

VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
REGULAR MEETING
DECEMBER 9, 2014

A Regular Meeting was held by the Board of Trustees on Tuesday, December 9, 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. Frobela, Village Attorney Linda Whitehead, and Village Clerk Susan Maggiotto

CITIZENS: Fourteen (14).

APPROVAL OF MINUTES

On MOTION of Trustee Apel, SECONDED by Trustee Armacost with a voice vote of all in favor, the Minutes of the Regular Meeting of November 18, 2014 were approved as presented.

APPROVAL OF WARRANTS

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

Multi-Fund No. 39-2014-15 \$171,261.79

PUBLIC COMMENTS

John Gonder, 153 James Street: It has been a long time since we got a report on BP, the cleanup. In fact, it was September 2 the last one. That is 98 days ago. That is like almost a third of a year. So I will give you a report on BP. They sold off 25 percent of some of their South African holdings. They sold off four North Slope oil fields in Alaska. Gross negligence, everybody knows, in 2010 in the Gulf. BP has overcharged California for natural gas, and there are going to be some problems. BP's earnings falling because of price of barrels of oil down to about \$63. All kinds of problems in Russia. BP will do anything to delay your cleanup. I ask you a lot of times why do you not give them a permit or something, and you say they do not request a permit. Absolutely correct. They want to delay, delay, delay. BP may be bought up by someone, such as Shell or maybe Exxon Mobil. Not 100 percent, but there is a good chance. And then what do you do? I do not know why we are not negotiating every week or once a month with these people. They want you to delay it. When you say they did not ask for a permit, that is in their favor. Because then they come, it will be another six months or a year before they get all this straightened

out. Your consultant, Jeremiah Quinlan, was a Trustee and a real good guy, honest and stuff. Maybe he can give us something that is going on down there in BP.

Mayor Swiderski: Thank you. And with that, a welcome to the Scouts who are here for the civic responsibility component of their badges. Welcome.

Other public comments?

Dan Sbrega, 57 Hillside Avenue: Eight neighbors and I signed an e-mail last night in regard to a safety hazard, the lack of sidewalk on Hillside, Rosedale to Farlane Drive. We realize this is a long-standing issue, but I wanted to bring it up to the Board and see if anything could be done. There are a lot of children with traffic, distracted drivers, et cetera. So with that, is there anything that can be done? .

Mayor Swiderski: This is public comments. We do not typically respond. However, I will say that your timing is good, given that we are talking capital improvement projects. This is the sort of thing that typically shows up in the capital improvements effort.

Mr. Sbrega: We understand it is a long-standing issue. But the distracted driver thing is a big issue. My wife or I walk my son. We have three children, my oldest goes through Hillside nearly every day, and every day there is nearly an incident either with us or someone else we see walking on that street. With Chemka, Sugar Pond, it is a heavy pedestrian area.

Mayor Swiderski: And that stretch has appeared in every traffic study or discussion about missing sidewalks in the Village for awhile now.

Trustee Walker: In addition to the stretch that is just south of that one, where there is almost no sidewalk; between La Barranca, and the building to the south and Washington Avenue. I do not know if you walk that direction, but it is even worse.

Mr. Sbrega: And I know you will not answer this tonight, but is there any more that we can be doing to help this cause?

Trustee Walker: We can bring it up with the state again because this is all in the state right of way.

Mayor Swiderski: The one on Broadway, not the one on Hillside. Hillside is ours.

Trustee Armacost: The other place that is of concern is along what the kids call "scary street."

Mayor Swiderski: Farlane.

Trustee Armacost: Which also does not have a sidewalk. At least it gets cordoned off at certain points of the day. We are going to hear some thoughts from Fran on some of this in a while. It may be that, without making any promises, one of the things we are able to consider in the capital budget is sidewalks in different places. Obviously, they have to be prioritized. It may be that yours do not get included, but we will certainly consider them.

Mr. Sbrega: We cannot think of a higher priority than this stretch. I know it sounds selfish with us living there, but a great deal of pedestrians, local residents, travel that street daily.

Mayor Swiderski: I should have announced this before the call to order. Tonight consists of two meetings. One is the regular meeting. Upon adjournment, we will move into a capital projects work session, which is a discussion among the Board to review recommendations by the Village Manager on capital projects.

Peter Rockwood, 51 Buena Vista Drive: I am the owner of Rockwood and Perry Fine Wines and Spirits. In relation to the plastic bag ban, I had submitted to the Board a request to look at a bag I had researched not made of photochemical, which is biodegradable and compostable. I had heard today that the excellent Elisa had put it into her compost pile and found out it did compost. So I am asking for a response to see if I can use this in replacing the plastic bags that I have been using in the store.

Mayor Swiderski: I do not want to respond for the Board, but topics around plastic bags and what we will be implementing and in what order, since it is a part of, unfortunately, litigation, we are going to have a discussion on that topic in executive session. We will make sure we cover that issue tonight when we go over exactly what we are rolling out, and when, on the plastic bag ban effort.

Mr. Rockwood: That will include a response to my ...

Mayor Swiderski: Maybe not tonight, but certainly in the next few days, yes. Yes, it will.

Trustee Walker: But I did speak to the Conservation Commission about addressing this issue. Can we talk about it?

Mayor Swiderski: I would rather keep it in executive session.

Village Attorney Whitehead: Because it is a matter of pending litigation.

Trustee Walker: A biodegradable bag is a part of litigation?

Village Attorney Whitehead: It is related to the definitions. It relates to things in the code you are adopting.

Bryan Healey, 13 Summit Drive: I come before you tonight to bring a proposal to your attention which I think will be beneficial for the seniors of our village. I work as an election inspector for Westchester County. In this most recent election, parking was very tight at the Community Center, where four election districts vote. Many of our senior citizens had difficulty walking from Boulanger Plaza or the A&P. I had one gentleman even tell me that he had come and brought his mother to the polls because she was not able to get there herself. I thought there had to be a better way. I came up with the idea of using the senior van as a shuttle for our seniors and disabled residents on election day. Anyone who wishes to vote could simply call and make an appointment a couple days ahead of the election and the bus would pick them up at their home at the designated time. I brought this idea to the attention of the Senior Council at their last meeting, and all members present were 100 percent supportive of the idea. I hope that you will consider implementing this idea for the 2015 elections.

Patrick Randolph Bell, Prince Street: One of my hobbies is to read old Village minutes from the Board of Trustees meetings. I found one that Mr. John Gonder had brought up, and this refers to the sidewalk issues. I live on Prince Street, I often walk on two streets, High Street or Farragut, going to the Village. On that corner of Farragut and Green, Mr. Gonder said what is up with the black pavement there. I think this is a county road, maybe it is something we should address with them. Part of it is on Green. Why is it? If we are beautifying this Village corridor, which Tim Downey has been very involved with, why has that not been fixed to a proper concrete, or the original which you can see right there to the left of the Valero. The original brick from the old trolley stop. It might be very nice to make that all brick. Then as you continue down Farragut, on the west side where there should be a sidewalk, many times there is no sidewalk. It is mud during the wintertime, it is snow, it is black pavement that has not been properly repaired. It is a treacherous and dangerous walkway. It is not as much as right here, where we have to walk in the middle of the road. But it is something that should be fixed, as our main corridor from Uniontown to the Village.

We vote at the Uniontown firehouse in Uniontown. Because of that, we often have to walk up and down High Street, which is dangerous on the best of days. There are no sidewalks there. This whole intersection between Prince and High and Farragut and High have been the subject of other safety board meetings. We own the first five or six feet of all of our own roads that go in. We should build a sidewalk there. Depending on what side you build it on,

we might also be able to clear out some of the trees that are causing traffic hazards from visual right of ways when you try to see up and down where the traffic is coming. You might be able to kill two birds with one stone.

The second is me erecting a Festivus pole and another holiday display in the VFW. This year, the Board came up with a brand-new policy. So after jumping through hoops for the last year to try to fulfill all the requirements that our policy, which I do not know if that is a real law or even enforceable or constitutional, I have been trying to follow what the Board has asked me to do to the best of my ability. Yet yesterday, one of our other groups which is not from this village has defied the Village policy. Purposely defied our Village policy to not wait for approval to erect the Chabad of Rivertowns menorah. I wonder what the Village thinks about this. I spoke to the Chief of Police, Tony Visalli, last week for 20 minutes about what would happen if I do not go through with this and I just try to fight it, put up my display no matter what. He said depending on what my boss says, which he said was Mr. Frobel, which, when I looked at the Village, the way the Village is structured, I think he may be mistaken. Who is the boss of the Chief of Police in our village?

Mayor Swiderski: That would be me.

Mr. Bell: So depending on what his boss told him, to either take it down or not, is what he would do. When I saw Mr. Frobel, yesterday I went in there, I brought my paperwork in. I am still going to be jumping through some hoops on this. We will see how this turns out. The menorah was already up. Mr. Frobel was surprised as was I because as of the Wednesday before Thanksgiving there was no paperwork submitted by Chabad of the Rivertowns. Supposed to be 10 days before you erect whatever your holiday display may be. They hand the paperwork in, within five minutes, I betcha, that menorah is up. I wonder if you guys are going to follow your own policy. Are you going to take it down? Are you going to hold them to the high standard you are holding the other people in this village? Or are you going to succumb to Chabad of Rivertowns because of their litigious nature?

It is still up there tonight. It has now been up for over 24 hours. Is your policy an impotent policy that has no true meaning and no true law backing it up? By the way, the policy is full of spelling errors, bad corrections. I do not know who put it together. Multiple words, repetitive sentences that should not be there. I do not know what is up with that. I am not proud of the policy as it stands. Are you going to follow your own law? Are you going to enforce your own law? Or will you allow someone else to run over our village who is not even from our village. Are you going to take it down, are you going to let it stand? Or did you already approve it even after the fact? And if you did approve it 10 minutes after you saw it, does that mean I can just put something up now and then hope you approve mine?

Mayor Swiderski: It is an administrative matter. It is not a point of law or rules. The Chabad organization, like you and like St. Matthews, is facing a new policy. They understood what it was, they faxed the required documentation to the wrong number. They thought they were in compliance. There was a miscommunication within that organization, where one person thought he had the permission and he set it up. In fact, we do have the documentation on hand and, no, we are not going to take it down. But we do have the documentation and the required insurance.

Mr. Bell: That is perfect. So the 10-day policy, it is OK? You have 10 days before the erection?

Village Manager Frobel: I think I have up to 10 days to evaluate the application. And they have not received permission from me yet. They have not gotten a written permission.

Mr. Bell: Part of the policy also said first-come, first-served. I believe St. Matthews put their paperwork in first. There was an issue last year with St. Matthew church, and Tim Downey brought it to your attention, that said Chabad of the Rivertowns is taking up too much space. It is driving our crèche, our manger, into a place that we cannot see. Once again, that is going to happen. It is part of the reason we are driven toward this policy. This is why we require a visual description, whether it be a drawing, a sketching on a napkin. Which I still do not believe, as far as I know, maybe you could let me know. Did anybody send you a sketch on a napkin yet from either the Chabad of the Rivertowns or St. Matthews? Has anybody actually fulfilled all of the requirements as laid out in your policy?

Village Manager Frobel: They provided a photograph and the dimensions.

Mr. Bell: Who was that, St. Matthews or Chabad?

Village Manager Frobel: Both.

Mr. Bell: Today?

Mayor Swiderski: You know, this is not a court of law where you asking us questions. We will respond ...

Mr. Bell: I need to get on the record. Which brings me to my last topic in a second.

Mayor Swiderski: This is the last topic because we are well over the five minutes that you are allotted. We are happy to respond to the questions by e-mail, but this is not a prosecutorial issue where you grill us and expect answers.

Mr. Bell: I am just trying to find out what is going on.

Village Attorney Whitehead: It is also not a Board matter. It is an administrative policy issue.

Mayor Swiderski: Right. And you were in earlier asking these questions, and got many of your answers. I understand you want it on record, but ...

Mr. Bell: My only last thing, 10 seconds.

Village Attorney Whitehead: No.

Mr. Bell: Once you had a discussion about how much time you get to spend at the public comments. Perhaps once a month we could have a Village-wide meeting and you get as much time as possible unless you got to stop, it has been an hour, it has been 30 minutes. But a way that one day a month people have a face-to-face conversation with you. Because you are not often out, all of you. Some of you are. Otherwise, nobody knows who you are. They do not know your names. They do not even know who is running our Village.

Mayor Swiderski: Mr. Bell, it has been 10 minutes.

Mr. Bell: Thank you, sir.

Trustee Apel: Enough.

Richard Ryan, Rose Street: I would like to second my friend Patrick Bell's urging the Board to have a more open and more public set of proceedings than the current limited set of public comments at the beginning of the Board meeting. I am pleased to be up here after one my favorite vendors, Mr. Rockwood, who knows his way around a *Cote du Rhone* I have to say. I am distressed, to say the least, at something that is so important to so many members of the Village that the implementation of the controversial public plastic bag law is being discussed in a private session. I understand you are facing litigation, but that is something the Board has brought on itself. To cloak the implementation of that law in secrecy, especially when it is so clearly commercial and personally important to members of the Village, that is not the best way to proceed as a public body.

Trustee Apel: I have a statement to make. I t want to stop you on this because it is getting ridiculous. We are here also to protect you. If we bring things out at this meeting, and we do not talk in a closed session, it is going to cost the Village a lot of money. We need to talk

first to protect you so the lawsuit does not come upon us and we are sued for a lot of money. We need to go into council and we need to do that. So we are sorry that we cannot give you the information you want right now, but the greater good of protecting ...

Mr. Ryan: You cannot tell the citizens of Hastings how you are going to implement the policy?

Trustee Apel: Let me finish what I am saying.

Mr. Ryan: That you misapplied.

Trustee Apel: The greater good of protecting the Village, we need to talk to our lawyer first to get this information. And then we can get back to you. To demand answers now, before we have the information that we need to protect you, to protect you and you and you and you...

Mr. Ryan: I am not being protected from the Board of Trustees. I need to protect myself.

Trustee Apel: Our job is to make sure that the lawsuit does not come down and harm this village. Then we will get back to you. Once we have the information that we need we can answer you. You are demanding answers that we cannot give you right now. So if you would give us the courtesy of letting us do our job so that we can protect the Village and protect the individuals and your pocketbooks and your taxes, because that is what is going to happen if we get this huge lawsuit ...

Village Attorney Whitehead: We already have one.

Mr. Ryan: All right, so let us talk about ...

Trustee Apel: We have to protect ourselves.

Trustee Armacost: Peter, can we make this civil, please?

Mayor Swiderski: If you can complete the statement, whatever you may be here to talk about.

Mr. Ryan: Sure. Speaking of courtesy, this will be the third time that I have spoken to the Board about the suicide prevention barrier that it is the intent of the county to erect on the Warburton Bridge. The last time that I spoke here, a number of the Boardmembers indicated not just their willingness but their intent to get back to the county, inquire as to some costs

associated with the barrier, and find out where we were in the overall process of construction of the bridge. And perhaps explore the possibility of investigating an alternative to a barrier which I regard as one highly ecologically destructive, publicly pernicious and totally useless and a waste of public funds.

Having said that, I understand there is a matter of debate about that. But there are alternatives which a number of us have explored and which I have discussed with this board publicly that are available to you. The last time I was here the Board expressed the desire to explore those possibilities. I took the Board's intent on good faith. I have not heard anything back about this. I have had another conversation with David Bradley, the world-famous architect of Officium, who is anxious to talk both to the county and to the vendor about possible alternatives, pricing them out and how to implement them. I have heard nothing back from this board, or the county or anyone associated with it about that. So being lectured by this body about courtesy is a surprising thing to experience.

**67:14 AUTHORIZATION OF TAX CERTIORARI SETTLEMENT – 400
WARBURTON AVENUE**

Village Manager Frobel: This matter comes before you based on the advice of special legal counsel. Our defense was that, as usual, coordinated with both the town and the school. This probably had a variety of uses but, more recently, a commercial property located on Warburton. The building has since been removed and has the new construction underway. The recommendation is that the matter be settled.

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

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

Property Owner	Address Description	Year(s)
ACQUA CAPITAL, LLC	400 Warburton Avenue 70-56-9 2014	2010-2014

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

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

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

Years	Current AV	Reduced AV	AV Reduction
2010	28,150	18,850	9,300
2011	28,150	17,250	10,900
2012	28,150	14,650	13,500
2013	28,150	14,400	13,750
2014	28,150	14,400	13,750

The refund of Village taxes amounts to \$14,629.60±.

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	

68:14 SCHEDULE PUBLIC HEARING – PROPOSED LOCAL LAW NO. 6 of 2014

Village Attorney Whitehead: This law simply clarifies that you round to the nearest full number, either up or down, to determine the required number of affordable workforce housing units. It is very simple; it is the addition of one sentence.

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 schedule a Public Hearing for Tuesday, Jan. 6, 2015 at 7:30 p.m. or shortly thereafter to consider the advisability of adopting Proposed Local Law No. 6 of 2014 Amending Chapter 295 Zoning of the Code of the Village of Hastings-on-Hudson to add a provision for rounding

numbers in relation to the set-aside requirement for affordable housing units, and be it further

RESOLVED: that the Proposed Local Law is referred to the Planning Board and the Zoning Board of Appeals for comment, and be it further

RESOLVED: that the action is classified as an Unlisted Action under the New York State Environmental Quality Review Act.

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

VILLAGE MANAGER'S REPORT

Village Manager Frobel: The sidewalk restoration work is complete, finished up late last week. On the Warburton Bridge, the deck panels have been installed on the eastern side of the bridge. You will not see much activity over the next several months, no concrete work anyway, unless they can count on the temperature being above 40 degrees. They will continue to work on the steel repairs during the winter months. They will begin the fabrication of the roadway panels for the eastern side of the bridge over the winter for installation sometime early in 2015.

BOARD DISCUSSION AND COMMENTS

1. Update on the Downtown

Mayor Swiderski: We have an update on the downtown, which will consist in part of an update from our Downtown Advocate. Also, I would like to add to the Board discussion an update from the Conservation Commission on the reusable bags.

Downtown Advocate Prisament: Thank you all for supporting the first event for Destination Hastings, the Village Crawl tied into Friday Night Live. We had 250 Village Crawl pass sets purchased by residents of our village. Half of those were in advance and half were the night of, even given the inclement weather. We raised, so far, approximately \$1,500 for the Food Pantry. They received 25 percent of that donation of the \$5,000, plus

some of our retailers made a contribution, as well. The 250 passes raised \$5,000. That made for a redemption of that of \$1,031 of the passes redeemed. Each pass was worth \$4, of which \$1 went to The Pantry and \$3 was returned to a restaurant. So we have a calculation of what every restaurant collected, \$3,093. That leaves a balance, after the Food Pantry portion, of \$657.

Mayor Swiderski: So the \$657 is y what is left because not every coupon was redeemed.

Downtown Advocate Prisament: Exactly. Some people did not use all of their passes, other people did not come out perhaps because of the weather or a change of plans. Of the unredeemed passes, we have already given the Food Pantry donation because we took that off the top. So we have \$657 left as a balance. Our decision about what we do with that money, do we donate it also, although we have already met our goal of 25 percent? Or could we put that money in a fund to fund future activities. That is something we wanted to see what you thought.

Trustee Walker: I suppose there is one other option, which is to reimburse the Village for some of the expenses for the night.

Downtown Advocate Prisament: The only expenses that were truly dedicated to that night are literally about \$30 in office supplies. But we could also reimburse these expenses if that is your choice. These other expenses were \$685 and change on a logo, graphic design, domain registration, sign holders, et cetera. But these things are for Destination Hastings and for future Crawl events, too, so they could be amortized against the future. You could charge it backwards, or you can pay it forwards. What do you think?

Trustee Armacost: Congratulations on a hugely successful event. It was so much fun to be out there.

Mayor Swiderski: It was a blast.

Trustee Armacost: I ran into many people in the Village. It was wonderful to visit each of the merchants, each of the food establishments. Surprising, some of the things we ended up finding that we did not realize were here in the Village. So big congratulations on that. I think the idea of putting the money into a fund to fund further activities seems like a good idea. It seems odd to reimburse expenses which we had already authorized. When we were looking for village advocates, we were looking for people who had the capacity to fund-raise. I think, unintentionally, you have shown that capacity right here. So it would be great to have this be the beginning of a kitty against which other monies can be leveraged in the future to support downtown activities. I can think already of the lights for the tree trunks

being something that could come out of a kitty like this. Something that, in a dedicated way, enhances the downtown.

Mayor Swiderski: What is the sentiment on the Board? Is it agreement that is what we will do with the leftover monies?

Trustee Apel: Yes. I agree with Niki. I think that is a great idea.

Trustee Walker: I know you are preparing a work plan for the coming year. Maybe as part of that you can come up with an estimated budget. There are things that you have already looked at that you would like to be spending money on. Or things that maybe come up in discussions with the merchants or the Downtown Collaborative. Having a budget we can look at, you are raising money toward it. But we can also look at it when we get to our budget discussions in the spring.

Mayor Swiderski: Can we open a dedicated account so the money is segregated appropriately?

Village Manager Frobel: We can. In fact, Barb is going to meet with staff tomorrow as we finalize the protocols that we are going to follow in the future.

Trustee Walker: But also, I wanted to say congratulations. It was such an exciting event, Barbara; you did a spectacular job.

Downtown Advocate Prisant: I appreciate that. One of the things I liked about it was that we utilized the assets of the Village. So the costs were some office supplies and some general marketing work which will, like I said, be spread across things we do in the future. But what got people to come out was their own community spirit and the things being offered by our own restaurants and businesses. Then they were reimbursed. The added value to the restaurants, as Niki mentioned, many of them saw people they had never seen before. And many of those people have lived here for a decade or two and had never been inside some of the restaurants. Some of the restaurants were brand-new, like Forty North, the new management has only been in place for a month. Many people found out they were there and sampled their food, and stayed for dinner. Some have been back already. So everybody saw a boost to their business on the restaurant and bar side.

On the retail side, there was an effect of the weather and the activities were moved inside. But still, some of them did quite well. Others were just happy to see the community came out. One comment was you can see that people are hungry to be downtown having fun together. A lot of the people that live here said they ran into people they had not seen in

quite awhile. Considering how many people came out, if we sold 250 packets and some people shared them, we are looking a few hundred extra people who were enjoying our downtown on a rainy Friday night. So we are very pleased.

Trustee Armacost: I very much enjoyed seeing the multi-generational aspect of it. We had children, we had parents, we had grandparents all mixed together and all finding something good to eat or drink that evening. Many people were asking when the next one would be. So maybe next, a winter solstice and a summer solstice event.

Downtown Advocate Prisament: Yes. And it was nice that adults were out. Friday Night Live had become more child-oriented. But the streets were open so businesses did not lose regular customers that drive through town. We also used a new social media platform. We got a lot of press. We started developing our press list.

Lisa O'Reilly mentioned to me the opportunity to screen a film in the Community Center, next Thursday night, she offered it, and there is a \$150 fee to that. That is the kind of thing we could take from this fund. To screen a film, and have a drop and shop, where children could be dropped to watch *Frozen* in the Community Center and be encouraged, if they come back with a receipt, to get a credit either off the film screening fee of \$5 per kid or off another Rec Department event. Babysitting, a fun event for children, and the opportunity for parents to shop for a couple hours. That is one we think we can squeeze into this holiday season. That will be more retail-focused.

Mayor Swiderski: Brilliant.

Trustee Apel: I am impressed. Lots of creative ideas.

Downtown Advocate Prisament: Yes, just the beginning. And, of course, the plan is to have a budget attached and all kinds of other fund-raising ideas. So this will be a good start.

Mayor Swiderski: Thank you, Barbara.

Trustee Apel: You did a great job. Thanks.

2. Plastic Bag Ban - Reusable Bag Initiative

Kerry-Jane King, Chair, Conservation Commission: It came to give an update on the plastic bag ban, and the reusable bag initiative specifically. We are ready to go. As you know, the ban goes into effect on January 1. We have selected the winner of the competition. We have been working with her to finalize the design. We have both the

design for the bags and the design for the posters. We will give the posters to stores around the Village to put up in their windows. We have selected bag types, which Elisa will show you, after getting many, many samples and having several discussions. The Village has proposed subsidizing the bags. Fran has indicated that \$5,000 to \$6,000 will be provided by the Village. We plan, if the Board is in agreement, to provide a certain number of bags to the stores that usually provide bags to customers for free, as a goodwill gesture, and then to ask them to contribute \$1 per bag for any additional bags. Those monies would go towards the manufacture of additional bags of this type.

Ms. Zazzera: We thought we should get two different styles: one, a scrunchy put it in your purse bag, and then a larger bag that does not scrunch but stands up for easy bagging. We got a number of different styles, and after serious conversation we decided on this bag. We should all work for Consumers Union at this point. We thought we would get 500 of each to start. It does not exceed or even get close to the budget. It comes in at around \$2,500 for thousands of those bags as a first run. If we find there are difficulties, problems or they are really liked we can then look on to different bags.

Ms. King: The thought is we would spend the full amount on bags, but we would do this trial run to make sure it is the quality we are expecting.

Trustee Apel: So if people want to get them themselves, can you purchase them?

Ms. King: They would be able to purchase them from the stores. It will up to the stores to determine how they want to distribute these bags. Maybe they will think it is a good idea, as a good incentive to go holiday shopping at the stores, that the first set number of people who come in and spend \$20 gets a free bag, something like that. However they want to do it they can distribute them. When those free bags have been distributed, they would charge a certain amount to cover their cost, and the cost to them would be a dollar a bag, which is significantly less than the cost for the bag, so those would still be subsidized.

Trustee Apel: In order for us to get this bag or that bag we have to go to a store and purchase something, then we can buy the bag? Or can we come to the Village and buy the bags if we want them?

Ms. King: We were proposing to do this through the store, but are open to suggestions. We thought this was a way of including the stores.

Trustee Apel: I am not saying you should not. I want to know what the rules are. Do we go to the store to buy them?

Ms. King: Yes. We are just making a proposal and a recommendation. We are looking for feedback.

Ms. Zazzera: But there would be an amount here or at the library or at the Community Center, if you all could bear to deal with that, where people could come and purchase them.

Mayor Swiderski: I would argue that your initial run is probably too low and they will go very quickly. You may want to consider more than that.

Ms. Zazzera: OK. We will see how much we can get for the full five or six grand.

Ms. King: We have put on the Village website a page all about this initiative, why we have the plastic bag ban, what the benefits are, any concerns addressed in the questions we anticipated from residents.

Trustee Apel: How about people being able to place orders in advance so you would know? People in the community may want to purchase five or six of them.

Ms. Zazzera: I think the timing is kind of tough for that right now. After the first run, if there is a lot of popularity then you could preorder your bag. There are some other bags that you could spend \$6 if people want to get a cloth bag, a canvas bag or another style bag. Maybe that is an option later on.

Trustee Apel: A small one is a great stocking stuffer. I think people want to be able to get them out if they are small enough. You can tell I am very excited about the bag.

Ms. King: If you have some ideas about how we should do this we welcome your suggestions and guidance. That was the point of the update.

Mayor Swiderski: Do you know what the lead time is for manufacture?

Ms. King: We should be able to have them by January 1.

Ms. Zazzera: Maybe sooner, depending. It is about seven days. We are just now in communication with the printer to see if the logo will work. There are some fine lines on the logo so we are seeing if we need to clean that up or not for them to print well on the bags. Also, Haven spoke with the environmental club at the high school today and they are also happy to help us put posters around the school and help spread the word.

Trustee Walker: Are you going with the colored logo?

Ms. King: On the bag we can have two colors. On the poster, we can do whatever we want.

Ms. Zazzera: We are thinking of this bag in blue with bright green print. And this also in a blue with bright green print. It says Keeping it Green so we thought we would confuse people if we made it blue.

Ms. King: So if you have any guidance, any additional thoughts, please let us know.

Mayor Swiderski: We will, again, after the aforementioned closed doors. Thank you very much. That looks great. It is nice to see this all coming to fruition.

2. Other

Mayor Swiderski: What does the agenda look like for the 16th?

Village Manager Frobel: Very light, which is one reason we mentioned that you may wish to cancel the meeting. We are covering a lot of ground tonight with the capital budget.

Mayor Swiderski: If the capital budget needs to spill into another day maybe we will do that.

Trustee Walker: I am not going to be able to be here on the 16th.

Mayor Swiderski: We failed to do something we should have done, which is schedule a hearing for next week on an issue of personnel. We will discuss advice of counsel whether that should be a public or private session. We are going to schedule a Board discussion item, is it?

Village Attorney Whitehead: It is a hearing at the request of an employee.

Mayor Swiderski: And is that done within the Board meeting construct, or is it an external event?

Village Attorney Whitehead: It can be done either way. It is part of your Board meeting, at your meeting. The hearing is to be held at your meeting.

Mayor Swiderski: We are scheduling for the 16th, unless the meeting is canceled, for a matter of personnel.

Village Attorney Whitehead: This is a hearing pursuant to your code in the Village Manager section. An employee has requested that a determination made by the Village Manager be appealed or heard by the Board of Trustees, as set forth in your code.

Trustee Armacost: So what we are deciding tonight is whether it is *in camera* or whether it is public.

Mayor Swiderski: That is right. And that particular term means "behind closed doors."

Village Attorney Whitehead: And we are going to have that discussion as part of an advice of counsel, closed session.

Trustee Jennings: Is there a time frame on having such a hearing under the law?

Mayor Swiderski: No.

Trustee Jennings: We may not want to cancel the 16th, then, even if all we do is this hearing.

Village Attorney Whitehead: There is no strict time frame. It says they submit it, you schedule a hearing for a future hearing. But since you do not meet again for a month, you might want to do it.

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 matters of legal contracts and pending litigation, and scheduled a hearing at the request of a Village employee for Dec. 16, 2014 to appeal a determination made by the Village Manager.

ADJOURNMENT

On MOTION of Trustee Armacost, SECONDED by Trustee Apel with a voice vote of all in favor, Mayor Swiderski adjourned the Regular Meeting at 8:20 p.m., to be followed by a work session on capital projects.