

VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
REGULAR MEETING
AUGUST 26, 2014

A Regular Meeting was held by the Board of Trustees on Tuesday, August 26, 2014 at 7:30 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

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

CITIZENS: Three (3).

APPROVAL OF WARRANTS

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

Multi-Fund No. 14-2014-15	\$ 74,897.91
Multi-Fund No. 15-2014-15	\$ 79,665.75
Multi-Fund No. 17-2014-15	\$344,884.38
Multi-Fund No. 19-2014-15	\$ 18,325.10
Multi-Fund No. 20-2014-15	\$ 6,955.25
Multi-Fund No. 21-2014-15	\$ 5,011.64

APPROVAL OF MINUTES

On MOTION of Trustee Walker, SECONDED by Trustee Armacost with a voice vote of all in favor, the Minutes of the Regular Meeting of July 15, 2014 were approved as presented.

PUBLIC COMMENTS

John Gonder, 153 James Street: I was wondering about the veterans discount in taxes, if that is a dead issue. I do not see it on the agenda, or will it come up again.

The last meeting was very short. In regard to your comments on the waterfront, I do not understand it. Eleven feet or something, and are we going to have that 5-foot coverage according to the consent order. Everybody agreed whatever you said, that I do not understand. I thought it would be in the newspaper and I could have read about it. But maybe you could explain it more. I understand that four or five people agreed with BP, the DEC, Hastings, Riverkeeper.

I wanted to say to Mr. Jennings, "Mr. Greentree" I call him sometimes. Sometimes you people are upset about our utilities. I came across this: "Con Ed Made Top U.S. Utility in Newsweek Green Rankings," the greenest utility company in the U.S. and 16th U.S. company overall, according to Newsweek.

Mayor Swiderski: If it was not clear, first of all those numbers and the parameters are in the consent decree, and the consent decree has not been signed by all the parties so it is not finalized yet. But the concept that we have proposed and which Riverkeeper has not signed off on yet but BP is inclined toward, is the previous idea. In the original consent decree, it was take a 5-foot blanket of additional fill and lay it over the site. We are not proposing that. We are saying on the portion of the site that can be developed, and that is the portion that is not sloping into the water and is not dedicated parkland, that portion, think of it as a platform. It needs to be at 11 feet above sea level. Parts of it are at 9 feet already, parts of it are at 5 feet. Regardless of where it is, bring it up to 11 so we can resist the Sandy plus sea level rise. And move away from a mechanical 5 feet and move toward what we are worried about, which is resisting a flood. That's the idea.

**48:14 AUTHORIZATION TO ENTER INTO INTERMUNICIPAL AGREEMENT
FOR AN INFRASTRUCTURE GRANT FROM WESTCHESTER COUNTY IN
SUPPORT OF THE SAW MILL LOFTS AFFORDABLE HOUSING
DEVELOPMENT, 425 SAW MILL RIVER ROAD**

Sue Smith, Chair, AHDF: I come here on behalf of the Affordable Housing Development Fund. As you know, Saw Mill Lofts has gotten its approvals, of which you were part of that process. There are 12 affordable units in the project of 66 units. Westchester County has wanted to be able to provide funding for the affordable units, and has decided they could do that through their infrastructure funds and have selected what part of the project fits for that. It is the roadway, retaining walls, the erosion measures, traffic control, the things that go with preparing the two entryways and the north-south roadway just inside 9-A on the property, and also the link and the parking area for the public park and the bridge.

It is asking the Village to make a contribution of oversight from a staff person on the Village. It might be the Building Inspector, it might be the Public Works head and that is up to the Village to decide. The Village Manager, I am sure, would have some opinion about that. The funding provides for \$400,000 for the work and an additional \$46,000 for soft costs: engineering, preparation of the bid documentation, any legal services, which would be a contract between yourselves and the county and whoever gets the bid. It will be a competitive bid. I am sure Ginsburg will be one of the bidders, but who knows who will get it? So that is the request, that you enter into that agreement for the county for that funding.

Mayor Swiderski: So in short, the county is offering this, in part, because Ginsburg is not approaching them for financing directly for the units. This is a way for the county to participate in the affordable housing. This is their way of putting up something as part of it.

Ms. Smith: Right, exactly. I was thinking the cost to build a unit of housing: \$400,000 or \$450,000 is a small amount of money. Not that it is unnecessary, but it is still a small amount of money in the total cost of creating 12 units. The county would own the roadway, what their money has created, for the length of the county bond, which is either 15 or 20 years. That has not been determined yet. After that, it would revert to the developer. And the developer, at all times from the beginning, would have maintenance as a requirement. That would be part of a contract with them. Also, as you know, there is income eligibility, long-time affordable issues which will be part of the deed restrictions for the building.

Trustee Jennings: So our role is just to support the salary of the supervisory personnel from the Village who oversees it, right?

Ms. Smith: Right. Not out of the funding for the project, but as your contribution.

Trustee Jennings: Right, or normal budget. And this is within the bandwidth of our personnel to be able to do this job?

Village Manager Frobel: I think so. Although it is slightly different from other similar projects, it is like we had at 422, a relationship like that, and the Farragut property most recently. Were they not both grants that passed through us for those improvements at the site? And then Deven or Buddy or Mike Gunther will keep an eye on the project.

Village Attorney Whitehead: Is there engineering oversight that is covered in the budget? The Village does not have an engineer on staff.

Ms. Smith: I believe that would be part of it, yes. The expectation that the Village would be able to hire people for that kind of thing. Am I right?

Trustee Armacost: Are there any liability issues if we were responsible for this? Are we exempt?

Ms. Smith: The contractor would have liability issues, the developer would have liability issues. You would write that into your contract with them. But that is not the expectation, that you would bear the liability.

Trustee Armacost: But if our people are monitoring what is the consequence for us ?

Village Attorney Whitehead: I have worked, as Rose knows, on some of these projects in the past. The design engineer, which is probably Ginsburg's engineer, has also been retained to do construction inspections and oversight because you need a licensed engineer to be included in the budget. To understand what the Village is responsible for, the Village is going to want somebody to oversee it because the Village is going to be the party that is going to enter into the contract with the contractor. The funding will come from the county. Jump in and tell me if this is different on this one. The contractor will submit their requisitions for payment to the Village, the Village will submit them to the county. The county will wire the funds to the Village and the Village will pay the contractor.

Ms. Smith: Right. Which is the way we receive money from the county for, for instance, 52 Washington, which is in progress.

Trustee Jennings: We have two different functions we are talking about. One is a financial pass-through. The other is substantive oversight by a Village employee of the quality of the work being done by the private contractor.

Ms. Smith: Right, meeting the bid requirements, the contractual requirements.

Trustee Jennings: Then if we have to hire additional expertise, that money will be able to come out of the county funds for such a consultant?

Ms. Smith: I believe so, yes. I am sure.

Village Attorney Whitehead: Is the budget finalized?

Rose Noonan, Executive Director, Housing Action Council: I work closely with Sue's committee. The budget has not been finalized, but there is a near-final budget. There is \$46,000 that has been budgeted for the oversight of your consulting engineer, as well as any legal services. We are constrained within that \$46,000.

Village Attorney Whitehead: And there will be time for legal services. You are going to have to enter into an agreement between the Village, the county and the developer. That is going to have to be reviewed and negotiated, and then the bid and the contract.

Trustee Apel: We are supervising it, we even get the engineer or whatever. The curbs are put up, or whatever this is we are putting up. Six months later, after it is built, somebody trips, falls, because there is some defect. Who is responsible? Is it our supervisor who supervised the engineer who said it was OK? If there is a lawsuit, who is responsible?

Because we have taken over the supervisory position of this particular project are we liable? I presume our insurance covers all this. But we should know up front if we are taking on this liability at the time we are also agreeing to do that.

Village Attorney Whitehead: Certainly, you are going to have a contractor involved, you are going to have their insurance. We will have to make sure in the agreements between the developer and the county. The land is owned by the developer. The improvements are owned by the county, and the county has an easement from the developer. They have to own it for the term of the bond. The Village's role is limited, and we will just have to make sure. You are not going to be the engineer signing off on as-built plans. We need to make sure that any potential liability is limited. In reviewing the documentation, we will make sure of that.

Trustee Armacost: What I am hearing is that there is no out of pocket expenses for the Village other than the salary which we are already paying anyway.

Ms. Smith: That is correct.

Trustee Walker: Does this also include the landscaping that is to run between the road?

Ms. Smith: It is not including the landscaping, but it will include some alternates which are the hard surfaces, paving, that sort of thing. There is a cap of \$400,000 on it. If the bids came in at \$375,000 they would be able to pick up one of those alternates for the additional \$25,000. It will be a bit of a careful judgment to try to use up all of the county money. And anything that is not done, Ginsburg will have to do to complete his plan.

Village Attorney Whitehead: In our agreements, we will have to say anything above the cost that is being funded by the county is the developer's cost.

Trustee Walker: The other thing I wanted to point out is that this is different paving than typical. Are we not talking about pervious paving?

Ms. Smith: I believe so, yes.

Trustee Walker: And green infrastructure if water will be channeled into swales?

Ms. Smith: That is right. What is along the road would be part of it. It would not extend into the area where the swales are.

Trustee Walker: This is green infrastructure that villages do not have a lot of experience with. Not that there is anything wrong with that. It is just we have to keep an eye on it.

Ms. Smith: It will be a new thing and it is going to be happening more and more.

Trustee Walker: It is a good thing and good for the Village to get involved in this, because we may be able to use this green infrastructure idea elsewhere on our streets and parking lots.

Village Manager Frobel: Also during the work, there will be a performance bond to guarantee the workmanship. Typically, there is a warranty at the conclusion. During the project, for that portion of the work we will be named as an additional insured. If there are any mishaps during that period of time we will have some protection.

Village Attorney Whitehead: And the county will also be named, and the developer.

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

WHEREAS, Westchester County (the “County”) has established a Fair and Affordable Housing (FAH) program to provide infrastructure and other improvements to encourage and support the development or preservation of affordable housing; and

WHEREAS, Saw Mill Lofts, LLC (the “Developer”), or its successor proposes to develop twelve (12) affordable rental units and related amenities in the development known as Saw Mill Lofts, (the “Development”); and

WHEREAS, in order to make the proposed development viable, infrastructure must be constructed, including, but not limited to, site preparation, erosion control, traffic control, finished grading, topsoil, pervious pavers, paving, curbs, retaining wall, and any ancillary related work including engineering and construction management as may be needed, the (“Infrastructure Improvements”), as more fully set forth in a schedule of work; and

WHEREAS, the proposed development requires the assistance from the Westchester County FAH program to subsidize the costs of the Infrastructure Improvements in order to assure affordability of the units; and

WHEREAS, the Village of Hastings-on-Hudson (the “Village”) desires the FAH assistance from the County for the Development and will enter into an Inter-Municipal Developer Agreement (IMDA) with the County and the Developer; and

WHEREAS, pursuant to the IMDA, the construction of the Infrastructure Improvements shall be performed through a competitive public bid by the Village pursuant to section 103 of the General Municipal Law; and

WHEREAS, pursuant to the IMDA, the County shall be granted necessary easements for the area(s) upon which the Infrastructure Improvements shall be constructed; and

WHEREAS, the Village may, at its sole discretion, enter into an agreement with the Developer to detail responsibilities related to the Infrastructure Improvements including, but not limited to, the maintenance of the Infrastructure Improvements upon completion, initial and ongoing affordability of the Development, provision of funding for Infrastructure Improvement costs that exceed the FAH amount, or coordinating with the contractor performing the construction of the Infrastructure Improvements to assure the completion of the Development; now therefore be it;

RESOLVED, the Village Manager is authorized to enter into an IMDA with Westchester County for the Development in an amount not to exceed Four Hundred Forty Six Thousand (\$446,000) Dollars and take all necessary steps to facilitate and implement the terms of the IMDA and the scope of work appended to such agreement.

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: Is there a timeline on the construction?

Ms. Smith: They are going in September to the county board of legislators and then to the various committees, and hoping to be able to start in November. They might be a little optimistic, but they are ready to go as soon as that process can be finished.

Mayor Swiderski: Is that the point where we get the building fee?

Village Manager Frobel: Yes. I spoke with them. We are working off some assumptions about the value of the property. We have a raw number as to what we think the project will cost. We do not have it broken down to electrical, plumbing or building, but we have a number in mind. We will see how close we are when they make application for the permit.

Village Attorney Whitehead: And, of course, the infrastructure piece the Village has to do through a public bid process. That process takes a certain amount of time.

Mayor Swiderski: But this is toward the end of the project, is it not?

Ms. Smith: It would be toward the end, or at least three-quarters of the way through.

Mayor Swiderski: Is there a sense on the construction time?

Ms. Smith: More than a year, I think. Year-and-a-half, yes.

Let me take a minute to add, I hope you drive up Washington Avenue occasionally and see 52 Washington. The exterior, we still have to add a porch, but it is really coming along very quickly and nicely. We are very pleased.

Mayor Swiderski: And while you are standing there, another quick moment of business. The monitor in charge of the federal case regarding Westchester County's compliance with affordable housing, coming out of the CDBG monies, has asked for the Village's input on some population numbers they had. They asked us this on Friday, said it would appear in a folder only I had access to on Monday. It is configured in a way that nobody can get to but me, and it cannot be printed. So I cannot share it with you physically unless you are willing to look over my shoulder to verify the numbers. It is delivered in a way that is restricted to one person. Originally, they gave us 24 hours to verify their numbers. It was outrageous. And now they have added three more, until the end of the week.

Village Attorney Whitehead: I think they did it because they are using census number and they know that a lot of municipalities had issues with the census numbers. So they are trying to give an opportunity to say this is where we think the census numbers were off for a municipality. But the way they have gone about it leaves something to be desired. I would be happy to discuss it with you further.

Ms. Smith: The original numbers that were used by the monitor were from 2000 so all the communities have changed. They are using the county census information. The county has given them this kind of information, as well as the Census Bureau.

Trustee Armacost: But there was not a census in 2010?

Ms. Smith: There was. That is what they are using now.

Mayor Swiderski: That is what this does. These numbers represent the update. I do not know if it is clear whether Hastings would have been a part of that settlement or not, with the current numbers. The numbers have changed quite dramatically.

Ms. Smith: Yes, and we were not that far from the edge before. We just were under the line.

Mayor Swiderski: Whatever the edge is. I do not know if that means we may be exempt moving forward.

Ms. Smith: The edge may have changed. They may have raised it.

Mayor Swiderski: Right. But we are clearly in a different place than we were in 2000.

Ms. Smith: Better, yes.

Mayor Swiderski: I do not think any of those numbers are privileged information. I do not know why there is this secrecy around what is, in the end, a manipulation of public census numbers.

Village Attorney Whitehead: You also saw the correspondence from the county to the monitor arguing that there should not be this sense of secrecy and this is not proper the way it is being done.

Mayor Swiderski: And that back and forth was something to behold. They were urging villages not to respond, which is not useful either.

49:14 APPROVAL OF TAX CERTIORARI 575-577 WARBURTON AVENUE

Village Manager Frobel: This is the recommendation of our special counsel. It comes as a negotiated settlement. Attorney Levy's recommendation is that it be settled. The work was coordinated with both the town and the school.

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

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

<u>Property Owner</u>	<u>Address Description</u>	<u>Year(s)</u>
ELKRIEF, ROGER	575-577 Warburton Avenue	2010 to
ELKRIEF LLC	4.30-22-4 2014	2014

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

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

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

Years	Current AV	Reduced AV	AV Reduction
2010	24,350	16,220	8,130
2011	24,350	18,410	5,940
2012	24,350	18,700	5,650
2013	24,350	18,470	5,880
2014	24,350	18,470	5,880

The refund of Village taxes amounts to \$7,466.64±.

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	

50:14 APPROVAL OF CHANGE ORDER – EMERGENCY GENERATOR

Village Manager Frobel: I am bringing to the Trustees an opportunity to extend emergency power generator capability to the Hook and Ladder building. We had the trial run of our generator at the Community Center t last week and it worked very well. There are a few odds and ends we need to tweak, but that was as expected.

When we started this project of bringing emergency generator capability to our public buildings, we came up with a pretty large number as to cost. We had to prioritize. Our Community Center became number one. That will be our principal location for having to put people up for short periods of time during power outages. Uniontown Fire has taken care of themselves. They have some people in their department that can address generator installation and work so they have been doing their own work. We ruled out Protection short term because of some severe site limitations that involve putting the generator on the roof. There are some gyrations we would have to go through if, in fact, it would even be possible. Riverview Manor we will address in the future as we get more money built up.

But this posed a real opportunity. For a small amount of money in comparison to bringing a generator to the building exclusively, we can bring it from the Community Center via conduit underground. The fire department supports it. That building serves as their principal location during any emergency event. With the transfer over to 60 control, a lot of the correspondence and communication comes out of that building, as well. So there are a lot of good reasons to do it. The cost for the generator came in a little less than we had anticipated. I had written it broadly enough so you could have that flexibility to look at bringing generators to other buildings if, in fact, the Community Center came in lower than anticipated. For those reasons we think this is the opportune time. The contractor is prepared to do the work for you whenever you give the go-ahead. We think it is a good opportunity, and I recommend it.

Trustee Walker: This does not mean that you are getting a larger generator? It just covers the cost of running the electrical wiring and resizing the panel.

Village Manager Frobel: Yes.

Trustee Walker: That is interesting that you have a big enough generator that could cover both buildings.

Village Manager Frobel: Part of that was that we had an eye towards that for both Hook and Ladder and for the ambulance building. We are going to verify the ambulance; we do not have an answer yet. But the ambulance building takes very small power. It is just the doors, probably refrigerator – it is a garage, in a sense – lights, but it is nothing too heavy.

Trustee Armacost: How much did the generator come in under than was anticipated?

Village Manager Frobel: It is \$9,000.

Trustee Armacost: It came in \$9,000 under, and this is \$23,000 more? So it is like \$14,000.

Village Manager Frobel: It is \$14,550, yes.

Trustee Armacost: To me it is sensible to do it.

Trustee Jennings: Thinking about the security of our various communication systems around the Village, since that topic has come up, reminds me. Do we still have communications equipment at Andrus-on-Hudson that the police use? Does fire use that?

Village Manager Frobel: Oh, yes.

Trustee Jennings: So now that communication equipment is protected by the Andrus-on-Hudson generator, I assume.

Village Manager Frobel: Yes.

Trustee Jennings: So we are pretty well covered in terms of power outages for our communications needs, emergency communication.

Village Manager Frobel: Yes. And, of course, this building has a generator. You have really made great headway. With this one purchase, you have addressed two needs.

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

RESOLVED: that the Mayor and Board of Trustees approve a change order of \$23,785 for the Emergency Generator project to install service to the Hook and Ladder fire house from the new generator, to be paid with \$9,230 from bond proceeds and \$14,555 from the general fund.

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	

51:14 APPOINTMENT OF MARRIAGE OFFICER

Mayor Swiderski: This is a courtesy we have extended to the former mayor before. He has had the opportunity to marry friends and, and has asked for this privilege again.

Trustee Armacost: Do we have other people? You officially have that capacity.

Mayor Swiderski: The judge and myself, by state law, and nobody else assigned by the Board of Trustees. It is typically a two-year term.

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

RESOLVED, that the Mayor and Board of Trustees hereby appoint William Lee Kinnally, Jr. as a marriage officer in the Village of Hastings-on-Hudson, New York for a period of two years without a salary or a wage as compensation.

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	

52:14 APPROVAL OF TOWN OF GREENBURGH SELECTION OF ATTORNEY TO ASSIST RIDGE HILL INTERMUNICIPAL INTERSECTION IMPROVEMENT COMMITTEE TO NEGOTIATE RIGHT-OF-WAY AGREEMENT

Village Manager Frobel: We have been asked to affirm the selection of outside legal counsel for the negotiations that the Infrastructure Committee has been working with on St. Andrews golf course. This is part of the improvements that were required as a result of the Ridge Hill project. We had to negotiate to swap county land on the park side and some property on St. Andrews' side. Also, we have been doing work in the Village of Ardsley because there is going to be some widening of Route 9A. Our committee is working again. We had a brief hiatus while the engineers did some design work. The work in Ardsley should begin next spring. Some of this work on Jackson Avenue likewise we hope will be started next summer and finished in September. I think everyone will be pleased. Of the \$5 million that had been set aside for this work, we have spent about \$1.5 million in engineering and design work. So moving forward, with the planner in the Town of Greenburgh resigning a bit of a disconnect, but we will be making up lost ground and moving forward.

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

WHEREAS, the villages of Hastings-on-Hudson and Ardsley and the Town of Greenburgh are members of the Ridge Hill Intermunicipal Intersection Improvement Committed formed to make road improvements necessitated by the Ridge Hill Development in Yonkers; and

WHEREAS, the Committee wishes to retain counsel to negotiate a right-of-way agreement with St. Andrew's Golf Club in return for the Committee authorizing certain road improvements on or abutting the St. Andrew's Golf Club's property pursuant to a Stipulation of Settlement, effective January 12, 2007; and

WHEREAS, FC Yonkers Associates, LLC deposited Five Million (\$5,000,000) Dollars into an escrow account for road improvements, and

WHEREAS, Gaines, Novick, Ponzini, Cossu & Venditti LLP (the "Firm") has provided quality services to the Committee in the past regarding similar issues and the Committee has recommended that the firm be retained in this matter; and

WHEREAS, the Town Board of the Town of Greenburgh has authorized the continued retention of the services of David E. Venditti of the Firm to assist the Committee in negotiating a right-of-way agreement between St. Andrew's Golf Club and the Town for an amount not to exceed \$25,000, now therefore be it

RESOLVED: that the Board of Trustees of the Village of Hastings-on-Hudson concurs with the authorization of the retention of Gaines, Novick, Ponzini, Cossu & Venditti LLP to negotiate a right-of-way agreement.

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: The gas line installation work is nearing completion. I met last week with the Con Ed work restoration committee.. The restoration work puts all the sidewalks back together, all the stamped concrete, and works with me to determine the extent of the paving that is going to be required on Main Street. The sidewalk restoration and the curb work should begin within maybe 10 days. I had them focus on the intersection of Mt. Hope and Farragut. With the start of school, I said that is your number one priority. Now we enter into the next phase. It is at least a five or six week process to put the sidewalks back together, and then we are looking to pave. I would say early October. The goal is to let that trench work settle as much as possible; that works to your advantage. But we will be ready to go before bad weather sets in.

Trustee Walker: Is the idea to replace simply the section of concrete that was removed from expansion joint to expansion joint, or is there going to be a larger area that is replaced?

Village Manager Frobel: Whatever part of the sidewalk square was damaged, the whole slab would be replaced.

Trustee Walker: And then they will replace the stamped brick. In looking at how many areas, this is going to look like a patchwork when we are done. On the north side of Spring

Street alone there were seven patches of asphalt that have to be replaced. There is going to be old, deteriorated concrete next to brand-new; old, deteriorated, stamped brick next to new. I have this feeling that we are not going to be pleased with the results. Even though they do a fine job, it is going to be that contrast between the old and a new that is going to be pretty glaring. I have mentioned this before. As a capital project in the future, we need to start thinking about sidewalk replacement. And I was asking this because if they were going to replace big swaths it would be like getting something, but it is going to be new sidewalk, old sidewalk, new sidewalk, old sidewalk. I am afraid that we are not going to be pleased with the results, even though they are doing a fine job.

Village Manager Frobel: The contractor who is going to do the cement work did the work on Warburton close to the post office. They did a super job, by everyone's estimation. He is real quality work. Initially, yes, it will be dramatic. But perhaps I can talk to him about the mix of the concrete to have a darker shade if you are afraid of that dating aspect.

Trustee Walker: Having a grayer coloring to it so that it is not so sharp a contrast would be helpful. And then maybe it will not be so glaring.

Village Manager Frobel: I will pass that on to them. I hope they had the sense to realize that but, again, let me work with them on that and tell them we need to be sensitive to that.

Trustee Walker: It does look pretty good near the post office. You do not notice it. But there were not as many patches. At any rate, I am going to keep bringing this up as something we need to think about in terms of finding funds, grants, whatever. In the old days it was CDBG funds that paid for it. It is a big ticket item, but its time is almost here.

Mayor Swiderski: If it was extended to us contiguous, is there a sense of what the additional expense would be.

Village Manager Frobel: I do not know.

Trustee Walker: It would be tough to calculate all that.

Mayor Swiderski: It would not be tough to calculate. I am quite sure they will give a square foot estimate in one hour.

Trustee Walker: The point is where we want it to stop. We would have to give them the scope if they were to do a contiguous area, where would want it to begin and end.

Village Manager Frobel: It is expensive work.

Mayor Swiderski: I understand that, but it will look patchy. Then to go in in three or four years' time and undo brand-new work to get a uniform look is also its own brand of crazy. So maybe asking the question. If our gag reflex is sharp because the number is out of control, that would be the end of that. Once you have everybody there doing the work and the jackhammers are going, a marginal eight slabs or whatever it might be to get a contiguous look may not be that hideous.

Trustee Walker: Maybe down the road we replace the pseudo brick with real brick, which I would really love to see. But that is only a narrow strip. At least if we had big swaths of new sidewalk that was more contiguous as opposed to alternating we would not have to replace it in a few years.

Mayor Swiderski: It is essentially subsidized replacement. It may be worth the asking.

Trustee Armacost: Yes, I agree.

Mayor Swiderski: And there is some urgency on that.

Village Manager Frobel: There is. We are going to have to turn this around quickly

Trustee Walker: Fran, if you want to walk it, I could perhaps do that next week.

Village Manager Frobel: But in the meantime, I am going to call the contractor tomorrow and start getting estimates.

Trustee Walker: But we may need to give them the limits of what we are talking about.

Village Manager Frobel: I assumed it was the limits of what was disturbed, no?

Trustee Armacost: I think Meg is talking about extending beyond that to get the uniform look.

Village Manager Frobel: I thought we were talking about just what was part of this project. Just Spring, Warburton and Main.

Mayor Swiderski: Yes.

Trustee Walker: We might as well start there. I was thinking more areas that were particularly disturbed.

Mayor Swiderski: Right, the contiguous surface, which is, in the end, pretty much all of Main and all of Warburton and Spring.

Trustee Armacost: While we are on this topic, I wanted to raise the point you made in your e-mail, that people are responsible for the sidewalks outside their homes, and particularly for cutting back on routes that children regularly take going to school. Just a reminder to everyone that this is the time to take that into account.

Mayor Swiderski: I do a lot of walking and the sidewalks not everywhere are what they should be. Let us leave it at that. The tripping hazard is all on the homeowner. It is not the Village's responsibility.

Trustee Walker: And then shrubs that have grown out so far that you cannot even walk on the sidewalk, you have to walk in the street.

Trustee Jennings: We have talked about that before in terms of at corners and intersections. There are some places where the growth of shrubbery on private property creates a dangerous situation for motorists and pedestrians both. In those cases, surely the Village has the right to cut it back, right?

Village Manager Frobel: We do. We try to be neighborly. We try to encourage people and point out the hazard that it poses. But then we can step it up. We have a letter, and then we have some enforcement powers. But alternately, we can go in and trim back. But we like to have a conversation.

Trustee Jennings: I understand it should be done in coordination with the homeowner. But it is not just a private property issue if it affects the safety of driving on the streets.

Village Manager Frobel: Normally it does not get to that point. We have been usually able to work out an agreement where we trim back, they trim back and they are observing it. I mean, I can think of some examples where it has worked out.

The Warburton Bridge project is on track. You cannot see a lot of activity because it is occurring in the superstructure underneath on the steel beams, but the report from the county is they are pleased with the progress.

Mayor Swiderski: In your report from August 8 you brought up two issues: the alarm system and a local law on parking tickets to allow for booting cars. I would like to see both moved forward. So let us do this before we get too busy.

Village Manager Frobel: I would have had it tonight, but Chief Visalli is on vacation. Dobbs Ferry just enacted the booting without any repercussion or criticism from the community. It is working well, and as you saw from that printout I gave you of those amounts of tickets that are out there, we need some mechanism to capture some of that. Especially from those motorists who park here who live out of state who know fully well there is no way we can touch them.

BOARD DISCUSSION AND COMMENTS

1. Change of September Meeting Dates

Village Manager Frobel: Your next meeting is next week. We were not certain whether you would be ready for a meaningful agenda that night, or if you saw the need to perhaps move it to another night.

[Discussion]

Mayor Swiderski: Then let's leave it for Sept. 2. We have two items we can dispose of.

2. Update on the Downtown

Trustee Walker: We will have an executive session tonight to go over the applications. We received 39 applications of candidates for the Downtown Advocate, which is great. David Pugh and I and a number of other folks were hoping to do a fund-raiser in October called Hastings One, which was going to be a big food and beer festival. Because everyone was so busy, and David is traveling a lot, we did not have time to pull it off this year, so we have to plan for next year. We have to start planning now because it takes a long time to plan something like this. In lieu, we are going to be doing a Friday Night Live and picking the date either late September or early October, and hopefully doing another one in November. Bruce, I wanted to ask you formally if you would like to be the host of a literary Friday Night Live in November. It does not mean that you have to do all the work. It just means you would be the honorary master of ceremonies.

Trustee Jennings: We have talked about this. I think you are envisioning, like we have done in the past, having two or three events of reading or performance of one's own work or something else in different venues. I will be happy to coordinate those people and those venues. I do not want to be responsible for any of the other activities going on in the Friday Night Live, but for the two or three readings I will be happy to work on those.

Trustee Walker: Maybe we can also do another poetry competition, similar to what we did three years ago.

Trustee Jennings: At the River Roadhouse.

Trustee Walker: Yes. We did a poetry slam. But we also had a contest and different things. You won.

Trustee Jennings: Oh, you mean I am judging poems that were submitted in advance. Yes, that is cool.

Trustee Walker: Yes. Because you were the adult winner. And there were children who won, as well. It was really nice. Anyway, for a variety of reasons I thought I would enlist you in helping to pull this off in November.

Trustee Jennings: So, yes. The answer is yes.

Trustee Armacost: One September 6 we will have the Take Me to the River Music and Arts Festival. There are going to be two stages, as usual, the Luna stage and the Solar stage, and 22 bands, lots of amazing art by our local artists. There is going to be a kids area. Many of the musicians will be local musicians as well as some really interesting great bands from outside. We had a huge turnout by Village merchants to donate things for the raffle. This is a heartfelt thank you to all the merchants who donated, including some very new merchants who had heard about the festival and wanted to get involved. And also thanks, of course, in advance to all the sponsors and vendors and everyone who makes the festival a success, and to the Village for its support.

Trustee Walker: There is the Ramble sponsored by the Hudson River Greenway every fall. We are participating this year on that same weekend, September 6 and 7. Christina Griffin is going to give an architectural tour of the downtown and Mavis Cain is going to give a tour of the Aqueduct and Untermyer gardens. Two nice complimentary events showcasing Hastings.

Mayor Swiderski: Finally, the HBO show The Leftovers renewed their contract, so we will have them back in town. Do we have idea when?

Village Clerk Maggiotto: No.

Trustee Armacost: There was quite a lot of winter filming last time.

Mayor Swiderski: There was, and it yielded not a small bit of change for the Village

Trustee Armacost: It was fun to see the Village on the show, Galapagos Books and Main Street and various parts of the Village. And to see the water tower and the Palisades.

Village Clerk Maggiotto: Did you see destruction in the library?

Trustee Armacost: Yes. I was wondering how Sue Feir felt about that.

Village Clerk Maggiotto: She said they were marvelous. They tore it down and put it back together.

Mayor Swiderski: I hope the library was paid well for that.

Village Clerk Maggiotto: They were. It went to their building fund.

3. Update on the Waterfront

Mayor Swiderski: On the waterfront, we remain in negotiation on the consent decree. There is nothing new there. You probably noticed the strange four-poster ship working its way around the shoreline, and they have completed their sampling.

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 Walker, SECONDED by Trustee Armacost with a voice vote of all in favor, Mayor Swiderski adjourned the Regular Meeting at 8:35 p.m.