash down the sidewalk and the curb and the street. We are wasting water. Also, the Village is a good deal messier than it used to be. We are making good attempts with the occasional street sweeper. It is the landscapers who keep the streets clean. You have to acknowledge the efforts that assist the Village throughout the year with the landscapers. It would be considerate to give them a reward for that effort that they provide for the Village. So it is not a noise thing. The noise can be tuned in with the electric one. We can make it so we have a sheet the officers can hand the landscaper. They have to get a permit, fines are stiff. There are people out there who will abide by it. You are making it black and white like it will never work. I know differently. I believe it is worth at least one season's chance to take a look at what I have suggested.

Trustee Armacost: So what is our plan going to be on that?

Mayor Swiderski: I would say put it on Board discussion for next week, have a brief discussion on it, and resolve it one way or another. The Police Chief will weigh in.

Trustee Armacost: Can we ask the Police Chief to bring some of his statistics on success of enforcement, complaints, whatever is relevant data to show how effective it is or not?

Trustee Apel: But also bring the machines again.

Mr. Downey: I emptied the gasoline so they would not be allowed to run. The Fire Chief said you cannot bring gas in. Those were emptied and dried out, the gas engines. It is safe.

Trustee Apel: We will come early, we will meet you, you will run them outside.

Chris Hall, Owner - 16 Spring Street: I am one of the owners of 16 Spring Street. The store Expressions is in that building. A law that is on the books, I want to give you the consequences of how it is being implemented, how it has to be implemented, and point out that it ought to be changed. My dad built it in 1986. The family owns it. My dad built Hall Place, he built Burnside Place. We did a lot in Hastings. I am a graduate of Hastings High School, my siblings are. The building is in great shape. We have weathered the ups and downs of Hastings retail. We just tried to replace a deck on the back of the building. It is 26 years old. All we wanted to do was pull it off and put another one back on.

We have to go to the Planning Board, we have to go to the View Preservation Board, we have to get a building permit for this. I will submit to you that is just nuts. When we built it we went to the Zoning, Planning, View Preservation. And this is a deck on the back of the building. It cannot possibly obscure anybody's view. I know the law says this is the way you have to do it. My brother is an architect, thank goodness. We can design it. That is not big deal. It is just a couple of pieces of wood, a couple of lag bolts. You just stick it in the wall. It is a replacement of what was there. But please can you do something about this law? It is going to cost us money, it is costing us time. It is just a monstrous thing that was well-intentioned and works in a lot of cases in the Village. In this kind of instance, where somebody is just replacing, put the deck back so it is a nice deck, as is the law needs to be modified. That is why I am addressing you. I have to figure out what the Planning Board does, I have to figure out view preservation. The view preservation of the back of the building is what is killing me. I bought all the stuff, I have the guys ready to go. They are stopping, they are going home and that is the end of that job for a couple of months. It is a mess, and would ask you if you could fix that.

Trustee Armacost: You are one of several groups of constituents who have either that impact or a similar kind of impact. St. Matthew's Church has a similar situation with some

quite small statues Father Fernan wanted to place close to the church. They have had to go through a similar very rigorous process, 21 photographs, and they have had to spend a lot of money.

Mr. Hall: I would just say please do something about this. I am a guy who would like to do a lot more in Hastings. We have done a lot. We are here for the long term. But with this kind of thing, who is going to do anything in town? It is not just my little issue. The downtown is dying, or being transformed because of stuff like this. So it has consequences. It is not my pocketbook. I can do this. But this has consequences for the Village that cannot go unnoticed.

Village Attorney Stecich: This may obviate this. I discussed this with the Building Inspector yesterday for the first time. Do you have in your plans an approved site plan from when it was done the last time that showed the deck?

Mr. Hall: I do not know off-hand. I would expect probably.

Trustee Armacost: That may help Mr. Hall, but I do not think that would help St. Matthew's.

Village Attorney Stecich: That is who I am addressing is Mr. Hall, and that was the specific issue I spoke about. I believe there may already be site plan approval for that deck. There are other issues, but for that particular problem I spoke with the Building Inspector yesterday. I tried to follow up today, but he was out ill.

Mr. Hall: Yes, I will take a look.

Village Attorney Stecich: Your brother may have them if he was the one who designed it. If you had a site plan approval with that deck on it then you have got site plan approval. You should be OK. The problem is that you do not know. Sometimes somebody might be doing something, saying I am just rebuilding, and it may not have been approved in the past. But in this situation, because you are saying it was not that long ago, it may well be there.

Trustee Walker: The Village probably has those.

Village Attorney Stecich: The Village should have them, too. But there was some point where if he has it.

Mr. Hall: It would be easier if we had it?

Village Attorney Stecich: Yes. Do not tear apart your attic.

Mr. Hall: Sorry to be particularly particular, but I know there is a site plan. But the site plan approval, is that what I would have to produce?

Village Attorney Stecich: No, the site plan that you have approved. Do not worry about the approval. That would be in minutes. But if you have the site plan with the deck on, bring that into the Building Inspector. And it would have to be exactly the same size and location.

Mr. Metzger: It needs to be built to a higher standard.

Village Attorney Stecich: No. The site plan I am only concerned about, because if it were in a different spot it may affect the view. But not if it is not.

Mr. Hall: Right. It would be the same location.

Trustee Walker: But he may still need to get a building permit.

Village Attorney Stecich: Oh, yes.

Mr. Hall: Yes, that is no big deal. I will look for that. Great, thank you very much.

Mr. Koch: I applaud you for approaching the general problem with the Village code with regard to 295-104. I wrote you a letter. We want to do work on the interior only of an apartment in the Village, but that is not allowed because it has to go to the Planning Board, which is even more absurd than the deck. Should I go ahead and sign up to go to the Planning Board in two months so they can do the work, get the approval the next month so it is a two and a half month delay? Or is there any workaround whereby work can occur on the interior only of an apartment in the Village without a Planning Board approval, review and approval? Marianne, should I apply for the Planning Board for two months from now?

Village Attorney Stecich: If I were you I would. Even if the Board decides to amend the code it is going to take that time. They have to draft a law, they have to have a public hearing. So if I were you I would do it. And there is no reason it should take two months.

Mr. Koch: We were told that we cannot get on until the end of June.

Mayor Swiderski: But why would view preservation be involved?

Village Attorney Stecich: If it is site plan approval and it is in the view preservation district.

Mr. Koch: But it all interior work. Can the Building Department not just say something?

Village Attorney Stecich: The Board can fix the law. That is something they are going to discuss later. But in the meantime, I think it would be faster if you just apply for it.

Trustee Walker: This is something that I have been looking at with Deven because the Board has talked a lot about wanting to streamline the ordinances to encourage new businesses to come to Hastings.

Ms. Paquette: I want to make a comment on Saturday morning garbage dumping. Originally the pickups were twice a week. Then to save money, we had it once and you could bring your garbage there. I am concerned with the densely populated areas of Hastings with houses on 25 or 50 foot wide lots. I do recycle. I am concerned that in the summertime once a month is not sufficient. You may get rodents. Garbage gets smelly. I would encourage the Board to consider more frequently than once a month.

Mr. Gonder: The last meeting was April 16, and you said Board of Trustees special meeting for 2013-2014 budget approval 7:30. I got here 20 after 7 and you had a work session. I think Rafael could set something up with people that do not use computers. A phone call when you change things.

Two people told me that some of the Board wanted to eliminate two policemen and cut their salaries. That is the biggest mistake, if it is true, that you ever made. We need more police. You had an assault in the park, you had two deaths in the last couple years. A poor guy riding a bicycle. You had a guy sweeping the street on south end of Warburton, got killed. I read all the burglaries, robberies, bank robbery, holdup, breaking to a Chinese family that just moved here and started a business. So many unsolved ones of kids stealing things left and right, in the school, and pools. Graham School is a big problem. Warburton, the southern end going down, that is the second time in ten days I almost got hit. I hope that rumor was incorrect that you want to lay off two policemen and that you want to cut their salaries.

Mayor Swiderski: We are fully budgeted for those two positions. They are not cutting anyone's salary. And the crime rate in Hastings remains as low as it has ever been in its history. Perception is one thing, but I am talking reality.

Eileen Quinlan, 39 Hillside Avenue: You need to know that a lot of people would be upset

if we went from four Saturdays a month to just one. To go from four to one is serious.

Mr. Metzger: I have come to apologize to the Board and to Sue Smith, who I see is here, and the Affordable Housing Committee. I had questions about the way the Affordable Housing Committee was conducting business. The way I phrased my questions was inappropriate and I apologize to the Board and the Affordable Housing Committee. In the future, if I have questions like that I will find a more appropriate way to request information.

On the planning and zoning thing, people need to understand. Most people who come before the boards do not understand. In terms of safety, it is all prescribed. In terms of zoning, that is why we have boards. In New York City, in a landmarks building, when you are doing work that does not impact the exterior of the building you sign a form that says I understand I am working in a landmarks area but we are not doing anything on the exterior of the building, and you are done. So it would be as simple as the Building Department coming up with a form that would exempt you from site plan review for work on the project that is strictly on the interior. It could be done tomorrow.

Village Attorney Stecich: No, it cannot because that is not the way the code reads. If we are going to change it there has to be an amendment to the zoning code. Right now, the Building Department does not have the authority to do it and the Board of Trustees does not have the authority to waive it. The zoning code will have to be modified.

Mr. Skolnik: With regard to ongoing efforts at finding commonality with our neighboring villages, there is something in the cooperative vein closer to home that you might want to consider: your interactions with the school district, the school board, the school community. There has tended to be this traditional separation. You have been always very careful at not overstepping or not treading in that area. But with the same taxpayers, with the same constituency, just wearing different hats, if we still are tripping over ourselves in finding cooperation there, it does not make sense to believe that we can go outside of our community and find that cooperation. The thing that has spurred that is what is coming up with Reynolds Field. I am not going to mention anything more specific about it. But I feel that going down the line, with the proposals that are being floated, there needs to be a place where the Village has a certain input into that project.

Trustee Armacost: About shared services we as Trustees feel that it is very important. Peter has made the point repeatedly, we are going to continue to make the point, and we all want to find creative ways in which to do it. We need to repeat the examples of where we are already doing it successfully that people are not even noticing. There is more sharing that is happening already. We want to build on that in a way that does not detract from what we love about the Village, but contributes in ways which does not have negative effect.

I do not think it is as dire as you make it sound.

Mr. Skolnik: I did not mean to make it sound dire. I was pushing for you to be dealing more with the school. But I am glad to hear it.

Mayor Swiderski: We have, in the past, met with the school, and throughout we continue to do so, to look exactly for those sort of opportunities. It is not for lack of trying, and there is remarkably little overlap. It turns out to be more tricky than you think to find something that is mutually beneficial.

28:13 TAX WARRANT 2013 - 2014

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

RESOLVED: that the Mayor and Board of Trustees authorize the Mayor to sign the Tax Warrant for 2013-2014.

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

29:13 REQUEST TO TRANSFER HYDRANT COSTS FROM MUNICIPAL BUDGETS TO ALL WATER RATE PAYERS

Village Manager Frobel: This introduces legislation that would be a local option that would be a more equitable means of blending the cost of this fire protection service among all the ratepayers. If you have the good fortune of being property tax exempt you do not share in that cost of the hydrant rental. It is a cost of \$230,000 to the Village. If this legislation passes, and we believe it has a pretty good chance because it is modeled after Wisconsin and Ohio, which have similar legislation. It leaves it as a local option. If it passes, we have to hold a public hearing and you have to adopt the resolution supporting it. That will go on to the Public Service Commission. They will determine the document is in order. Within 120 days, they will have the burden of appropriating what would have been our hydrant cost among all the ratepayers. The first hurdle is to have the state law amended to allow this flexibility.

Trustee Walker: Is this resolution being considered by other municipalities in the area?

Village Manager Frobel: Yes. Several have already adopted it. We believe it is an equity question. The non-profit benefits from the hydrant, from this fire protection service. There is no reason to have that also shared by all the ratepayers, not just the burden of the municipality. This applies to the schools, as well. They are property tax exempt, and yet they have hydrants on their property that would service their building. Any savings that comes out of this if this law passes and you choose this local option will adjust our property tax levy the following year. In other words, it will not be a windfall for us. It will be factored into what your levy can increase next year, taking this savings into consideration.

Trustee Armacost: Will it kick in this year, or will it kick in next year?

Village Manager Frobel: It will kick in when it is adopted, probably next fiscal year.

Trustee Armacost: We not see it for two years, or we will not see it for one year?

Village Manager Frobel: It depends upon the effective date of the legislation. It could be as early as next year, fiscal year 2014-15, not the budget you just adopted. The savings would be part of the growth that you would be allowed to assume and still be in compliance with the law. For example, say it was \$230,000. Next year, the savings would be assumed.

Trustee Armacost: Which entities in the Village are in the exempt category? We have a couple of large not-for-profits: Andrus, the Graham School, Cropsey.

Village Manager Frobel: You have the school property, the synagogue, the churches. It is almost \$14 million worth of assessed values wholly exempt, about 98 parcels.

Trustee Armacost: In value, how much? I am assuming this \$230,000 is everyone.

Mayor Swiderski: The Village is assessed that \$230,000. It would be spread out over the full assessed value.

Trustee Armacost: What is the actual value to us?

Mayor Swiderski: It will appear on your water bill. All \$230,000 goes out of the budget, and you will see something on your water bill that will be less than what you would have paid in taxes because that \$230,000 would be smeared out over more of the community.

Trustee Armacost: Smearred out.

Village Manager Frobel: Based on your water usage.

Trustee Armacost: So it goes completely from the Village budget.

Village Manager Frobel: Yes, that is what we are hoping for. There are compromises. In Pennsylvania they have a 75-25 percent ratio. The village still paid 25 percent of the fire hydrant rental. This one assumes 100 percent spread among all the ratepayers.

Trustee Jennings: Our water bills will go up like everybody else's. It will not be a wash.

Trustee Apel: It will be sprinkled around.

Trustee Jennings: I am trying to understand the implications with our tax cap. We take out \$230,000 of expenditure. But n does the state say you must therefore raise \$230,000 less in tax levy, so this does not help us afford other services or expenditures that we need to afford?

Village Manager Frobel: No, it is not viewed as a windfall, if that what you are asking. It is avoiding an expense that you will be able to reallocate for other needs. You will be able to prioritize this money elsewhere rather than seeing it go to the hydrant rental.

Trustee Armacost: Or we do not levy it. It seems a little unfair to save money in the budget, and then have people pay for it individually. How does the municipality pay for its water?

Village Manager Frobel: The same as the homeowner.

Mayor Swiderski: So will the Village get levied the hydrant fee?

Village Manager Frobel: Sure, that will be among our volume.

Trustee Jennings: This is a benefit for the taxpayer because the same amount of money is going to be raised by United Water in the form of water bills, but this will now apply to the not-for-profits also. You are spreading that amount of money across a larger number of payers, so the not-for-profits will go from zero to a lot, but the average homeowner will not have to pay as much in the water bill as they have been paying in their property tax.

Village Manager Frobel: Truly. Because you have got heavy users, too. The Andrus Nursing Home, I can imagine what their water bill is, or our schools or the Graham School.

And it is based on the amount of water they use.

Trustee Apel: But these are for the fire hydrants.

Village Manager Frobel: Right, that is what is going to go away.

Trustee Apel: While this is being done the state should be looking into this utility as having outrageous charges for fire hydrants. That is ridiculous.

Trustee Armacost: One of my questions is why it has gone up 42 percent.

Village Manager Frobel: Part of it is the Safe Drinking Water Act, which has placed some heavy standards on the safety of your drinking water. Even though a hydrant does not require the same water we get from a water fountain, it is the same water.

Trustee Jennings: This is just a ploy to keep water rates lower.

Mayor Swiderski: I do want to point out that some is offloaded onto schools meaning their tax rate will go up a little. So it is not as clean a gain.

Trustee Armacost: People will experience it one way or another.

Mayor Swiderski: Right, but not 100 percent. Because when Andrus absorbs it or Cropsey absorbs it we do not see it at all. But in the case of the school, there is some squeezing the proverbial Play-Doh. Somebody has got to pay the bill.

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

WHEREAS, United Water services the nine communities Hastings-on-Hudson, Dobbs Ardsley, Bronxville, Pelham, Pelham Manor, Tuckahoe, Eastchester, and New Rochelle; and

WHEREAS, the ever-increasing rental fees for the use of United Water's fire hydrants is a line item in each of the respective communities; and

WHEREAS, under the present system the cost of the fire hydrant rentals is borne solely by the private property owners of each community; and

WHEREAS, it is the general belief that all tax exempt properties such as colleges, public and private schools, hospitals, houses of worship, cemeteries, federal, state and county owned properties, and other not-for-profits should pay their fair share of the cost of the operation of these fire hydrants; and

WHEREAS, with the blessing of the New York State Public Service Commission, the hydrant cost charged by United Water to the Village of Hastings's taxpayers alone has ballooned from \$162,293 in 2009 to \$230,000 in 2013, an increase of 42%; now therefore be it

RESOLVED: that the Board of Trustees of the Village of Hastings-on-Hudson hereby requests that State Senator Andrea Stewart Cousins sponsor a bill in the Albany legislature to transfer the cost of hydrant rentals from municipal budgets to the respective water rate payers so that all who depend on the operation of fire hydrants pay their fair share.

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

Michael Ambrozek, 16 Sheldon Place: It appears the way the water company will charge for the fire hydrant rates is not determined. They can either split it up in proportion to the number of water consumers or on the amount of water consumption. I do not know whether this needs to be addressed in what you are proposing to send to the state.

Mayor Swiderski: It should be on consumption.

VILLAGE MANAGER'S REPORT

Village Manager Frobel: The early bird discount for our pool membership ends on May 15. So if you are looking to join the pool for the season, take advantage of that discount. You may have noticed that there are several white ribbons tied to trees along Main Street and

Warburton. This was the result correspondence sent to the villages and town to draw everyone's attention to the National Alliance on Mental Illness. Those ribbons will be up until the end of the month, and then they will be taken down by the group.

BOARD DISCUSSION AND COMMENTS

1. Placement of Korean and Vietnam Veterans Monuments in VFW Park

Sue Smith, 645 Broadway: This an artist's rendering to give you some idea of the relationship of the existing monument with two new ones. Christina Griffin did this, and I appreciate it very much. It has a lot of masonry work, which was not in the budget. But if we had enough money, perhaps it would be an option to do that. There are other ways, maybe with greenery, to tie things together. The intent is to show you where they would be in relation to the building behind it and the existing monument.

In February the Historical Society brought forth the idea of creating monuments for Vietnam and Korean Wars using the VFW Park as the location. We are little farther along. I had a talk with Minozzi so we know how he could deal with the hill, for instance. The two sides are not exactly equal. We have begun a quiet phase of fund-raising with very good response, and are very optimistic that we can make the budget to do it. The goal had been to try to have it in place perhaps by Veterans' Day. That is a bit ambitious, but I am still hoping that that could happen. But we need your approval for putting the monuments in that place. They will become the property of the Village, a gift from everybody who contributes to the Village, as well as to VFW.

Mayor Swiderski: What is the process around this? Does it require a public hearing?

Village Manager Frobel: I do not believe so. I think the Board can just grant permission.

Village Attorney Stecich: It is not alienating park land at all. I do not think there is any reason to have a public hearing.

Trustee Walker: Right now there is one there. Are you proposing two, or one?

Ms. Smith: Two. One for Korea, one for Vietnam. They would be a similar design.

Trustee Walker: I like the symmetry of it, and I am glad you had Christina Griffin do this drawing. I think about public space all the time, that is my job. I really like it when a monument is worked into a way for people to enjoy it, so it is not just a monument stuck in the ground, but maybe part of a little plaza. Not that you are raising money for a plaza. But

to think about a nice area where somebody could sit and enjoy this spot, and look out at the view. So it is more than just a couple of stones. Something to think about, because this could be done later, in thinking about the design I would love to see a little space in front of it, more space than we have there now, where people could sit and enjoy it. Maybe some benches and things.

Trustee Jennings: Do we not have semicircular benches somewhere?

Ms. Smith: There is a semicircular where the center is here. It does not show, but it is semicircular and you can sit on these posts at the end. That part is there now.

Trustee Jennings: Oh, so this is way up the hill.

Ms. Smith: In front of the flagpole.

Trustee Jennings: The perspective of the building, I got thrown off. OK, so this whole area. Thank you, no problem.

Trustee Armacost: I think it is a fantastic idea. I am fully supportive.

Mayor Swiderski: It is hard to imagine anyone would have an issue. One is a forgotten war, and one is a war we would like to forget. And both of them are ones we should remember, and it is entirely appropriate.

Ms. Smith: Greg is with me here and he is spearheading this, getting the names of the people from Hastings who served in the wars. He is over 60 for Vietnam.

Greg Muraik: Sixty-three now.

Ms. Smith: Sixty-three, which is a big number. We were surprised. That is a lot of people to recognize. Fewer for Korea, but it is like 40.

Mr. Muraik: Thirty-eight.

Mayor Swiderski: Thirty-eight for Korea alone?

Ms. Smith: Yes. And we are still trying to find names. It is amazing how they keep popping up.

Mayor Swiderski: Do have a sense of how many of those still reside in the Village?

Mr. Muraik: Many have passed away. There are several from the Korean War period.

Ms. Smith: As well as Vietnam who are around. Many have moved, but sons and daughters.

Trustee Armacost: At what point are you going to decide that you have found everyone?

Ms. Smith: The experience of other communities is that you never have found them all. We are leaving plenty of space for names to be added. We are trying to do everything we can now to find names. If we had extra money left we could earmark it for that kind of purpose in the future. You can go in with a machine and add names right on the spot. You cannot do that with a bronze plaque, so that is one of the benefits of having stone that can be done later. But you need to leave more room than you think you need, apparently.

Trustee Apel: I am very supportive, and I want to thank Sue for doing this.

Trustee Walker: I am fully supportive of the monuments.

Mayor Swiderski: Consider that permission. Thank you, and again thank you for waiting.

2. Donation of Strip of Land Adjacent to 400 Warburton Avenue

Village Manager Frobel: In my narrative I indicated what this is about. It involves linking our Quarry Trail phase two to Warburton Avenue. The property owner I do not believe is here this evening. So if you wanted to pass on this I think that would be appropriate.

Village Clerk Maggiotto: I believe he was here and he left.

Village Manager Frobel: That can keep. There are still some details.

Village Attorney Stecich: This is the warehouse building next to Brown's Roofing that Zazzarino is converting to apartments, townhouses, and he has got all his approvals. I think it is five units, and he has all his approvals from the Planning Board and the Zoning Board, because he needed view preservation approval. Part of the Planning Board's findings were because it is creating new residential space there is a need for new recreational facilities. They assessed the recreation fee, which I believe was \$37,500. Part of his proposal is on his property, and it would also be on Village property. Build a connection to the trail. What he wants to do is get credit. So let us say it cost him \$37,500 to do it, or the Village's value is \$37,500. He said let that be my rec fee. Or you may determine the cost of it, and if it is

costing him \$10,000 you might say you get \$10,000 credit but you have to pay \$27,500.

This your choice. Once the Planning Board makes the determination that there is a need for parkland, the rec fee goes in. And it is up to this board.

Mayor Swiderski: This connection would be open to the public in general?

Village Attorney Stecich: It was going to be a public connection.

Mayor Swiderski: And it would be people on Warburton could get down to that trail and head either up or, eventually, down. It is connection we have been looking for.

Village Attorney Stecich: I believe the Planning Board thought it would be a valuable connection. The question here is the tradeoff, and whether the Board would permit it.

Trustee Armacost: When you go along the Aqueduct there is a path. Is it at the end of the path?

Village Manager Frobel: Yes, when you go down there.

Trustee Armacost: Where it kind of ends at a fence?

Mayor Swiderski: No. You are heading south on the Aqueduct, on the left is the quarry. There is a path that goes down under the Aqueduct.

Trustee Armacost: Exactly. And if you keep going to the end, there is a fence at the end.

Mayor Swiderski: If there is a fence that is something new. But there is an underpass that is totally still filled with garbage.

Trustee Armacost: No, it is not. It has been cleaned by the Boy Scouts and Cub Scouts many times.

Mayor Swiderski: Lovely. Anyway, ultimately that will head down to Southside and this would come down at that point.

Trustee Armacost: And the idea is that he is building stairs or some kind of a pathway all the way down to Rowley's Trail, basically, or Southside.

Village Manager Frobel: No. All he is building is the stairway from Warburton to the

Quarry Trail. Just to get you from this grade to the road, that is all. We are trying to determine now whether \$37,500 is a fair price. I have been given some rudimentary plans from the architect. They are not sufficient to go to a contractor and say is this a fair price. We have more work to do ourselves.

Trustee Walker: Is it for us to construct, then, or them?

Village Manager Frobel: That would be an option. If you were to take, as Marianne indicated, the cash, nothing says you have to spend that money on this project.

Trustee Apel: Maybe the thing is to let him construct it, and money not used would be put into a fund to maintain it, whatever is left over.

Village Manager Frobel: Our preference is to have him build it.

Trustee Armacost: It does not have to be. It could just be into a fund. It does not have to be specifically for that purpose.

Village Attorney Stecich: It would have to go into a separate account for recreation.

Trustee Apel: It is going to have to be maintained, depending upon how well it is built.

Trustee Walker: But we would have a chance to review it. If he were to build it, the Planning Board, the Building Inspector and maybe even the Board of Trustees would have a chance to review the plan.

Trustee Armacost: So, Fran, what is the process for determining a fair price?

Village Manager Frobel: That was to be my responsibility. The owner, his architect, was to provide us with sufficient detail for me to take a plans, drawings, to a third party contractor and have him say, yes, I can do this and \$37,500 is a pretty fair price, or \$25,000, or something in between. We do not have that level of detail yet.

Trustee Armacost: But we are going to bid it to a number of different people, I am assuming is our procurement process.

Village Manager Frobel: No. This was just to verify the accuracy of his estimate. This was not to do it.

Trustee Armacost: We are going to ask this of only one entity, or several entities, to see

whether it is a reasonable price?

Village Manager Frobel: I could ask a couple. I guess, sure.

Trustee Armacost: Yes, I think it would be better to ask a few.

Trustee Jennings: Did I understand that there was an option to say, look, you owe us \$37,500. Build the stairs, give us the bill, and if it is \$25,000 you owe us a \$12,000 balance. Would he go for that? So why not do it that way, rather than say \$37,500 is the right price for the stairs. Then the money is going to go a contractor instead of to the Village if it is padded.

Village Manager Frobel: With him not here I am just not in the position to say.

Village Attorney Stecich: That may be what he is trying to do. Susan asked him would you describe what you want so we could give it to the Board. He just sends this e-mail that says I would like to donate this strip of land abutting the Croton Aqueduct needed by the Village for a stairway to Warburton in lieu of the payment of any developer fees required to be paid for the four units. Maybe he is saying he will give the land, and the land is worth \$37,000. He has put it a different way. It would have been very helpful if he were here.

Mayor Swiderski: That is less interesting.

Trustee Armacost: IT is also understandable that he left, given how late it is.

Trustee Apel: Then I suggest that we table this until he comes next time.

3. Schedule Work Session with Comprehensive Plan Priorities Committee

[discussion of dates]

Mayor Swiderski: At 7:00 on May 30

Trustee Apel: I would recommend that everyone please look over the plan.

Mr. Metzger: Tomorrow night the committee will be doing our final review of the work that we are going to present to you. I will be forwarding that to the Board for their review prior to our meeting so you will have a chance to look over it before we get to the presentation.

Trustee Armacost: Is that possible to have that printed for us? I know we are saving paper,

but that might be one thing that is worth it.

4. Saturday Dumping-Public Works Garage - Proposal to Change to Once per Month

Mayor Swiderski: We are on to an item that deserves greater public participation: Saturday dumping. It is a mistake for us to do this with so few people here.

Trustee Walker: When we put it on the agenda for the next meeting, if that is what we are doing, can we alert people on the Saturday before at the dump?

Trustee Armacost: You mean giving fliers out or something.

Trustee Apel: Put a sign up.

Trustee Walker: As Mr. Gonder says, not everybody has Internet access and gets the e-mails.

Trustee Armacost: Particularly if they are coming from other municipalities.

Mayor Swiderski: We certainly want them informed. That is two Saturday' worth. We will put this on for May 21 and put it at the top of the meeting.

5. Stormwater Annual Report

Mayor Swiderski: Once again, the annual process that never gets the attention that it deserves, but here we are.

Village Clerk Maggiotto: It is absolutely fine. Standing in front of you is part of the requirement. There is a requirement not only that we do all the things we are supposed to do, but that we publicize the fact that we are doing it. I need to say to you and to the public that our report has been finished. It is open for comment until it has to be submitted on June 1. It is our stormwater management report, where we are trying to manage the stormwater that goes into the street drains, to eliminate as many pollutants as we can from going into the stormwater so that our neighboring bodies of water are kept pure.

The report was distributed to you, it was distributed to the public, it was in the library, it has been in the Village Clerk's office, it is available online. It is available to anyone who wants to look at it and comment on it. There are six parts. We have to do public education, we have to track our own illicit discharges, which luckily we do not have any but we check all our outfalls that go into the river every year. We are careful with construction and post

construction management with our contractors. And then we look at how we handle our own stormwater on our municipal property. We were audited last year, as I reported to you last year. We did not have an audit this year, but we were doing very well as of a year ago and we are continuing our same efforts. I welcome any public comments before we submit this report to the state, June 1.

Mayor Swiderski: I read that the storm runoff from Sandy was horrific in the metropolitan area. The amount of sewage was mind-boggling. Were there any metrics for our area that you are aware of?

Village Clerk Maggiotto: When there is a great deal of water, then the sewage plants get inundated and sewage goes out into the water bodies. But I do not know of any measurements of anything that happened in the river.

Trustee Armacost: Were there comparisons with other villages and municipalities? If there were in the report, I missed that part.

Village Clerk Maggiotto: No. We are reporting on our own efforts. Everybody is under the same directives and we all have to do the same thing and submit the same report.

Trustee Armacost: Do we have any sense of how we compare? Whether we are doing better in releasing less toxic material than our neighbors, or is there no way of assessing that?

Village Clerk Maggiotto: It is hard to measure because we are looking at what is in the Hudson River or the Saw Mill River. We do have maybe 16 outfalls that we have identified that go into the Hudson, for example. I am not sure how many go into the Saw Mill. As far as we know, we do not have any toxic problems. Hastings is probably a lot better off than a lot of communities. What we have is more incidental things, which is why we want to get into the public education of it, the small things that we can manage, the fertilizer that we should not be putting on our lawns. My favorite poster that I bring up every year, everything you do on the ground think of it as standing on a body of water and doing it, whether your car is leaking oil on the street or you are washing your car or you are fertilizing your lawn, or your pets. So, for Hastings, that is where our efforts lie. Only in those small things, but let us do our own small part.

We had one great success this year. The high school had a green carwash at Draper Park. They got a lot of cars and a lot of attention to the fact that this is a better way to wash your car. The ideal way is to go to a carwash because they recycle their water. But this was done on the ground the way it should be so the suds leached into the ground. I hope they continue to do it. The high school is making a lot of efforts in that regard, as well.

Trustee Walker: We have so many parking lots that were built before there were certain drainage or filtration or water retention requirements. I do not know if there is any way to retrofit. I guess it is really to educate, because you cannot force a property owner to put a swale around the parking lot, for example, to avoid runoff into the Saw Mill River or into the Hudson River. We now require water retention on-site, but is there no way to do it retroactively?

Village Clerk Maggiotto: I will take that as a comment and something to pursue.

Trustee Walker: Maybe there are ways to do it. At Westchester Manor on Saw Mill Road is a big asphalt parking lot right on the Saw Mill River. I wonder if all of their runoff is going directly into the river. That is just an example.

Village Clerk Maggiotto: I think it is good to have something to focus on in particular besides all these general thing, so we will take a look at it.

Mr. Downey: I would like to, if we could, have a list of those 16 discharge points. That is something that has always bothered me in the streets, when I see the Perrier spring water bottle or the Gatorade bottle. I know if I do not stop my car and reach out it is going down the drain. We should have catch grates. Maybe a good winter project when the foliage is down and we can get access to see how we can build economical screens or sieves to catch that and have a maintenance program to keep those solids out of there. The oils, the granulars, the solvent things we cannot do right now, but the solids we should be able to capture and make a regular effort of harvesting and cleaning before it gets into the rivers.

Village Manager Frobel: That is why it is important that we have an aggressive catch basin cleaning program. That is to capture those materials so they do not get to the drainage.

Mr. Downey: The problem with a bottle, especially if you put a cap on it, it is a bobber, it floats. The catch basin is meant to catch solids and they clean solids, but those float and just keep going. And they are going downstream. If we had catches at the discharge points.

Village Manager Frobel: Like a trash rack.

6. Update on the Downtown

Mayor Swiderski: We continue the discussion we started earlier on what mechanisms we might want to consider, whether it is to expedite or to take a proposed change and figure out if it requires view preservation. It would be useful to ask Marianne her experience in other

communities. You said you had done something for this for the Planning Board in the past.

Village Attorney Stecich: Yes. This does address the view preservation issue, which is a separate thing, but it addresses the site plan issue. The code says that you need site plan approval for any construction, reconstruction, anything. It is worded very broadly. The other thing to remember is there is no site plan review required for one and two family houses. It is very rare that the Planning Board has been asked to look at somebody reworking one of the buildings in the downtown area. It is really rare; it is just recently it has come up. I do not know why, whether somebody was reading it differently before. But in any event, if you read it strictly it does say that site plan approval is required for any construction, reconstruction, alteration. I would suggest that could be fixed very easily by saying that it is only required for any construction that is going to be changing the footprint of the building, or the outline of the building.

Trustee Walker: Or the façade.

Village Attorney Stecich: I do not think you need it for site plan review for the façade. If it is downtown, if it is for the façade, it has got to go to the ARB. If it has got to go to ARB, why does it also need the Planning Board?

Trustee Walker: Good point.

Village Attorney Stecich: You are looking to simplify it, and that could just go to the ARB. If it is going to change the outline of the building at all it should require site plan approval because most of the commercial buildings are in the view preservation district. The view preservation district is pretty much everything west of Broadway.

Trustee Apel: Is there ever a case where for something that they were changing on the outside we would be delighted if they made it smaller, and we would want to force them to make it smaller because we never liked it, that it has been affecting the view? And now that they are going to want to make changes we do not want them to make it the way it was before, and therefore we want them to go through the process?

Village Attorney Stecich: But that is changing the outline of the building. So essentially, anything you are doing to the outside.

Trustee Apel: No, they want to put back what they had before, and now we have an opportunity to say no.

Village Attorney Stecich: I am trying to capture the case you are talking about. They are

not planning on doing anything to the outside of the building. They are just going to do it to the inside. So strict reading of the code means they have to come for site plan approval. And then in the course of site plan approval you say, well, make the thing smaller.

Trustee Apel: No, I am not saying that.

Trustee Walker: Can I give you an example? What if Mr. Hall came up and said I would rather take the deck off completely.

Trustee Apel: And we said we love the deck so we want it to stay.

Trustee Walker: Or I want to reduce the deck in size so it is not going to be the same as was approved under site plan approval, it is going to be smaller. We think that is a great idea. Should he go for site plan approval?

Trustee Apel: No, not thinking of that. I am thinking more the opposite. He has this deck and he wants to put up a bigger deck, or he had a deck that we thought originally should be smaller. But it had been approved, and now we would be happier if it was smaller. So therefore we want him to go through the process because we do not want to approve the same size deck now just because it was approved then. Is there a time when you want to make a wrong a right, and do we want to give that up?

Village Attorney Stecich: That is a good point, Marge, and it comes up in another context. One of the other changes was that if you are replacing something that burned down or fell down, and you want to do the same thing, you should be able to do it without coming in for approval. I have a problem with that. My guess is, on a lot of this stuff there maybe was not site plan approval in the past. Just because it was there, you do not necessarily want it to be there again.

You gave a good example when you were talking about these big parking lots. They have got the parking lot, something happens. Well, things are a lot different now in the last 15 years on capturing stormwater. Or let us say somebody has got a building on the Hudson River. We did have the issue there. And the deck fell off into the water. I do not know how long it was there. But there are different rules now for what you do on a river.

It is not up to me, but you have to think hard about any law that says you can just automatically rebuild what fell down, and, in fact, the code is very specific. It has a whole section on reconstructing nonconforming. If it were conforming it is probably not a big deal. But reconstructing something that is nonconforming you can only do that for, one and two family houses, and only if less than 50 percent of it was destroyed you can restore it. The

hardships are on smaller properties. On bigger properties there is not the same concern.

You could take any particular case and it seems maybe unfair. But you certainly would eliminate the example that Mitch Koch had of only doing inside work. If I recall it was about a year he had another application. It might have been for the same building. Is this the building where the shoe store was? Yes. He had an application before, and he was doing something to the outside. He was changing the door. But it was not just putting in a wood door instead of a glass door. It was changing the outline of the building. I think no matter how you write a law, something like that would have to be captured, because you are changing the outline of the building.

Trustee Walker: Although maybe they would not have to go for view preservation. That is the other issue.

Village Attorney Stecich: Well, they should go for view preservation. But on that one, that is a different suggestion, that if something looks like it is not going to affect the view at all, the Building Inspector believes it is not going to affect the view at all, the Building Inspector could consult the chairperson of the Planning Board, Fran, somebody else, three people to take a look and say, in fact, would it not affect the view at all. But frankly, that does not happen a lot.

Mayor Swiderski: No, but if these two tweaks address a lot of the incidents that we have heard about, even if they are just anecdotal, that will go a long way to getting rid of stuff that irritates people. Part of the problem is it may only be two or three or four cases. But they become anecdotal and they are retold among the landlords and store owners. It damages their faith in wanting to pursue change because they worry that they are heading into an ugly process.

Village Attorney Stecich: I have heard it is so difficult in the downtown. I have been at virtually every Planning Board meeting for the last almost 30 years. Let us do the more recent history. The last five, the only businesses I remember coming in were the big steakhouse they wanted to build, which clearly had to come. Comfort, because when they were moving across the street they wanted to have an outdoor café. And it turned out, when they had a site plan approval and the hearing, there were a lot of neighbors who were concerned about the noise and the proximity to their houses. And Mitch's building, Chelsea's. So it is not like there have been that many that people were held up.

Mayor Swiderski: If these two tweaks would have addressed a couple of those, that helps.

Village Attorney Stecich: Irvington is progressive on site plan approval. Irvington is a very

tough village, but their businesses go in and out without any problems. We rarely see businesses before the planning board. If they are not changing the building, they do not have to get site plan approval. If I were going to make the change, I think it is a good idea if you were doing inside work that involved the creation of a dwelling unit then I would say you should have site plan approval, because it is the only way you can pick up the rec fee. And it is not just a question of picking up the fee. The point of the rec fee is to have these new residential units pay for their cost of parks and rec. But you can only charge the rec fee in subdivision approval and site plan approval, by virtue of state law. Because you can only do it virtue of state law, it can only be a part of site plan review or subdivision review. So you could say that if there was any renovation that resulted in the creation of a new residential unit that it would require site plan review. If you want to. Maybe you decide it is not worth it. We have had a couple of times downtown, where people have changed office space commercial to residential. Once they were charged the rec fee, once they were not.

Trustee Armacost: So what is the course of action here? I would like to also raise St. Matt's issue because that was another completely unintended consequence, and that is quite an expensive set of fees that have been levied.

Village Attorney Stecich: I think it would have been addressed. If there is a view preservation application and the Building Inspector determines it will not have any impacts on the views he could meet with the Planning Board chairperson and the Village Manager and essentially waive view preservation review.

Trustee Armacost: So can that be done already?

Mayor Swiderski: We would have to pass that.

Trustee Armacost: So how do we help them right now? What can we do to help them?

Village Attorney Stecich: I think they have already got their application in.

Trustee Armacost: But they have paid, I think, \$2,000 in the process. Is there a way to return that to them because we intend to make that change? It seems like a very unfair situation.

Mayor Swiderski: I do not want to get into that.

Trustee Armacost: Can they postpone the process, or can they rescind their application? Can they hold the statutes in abatement until we have resolved the issue? It seems unfair for them to have to pay this for us to have resolved it right afterwards.

Mayor Swiderski: Who have they paid the \$2,000 to?

Trustee Armacost: I do not know. I think they have paid it to the Building Department. Or maybe they have not paid it already, in which case it is fine.

Mayor Swiderski: Why would it be to the Building Department? Why would we assess a fee?

Trustee Armacost: There are two fees.

Village Attorney Stecich: They might have required site plan approval for it, too, because it is a structure.

Trustee Walker: They probably had to pay an architect or somebody to draw this up.

Mayor Swiderski: I think it was the cost of the architectural fees.

Village Attorney Stecich: He has to come in for site plan review because it is on a structure in the district, but if you defined it as any work on a building, whatever, that might not require site plan approval. It probably would require view preservation approval. The way the code reads, you need a building permit for anything that is in the view preservation district, which would be putting up a structure.

Mayor Swiderski: But the tweak to the law that would allow the Building Inspector, Village Manager, and head of Planning to get together would address that.

Trustee Walker: Or could it address site plan approval, too? That is the question.

Village Attorney Stecich: I do not think it is a great idea. It is a little different because site plan approval is regulated by state law. Let me t say one other thing. This has come up before the Planning Board a couple of times. These are real issues, which is why they did not get together and agree on recommendations. If it was an easy fix they would have suggested a law. Whatever law you draft and call a public hearing on is going to have to go to the Planning Board and you will get their input. But these issues were discussed, and there are definitely issues with it.

Trustee Walker: I wonder if we should see the minutes of the Planning Board where they discussed this, if they discussed issues that we have not raised.

Village Clerk Maggiotto: I can find them if you need them.

Village Attorney Stecich: Susan, I will give you a date. It was some time in 2011. I wrote a memo, and I know it was in 2011. So that probably would have been right before. Or it was a follow-up, and I said here, I will send you Irvington's law, and I sent them Irvington's law. I will let you know.

Mayor Swiderski: So there are two adjustments that we are talking to here. But there is a third category we have not brought up, which is ARB. They, too, have had, fairly or unfairly, a reputation of putting more than a few people through their own issues. I do not know how to address that.

Village Attorney Stecich: You spent a long, long time on those design guidelines.

Trustee Walker: It is not so much that. I think it is we hoped that they could do it in two or three meetings.

Village Attorney Stecich: We had something to that effect in there.

Trustee Walker: Yes, and I am not sure that is happening.

Trustee Armacost: We spent a lot of time discussing that exact point.

Mayor Swiderski: But did we pass it?

Trustee Armacost: We had a debate whether it could be done in one meeting. We were told no, it could not, it had to be in two meetings. We realized that two meetings really meant three meetings because of what is involved. I came away from that process thinking this does not feel wildly efficient to me, but if we are circumscribed by other things then we are circumscribed by other things.

Mayor Swiderski: Right. But, again, this is all anecdotal. You hear complaints about edit loops, where there is pushback on fonts or the color: can you do this again, can you do this again, can you do this again? Somehow that does not seem entirely right.

Trustee Walker: To give credit to the ARB, too, sometimes the applicant does not have a designer. They are lay people, doing this themselves. They do not always understand what the ARB is saying. So sometimes it takes a while just to communicate what the concept is. And often, it does take time for the applicant to repair or redraw or redesign the storefront, the signage. That takes time, which is not the ARB's fault.

Trustee Armacost: Looking at the agenda it is really not clear that we would have been having these discussions. A lot of people have been affected and require resolution of one kind or another. I am wondering if we can put it in an agenda in a clearer, more transparent way so people can come and speak to the issues they have had.

Mayor Swiderski: Right. It just came up, so we are trying to accelerate this process.

Trustee Walker: Right, but it was not stated in the agenda, for example.

Mayor Swiderski: No, but we will also be dealing with a public comment period. There is going to be iterations here on whatever suggestions we come up with. We can do that. It is just a question of losing another two weeks.

Village Attorney Stecich: Let me answer the question about the ARB. We put it in the code. "Except by mutual agreement of the applicant and the ARB, the Board must render a decision on an application within two meetings about a completed application is submitted. In the event the Board fails to render a decision on an application within such time frame or within such extended period, approval shall be deemed to have been given." But it is the "except by mutual agreement." So if I were on the ARB, and there is a real issue with what they are doing, you say do you want us to vote tonight? We will vote tonight. So then of course you are going to agree with it. Which is fair also. I think it is self-enforcing.

Trustee Jennings: What appeals process is there for the ARB? We are trying to solve a problem that we have identified either by changing the rules up front so it does not apply, by giving discretion to some of the officials like the Building Inspector or the chairman of the ARB who can do a waiver or an expedited review. But the third strategy is an appeals process, where if someone is not satisfied by the decision of one of these boards they have recourse. I hope it is not recourse to the courts.

Trustee Armacost: Was it not an appeal to the Planning Board?

Village Attorney Stecich: No, the Planning Board cannot hear appeals. They have no appellate jurisdiction. And it was not to the Zoning Board. The thing is except in the downtown ARB is just advisory so there was not any appeal procedure. Now, we did say, though, that except "the ARB shall have the authority to approve changes to any façade or roof in the CC district that do not require a building permit." So that is a little different. I do not remember whether we wrote an appeal procedure. I think we talked about it. What I think happened is there is a section of the zoning code that says that in CC district you need to have ARB approval. So then you could appeal, and you would go to the Zoning Board of

Appeals. I have never seen that happen.

Trustee Jennings: Oh, so the appeal to the ARB would be to the Zoning Board.

Village Attorney Stecich: For the CC district, yes, I would think. Bruce, we have no appeal procedure written, and I have to be creative about that when it comes in because you should be able to go on to another board. You are right, somebody should not have to bring an Article 78 proceeding. I think there is enough in the zoning code that you could find that your appeal avenue would be through the Zoning Board of Appeals.

Trustee Armacost: But we did spend quite a lot of time discussing what the consequences would be if there was an unreasonable delay imposed by the ARB. I cannot remember where we came out, but we spent ages assessing it.

Village Attorney Stecich: No, this is exactly the section, what I just read you, that we agreed on, because this is a new amendment. This is not in the design guidelines because we had to amend some provisions in the building construction law that includes the ARB provisions.

Trustee Armacost: So resolution of this, moving forward, next steps, Marianne, you are going to draft, we are going to have a public meeting. Is that what we are going to have?

Trustee Walker: Let us move ahead with it.

Village Attorney Stecich: What might make sense would be for me to draft a couple of amendments, one redefining when you need site plan approval and then the second one making a provision for waiving view preservation review. So I would draft a local law. If it looks like that is the direction you want to go in, call a public hearing. I will send it to the Planning Board, get their input on it. And you have to send it to the Zoning Board, too, under your code. But the Planning Board, I am sure, is going to have input on it because this is something they talked about.

Trustee Armacost: Mr. Hall, who was here today, you may have given him an out, just by looking at his site plan. If not, this helps solve his problem, potentially.

Mayor Swiderski: It is going to take some time to get through this process.

Village Attorney Stecich: If I were anybody who had an application now, just go through it. Just get it done, get the application in quickly, press the Building Department to put it on the agenda as soon as possible. The Planning Board, unless it is a really difficult application,

gets them in and out in one meeting.

Trustee Armacost: But in the case of St. Matt's, is the recommendation to St. Matt's that it puts the statues in the basement? Or what is the recommendation to St. Matt's?

Mayor Swiderski: They have already incurred the cost. I do not think the \$2,000 was paid to the Village. There is some portion of it, but there is no way \$2,000 was paid to the Village. That \$2,000 was probably architectural fees and drawings. That has been incurred. We are not going to refund them costs they incurred for following the law. I feel bad, but that is why we are talking about this now. We cannot retroactively refund monies.

Trustee Armacost: I do not know whether it is retroactive. I guess they should have a discussion with Deven, or Fran or somebody.

Mayor Swiderski: If they are finished with the process, then put the damn statues up. It is probably an inappropriate thing to say.

Trustee Armacost: Completely inappropriate to say. I am just trying to see whether there is a way to help them. I think we found a solution for Mr. Koch. I think we found, potentially, a solution for Mr. Hall. I am just wondering if there is a solution for them.

Mayor Swiderski: But where are they in the process?

Trustee Armacost: I do not know.

Trustee Jennings: If they have incurred all the costs of the process already, then let them go through the last stage and be done. If they have only incurred a portion of the cost, and they are looking at another \$2,000, then they better put it in the basement and cut their losses. But they are not going to get their original \$2,000 back. That is done.

Mayor Swiderski: Right. If they can wait another three months, and there is more cost to incur, that might be the best way to do it.

Trustee Armacost: I will make a point of informing.

Trustee Walker: I will add one thing to the downtown report. There is going to be a meeting of what is now called the Hastings Downtown Collaborative tomorrow evening. We are going to be talking about the Discover the Rivertowns weekend, what landlords can do, potential popup stores, and music and other things that weekend. We continually look at what businesses are coming in, what businesses are looking to come in, is there space for

them, talking to landlords. We have a better pulse on what is coming into the downtown.

7. Update on the Waterfront

Mayor Swiderski: The state DEC may have obligations on historic buildings that if what they are proposing affects a historic building it necessitates a certain process of review. They are meeting with ARCO if not this week, the next week, to talk about that obligation. I have spoken to the historic preservation officer in the DEC and to George Heitzman, who is responsible for our property, Remedial Action Engineering, and have gotten slightly different versions of what might happen from both of them. But the DEC needs to figure out what the process is, and I am hoping it does not affect the overall engineering design for the waterfront. I am dismayed that what is an obligation possibly of the DEC only came to their attention through the work of a private Village citizen. Hoorah for him, but it should not work that way. They certainly know there is an historic structure there. They should have known that there is a process around it, and we will see what happens.

We have also gotten a draft version of a letter back from our engineering firm. They looked at the \$5.8 million proposal out of ARCO for mothballing the building. Their preliminary assessment is that the number is fair. They had a number of follow-up questions that they thought we should ask. I need to get that to you, get a response back whether you want further things addressed from that letter. It is a six-page document. It is what, ultimately, we are going to get, the amount of work we are willing to pay for. All I think we should expect anyway is, we are looking for a sanity check on this \$6 million number. I do not want to redo an engineering study. I want to be told, by common engineering guidelines, this is sensible. And they have indicated it is so.

So the first step of what I laid out we have gotten, which is verify the number. The next step is a market study to determine if 52 is a viable building. The DEC may make ARCO run that study, as well. So if they do so, and we have a right to choose the contractor, I do not think we should go ahead and pay for the exact same study ourselves. But the DEC has to determine that. Once we understand their process, we will figure out where we fit in. So right now, we have done the first of these steps and we will see what happens once the DEC becomes clearer on what the historic preservation responsibilities of ARCO are around this.

Trustee Walker: Yes. And so as you pointed out, it is important that we have a say in who that consultant is who does that feasibility study.

Mayor Swiderski: Otherwise, why bother? Finally, next week the Village will be sending out a survey to the public about recreational uses on the waterfront and gauging interest in a laundry list of possible uses as part of the Infrastructure Committee's process of figuring out water edge uses. IF we specify a pier here, BP may harden that point so we can have a pier

down the road, with less engineering.

Trustee Armacost: Is it is an open questionnaire, or is it multiple choice?

Mayor Swiderski: Open.

Trustee Armacost: OK, so you can add things.

Mayor Swiderski: That is correct. This is done by a professor at Yale through their fairly sophisticated software. It will be sent out to the community. The community will be broken up into two 1,800 households; 900 will get one letter with a slightly different cover letter, and the other half of the community will get a slightly different cover letter. This is part of testing what sort of appeal to the public works in getting the highest response. This is something this unit at Yale does well, in crafting polls to try to elicit a full response from the public and testing what sort of messaging does best.

Trustee Walker: And we are part of the testing, but it does not affect the results of the survey.

Mayor Swiderski: No. So one letter might say this is in your interest, and the other one might say this will help the community. That slight wording may affect the return we get. They can test that out, and that helps us gauge, in the future, how we word survey requests to get people to respond.

Trustee Apel: Is there a question of whether this committee been following the guidelines of the Comprehensive Plan? Is this part of what is in there?

Mayor Swiderski: Totally. View site preservation. At least one, if not two, members of the committee were on the Comprehensive Plan.

Mr. Metzger: I have not been following their meetings but yes, Richard Bass was on the Comprehensive Plan. As I understand it, they were trying to look at the project with a clean sheet of paper initially to not be influenced by previous studies, then to take a look at what they were coming up with, and compare it to historical documents to gauge where they were.

It sounds like this board is transitioning into the beginning of a form-based plan in terms of trying to figure out what should go where on the waterfront. I am wondering if the Trustees may want to start rolling that into a formal process as opposed to transitioning from that.

Mayor Swiderski: This is not a form-based plan. It was always to identify infrastructure.

The recreational uses along the water's edge are things that ARCO can address by how they do their remediation. And George Heitzman has said the DEC especially wants to hear from us, because they will impose our vision on BP, as well.

Mr. Metzger: As opposed to just a paper survey that someone is going to get in the mail and fill something out, I can tell you from talking to people, they will say we want to see a park down there. That is all we want. That is not a realistic goal for the waterfront. It needs to be a more formal process of what is going to happen where on the waterfront.

Trustee Walker: There will be. This is just a preliminary thing. I completely agree with you, and it is kind of funny to ask people what kinds of recreational and water-related uses they would like to enjoy on the waterfront without looking at it in its totality. But this survey is just a beginning, and it will help the committee move their work forward. It will also help BP understand that many of these uses are really important. While they are doing the remediation, they can start to think about these things and put them in place. That is the key thing here.

Mr. Metzger: I also believe the work of the committee is going to be the foundation upon which form-based planning gets applied. I think it is a great first step.

Mayor Swiderski: Without a doubt. The negative space not defined, and the Infrastructure Committee comes at the beginning of the form-based plan.

8. Other

Trustee Armacost: I do not think we formally asked Marianne to give us feedback on the regulations relating to attending a meeting via Skype.

Village Attorney Stecich: You want me to look into whether you can meet by Skype?

Trustee Armacost: Yes, exactly.

Village Attorney Stecich: I will.

ADJOURNMENT

On MOTION of Trustee Armacost, SECONDED by Trustee Jennings with a voice vote of all in favor, Mayor Swiderski adjourned the Regular meeting at 11:30 p.m.