

VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
REGULAR MEETING
JUNE 17, 2014

A Regular Meeting was held by the Board of Trustees on Tuesday, June 17, 2014 at 7:30 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

PRESENT: Mayor Peter Swiderski, Trustee Marjorie Apel, Trustee Meg Walker (7:42 p.m.), Trustee Nicola Armacost, Village Manager Francis A. Frobel, Village Attorney Linda Whitehead, and Village Clerk Susan Maggiotto.

ABSENT: Trustee Bruce Jennings

CITIZENS: Six (6).

APPOINTMENTS

Mayor Swiderski: We are announcing new appointments to the Village Arts Commission: Jane Cameron, Kit Demirdelen, Daniel Markham, Daniel Belasco, and Stuart Wolferman. Thanks for the service they will perform for the Village.

APPROVAL OF MINUTES

On MOTION of Trustee Armacost, SECONDED by Trustee Apel with a voice vote of all in favor, the Minutes of the Regular Meeting of June 6, 2014 were approved as presented.

APPROVAL OF WARRANTS

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

Multi-Fund No. 2-2014-15	\$449,149.32
Multi-Fund No. 3-2014-15	\$ 75,250.50
Multi-Fund No. 5-2014-15	\$117,820.97

PUBLIC COMMENTS

John Gonder, 153 James Street: I read with great admiration "Merchants Support Demolition to Expedite Waterfront Cleanup." Apparently, the owner Nina Lanza of Village Balloon and Flower Shop wrote a little article in the June 6 *Enterprise*. One part says, "Many of my loyal customers have expressed concern about the look of the waterfront and the amount of time it is taking to have it revitalized. My customers and I agree with them, have voiced their concern about the need to accelerate the cleanup process." I thought I was

a minority of one, but apparently there are a lot of people who would like to see that building come down. You should have retired Trustee Jeremiah Quinlan give us an update on the negotiations because we have not heard from him in quite a few months. What has really bothered me for six, seven years is the ethics of the Board. They keep having their hand out for \$1,000 for Friday Night Live and other things, and how can you do a good negotiation job with someone when you have your hand out. You should cease taking money from BP and start hard negotiation and get something done. The last I heard from the Mayor, it was going to take maybe eight years, when I heard from Jeremiah Quinlan, when he was still a Trustee, it was going to be five to six years. We got to speed it up.

Mayor Swiderski: There will be a brief update pertaining to that matter during the Board discussion.

David Skolnik, 47 Hillside Avenue: Mr. Mayor, can you clarify? I am looking at the agenda for this evening. Would I be correct in assuming that there was no action or discussion planned on the issue that you were addressing last meeting with regard to the circulation committee? That would be incorrect?

Mayor Swiderski: It would be incorrect. We have a revised version of the description of what the committee will be doing, and we will be talking about that today during the Board discussion. My oversight that that was not on the list.

Mr. Skolnik: Then let me apologize because I had intended to address fully what I not only heard at the last meeting, but then subsequently went back and listened to earlier meetings. I am deeply concerned at the discussion that has taken place over the last number of weeks, not the least of which the fact that there is nothing on the agenda, for whatever reason, goes to the heart of the discussion pertaining to minutes taken at meetings and how a community is supposed to be informed. This matter has been close to me for a number of years. You will have your discussion. I hope that between now and the next meeting I will be able to more fully communicate what my deep concerns are with the way this has transpired.

Mayor Swiderski: The charge being given the committee has not dramatically changed in the updates. It reflected some concerns Board members raised in the last meeting. If want to use up the balance of your time expressing your concern, go to it.

Mr. Skolnik: Given how many specific issues I found warranted addressing, it was completely a surprise that this discussion was moving forward the way it was based on the agenda. My sense was that whatever you are going to do you are going to do. I am going to do my best to, even after the fact, convey to you why I feel that there are a lot of conceptual errors being made in this process.

Mayor Swiderski: OK. The process is underway, and you have a chance to weigh in.

Mr. Skolnik: I have no illusions about my ability to convince you of an action or to not take an action if that is what is already scheduled for this evening.

Trustee Armacost: I think what Mr. Skolnik is talking about is concerns relating to the procedural issues we raised in the last meeting. I was the one who raised the issue of having an agenda, having minutes, finding a way for other boards or committees and citizens to be able to know what was discussed, to be able to be aware of what was on the agenda. He may have things in addition to that, but at least those issues he wants to speak to. Maybe we can speak to them when we get to that point in the agenda.

Trustee Apel: You did say you came late to the thing, but you have said nothing. You have not been specific. If you do not say specifically what it is you do not like, and you just say there are things you do not like, then I do not know what you are talking about. It would be helpful if you are going to bring some suggestions that you are specific. He is just making a general statement that he was not happy, but I need you to be more specific.

Mr. Skolnik: I think the process by which this whole issue was moved, not only to Conservation Commission but to a subcommittee of the Conservation Commission, which is even less accessible than the Conservation Commission is, that a comment was made at the last meeting that expressed almost disbelief that the Planning Board would have any real concern for this issue, when it was the Planning Board that was, for many years, most active. My concern is that in all of the laying out of the process, when you talk about groups being reference, whether it is the police, the Safety Council, there is no mention that I could find of actual public engagement with that process going forward.

My concern is that what I heard and what I have seen is a process that is so far removed from public access that it disturbs me. The process and the fact that it is moved so exclusively to a committee that has a very particular function, but also a particular bias with regard to circulation. So with all due respect, as I said at the beginning, I am not going to, given that it was not on the agenda, be able to do for you what I wish I could do and what you wish I could do. As I said, all I can say is if there is not an action being taken this evening, then I will do everything I can to convey more fully what my concerns are. If there is an action being taken I will do it anyway, and then you will know after the fact.

Trustee Apel: Your input is appreciated, and if you clarify exactly the points you would like to recommend that would be helpful.

Trustee Armacost: In his favor, what he is trying to say is that there was not adequate notification of the fact that this was going to be discussed, which is why he has not come fully prepared to discuss it, and he would like to be an upright citizen and come fully prepared to discuss. I understand and appreciate the spirit of that.

Mayor Swiderski: I do, too. Because I did not put it on the agenda, I was not planning to ask for a vote on the committee tonight because it was not on the agenda. While I was very good in updating the charge and getting back to you that night, I did not remember to ask for it to be put on the agenda today.

Elisa Zazzera, 111 Pinecrest Parkway: I am here today also as a friend of the Old Croton Aqueduct. To Mr. Frobel, the fencing on the Aqueduct between Washington and Pinecrest, over the Quarry Bridge, there was an issue with it put in without consent of the state. It is state property. Plantings were placed, the fence still remains, we are still waiting for the fence to be removed. Can we expect that to be done this year?

Village Manager Frobel: I do not believe so. As I recall, because you are now going back two years, or three, there was a consensus and the need to keep the fence there. The compromise was the additional plantings to screen the fence from those that pass over it.

Ms. Zazzera: The agreement was that the plantings were placed, the fence would be removed. The fence was put up because original plantings were removed by the Village. That, then, left this open potential hazard.

Mayor Swiderski: What area are you are referring to?

Ms. Zazzera: On the Old Croton Aqueduct, south of Washington, before Pinecrest where you cross the Quarry Trail which now goes under the Aqueduct. There is that bridge that the Aqueduct forms over the Quarry Trail. Original plantings the Village pulled out, placed the storm fence in to prevent anyone from falling over. State property, the plants should not have been pulled up in the first place, understand the fence. The request was, can we remove the fence? No, it is a hazard. OK, what about plantings in place of the fence? Plantings were made, they have survived, they seem to be at a size where they would prevent any hazardous falling off. The original agreement was the fence would be removed once those plantings were large enough. If we wait too much longer the fence might hurt the plants by removing it. Now might be an opportune time to get rid of that fence.

Mayor Swiderski: If I could ask, after the meeting, to check with our attorney. We might need a letter saying that the plantings now represent a suitable safeguard and we are comfortable with the fence being removed.

Ms. Zazzera: It was not us that was uncomfortable with the fence being removed. We wanted the fence removed from the get-go. We did not want it put up.

Mayor Swiderski: Let me check before you have that conversation in public, and just make sure that we get what we need.

Ms. Zazzera: Shall I hold off in terms of getting a letter to you?

Mayor Swiderski: Yes. Let me check with our Village Attorney and Fran, and we will get back. It is an old matter we should just finish up on.

44:14 VILLAGE ARTS COMMISSION INCREASE IN MEMBERSHIP

Trustee Armacost: We met after the last Board meeting in executive session and realized that this committee would benefit from a larger number of active members. We saw no reason to reduce the number, and partly it reflected the abundance of qualified and interesting people who had applied to be members of that committee. We decided to expand the membership from seven to nine. We are thrilled with each of the people who has agreed to join and, of course, with all the people who were there in the beginning.

RESOLVED: that the Mayor and Board of Trustees increase the membership of the Village Arts Commission as established on Oct. 17, 2006 from seven (7) to nine (9) members.

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

VILLAGE MANAGER'S REPORT

Village Manager Frobel: I wanted to report on a couple of projects occurring in the Village which the staff is keeping an eye on. The Warburton Bridge project: in our estimation, as with the county, the project is moving along nicely. The work on the, the superstructure steel, all the paint has been removed. They are doing inspections now to determine if there is any further deterioration that may require additional work. But under the bridge the paint has

been removed which was the lion's share of the work. On the top of the bridge, on the east side, the asphalt running course has all been removed. They expect to be removing the under layer probably by the end of the week, once they are able to put up some fencing and some barriers to ensure safety. The deck sections are going to be fabricated off-site. I believe that is a change, and we view it as a positive notion because it should speed up the process. The deck comes in sections, and it is our understanding it will be brought at the site and then placed, so that should move it along a little quicker. The detours, in the estimation of the Police Department and the county, are working well. There has not been any upsets of late. So that seems to be working, at least during the warmer months.

On the gas line replacement, also with that project some very good progress. They have already completed the work, which was a very deep area, on Spring Street up to Warburton. West Main is complete, and they have made the turn onto Main Street. On Main Street, they have already done the saw cut of the pavement. They expect to be doing the excavation this week. Within a week to 10 days they should have all the trench work done up to the Hook and Ladder, where the project is completed. They have already begun the process with some service connections. They hope to do three, maybe four, a day. It depends on their coordinating with the property owner. On schedule, maybe a hair ahead of schedule, but all parties are pleased. Next week will be difficult for the businesses on Main Street. With the saw cut this week, we have eliminated parking. But this should be the push. If we can get Main Street complete within the next seven days, now they go back and begin to do those service connections, which are spotty. In other words, it will not be a whole block out of circulation for parking or detouring, but rather a 20-foot area where the crews will be working. A big thank you to everyone for their patience with this project. Please, for the company, there are a tremendous amount of workers on the site, which is obviously key. They can make a lot of good progress with enough crew members.

The emergency generator was delivered and installed last week. Quite a project. It weighed 2 ½ tons or more. The way it was lifted off the truck and then gingerly put down in the basement of the Community Center was something to see. The transfer switch has been installed. Now we will be tying the generator to the transfer switch, which should occur next week. So we are on schedule with that project, as well. We expect to have some test runs by the end of June.

Not for much discussion, just if there are any questions from the Board. I did report on the changes that are occurring with the administration of the Community Development Block Grant program. Obviously a disappointment to us, as our neighboring communities. It appears the county is going to be getting out of the business of running the program for us. The managers had a meeting on several occasions over the last two weeks to try to come up with an alternative.

The town has stepped up. They would like to help lead the consortium. But the latest development is they do not have the staff or the time to make it work. It is possible that Hastings, Dobbs Ferry, Ardsley, Elmsford, Tarrytown, Irvington may have to sit on the sidelines for the next round of CDBG grants. We just do not have a choice. There is no one agency that is strong enough to pick it up. We are hoping the county executive will reconsider his position. That may happen, but it is occurring at a different level than managers are dealing with. We hope it can occur this year, but if not we may have to wait a year until we can get better organized.

Trustee Walker: When does the next round begin?

Village Manager Frobel: It is a two-year cycle; I think this year.

Trustee Apel: How much money would we use?

Village Manager Frobel: Hastings has done well in the past. The grant contributed to some sidewalk projects, Ridge Street. We have done OK. So it is a disappointment.

Trustee Apel: Can we do it on our own?

Village Manager Frobel: No. Our competitiveness in applying as a small city would be very much diminished. It would be very difficult.

Trustee Apel: What if all of these communities decided to each chip in a certain amount of money to hire somebody to do this?

Village Manager Frobel: The town had expressed an interest in taking the lead. The grant also supplies some administrative costs, which would have covered part of the staff. It is just this is an enormous concept that needs thought and some time to get up to speed. The county did a very nice job for everyone. They were very well-equipped. They had some people that had been there for a long time, knew the program. There was confidence in their ability. The feds had confidence in the staff. We have got to try to recreate all that.

Trustee Apel: Did they let those people go?

Village Manager Frobel: Yes, he has reduced the staff dramatically.

Trustee Armacost: It was a cost-cutting measure. But is their value, Fran, in all of us lobbying on a periodic basis, to say how important and valuable it was to us?

Village Manager Frobel: I would hope that is occurring, maybe not at this level.

Trustee Armacost: I am talking about the Mayor writing a letter and we, as Trustees, endorsing that.

Village Manager Frobel: I think it would help. The village officials' committee will be meeting shortly and that was going to come out of that meeting. That is the idea. To try to get some political pressure on the county to restore those positions and that program.

Trustee Armacost: The other reason to do that is that there can always be changes in government. So it could be that there are shifts in positions such that there is a different group of people who would be listening to our pleas. And if we stop making them, then that new group of people will not hear them.

Village Manager Frobel: Right. That was the point you raised, and I appreciate it. It was a good question you had asked about the timing. The Mayor asked the question, too, about whether this was tied up in this challenge to how the county administered the program. I do not know, maybe. I do not know what is in the back of the executive's mind. But it would not jeopardize going-forward funding. The Mayor had asked the question will monies be frozen going forward; are we going through this exercise, and then the feds are going to say you are not getting any money anyway. Not true. We would be eligible for funding despite this lawsuit matter, this challenge to the affordable housing issue.

Trustee Apel: I think this is appalling and that the county should be called to task for this. If I am an activist, I would be calling the newspaper and I would be complaining. Let the newspaper run with this. It may be their cost-cutting, maybe their particular problem, but it is hurting everybody else and they ought to be called to it. It is important.

Village Manager Frobel: I am mystified that has not occurred. I am surprised there has not been that kind of pressure put on to say this benefits six villages in an important way, let us see if we can sort this out. It may mean maybe contribute towards the cost of that staff; if we feel it is worthwhile to Hastings, then maybe it is worthwhile for us to give some administrative costs to fund a program like that.

Trustee Walker: But did not other municipalities throughout Westchester benefit from this? It was only the cities like Yonkers or Mount Vernon that did it themselves. So the rest of the communities, many of them probably do not qualify because they do not meet the demographic requirements. But there must be others. The county benefited tremendously from the CDBG grants, as well, because on almost every grant we got there was technical

assistance and engineering and oversight by the planning or the landscape architects at the county. They were paid to do that through that grant. It was almost like a make-work program for county staff. They got a lot of jobs out of it. I am surprised it did not pay for itself.

Village Manager Frobel: I am, too, unless they had too much staff. I really do not know the dynamics.

Village Attorney Whitehead: Yes, the county is not getting any CDBG money so they have nothing to administer. That is what they are in court fighting about, because of the affordable housing.

Trustee Armacost: It feels as if there is a *soto voce* set of things going on here that have nothing to do with the practical benefits to citizens. It has to do with political infighting which is appalling, that something which could benefit citizens in a fundamental way ends up being messed around with because of fights happening at a political level. Anything we can do to voice the value of it to ourselves, whether it is writing a collective letter to the editor on a periodic basis or continuing to write letters to the county legislature specifying specifically the ways in which it is beneficial to us, I think that is valuable. And just encouraging our fellow villagers to do a similar thing, sharing our letters with them and encouraging them to do a similar thing. We can at least do that. Then we will see. In the next year, it could be that the political entities that are currently in power are in different positions and less interested in this issue because they have other things occupying them.

Mayor Swiderski: This is also a legal issue. The county executive has determined that, philosophically, he is going to face off with HUD and the federal government and fight what he feels is their imposition on local zoning authority, first and foremost, but other issues, as well. Right now, the core issue is whether the county and the federal government can supersede local zoning and insist on non-exclusionary zoning. In fighting the federal government and HUD, and the team overseeing the resolution of this lawsuit, I think Linda is right. I think the HUD money has been held up until that is resolved. It was Astorino's judgment. And it is his full control, since he writes the budget, to say if we are not getting those monies I am going to eliminate the positions that administered those monies because they are essentially unused. If Astorino is not reelected, and I do not think I am picking sides here, the Democratic legislators are on the side of the settlement and working things out with the federal government, and would probably be in favor of reinstating those positions and starting up the CDBG grant process at the county level.

Village Attorney Whitehead: If the monies were released by HUD.

Mayor Swiderski: If the monies were released, but the election is not tomorrow. Politically, that is not going to happen for a bit of time. Meanwhile, we are where we are. It is not a trivial job to administer these grants. It is not something we would want to take on and it is not something Greenburgh could easily take on, given that their planner quit. They lost their experienced guy. And for somebody to come in, master the planning position, and take this on is a big job. On top of that, apparently all the villages have to cooperate and Ardsley has opted out. So it further complicates it. For the time being, I think it is where it is. We are going to be meeting as a group of villages and determining if we are going to be writing letters, et cetera. I do not know. I do not want to be fatalistic about it.

Village Manager Frobel: That is true. Not to correct you, Mayor, but Ardsley has not said no yet. They are just not as enthused about it.

Village Attorney Whitehead: They have not benefited.

Village Manager Frobel: Right. As well as some of us. But you are right. We all have to be in this together. It cannot be a consortium of four or three.

Trustee Armacost: But the case has to be made for the value of it.

Mayor Swiderski: Right. I am sure that the village officials committee will be writing something and speaking out. It will make our voices clear, realistic about the odds that that will affect the county chief executive on that position. He set it down its path.

Mr. Skolnik: Just a point of information with regard to the Greenburgh situation. Tom Madden's assistant, who has worked with him for many years, I have had a lot of dealings with him over the years and he is extraordinarily competent. While I think it is a real loss losing Madden, if there is any suggestion of working with Greenburgh on that I would give it the opportunity, just based on my experience with him.

Village Attorney Whitehead: They are also going to be shorthanded because they moving everybody up and they are going to have to hire someone.

Trustee Walker: Could it be that the villages band together and hire a consultant to do this?

Mayor Swiderski: It is a permanent hire.

Trustee Walker: That is not a permanent hire. Because this happens every two years, and it has only been a matter of ...

Mayor Swiderski: Is there not the ongoing maintenance of the grant?

Trustee Walker: I do not know what they do on an ongoing basis. Gearing up for it, yes, quite a bit of time goes into it. And I suppose there is the administration of it, yes. Maybe it is.

Village Manager Frobel: You need the seed money to start, too, because you are betting you will get the grants and they get the two percent administration, whatever it is. Now you are paying out of pocket.

Jim Metzger, 427 Warburton Avenue: This is a perfect example of saying that all elections are local and all elections have consequences. As elections roll around we should be thinking about the long-term consequences of the values of the people that we put in place. We need to give a round of applause to our Trustees, this Board and previous Boards. We probably have the greatest percentage of affordable housing of any of the local villages. There are 18 units currently running. We have another 18 coming on line in the next year or two. And it is not because there is money available and it is not because it is a financial benefit. As Trustee Armacost said, it is because it is the right thing to do. It benefits our village, it benefits the county, it benefits all of us to bring everybody along as opposed to pushing some people aside and other people getting benefits. I want to thank the Trustees for the work they have done in this area.

Mayor Swiderski: Thank you. On the construction downtown, I am almost afraid to ask regarding the state of the streets after they are done. Are they going to repave the streets?

Village Manager Frobel: Yes, to a degree. They are not obligated to resurface from curb to curb, to do the full length. They are obligated to restore what they opened up to the condition it was when they began, which would be new, but would be patches. What I am working out with the company is, in lieu of that, to get a cash payment from them to put towards the resurfacing of the entire road. Our plan was to do the road, which was part of what triggered Con Ed. In answer to your question, yes. At the end of the day, when all is settled out, then it will be resurfaced. The majority of it will be paid for by the company.

Trustee Armacost: That is an excellent way to handle it.

Mayor Swiderski: And the right approach. Because otherwise, they will patch and freeze, dry, freeze, dry, crack.

Village Manager Frobel: Right, you will not be happy with it. They do a good job of patching. They saw-cut and they seal. But you are right, it will not be the same.

Mayor Swiderski: Heading up the Steinschneider stairs today lots of white spray paint for Xs and some indication something it about to happen. What is that about?

Village Manager Frobel: We were scheduled to begin the work weeks ago but we were hit with some workers' compensation claims over the last several weeks which effectively took two of our key people out, drivers, so we were shorthanded. We expect to start the project on Monday. There will be some interruption for pedestrians. But we are going to be doing it with our own forces. It does not go as far as a complete rebuild, which is what we had asked under the CDBG. You may have to do that someday. If these repairs get a nice five-year fix I would be very happy. Given what Mike Gunther has planned out with his crew, I think you will be pleased. They will be neat cuts, they will be patching in concrete. He has got several ideas as to how he can make a more permanent fix. We had repair specifications to do what we are looking to do in-house and it was extremely pricey. There was no way we could afford it with our operating budget. But I think what these men have planned will work. It will be nice neat cuts, it will be forming up the steps that are broken, those areas, replacing those that have to come out completely. The level areas where the bituminous asphalt is uneven, we will be taking that out and repouring that.

Trustee Walker: Repouring it with concrete, not asphalt.

Village Manager Frobel: No, we are going to put asphalt back where the concrete was. The asphalt patches.

Trustee Walker: You could not replace it with concrete?

Village Manager Frobel: Well, we can look into that.

Trustee Walker: Because the asphalt settles badly and it is really unattractive, as well.

Trustee Apel: Are you doing railing?

Village Manager Frobel: We were not going to touch that. I can look at the railing in the future. The railing is functional. It is not very attractive, but it is not unsteady. We have already replaced the fencing and the fabric. That was done last fall and it came out pretty nice. But I think you will be pleased when this is complete, and we will be doing it with our own people. But I will look into the replacement.

Trustee Walker: Replacing the asphalt with concrete? I think it would hold up better and it would look better.

Village Manager Frobel: Sure, be happy to.

Trustee Armacost: Is that the only stairs renovation project planned for this summer?

Village Manager Frobel: As of now, yes.

Village Clerk Maggiotto: Before we leave the Manager' report, I would like to report on something a little lighter. Related to the downtown, a TV show, *The Leftovers*, has filmed quite a few scenes in our downtown. It is an HBO production and is getting quite a bit of publicity. The premier of the show is Sunday, June 29. I wanted to alert people to it because there are many recognizable scenes of Hastings in it. If you recall, a parade was filmed down Main Street with many of our residents in it. There was a car crash on Spring Street outside of Steinschneider. There is a lot of activity in our Steinschneider. They loved that parking lot because it fits in with the grittiness of the show. They filmed a scene in the library that I think is going to be extraordinary, where they trash the library and did a magnificent job doing it. And there is another scene where the star of the show, Justin Theroux, is banging on the door of McGreen Cleaners at night and screaming profanities. But in any case, they have high hopes this is going to be a very popular show.

Trustee Walker: And they are going to continue to film in Hastings?

Village Clerk Maggiotto: They have filmed the whole first season. If it is a hit, they will probably be knocking on our door again next year.

BOARD DISCUSSION AND COMMENTS

1. Veterans' Exemption on Village Assessment Roll

Village Manager Frobel: New York law allows villages, among other taxing authorities, the ability to offer a property tax relief for property owners who have served in the military during specific times of war. Hastings, in the past, did offer this exemption to veterans. It ended, expired, in September of 1994. What the Board at the time did was grandfather in those veterans who had the exemption, and as of now, we have 72 that are still on that program. What is under consideration now is to open that door again to pick up veterans out there who, from 1984 onward, did not enroll. We now have the cap. You have a limit as to how much you can raise taxes. It is 1.48 this year, next year it might be 1 percent. Who knows what the number might be. But it is going to be a number and it is going to be less taxes that you can raise; when you give an exemption like this it has an impact because that is immediately coming out of your ability to tax.

I would ask Susan to walk the Board through her memorandum and explain what her findings have been in terms of what this veterans exemption could mean for all taxpayers in the community.

Village Clerk Maggiotto: Presently we do offer an exemption to veterans. They are mostly the remaining World War II and Korean War veterans. Their widows are entitled to keep the exemptions. When we calculated how much that represents in lost tax revenue it is \$41,000 at the current tax rate. But we have already absorbed that into our budget.

Edie McCarthy, the assessor in Greenburgh, gave me a list of owners in Hastings who have veterans exemptions. The town had started this a few years ago, and now the school has. They have acquired quite a number of veterans who want to avail themselves of the exemption on their school and town and county taxes. They have 154. Of the 154, 115 of them are not on our list in Hastings. We thought what if these 115 wanted to get their exemptions in Hastings. What would that cost us? We did the math and figured out the value of the exemptions they get in Greenburgh. The exemptions would be similar, although there might be a little wiggle room, they might be a little less. But just for discussion purposes, this would represent another \$58,000 in lost revenue. This is money that is not accounted for. Under our current budget, every 1 percent of the tax levy is equal to \$102,000. If you wanted to offer this exemption, if all those veterans who have applied in Greenburgh would then apply in Hastings, we would have to absorb an additional \$58,000 in lost revenues, which is 0.60 percent of the 2 percent of our tax cap.

Trustee Armacost: The memo is very comprehensive so thank you for doing that research. What I was trying to understand is the relationship between the 72 veterans who are currently receiving it and the 154 and the 115. How much is double-counted in there. The 154 are listed in Greenburgh, and a subset of this is 115 who are not receiving an exemption in Hastings.

Village Clerk Maggiotto: Right.

Trustee Armacost: How does that relate to the 72? What I would have done was add the 72 to the 115. That is why I am confused about what the 154 is.

Village Clerk Maggiotto: Some of the 72 do not have the exemption in Greenburgh.

Trustee Armacost: I see. So it is a mismatch.

Village Clerk Maggiotto: Yes, there is a mismatch on both ends of it.

Trustee Armacost: So what is the maximum number if everyone availed in both places?

Village Clerk Maggiotto: I would say 115 more above our 72.

Trustee Apel: So 72 and 115.

Trustee Armacost: Then Greenburgh would end up getting a bunch more people they do not get.

Mayor Swiderski: Greenburgh does not necessarily benefit here. This is just ours.

Trustee Armacost: No, I understand that. I am just trying to understand how many extra people there are.

Village Clerk Maggiotto: I made the assumption that most people who are eligible have applied to Greenburgh, because now that the school has offered it, it is a substantial discount. I imagine there are not many veterans out there who do not know about it and have not applied for it. That is why I thought, if they have 115 receiving exemptions in Greenburgh that we are not giving exemptions to, those 115 would come to Hastings, but probably not many more because there probably are not many more out there. But those are just assumptions.

Trustee Armacost: Right. But the numbers are a bit weirdly matched up. Because really, the maximum should be 72 plus 115, should it not?

Mayor Swiderski: Yes, the maximum for Greenburgh.

Village Clerk Maggiotto: But we already accounted for those 72. They would not get another exemption. So they are sort of out of it. I was just looking at new exemptions that we would have to offer and the value of those new exemptions.

Trustee Armacost: All I am saying is that the difference between 154 and 115 is about 40.

Mayor Swiderski: There are 33 vets or widows who have an exemption here who have not yet applied to Greenburgh.

Trustee Armacost: Which they could do.

Mayor Swiderski: Right, but that does not affect us. It is what is the impact on us. It is

that delta between those who applied in Greenburgh, and the ones we know on that list are already getting a discount. So it is 115.

Village Manager Frobel: That is your maximum exposure, we think.

Mayor Swiderski: Right. It may be a little bit more than that as people come out of the woodwork, but it is *at least* 115, let us go that way. It could be a little bit more.

Trustee Apel: Should we not be looking at the total? I mean, even though we say the others are grandfathered in and are there, we should look at the whole package. It is going to be \$100,000 in exceptions.

Mayor Swiderski: Well, we cannot undo the grandfather.

Trustee Apel: I am not saying we should. I just think we should look at the whole package.

Trustee Armacost: The way I see it, you are already accounting for the \$41,000 in all of the budgets; that has been happening for a long time. So the only additional cost is \$58,000-\$60,000.

Village Manager Frobel: Right, that is the additional cost.

Trustee Apel: And what does that mean per-person tax increase? I am trying to understand this 0.58 percent in taxes. How much would that mean per household owner?

Trustee Armacost: The 0.58 is indicating, if \$102,000 is 1 percent, that \$58,000 is a little bit more than half of 1 percent.

Village Manager Frobel: Right, on the rate today.

Trustee Armacost: To me \$60,000 is a question of how we consider the fiscal health of the Village, whether we think it is improved sufficiently, and whether we think we are going to be increasing incomes moving forward. These are questions for Fran. We tend to be conservative on the income side, but it is an expense you are committed to in perpetuity.

Village Manager Frobel: Right, and that is the concern, given the restrictions now on the tax cap. Now it is at 1.48. It could be lower in the future, already you are going to reduce that capacity to raise taxes. Or like you said, take it out of expenditures or look at other revenues to make up for it. The town is in the midst of revaluation now. There are going to

be changes coming out of that work. I would like to hold off on this just to see how things begin to shake out over the next 18 to 24 months.

Mayor Swiderski: Are there other exemptions for other categories, other than the STAR exemption? On Village taxes, what exemption categories are there?

Village Clerk Maggiotto: We have quite a few people who qualify for age exemptions if they are senior citizens and their income is below a certain level.

Mayor Swiderski: What is that level?

Village Clerk Maggiotto: It is \$37,900. I do not have the number in front of me of how many people qualify, but it is substantial.

Mayor Swiderski: And what is that exemption? Is it no taxes, or a reduced amount?

Village Clerk Maggiotto: At the \$37,900, it is a 5 percent exemption. It goes down to 50 percent at an income level of some number between \$20,000 and \$25,000. And below would be a 50 percent exemption. So there are some people who are getting a 50 percent exemption.

Trustee Armacost: And how does that tie up? For example, if somebody is a veteran is that person getting an additional exemption?

Village Clerk Maggiotto: Yes. And then we also have volunteer fire exemptions. So there are some people in town who are getting all three exemptions: the age, the veterans and the volunteer fire. The volunteer fire expanded its exemptions a couple years ago so there could be two volunteer fire exemptions depending on their length of service. I did come across somebody who is getting four exemptions and was paying taxes on less than half of the assessed value of his property.

Trustee Walker: What does the veterans exemption now amount to?

Village Clerk Maggiotto: It varies.

Village Manager Frobel: It varies whether you served in those different theaters like World War II, Vietnam and now the Persian Gulf which is open-ended. It began in 1995 forward, and is just an ongoing, rolling thing. I think it is 10 percent for just serving during that time. Then there is additional service for being in combat, and then additional credit if you are disabled. So it steps up.

Trustee Walker: That complicated exemption was created by the state, or by us?

Village Manager Frobel: It is a state program.

Trustee Walker: Do you have to buy into the totality of it?

Village Attorney Whitehead: Yes.

Trustee Walker: Susan, you said, or somebody said, that we do not necessarily need to do the full exemption perhaps.

Village Clerk Maggiotto: Edie said there could be a slight variation in the percentages, but I am not sure what it is based on. It is not really within our control. And it is also not related in any way to income. You could have a very high income and still get the veterans exemption.

Village Attorney Whitehead: It only has to do with service, where you served, whether you were in combat.

Village Manager Frobel: We wanted to do the numbers to give you that to just digest, and come back if there are questions.

Mayor Swiderski: I want to look at a philosophical wrapping around this. I do not know if I am necessarily ready to think this through right tonight. I would like to say my little piece, and then be interested to hearing reactions.

Nobody can argue with the debt we owe our veterans. The question is how we pay that debt and when the Village feels it should pay a debt for service. That is a very tough call because we have the firemen who are directly in our service, the vets who are as well but who are also cared for by multiple levels of government. Then you talk about a need-driven exemption. I understand the need-driven because it is easily defined. If you are straining to pay your housing, taxes are a clear burden to carry. Here, it is an exemption for service, but not need-driven. Just something to consider.

I hear you, Niki. If our financial condition is improving we are better set to afford this. But regardless, if next year is also 1.4 percent cap, this is more than a third of the cap that we automatically lose the play on. That is something to consider, as well. It also plays into what the governor has done to us, and I use that term advisedly. The governor is setting up a situation where if we do not adhere to that cap a refund that goes to everybody goes away.

So he is structuring a payment out to taxpayers, a refund, with a major component of adhering to that cap. All this is into an equation. It is emotional, and there is patriotism here and what you feel you owe your vets. It is a quandary. I am not going to pretend this is an easy issue. You want to oblige, but you also feel you have obligations elsewhere. My heart has not sorted it out, least of all intellectually.

I tend to philosophically lean toward need-driven exemptions because they are need-driven. But emotionally, I understand the appeal here. That is the war within my psyche here. I understand wanting to provide this, but I also have an obligation to everybody who is not a vet and balancing that budget within a 1.5 percent cap so I do not eschew that obligation to the whole. I know that is mushy, but as I try to figure out how to think about this it is that balance between those two.

Trustee Armacost: It is very interesting that we had this exemption and then chose to move away from it. There are periods in history that are complicated vis-à-vis wars at different points that cause people to do those kinds of things. But to me, an age exemption is also based on age, not needs-based per se in the way you are talking about it. Similar thing with volunteer fire. That is based on service. It is not based on needs per se. I think it is important for us to acknowledge it. Every time I go to Memorial Day services or Veterans' Day services I am reminded of the incredible service that our veterans have done for us over the years, including those who are no longer with us. Particularly this year, at the Memorial Day service, the speech that was given I found really moving. It reminded me again of how important it is to recognize that service. People's lives get shattered in ways we do not see because they went through that work for all of us. I would like us to seriously consider this. I do hear the concern that Fran is raising, that we are going potentially through this re-eval. It could be that it is an important timing issue. I do not know how soon that is going to be, but it seems like it is going to be within the next six months.

Mayor Swiderski: Next year.

Trustee Armacost: I would like to have this be a very active agenda item immediately after that. I am in favor of it for philosophical reasons, for emotional reasons. And as a matter of principle, I am in favor of it.

Trustee Apel: I am as conflicted as you are on this because there are a lot of things coming at us and we have to consider everything. Following Fran's lead in terms of finding out where we are going to be, this is probably best way to go, because then we have a better sense financially where we can go with this. It is a loaded topic. And it puts everybody in a quandary between the finances and the emotional aspect. I would rather be able to make a decision based upon full information, and not try to guess. We certainly want to do what is

right for everybody involved. .

Trustee Walker: Yes, I think I agree. I would like to see how our financial situation plays out in the next six months or so.

Mayor Swiderski: More than six months.

Trustee Walker: I guess we were talking about a year to reval. My heart says this is the right thing to do. I do feel that it is not just that we owe it to them, they have done such a tremendous service to us. I have been working a lot on monuments recently and thinking about the meanings of monuments. Monuments are not just about commemorating those who died. They are also commemorating the hard-fought freedom that was won by those people. I have been thinking about this a lot, that it is something to celebrate and something to honor, and something to continue to honor through the years. But that said, I am a little concerned about next year's tax cap and redistributing to our taxpayers and not being able to perhaps pay for other needed things that I also value. I am a little on the fence.

Mayor Swiderski: I am the only one who did not want to defer or did not ask to defer the decision, because I do not fully understand why the reval affects the assessment here of this issue. Why does that play into it?

Village Manager Frobel: Only because I suspect there is going to be pressure for other exceptions. If people see their values go up dramatically, there may be pressure to bump up income levels for exemptions, for other programs. Homesteading exemptions have been talked about as a need.

Trustee Walker: What does that mean? Homesteading exemption?

Village Manager Frobel: A certain exemption for longevity. We have talked about this at the VOC meetings, where we suspect there is going to be pressure coming from other equalization type steps because of the impact of a reval. Now, Hastings is not going to necessarily adopt that list that is coming out either.

Mayor Swiderski: No. It will not, but it will impact the community regardless.

Village Attorney Whitehead: It will be the basis for the town, county and school taxes.

Mayor Swiderski: So if we do not, only the Village's tax portion, 19 percent or whatever it is, will not be affected by it. But regardless, it is a big impact. That is an interesting point.

Trustee Armacost: The other point is that after the reval you will know where everyone stands. There may be a number of people who have lower tax rates now whose rates go up, where the exemption will be more meaningful for them, and where this calculation shifts quite substantially. So there could be a number of these homes that have been undervalued, and so therefore the exemption amount for this category of people could go up substantially. Then what you are doing is making a calculation with all of the fiscal facts in front of you, as opposed to with the fiscal facts of today in front of you.

Mayor Swiderski: That is an interesting set of points here that I did not consider. My only concern was that I did not want to appear to be kicking the decision two years hence, when the benefit may be quite real for people all of whom may not have two years hence. Two years is a meaningful bit of time. I do not want to ignore that reality.

Trustee Armacost: Then the alternative argument is to simply make the decision now, decide we are going to do it, then see what happens after the reval. The part of me that is a fiscal conservative would rather have all of the fiscal facts in front of me.

Mayor Swiderski: Fiscal facts can be quite significant. It may be quite a mashing up of the assessments, and it may be a real game changer. Do we want to determine it here, or wait until Bruce weighs in at the next meeting?

Trustee Walker: Why do we need to be determining it now?

Mayor Swiderski: We do not. Then let us keep on talking. Let us make sure it is on the agenda for when we all are here.

Village Clerk Maggiotto: I just wanted to add one thing, a little twist to this. I went back into the minutes because I tried to find out why, in the '80s, the Village did not renew. Minutes then were nowhere near like they are now. They are very sparse. But it seemed that a concern was raised that this only benefited veterans who owned homes, and it didn't affect veterans who were renters. So a committee was appointed to look into this and report back. I could not find anything further in the minutes so I do not know what happened with that committee. I do not know what the committee report was. Maybe it was just a smoke screen not to renew it. But there is that issue still that is only benefits home-owning veterans.

Mr. Gonder: Mr. Mayor, in regard to the 1.4 tax, are you positive that the \$58,000 is not exempt by state law?

Village Manager Frobel: I can tell you with certainty it is not exempt. When I do the formula, that is strictly a local decision. You can exempt elderly, income, vets, whatever you

like. It is a local decision. It does not go into the equation. It would not be an exempt item.

Mr. Metzger: Is that reevaluation going to be done within the context of village by village, or is it in Greenburgh as a whole? Let us make an assumption that Tarrytown has a vibrant downtown, there are a lot of restaurants, they are generating a huge amount of income that you would perceive that the value of Tarrytown has increased from the last time an assessment was done. We have a number of empty storefronts, while the value of Hastings in general has gone down. I am making some assumptions here. Could it possibly be if one town experienced a huge amount of growth, and another town did not, that all of our taxes could go down in Hastings while all of the taxes in Tarrytown go up? How is that assessment going to be apportioned?

Mayor Swiderski: No, the reassessment is happening community by community. Not because it is a community, per se, but because that is how the team is moving. It is a hired company that goes and does sweeps of neighborhoods, and tends to tackle them town by town because the communication program out to the community is easier that way. So they say we are coming to Hastings or to Ardsley, this is what is involved, let us into your house when we knock on the door. We will be carrying IDs. This is what we are going to do. We are going to be using X, Y, and Z to determine the value of your house. In the end, they are going to assign a market value to your house.

Village Attorney Whitehead: It is a full-value revaluation. So there is nothing that is proportionate in terms they are not slicing up a pie. They are trying to reassess everything at full value. Once you have your new total assessed values, each municipality or each taxing authority will slice up their part of the pie based on tax rates.

Mr. Metzger: So they are going to be looking more at percentage relationships, and then apply that towards whatever the total amount is, the total amount that has to be covered.

Mayor Swiderski: I keep reverting to the idea of clay or Play-Doh. All we are doing is, we are re-squeezing. There is a set pool of investments for the Village, and they are not fairly distributed now. There are people who are under-assessed and there are people who are over-assessed. In a reassessment, you simply redistribute the liabilities you have among individual taxpayers to pay for the \$14 million it costs to run Hastings. So your portion of that, if your house went from being exactly 1/2000 of the value of the total housing stock in Hastings and, as a result, you pay 1/2000 of the tax bill and doubles in value while others do not, you are going to land up paying more and others will end up paying a little less.

Village Attorney Whitehead: They are determining market value, full market value. The idea is to even out the inequities that have developed over the years.

Trustee Walker: The point about rental is interesting because homeowners are already getting a tremendous benefit from tax deductions. Homeowners, in this country, are treated very well, and here we are giving them even more benefits and neglecting the renters.

Mr. Skolnik: I would just encourage the Board to take the opportunity to pursue the nuances of what you were bringing up before it becomes more of the political football that it always ends up being. If by some means we could choose between giving an exemption and fixing the VA problem, I am sure that would have much more of an impact. So I think it is worth looking at it in a measured way while you still can.

2. Downtown Advocate Job Description

Trustee Walker: The first two paragraphs is about setting the stage. The second paragraph is about how the downtown advocate will report directly to the Hastings Village Manager and review strategies, policies and programs of the Village Board of Trustees. When we discussed this during budget season, it was clear we wanted this to be a Village position and be supervised by the Village Manager. I am trying to get the language appropriate, in that I think we also want this position to be under the Board of Trustees but not necessarily supervised and managed by the Board of Trustees. I thought of it as the village advocate, comes to the Board of Trustees on a quarterly basis to review policies and projects and things that are happening so the Board is directly connected to directly advising, if not managing, the position.

At the same time, we discussed last week with Jim's committee and the Downtown Collaborative how this person needs to be neutral and not taking sides and how they also have to be working with downtown merchants and property owners. It is not necessarily always taking the Village's position. That is a difficult balance to strike. That is the first thing I wanted to point out as a point of discussion. Then proposing the downtown advocate work with the Hastings Downtown Collaborative in terms of a group of volunteers that would be available to the downtown advocate, and help to manage this Downtown Collaborative in the sense of setting meeting dates, taking minutes, communicating with the Downtown Collaborative. The benefit is that this structure will enable the downtown advocate to be more effective. That is why I pointed out that he or she should be working with the Downtown Collaborative.

Then I needed Fran's help here. The downtown advocate will be a part-time position with no benefits, and will be expected to work, on average, 20 hours per week. What kind of position is that? Is that a salaried position, is that a consultant?

Village Manager Frobel: I saw him as he would get a 1099. He would be a consultant. We do not pay his Social Security, we do not pay his pension. Strictly a private contractor. I do not see him as a part-time employee.

Trustee Walker: Can you oversee a private contractor the same way you would a staff person?

Village Manager Frobel: Sure, we do it with our tax assessor, Fred Gross. He gets a 1099, he is a private contractor, comes in, assesses the value of property, works daily, or closely, with Susan. But I am his supervisor.

Trustee Walker: But is he performing a task, or is he providing a product?

Village Manager Frobel: He works with Deven when there is an improvement to a home, to put a value on it.

Trustee Walker: Would you ever question the product that he is providing? The reason this came up is, people were questioning if this person is a consultant and they come with, let us say, a strategy, a plan, can we, as a board, then question it? Are we looking at them as a professional who is providing a product, or are we looking at them as someone who is responsive to us so we can guide the program and the product? It is not really a product, but you see what I mean.

Village Manager Frobel: I do not think it is inconsistent.

Mayor Swiderski: It is the difference between a consultant and an auditor. You cannot ask an auditor to modify their result. But having been a consultant, I have been smacked on my nose and told to change my results.

Trustee Armacost: The important thing with a consultant is, you have to have a clear client. You need to know who the client is and you need to know what your deliverables are. Sometimes the deliverables are very clear, precise things: a bridge or a road or something which is visible. But sometimes, they are less clear and that is when it gets tricky. It is helpful to a consultant the clearer you can be about the deliverables. It is also important for the consultant to understand who the client is. Consultants mess up when the client is unclear. For example, if they think the downtown collective is the client, when, in fact, the Board of Trustees is the client, that is going to cause a problem.

Trustee Walker: We have to be very clear that the Board of Trustees is the client, and the Village Manager is managing this position for the Board of Trustees.

Village Manager Frobel: I am your agent who works with this gentleman on a day-to-day basis. I have to convey to him or her your intent, what your goals are and make sure he reaches those.

Trustee Walker: Right. But then we have to make sure, as part of our charge, that we understand that they also have to be coalition builders, they have to be consensus builders. It is important that they can be perceived as listening, maybe not being completely neutral. I do not know you can be completely neutral. But listening to the other parties, whether it is the merchants, property owners, et cetera, and bringing their issues to us. We have to make that clear that we want to hear that.

Trustee Armacost: There are many examples of consultants that do that. Consultants that do market research, for example, do focus groups of people and, by definition, they have to be soliciting neutral opinions. It is clear who the client is, but it is clear that the focus groups are people who are randomly selected. The clearer you can be about the lines of responsibility and also what is expected as an outcome at the end of the day, the more successful the person is likely to be. The more murky and loosey-goosey it is, the less successful the person will be.

Trustee Apel: Under the organizational responsibilities the first one about Downtown Collaborative coordination: set up monthly meetings of the Downtown Collaborative. This person is not the head of the Downtown Collaborative and should not be setting up monthly meetings of the Downtown Collaborative and its board. They are not setting their agenda. They are a liaison to whoever the chair is of that committee. They can attend the meetings, they may represent us or they are the ear to the Board and coming back to the Village Manager, who comes back to us. The Downtown Collaborative is a committee all by itself already. They do not need a new chairman. They need to pick their own chair.

Trustee Walker: I was using the model that was set up by National Trust Main Street, where a downtown manager works with a committee. But in this case it is not. The problem is that the Downtown Collaborative may not continue to function if the downtown advocate does not play some role in helping the Downtown Collaborative function. Only because I do not want to continue to be the chair of the Downtown Collaborative. Maybe we can reconstitute it as a different type of organization. But I would love it to become something that has some independence from me as a Board member.

Trustee Apel: It is a committee unto itself, independent, but with the liaison from this advocate who is an expert in whatever we list down here, and is going to be in those meetings and working with them. But the committee needs to pick their own chair.

Trustee Walker: I asked if someone would be willing to rise to take over the chairmanship and nobody did it.

Trustee Apel: Well, of course not. You are good.

Trustee Armacost: The Downtown Collaborative is quite a different entity than any of our other boards and commissions. It is self-created, or Meg created it or whatever. But it is not an official board or commission and it does not have a mandate from us.

Trustee Walker: This is one of these public-private issues that I observe all over the country, where a municipality interacts with a non-profit in an integrated and interwoven way. It is not always so crystal clear and easy to separate as we would like perhaps. I have gotten myself involved in it because I created the Downtown Collaborative. But I do not want to continue to be leading it as a Board member.

Trustee Armacost: The challenge, Meg, is that it had a kind of authority because you were a Trustee and you were leading it. As far as I know, it is not a not-for-profit yet. So it has an amorphous state.

Trustee Walker: But it needs to exist in order to support the downtown advocate. The downtown advocate is going to need support from volunteers, and this is a way that he or she can find a pool of volunteers that is willing to serve. But they need leadership. This is often the case. All these downtown groups around the country exist independent from the municipality, but are often supported by the municipality monetarily and often have an executive director who has a role similar to this position. Which is why this is murky. I am trying to figure out how the Downtown Collaborative can continue to function with this person.

Trustee Apel: Does the Downtown Collaborative want to feel they are being directed by the Village?

Trustee Walker: No, by this person.

Trustee Apel: Then that is a separate person. If we have got somebody that is reporting to the Village Manager and to us, we do not want anybody to perceive or feel that we are dictating to the collaborative what they want to do. So either they want us to do it or they do not. And if they do not want us to do it, then someone is going to have to step up to the plate and say they are going to take over. Maybe they might need help in terms of finding more people to be on their collaborative and find somebody who is going to do it. The person that we hire, our advocate, would be very happy to work with them while they are doing their

thing. If you have an active Chamber of Commerce, we are not going to run the Chamber of Commerce.

Trustee Walker: This is not the same as a chamber, as you know. This is a group that wants to work with the chamber.

Trustee Apel: I understand, but I know that the previous village manager had to step in to help the Chamber of Commerce because it was falling apart. What we are trying to do is not just have a perception of separation. Have separation, but have our representative liaisons and working with this group. And we are going to spend the \$30,000, we are going to help him. At this point, if the collaborative needs more people and somebody to do that, then that is something they should be talking about themselves and trying to find someone that would help them move forward.

Mayor Swiderski: What if they do not find that person? It is all an issue of the right person in leadership.

Trustee Walker: Who has the time and the energy to do it. That is one of the reasons we are hiring the downtown advocate, because it creates someone.

Trustee Apel: Maybe the downtown advocate would be helpful in finding somebody.

Trustee Armacost: I have no problem with the downtown advocate convening meetings, helping to organize people. We talk about monthly meetings of the Downtown Collaborative and its board. How is the board elected? That is where I have a problem. I do not have a problem with the organizing of the meetings. The problem I have is that the entity it is dealing with has a very weird relationship with us. We seem to want to be close to it in some ways. In fact, we hired someone to organize it. But in other ways, we do not want to manage anything about it. That schizophrenia on our part I find hard to get with.

Trustee Walker: I was not in favor of the Village, initially, hiring somebody. I was in favor of some entity being created, like a Main Street organization that would then hire an executive director. Then they have neutrality and they can work with the property owners, work with the municipality. In this situation, this person does not really have neutrality because he or she is going to be under the Board. However this person is going to need support. I am trying to figure out how we can create an entity that will give this person support. And it not going to be just me.

Trustee Apel: Either the downtown advocate says I am going to form my own committee and my own people which replaces the Downtown Collaborative, or the Downtown

Collaborative wants to continue on, and the advocate is going to liaison with them. We are trying to have an independent group. We are saying to this group, you can be independent, we are going to help you be independent. It is not any different than this Transportation and Circulation Subcommittee, which is out there doing its thing and reporting to another committee. They are being independent on their own and they are going on. Ultimately the buck stops with us. It is the same thing here. We are giving their independence.

Trustee Armacost: No, it is quite different. We have talked about how they are structured, we have talked about who they are accountable to, we have talked about the number of members they could have or not have. It has a structure. For example, it is wonderful when everything works well. But let us say the Downtown Collaborative board ends up being dysfunctional. If the whole job of this person is to manage that, that seems to be not something that is going to give us results, the kinds of metrics we want at the end of the day. You can disband something if you have created it. If it just amorphously exists, you cannot disband it.

Trustee Walker: This group could disband itself and it could be reconstituted under the auspices of this person as a group of volunteers that works with this person. I think they would be perfectly happy.

Trustee Armacost: I think taking out the references to its board and board president. Those kinds of things make be a bit concerned.

Trustee Walker: That is fine. That is where I would like to go, but it is not there.

Trustee Armacost: Then let us create a proper board in the way that we create other boards and commissions if we are going to go that route. Or at least debate the pros and cons of that. But the way it is set up is as if we know what it is, which I do not think we do. I think, what it is is a bunch of people who sometimes drink together and discuss things.

Trustee Walker: This is wishful thinking on my part, and I put this in here so we would have to discuss it. But I am perfectly happy with taking out the board and the board president, and reference to that, and that this is simply a group of volunteers. At this point, it is constituted. There is a list of people who want to help.

Trustee Armacost: That is fine because then it is a list that people can add themselves, can take themselves away. There is a special responsibility that is part of being a member of our boards and commissions. People have committed to something which they know they committed to, whereas here they have committed a vague interest. You have probably got some people who show up a lot and some people who show up once a year.

Trustee Walker: And there are people who are very dedicated to it. When we set it up, or when I set it up originally, there were a number of residents who were interested in volunteering. But we also had the hope that we would pull in merchants and property owners, that it would become this group that represented everybody, and it is not happening. It was an experiment, but now it can shift into something else.

Trustee Apel: Does the collaborative want to be a Village committee?

Trustee Walker: No, they did not want to be a Village committee. We did not discuss it last week when we were looking at this position, but we have discussed it in the past.

Trustee Apel: Then among themselves they have to decide how they are going to perpetuate themselves and how they are going to run themselves. In the meantime, while the Downtown Collaborative is doing its thing we could still have the advocate, who gets his own committee, and if he wants to incorporate these people, or we said we were going to spend two years evaluating this, we might within that time say it is not working this way or it needs to be separated or he has got his people or it is the same people. Eventually it could morph into what is supposed to be.

Trustee Walker: So why do we not say that this is to inform somebody who is interested in this position what their responsibilities are, but also a little about what is already happening. We could explain that there is this group of volunteers that is willing to support this position, which would give somebody out of the gate people to work with, which is very useful.

Mayor Swiderski: Critical.

Trustee Apel: At some point, if this person is a consultant and has experience, he is going to walk into this and say I have done it before or not done this before, hopefully done it before, and say I need to work with this, I will work with them, but I have been here six months and I have decided I need X amount of people myself. And come back to us, and say I need more of a committee or I need to expand or something.

Trustee Walker: So we will say there is a point of clarification that this group exists of volunteers willing to work with this individual.

Trustee Apel: If nothing else, he should be liaisoned with these people. Then, as he is consulting, he might say this is what I need as a committee.

Trustee Walker: And it can be part of this volunteer recruitment and coordination.

Trustee Armacost: There are quite a few references to the Downtown Collaborative. It might be worth looking through it to see whether that is necessary in each case because you have got the overall coordination with them up front.

Trustee Walker: Put in the organizational responsibilities and volunteer coordination.

Trustee Armacost: Right. But, for example, the merchant outreach. Encouraging them, whether they have to attend. Maybe that is one place where it should stay. But work with the Downtown Collaborative to define opportunities and strategies that respond to the Hastings market: I do not know that it is necessary there.

Trustee Walker: It just could be define opportunities and strategies, then they would want to use the volunteers.

Trustee Armacost: You have got that up front. It is the interim thing: will also work with the Hastings Downtown Collaborative.

Trustee Walker: We will say up front that on all these tasks the advocate can work with this group of volunteers. So then they become responsible for bringing in people when they need to, meaning individuals.

Trustee Armacost: The other part about that will be that it is a two-way street. We created this position in order to help them. Help you, but help them. And we will see if they also step up and if they end up self-organizing. If it becomes too much of an effort, if the whole job becomes organizing people to meet, that is also not productive. That is not creating an end goal. The goal should not be meetings. The goal should be results that change things in a way that people perceive as being better.

Trustee Walker: One of the things that the Downtown Collaborative discussed last week was that these responsibilities that are listed here should not be a job description. It should not be the duties they must perform. It would be suggested duties. So we change the wording: while the advocate will be asked to define the duties, the following are suggested. The group suggested that the advocate actually define and create the job, create the duties, and come to us. They might even do it in the job interview. They might say these are the duties I want to perform. We could ask them to describe what they would like to do. Then when they come up with the strategy, they present it to us. And it may not include all of these things.

Mayor Swiderski: And it will certainly evolve over a two-year period. This is an experiment. It is going to be entirely driven by the quality of the person. And in my ideal

world, when we say expected to work on average 20 hours per week I am assuming they are the type who are so into this that we are feeling guilty they are working a full-time job for half-time pay. Typically, the right person will want to work more than that because it is fun for them. If there are constraints on hours worked that does not trigger any Obamacare issues or anything for us.

Trustee Walker: Do we need to see time sheets?

Village Manager Frobel: I think you will get a sense of the level of effort he is putting into it in short order.

Village Attorney Whitehead: The second paragraph needs to be changed to reflect that it is going to be a contractor. It is not a salary, it is not part-time.

Mayor Swiderski: But I hear what you are saying that it is a position that defines itself, and then evolves. In fairly short order we will know if we have the right person. If you do not have the right level of energy and political skills and everything else, it will be shortly apparent you are a dud. You may step on a toe or two in the process, but it will be clear. I do not think I want to over-constrain them with time sheets or anything else.

Trustee Walker: You might want to say something about the following being suggested, but it does not necessarily limit the person.

Village Attorney Whitehead: If you have other ideas, go for it.

Mayor Swiderski: Exactly. And if we overthink it now, we introduce constraints, the right person will not meet those constraints. It is going to be all about the right person, in the end. That sounds trivial, but it is especially in a role like this. A rare person, unfortunately.

Trustee Walker: I said the downtown advocate will be responsible for creating and submitting an annual work plan to the Board of Trustees for review and approval, and the Board will receive quarterly reports from the advocate regarding his or her progress. While the advocate will be asked to define the duties, the following are suggested, but not limited to. I will point out that the collaborative asked that the cleanliness responsibility be removed. There were very strong feelings about this, that it should be something between the Village and the property owners and the merchants, and that the Village should enforce it and this downtown advocate should not be responsible for enforcing or even getting in the midst of it. That was the strong feeling. I took it out. It was overseeing cleanliness and being a liaison between the Village and the property owners. They thought that put the advocate in a precarious position.

Village Manager Frobel: I did not see that as appropriate for this individual. Under the category of property maintenance, where he is going to begin to deal with the appearance of some of the businesses, I had a note that that is the Village's responsibility.

Mayor Swiderski: I agree.

Trustee Walker: It is one of those things that you know comes up constantly. It is brought up by the merchants, brought up by citizens. But it is a Village responsibility.

Village Manager Frobel: I thought he should be focusing more on the marketing aspect. He could help them with window displays or cleanliness of the window and the property proper, but not the sidewalks.

Trustee Walker: And that could come very broadly under business retention: work with existing businesses to identify ways they can respond to the changing market demands. It could be helping them create a Web site, or it could be helping them with a window display.

Trustee Armacost: Or recruit high school students to clean the sidewalk for them.

Mr. Metzger: I was at the meeting with Meg as one of the two representatives from the Comp Plan Implementation Committee. This concept of a downtown advocate was in the Comp Plan, and it was proposed before the Downtown Collaborative became an item. It was sort of a natural fit that the Downtown Collaborative is doing part of what we thought the downtown advocate would do, which is to figure out how to fill empty spaces. But I believe the advocate should not be limited to dealing with that committee and, in fact, needs to interact with all of the committees in the Village such as Conservation, the Beautification Committee, Affordable Housing. They should probably be dealing with the Farmers' Market and Flea, and figure out how to leverage those events to promote the Village. But they are also going to need to deal with your committee, with the Trustees, with the police department, with the DPW. In an ideal world, this person would be involved with the totality of the Village, and figure out how to get everybody to buy in. That is a key thing. The biggest issue we are going to have is to get the merchants and the landlords to buy into the fact that the Village is presenting this person as someone who can help everybody. We are not looking to dictate, we are not looking to tell people you can or you cannot do something. We want everybody to say if I do this it will make the Village a better place to be.

The idea of this being a contractor position, not an employee position, is critical. We all agree with that concept. I do not think we are looking for someone who says I can do all of the things in this letter. We are looking for someone who has already done that and can

bring that experience to the Village. This is not a position someone should be learning on. It is a position we should be bringing a professional in. We talked about whether we should have someone from the Village who knows the Village, has lived here, knows all of the issues, or bring in an independent person that nobody has ever met before. It is my personal point of view that we need to find an independent person, someone who is going to come in with clean with no preconceived set of notions. Otherwise you will immediately alienate half of the Village. We have seen that happen. I keep going back to the consultant we found on the Comp Plan committee. We interviewed seven firms. They all brought something different to the table. But the person we ended up hiring was the person that brought to the table all of the things we were looking for to solve the issues in the Comp Plan. Some of the planners that came before us, great expertise in traffic. But that was not what we were looking for. It was not a specific issue of traffic or waterfront development. That is great, but we have a downtown and a whole other rest of the Village. We found someone that was looking at the big perspective.

Trustee Armacost: I do not think you need to persuade us about that. We need a similar person to our lawyers, our auditors. We believe in choosing the people who have the best qualifications for our village, and that may or may not mean that the person has lived here or not. In the case of our lawyer, she had excellent qualifications and happened to have grown up here.

Mr. Metzger: But I am not sure the legal position for the Board is requiring a buy-in from merchants and landlords. You understand where I am coming from on all of this, so thank you. It was an incredibly productive meeting last week, and I am looking forward to seeing how this process plays out. I think it is going to be great for the Village.

Mayor Swiderski: With the modifications offered, we can talk about it next meeting and wrap it up.

Trustee Walker: The one point that Jim brought up is about the familiarity with Hastings. I think we changed it.

Trustee Armacost: I think it is worded perfectly.

Trustee Walker: He/she should have knowledge about the Hastings community's downtown or other similar small downtowns. So it leaves it open.

We were talking about measurable improvements over the course of the two years. We cannot decide what those are right now. But when faced with a proposal or a strategic plan from this individual, we will be asking for those metrics.

Trustee Armacost: That should be part of the work plan. The work plan needs to be building towards something so it should be results-based at that point.

Trustee Walker: Finally, in terms of discussing where we advertise and what we want to see from them, we say would like to have a résumé and a cover letter describing qualifications. We had a long discussion about whether there should be something more descriptive. We thought no. Once we read the cover letter and the résumé we will winnow it down to maybe three candidates. At that point, we might ask them to bring more description of how they would work with us, how they would work with the downtown. Fran, do you know how this would be advertised?

Village Manager Frobel: I will have to give that some thought. You are not going to be recruiting from a great distance, that is for sure.

Trustee Walker: I do not think we want anybody from a great distance.

Trustee Walker: Is there a way to advertise this county-wide?

Village Manager Frobel: Let me give it some thought. There are some professional societies that may know people.

Trustee Walker: There is the APA. But you still want a subset. We do not want to send it out to the entire New York APA. I can look into that, too, what the subset is.

Village Attorney Whitehead: Westchester is covered by New York metro. There is nothing separate.

Trustee Walker: I will make some changes and bring it back next time.

3. Transportation and Circulation Subcommittee

Mayor Swiderski: The Transportation and Circulation Subcommittee update reflects the changes that you requested the last time around. I am going to ask that it be put on the next Board meeting's agenda for adoption. There is nothing here that I would change yet. Reread it. If you have got issues with it speak up. It is pretty clear, and gives us the mechanism we need to begin to implement the transportation agenda we need to work on.

Trustee Armacost: Where will it be posted so the public can also look at it?

Mayor Swiderski: I will ask Raf to post it on the Web site. In my next e-mail I will also mention it. It will not be the only mention because that committee will need to be fully staffed, so there will be an appeal to the public for résumés. I know there are interested parties already, but there is always a chance to solicit more.

Trustee Walker: To point out for Mr. Skolnik's benefit, we added that the Board of Trustees would urge the subcommittee to hold periodic community-wide forums where progress toward its agenda can be presented, in addition to the meetings being public.

Trustee Armacost: You know my opinion from the last time. The only thing I would quibble with is that it would be helpful versus a mandate to issue brief summaries. I think it is valuable to have them, and I do not think there is a reason not to.

Mayor Swiderski: I just do not want to hold them to a standard other committees are not, but I have no problem with that.

Trustee Armacost: I would love to move in that direction with other committees.

Trustee Walker: What they are going to be doing is so action based that they are not going to be sitting around talking about theory. They are talking about real-life changes they would like to see. There will be a list of things they cover at a meeting.

Mayor Swiderski: I have got no issue with that, but this committee will neither exist in a vacuum nor act in a vacuum. By definition it is going to be interacting with the Safety Council, with the police, with the Conservation Commission and, finally, with us. This is not a rogue committee. It is embedded within an organization structure of committees and processes.

Trustee Armacost: We do not want to be in a situation where the whole discussion with us is “but we were not informed.” That is not a good use of our time.

Trustee Walker: This is something the public is going to be very interested in. If their neighborhood is being addressed, they are going to want to know. If the minutes can go up on our Web site there may be people following because they want to know what is happening in their neighborhood. They may want to come to the meeting and make a presentation. It is different from other committees in that way.

Mayor Swiderski: It is. I jealously protect their time, but you are right. It takes on a charge that is pretty important and should generate some sort of paper trail.

Trustee Apel: So that would be good to add in there.

Mayor Swiderski: More accurately subtract out and say the committee will issue a brief summary.

4. Update on the Waterfront

Mayor Swiderski: An important development. The office within the state that determines whether a building is eligible for the National Registry received a submission from BP arguing that Building 52 was no longer eligible. That submission was made two months ago. What is the group?

Trustee Walker: SHPO.

Village Attorney Whitehead: It is not SHPO anymore. It is OPRHP: Parks, Recreation and Historic Preservation.

Trustee Walker: But SHPO is underneath it, no?

Mayor Swiderski: No, it no longer exists.

Trustee Walker: It has been completely subsumed.

Mayor Swiderski: And they are the entity that determines whether a building should be recommended for the National Registry. They came back with a finding saying no, that Building 52 should not be eligible for the National Registry, and have, as a result, removed the building from that list. Now, the individuals within this community who lobbied to get the building on that list will be appealing, but that is a long-term project, I think, on their end.

From our perspective, we have heard nothing in terms of further activity out of BP requesting a demolition permit. Their next step, would be to come to us. We are the body that weighs in on that. There is a special clause in our Village code that states that building permits, and a demolition permit is a flavor of a building permit, on the water site come through the Board of Trustees. Rather than something that the Building Inspector simply approves, it has got to come to us and we vote on it. We have not received that request by BP. I assume at some point we shall.

We are in discussions both with our environmental counsel and the DEC to fully understand what this ruling means and what impact it has on us, and whether we will or will not take any action in relation to it. Nothing so far that I can report on. It, so far, does not involve an

action on our part, and we have not determined any next steps. It is an important step in the evolution of the process on the waterfront.

There has been a survey ship slowly making its way down the coast. It is drilling additional samples as part of the remediation design. You will have also noticed complex equipment being set up and then moved around on the site. That is drilling equipment, as well, and they are doing sampling in locations where it is necessary to understand what poison is under the ground in a better way.

EXECUTIVE SESSION

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

ADJOURNMENT

On MOTION of Trustee Armacost, SECONDED by Trustee Walker with a voice vote of all in favor, Mayor Swiderski adjourned the Regular Meeting at 9:40 p.m.