

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
REGULAR MEETING
APRIL 23, 2014**

A Regular Meeting was held by the Board of Trustees on Wednesday, April 23, 2014 at 7:35 p.m. in the Orr Room, Hastings Public Library, 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 Linda Whitehead, and Village Clerk Susan Maggiotto

CITIZENS: Three (3).

Mayor Swiderski: This is Attorney Whitehead's first official meeting with the Village. She replaces attorney Marianne Stecich, who was with us for 17 years. Attorney Whitehead has a long history in Hastings, having been born here, and returns to our village as attorney. We are eager and happy to have her here. Also interestingly, she shepherded through a bag law in a couple of other communities in Westchester, so it uniquely equipped to help us think through the issues here.

ADMINISTRATION OF OATH OF OFFICE

Mayor Swiderski administered the Oath of Office to Trustee Marjorie Apel; Sergeant Heather Smolenski; Police Officer Bruce Marquez; and Police Officer Christopher Sorano.

APPROVAL OF MINUTES

**Regular Meetings of March 18 and April 1, 2014
Organizational Meeting of and Public Hearing of April 8, 2014**

On MOTION of Trustee Walker, SECONDED by Trustee Armacost with a voice vote of all in favor, the Minutes of the Regular Meetings of March 18, 2014 and April 1, 2014, and the Organizational Meeting and Public Hearing of April 8, 2014, were approved as presented.

APPROVAL OF WARRANTS

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

Multi-Fund No. 64-2013-14	\$ 25,237.83
Multi-Fund No. 65-2013-14	\$ 176,141.85

Multi-Fund No. 67-2013-14	\$ 161,671.47
Multi-Fund No. 68-2013-14	\$ 26,596.27

PUBLIC COMMENTS

John Gonder, 153 James: You have a beautiful calendar printed out. There was a lot of work, there must be a cost in it. It says our meetings would be the first and third meetings of the month. But you keep changing it. I know you do not like to hear it, but it is a pet peeve of mine. I come from a generation that was considered the greatest generation, and I think your generation is mediocre. I know you may not like that, but you ruin my day when you change meetings. You do not care about we the people, you care about yourself. I think you are selfish. And you do not like to hear that. But tonight, maybe you will toss and turn in bed and say maybe I am right. You think vacations are more important or business trips than sticking to a thing. If you cannot keep up with it, maybe you should not be a Trustee. I have said it several times. Today, I am glad to see you are sitting on nice hard chairs like the rest of the people instead of up there in your leather seats and nice and comfortable and we are sitting in church pews. Thank you very much for hearing me.

Mayor Swiderski: There are going to be times in the year where a Tuesday meeting happens to coincide with a religious holiday, like it did this last one, and in those particular cases, I have got zero problem in moving the meeting.

Mr. Gonder: I understand that. But when you do not have a quorum, then I have something.

Mayor Swiderski: And there are, again, moments where working Boardmembers will have business out of town. They are elected to the position, true, but they are all employed. And in this day and age, sometimes business takes you out of town. We are lucky to have the Board we have, and those people who disagree with it are always free to run for the position and contest it. But I believe we are lucky to have the Board we have.

Mr. Gonder: And that is where I disagree with you, Mr. Mayor.

Mayor Swiderski: And that is your entire right.

31:14 ADOPTION OF BUDGET AND TAX RATE - FISCAL YEAR 2014 - 2015

Village Manager Frobel: I believe, at this time, the Board is ready for passage of the Village operating budget for the year beginning June 1, 2014. After two months of many work sessions, this board has spent a great deal of time going through the budget, account by

account, department by department, reducing the budget from my initial proposed budget back in early March. It requires a zero tax increase.

We have been able to come in with a budget that will keep the tax rate at \$244.77 per \$1,000 assessed value. Under the law, we had some additional flexibility, where we could have raised the tax levy almost in excess of three percent. Due to a variety of reasons, most of which is continuing to roll forward the capacity in the levy that you have not used in the past, this budget requires a modest increase in the tax levy of less than one percent. That is because we have had, for the first time in a number of years, some very good growth in our net assessed values. Our values have gone up just under one percent, something which we have not enjoyed for the past several years. So our tax base has grown, allowing the levy to go up less than one percent while keeping the tax rate totally flat. The Board has made adjustments from what I proposed. I am pleased with it. I am pleased with the job that the department heads have done, and I greatly appreciate the counsel and the advice that the Board of Trustees provided us throughout this entire process.

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

RESOLVED: that the Mayor and Board of Trustees adopt the 2014 - 2014 Village Budget as follows:

APPROPRIATIONS

General Fund	\$13,952,956
Library Fund	813,777
Pool Fund	384,307
Draper Fund	<u>31,000</u>
	\$15,182,040

REVENUES

Property Tax	\$10,240,376
State Aid	457,790
Sales Tax	1,100,000
Other	<u>3,383,874</u>
	\$15,182,040

And be it further

RESOLVED: that the property tax rate be established at \$244.77 per thousand of assessed valuation.

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	

Mayor Swiderski: Trustee Armacost has asked me to queue up this discussion. We are approaching, if there are a couple of breaks in our favor regarding building permits, et cetera, the possibility that we are going to reach the 10 percent surplus that we have been looking for a number of years to hit the target of about \$1.3 million in our reserve fund. Should we exceed that during the course of the year, Trustee Armacost wanted to state for the record what she believes is the Board intention for how that money should be allocated.

Trustee Armacost: Fran, you and your team deserve a tremendous amount of praise for the work that you have done on this budget on creating a zero percent tax increase, and at the same time, building up the reserve fund to a place which is as strong as it has ever been in the time that I have been a Trustee, and in the time that any of us have been Trustees. This is a healthy place for us to be.

I would like to recommend that in addition to the reserve fund, which we think of as a rainy day fund, that we build up a true capital fund where in looking at the capital plan that you develop on a five-year basis we are putting aside money specifically for capital projects. I am hopeful that at the end of this year we may be at that \$1.3 million mark. Maybe I am being optimistic. If we are, I would like to be able to queue up the discussion of creating a capital reserve fund for the Village so that we can be in an even stronger financial position moving forward. It will enable us to use that fund to tap into for specific projects that come up that we would not necessarily want to put into a bond issue or use other sources of funding for.

I would like to state for the record that that is something I am in favor of. We can either discuss it now or we can discuss it when we are at, hopefully, that happy point after our auditors have looked through our figures at the end of the year. So again, congratulations to you and the team, Fran.

Village Manager Frobel: Yes, that would be perfect. During work sessions we spoke about it. Hastings is at a point where you can begin to visualize that establishment of a fund for those big ticket items that you have spoken about and that you have wanted to fund without relying on the bond market.

Trustee Jennings: It is a very important thing for us to talk about. I am not an accountant and I do not understand the ins and outs of a lot of it, in terms of the terminology. But I do think it is obvious to everyone that when you borrow money you have to pay interest as well as the principal back, and if you do not have to borrow money you are usually better off. So from that point of view, it seems pretty simple. At the same time, we need to remember that we do not want to earmark too much of our reserve for one particular expenditure because we may have a need for flexibility in the programmatic side. If we put too much money under the category of capital, we may end up buying a truck that we do not need because we have the money but not doing programming that we do need to do. I am a little worried about sequestering money too rigidly, and I would like to make sure that whenever we do this decision making we keep the flexibility in mind and keep the idea that sometimes there are unpredicted expenditures for programming and operating as well as the need to build up our capacity to keep our capital stock in good working order.

Trustee Armacost: The goal is to ensure that the reserve fund is at \$1.3 million. That is a substantial amount of money to draw from. And we have had a practice, up until now, of having at least \$200,000, if not more, in the contingency fund, where surplus has gone toward building up that reserve fund. So hopefully, programmatic costs will be built into the budget; people have spent time thinking about large programmatic expenses and have included those in the budget. But hopefully, those other funds will be able to support some of those needs, moving forward.

Trustee Jennings: True enough. Although everyone knows we have a smaller operating margin than we used to have. The tax levy cap, the rising expenditures on the operating budget that we cannot control reduce our room for maneuver. So it is ideal to be able to anticipate the operating budget needs, but we always will need to have the ability to tap into reserve funds for operating and programmatic purposes. And the problem with the investment community is they like to see that million or that 10 percent stay there. So just having it there, you cannot drop it down because then you do not look good again. We have to juggle all these expectations from lots of different stakeholders and a lot of different parties both inside and outside the Village. We cannot predict this months and months and years in advance. We just have to remain nimble and flexible. That is my only point.

Trustee Apel: I am inclined to agree with Bruce on the importance of flexibility, while I also believe in planning. When we get to that point, and we know how much money we

have, is the time we can start considering. We might consider doing things by percentages because so much is going to be reserved for capital and so much for other things. But planning is important. I look back to the days when we were spending money and getting bonds because we said we could and the rates were great. But then you got to pay them back. So this is another way of looking at what we are spending, and trying to catch it up front and not have to pay interest out. We are in a good place now, so why not? Why not look at these things and see where we are. And if we can do it, great, that is wonderful. I am very pleased.

I want to thank Fran for the budget and all the work they did. It is one thing to present us the budget, but then we have all these questions and he has got to go back. The staff was wonderful and very responsive, and answered all our question. It is a big effort, and I wanted him to know that we really appreciated what he did. It was really great, thank you, Fran.

Trustee Walker: I want to echo that sentiment, and thank Fran and Raf and your staff. It was a long process this year, and there were a lot of questions and there was a lot of scrutiny. So thank you for your patience and for allowing us to ask those difficult questions.

I agree with Niki in beginning to accumulate a capital fund. Capital funds do not just go to buildings and machines and trucks, but also to infrastructure that is wearing out in our village whether it is streets and sidewalks and parks, trees. There are a lot of things that make it a livable community. The things we have been looking at in terms of a comprehensive plan: improving our sidewalks, building new sidewalks, making our streets safer. There are other areas that are not just capital that we may want to spend money on. We have been through the last five years of extreme belt-tightening. We will never see this again, I hope, I hesitate to say our lifetimes, but in our tenure we will not see this again. It has been a difficult time, so this is a threshold to see the opportunity to begin to save money, and also maybe start to be clever about looking for new sources of revenue. That is something we can go into at another time. There are a lot of municipalities that are coming up with some interesting ways. There was an interesting article in *The Times* yesterday in the energy section about how European cities are finding new revenue sources through sustainable measures.

Mayor Swiderski: It feels like this budget is different than the last three or four because it does feel like we are coming to the end of what has been a prolonged effort to fix some long-standing issue we have had in terms of outstanding, essentially, internal debts which we addressed and eliminated. And then the building up of a true reserve fund. We have gone from a period where, five years ago, there were cash flow issues. There were periods where there was some concern whether there would be the cash to cover the payroll. Maybe not quite close to that dire, but at times fairly close. We are not anywhere near that anymore.

We have substantially addressed what was an accumulation of issues over time. Absolutely a lot has happened, much of it has come from internal belt tightening. A lot of it has come from sometimes seemingly fierce advocacy on the part of Niki on the budget issues. Niki and Fran have both worked together to move us to a model that is, I think, a big reason why we are where we are. It is kudos to Fran, in the late third of his career, to be adapting and adopting these stylistic changes. And to Niki for pursuing it as rigorously as she had. It did not always make her friends. There are enemies made when you change things, and she had the courage to do it and keep on pressing. I am really grateful she did that. You put yourself in the line of fire and you are going to take arrows, and it is no fun. Thank you for that.

But we have something we can be proud of. Tomorrow night I am walking into a village officials committee meeting. We are comparing where we are in the budgets, and we are walking in with the best story, even if you account for the advantage we got from the hydrant rentals. Even if you roll that into our budget we would still be the best story. I am looking forward to tomorrow night. That is going to be a pleasant conversation to have with the other towns. Not that I am competitive, but you cannot help but be when you have that strong a story.

Finally, what we now face here, and Meg brings it up, we have deferred quite a bit of capital expenses. We have deferred improvements to parks, we have deferred many things. It is not that the spigot is going to be opened here and we are suddenly going to be spending like drunken sailors, but we are going to be able to start considering spending again. The Village has a certain hunger for that. It is no fun, for years, to hear about decrepit parks and sidewalks and everything else and know that we do not have much choice because we had to fix the budget. We are at the tail end of that fixing process, and it has not been much fun. But we now face a moment where we can begin to create the stuff that the public also put us here for, which is to provide the level of service that people have a right to expect and to do it on the back of a fiscally prudent budget and a reserve fund that leaves us confident that we are not drunken sailors but rather prudent trustees who treated this budget seriously and this budget process seriously over the last five years that was above and beyond what I experienced in my previous four years.

That is true diligence that I think we can be proud of. It has put Fran through the wringer at times and Raf through the ringer at times, and I appreciate their patience and effort on this. We have something we can be proud of.

Trustee Jennings: I agree. I am proud of this budget process, and I am proud of the budget outcome. IT has been the job of the Board of Trustees to fix the budget and to improve our fiscal management and planning, and we have made progress in the last few years along those lines. We have, in fact, deferred dealing with some important needs in the Village for

reasons beyond our control. But if it is the job of the Board to fix the budget, it is the job of the staff to fix the Village. We ought to acknowledge that they have been working under very difficult conditions the last few years. They have done a remarkable job, they have been very productive, and we have gotten a lot of results out of our Village staff. I am very proud of them, just as I am proud of this budget.

It is not just our infrastructure that has paid a certain price of deferred maintenance, so to speak. Our personnel have paid a price, too. Going forward to fix the roads and improve the parks and raise money and so forth, it does not just happen. We are talking about people doing it, and we have to support those people and we have to perhaps bring in new people, either as staff or as consultants. Somebody has to do this work, and that is where we work with the manager and the department heads and the staff of the Village. So it takes a Board of Trustees and it takes a village staff together to do what we all want to do and what we all owe to our fellow citizens.

32:14 STANDARD WORK DAY AND REPORTING RESOLUTION FOR ELECTED AND APPOINTED OFFICIALS

Mayor Swiderski: I assume this is yet another echo from the pension.

Village Manager Frobel: It is exactly that.. This is the last in the initial round of resolutions you need to pass setting the standard workday. This one is for the Village Justice. He needed to undergo about a four-month reporting period, where he needed to keep a daily diary of the hours he works in that capacity. He has now satisfied the office of the state comptroller. We are ready to pass this resolution indicating a record of activities resulting in 5.28 hours per week he devotes to the job of Village Justice. This is the last of the first round of resolutions. You will be seeing these throughout the year as positions change, individuals change in certain capacities and certain terms of office come up. With this, all our housekeeping is in order. Now we just need to make certain we adhere to the timeline that will occur over the next several years.

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 approve the Standard Work Day and Reporting Resolution for elected and appointed officials as attached.

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	

33:14 APPOINTMENT OF ATTORNEY FOR TAX CERTIORARI MATTERS

Village Manager Frobel: Attorney Levy responded to your request for a proposal for certain legal services. He was desirous of continuing to be your specialized attorney to handle tax certiorari matters. The recommendation is that you pass this resolution and allow us to continue that professional business relationship with Attorney Levy.

Mayor Swiderski: And this is for a term of one year?

Village Manager Frobel: We did not put a term in there.

Mayor Swiderski: The only reason I ask is, the town is heading into a reval, and out of that reval, two or three years from now, we may end up adopting the town valuation, at which point this r position may come up for reevaluation. The approval is not at odds with that, is that correct?

Village Manager Frobel: Should not be.

Mayor Swiderski: I would like to suggest a term so we do not have any issues. I would prefer to have a one-year term.

Village Manager Frobel: I am sure he would be open to that. He is very interested in continuing to serve for the Village.

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

RESOLVED: that the Mayor and Board of Trustees appoint Ira S. Levy, Esq., Rye Brook, New York as attorney to handle tax certiorari matters for the Village of Hastings-on-Hudson for a term of one year.

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	

Mayor Swiderski: The Town of Greenburgh, as well as a number of other municipalities, are engaging consultants to do a full reval of the assessed roll for the full Town of Greenburgh. That includes, for Hastings, the property assessment that constitutes the roll for our schools. All homes will be revalued. What we will have at the end of that is a change in how people are taxed on their school bill, but also an assessment that will reflect reality more closely than the 1954 assessment we currently rely on. A number of communities in these processes often adopt a new, updated roll because it is more reflective of reality, as well as some other advantages. Once you do so, typically the town assessor at that point functions as the attorney that handles the certiorari matters. This is still a few years off, but it is what precipitated this particular discussion here.

34:14 PROCLAMATION FOR BUILDING SAFETY MONTH

Village Manager Frobel: This comes from Deven Sharma, our Building Inspector. Mr. Sharma as well as the assistant are very active in their profession. Deven brought this to our attention to heighten everyone's awareness on the importance of adhering to the building code, and that their work is to ensure safe construction of buildings.

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

WHEREAS, the International Code Council has designated the month of May, 2014 as Building Safety Month, and

WHEREAS, in observance of Building Safety Month Americans are asked to consider projects to improve building safety and sustainability and to acknowledge the essential service provided by local and state building departments, fire prevention bureaus and federal agencies in protecting lives and property, now therefore be it

RESOLVED: that the Mayor proclaim the month of May, 2014 as Building Safety Month in the Village of Hastings-on-Hudson.

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	

VILLAGE MANAGER'S REPORT

Village Manager Frobel: Just yesterday the Trustees received and all responded, and thank you for your support, of a gas leak at 555-557 Broadway. I am happy to report that as of either late tonight or early tomorrow the folks living in those two buildings should have hot water and heat back in the buildings. In all likelihood, they will not have cooking gas available to them for probably another three or four weeks. It is a major job that the building is going to require to go through checking all the lines throughout the building for leaks. But with the Building Inspector's office and the Fire Marshal's office, they work very closely with a local plumber and Con Ed to make sure that at least the heat and hot water are back in the building. No one had to be evacuated unless they chose to because of the lack of cooking gas, but very good work on the part of our staff in detecting the leak, taking quick, immediate reaction, getting Con Ed out here very quickly, and avoiding what could have been a very serious matter.

On paving, very good progress over the last three days. As of noon, it looked like they were going to finish Ravensdale by the end of the day, perhaps beginning on High Street. They will be back in town on Monday finishing High Street. We are getting some good compliments from people. Everyone was very patient with us. Those were two roads that were in very poor condition. We also have another paving contractor in town filling potholes and working on other serious pothole areas on some of our local roads. Assemblywoman Shimsky was able to get the county out here last week for two full days of filling potholes on county roads. So a lot of activity over the last two weeks. It has taken us a little longer to get geared up for it, but we are weather-dependent and are dependent upon outside contractors. I hope the riding motorists will be pleased with what he or she sees over the next couple of weeks.

Trustee Armacost: I want to congratulate you on the work the street sweeper has done, at least in the areas which I seem to be driving in. I saw the street sweeper working and working effectively. I wanted to note that and congratulate you on the fact that we do have an active street sweeper.

Village Manager Frobel: Thank you. We are trying to get word out to the community. You have seen the ads where we give the homeowners fair notice to try to remove their vehicles from the street. Although we do not know the specific day, we are telling them the general time of the day of the week they will be in the area. If they could take steps to remove the vehicle from the roads it would be appreciated.

Trustee Walker: Can I ask you a question about the tree removal on the Aqueduct? Con Edison was scheduling tree removal on Aqueduct Lane and along the Aqueduct, and it is the entire western edge of the Aqueduct, the buffer that runs between the Aqueduct and Aqueduct Lane. Quite significant number and size of trees. The community was alarmed and had a meeting last week. They also spoke to Con Edison and to the state parks department because this is state property. Con Edison said they would postpone the tree removal until a plan was in place. The state was offering to replace the trees. I wondered what the status of that was.

Village Manager Frobel: That is my understanding, that there is a bit of a moratorium, a little breathing room, where the state has taken back their permission to Con Ed to remove the trees pending receipt of a plan for re-landscaping and replanting of trees. It was my understanding the Old Croton Aqueduct was going to pay for the tree planting, grinding it down to the stumps and doing some landscaping in the area. We were involved only in the past. The Village intervened to convince Con Ed only trim the trees and try to preserve them. But quite frankly, they had reached a point with the trees. If you look at them they are really beyond any further trimming. Yet it continues to cause problems with electricity interruption in the neighborhood. So they went to the state because it is their property, and the state did sign off saying they could come down. But as you mentioned, it since has been delayed somewhat.

Trustee Walker: I am just wondering if the Village should play any role in reviewing the plans and inviting the community to review the plans.

Village Manager Frobel: I know the letter of agreement talks about making sure they plant appropriate trees. I thought it was in consultation with the Tree Board to get that advice as to what are the appropriate trees so they do not grow back up into the wires again. That is what we want to avoid. That is my understanding.

Trustee Walker: OK. I was concerned because it is an area that is prone to erosion. The trees are helping to shade the Aqueduct, but also to maintain the soil in that area. So if they were all dug up and roots removed, you would find the Aqueduct running onto Aqueduct Lane. Do we need to talk to the state about reseeding around the trees as well?

Village Manager Frobel: Sure. I could mention it to the contact there. But the whole area needs a facelift.

Trustee Walker: It definitely does. I was going to say that, but it is not our property. But it does need a facelift.

Village Manager Frobel: It is not. But are the ones that clean up, the DPW.

Trustee Walker: The whole parking lot needs a facelift. And the area from the parking lot onto the Aqueduct, which is an important trailhead for the Aqueduct. A lot of people park there to walk it. So it is something to think about longer term, how the parking lot could be redesigned. But right now, it is important to get the trees replaced

BOARD DISCUSSION AND COMMENTS

1. Library Expansion Project

Mayor Swiderski: Some irony, given the spillover crowd here in the Orr Room tonight, to turn over the mic to you and describe the library expansion project, which will actually happen here.

Village Manager Frobel: This is a continuation of the discussion. I had asked Sue Feir to share with you their plans for the HVAC upgrade. I think I was partially right. This is not a complete upgrade to the entire system. I knew for that price you could not do it, but it is a boost to your existing system to accommodate the expansion. I will let you go ahead.

Sue Feir, Director, Hastings Library: I am here tonight, in part, also because we had a meeting, the Library Board of Trustees and myself, with our liaison, Trustee Jennings. He suggested that I pursue some questions and come back to you. If it is a little out of sequence in terms of the budget process, it is because things rolled forward quite quickly. I would also like to say it is always very confusing: Village Board, Library Board, Village Board, Library Board. I think, and this just occurred to me, that the simple explanation is, the Library Board is in charge of services within this building. So when they talked about contemplating an expansion, they felt that was under their guidance and purview because the expansion will be for programs and services. The building is owned and administered by the Village Board. So certain questions of capital improvement and infrastructure need to go through you, especially as the funding is great.

While I am not under the direct authority of Village Manager Frobel, nothing goes on in this building that I do not amble over and we do not have many chats about. He has always

helped answer questions and given me advice and counsel. So anything I bring before you, always we had the chance to run through first. This summer we will begin construction, as you know, on a 600 square foot expansion of this room, going west towards the river. This will increase capacity for the programs and the people that attend the programs. There will be a deck put on the roof of this expansion. What we are going to talk about in the next moment does not pertain to that, but that is also the exciting part of the project.

The project is being paid for by the library endowment fund, with the help of a substantial grant that I obtained from the state department of education, close to \$60,000 or over a quarter of the price of the project. In the original estimate, we priced about \$10,000 to expand heating and HVAC capacity. As you expand the room you have to expand the heating and air conditioning. It very quickly became apparent that we not just could use but needed an upgrade, and that now was the time to do it. While you are under construction you have an efficiency level because the general contractor can work with your HVAC contractor. You bring in one crane, you bring in one electrician, et cetera. So there is an efficiency of scale. Also, that the upgrade would be far preferable to the existing system. It is much more energy efficient, the noise level is much less.

So we called in a prominent engineer in the county who is a consultant on HVAC, Mr. Werner Tietjen. He has worked on many projects, including in Hastings. Along with our architect, our general contractor, the engineer from D.P. Wolff, who would be doing this system, and Thom Forbes, a member of the Library Board, we had a few meetings. It was decided we would be putting in the Mitsubishi heating-cooling system. As I have said in memos, I can provide additional information. To put it simply, Mr. Tietjen said it is state of the art and was fully supportive of it. It will be \$38,215. There will be associated costs of approximately \$3,000 because we will also have to upgrade the amps to the circuit leading to the handler on the roof.

It is not a question, then, of whether we spend no money or \$40,000-plus but whether we spend approximately \$10,000 to expand our present capability. But is that wise for the building, for the long future? Or do we spend more, at a very opportune time when we are under construction? There are also some hidden cost savings. The question has come up would this apply to this floor or to the whole building. Sorry to tell you, when we have to redo the whole building is going to cost a lot more than \$38,000 and it is going to be part of the long range planning that Trustee Armacost has talked. What this system will do is take some of the burden off the existing chiller and system, which was put in in 1991. Like the roofs that you put on your house, they give you a generic life expectancy, 20 years. The system is working very well now, it is serviced very well by D.P. Wolff, but at some point we will be looking at a new system for the building. Putting this in for this floor will, as I say, take some of the burden off the existing system and probably improve its lifespan.

I have come to you at the suggestion of Trustee Jennings. I put in a request for monetary assistance. I did not even put a figure to it. The Library Board is prepared to go forward with this project, and the Friends are prepared to do a very creative and aggressive fund-raising campaign. But some assistance from the Village on a part of the project it is appropriate for the Village to have input would be very helpful.

Trustee Armacost: This Mitsubishi is a fantastic state of the art system. I know because I have a very small version in my house. It is incredibly energy efficient. The interesting thing about it is that different contractors tell you need different sizes. What they tend to do is sell you too big a size for the space. So we ended up, as a result of having a bunch of different quotes with different people, working out that we needed a system which was a quarter of the size of the original system offered to us and a quarter of the price.

Ms. Feir: It is very interesting that you bring this up. Because we had gotten a bid from D.P. Wolff and it was not much less than this, only about \$35,000 for a smaller Mitsubishi system. When the consultant came in along with the architect, they felt we needed additional tonnage and BTUs. Again, 90 percent of the year it would be quite comfortable in here. All of a sudden you get a jammed meeting on a 100-degree or zero-degree day, and you are saying why did we not spend a little bit of extra money. So they went back to the drawing boards and figured up tonnage and did this, and met halfway. Not as a compromise, but as the HVAC person saying OK, you are right, slightly larger and the engineer saying OK.

Trustee Armacost: Did you get multiple quotes from different people? I think it is worth doing.

Ms. Feir: We know we are going to be working with D.P. Wolff. They have been servicing our system for the last 20 years. Because it is private funding, in the sense it comes from the endowment fund, we do not have to go to open bid. They know this building inside and backwards. The consultant also told us, off the record, as did the general contractor that not only is the system wonderful, but they approved of the company who would be installing and said it was a very good price.

Trustee Armacost: Is it a LEED-certified company? You can get a Con Edison rebate, particularly for these very large systems, which can be a substantial amount of money. Just to know whether you have gone through that due diligence process. Because you could reduce it, if you are looking at \$38,000, for us it ended up reducing the cost by a third, which would bring it right down to \$25,000, something like that, for you.

Ms. Feir: I am pretty certain that it is a LEED-certified company. I will answer your other question tomorrow.

Mayor Swiderski: Fran, if we were to help subsidize this cost what is our obligation in a process that involves buying something to have a second quote if it is past a certain dollar amount? Do we have an obligation to require a second quote? Let us say we agreed to fund \$25,000 of this. Are we in a position where the particular arrangement they have because it is private funding does not really work because we are public funding?

Village Manager Frobel: I do not know. I would have to give it some thought.

Village Attorney Whitehead: It might be if you are giving a flat amount, so what you are giving is not related to the actual price. But we have to look at it.

Ms. Feir: Sure, and I will ask my trustee, Joanna Riesman, tomorrow, too, who is, as well, the lawyer on the board. Whatever the amount is, I will ask for a dollar less.

Mayor Swiderski: You ask your attorney, we will ask ours and we will talk in the morning.

Trustee Armacost: And not just the attorney. I do not think an attorney can necessarily answer this question. I think it is a Con Edison question.

Mayor Swiderski: Well, that is a separate question.

Trustee Armacost: Which is, the rebate you get for installing one of these systems, there is a real advantage to it being a separate system. Because then the space is independent of anywhere else, and a failure somewhere else does not affect this space. There are multiple reasons why it is a good idea. But the Con Edison rebate could potentially save you a lot of money, and you need to know whether the price you have been given includes that rebate or does not include that rebate.

Trustee Jennings: I wanted to be sure I understood that this was a separate system. Even though it may take some of the pressure off the system upstairs and, thereby extend its working life, we are getting to the 20-year mark. I wanted to make sure that when that large system upstairs was replaced we would not have to scrap this new \$38,000 thing. But apparently the answer is clearly no, it is going to have its full lifetime and the other one will be the other one when the time comes.

Ms. Feir: And just let me reiterate, it is not a question of spending no money or more money, or some money. It is a question of a certain amount versus a certain amount. It is

not like we can wait until we replace the whole system. We have to expand the capability for this construction project. As Fran said to me, when you are busting through walls that is the time you do things, not do it and then do it again a year later.

Trustee Jennings: I understand that. But if it were tied in and would get wasted, then we might have a conversation about is this not also the time to do the whole building. But that is not the conversation. That is a moot point for now.

Trustee Armacost: The other issues that helps is if you have a very well-insulated space. That makes a big difference in terms of the efficiency of the unit. So, hopefully, that is part of the plan, that the expansion creates a kind of self-contained, well-insulated area.

Ms. Feir: The handler will be on the roof. We will use the existing soffits for both aesthetic and practical reasons of not more construction. There is only about 18 inches to work within, so that also precluded certain other choices of systems. You certainly do not want a piece of equipment sitting on the new deck out there.

Trustee Armacost: It is pretty small. I am sure even yours fairly discreet.

Ms. Feir: It is, but you still do not want it on the deck and you do not want it on the terrace. We walked around the building looking for places. So again, we will be using the general contractor who has to bring in a crane anyway to put it on the roof for us. When we expanded the BTUs from the original quote from the company supplying it, it behooved them to give us the bigger, more expensive one. And it was the engineer who said I think you need a few more BTUs and tonnage. The price did not change much because of the efficiency of when we are doing it. It is like most things. You buy a car and it costs \$20,000. You buy a car with a little bit more of this or a little more of that it does not increase the price hugely. So it was a price adjustment more than a huge leap.

Trustee Walker: Is the upstairs addition also serviced by the same unit, the children's area that was added on?

Ms. Feir: No.

Trustee Walker: So how do you take care of that area?

Ms. Feir: I refer to it in the memo. The roof and chiller project in 1991 was done by D.P. Wolff. They happened to be our service contractor for years, and we were happy with them. When we did the renovation project in 2001 and 2002 they were not the lowest bid and we had a different service contractor. So I got my GC to help me with the wording that would

be proper for this, and he said that the existing system does not work up to project specifications. That is a way of saying we have had problems with the system which covered this room and the room upstairs. The Library Board spent a great deal of their own money to repatch and redo some of that work, calling back in D.P. Wolff. That was another reason we were not wedded in any way to expanding this system by tacking on more capacity. There was another reason it was appropriate to look at a different type of system.

Trustee Walker: When you replace it, it is going to handle the room upstairs, as well.

Ms. Feir: No.

Trustee Walker: What is handling the room upstairs?

Ms. Feir: A handler which is in the foyer out there. And that will be a question for when we have to replace the system on main floor.

Trustee Apel: So it is taking the pressure off?

Ms. Feir: Fortunately and ironically, the system on the main floor is wonderful, and it is the 20-plus year old system.

Trustee Walker: But its condensing unit, then, is the same as the main floor. The new system you are buying is simply to handle this room and the adjacent room, nothing upstairs. So how does it take the burden off the rest of the building?

Ms. Feir: Because right now this room and next door is pulling from the chiller on the roof. So now this footage will not be pulling on it, and the handler out there will continue to pull for the picture book room.

Trustee Armacost: And it will use so much less electricity, if it is the system that I think it is. It is so much more energy efficient.

Ms. Feir: Werner put it very simply. This is state of the art.

Mayor Swiderski: Thank you. When do you need this from us? Be honest.

Trustee Armacost: We need more information, though.

Mayor Swiderski: I know, but I want to know the time frame we are talking about here.

Ms. Feir: The Library Board has to pay the bills. Help of any sort from the Village will take stress off. Not meaning we will not fundraise as actively, but simply put this exceeds the budget that we thought. It will help us.

Trustee Armacost: I interpret that to be the sooner the better.

Mayor Swiderski: Right. But in terms of your building plan and when you start to have to cut checks.

Ms. Feir: We are going to do this. So unless Trustee Armacost has raised questions that really make it silly, we are proceeding. As I said, I am here at the invitation of Trustee Jennings so everything is a little out of sequence. This is something I should have brought to your three months ago, but it was not even on my radar to do so. We are going to be paying the bills. It is whether we end up with \$100 in the bank, \$10 in the bank, or passing the cup for minus \$10.

Trustee Armacost: It seems like a sensible investment to me. I just think you can get a better price. It could be that that is wrong. Better price both in terms of contractors, this discussion of whether you sourced enough different bids to see whether you are getting the best price, and whether there is a rebate you can get from Con Edison. Those two things could reduce the price. But, in principle, I am in favor of this.

Ms. Feir: I do not know the answer to your second about the rebate. I will pursue that. As we found out through the construction project where afterwards the Library Board put in about \$50,000 of their own money trying to coordinate and correct it, there is a certain monetary efficiency of working with the company that we have worked with successfully for 20 years who will work with the general contractor in complete unison and save double electric cost, double construction cost.

Trustee Armacost: I will give you some different companies you can call so you can say you have done it, apart from anything else.

Trustee Jennings: I am not quite as clear as I thought I was about how to think about this. Whatever the price turns out to be, and let us say it is \$38,000 plus \$3,000, or \$41,000, are we thinking about this as a discreet piece of equipment, a discreet part of the overall renovation that the Village is going to pay for? Or should we think about this as a \$41,000 contribution to an overall project which has a total price tag of about \$250,000 did you say? So which way do we think about this? We are buying the HVAC stuff you need, or we are making a contribution to the entire project? Because it seems to me that might make a difference in terms of whether we have to get other bids on the equipment. It might make a

difference in terms of the timing of the payment. I have never thought before about just making a flat donation like any other private citizen would do, or like the department of education did with that grant. Which way should we think about it?

Trustee Armacost: You sort of set us up in the beginning by saying we are responsible for the building. That seems like an odd thing to grant something you are responsible to. To me, you have to just be responsible for what you are responsible for.

Trustee Jennings: No. The reason that is not obvious to me is that part of this project that they are doing through private fund-raising has to do with walls, floors. It is the building that is being changed. Decks. What is the difference, an air conditioner?

Trustee Apel: It is our building. It is like we are landlord and they are just using the building, and they are fixing our building. We have to ask the lawyer. We just cannot donate money.

Trustee Walker: It is not a donation.

Trustee Jennings: If it is our building it is not exactly a donation. It is putting money into our building.

Trustee Walker: I see it as a partnership. And we are grateful the board is raising the money to do this. It is going to benefit everybody in the Village. It is not just the library that is going to benefit. We have meetings here, too. I think it is part of our responsibility, as well. So it is a partnership, and one of those things you see all the time when there is a non-profit. In your case it is different than a non-profit. But a non-profit and a municipality working together to enhance a public space or a public building. This is not uncommon.

Trustee Jennings: But still, it is not clear to me. On the answer to my question turns, I think, the following. If we agree to contribute as a partner to the tune of \$41,000, then it does not matter how much they end up spending on the air conditioning. If they spend less that is fine. Takes a little bit of the pressure off their private fund-raising. On the other hand, if we will pay for the HVAC, then you have got to find out what that is going to cost and you have to do the best, most efficient job you possibly can do in determining how much that is going to cost.

Ms. Feir: I see where you are going. Let us say you did not feel comfortable at this late hour with approximately \$40,000, but you felt that it is in general fund, that you could put extra money into the repair to the building fund. Does that make it easier?

Trustee Armacost: I think we have been asked to contribute to a specific thing. We have not been asked for the whole cost of all of the renovations. They have not been put before us. A specific thing is being put before us, and we have responded to that specific thing. It could be that there are no other cost savings to be found in there and that, ultimately, the bill is \$41,000. It is not to take money away, it is to save you money at the end of the day. You can come and say there is another capital expense. This is why I would like to create a capital fund so we have a place we can go for capital expenses which are real capital expenses that relate to buildings, relate to sidewalks, relate to parks, relate to all of those kinds of thing you would draw from for that kind of fund.

But the reality is, you came to us with a specific thing. Here are some suggestions. Maybe they are useful, maybe they are not useful. Then we, as a board, decide at the end of the day, irrespective of what the cost is. If Sue comes back and says it is \$41,000 then we can decide \$41,000 yes or \$41,000 no. To me what we have not decided is the amount of money. I think we all feel, and I am speaking on behalf of everyone which may be incorrect, we want to contribute to this, yes?

Mayor Swiderski: Yes, and I think you started your statement correctly by saying the board has come to us with a request for a particular portion of this renovation, and it is a neat line. Because to me, the board has engaged in a project to expand this particular room. And it meets a board objective which I do not say we did not sign on to. We support it conceptually, but you have decided to charge ahead on that. What we are saying is, we support the concept. We are not paying for the expansion per se. We are ensuring that the infrastructure of a building that we are responsible for can support your expansion. It seems to me a neat line that I am comfortable with. It is a piece of machinery that enables your expansion to go forward, and it supplied the underlying infrastructure that we are responsible for to do that. .

Ms. Feir: A few years ago you offered to bring me down a gin and tonic when we were sitting there waiting for someone to board up a window. The analogy is similar. We ended up being able to pay for that out of library funds. Right away, again, Village Manager Frobelsaid if you cannot we own the building, you come to us. But the question was whether to board it up and put glass back up, or to invest, since we had a broken window, with much better glass that is the pebble kind and costs about five times as much. We all knew we could not live without a window, but there was the immediate short-term question of since we are doing this anyway do we do it better. It was decided that we would put in the much better pane of glass. And if we had another window go out that spring we would have come to the Village Manager, saying we are broke, we cannot do it.

Mayor Swiderski: But the way you laid it out originally, to me, is clear and clean and involves us paying for the underlying infrastructure in this particular case, and I would prefer to keep it that way.

Trustee Jennings: OK, that answers my question.

Mayor Swiderski: I think it is a neat line. You have asked for support for infrastructure to help support something you are doing. We support the project overall, and this is our way of supporting that without it becoming too complicated. Get the answers to our questions, and on we go.

2. Update on the Downtown

Trustee Walker: Friday Night Live is coming up this Friday, and let us hope that the weather warms up by then. We are going to be closing Boulanger parking lot and that portion of Main Street. There will be music and food, thanks to The Prime and Sakura Garden. Picture yourself in Hastings celebrating the arts. It is a celebration of the visual arts and the opening of the Upstream Gallery in Hastings, and we are inviting residents to paint self portraits of themselves on pieces of cardboard that we are going to mount in public spaces. So they are picturing themselves in Hastings. The Upstream Gallery has taken on this project for us, which is great. It is nice to have a partner like that, who is really becoming a vital part of our downtown.

Mayor Swiderski: This weekend is crazy with events. There is a Little League parade in the morning, the Rivertowns Art Council on Saturday and Sunday had their open homes and studios, a Village-wide tag sale on Saturday, Andrus family day on Saturday, the Southside Athletic Club has an event Saturday night.

Trustee Armacost: And is not the next weekend the Village cleanup, before our next Board meeting.

3. Update on the Waterfront

Mayor Swiderski: We are in receipt of a copy of the document that BP submitted to the DEC on Building 52. It is their analysis and assessment of that building's historic value and the role it plays in the community, as well as the fact that it is sitting on top of a pocket of pollution and their desire to get rid of the building to get at that pollution. They are required to submit this to the DEC. There is an office in the DEC that deals with potentially historic buildings that require a report of this sort to be submitted. We will be posting a copy of the report on the Web site. There is no action the Village is required to take. This is a courtesy

copy being provided. It is an external process, strictly between BP and the DEC. The DEC has not indicated this is a public process. If it is one, we will weigh in. At this point in time, it does not appear to be one. It is part of a formulaic legal process between the DEC and BP.

Trustee Walker: So the DEC, then, will be responding to this report. They are required to make a decision? How long will that take?

Mayor Swiderski: The DEC is required to respond to the report, and the degree of that response can be something as shallow as we are not going to weigh in. In fact, we are not going to say yes or no the building should come down, or yes or no the building's historic character is such that you cannot. It can be a very passive response, and it can be a you are right, the building should come down. The DEC, in the past, has not tended to do that. They do not like to weigh in on the future of a building. But they may.

Trustee Walker: And there is no timeline on this, I guess.

Mayor Swiderski: There is no timeline. Hopefully, it is not forever, but hopefully it is also not too abrupt.

Next week, May 1, the Village Infrastructure Committee is presenting their plan for the waterfront, including where the roads, development and parks will go. This is not a theoretic plan anymore. This is their version, they are presenting it to the public, then it will come to us. Once we approve it, it will go to BP and the DEC and will be a part of the engineering planning for the waterfront which will indicate where the parks, roads and development will be going.

We asked this committee to produce this report because if BP has it in hand they can adjust where they lay various types of fill to correspond with where the roads, parks and industry will go and where the conduits and sewers will go to substantially save money down the road so we are not having to dig up what they have just finished to lay a different sort of fill because that is where we want the park. So this is the proto-plan for the waterfront. It is exciting, important and no longer theoretical. This is real. They are going to be looking for public input. They will take that away, and come back to us. I have begun to crank up some pressure on them because BP has begun the engineering design and we cannot lag six months. We need this done in the next few months. I am going to be asking them to turn around their input from the public onto this as quickly as possible so we have it, ideally, in early June so we can begin to weigh in on it. It is important moment.

Trustee Walker: I have invited the Pratt students, the planning students, who produced, with three groups, three designs for our waterfront as part of their urban design studio last

semester. Jonathan Martin, their professor, is going to get back to me soon to find out if they are available. I proposed May 6 or May 20, the two meetings in May, that they come at 6:30 and present for an hour. I wanted to make sure Board is comfortable with that, if we have a 6:30 meeting.

Mayor Swiderski: I am fine with a 6:30 meeting. I would attend that. As long as they understand that it is a hard stop at 7:30.

Trustee Armacost: Can I make a request of you? At your village officials meeting, I would be very interested in hearing what the tax increase is for all of the surrounding villages, and also what the state of their reserve fund is. I think, Fran, you were going to look into that.

Village Manager Frobel: Yes. I gave you their levy and tax rate, but we have not polled the group on the use of their fund balance to balance this budget. We will find out tomorrow night.

ADJOURNMENT

On MOTION of Trustee Apel, SECONDED by Trustee Walker with a voice vote of all in favor, Mayor Swiderski adjourned the Regular Meeting at 10:45 p.m.