

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK**  
**BOARD OF TRUSTEES**  
**REGULAR MEETING**  
**SEPTEMBER 16, 2014**

A Regular Meeting was held by the Board of Trustees on Tuesday, September 16, 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, Village Attorney Linda Whitehead, and Village Clerk Susan Maggiotto

**ABSENT:** Trustee Nicola Armacost, Village Manager Francis Frobel

**CITIZENS:** Seventeen (17)

**PRESENTATION** – Property Reassessment

**Edye McCarthy, Assessor, Town of Greenburgh:** The town has commenced a town-wide reassessment project. All properties within the entire Town of Greenburgh, unincorporated and the six villages, will be reassessed. It has been 60 years since the last time we did a complete town-wide reassessment project, so the town board felt that it was about time.

Most municipalities in New York State average between four and five year cycles, and most municipalities around the country average on annual cycles. The town board felt the 60 year reassessment cycle was too much. That was one reason. The second was, as you can attest, all you hear is certiorari refunds, small claims refunds. All six villages, the town and all of the school districts pay back, to total aggregate, approximately \$10 million a year in refunds.

This reassessment project will level the playing field for all taxpayers and mitigate some of those refunds and the number of filings we get. This reassessment will affect the town assessment. Currently, that means that it is going to affect your town, county and school taxes. The contractor we have hired, Tyler Technologies, will be in Hastings within the next couple of weeks. This is probably 30<sup>th</sup> public information meeting. We have been on the radio, in the newspapers, we have sent out information, it is on the town supervisor's global list. We are doing everything we possibly can to notify property owners that this project is going on. That is the main reason I am here tonight.

Our residents in the Village will be receiving yellow postcard, and saying that the Town of Greenburgh has retained the services of Tyler Technologies to reassess the properties both interiorly and exteriorly, please let them in, this is a very important project. About a week later they are going to receive a brochure, tri-folded. On the front in red it says town-wide reassessment project, important information. Please do not throw this out. Please tell your residents to read this. It has some very pertinent information.

After this has been received, your residents will get knocks on their doors. Tyler Technologies data collectors will be wearing bright yellow-colored vests that either say revaluation company or Tyler Technologies. They will knock on each and every property owner's door; every – residential, multi-family, commercial properties – to inspect. They have to inspect the exterior of the property, and that means they will physically be measuring every building and any outbuildings, as well. Then they will try and inspect the properties interiorly. It takes about 15, 20 minutes tops, depending on how big the homes are. They will look at the basement and the main floor and the attic and the bedrooms, and the condition of the property and any amenities such as wood decks, patios.

We are going to go out and knock on your doors. If you are home we will do the inspection. If you are not home, and those hours are 9 to 5 Monday through Friday, the data collectors will attempt a second time. They will come out after 5 o'clock, during the week and on Saturdays. If you are not home the second time we will send you a postcard. Guess what color it is. It says please call Tyler Technologies, we were out at your house, you were unavailable, please call us to make an appointment. That is the postcard you are going to get after the second attempt. You do not have to wait. If you do not think you are going to be home during the inspection hours I mentioned you can call them now and set up the appointments. They are , very accommodating.

Several months after the data collection process is complete, residents will receive something called the data mailer. That data mailer is going to have all the inventory they collected: a picture of your property, how many bedrooms you have, how many bathrooms, how big your house is, the square footage, whether your basements are finished, if you have a wood deck. Anything and everything on your property they will have. If you have two kitchens they will note that. At that point, those data mailers will be mailed to each of the property owners' homes. Please review them, do not throw them out. Review them for accuracy because that is what is going to determine the value of your property for property tax purposes, and we will be using your data to compare to other people's properties, as well . If those data mailers are correct, then send them back with a checkmark that all the data is correct. If there is something wrong with the inventory, correct it right on that sheet, sign it and send it back. Then the revaluation company will correct their inventory.

Once that entire project is complete, we anticipate that date being the end of 2015, they will start putting values on all of the properties in the entire town. At that point, you will be receiving a letter from us. It is called the tax shift analysis. That will say that this is what your assessment was before the reassessment, this is what your assessment is after the reassessment, this is what your taxes were before, and based on the latest budget this is what your taxes may be. Once you receive that, if you are OK with the value of your property, the assessed value of your property, then file that in your file and have a nice day. If you are not

satisfied with the value that the contractor has placed on your property you contact Tyler Technologies. You can meet with them informally, you can meet with them in person. We are going to try and have meetings around town to not make everybody have to go to town hall. You will discuss it then. Bring the documentation of support why you feel it is different than what they feel it is, and you work it out. If you are happy at the end of the day, have a nice day. If you are not, then you have the right to file the formal grievance application.

You can go to the Town of Greenburgh website for the reveal in detail. There are several municipalities involved. We are all doing this together, Ossining, Yonkers, North Salem and possibly a couple others. Also, if you are interested you can click on the street listings. Every Monday it is updated, and that will give you an idea as to when we are going to be on your streets. In addition to that, there are photographs and license plates of every data collector that will be out in the field. You want to click on that and familiarize yourself with the faces so when they knock on your door you will know. The data collectors have had criminal background checks up to a couple days before they were hired by Tyler Technologies. The website is [mmrc.tylertech.com](http://mmrc.tylertech.com). It is probably just as easy to go on the Town of Greenburgh website. You can find all the information there. If there are any problems with anything, you have my phone number at the Town of Greenburgh, the assessor's office. And the e-mail address is on the website, as well. September 22 is the anticipated start date in Hastings.

**Trustee Apel:** How long is this process going to take?

**Ms. McCarthy:** We signed the contracts in March, 2014, and we anticipate that the assessed values will become public for town, county and school taxes June 1, 2016 which will affect your town and county taxes in April, 2017.

**Trustee Apel:** What I am trying to have everyone understand is that they are getting the postcards, they are getting the fliers, someone is going to visit them, but they may not hear for a very long time after that.

**Ms. McCarthy:** After the data collection part, it will be a couple months before they receive another letter with the inventory information.

**Trustee Apel:** But the actual assessment is not going to come for a long time because you have to assess everybody first.

**Ms. McCarthy:** Correct. We are little ahead of schedule, which is great. Our original date for information on what your new values will be is March, 2016.

**Trustee Walker:** So most of the data collection in Hastings is going to go on in the next three months?

**Ms. McCarthy:** No, it should take about a month. We have two teams of data collectors out there. October-November, depending on the weather. And the holidays are coming up. They will be more than happy to work on the holidays if you want them at your door on Thanksgiving.

**Trustee Walker:** Residents should be thinking about whether they are going to be home between 9 and 5 in that time period. They could preempt the possibility that the inspector would come when they are not there by calling ahead and making an appointment.

**Ms. McCarthy:** Correct. They can call starting tomorrow morning. The number is 1.800.273.8675.

**Trustee Jennings:** The inventory where people have an opportunity to look at what your team has said about their home, and then to raise a question about it if they do not think it is accurate: that seems like a very important step. I am concerned about the reliance on the U.S. mail. Is there another way for people to access the inventory information?

**Ms. McCarthy:** The data mailers will be on the Town of Greenburgh website. You can search by address, by owner's name and by parcel identification number. It is an easy click of a button to print that out, as well, and send it right back.

I do not know how much stronger I can say this, but we are asking for your participation as a village board and as homeowners. If you do not participate in this project it is not going to be a success. We need your help to get the word out, that while it has been 60 years and probably nobody has ever been through this process before this is a good thing. All we want to do is have everybody pay their fair share of property taxes: no more, no less.

**Trustee Apel:** Is that information public or private? Anybody could look at everybody's houses, or is it just your own?

**Ms. McCarthy:** It is public. It is public today.

**Jim Metzger, 427 Warburton Avenue:** So the public information is not only the inventory that they have taken, but the assessed value will be public, as well? It is my understanding that when you do a tax cert you compare your property to other similar properties to determine whether you think you are paying your fair share. Will the reassessed values be published?

**Ms. McCarthy:** On June 1, 2016 all the information from the revaluation company will be public. You can then look up the inventory information, along with the new assessed values for any and every property in the entire Town of Greenburgh. We have not finalized these plans yet, but you may also be able to look up your friend's house in Ossining, as they are doing the reassessment project, as well.

**Mr. Metzger:** There are a number of absentee landlords in two-family residences and in some of the bigger buildings. How will you be assessing these? Especially the larger multi-family residences, where there may be 40 or 50 apartments. Will the assessors be going into each apartment, or will they be looking at one or two apartments and making a determination on the building?

**Ms. McCarthy:** We anticipate, and the contract indicates, that the contractor will be inspecting all properties in the town. They will be walking through vacant land, if that is permitted. They will be going through your single-family residences as well as your multi-family residences and all commercial properties. If there is an apartment complex, the data collectors will be requesting to go inside each of the individual apartments. They will be requesting to go inside all of the condominium units in a complex.

**Mr. Metzger:** A number of years ago Exxon Mobil had a tax cert done on their property on our waterfront. They declared, because it was a superfund cleanup site that it was value-less and their taxes were reduced by a huge amount of money, which affected our village and, of course, the Town of Greenburgh. They have now spent the last couple of years cleaning their site up, and it is now getting to be able to be sold and possibly developed. How will your people be assessing that situation, where the property is in transition and, in the very near future, could be worth a lot more money than it is now?

**Ms. McCarthy:** Once they collect all the data they are going to go back and put it into the computers. Then it is going to be on the website. You can pull up by name, by address or my parcel ID each of the individual parcels. That is for residential properties. For all the commercial properties it is going to be the same way. Once they collect all that data, they are going to put it on the website and you can review it there. The derivation of value for single-family homes is, they are going to take your property and compare it to other properties within your market area that have sold. Just like you would get an appraisal, just like you would need that appraisal for mortgage purposes or for purchase or for sale, that is how your properties are going to be valued.

For commercial properties, they are going to be valued based on the income approach. For vacant land, it is going to be based on other vacant land sales. That is a big track of property, so there really is not anything that comparable in Hastings so they are going to have to go

elsewhere to find comparable properties. If it is on the market, then that is the best indicator of value. They will take all of that into consideration. We always have, and I would anticipate we always will, worked very closely with the assessor here and also the Building Inspector. So if there our outliers, so to speak, then we will be aware of those, as well.

**Mr. Metzger:** The property values in the Village have been varying wildly depending upon what has been going on in the economy over the last few years. A house recently was put on the market for about \$600,000. There was a bidding war and it went up to \$850,000. That same house probably would have sold for about \$450,000 last year. What is the time frame you are going to look for the value of the properties?

**Ms. McCarthy:** All properties in town entire will be valued as of July 1, 2015. We cannot project forward what the market is going to do. We are now collecting the data, and we are going to start putting values on these properties in August-September-October of 2015, looking back to July 1. That is a static date.

**John Gonder, 158 James Street:** I got a brochure three or four weeks ago. I called to make an appointment but they said they were not ready. Now you are saying, in the next two or three weeks, they will start? October?

**Ms. McCarthy:** Yes, that is the anticipated.

**Mr. Gonder:** They told me you could contact the police department because they would know what street they are on.

**Ms. McCarthy:** Try again to call them to make an appointment. If you have a problem, you call me or e-mail me and we will find out. There should not be an issue with you making an appointment today, going forward.

**Annette Hirsch, 8 Jordan Road:** I understand that the assessors are going to take into consideration the size of the property. They are going to take measurements, the number of bedrooms, bathrooms, et cetera. But to what extent are improvements to the property going to be taken into consideration, both externally and internally? I am just thinking of common ones like new siding or a new roof, or an updated kitchen or bathroom.

**Ms. McCarthy:** Whatever is going to increase the market value of your home will reflect in the assessed value. When you receive the tax shift analysis that shows you what that value is, you look at that sheet of paper and you think can I sell my house for that much? Good. Then file it away. If you think the company has overvalued your home, feel free to contact the company and dispute that value. If you feel that the company has undervalued your

home, feel free to contact the company. They are going to take everything into consideration. The same way a realtor would look at your property to put it on the market, that is what the revaluation company will be doing here.

**Ms. Hirsch:** To the extent that many of us have challenged the valuations and submitted appraisals at that time in the last few years, is any of that going to be taken into consideration? Or this is completely de novo, completely fresh?

**Ms. McCarthy:** This is completely fresh. It is an independent contracting company. If you have filed a petition and you had an assessment reduction or not, or you submitted an appraisal, you keep that. Get that documentation ready. If the company comes in at the same value, then you are good. If they come it at a much higher value, or even lower value, you bring the appraisal to them. They will absolutely take that into consideration. We are starting from scratch because it has been 60 years. I am not sure if any of my staff was out at your house when you filed that assessment appeal, but this company will be coming in and going through everything.

**Jeff Hirsch, 8 Jordan Road:** Is the contractor insured and do you know what the limits of its liability insurance are?

**Ms. McCarthy:** Yes, and yes.

**Mr. Hirsch:** And it is sufficient.

**Ms. McCarthy:** Yes.

**Mr. Hirsch:** I have a house, and somebody else has a house that looks like it in another part of the Village, same condition. Are they going to be assessed equally, or is it more of what you do in a resale where it is in the exact neighborhood where you are living?

**Ms. McCarthy:** You are asking me if they are going to use that property over there as a comparable to yours? Or are you asking me if your property and that property are going to be assessed the same way?

**Mayor Swiderski:** I think he is asking does the neighborhood matter.

**Ms. McCarthy:** The way this is going to work is that we are going to derive, and we are working on it now, a neighborhood delineation. We are creating neighborhoods in the entire Town of Greenburgh. The Village of Hastings, at this point, has three distinct neighborhoods. There may be more, there may be less. We do not know. Right now, we are

at a starting point of three neighborhoods. Is your property that overlooks the Hudson River as valuable as property on the other side of Broadway which cannot see the Hudson River? No, it is not. The one with the view will be valued higher. You may have exactly the same house with exactly the same contractor on exactly the same day, but that property over here will be more valuable. Does everybody agree with that? That property will be assessed higher. That is what we are going to do. We are going to break it out by neighborhoods and derive the values, as such, that way. The buildings may be valued the same, but the land value will be higher overlooking the Hudson.

**Wendy Kaiser, 36 Ravensdale:** Does STAR relate to this at all?

**Ms. McCarthy:** Let me just explain two things to you to answer your question. Number one, how many of you have ever looked at your tax bill and you see this crazy number like your assessed value is \$20,000. What does that mean? When you get your tax bill in April, 2017, you are going to see your assessed value will be what your market value is, not a percentage. Because that is what that \$20,000 means. The assessed value of your property is worth \$4 million, and let us hope it is, just for resale. On your tax bill you are going to see a value of \$4 million. It is going to be much more transparent. We are now going to assess properties at 100 percent of market value. Your exemptions are really low, as well. For those of you who get the STAR exemption, you have seen that on your tax bills. It is probably somewhere around the \$3,000 range. To be exact, it is \$3,190 for basic and \$60,000-something for enhanced. That is not very high when you are talking about a \$4 million house. So what is going to happen with that particular exemption is that that \$3,190 is going to change on your full-valued tax bill. It is now going to read, I do not know, \$165,000 because that is what it equates to. For those of you who receive the veterans' exemption, it is a small number, maybe \$1,500, \$1,900. That is going to be adjusted because your assessment is going to be adjusted. You are not losing any exemptions, they are just going to change. You are not losing any dollars that way. It is just going to be adjusted because we are going to 100 percent of market value.

**Kevin Polikoff, 128 Washington Avenue:** In general, the tax amount, how much of it is land, how much of it is house?

**Ms. McCarthy:** We do not know what the land value is going to be yet, nor do we know what the building cost is going to be yet because we have to compare 28,000 properties.

**Mr. Polikoff:** You will have those numbers separated somewhere.

**Ms. McCarthy:** Yes, we will have those numbers separated somewhere. You will see them when they are available. One of the things I do get phone calls on periodically is the value of



the land to the buildings for insurance purposes. I do not give them out now. You can use them if you want, but they are not accurate. They will be accurate after the reassessment project.

**Speaker:** It has been 60 years. Even if somebody lives in a dump, that house has gone up tremendously in market value. How are people going to bear the increased burden? Under this analysis if you go into 100 percent market value everyone's taxes are going to rise. I do not have to tell you that this is one of the highest-taxed communities in the United States. I just do not get it. Maybe you should save yourself the trouble and just increase everyone's taxes by 87 percent and call it a day.

**Ms. McCarthy:** Let me explain that, because that is what is making everybody really nervous. What is going to happen is, if you have ever looked at your tax bills you see the total tax rate for town, county and school is like \$900 per thousand dollars. So that \$900, because your assessments are so low right now, when we get to be at 100 percent that \$900 tax rate will now be \$9. So this is a zero sum game for governments. Governments are not in this to make more money. I am telling you that, it is historic, there is history out there all over the country about this. The only reason we are doing this is so everybody pays their fair share: nor more, no less.

**Mayor Swiderski:** I want to emphasize that point. The way we budget here, we do not think about how much money we get from the taxpayers. We first set the budget based on how it was last year, based on what our needs are. It is around \$14 million. About 4 million of that, a little less, is covered by our portion of the sales tax, mortgage tax, other stuff. So we have \$10 million left that we have to raise from to property owners. Let us say your assessment was \$1,000, and the entire village is worth a million. You are one tenth of one percent at that point. We are going to raise one tenth of one percent of that \$10 million from you. You proportionately pay your little bit of that total amount.

The reassessment process re-squeezes that Play-Doh and assigns the right amount that you should be paying to you. It may turn out that your house has not been reassessed in 60 years, you have not made many changes to it. Proportionately to everybody else in town you still live in a cheap house and it has not gotten any nice finishes, et cetera. You may not see any change or even see your taxes drop. All this does is change the proportion in relation to other taxpayers of what your property is worth. It does not increase the taxes necessarily on your property unless they should be. So it is a game of proportion what you owe of this total amount, not that automatically everybody's taxes go up, because that is not the way we raise taxes. We raise income based on what we need, and then we charge it out proportionately on what your assessed value equals as a percent of the total value. Does that make sense?

**Village Attorney Whitehead:** Another way to say it is the assessments may go up, but your taxes do not necessarily go up.

**Mayor Swiderski:** The total pool of taxes are going to be the same either way. It is just how much of that percent you will end paying more or less. Because as a percentage of the entire value in the town, your property has gone up or down.

**Trustee Jennings:** I have heard it said that after a reassessment there would be about one-third of the people where something would go up, whether it be assessment or taxes I am not sure, one-third would stay the same, one-third would go down. Is that still accurate?

**Ms. McCarthy:** Experience throughout New York State, that is a perfect representation of what will happen. The Town of Mamaroneck just finished their reassessment project in 2013. If I tell you, tax dollars, a third went up, a third went down and a third stayed the same to the penny, that is exactly what happened. Then let us move to Scarsdale. Scarsdale finished their reassessment project in 2014. Scarsdale's taxes went up for 25 percent, and the other 75 percent either went down or stayed the same. The reason why their numbers were skewed a little is because they had a tremendous amount of building.

**Mayor Swiderski:** Of what?

**Ms. McCarthy:** Building permits, improvements, new improvements. So that is the 25 percent. Now, when we say that a third will go up, because all you guys care about is your property taxes going up, it could mean that you could be in that third of the people that were getting increases, but it could only go up one percent. I do not have those statistics yet from either Mamaroneck or Scarsdale, but we are trying to get them to see what the impacts would be.

The one thing I would like to acknowledge here is that this is the right thing to do; paying back \$10 million a year we cannot do anymore. Because guess who is paying that \$10 million. You are. If your next door neighbor was paying their fair share of property taxes your taxes not may be going up as much.

For those of you who have filed an appeal and you have been successful, you left my office or court or whatever, thinking that is awesome, I am now paying my fair share of property taxes. But guess what? You are not because there are so many people that are under-assessed that you are subsidizing them. There are still people that are over-assessed, that are subsidizing the people that are under-assessed. All we want to do is make everybody pay their fair amount of property taxes.

**Mr. Gonder:** You said that it takes about 15 minutes for the people coming in. There are five homes on my street. Four have been rebuilt in the last few years, except mine has not been touched in about 50 years. It will take me probably an hour to show them all the defects. How much time can I keep that assessor there to show them all my problems?

**Ms. McCarthy:** I said it takes about 15 to 20 minutes average. I guess you are not an average kind of guy. We want you to tell that to the data collector. They do not talk to you about property taxes, they will not talk to you about values because they do not know. They are trained intently on how to collect data. You want to show them something bad in your house that you feel is devaluing your property. If, when you get that data mailer and it is not on there, then you write it on there and you send it back to Tyler Technologies and they will acknowledge that. Because all of that stuff will determine what the value of your property is for property taxes.

**Ms. Kaiser:** From what you said, Peter, it sounded like your market value could go up and your taxes could go down. Is that really possible?

**Ms. McCarthy:** It is possible, that is correct. We have 28,000 properties in the Town of Greenburgh, so you are one of 28,000. It depends on what happens to the 27,999 others.

**Cyndy Travis, 427 Warburton:** Multi-family houses, two-families or three-families. Do you know if there is any consideration in the fact that sometimes those rentals are like affordable housing. If the taxes go up too high the rentals will not be affordable. Does that come into play at all?

**Ms. McCarthy:** You, as a property owner, come into play. When these data collectors go out they are just going to collect the data, the inventory: the kitchen, how many bedrooms, how many bathrooms. Is it your obligation as property owners, I cannot stress that strongly enough, that you need to tell Tyler Technologies that this is what I own and this is the income that I am receiving from this property. There is the expense data that it costs me to operate this building, be it a residential property or a retail or restaurant. If they do not get the right data you are not getting the right value at the end of the day. I do not know how else to stress that. Get your stuff together because we are going to be asking for your income and expense information. If you do not give it to us we are going to have to go to the market and get it, and it may not be accurate.

**Ms. Travis:** There is affordable housing that is being built or has been built. Is that all being looked at, too?

**Ms. McCarthy:** Yes.

**Ms. Travis:** Same approach?

**Ms. McCarthy:** Yes.

**Ms. Travis:** And what about PILOT, payment in lieu of taxes?

**Ms. McCarthy:** Every property in the town entire will be reviewed and reassessed, the Cropsey Foundation will be reassessed, as well.

**Village Attorney Whitehead:** Even exempt properties have an assessed value. So they do get valued even if they may be exempt or partially exempt from paying taxes.

**Ms. McCarthy:** Yes, because some of your exempt properties also pay sewer and refuse tax. So by them paying what they pay, you pay that much less because it is just the bottom line of how much it costs to operate. Cemeteries and churches and temples and schools, the Cropsey Foundation, some of them are exempt, some of them are taxable. But they all will be revalued.

**Mr. Metzger:** At the very end you mentioned that you are going to be collecting data on income from property and cost to operate the property. None of that was mentioned in the first 50 minutes of this meeting. When does that information get fed into this database? Let us say Mr. Gonder has a house that has wildly inefficient windows and his heating bills are extraordinary.

**Mayor Swiderski:** Rentals.

**Village Attorney Whitehead:** It is not single-family.

**Mr. Metzger:** So multi-family.

**Ms. McCarthy:** No, it is all commercial properties. Anything larger than the three-family house is considered commercial. So at that point, we will be sending you letters. Anybody that owns four-families and above, retail, office, industrial, we will be sending you letters saying we are doing this reassessment project, we are asking for your 2014 income and expense information. Please give it to us because this way you will come out with an accurate value.

**Mayor Swiderski:** There are properties downtown that do not have rental income because they have been vacant. What happens if it has not been rented for awhile?

**Ms. McCarthy:** It is unfortunate for the property owners. I am only the messenger so do not shoot. Under the real property tax law, we are mandated to assess those properties as if they were occupied. They may or may not have more value if they are rented, or occupied. But what happens with the vacant buildings in town or the vacant industrial properties, they will be valued as if they were occupied. Of course, the subject does not have that available, and the way we get that information is we go to the market and get it. There are other restaurants downtown, there are other retail places downtown. We will use that information.

**Vsevolod Makarenko, 9 Green Street:** If somebody bought a property, say, within the last year, and they filed a grievance and it was successful and the grievance reflects what they paid for the property, can they expect that the fair market value coming out of this assessment will be very close to what they paid for the property?

**Ms. McCarthy:** I would hope that it would be very close to what was paid for the property, given the trend for the market conditions which will, of course, change. That sale will be taken into consideration. If you have done anything to your property after the sale, that will be taken into consideration. If you have not and it is just the sale price, it will be either added or subtracted based on market conditions, up to the valuation date of July 1, 2015.

### **APPROVAL OF MINUTES**

On MOTION of Trustee Apel, SECONDED by Trustee Jennings with a voice vote of all in favor, the Minutes of the Regular Meeting of August 26, 2014 were approved as presented.

On MOTION of Trustee Apel, SECONDED by Trustee Jennings with a voice vote of all in favor, the Minutes of the Regular Meeting of September 2, 2014 were approved as presented.

### **APPROVAL OF WARRANTS**

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

Multi-Fund No. 23-2014-15	\$270,884.53
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### **APPOINTMENT**

**Mayor Swiderski:** We have a new appointment to the Zoning Board of Appeals. Marc Leaf will serve as an alternate, to a term which expires in 2019. Marc Leaf returns to our boards, where he was previously a volunteer before he stepped away from the Village briefly. Welcome back, and thank you for your service.

## **PUBLIC COMMENTS**

**Mr. Gonder:** I see there is nothing in regard to the veterans tax thing on your agenda. I hope you are going to consider it and put it on your agenda for some future meeting.

There was a young girl from Bosnia several years ago. She had a little project for the greenway of Hastings. I know you worked on some of the things, but this woman's getting gray hair now. I am wondering when you are going to bring that back up. That is one of the most important things to the Village to keep the characteristic of what we had for the last maybe hundred years or so.

**Mayor Swiderski:** We did talk about the veterans' exemption, and put that off until the reassessment is done to see how that impacts people.

**Mr. Metzger:** If you have been following the 10706 Facebook page, there have been a lot of negative comments about our new meter person in the Village. I had a very pleasant experience. I was eating lunch at one of our downtown venues that had sidewalk access. There was a car at an expired meter. When our new meter person came up, she stuck her head in the restaurant to see if anybody owned the car so they could feed the meter. There was nobody there, and then she wrote the ticket. We tend to get upset. Why do they not give us five minutes, why do they not give us 10 minutes? Why do they not just let us park for free? My point is that we have meters in the Village. I am still not a fan of trying to bend down and read those things. They are really tough to read, but that has been gone over. Our people have been very fair in how they apply the law. For people that are looking for a little extra because we live in a good community, maybe you should be trying a little harder because we live in a good community.

**Patrick Randolph Bell, Prince Street:** Last week I talked about the no discrimination clause in our new municipal yard waste disposal with Yonkers. I was speaking with a couple people, including the Mayor and Susan, who said that we did change the commas, we changed the typos. But we did not include any other changes I was suggesting, like sexual orientation to be included as a no discrimination clause, and gender expression, a few more. Just was wondering why. We decided not to, or did we approach Yonkers and see what they might have said about that? I gave a call over to corporation counsel today in Yonkers and left a message. Maybe they will change it themselves in the future. If there is still a chance to update it, maybe you could speak to them and say by the way let us toss a couple things in and bring it up to at least federal standards for these labor employment ideas.

The other thing I was mentioning when I spoke the other night was about a lot of our outdated code in this town. The one I was first concerned with, as an artist myself and as a

performer, was no male or female impersonators within the Village within 750 feet where the train is, places of worship. It is strange and I find it outdated, even though it was redone in 1994. Can we do something about that without having to ask the Board for permission to dress the way anybody would like to dress, without having a person fined?

There is another one that has been brought up also on the Facebook page of 10706, which is no ball playing or throwing of missiles in the street, which I understand. That is a little dangerous for people to be playing ball in the street. But in public grounds of the Village. When I spoke to the Mayor, he acknowledged there are some unusual code sections and that you had spoken about maybe updating some of them. Possibly if you can put that on your agenda and we can move some of these along. Especially October being LGBT awareness month, possibly we can get rid of at least discriminatory of no male or female impersonators. That would be a great one to say the Village of Hastings-on-Hudson, in honor of this, has done two things. We changed our no-discrimination clause to include sexual orientation and gender expression, which will bring it up to the federal level. And also to change our one little code, who is going to object to that? Just so we have taken this out of the adult entertainment clause section, just so you feel, when you are going up there to sing a song or perform a play, or if Sandy Duncan would like to reprise her role of Peter Pan in our town somehow she would be allowed to, or if Robin Williams was still alive he could do Mrs. Doubtfire. I could go down the list of things that are now against the law in this town, at least for that one clause. It might be great, maybe by October 1, in honor of LGBT awareness month that might be something nice for our progressive village to do rather than rely for the code at least or the municipal agreement rely on Yonkers. Why are we letting these guys bully us around just because we want to get rid of waste?

I could get some national organizations to send you a couple of letters saying this is what we think might be a great way to do this, at least for no-discrimination clause. Even our public school, there was posted the no-discrimination clause within the style of dress. It was more, progressive than even our no-discrimination clause that we just signed with Yonkers.

People were complaining again on 10706 about the trash behind the Chinese food place, the Japanese food place and the bar. Why cannot we allow them to build decks that overlook the river that would guarantee to be closed by 10 or be fined. They could put places out there, and they could put the trash underneath these decks. You would get three or four more river views in the back, overlooking that parking lot. It would be a great place to have some Japanese food; sit there and overlook the river while also eating that great food they have.

This one comes up all the time. The Mayor has been very good about addressing it repeatedly. That is the suicide fence on the Warburton Bridge. Perhaps it might be time, as this keeps coming up again and again all over town, to do even a non-binding town

resolution. Yes, no, would you like us to search for another option? Are you willing to pay for the extra money to do something else? It would be a non-binding thing. It does not have to follow every rule in the book. Just bring the machines out, put a little piece of paper on it, let it spin around and just vote yes, no or maybe on these three or four different things. I prefer a net myself. I would vote for B, option B, net. Some people might vote option A, fence. Some people might say who cares.

Thanks for hearing me again today, and maybe you can address at least what is going on with our no-discrimination clause in the future and why you chose not to include it this time. Sexual orientation, at least, and gender expression, parental status, domestic violence.

**Mayor Swiderski:** The record will reflect that we chose not to hold up the contract, because it was ready for signature, and it was their language, but that we were going to reexamine our own clause and at the very least bring it up to federal standards.

Have other villages cleaned up their codes?

**Village Attorney Whitehead:** Once in awhile they do, but there are still a lot of old, antiquated provisions on the books in other municipalities, as well, that are not enforced.

**Mayor Swiderski:** There is a lot of fossilized text in there. I remember looking through it and being amused by it.

**Village Attorney Whitehead:** And state law, also, and in local codes.

**Mr. Bell:** So we should erase them? We can go in there and just say this one is never going to get enforced?

**Village Attorney Whitehead:** No, the Board would have to go through a process to amend the code to take them out.

**Mr. Bell:** You can do one at a time, though, correct? You do not have to do them all at once.

**Mayor Swiderski:** No, but piecemeal is not terribly attractive. It does consume time and hearings. So ideally, if we are going to do this, try to zap a bunch of them.

**Village Attorney Whitehead:** Do a bunch at once. Every code amendment requires a public hearing, so it is a process. It is publication of notices, holding a public hearing. So it is a process.



**Mr. Bell:** No male or female impersonator. If you get that done, no one is going to object. Two weeks for LGBT awareness month, the Village would look really nice, we look progressive.

**Village Attorney Whitehead:** It is more than two weeks because it is a minimum of two meetings. The Board has to schedule and hold a public hearing.

**Mr. Bell:** How about we start it next month.

**Mayor Swiderski:** It is not a public discussion. It is a public comment, and we have said our peace.

**Mr. Bell:** I am down about that. But could we ever have, in the future, a public comment period at the end of the meeting? The Town of Greenburgh, somebody told me, they do it at their meetings. You have a public comment in the beginning and you have a public comment at the end. You get five minutes in the beginning, two minutes at the end or maybe one minute at the end.

**Mayor Swiderski:** By 11 o'clock, it is the last thing most of us are able to do. But we do typically allow the public to comment at various points during our meeting if something is worthy of public comment.

### **VILLAGE MANAGER'S REPORT**

**Mayor Swiderski:** We do not have a Village Manager comment here. But, Susan, you asked?

**Village Clerk Maggiotto:** You may have noticed, at Five Corners, there is a new placement of the Museum in the Streets map. That is another Sue Smith/Historical Society project. I thought it might be a good time to mention the Museum in the Streets, which has been around for quite a while. It is a walking tour of all the historical sites in the Village which the Historical Society put together a number of years ago. There is a large map at the train station and one near the diner, in the alleyway. This one had been hidden away near Village Hall, and we thought it would be nice to put it by the Aqueduct. Sue single-handedly prepared it and did the brickwork. In front of it are Hastings pavers that she somehow collected. She laid them herself and she put the shrubbery around. And it also highlights the horse trough that is there, filled with pansies, that is another historical piece in the Village. So now, instead of four foot high overgrown weeds, we have this lovely thing at the corner, which is also very useful. The brochures are at Village Hall and the library.

## **BOARD DISCUSSION AND COMMENTS**

### **1. Update on the Downtown**

**Trustee Walker:** Following up on the museum in the streets, we had an architectural tour of the downtown a week ago Saturday, given by Christina Griffin. We had about 20 people, most of whom were from out of town. This was part of the Hudson River Ramble. The following day, Mavis Cain of FOCA, the Friends of the Old Croton Aqueduct, gave a tour from Antoinette's all the way to Untermyer garden and back. There were between 50 and 60 people on that so it was a good turnout. Again, most of them were from outside of Hastings. These are people who are coming to our village who, we hope, will linger and have lunch and shop. I wanted to mention that because it was not a lot of trouble. We put the notices on the website and in the brochure for the Hudson River Ramble. People are really interested in that so they come from all over the place. People were saying I have lived in Westchester all my life, or I have lived in Manhattan all my life, and I have never been to Hastings-on-Hudson. It was fun to hear what they had to say and to see all these newcomers.

We are having a Friday Night Live September 26 from 6 to 9. We are going to be closing Warburton Avenue and having music at VFW Park. The high school jazz band is going to play from 6 to 7, and Riverrun is going to play from 7 to 9. There will be lots of food in the streets and games. I am thinking of having a scavenger hunt, but I have not quite organized that.

Then to remind everybody we are going to be interviewing candidates for downtown advocate on September 30, October 1 and the Monday following.

### **2. Update on Deer**

**Mayor Swiderski:** There will be a longer e-mail out to the community detailing what we are doing. Next year, in February and March, we are going to do a full two months instead of the three-week abbreviated version we did this year, involving a team of four from the Humane Society. We have rented a house for that period, across from the Andrus Home property. Two of the four were here earlier this year, and the other two are newcomers. They will first pair up, and then eventually work as independent individuals. There are going to be seven feeding stations located in parks around the Village and we are going to be looking for permission from homes around all those feeding stations. We are going to look to get between 60 and 70 deer across the entire Village. It is going to be a broader effort. We now think we understand their behavior and how this will work, and we hope to have some success. There is not going to be much change in protocol. We are not going to be re-

darting the deer that are already tagged. They should be sterile for next year so we will be upset if they have fawns trailing them next year. We are not surprised that they do this year. They were already pregnant when they were hit.

**Trustee Walker:** Are we going to use the red flag?

**Mayor Swiderski:** We are going to use a red flag again.

**Trustee Walker:** So if we still have them from the last time, we can put them out? Or do you need a list?

**Mayor Swiderski:** We are going to need a list of the homes. We are going to first put out the e-mail, and then the students are going to go door-to-door. The cameras that are tracking the deer to do a decent count, more than half have been installed around town. The remaining six are going to be going up over the next few days.

**Trustee Walker:** How many cameras?

**Mayor Swiderski:** A total of 14 or 15. We will be putting them up for two months a year to do the counts, and then taking them down. This is being done by a grad student who is making his thesis around this effort. The hosta project is at an end, and our coordinator is collecting counts for how many were eaten. The students are beginning to do inventories and enclosures that were set up in Hillside Woods as part of their project.

### **3. Other**

**Trustee Walker:** Tim Downey wrote to us suggesting a project this fall to clear land around trees mostly in parks and the median along Farragut Parkway coming into town. He is proposing that we put a circle of mulch around a number of these trees to protect them so the lawnmower does not come up too close. That circle of mulch will be planted with daffodils this fall. We want to organize a volunteer effort to plant about 650 daffodils. Each tree would get about 25 daffodils. I was thinking it does not just have to be around trees. We can also plant in areas that could use a little beautification, some of the sort of desert-like spaces that the Beautification Committee has not reached yet. Why not have a bigger daffodil effort? I remember after 9-11, when somebody, some foundation or some individual, donated millions of daffodils to New York City. They were planted all over, and they are still just so beautiful in the spring. You see them in the most unlikely places: along highways and along train lines. There are these wonderful daffodils in places that used to be kind of unsightly.

**Mayor Swiderski:** And it does not cost the Village two cents. It is going to be done with donated labor, donated materials, and paid for by people other than the Village. It is a very visionary, nice idea. Calling it the golden mile, to drive down in spring and see solid daffodils is nice.

### **ADJOURNMENT**

**Mayor Swiderski:** Adjournment in honor of Matty Cavanaugh, a volunteer fireman and long-time resident who passed away after a struggle with illness. One of these 50-plus years on the fire department, a good, decent man. A moment of silence.

On MOTION of Trustee Walker, SECONDED by Trustee Jennings with a voice vote of all in favor, Mayor Swiderski adjourned the Regular Meeting in honor of Matty Cavanaugh at 8:40 p.m.