

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
REGULAR MEETING
OCTOBER 7, 2014**

A Regular Meeting was held by the Board of Trustees on Tuesday, October 7, 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: Fourteen (14).

APPROVAL OF MINUTES

On MOTION of Trustee Armacost, SECONDED by Trustee Walker with a voice vote of all in favor, the Minutes of the Regular Meeting of September 16, 2014 were approved as presented.

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. 25-2014-15	\$ 16,872.11
Multi-Fund No. 26-2014-15	\$ 15,458.43
Multi-Fund No. 27-2014-15	\$112,093.31

Mayor Swiderski: Not on the agenda, but I am providing a slot up front. If you can approach the mic, give us the name, rank, serial number, the full story.

Brett Schneiderman, Hastings Tree Board: As you know, I am one of the three members of the Tree Board: myself, Tim Downey and Jenny Lee. It was a year ago today that I stood here and we presented the street tree inventory report and the street tree companion: the synopsis of a year-and-a-half of community work between about a hundred volunteers in the Village and some dedicated folk to put this together to give us a road map for managing our urban forest and starting to look 20 and 50 years down the road of how we can have a safe community when it comes to trees and vegetation.

The good news I will start with is, we did plant some trees at the end of last year. Sue Maggiotto spearheaded that, and that was great. We have met over the course of the last year, and we are working on a small tree planting for this fall. Tim and I are in discussion of

some larger projects for the year to come. It is great having Tim on the Tree Board now. He is a spitfire. Some of you have heard about the golden mile that we are working on. Tim and I are talking about how we can engage more of the community and do more tree plantings; use new tree planting techniques that bring the cost down; and approach these areas in town that are open, common spaces where we can create more vegetation to beautify, but also to contribute to the environment in "ecosystem services," which is all the benefits that you can get from trees and vegetation that are good for us, the people who live here, the quality of life.

The other reason I am here tonight is that for the work we did I was recognized by the American Society of Landscape Architects with the national honor for student community service. Our project has a small spot in the American Society of Architects magazine. It talks a little about the community, and I will send a copy to Susan Maggiotto that she can share with everybody. In November I will be going to the annual conference of the ASLA in Denver and I will do a short presentation about this. I tend to talk about it as a model for small communities; it was done on a very small budget and is something that is appealing to a large portion of the nation. There will be people looking at this and, hopefully, drawing some inspiration and following our model, and the name of Hastings will once again go beyond the borders and have some attention.

Tim and I and Jenny are hoping that we can ride some of this momentum and, over the winter, put together a nice strategy for some more tree planting. Some of the progressive things we talked about in the street tree companion about using structural soils, approaching tree planting and tree maintenance as building property value and building quality of life, this is what is hot now throughout the country. There are a lot of towns that are following this model and reinventing the new way of doing things. New York City is the big leader in this, and the New York City parks department. But we are in a good spot. We have got some great team players, and we will be looking for more people who want to volunteer some time and get involved. We want to teach people how to be tree stewards or land stewards, and go out and participate. When we did the tree inventory, one of the great feedbacks that we got was that it was exciting for families to go out with their kids. It did not matter if they got things wrong, but they got out and they got together and they walked the streets and they learned something. If we can do that again and move into tree planting or tree pruning on a small scale, just simple stuff, that would be great.

Trustee Armacost: Thank you, and congratulations.

Mayor Swiderski: Tim, there was an allusion to the golden mile. If you can give two minutes on that, just describe the project.

Tim Downey, Hastings Tree Board: The golden mile is a concept of beautifying Hastings from one end to the other. From the entrance of Farragut Avenue, down the center of Farragut Parkway there are numerous medians and islands. There is one by the Valero gas station to Ravensdale, one across the street from the Burke Estate field, Legion Plaza across from the A&P where the flagpole is, a park at the bottom of Villard Avenue and, lastly, the park space where Broadway and Warburton meet. The idea was to, very inexpensively, use materials we have. I am going to use soil out of my shop. We are going to create a protective space around the trees to protect them from mowers and trimmers. Then, with that chipped area, we will put a little soil down and plant daffodil bulbs – the deer do not bother daffodils – and make this huge colorful sweep from one end of Hastings to the other in the springtime to complement the flowering trees. We will have a pretty sight line going from one end of Hastings to the other.

It started two Sundays ago with preparation around the trees. This Sunday there is going to be an all-out assault of myself and two of my workers. Initially we had suggested the possibility of volunteers. But because of working in the traffic areas with cars, particularly in the median by the Valero gas station, I thought it best, for safety, to keep it small with people who know how to work with me. The hope is, if we get luck, we could pull it off this Sunday. Susan has been instrumental in this in doing the ordering. I twisted her arm and asked if she could move the order up this week because of some changes in my schedule. She was able to pull that off. So the materials are being delivered to Mike Gunther at the DPW facility. I will pick them up by Thursday or Friday, and we are off and running.

PUBLIC COMMENTS

John Gonder, 153 James Street: The Conservation Commission drafted a couple of letters for the Board to send to the governor. One was on fracking a year or two ago and one on closing Indian Point. Even though I disagreed with what was in those letters, it was a good source of information to go to the governor. It is time you consider writing another letter to the governor in regard to the Tappan Bridge. I want to read a couple of things.

In June Governor Andrew Cuomo announced a plan to borrow \$511 million from the clean water state fund for the Tappan project. But this morning the EPA blocked that move, arguing that just \$30 million was eligible. The state also has not formulated a toll task force it announced in 2012 that would be created after the federal loan was secured. Then Abinanti suggested using at least one-third of the state's \$4.2 billion settlement with banks and insurers for the new bridge. But Cuomo said there has been no discussion about that, according to the Associated Press. Now Cuomo wants to appeal this decision, and I think that is very wrong. I think you should write a letter to the governor in regard to that.

And you could put a PS about the Moreland Commission shutdown. We know that people making \$30,000 to \$300,000 that have children get a tax rebate. Maybe you should put a PS and say how about the senior citizens and veterans. That would be a good point.

Mr. Downey: Last week I received a reminder e-mail from the Village regarding the use of blowers. I have been here many times discussing what I think is a poorly-written law, in part, because the people who are behind it, while well-intended in their goal, did not understand the nature of the work, as evidenced by what we are experiencing this fall. Because of the mini drought we have been in since mid-August, we are having an early leaf drop, an abundance of leaf and messy material out there. In addition, we have a fairly good-sized acorn crop drop this year, along with other nut trees. Those of us who are simply homeowners would like to keep that material from being tracked indoors. In some cases, it is genuine safety, where people have fallen and gotten hurt on the acorns because they are like marbles. For those of us in the business, it directly affects our business because of the client's perception of what was done for the property, for their money; it looks essentially as messy as it was when you arrived.

I have argued that this law should be changed to accommodate different equipment, and have different parameters to it, so much so that the Village of Irvington was looking to implement such a law in August. When I spoke up about it, they shelved it until January, when they can have a more comprehensive review on the matter. They also needed my help in Irvington because, for those who do not know, they are stopping leaf curbside pickup in bulk. I was one of the speakers who helped get that through, in the springtime. They figured it would be good to keep me on their side because I am doing demonstrations in Irvington to help train and educate folks up there this autumn.

Irvington understood that it needed deeper thought because they had a pre-draft similar to ours shot down. Dobbs Ferry has a law that allows the use of machines by September 15. Ardsley has something altogether different. We have the most draconian restrictions, and it does not work in concert with what nature has for us each and every season. I would like this to be revisited. I do not want this to become a contentious, bitter argument with myself and the Conservation Commission. There have been members from the commission here in the past who put their counterpoint to my point. But I am working based on facts. If we look at the streets and the walkways, those are the facts. What they have presented in the past is ideals and preferences, but these are the facts where it necessitates the need of a piece of equipment for certain times of the year.

Patrick Randolph Bell, Prince Street: I would to once again thank Meg. I think she puts together the Friday Night Live. I had another great time last week. This is mental illness awareness week, designated so by Congress in 1990. I was wondering if I could ask the

Board, and maybe they could respond later, what kind of things Hastings does to address the mental health issues in our village, specifically in reference to suicide, which is what we are going to talk about later, about the suicide fence that the county is planning on putting in. As it stands right now, the bridge is still open to jump off if you wanted to. Maybe we could start putting up some phone lines there, a suicide help line. Maybe a couple of signs saying life is worth living for, take a look at this gorgeous view, there is more than this in life. Some tiny things that might cost the cost of a few copies of pieces of paper that we could put up on that bridge. From what I have been able to gather, there has been maybe in the last 20 years approximately 15 suicide attempts in this town, with 10 of them being successful. Of those, two were from the bridge; the rest were a few hangings, some gunshot wounds. One of my friends who killed himself in the river used to work at one of the restaurants in town. There are a lot of other issues we could try to address. There has got to be something else we can do besides putting up a fence that might stop ten percent of all suicides in this town. I am not sure what kind of money you would have to spend. One person on 10706 posted something about a suicide hotline that could be manned by retired psychologists and other mental health people that live in this town. A volunteer service on certain times of the week.

Referring back to a couple weeks ago, the no-discrimination clause. I wanted to volunteer to help the Board or Ms. Whitehead draw up a new no-discrimination clause. At my school we have a job board on the Fordham Law website. It says that Fordham Law refuses to post a job from a company that does not adhere to our strict no-discrimination guidelines. That is something I think we could lead, like we are trying to lead with the golden mile and our plastic bag ban, to be a more progressive village. Saying we will not deal with you if you are not up to the federal standards, or this state's standards or even our standards, which we could even make stricter if we felt like it and see if people will sign the contract just like we signed the Yonkers contract. We could have gone back and negotiated, but we signed it anyway to push it through. We needed it done. I would like to volunteer my time for that.

Richard Ryan, 11 Rose Street: I come before you as a relatively recent transplant to Hastings. In my slightly over two years here in the Village, I have become a proud and active member of our fine volunteer fire department, I created the sightings database, which is one of the key empirical tools of our deer tracking project and sterilization program. I was first introduced to the Board by Peter in this capacity about a year ago. My partner, Kristin, and I, along with our daughter, Sophie, who is having, I am proud to say, a stellar career at Hastings Middle School, are all very devoted citizens of the Village.

I am here tonight for two reasons. First, to express the collective distress that many of the residents of this village feel as what we regard as the looming and, more importantly, needless destruction of one of the city's most precious resources: the view from the Warburton Bridge. I am also here because I want to underscore that many of us who have

investigated this issue firmly believe that there is a balanced and compromised solution to the problem of how to maintain this iconic view, and how to ensure that the bridge is safe from human tragedies, which are two equally important and pressing problems.

As someone who has lost my own beloved godfather to suicide, as someone whose partner lost her father to suicide, I speak with some personal authority on this issue. I understand, and feel great sympathy with, those compassionate fellow residents of the Village who are anxious to prevent further suicides on this bridge. However, the worthy and compassionate goal of protecting the mentally ill from themselves can be met without the elimination of an enshrined part of our collective natural environment.

We are fortunate to have a model in this regard. Cornell University underwent similar deliberations as it struggled with the problem of ongoing student and residential suicides in Ithaca, New York. Between 1990 and 2010, 27 people killed themselves in Ithaca. Fifteen students took their lives by jumping off the bridges that span Ithaca's famously picturesque gorges. I was a student at Cornell for two years, and I know those are gorgeous by intimate personal familiarity. They are one of the great natural features of Ithaca and Cornell. And this combined enormous resource of these beautiful gorges and this horrible human ongoing tragedy of these suicides in Ithaca was a constant public dilemma. After three student suicides in 2010, the university, under legal, and even more urgent moral, pressures erected black fencing over the famously picturesque gorges of all the bordering bridges of Cornell. This wildly unpopular solution was shouted down by students and citizens alike. Shortly thereafter, a coalition of university architects, concerned students and a Boston-based urban planning group launched a search for a more effective solution. The initial proposal was to place slightly more attractive, or more accurately less objectionable, high vertical fences on the bridges. This was equally unacceptable to the community.

In the last few years, the faculty, the staff and the students at Cornell and the citizens of Ithaca, working with the highly-regarded Swiss barrier designers, Jakob Rope, the firm which designed the fencing for what is arguably the most successful urban planning project of the last 20 years, the High Line in New York City, have found a way out of their dilemma. The creation of horizontal suicide netting, a solution with Jakob Rope pioneered on many suicide-prone bridges in Switzerland, has collectively been embraced and installed with great success in Ithaca, New York.

I am talking here about a practical solution, an engineering solution, to this public conflict between people of mutually goodwill in upstate New York. But there's even more profound civic benefit to be had here in Hastings. I have been distressed by the cynicism that I have heard coming from many fellow residents recently who deeply oppose the destruction of the Warburton Bridge view, but who say to me, nothing can be done about it. There is a

widespread sense in the community that the county will disregard earnest appeals from the Village to make even a slight alteration. I speak as a technical project manager. This is a relatively slight change request that would be required to go forward. There is a feeling among the citizenry that the county will disregard these requests to even slightly alter its plans. Quote, "The county does not care, and the Village will not try." The other frequently heard objection is that suicide netting would be too expensive. The cynicism that citizens feel about an optimistic solution to our collective problem is detrimental to our community. You may be experiencing a certain deliberation fatigue on the issue. But this is not a deadlocked issue and it is not a closed case. Let us not make this another Reynolds Field. Let us not see long-term neighbors divided from long-term neighbors. Let us not see long-term friends stop speaking to long-term friends, when there is a collective possible solution that could easily be implemented. I fervently hope that this board will engage the county government. This suggestion, I believe any reasonable person would agree, is a phenomenally fair and practical resolution. Protecting lives and protecting a priceless natural feature of Hastings, we can surely agree, is a collective resolution that we all can seek.

Mayor Swiderski: So what are you asking? Specifically?

Mr. Ryan: I have called Jakob Rope. I have asked for a quote on how much it would cost to install. I am not trying to be accusatory about this. Maybe such a process did happen, but I have not seen that the county or anyone in the county department of public works went to Jakob Rope or to any of the other firms that provision for suicide netting and have gotten a cost. I have heard that the county has said to the Village it is too expensive. But no one's ever gotten that, that would be the obvious first step.

Trustee Armacost: Are you asking for a quote for horizontal netting?

Mayor Swiderski: Are you asking us to ask the county? What is the course of action you are seeking?

Mr. Ryan: That would be the initial first step. Let us find out how much it costs before we announce publicly it is too expensive, which I have heard, including from members of the Board. And then let us decide. This board, and this mayor in particular, have been ingenious in the past in finding creative public-private solutions, as our governor recently said we needed for the Tappan Bridge, for public works. I find it hard to believe that some group of citizens in Hastings would not step forward and say to preserve this bridge we would be willing to spend a little extra money to a solution that will both protect human life and preserve the view. Once that view is gone, it is going to be hard to get back.

Trustee Armacost: I do not think the issue of horizontal netting ever came up before.

Trustee Walker: It did.

Trustee Armacost: I remember deep net, but not horizontal. Or is that the same thing?

Mayor Swiderski: I think the same thing.

Mr. Ryan: Was it costed out?

Mayor Swiderski: I cannot speak to whether it was costed out. But are you requesting a formal request from the Village to our legislator or somebody at the county to formally price out netting on both sides of the bridge, one side of the bridge?

Mr. Ryan: A resident, Brian Allen, had described recently on 10706, where a lot of these discussions take place, an eminently reasonable compromise solution: a vertical fence on the east side, where the Cropsey Foundation has a reasonable amount of distress about things being thrown over into their yard, and a horizontal netting on the river side. Although the Cropsey is a very beautiful mansion, we are not that concerned about preserving that view. The view that we all regard as central to the Village's environmental health is the view on the river side. You are talking about placing brackets along the lower concrete side of the bridge and lowering it. I cannot believe that that is not something that could be done in the current schedule of the bridge construction and preserve both the schedule and the view.

Trustee Walker: The technology you are describing is something different from what the county was talking about.

Trustee Armacost: Yes, it sounds quite different. I think it sounds very cool, and it would be fantastic to get a quote and work out whether there is a fight or not. Maybe there is not a fight. Maybe the quote is perfectly reasonable. particularly if it is only on one side.

Trustee Walker: Another objection they brought up was the maintenance issue when things are thrown off, and having to clean out the netting. But if this is right below the bridge, directly below the railing, it would be a lot easier to pick things out.

Mr. Ryan: Large objects thrown over will indeed have to be collected. It will become an additional responsibility for the DPW, there is no question about that. It is going to cost a bit more initially, and it will have an operational fee associated with it. But it preserves it. I cannot imagine there is some resident of Hastings who would not give this extra money in order for the bridge to be renamed after them or something.

Mayor Swiderski: If you could get us something explicitly describing this, whether it is an example that you use elsewhere or a formal description adequate enough to evoke a bid, does the Board have an issue with that being forwarded?

Trustee Armacost: Yes, I am game. Absolutely.

Trustee Walker: Absolutely.

Mr. Ryan: I would be happy to do that, Mr. Mayor and the Board.

Trustee Armacost: The more information you can get the better it is for us, including about how to clean it out.

54:14 HASTINGS FLEA – APPROVAL OF USE OF ZINNSER COMMUTER PARKING LOT

Village Manager Frobel: The Hastings Flea is before you tonight for two action items. One is to extend their season. Our current agreement allows them the use of that lot through October. They are looking to hold one in November. At the same time, if you would affirm continuation of that contract with one modification: to allow them to hold a series of flea markets in 2015 beginning in April and running through November.

Ilana Razie, Hastings Flea: We had a successful season this past year. I feel like it has been growing each month, in different ways. The vendors have been happy. I have not heard too many complaints from the merchants overall. We have just started building something and I would love the opportunity to try another year and continue to grow it.

Village Manager Frobel: I have spoken with various departments affected. We support it. There have been no concerns over the past several months. The one change in next year's contract is there is a firm rain date. Currently, it was if the weather was so severe it was canceled for the day. The thought now was if the weather is so severe on the scheduled day it would be the next Sunday.

Ms. Razie: Also, I am going to be, next year, doing this alone. My partner has moved on to another venture so she cannot do it due to time constraints.

Trustee Apel: Do you want April to November, or April to the middle of November, because this says “to November”?

Ms. Razie: It is once a month, so I listed every single month.

Trustee Apel: So it is April through November.

Trustee Armacost: Is the \$200 fee the current fee?

Village Manager Frobel: Yes.

Trustee Armacost: People seem to love it and it seems to have brought quite a lot of people from out of town to the Village. So congratulations on that, and for all the goodwill and good activities that it has brought. And the music, people love the music.

Trustee Walker: As someone who helped staff the Village table, we got the names and addresses of as many people as we could last spring. I was so pleased at how many were from out of town, and they were from the entire New York metropolitan area and many people coming up on the train. And they were all interested in finding out what else Hastings had in terms of shops and restaurants. That was excellent. I have loved seeing, also, the variety of vendors changing, increasing. Each time I go there is something new there, which I like. I think everybody loves to come down and find something, a surprise. Certainly new music and new food, as well.

Trustee Armacost: The Hastings bricks and mortar merchants receive a 50 percent discount on the vendor space fee if they choose to participate, which is a wonderful way of making the Flea support the local merchants rather than take away from them. That is great that you chose to include that initially, and it is a good contribution.

Trustee Walker: And you are encouraging merchants to provide pictures of their merchandise, publicity, brochures, whatever they would like to bring down, which has been appreciated by some. And also we hand out a map of the downtown.

Ms. Razie: Yes, everyone has always asked where to go and where is good to eat. So we have that info.

Trustee Walker: I have noticed on the Flea days that even the downtown looks very alive. Well, let us say a lot more alive than it has in the past.

Ms. Razie: Good. That is our goal.

Mayor Swiderski: As you know, we have been talking about appointing a downtown advocate, and have done so. Over the course of the next few months and year, there may be

opportunities to even better integrate the Flea into the downtown. A number of merchants have asked if it could ever be held up in the Village. I do not know if that is possible, but at least I would want you to keep an open mind in interacting with the Advocate on opportunities to mix it up.

Ms. Razie: Yes. I met with a couple merchants a few months ago, and they were talking about possibly doing a separate event that was more in town. So I am not sure, but working with them on that. I am happy to do that. As far as the Flea goes, logistically with our vendors loading it is a little difficult. It is hard without getting more support from the town, which would include extra costs. It would be difficult, but I am open to working with this advocate and brainstorming and being flexible.

RESOLVED: that the Mayor and Board of Trustees approve the use of the Zinsser Commuter Parking Lot by the Hastings Flea on Sunday, Nov. 8, 2014, and for the 2015 season, as per the attached 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	

55:14 COMPLETE STREETS POLICY

Village Manager Frobel: The Trustees heard several months ago on the advantages of the complete streets policy. We heard about how communities throughout the state are rethinking how we look at roadways. We talked about some sustainable features that are now being incorporated into landscape design of the property adjacent to roadways. From that, I took this to the Safety Council, explaining what it entailed. The Planning Board had an opportunity to review it. WE thought at this time you would be ready to consider adoption of this resolution.

Andy Ratzkin, Conservation Commission: The complete streets policy is a planning guide. It has no dictates, it has no express cost associated with it. When the Village is going to undertake a road-related project, an infrastructure-related project, planning a development, this injects complete street considerations into that: bicycle access, pedestrian access, how will the elderly cross the street, if there is a transit stop, are the crosswalks configured to

optimize access at an intermodal consideration. It is to put these criteria before the DPW or whoever it is in the Village that is sponsoring that change. The most common thing is that we have a re-paving schedule. Striping is the simplest, cheapest thing you could do to indicate crosswalks. Can you build a neck-down? There are all kinds of things that could be done, but it is a first step.

The Planning Board adopted a resolution when we went before them. They wanted to bring to our attention that the Board of Education is also a major source of traffic in the community, and urged us to reach out to the Board of Education. I am not sure how complete streets would work with them, but that is something we are thinking about. They also urged us to look at the Comprehensive Plan and the circulation content, as well, and that is the next step after this is adopted. The last point they were interested in was implementation. We talked in the Conservation Commission about organizing training for appropriate Village staff, maybe in conjunction with other nearby municipalities that have adopted complete streets, to get all the municipalities understanding how to use this policy.

Village Attorney Whitehead: The Planning Board discussion on involving the Board of Education also had to do with the fact that some of the properties owned by the Board of Education are part of major walking routes around the Village.

Mayor Swiderski: There are at least a couple of major county roads in town. If we pass this, does this give us leverage when the county re-paves those roads to stripe it correctly in terms of being in line with this?

Village Attorney Whitehead: It helps you request it. You cannot force them. New York State has adopted a complete streets policy.

Mr. Ratzkin: And has Westchester County, as well.

Village Attorney Whitehead: if you can remind them of their policy it is that much more hopeful.

Trustee Jennings: A couple of points editorial points. The second "whereas" paragraph defines sustainable complete streets. The first paragraph says "complete streets," and the second "sustainable." The sustainable concept seems pretty good to me. I am not quite sure why that word "sustainable," then, is absent in the resolution of what we are adopting. Are we adopting complete streets or sustainable complete streets?

Village Attorney Whitehead: The reference is later in the resolution to vote where it is appropriate. They are two separate concepts. It says, for instance on page three or four

under "applicability," the Village helped consider this complete streets and sustainable complete streets policy.

Trustee Jennings: Yes, I see that. But on page two for "now therefore be it resolved," it is only complete streets. I wonder if a little cleaning up needs to be done on the text.

Village Attorney Whitehead: That is what it is called. That is just a name of the policy.

Trustee Jennings: It seems to me that, Linda, as you pointed out on page three then you say they are not the same. Both of them are mentioned in the sentence under part A, "applicability." So they are synonymous or they are different. And if they are different, I think we should say sustainable directly in our resolution statement.

Trustee Walker: I see it differently. I think they are two different concepts. Not that we could not make all our streets sustainable to some degree, but the second whereas is a definition of sustainable complete streets and there is a reference to it later on. We want to encourage wherever we can to have a sustainable complete street. But it becomes unwieldy to always be talking about sustainable complete streets. It might be confusing, it might make it more difficult to bring it up when you have got a crosswalk to stripe. I see it as important to include in this, but I do not think they are the same thing.

Trustee Armacost: I understand Bruce's point. When you look at applicability, A, because the word "policy" is modifying both, if we are going to use complete streets for policy but then there is going to be a definition of sustainable underneath you need to at least delete "and sustainable complete streets" in that first line of applicability.

Mayor Swiderski: I agree.

Village Attorney Whitehead: What if just in the "now therefore" and the "be it resolved" sentence "establish a complete street and sustainable complete streets policy"?

Trustee Armacost: But then it needs to be called, complete streets and sustainable complete streets policy. Bruce is right. There is an inconsistency there. I understand the point of their definitions, and that is how I read it the first time. But then when we read the sentence of applicability, the word "policy" modifies it. So either you take policy away, or complete streets policy is the terminology that you use when you are referring to policy.

Trustee Walker: Is this the way it is written in the state and county?

Mr. Ratzkin: No, most communities do not have the sustainability aspect. New Rochelle does and the top of page three the design guidelines refer to complete streets and sustainable complete streets. And then appendix A, which is attached, is also titled that way.

Village Attorney Whitehead: So there have been two versions of this passed in different places: one that includes the sustainability concept and one, in some communities, that have not incorporated that. So this is trying to incorporate sustainability. It certainly played with the language a little.

Trustee Apel: You could say the Village shall consider the complete streets policy, which includes sustainable complete streets and then just go on.

Trustee Jennings: My notion is that however we word it I would like for us to incorporate the sustainability aspect. I have not heard an argument about why we should not other than possible confusion. Let us just be sure that the way we say what we are adopting here makes it clear that we are incorporating the sustainability aspects. Because as you say, some communities have not done so.

Mr. Ratzkin: Right. If I could let you know what the intent of the Conservation Commission was. Keep the title simple, complete streets policy is just easier. And then to inject the sustainability criteria through the use of the definition into the criteria that are considered when you go through the exercise

Trustee Armacost: So it is just a question of cleaning up the language and removing policy from modifying sustainable.

Mayor Swiderski: I do not want to necessarily micro edit this now. What Trustee Armacost proposed, dropping and sustainable complete streets, would have done it. But rather than do that and then realize we erred because we did not fully clean it up, just clean up that text and we will vote on it next time around. I think we are in agreement on the idea. We just want to make sure.

Trustee Jennings: I have another couple of things that might be corrections. On 3 of 4, under applicability section C, it refers to subsection B below. I think that must mean D, not B, right? Also on the last page, we talk about the town engineer. Should that be village?

Trustee Walker: But we do not have a village engineer. And I do not know that necessarily in making these determinations, whether we always need to have a consultant engineer working with us. We do not need to make that a requirement. Yes, it would be useful in many instances to consult with an engineer, but maybe not in every instance.

Mr. Ratzkin: I do not think it is mandatory.

Village Attorney Whitehead: Why do we not say, under agency, where it deems necessary in consultation and consulting Village engineer, something like that. So they can decide, we can figure this out on their own or we need help. Typically it will be the Planning Board, sometimes it will be this board.

Trustee Apel: I am in favor of the policy. The question is, does it affect any current laws we have on the books?

Village Attorney Whitehead: It is policy. It is saying think about these things when you are doing things.

Mayor Swiderski: Are you worried about implied retroactively and imposed cost?

Trustee Apel: That, or people looking at this and say now we can have our kids bicycling up and down the streets and doing things because the Village wants this policy. It is a policy that comes from us, or are people going to come and say we want to be able to do such-and-such on the streets now because this is the new policy.

Village Attorney Whitehead: But the policy does not say ride your bikes all over the streets. It says try to provide safe bicycle lanes where you can.

Trustee Apel: What the individual family decides to provide their own bicycle lanes?

Trustee Armacost: But we do want people riding bikes on the street. I think the answer would be yes, we love it.

Trustee Apel: I am not saying that. I am saying people then providing their own bike lanes.

Trustee Armacost: How can they do that?

Trustee Apel: They put orange cones in the streets.

Village Attorney Whitehead: One a Village street you do not have to allow them to do that.

Trustee Apel: People are putting cones all over the place. If you go around the Village now, you will see people are deciding to put cones up. I am not saying it would be ideal, it

would be great if we had big esplanades and we had all this space. I am just saying if people take it upon themselves to do this, how does that fit in with what we have as policy.

Trustee Jennings: I think I know what Marge is getting at and I think I know a way to formulate the question. As I read the resolution, it is talking about transportation activities, about using the streets to walk on, bicycle on, get from point A to point B. There is another thing that happens in Hastings which used to happen on my own street. You close the street off and you play on it. It is like a street fair or a neighborhood block party or Friday Night Live. But that is not envisioned under this. This should be neutral about our policy concerning letting people close off streets and turn them into pedestrian play areas, not pedestrian transportation areas.

Mr. Ratzkin: I do not see this as relating to that in any way. That is a law enforcement issue.

Trustee Armacost: They have to get a permit.

Mayor Swiderski: But does this enable unilateral actions on the part of citizens to stripe their own bicycle path or set up their own cones for bicycling or, for that matter, a walkway where none exists now?

Village Attorney Whitehead: No, it is still Village property. They do not have the right to do that on Village property.

Trustee Walker: I have a question on page 3-A, the design guidelines. Did we have design guidelines?

Trustee Apel: Yes, we got that list sent to us.

Village Attorney Whitehead: Susan, can you make sure that when we bring this back that it has the appendix A with it? The resolution refers to it so let us have it attached.

Trustee Walker: Design guidelines, to me, are actual drawings or diagrams, not just a list. So maybe we should call it something else. This is a list of things we should be considering. I would not call that design guidelines.

Village Attorney Whitehead: Just call them guidelines.

Mayor Swiderski: Design considerations.

Trustee Jennings: I recall us talking about a program called walkable. Did we join that? What would be the relationship between complete streets and walkable communities?

Trustee Walker: We talk about walkable communities all the time, but I do not know of a specific state or federal program necessarily we would join. Do you, Andrew?

Mr. Ratzkin: No.

Trustee Jennings: OK, so it is not a formal entity, but it is a concept.

Mr. Ratzkin: There was a Safe Routes to School grant program.

Trustee Walker: Federal and state program. And that is official. Walkable streets I do not think is official. There definitely are other federal programs like Safe Routes to School which we could look into that have to do with livability in streets. We can get into that later, but it is not part of this.

Trustee Jennings: I thought about that apropos of the Planning Board comment when summarizing. A walkable community is a community that would have accessible streets, but also trails, paths, aqueducts. So it encourages walking in many different ways, not just on the streets, if streets are a definable entity. The school district does not own or maintain or control any streets, does it? So the role of the school board in this is not clear to me except insofar as the school board has, on its property, walking areas or walking paths.

Mayor Swiderski: Sidewalks.

Village Attorney Whitehead: Not just sidewalks. People walk through Reynolds Field to get anywhere.

Trustee Walker: People walk on the path from the pool.

Trustee Jennings: Yes, but those things are not included here. Those things are not streets. We are not redefining them as streets either.

Village Attorney Whitehead: No, I think the concern was more that when you are talking pedestrians, pedestrians who are using your streets are also either going to a school or crossing school property.

Trustee Armacost: And the same thing with bike riders. There are quite a few kids who bike to school.

Village Attorney Whitehead: The Safe Routes to School is something that becomes more of a joint program with the municipality and the school district.

Trustee Walker: It is more comprehensive. And to your question, Bruce, I was at the pro-walk, pro-bike conference in Pittsburgh a few weeks ago and there were tables set up by non-profits promoting walkable communities. There are organizations you can join and information to be had if we want to become what we call a walkable community. It is not a state or federal program, but there certainly are some things. I was just remembering walking up to one table and, with my name tag on, I said I think I should become part of our walkable community efforts since my name is Walker. That is why I remember it so well.

Village Attorney Whitehead: So we will tweak the language and bring it back.

VILLAGE MANAGER'S REPORT

Village Manager Frobel: Sidewalk restoration work along Main Street began this week. This is the work required as a result of the Con Ed gas main replacement project last summer. It should take upwards to four weeks to complete. There will be periodic interruptions from use of the sidewalk. Safety is of paramount importance to us. Access to all the stores will be open at all times. We are working with businesses to minimize the disruption, trying to do work in front of certain stores during certain hours to try to reduce the interruption they may experience as a result of this. We will be doing periodic notices to the community to keep you informed, but four weeks is what we are expecting it will take to complete the project. A lot of it is weather-dependent, but the contact is very confident that he should be able to get it done within the designated period of time.

Mayor Swiderski: Once Main Street is done will it be re-paved?

Village Manager Frobel: I do not want to get too late in the season. Our goal has always been to have it resurfaced this calendar year. We asked the contractor, and he accommodated us, by beginning the sidewalk restoration near the Hook and Ladder building. We want to begin up there, and to complete Main Street first rather than Warburton, Spring or West Main. He did that for us. So we are trying to set ourselves up to having it resurfaced this year. That is still our goal, yes.

Trustee Walker: Can I add to your report, Fran, that you and I and Mike Gunther and the police chief met with the contractors who are doing the sidewalk repairs. I was concerned there would be a patchwork of repairs and it would be white, gray, white, gray. But I was pleased that they are taking fairly liberal amounts of sidewalk to replace. It is not just one

section. If there is a section of undisturbed sidewalk between two areas of disturbed, they will re-pave the undisturbed. I felt comfortable that they were doing a big enough swath in each case that it was not going to be a nasty patchwork. We did discuss coloring the new sidewalk to match the old. But we decided that was a moot point because it grays out pretty rapidly and after a year or two you do not notice the difference.

Village Manager Frobel: And to that point, Meg, I met with the contractor. By the way, it is Colonial Concrete. It is a different contractor than we met with.

Trustee Walker: Do we need to meet with this one?

Village Manager Frobel: That was today, and with company officials very much up to speed as to what we want. Everything you just said is exactly into their program.

Trustee Walker: OK, good.

BOARD DISCUSSION AND COMMENTS

1. Proposed Alarm Systems Local Law

Village Manager Frobel: The alarm system been discussed over the summer months and has gone through several versions. We went into this with the intent of clarifying, making it clear to the homeowner, to the businessman that we expect them to keep their fire alarm systems in good working order to reduce the incidence of false positive readings. We think we have done that. Attorney Whitehead has polished it up and incorporated the comments at our last work session on it.

Village Attorney Whitehead: Some of the things we talked about at the last meeting have been cleaned up. I did send this to both the Police Chief and to the Fire Chief for them to look at. The Fire Chief had just one comment, although now that I have gone back through the notes I have a couple of questions for him. The one thing that he raised, and it is something we talked about when we spoke about this last month, is in the section on penalties for offense; basically what we have developed a sliding scale for fees that get done through the Village Clerk's office for a false alarm. The first two are free, but you get a warning. The third false alarm is \$125, the fourth false alarm is \$250, an additional is \$500. They are payable based upon a notice which will be sent from the Village Clerk's office. There is an appeal process to the Village Manager. That is the same as you previously sought.

The language in here said if they do not pay as required we give them 60 days. If they do not pay after they get the notice, then they are subject to a fine of \$500 for each offense. The

way this is written now is that it would go to court. There was some discussion, instead, of setting it up where if they do not pay it can be put as a lien on their tax bill rather than having to go through the court system. There was some discussion, which I found out this afternoon, that this had been previously discussed at Board meetings before I was here. So I did go through those minutes today, as well. That is something for the Board to decide if they would rather keep it completely out of the court system and if someone does not pay the Village has the right to put that as a lien and add it to the tax bill. The initial fees we have definitely moved out of the court. I think the real intent of this was a couple of things. It was to get it out of the court, and it was to increase the fees. And to eliminate the registration requirement?

Trustee Armacost: This applies irrespective of whether it is a home, a business, a not-for-profit. So it will apply equally to the school?

Village Attorney Whitehead: You are going to have trouble regulating the schools.

Trustee Armacost: I think that is where our biggest offenders are, the Graham School.

Village Attorney Whitehead: My understanding is that that has been brought under control.

Village Manager Frobel: Yes, I was going to offer that as a comment. The work of our fire departments and Chief Drumm has been remarkable. But just this week that the number of calls for false alarms has diminished to almost nothing. The big calls now are malicious, not the thing too close to the showers or those kinds of false alarms.

Trustee Armacost: So what happens in the case of not-for-profit entity?

Village Attorney Whitehead: Same thing.

The other thing I need to just check with the Chief about, on going back through some of the notes, is in what is now 86.6, whether he wants that to read automatic cutoff or shutoff. There was some back and forth on that. I will confirm that with him this week. Does the Board want to change 86.8 so that it is a lien rather than a fine that would have to go through the court system?

Trustee Armacost: I thought we discussed this the last time and you thought that was not possible. But it now is possible?

Village Attorney Whitehead: I did not say it was not. It is possible.

Trustee Armacost: To me, we need to have some recourse for it.

Mayor Swiderski: What happens in terms of not-for-profits?

Village Attorney Whitehead: They can still get charges on their tax bill.

Village Manager Frobel: It would be a lien on their property when and if they ever were to sell it or refinance it.

Village Attorney Whitehead: Right, and they do have to pay certain charges. Some not-for-profits pay certain other types of charges. They do not pay municipal taxes. But it is a bigger issue with the not-for-profits because you are never going to foreclose it and collect it if they do not pay it.

Trustee Apel: If it is on somebody's taxes then every year you are going to catch up and make the money. But if you wait for a not-for-profit, they could never sell. It would seem to me, in that case, it would accrue interest, because otherwise we would have gotten the money right away. If that is there, then that lien should accrue interest if it is not paid within whatever amount of time.

Village Attorney Whitehead: You still risk, with the not-for-profit's, never getting paid.

Trustee Apel: Then how can we get paid?

Village Attorney Whitehead: You have to take it back to making it a penalty through the courts.

Trustee Armacost: The problem with the not-for-profits is that they are regulated various kinds of laws and it is difficult for them to get their approval each year if they have too many liabilities associated with them. They end up getting in trouble with their auditors. It depends how well-regulated they are.

Village Attorney Whitehead: It depends on the not-for-profit.

Trustee Apel: If we decided not to do the lien, then it would go to court. Do we know the numbers of people we think are going to get to this point?

Trustee Armacost: There were quite a few. It depends how effective it is. The point of this is to reduce the numbers to almost nothing.

Trustee Apel: What if this year we tried it out and you have to go to court, and let us see what our numbers are in a year.

Village Attorney Whitehead: Or see how many do not pay that we even get to this point.

Trustee Apel: Then it may be that we never get to that point where anybody goes to court. That way we cover ourselves. In a year we should revisit it and see how that particular clause is going.

Village Attorney Whitehead: So leave it for now. Everybody OK with that?

Trustee Apel: Let us put that on the tickler list for next year.

Village Attorney Whitehead: A question also came up at the last meeting about whether we can enforce this in the areas of the fire district outside the Village. You cannot enforce a law on property outside of the Village limits. However, the town does have an alarm law with fees and charges, as well. The best thing would be to have in the contract with the town for fire service that they agree to enforce it within those areas, based on information provided by the Village, and they agree that a portion of that fee will come back to the Village as the ones who responded to the alarm. There were issues that a lot are coming from Donald Park and St. Andrews.

Trustee Armacost: And is that contract not due to be renegotiated again soon, Fran?

Village Manager Frobels: It is, yes. I am working on it now, in fact. I was going to over the summer, but then I realized Greenburgh batches them. They will not do Hastings separate. They want to do Hastings, Elmsford, Dobbs.

Trustee Armacost: So that is helpful. If we can add this in, that would be great.

Village Manager Frobels: We will.

Trustee Jennings: I have a question about the appeals paragraph, 86.5. It says stating the basis for the appeal, and then the Village Manager holds a hearing, and then the Village Manager's decision is final. Should we provide guidance, perhaps in an ancillary document, to people who might have to undertake an appeal, explaining the criteria we would be looking for and explaining what the process involves. Just saying holding a hearing is vague. Can I be represented by my lawyer or this or that. I am not sure it is terribly user-friendly or terribly friendly to the Village Manager either because the is extremely open-ended.

Village Attorney Whitehead: Yes. I think this section came from some other municipalities that have a similar appeal. Some of them make the Board of Trustees the appeals board so I think that is why the hearing language.

Mayor Swiderski: No, thanks.

Village Attorney Whitehead: But I think it is also hard to cover, because I have heard a bunch of these in other municipalities. You never know what people's reasons are going to be for coming in and saying will you reduce my fine. Sometimes you will get someone who comes in and they had three or four in a week, and it was because the alarm company was not answering their calls to come fix the alarm. You just never know, so it is hard to make it blanket because we are going to miss something. There are situations that come up. It is an equitable kind of thing.

Trustee Jennings: I realize we cannot necessarily anticipate all the possible scenarios. But since this is triggered by the event of an alarm, not by the discretion of an officer responding to the alarm, assessing the situation and issuing a summons...

Village Attorney Whitehead: That is why you have the appeal.

Trustee Jennings: So an evaluation is not going to be done at that level. The only evaluation is going to be the appeals process. So although you cannot anticipate every possible eventuality that somebody appealing might describe, you certainly can give some generic categories of what we will excuse. How do we handle something that is in fact the fault of the alarm company? How do we handle things that are beyond the control of the person who was cited? Even if it is just advise our Village Manager, we should at least discuss this in executive session as a matter of policy and procedure.

Village Attorney Whitehead: I think you are giving him, obviously, some discretion.

Village Manager Frobel: Yes, I am going to have the report from the fireman and the policeman saying the shower set off again or the oven set it off by mistake. We are going to hear those things. When it happens the third time, when it has reached this level, they should have taken corrective action by that point. So there is going to be some discretion.

Trustee Jennings: And how about the kids who pull the handles?

Village Manager Frobel: That is criminal.

Trustee Jennings: So it will not count as an occurrence here if the police or fire people go to the scene and see that this happened this way. It is an alarm that somebody had to respond to, but if they determine it was done for a certain cause it will not be counted in this.

Village Attorney Whitehead: It is up to the police and the fireman. They have some discretion as to whether to report it as a false alarm. Nothing gets triggered, no charge, until it is reported as a false alarm.

Trustee Jennings: All right, so that is the safety net. It will be caught at that level.

Village Manager Frobel: The next step, Mayor, if the Board would agree, we would set it for a public hearing.

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

RESOLVED: that the Mayor and Board of Trustees hereby schedule a Public Hearing for Tuesday, Oct. 21, 2014 at 7:30 p.m. or shortly thereafter to consider the advisability of adopted Proposed Local Law 3 regarding Alarm Systems.

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	

2. Proposed Vehicle Immobilization Local Law

Village Manager Frobel: We discussed this at least at one other meeting. We have taken the comments we heard from our work session and done a little more research from what we have seen working in neighboring communities along with our own staff who are responsible for enforcing ticket collection. We gave all that to Attorney Whitehead, again, and she took it and put it in the format that is ready for holding a public hearing.

Village Attorney Whitehead: This has been, again, run by the Chief of Police. His final comment is addressed in this version. It has also been run by the Court Clerk as the one who is responsible for collecting the money. They are both OK with it. We tried to get some

information on one issue, which is when the state considers you a scofflaw, because the question came up that you could be a scofflaw, and this is in 283.47A under the state rules, with less than \$500 due just based on the number of tickets. But both Chris and I searched the website and neither of us could find details on when New York State would suspend a registration or consider you a scofflaw. You are looking to do this as a way to collect the money from unpaid tickets so I think it is OK the way it is.

Mayor Swiderski: For clarity's sake: I owe \$500. I park downtown, walk away for six hours, and find a boot on my car. I am bad. I am due that boot. It will cost me \$650 to get out of the boot.

Village Attorney Whitehead: Plus the fine. The \$500, plus \$150. But if you damage the boot, you have to pay \$600, because then you have to pay to have it released, and then to replace it.

Mayor Swiderski: What is the training involved?

Village Manager Frobel: They brought in some to show me. They are very simple. It just clamps on.

Mayor Swiderski: And how much do they cost?

Village Manager Frobel: I would say under \$600 to get one that's heavy enough.

Mayor Swiderski: Paint the picture. What triggers the call for the boot? Is it the parking attendant who recognizes that this is a scofflaw?

Village Attorney Whitehead: I think they were going to use the license plate.

Village Manager Frobel: Right. The Chief will input the data into the plate reader.

Mayor Swiderski: So the police car stops, and then what happens?

Village Manager Frobel: He sees that this is, in fact, the vehicle that owes the Village \$1,200 in parking tickets. Linda?

Village Attorney Whitehead: For 18 months.

Village Manager Frobel: That is right, the two conditions. Then they take steps to place the boot on the car with a note, which is spelled out in the ordinance, indicating what the

problem is. So when the motorist comes back, he is going to see, Oh, yes, OK, tickets. I have to go to the police station to square this away. That is how it will work.

Mayor Swiderski: Mechanically, the reader goes off. They are not going to be carrying one around in the trunk, are they?

Village Attorney Whitehead: They call.

Mayor Swiderski: They will call, and who does the install? Another officer or DPW

Village Manager Frobel: It could be the meter maid, although they are a little heavy. I think in Dobbs they have a traffic division so it is a gentleman who does it. Here, it could be any police officer or a meter maid personnel.

Mayor Swiderski: The person comes back. Will there be police in attendance to make sure that person has neither harmed nor does anything untoward in terms of damaging the car? They guy has the boot, puts the boot on the car. Is there an officer there watching this happen?

Village Attorney Whitehead: As long as they are installing the boot.

Mayor Swiderski: And finally, it is perfectly possible that that car might be parked in front of somebody's house. So the police car could be cruising down a side street and have that plate reader trigger off. Is here an attempt to notify the owner, or not?

Village Manager Frobel: I would say at that point it would be who received it.

Mayor Swiderski: That is the way it should be. I just want to make sure we are not going to make the exception.

Trustee Apel: What if it is in your own driveway?

Village Attorney Whitehead: I do not think they can do it in the driveway.

Village Manager Frobel: No, we do not believe we can.

Trustee Jennings: So this is going to be a device. How is it that you are cruising down the street? I could see it if you've got somebody who has made another violation and you check them.

Mayor Swiderski: The cigar-shaped boxes on the back of the police cars read plates. There is a database stolen cars, everything.

Trustee Jennings: So they are cruising around the Village reading everybody's plate.

Mayor Swiderski: 24/7.

Trustee Jennings: But what is then done with the data? In addition to this booting business, you are going to be able to tell that such and car was in front of such-and-such a house such-and-such a time. That is collecting a lot of information.

Village Attorney Whitehead: Do they collect that data?

Mayor Swiderski: We certainly do. They maintain it. That is how we found the home invasion people. They ran the tape on the plate readers and they found cars. They keep the tapes. I do not know what the periodicity is.

Trustee Armacost: The section which is 282.49, the tampering with section, a mechanic could be the one who is asked to tamper with the car to remove it, meaning he is not being authorized. Anyone who is not authorized by the police is tampering whether it is the owner or a mechanic or a friend.

Village Manager Frobel: Yes.

Trustee Armacost: Then this first section of the penalties, which is 282.51, any person violating any of the provisions of this article shall, upon conviction, be punishable by a fine not to exceed \$250. So that would include anyone who tampers.

Village Attorney Whitehead: Yes, somebody who tampers.

Trustee Jennings: I think I heard something like this on the news, where somebody has an emergency situation. They come to their car, they need to go to the hospital, and the car is immobile. Obviously call 911. But is there anything protecting the Village from liability because we have immobilized a car? Granted they are scofflaws, but some untoward consequence. Maybe some person hates violators and sees the boot and vandalizes the car. Do we have any responsibility?

Village Attorney Whitehead: I would have to look into that. Certainly this is being done in municipalities all over the country. So I think if that was an issue ...

Trustee Jennings: Actually, what I heard was a news story about a new thing with loans, They can turn the car off by remote control.

Village Attorney Whitehead: I did hear that. I did not hear about the need to go to the hospital, but I heard that they can do that. They hold a car if they have not paid a loan. I would think you would be in a better position than they would be. You are governmental, they violated a law, you have disclosed that this is a risk. We can take a look at it.

Mr. Bell: There is this one section here, release a vehicle to owner. It says in the rare instances for the owner it might be unavailable, a clearly legible copy of the registered owner's driver's license must be submitted with a notarized letter. Some owners of cars do not have driver's licenses, but other people drive them.

Village Attorney Whitehead: You cannot be a registered owner of a car if you do not have a license.

Mr. Bell: I am not sure if my grandmother has a driver's license, but when my grandfather died I think the car transfers to her name. So I am not sure how that works.

Village Attorney Whitehead: It could not be registered. It may still be registered in your grandfather's name.

Mr. Bell: I was not sure if that was going to be a problem for somebody. Was there anything else in that one little section that was strange? Oh, that nobody else could come pick it up unless that person had no tickets themselves. Where did it go?

Village Attorney Whitehead: It goes by the registration of the car. The names on the list will be who the car is registered to. Parking tickets are done off of license plates and registration, not the individual.

Trustee Armacost: So the spouse who the car is not registered to is innocent in that sense.

Mayor Swiderski: Yes.

Mr. Bell: This part that says the authorized person, 282.50 section B, must have no unpaid summonses in their own name or in relation to a vehicle owned by them, and must possess a valid driver's license themselves. So it seems if they might have one other unpaid parking ticket or a moving violation that perhaps has not even shown up yet, they did not even have a court date to go fight it yet, they would not be able. It is still an unpaid summons, their court date is sometime in the future. So they could not go claim the car.

Village Attorney Whitehead: It is not technically an unpaid summons if there has not been a fine assessed, and there will not be fine assessed if they have a court date pending.

Mr. Bell: OK. But if they did have even 20 bucks they would be in trouble, could not pick up the car without paying for it?

Village Attorney Whitehead: Then they should find somebody else to pick up the car.

Mr. Bell: Maybe easier said than done for some people.

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

RESOLVED: that the Mayor and Board of Trustees hereby schedule a Public Hearing for Tuesday, Oct. 21, 2014 at 7:30 p.m. or shortly thereafter to consider the advisability of adopted Proposed Local Law etc. XXX.

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	

3. Update on the Downtown

Trustee Walker: The only update I have is on Friday Night Live. The next event is going to be the Friday Night Dead, which is going to be not in the downtown but up at the pool. It is a wonderful haunted house event that the Parks and Rec Department is putting on. It was very successful last year, very popular. There is food and music and all kinds of scary things, including the scary haunted house. That is going to be on the night October 24.

Then Bruce and I have conferred. We were hoping to do a literary Friday Night Live which Bruce was going to be the master of ceremonies for in November. But we are going to postpone that until spring for a variety of reasons. We will have more time to put it together, I think we will get a better venue. At any rate, I think we have time to put together a much more exciting event.

Then there will be a holiday event in early December, and I am pretty sure it is the first Friday but I do not have it in front of my. This is the tree lighting event. I know that is in planning right now, so I cannot really describe what is going to be happening.

That is through the end of the year. Next year, we hope to have a whole new exciting list of activities.

4. Other

Trustee Armacost: I would like to commend Fran and the Chief of Police for the informative e-mail they sent out regarding scams. I wanted to raise it in this context because there are some people who do not receive e-mails. There have been a number of scams with people claiming that they are from the IRS calling homeowners. Some of them sound fairly authentic. Some of them are using voices which sound foreign, and the numbers are not legit and they are quite threatening. The advice in the e-mail was fantastic. There are a set of numbers that can be called. Fran, could that be put on the Village website or in a place where people who maybe do not receive e-mails can get access to that information? Or maybe they can just call the police department.

Mayor Swiderski: The library will post it. That is a classic for information.

Village Manager Frobel: The person who has taken the lead on this from me is Raf Zaratzian. Raf is extremely knowledgeable. Whenever I talk to him about any of these things that you bring to my attention he knows about it. I will ask Raf to distribute it as widely as he can throughout the community.

Village Attorney Whitehead: The most important thing that was said in the email is that the IRS will never contact you by phone. They will send a letter. So if you get a phone call from anybody who says they are from the IRS they are not.

Trustee Armacost: And definitely do not call them back, and definitely do not give them your number or any information about you.

Trustee Apel: There was another scam. I got something in the mail saying something is wrong with your computer. I know it is a scam so I called them back and what they wanted was that we will help you fix your computer. Go on your computer.

Village Attorney Whitehead: And give them access to it?

Trustee Apel: What ends up is that people give them access to the computer, and then they will take all your information out of your computer. So I said no, I do not think I need any help. Somebody is always calling and trying to get information from you or getting you to do something or give them something. The answer is always no thank you, I do not need help right now. Let me take your number and I will call you back, and then hang up.

Trustee Armacost: But certainly report those numbers. People who are doing that kind of thing are exploiting people who are quite vulnerable and it is not OK. Citizens need to respond so the police force and various officials are able to crack down on them. It is quite difficult to do, but sometimes with enough information they can crack down on them. Anyway, thanks to Fran and Raf and Chief Visalli.

EXECUTIVE SESSION

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

ADJOURNMENT

On MOTION of Trustee Apel, SECONDED by Trustee Armacost with a voice vote of all in favor, Mayor Swiderski adjourned the Regular Meeting at 9:10 p.m.