

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK  
BOARD OF TRUSTEES  
REGULAR MEETING  
OCTOBER 20, 2015**

A Regular Meeting was held by the Board of Trustees on Tuesday, October 20, 2015 at 8:56 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

**PRESENT:** Mayor Peter Swiderski, Trustee Marjorie Apel, Trustee Meg Walker, Trustee Nicola Armacost, Trustee Daniel Lemons, Village Manager Francis A. Frobel, Village Attorney Linda Whitehead, and Village Clerk Susan Maggiotto

**CITIZENS:** Ten (10).

**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. 30-2015-16	\$ 13,565.78
Multi-Fund No. 31-2015-16	\$248,633.37

**PUBLIC COMMENTS**

**Zamir Iosepavici, owner - Taiim Falafel Shack:** We are at 298 Warburton Avenue. What a fiasco the downtown has become. There is no deli and major restaurant spaces are closed, the bridge is cracked and soon to be a cage. No one on the green earth wants to buy our ridiculous supermarket. The sidewalks are turning to dust. The meter maid writes parking tickets on the diner waitresses for revenue. No Chamber of Commerce exists. Street lighting is degraded without public notice or regard. Young people overdose and their residences are attacked. Trash and so-called recycling accumulates outside businesses, and apartment buildings unattended. Crosswalks do unmarked until public outcry. Utilities mark, perforate and checkerboard our public ways, but do not repair them. Ash trays, amazingly costing us several hundred dollars, are stolen in broad daylight. This is downtown Hastings. I have come to this meeting to address this particular situation maybe twice or three times since I have owned the business in the Village. I do not have the naysayers attitude of everything is wrong. I do believe in this village, I believe there are good people who are trying to do good things in this village. However, on the issue of our downtown, especially when compared to other villages in our area, you have done a terrible job. You have assigned what I believe is a hardworking and overmatched person to be the downtown coordinator. She is way in over her head. She is trying, I have spoken to her. She is doing her best, but the issues out there are way too big for one person. They are too big, and they need to be addressed. This situation cannot go unattended.

As I told you the last time I was here, I have given up on what I consider running a good business in a location that continues to show lack of attention to its general business district. I have begun that process. Next month, the first part of that business will go under separate ownership, while the retail will remain under my name. So I do mean what I say and I say what I mean. However, I still care about this place. What has been done for this downtown district is shameful. I have, for the past 22 years, both worked in government as a prosecutor, and for the past 19 years as a private attorney in my own business. I was accountable when I was assistant district attorney and I am accountable now as an attorney in private practice. You folks need to be accountable. If you cannot do so, do the honorable thing and say I cannot do it, let somebody else try. Because this cannot go on. It is a dark place out there in the business district. When someone like me who will give my money to anyone in this village, any business feels the need to go outside, many others like me, then something needs to be done. I am not going to stand here, and I will leave after I am done. I have no problems, any other issues that are on display tonight and I am sure will be on display after tonight. This is my baby. I feel like this downtown district needs to be taken care of because the community deserves better.

**John Gonder, 153 James Street:** I talk a little bit about sidewalks. I think Meg Walker was the last one that got Washington Avenue sidewalks. I give her the praise, but maybe it was all the Board, I do not know. But that was the last one that was done, five years ago. I have a solution that you should consider for sidewalks, especially like Broadway and Farragut and Ravensdale. Not that blacktop with a little path like this, a regular concrete sidewalk. Every year we spend hundreds of thousands of dollars in blacktopping certain roads. Next year, say, we are not going to do. So we have a couple of potholes, we are going to fix them. But that money we are going to spend on sidewalks. Every other year alternate, sidewalks and then roads. We have too much traffic in Hastings. Maybe a few potholes will slow those people down. I know a lot of people complain, but a lot of people have complained since the '70s. I was always for sidewalks so the kids could walk to school and be safe. Back then, there were very few cars. Now there are hundreds and thousands and a million cars coming across Ravensdale, across Farragut, up High and James. You have the police records on that. Consider every other year alternating, sidewalks and blacktop.

**Dave Skolnik, 47 Hillside Avenue:** I wanted to ask that the item on the agenda regarding the transportation group be discussed but not voted on, for a number of reasons, partly because I submitted a number of comments previously about that, to which I got no response, but mainly because there is no current document attached to this item. I am asking that you not vote this evening. A discussion would be great, but not a vote.

I have sent the Board a number of communications over the last weeks and I have gotten no responses from the Board. I do not know for sure whether the Board gets these, but the only

responses I get are from Mayor. We have had a discussion about this. The responses are not cc'd, apparently for reasons related to sunshine law. But the end result is that there is no way to communicate with the Board, no way for a citizen, myself or anyone else, to have a reasoned interaction with the Board. I do not think that was the intent of sunshine laws. And personally, the fact that I have submitted so much to you lately and gotten no response because you have been insulted by what I say or not, I feel, at some point, it behooves you to reach out.

The LEDs. I was disappointed that even after the editorial that appeared in the *New York Times* this past Sunday there was no further response, no interaction at all on this. It was very fortunate that it came out, but I do not see it having any impact on your thinking about this issue. I sent you some information about Scarsdale's current pilot plan to experiment with the LEDs. I got a response back only from the Mayor, and that was rather dismissive. I sent you in September a thorough review of the minutes of the June 15 meeting where I outlined a series of points. This was the meeting where you discussed the LEDs, where you had the representative from the contractor. I went to the trouble of outlining significant concerns and issues I had with that. I never got any response from any of you on that. I did get the FOIA for the audit the Village Manager just received from the contractor. Of all the things I outlined I find this the most disturbing, I have quotes with regard to what the process was going to be once we had the audit. It is clear there was an implied period of time that audit could be looked at, reviewed. And, in fact, the process as you have outlined the contractor was going to start this week installing the lights. The audit I did get so far is indecipherable to me. But I have a feeling it is indecipherable to most of you, as well.

I would ask you again to look over the things I have sent you over the last weeks. If you cannot bring yourself to respond seriously about the points I raise, then maybe you will indicate why you feel that is an appropriate response. The LEDs are still an issue and they are going to be an issue even as they are installed. And they will finally be an issue because people will finally see what they have been ignoring all along. .

**Mayor Swiderski:** By the way, regarding the charter for the transportation working group, a number of changes were received from the Board today via e-mail. I have not had a chance to integrate them, and I was going to ask for that to be delayed two weeks so we could have a chance to integrate it and publish it out.

**Amy Huelsman, 765 North Broadway:** I would like to make a comment about public opinion and the process and lack of a timeline and forcing a decision. This relates to the Warburton Bridge. It was established in previous meetings that the Village Manager knew of the county's plans to put up a fence on the Warburton Bridge for over two years before making the public aware of it. When did the Mayor and/or the Trustees know of these plans,

and do the Mayor and the Trustees find the withholding of this information acceptable, given the timeline and the time frame? You withheld information for two years, but talked about rushing a decision. How are we to take your silence regarding this matter, moving forward. As Mayor, I would hope you would find this completely unacceptable. As a resident, I know I do. Make no mistake, there is an erosion of trust in the elected officials of this town. The Board's silence on this matter is another clear example of this growing mistrust.

**Mayor Swiderski:** I have answered the question a number of times when the Board was aware of the bridge fence, and I am not going to reopen or re-address that issue. It has been answered.

**Kelly Topilnycky, 18 Maple Avenue:** A while ago I sent communications to you because you sold 14 meters on Maple Avenue for merchants and commuters have also purchased passes. You did respond back to me, saying you were thanking me for my comments, but you never responded about what we could do. We are having trouble with people parking. You cannot find a space on Maple Avenue during the day, and we have taxpaying residents who live here. I asked about possibly making permitted parking on one side of the street or the other. It is still a problem. I would like you to seriously consider even possibly moving half of those 14 meters like further up the street. You put them on the first 14 meters from the side of the driveway here closer to the Village. There is no reason they could not be pushed up the street a bit.

**Mayor Swiderski:** If you could be explicit, the 14 you are referring to are what?

**Ms. Topilnycky:** Orange-topped meters.

**Mayor Swiderski:** The merchant ones.

**Ms. Topilnycky:** Yes. It is not just merchants, the commuters. There are commuters that have purchased passes, and they also park there. Yes, they are. I see people park there and head down to the train. So whether or not they said they were merchants and purchased passes, possibly your vetting process is not good.

**Mayor Swiderski:** But how many merchant passes have been sold this year? I think it is a small handful.

**Village Clerk Maggiotto:** Eighteen or so. Anyone can use the meters so they could possibly park there and go to the train. But only the 17 vetted people have the orange tags that allow them not to feed the meter.

**Ms. Topilnycky:** But regardless, what my observation has been, and not just mine but other neighbors have seen, people park there with the little passes and go head down to the train station. So whether or not they are merchants, they go to the train station. But regardless of that, you put the 14 meters, not saying other people cannot park there, the merchants, because they are here every day pretty much six days a week, they want to park in those first 14 spaces. My suggestion was to move half of them up the road or to the other side, and free the first six meters. The merchants would then just park a little further up, whereas you would have a bigger turnover on the first few meters. You have a lot of residents here in the apartment buildings. They cannot find parking to let people out or bring groceries in. It is an issue. So I would ask you, the Board, to consider the 14 meters and possibly other parking solutions. Thank you.

**Village Clerk Maggiotto:** The first few meters have the orange heads, but they are all available to the merchants all the way up the street. The Board already made that decision. They have orange necks on them, and the merchants know they can park anywhere along Maple. One reason we did it was because those first few meters were never available to the merchants. By 10 o'clock, when the merchants came in, they were taken by other people. If you look every day, those first few meters do not have cars with orange tags. Somebody else is parking there. The whole street is available to the merchants, and we have only sold 18 tags. We have many other merchant spaces throughout the Village, so these 18 people are not all parking on Maple Avenue.

**Ms. Topilnycky:** My response to you is, Maple Avenue is a residential street. You share with residents, people in the apartments. And you have sold parking spaces to merchants. If there is not enough merchant parking in the Village, then there needs to be some sort of other solution. I can only tell you what I observe. I am pretty much home during the day and I observe the cars in and out. It is merchants, regardless. I understand the need for parking, but it has become very difficult to find parking down this end. That is why I asked if you could possibly move, and see if that would alleviate it. It is a matter of popping the top off a meter and moving it to another space, and replacing that one with the plain.

**Patrick Randolph Bell:** A couple of my friends live on Maple, they also have a big problem with the parking. They have bigger problems with parking when you had the filming down there. They got really upset. You blocked up their whole street. They are not big fans. Can you also give them some of the money the Village might get? I do not even know how that money works. If they say we are closing off your street, these people are like I live there. It is not pleasant for them. Maybe you can work a deal out with the people who live on that street also when you are closing it for a reason that makes the Village money. Somebody else I know in the Village, a couple of guys who own businesses, particularly the pizza businesses, they lose a lot of money on the day of the Farmers' Market. Is there some

kind of specification for which people are allowed to use the Farmers' Market if they come in from out of town on those days, and then our local businesses lose money on those days because they are selling the exact same product? I am not sure how that works.

I want to just talk about, again, the Conservation Commission not being a public body or a statutory body. This is for Counselor Whitehead. I found a great advisory opinion from the Committee on Open Government, saying straight up a conservation advisory council is a public body. Some guy wrote in 2006 to the director, Mr. Freeman asking about subcommittees of the Conservation Commission, which we almost have but we are not going to do with the Transportation Committee. He says, in this regard, first, a conservation advisory council is a creation of law, section 239-X of the general municipal law, like I have mentioned before. It clearly performs governmental functions for a municipality and constitutes a public body, subject to the open meetings law. He just says straight up you got to look under statutory body and not public body. That is how I found this one. When a committee or subcommittee consists solely of members of the public body, such as a council, I believe that the open meetings law is applicable.

We are one of like 200 members of the New York State Association of Conservation Commissions. Our name is on their website. We are no different than the rest of these. The number one guy in the state running this open meeting law says your thing, which is like the rest of the other things, is a public body and a statutory body. The Mayor writes a letter recently, great letter again, to *The Enterprise*. I do not know if it because of advice of counsel, and I am sure it was and possibly maybe you would like to do some more research and write another letter that says possibly I was wrong on this. And that the three people disrupting these meetings, we are not really disrupting the meetings. We possibly have a right. I am sorry to defame their character, even though it is not real true defamation. We are just trying to help out here. But try to get the Village to know once again we have a few more things coming through the Conservation Commission.

I am very proud I learned at the last meeting that they will start posting minutes. I think that is wonderful. I think that it is also wonderful that their new rules and regulations also will be sent, according to them, to the Village Clerk, Ms. Maggiotto, and will also post that on the Village website. It is what we have been fighting for the entire time. We are not trying to be the bad guys. We are just trying to let the Village know what is going on. I do not know why you are hiding the ball on all these things. The Conservation Commission does great things. You have a number of meetings at the end of this list today that you are about to say are coming up. Two of them are in the conference room. The other two, the Zoning Board and the Board of Trustees, get taped. The conference room does not. The Village Arts Commission said they would love to be taped. They do not mind at all. The camera is still sitting there, pointed out the window, not being used. Let us tape the meetings. I would be

done with all of this. Everybody in the Village could say I want to join this committee, it is so fun, I like this one, it is what I love, it is what I do for a living almost. Let us spread the wealth. Let us let the best people in the Village come to these meetings, if not on the board itself as volunteers and contributors to the society we live in.

**Mayor Swiderski:** Thank you. I am generally quite confident of the legal advice provided here, and the letter stands. The meeting behaves like a committee abiding by the open meetings law and will continue to do so, as it always has. But it is strictly advisory. I am confident.

We are going to do things a little bit out of order here for sheer respect to the people who are sitting around looking to speak. First, I would like take the second resolution, the approval of the application for Community Development Block Grants. Then I want to speak to the Farmers' Market, and then to the paving engineering services and Mr. Hahn, who is sitting patiently waiting to present to the Board. He, however, is paid for that, the others are not. So as a respect to the volunteers waiting to speak before us, I am going to let them go first. And the CCA, you can sit there but you are absolutely not required to do so.

#### **70:15 APPROVAL OF APPLICATION FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR AFFORDABLE HOUSING/REHAB PROJECT**

**Mayor Swiderski:** You have heard what this is about. Are there any further Board questions or statements?

**Trustee Walker:** I appreciate the community's interest in this and I am glad they came tonight. I know Sue Smith was aware of the short time that community members had and is reaching out to them for further discussion. That is important. But it is a reminder that we have to be vigilant and always give people more time to digest these things.

That said, I do think that this is critical, and it is important, since we have such a short time frame, to go after this money. It does not lock us into building anything on that site, but it does give us the opportunity to receive funds from Community Development Block Grants to do so and that is important.

**Trustee Apel:** I fully agree with Meg, and I think we would be remiss to not take advantage of the funds. It would be irresponsible to not do that and give them the opportunity. That being said, it does not mean it is going to be built, it does not mean anything is going to happen to this property. But if we do not vote for this, then we undercut the whole project and it could never happen or it would put the Affordable Housing Committee under a lot of duress to try to find funds otherwise when there are

funds here that are possibly available. Do not forget it is only up to \$500,000, and we may not even be given that amount. WE should at least give them the opportunity to start off with some sort of financing.

**Trustee Lemons:** I agree. This is not a decision that that is going to happen. This keeps the door open, and it does not pre-empt any of the necessary process to approval for a project like that. It would be premature to close that door and not have that option.

**Trustee Armacost:** I also support this. We, as a Board, have said multiple times that we care about affordable housing and about having a diverse community. We need to stand up for that. It is very easy to say those words and not take any action that shows we are deeply committed to that point of view. So this is a very beginning step, it does not guarantee that something will be built in that place that involves affordable housing. But it does not shut the door and it is important for us not to shut the door at this juncture.

**Mayor Swiderski:** I concur. In regards to one assertion made that the Planning Board is generally a rubber stamp on something that is legal, there are any number of developers that would laugh themselves silly on that assertion, most recently, at the end of my block where there was a proposal to subdivide that was withdrawn because of community objection; it happens all the time. If the objections are reasonable the Planning Board listens, and that has been demonstrated time and again.

**Trustee Armacost:** Also on 9-A. The process there took ten years or more even to get to that point.

**Mayor Swiderski:** Right. To the point that Mr. Ginsburg does not talk to me anymore, yes indeed. I am in support as well on it, and I am going to call for a motion to vote.

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

**RESOLVED:** that the Mayor and Board of Trustees does hereby authorize the Village Manager to sign and submit a Community Development Block Grant application for up to \$500,000 to the New York State Division of Homes & Community Renewal to address the housing and community development needs of the Village, specifically to defray the cost of rehabilitation work of the ownership and rental opportunities for low- and moderate-income households.



<b>ROLL CALL VOTE</b>	<b>AYE</b>	<b>NAY</b>
Trustee Marjorie Apel	X	
Trustee Meg Walker	X	
Trustee Nicola Armacost	X	
Trustee Daniel Lemons	X	
Mayor Peter Swiderski	X	

**71:15 ADOPTION OF LOCAL LAW NO. 6 OF 2015 TO TO ESTABLISH A COMMUNITY CHOICE AGGREGATION (ENERGY) PROGRAM IN THE VILLAGE OF HASTINGS-ON-HUDSON**

**Mayor Swiderski:** I assume we have talked ourselves out on this, but is there any other statement from the Board on CCA?

**Trustee Armacost:** This is an important initiative for us to take to be able to put money into people's pockets in the community. People need to understand that that is the spirit here, and it is a unique opportunity. It will not come again, and hopefully it will not just be five percent, hopefully it will be closer to 15 or 20 percent savings people get through this initiative irrespective of any other routes they take like solarization, et cetera. It is an important contribution to people's pocketbooks.

**Trustee Walker:** I agree with Trustee Armacost, and I wanted to mention something that Mr. Gordon said which struck me as important: that we are taking the power away from the state and giving it to local government. The default is no longer Con Ed, which was set up by the state, but we decide what the default is going to be. I like that local control. In addition to the saving that will accrue, we are hopeful we will find, and I like having, the possibility that we have that control.

**Trustee Apel:** I also like the concept that there is strength in numbers, but the individual also has power here and can make the decision for themselves. While we are giving you the opportunity to make a choice, you yourself have the individual choice to make up your mind and go with it, whatever you want to do for your pocketbook. But at least we give you the opportunity.

**Mayor Swiderski:** I want to thank Trustee Armacost for bringing this to our attention, and I want to do some math. Five percent of a typical gas and electric is minimally \$25 a month. That does not sound like a lot. It is \$300 a year times 2,000 households, so at least half a million dollars a year saved for the community and possibly easily over a million. That is not trivial. Keeping that money in the community is a good thing.

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 adopt Local Law No. 6 of 2015 amending the Code of the Village of Hastings-on-Hudson, Westchester County, New York to establish a Community Choice Aggregation (energy) program in the Village of Hastings-on-Hudson.

Be it enacted by the Board of Trustees of the Village of Hastings-on-Hudson as follows:

**Section 1.** The Code of the Village of Hastings-on-Hudson is hereby amended by adding a new Chapter 110, entitled “COMMUNITY CHOICE AGGREGATION (ENERGY) PROGRAM,” to read as follows:

## ARTICLE I

### §110-1. Legislative Findings; Intent and Purpose; Authority.

- A. It is the policy of both the Village of Hastings-on-Hudson and the State of New York to reduce costs and provide cost certainty for the purpose of economic development, to promote deeper penetration of energy efficiency and renewable energy resources such as wind and solar, and wider deployment of distributed energy resources as well as to examine the retail energy markets and increase participation of and benefits for residential and Small Commercial customers in those markets. Among the policies and models that may offer benefits in New York is community choice aggregation (CCA), which allows local governments to determine the default supplier of electricity and natural gas on behalf of its residential and Small Commercial customers.
- B. The purpose of this CCA Program is to allow participating local governments including the Village of Hastings-on-Hudson to procure energy supply service for their residential and Small Commercial customers, who will have the opportunity to opt out of the procurement, while maintaining transmission and distribution service from the existing Distribution Utility. This Chapter establishes a program that will allow the Village to put out for bid the total amount of natural gas and/or electricity being purchased by local residential and

Small Commercial customers. Bundled Customers will have the opportunity to have more control to lower their overall energy costs, to spur clean energy innovation and investment, to improve customer choice and value, and to protect the environment; thereby, fulfilling the purposes of this Chapter and fulfilling an important public purpose.

- C. The Village of Hastings-on-Hudson is authorized to implement this COMMUNITY CHOICE AGGREGATION (ENERGY) PROGRAM pursuant to Section 10(1)(ii)(a)(12) of the New York Municipal Home Rule Law; and State of New York Public Service Commission Case No. 14-M-0564, Petition of Sustainable Westchester for Expedited Approval for the Implementation of a Pilot Community Choice Aggregation Program within the County of Westchester, Order Granting Petition in Part (issued February 26, 2015) as may be amended, including subsequent orders of the Public Service Commission issued in connection with or related to Case No. 14-M-0564 (collectively, the “Order”). Order shall also mean orders of the Public Service Commission related to State of New York Public Service Commission Case No. 14-M-0224, Proceeding on Motion of the Commission to Enable Community Choice Aggregation Programs (issued December 15, 2104) to the extent that orders related to Case No. 14-M-0224 enable actions by the Village of Hastings-on-Hudson not otherwise permitted pursuant to orders related to Case 14-M-0564; provided, however, that in the event of any conflict between orders from Case No. 14-M-0564 and orders from Case No 14-M-0224, orders from Case No 14-M-0564 shall govern the CCA Program.
- D. This Chapter shall be known and may be cited as the “COMMUNITY CHOICE AGGREGATION (ENERGY) PROGRAM Law of the Village of Hastings-on-Hudson.”

#### **§110-2. Definitions.**

For purposes of this Chapter, and unless otherwise expressly stated or unless the context otherwise requires, the terms in this Chapter shall have the meanings employed in the State of New York Public Service Commission’s Uniform Business Practices or, if not so defined there, as indicated below:

**Bundled Customers** – Residential and Small Commercial customers of electricity or natural gas (“fuels”) who are purchasing the fuels from the Distribution Utility.

**Small Commercial** - Non-residential customers as permitted by the Order.

**Community Choice Aggregation Program or CCA Program**– A municipal energy procurement program, which replaces the incumbent utility as the default Supplier for all Bundled Customers within the Village of Hastings-on-Hudson.

**Distribution Utility** – Owner or controller of the means of distribution of the natural gas or electricity that is regulated by the Public Service Commission.

**Public Service Commission** – New York State Public Service Commission.

**Suppliers** – Energy Service Companies (ESCOs) that procure electric power and natural gas for Bundled Customers in connection with this Chapter or, alternatively, generators of electricity and natural gas or other entities who procure and resell electricity or natural gas.

**Sustainable Westchester** – A not-for-profit organization comprised of member municipalities in Westchester County, New York.

**§110-3. Establishment of a COMMUNITY CHOICE AGGREGATION (ENERGY) Program.**

- A. A COMMUNITY CHOICE AGGREGATION (ENERGY) PROGRAM is hereby established by the Village of Hastings-on-Hudson, whereby the Village shall work together with Sustainable Westchester to implement the CCA Program to the full extent permitted by the Order, as set forth more fully herein. The Village's role under the CCA Program involves the aggregating of the electric and/or natural gas supply of its residents and the entering into a contract with one or more Suppliers for supply and services. Under the CCA Program, the operation and ownership of the utility service shall remain with the Distribution Utility.
- B. The Village's participation in a CCA Program constitutes neither the purchase of a public utility system, nor the furnishing of utility service. The Village will not take over any part of the electric or gas transmission or distribution system and will not furnish any type of utility service, but will instead negotiate with Suppliers on behalf of participating residential and Small Commercial customers.
- C. In order to implement the CCA Program, the Village will adopt one or more resolutions that outline the process of and conditions for participation in the CCA Program, including but not limited to signing a contract for a compliant bid with one or more Suppliers, all as consistent with the Local Law and the Order.

- D. The Public Service Commission supervises retail markets and participants in these markets through legislative and regulatory authority and the Uniform Business Practices, which includes rules relating to the eligibility of participating ESCOs, the operation by which ESCOs provide energy services, and the terms on which customers may be enrolled with ESCOs.

**§110-4. Procedures for Eligibility; Customer Data Sharing.**

- A. As permitted by the Order, the Village of Hastings-on-Hudson may request from the Distribution Utilities aggregated customer information by fuel type and service classification on a rolling basis.
- B. Sustainable Westchester, on behalf of the Village of Hastings-on-Hudson, shall issue one or more requests for proposals to Suppliers to provide energy to participants and may then award a contract in accordance with the CCA Program.
- C. Sustainable Westchester or the Village if the Village so chooses, will then request individual customer data from the Distribution Utility in accordance with the CCA Program.
- D. Sustainable Westchester or the Village if the Village so chooses, and the selected Supplier will then notify Bundled Customers of the contract terms and their opportunity to opt out of the CCA Program at no cost.
- E. In accordance with and for purposes of the Order, the existing Distribution Utility, Consolidated Edison Company of New York, Inc. will provide to Sustainable Westchester aggregate and customer-specific data (including usage data, capacity tag obligations, account numbers, and service addresses) of all Bundled Customers in the Village of Hastings-on-Hudson
- F. Sustainable Westchester and the Village of Hastings-on-Hudson, will protect customer information as required by law, subject to the Order and the limitations of the New York State Freedom of Information Law.

**§110-5. Choice of Energy Supplier; Opt-Out Notice and Procedure.**

- A. The Village of Hastings-on-Hudson or in conjunction with the ESCO will notify its residential and Small Commercial customers, by letter notice, of the Village's decision to establish the CCA Program, of the contract terms with an

ESCO, and of the opportunity to opt out of the CCA Program.

- B. The letter notice will be sent to each customer at the address provided by the Distribution Utility and explain the CCA Program and the material provisions of the ESCO contract, identify the methods by which the customer can opt out of the CCA Program, and provide information on how the customer can access additional information about the CCA Program.
- C. The opt-out period shall be twenty (20) days.
- D. CCA Program Bundled Customers, upon enrollment, will receive a welcome letter that will explain the customers' options for canceling the enrollment if they believe they were enrolled incorrectly or otherwise decide to withdraw from the CCA Program in favor of another Supplier. The welcome letter also will explain that residential customers are entitled to the added protection of the mandated Three (3) Day rescission period as detailed in Section 5(B)(3) of the Uniform Business Practices.

**§110-6. Verification and Reporting.**

- A. Sustainable Westchester shall be responsible for filing an annual report with the Public Service Commission, which identifies the number of customers enrolled in the CCA Program by municipality and customer class, the number of customers who returned to utility service or service with another Supplier during the reporting period, and the average cost of commodity supply by month for the reporting period.

**Section 2.** If any section, subsection, clause, phrase or other portion of this Local Law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, such portion shall be deemed a separate, distinct and independent portion. Such declaration shall not affect the validity of the remaining portions hereof, which other portions shall continue in full force and effect.

**Section 3.** This local law shall take effect upon filing with the Secretary of State.

**72:15 APPROVAL OF AGREEMENT TO PARTICIPATE IN THE COMMUNITY CHOICE AGGREGATION PROJECT**

**Mayor Swiderski:** This puts some color on it, clearly laying out that the prices have to be a good deal to be considered.

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

**WHEREAS,** Sustainable Westchester, Inc., a not-for-profit organization comprised of several municipalities in Westchester County, including the Village of Hastings-on-Hudson, received approval by the New York State Public Service Commission for a demonstration community choice aggregation ("CCA") program in Westchester County, which will allow local governments to participate in a Sustainable Westchester program to procure energy supply from energy service companies ("ESCOs") for the residents of the municipalities, and

**WHEREAS,** on Oct. 20, 2015, the Village adopted Local Law No.6 of 2015 to establish a Community Choice Aggregation (Energy) Program, and

**WHEREAS,** the Program is intended to provide consumers with the ability to lower their overall energy costs, and

**WHEREAS,** the Program is intended to include residential and small non-residential customers, and to permit the aggregation of both electric and natural gas purchases, and

**WHEREAS,** Sustainable Westchester, Inc. will issue a request for proposals to suppliers to provide energy to participants, and

**WHEREAS,** suppliers preparing bids need some assurance that municipalities are serious in their intent to participate, subject to final terms and rates being acceptable to the municipalities, will then award a contract, now therefore be it

**RESOLVED:** that the Village of Hastings-on-Hudson intends to enter into agreements to participate in a Sustainable Westchester program for its residents and business consumers who are not currently purchasing electricity from an energy service company (ESCO), only if: 1) the default price is guaranteed to be consistently less than the utility price for the same period; or 2) the default price is fixed at a level that is less than the average utility price for the same commodity, for the same customer class, over the preceding twelve month period; or 3) the default price is at first set at a level that is less than the average utility price for electricity, for the same customer class, over the preceding twelve month period, and only floats upward by less than twenty-five percent (25%) of the price increases implemented by the utilities, and be it further

**RESOLVED:** that, subject the Village Board's review and acceptance of the final terms and rates secured in the winning, compliant bid, the Village Manager is hereby authorized to execute any and all documents to give effect to this resolution.

<b>ROLL CALL VOTE</b>	<b>AYE</b>	<b>NAY</b>
Trustee Marjorie Apel	X	
Trustee Meg Walker	X	
Trustee Nicola Armacost	X	
Trustee Daniel Lemons	X	
Mayor Peter Swiderski	X	

**Mike Gordon, Sustainable Westchester:** We very much look forward to working with you and looking back to report when we have a contract.

**Mayor Swiderski:** When do you think that will be?

**Mr. Gordon:** Out to bid November, early December. Then we will sit here to answer any questions that folks have and, in the interim, answer questions that folks have.



## **BOARD DISCUSSION AND COMMENTS**

### **1. Farmers' Market - Proposal for a Two-Year Agreement for Rental of Municipal Parking Lot**

**Sue Smith, Farmers' Market:** Again, this is the time of year to come to you considering what we call the Winter Market, when we would like to use the library a lot in December, April and May and go to the Community Center in the three really cold months. Also, since we have been through this ritual for 18 years now and have become rent-paying tenants, we wondered if you consider going to a multiyear contract so we do not come twice a year to ask the same thing over and over again. I think we have proved ourselves as being reliable and flexible. I do not know if this is a two-part action here or a one-part action or quite how we have constructed it. It is obviously for the winter because that is the time we are approaching, and in a way more urgent thing. But it seemed the opportunity to ask for a multiyear agreement also.

**Mayor Swiderski:** I think we should consider it as you are proposing it as a two-year, but have the Board still discuss the days proposed and the terms of the agreement. Are there comments on the dates proposed or the fact that it is a two-year? Let us start with two years. Is everybody comfortable with talking about this as a two-year first.

**Trustee Armacost:** It is not a problem for me.

**Trustee Lemons:** That is fine.

**Trustee Walker:** I am in favor.

**Trustee Apel:** I am OK.

**Mayor Swiderski:** Let us talk about the dates. There are some dates proposed here. These specific dates are 2015 and 2016, and I imagine would be similar for the follow year. Would you propose to be coming back next year with the dates, or are you looking for something similar for next year, approved now?

**Ms. Smith:** The days change by a day or two, and it is a leap year. We made an attempt this year to come up with an every other week schedule because that is in people's minds. They get confused if it is every other week and then the third week, and to try to avoid, as you requested, holiday dates like Easter weekend and Mother's Day weekend. We were able to come up with a regular schedule, skipping January 2 which is still New Year's Eve weekend.

We would do the same kind of thing. It is hard to know because we have not looked ahead to 2017.

**Mayor Swiderski:** My concern with December 19 is that it is the weekend before Christmas. Christmas is six days later, so this is the busiest weekend in the downtown. I am concerned about the potential contention for parking on that weekend. I do not know if anyone else on the Board matches that concern, but I did want to raise it. I realize you are trying accommodate my request for this not to fall on holiday weekends, but the 19<sup>th</sup> effectively is the Christmas holiday weekend.

**Ms. Smith:** Two observations. We have generally had something close to that date which seems to have worked out OK. I think we have been pretty successful getting more people to go to Zinsser for their parking. It also depends on the weather. If it is a super-cold day, they are very cold in December out there often, I still understand your point.

**Trustee Walker:** I would like to suggest that it is important to have it before the holiday because a lot of people are picking up their holiday pies, their holiday turkeys. I think a lot of marketgoers would appreciate that date.

**Trustee Armacost:** The only concern I have about this is that last year the Downtown Advocate had spent some time discussing the issue of the dates with the merchants. I do not know whether she was part of the communication, whether she was aware this was coming before us today. But it seems like on the topic of dates that that constituency has strong views and it might be useful to have the Downtown Advocate have a chance to put forward her views. There are definitely pros and cons on all sides, but when we decide we should at least have that other set of views being presented at the same time, irrespective of what we decide at the end of the day.

**Trustee Apel:** I think so. This is the same discussion we had last year. In fact, I think you came before us to add a day which was close to Christmas.

**Ms. Smith:** Because we were going to the every other week as opposed to twice a month.

**Trustee Apel:** But there was a lot of pushback from the store owners. They were not happy with that. What we do not know is what happened last year when you got that additional date and how that affected the storeowners. They need to weigh in on this because they were the ones that voiced the concern last year. Since it was given to you last year, I think we should know how they feel about it.

**Ms. Smith:** Although we did not bring up the question when we met in January with the storeowners, because it was only a month past, there was no comment about that. I had not heard comment from them as one of their concerns at that meeting.

**Trustee Apel:** I think we should ask them in fairness to them because it was brought up as discussion last year. And what was the result of it? They may come back and say it was perfectly fine, but let us hear from them.

**Mayor Swiderski:** At least the Downtown Advocate presenting it for them.

**Trustee Armacost:** At least give her the memo or whatever, or some portion of the memo so she has had a chance.

**Mayor Swiderski:** I do not want that freaky killer date discussion to necessarily torpedo the discussion around all the dates in general. The schedule you have proposed avoids Mother's Day.

**Ms. Smith:** Easter, Valentine's Day and Mother's Day.

**Mayor Swiderski:** If we are going to pass this for both years I would want that to apply to the following year as well. It would stagger it in a way that successfully does that next year, too.

**Ms. Smith:** When you do an every other week it is hard to predict exactly how that will fall out, but I understand the intent and what you want to accomplish.

**Mayor Swiderski:** Does the fact that we are unable at this moment to commit on the 19<sup>th</sup> trash your ability to talk to your vendors, or can you offer a commitment on everything other than the 19<sup>th</sup>?

**Ms. Smith:** I would have to look at the manager for that.

**Pascale Le Draoulec, Director - Farmers' Market:** We are talking about this as if it was a new thing. But the truth is, for the last seven years that I have run the market we have always had two markets in December, one on the first weekend and one on the third weekend. We have always done it this way, so any new dates we added last year when we went to the every other week schedule was a new date we added in May because we had three May markets before we opened. We did not add a December date last year. We have always done it on the first weekend and third because the 12<sup>th</sup> is the Santa Day at the Community Center and we have not wanted to conflict with that.

**Trustee Apel:** I have the minutes of that meantime. I will take a look.

**Mayor Swiderski:** The 6<sup>th</sup> and the 20<sup>th</sup> of last year, you handed me the minutes.

**Trustee Armacost:** The only issue is just that there is a constituency that has a view on the Farmers' Market.

**Ms. Le Draoulec:** Of course.

**Trustee Armacost:** It is just a matter of courtesy for them to be able to know that this topic was coming up. I was not aware that this topic was coming up until yesterday on the agenda. So they may or may not have known. Unlike some of the other things that were discussed earlier, where I certainly knew and k many people knew they were on the agenda for a long time, this is quite new. So I think just to give her that, just because that date is sensitive. If the decision on that one date can be postponed until the next meeting. Is that too late?

**Ms. Le Draoulec:** The problem is that I have other markets I run and I want to alternate the vendors from every other Saturday. We have already rented a church space for December 12. So if we do not have a market on the 19<sup>th</sup> they would not be able to come on the 12<sup>th</sup>, which means our only market in December would be the 5<sup>th</sup>, which is a little far from the holidays to buy your turkey. But I do want to say, on behalf of the market, we have made a lot of effort this summer to convince people to park down at the lot. We have bought more shopping carts for everybody, which they are using. We have installed a cooler for people so once they are done with their shopping they can put all their things in a cooler at the bottom of the stairs, go into downtown and shop, and then come back and get their groceries before going back to the parking lot. WE have definitely made an effort to improve parking on Maple and to encourage people to shop downtown.

If there is any concern about that day, obviously we could put our heads together with Barbara and try and come up with a solution to do something even more obvious to get people to park and not take up all the parking spots downtown, and maybe do some joint effort. People are going to be very busy on the 19<sup>th</sup>, and it would probably behoove them to do their holiday shopping and their grocery shopping, at the same time. I know it will help me. I am happy to work with Barbara.

**Trustee Armacost:** There may be no objection at all. It is a question of making sure that particular constituency is informed before we make a decision.

**Mayor Swiderski:** I would like to approve everything other than that date for the 19<sup>th</sup>. I think that is where we are.

**Ms. Le Draoulec:** Do you have any idea how quickly, if we were to talk to Barbara tomorrow?

**Mayor Swiderski:** Well, it is what it is. We do not usually do this, but you are a direct neighbor.

**Ms. Topilnycky:** I do not object to the date of the 19<sup>th</sup>. It has been done before. I do have a concern. It started out originally December and they used to do one weekend. Then they added a second weekend, then added April and May, two weekends on each month. I understand it is a winter market and there is a conflict with getting the Community Center. But even last year, in your own minutes it was suggested that they possibly try the different location down the hill. The only concern I would have with the December 19 is that you offer free parking for people to come into the Village to park. So what is going to happen is that because they take over this parking lot, and all of these spaces are used for the police to park in, therefore you are not going to have that free parking for people to shop downtown. There was concern in the January community meeting that we did attend from several merchants that were unhappy with some of the things that were going on at the market. They have been very cooperative and helpful with solving some of the problems that we have had, so the interaction has been good. I just feel like they are, more and more, taking time. They have rental agreements. I do not have any objection that way.

The parking issue is a problem, and I took notes during that community meeting. She said only 29 percent park down the hill so where are the rest of the people? They are parking here, they are parking in the Village. Some of their vendors directly compete with the businesses in the Village. The pizza places, although that was a whole different thing this weekend, are struggling in the Village. We have lost businesses. The deli went out of business. The restaurants, I do not know how great a business they do. I feel like if you approve it for two years then the market is not answerable for other things. I would ask that you only approve it for the one year, and then maybe they can redo their surveys to see how many people are parking on the hill, and maybe get a dialogue again with some of the merchants that did complain.

A year, for 2016, that is a long time. There was one time they asked you to approve it forever. So what says that next time they are not going to come to you and say we want it for three years or four years? The A&P just went out of business so that should tell you. You are trying to get a green market or something in there, that is going to be a conflict with the Farmers' Market. How do you entice a green business selling organic items into this village

when you have a direct compete with a Farmers' Market? By their own say-so they have a lot of people who shop there. We see it, it is a community thing. Anyway, that is just my suggestion is to only approve it for a year and possibly open a dialogue back up with the merchants. They are split. Some like it, but some do not. We have worked out some of the other kinks. The market is mostly cooperative with our suggestions and comments. We did get a lot out of that community meeting. Maybe that needs to be done again.

**Mayor Swiderski:** That is an important point. That is an ongoing dialogue. It is one of the things that the Downtown Advocate did well and will continue to do. It keeps everybody talking and addressing concerns.

**Trustee Walker:** So maybe if we do approve the two-year it is with the stipulation that there be an annual review.

**Mayor Swiderski:** Then why bother?

**Trustee Walker:** A public meeting.

**Mayor Swiderski:** I think the Downtown Advocate could also help making that dialogue.

**Trustee Apel:** It could be subject to a public meeting. We would approve it, but after a public meeting.

**Trustee Armacost:** Then I think you just approve it for one year.

**Trustee Apel:** Then we would have to have a serious meeting now with the public to see if they are so favorable of this that they are willing to allow it for two years.

**Mayor Swiderski:** The answer there is pretty overwhelmingly cleared through the vote of the feet passing through the market. I do not think there is a lack of support for the market. It is just a question of going through this every year. We have beaten down some of the bigger issues, which is the compensation and some of the traffic issues. I do not think those conversations stop.

**Ms. Topilnicky:** You are saying the traffic. According to the survey that is being presented to the community, 41 percent of the people were from out of town. So you are basing your decision, Dobbs Ferry, other people who do not live within the Village.

**Mayor Swiderski:** But it is a good thing that people come to town because the same surveys show some of them do go beyond the market.

**Ms. Topilnicky:** According to some of the merchants, that is not true. Yesterday when the agenda came out, that was the first time we had heard about this. And it did not have anything about December, April, May that you are approving. It just said "market" so most of them probably assumed it was the summer market, not the winter market. Usually I think it is the summer market. That is the bigger market, it is more months. I did not even consider you were doing just December, May and April for two years. Anyway, I would ask you do it for a year. Otherwise, they are not accountable to anybody. If you are just looking for public opinion, you s approve two years. Well, between those years you have more businesses go down or more pushback from the merchants. We have already given them approval, you are not going to yank it from them and we would not expect you to. That is why I would ask that you just do the year. Maybe you should start having approval for the winter and the summer market at the same time if that is the case. That would maybe make it a little easier for them to have that all lumped in that it is the Farmers' Market. I know they call it a summer session and a winter session.

**Trustee Armacost:** This is an interesting point. What is exactly the rationale for two years? Why can it not just be one year? What is the rush now?

**Ms. Smith:** It was an act of simplification for you and for us, and for the predictability in terms of vendors and planning. I do not think it is a critical point.

**Mayor Swiderski:** So what is the pleasure of the Board here?

**Trustee Armacost:** We have an information point, which is with this particular topic there is a constituency that cares about it. So they just need to be given more notice, generally speaking, particularly given that we should not pass something for two years when that constituency has not had a chance to weigh in at all. I love going to the Farmers' Market. I do not know whether I am in the majority or the minority. But people who have other views should have a chance to be able to articulate those views. I have no problem passing this for one year with the stipulation that the Downtown Advocate talk about the December date.

**Trustee Lemons:** I agree with what Niki said.

**Trustee Walker:** The two years is just a simplification for them and for us. It is not going to assist you in planning the future necessarily. If that is the case, I am OK with the one-year. But just to clarify, we are talking next summer as well, are we not? You would not have to come back and get approval.

**Ms. Smith:** That was the suggestion.

**Trustee Walker:** Because for awhile you were coming for the winter and then you were coming for the summer. So at least we are simplifying to some degree.

**Mayor Swiderski:** The summer is not mentioned in this particular thing, is it?

**Trustee Armacost:** It is only the winter. It is only a request to use the library lot.

**Trustee Walker:** But that is through the summer.

**Ms. Smith:** I said for the winter market and beyond, thinking of it in the bigger picture. So I presented it as if it was the two-year thing.

**Mayor Swiderski:** Let us assume this is for the full year. That way we do not have to go through this again twice a year, least of all every two years. Marge, do you have anything?

**Trustee Apel:** I think it should be for the full year. The ones we have the most discussion on are the winter and those few dates. Coming right before the winter we are trying to make a decision quickly. We need the public to weigh in on this. If we could have a whole year to look at it, at least they could have a discussion about the whole year.

**Trustee Armacost:** My suggestion is that next year, when it comes to this point, there is an opportunity for discussion earlier. So the memo goes to us, and at least the Downtown Advocate is there before when you want to have a discussion with us so we are clued in to it. That will be better for people. It is difficult because there are lots of things on people's agendas and things slip. But in this case it is something that is sensitive both for residents as well as shopkeepers. It would be helpful if there could be more lead time.

**Trustee Apel:** We had this discussion last year, too, because we wanted to know about it. If we could do it in the summer, everyone was away in the summer and people were not around. It goes all year around it trying to find the point at which there is a break and we could have a discussion for a whole year.

**Ms. Smith:** Right. Maybe I was presuming because we had a very deliberate discussion in January that covered a lot of points it was not just the winter market, that somehow we had done it for this period of time because we had not done it for awhile.

**Mayor Swiderski:** I agree with that. There are a lot of open items. It is a question of length of time for approval. It sounds like we are back to one year the final discussion of the 19<sup>th</sup> is in two weeks' time. It is not exactly how perhaps you wanted a strong, decisive answer. But



the wheels move as they do. And, Kelly, let it be known that you have just seen the Board change its mind. It does happen because of a single public comment, yours.

### **73:15 PROPOSAL ACCEPTANCE – PAVEMENT MANAGEMENT ENGINEERING SERVICES**

**Mayor Swiderski:** This is a proposal for acceptance of pavement management engineering services. This is a request from the Board to the Village Manager to hire the consulting services of an engineering firm to do a proper inventory of our streets to determine their shape and condition, and the same with the curbing and signage. The Village Manager proposed you come before us to answer questions. Please give us two minutes on what you are proposing to do; what is typically involved in such an inventory, and exactly what you are going to produce as a result of that inventory.

**Douglas Hahn, Hahn Engineering, PC:** We are going to inventory all your roadways. We are going to assess the quality of them, we are going to rank them, and we are going to meet with the Village to put them in order of priority of annual paving for at least ten years out. We are going to come up with a road map so you can see the sequencing. It helps for the bidding process and helps for everything. We go by the DOT standards so we try to come up with a list similar to the way the state would do it. When we work with the Village we will focus in on what is important and go from there. It is based on the annual budget for paving.

**Mayor Swiderski:** What is the work product that you produce?

**Mr. Hahn:** We are going to produce a report that will assess all the roads. We are going to list them by lengths, quantities of asphalt, pricing. We are going to provide you with a map. We are working on the same thing in Irvington right now. I was hoping to have it ready so I could show the map we have already started for them. We do similar work in Buchanan, as well. We work with the highway departments, not just sequencing but the annual paving. We do inspections, we work with the villages and communities where we are needed.

**Mayor Swiderski:** What is the process of grading a road? Are you taking boring samples, or can you tell by sight?

**Mr. Hahn:** It depends. We do not necessarily do cores. We base it on DOT criteria, which comes up with a one through ten, ten being the best, one being the worst. It is mainly visual. A lot of these roads are old and there are issues. You may have a thousand feet of roadway for one street, and only a quarter of it is really bad. You may not want to pave the whole thing; you may want to just look at certain areas. Or if you have certain sections that are worse than others you want to focus on those so you do not blow your budget in just paving

the whole roadway to pave the roadway. It is subjective in some ways, but when we do assess it is more of a visual. You could look to do cores and different things.

**Trustee Lemons:** Do you style with any kind of information about when those streets have been paved so there is some historical information?

**Mr. Hahn:** We will get whatever information the Village has.

**Village Manager Frobel:** That is the kind of thing that Mike and myself will be working closely with them giving them a history of some of the roads. Mike will know some of the problems he has seen in terms of the underlayment and perhaps the drainage or curbing. That will all be provided to Doug, and he will be able to work that into his report. Mike can say every four years we have been resurfacing this, there is a problem here.

**Mr. Hahn:** Absolutely. The highway departments generally know the problem areas, and they are the most helpful to us.

**Trustee Lemons:** So once you have done that inventory, and you mentioned pricing, you are able to then project out over that period of time here is basically what the cost will be to roll through this program.

**Mr. Hahn:** Yes, the idea would be to set up a list. The biggest priorities would be on top and the least would be at the bottom. It all depends on budget, and you would start from the top and work your way down. If, year one, you are planning on doing eight locations and you get through seven, the next year you would start at eight and work your way down. Or maybe you get through nine and then you would start at ten the next year. It depends, and we look get the biggest bang for your buck. If you work on roads that are closer sometimes you will get a better number because the contractor is not doing an area over here and then working over here. It depends on that kind of thing.

**Trustee Lemons:** We have how many miles of road?

**Village Manager Frobel:** About 28.

**Trustee Lemons:** So 28 miles of road, so it takes us ten years to work our way through those problems. Now some of those are going to recur. So what is the financial load to get those roads back into a decent shape and keep them there, projecting out over a number of years. I would like to know that. We may not have the money to do it, we probably will not have the money to do it, but it would be good to know quantitatively. We are looking forward and get to the budget cycle, and we can say OK, if this is a major goal and we want

to do it somehow we have to figure out how this is going to get budgeted for in the mix of everything we have. Or if it cannot be, we know it and we have some kind of realistic idea of how this plays out over a number of years.

**Trustee Armacost:** In the way you make your recommendations do you frame it in terms of tradeoffs? Or is there just one recommendation, or do you have an A, B and a C, where there are costs or other f implications of option A and different implications of option B and different implications of option C?

**Mr. Hahn:** I did say projected ten years. It may be more than ten years, and most likely ten, at the minimum to pave all the roads. Twenty-eight miles is a lot. So, sure, some roads will last longer. It is all based on the subgrade, if they have a good subgrade. But we are going to come up with our list based on our evaluation of all the roads, and we are going to meet with the Village and go through them. The highway departments know their roadways. We will meet with them, and certain ones we may say are priority year three. Then they would say we have had issues over here or maybe there is drainage. Or maybe there is a project coming up. There are some things we cannot foresee so we will try to meet with the Village and prioritize it the best way for the Village. Just because we put something on year four, maybe something comes up in year two where they say we need to do it. It is adjustable.

**Trustee Armacost:** In terms of sidewalks will you only make recommendations regarding cement? Or will you propose other types of material that could be used to create a sidewalk?

**Mr. Hahn:** Sure.

**Trustee Armacost:** There is a particular place I am interested in, which happens to lie in a woods. My view is that it does not need to be cement there, and cement may be the most expensive way to pave that sidewalk. Are you going to give us options about different types of material that can be used in certain situations? Obviously, where is it asphalt it can only be asphalt.

**Village Manager Frobel:** This phase of the report does not include sidewalks. That was an option. If you are satisfied with the product here Hahn Engineering has given us a price, and you can talk about that in the future if you like.

**Trustee Apel:** I want to know about the utilities factor. We pave a road and then Con Edison inevitably rips it up. It might have been that, number one, we pave it, we should be finished with it, we do not have to worry about it. Then they rip it up, so does that now get put back higher on the list? It never seems to be coordinated. Inevitably they are doing that. Are you going to then reorder that list or recommend how we reorder that list?

**Mr. Hahn:** A lot of times the utilities are aesthetics. If you just pave a road, the next year they run some lines down the road, it does not necessarily mean the road is going to crack or not function as it should. It may be more aesthetic. But if that does happen, which I am sure it will because it is inevitable, after it is paved the priority is going to drop pretty much to the bottom of the list. So if now some utilities come through or something happens to the roadway, and the Village wants to bump that up on the list, then sure. The list is flexible. It is based on what the Village wants to do. It is going to be what we see as the worst roads first to the least, and it is going to go in that order. What I am saying is, if some utilities go down in the road and the Village wants to pave it, then sure.

**Trustee Apel:** What is it that you are offering us that we could not do ourselves by just driving around the Village and saying this one looks terrible, we think we ought to do this number one and number two. What is the engineering expertise that you are giving us that we cannot do ourselves?

**Mr. Hahn:** It is more experience.

**Trustee Apel:** What is more experience than driving around and we know our village?

**Trustee Armacost:** I think it is a structural understanding of how the roads are built. It has to do with a scientific and, again, structural understanding of wear and tear of those roads and the ability to prioritize. That is my understanding of what is being offered here. If it is successful it also helps us make efficient and f economic choices about the way we improve those services. Is that right?

**Trustee Apel:** But I am not opposed to that. I always think you call in an expert, they are going to help you. But I want to know what this expertise is. You are saying you are going to tell us to use different materials? Is that what we are going to learn from this? We know which ones have holes in them, we see what is going on, with know what neighborhoods are neglected because we do not use that street as much as others.

**Mayor Swiderski:** It tends to be episodic and reactive in terms of impacting the Village as a whole. We do something far more informal. The DPW chief accumulates the list of the really bad ones, but it is a list looking forward exactly that year. It is never a more coherent picture. Here, one of the hopes is that we will make a commitment that over the next seven years we are going to hit all the roads. We will have a picture, finally, to say let us fix the worst roads over the next five years, it is going to cost us more money than we usually spend but we will have some confidence in how we are doing the decision-making instead of the more seat of the pants approach we have done to date, which I would argue is not working.

**Trustee Apel:** I am not saying a planned effort is not the best way to go.

**Mayor Swiderski:** We do not have that capability.

**Trustee Apel:** We do not have the personnel. So we are hiring an extra person to do that for us. What we are going to find out is we have a budget and no matter what recommendations they come up with within that budget we are going to have to fix the worst street or the most-used anyway. And number one is going to get done a million times more, unless it is the worst street, if number one happens to be the worst, rutted street. But most-used street is going to be one we are going to probably be looking at more. It will become the same balance of saying, OK, maybe we do a few of those and then take the worst ones regardless. So you work from both ends and you work your way up.

**Trustee Armacost:** Part of the value of an outside entity doing this analysis for us is that it does create a fairness scenario. For example, there can be streets that are very worn down that may not be the most frequently used but they always stay at the bottom of the list because they are not the main road to school. An exercise like this will keep us accountable for those people who are on the absolute crappiest street that will just happen not to be on the main thoroughfare. It is a valuable exercise because we will know if that little corner street is really bad. We may make pragmatic choices about which roads to fix, but we will at least know it is on the list and that group of citizens will not be completely isolated on their own never having anyone advocate for them. Hopefully, the firm will be advocating for the rubbishy streets irrespective of where they are.

**Mayor Swiderski:** We are also not willing to bit the bullet with an overhaul of the street.

**Village Manager Frobel:** I was going to point that out, Mayor. Part of this will be an identification that resurfacing it every four years is money not well spent. With the outcropping of rock or some drainage problems his report will indicate you are better off reconstructing the road. That may be your project for that year, a reconstruction of the surface street rather than just overlaying it.

**Trustee Walker:** I wanted to ask that question about drainage. Sometimes this is not necessarily a state of the asphalt question. This is a where is the water going question. Sometimes the road buildup is so many layers that your curbs are no longer functioning, or the crown is no longer there. You are going to be looking at those things, as well, which do take expertise to really understand. That is my sense of it.

**Village Manager Frobel:** But he is not going to be designing drainage. That would be a whole different process.

**Trustee Walker:** I understand. Designing drainage is another thing, but where the crown of the road or the curbs or there are too many layers of asphalt and that kind of thing is causing real drainage issues, that is very important to look at.

**Trustee Lemons:** The ad hoc approach we have is not satisfactory, and we clearly do not have the expertise in the Village to be systematic. We have to be. We need to communicate to the residents that we are taking a comprehensive look and do understand that is a problem, and we are working within the means we have to make sure we address all those issues. Yes, it may take six years to do that, but we are acknowledging it is there and planning to do something. That is a very important thing we need to do, as a board.

**Trustee Walker:** There will be decisions that the Board, or Fran and the DPW superintendent, will have to make based on your recommendations. There are still going to be prioritizations done by the Village.

**Trustee Lemons:** I think this is going to come up at budget time.

**Mayor Swiderski:** That is the point.

**Trustee Lemons:** Yes, we need that information so we can actually make some rational decisions.

**Mayor Swiderski:** More rational.

**Trustee Lemons:** Yes, sorry. I did not mean to impugn our former decisions.

**Mr. Hahn:** It is coming up a lot more with different municipalities that they need our service for this type of work.

**Village Manager Frobel:** And Marge, believe it or not there is some coordination of utilities. We do exchange the Con Ed the list of roads we anticipate resurfacing. It helps if they have a capital project on that same road, but for emergency repair all bets are off.

**Trustee Walker:** And now we have the new law that requires them to re-pave it all.

**Trustee Apel:** But look what happened on Broadway. They spent the summer making it look nice by the Four Corners and now they are out there ripping it up again.

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 accept the proposal of James J. Hahn Engineering, P.C., Brewster, New York, to provide a Pavement Management Classification System of the Village local roadway network for an estimated amount of \$21,800.00 to be paid from the General Fund.

<b>ROLL CALL VOTE</b>	<b>AYE</b>	<b>NAY</b>
Trustee Marjorie Apel	X	
Trustee Meg Walker	X	
Trustee Nicola Armacost	X	
Trustee Daniel Lemons	X	
Mayor Peter Swiderski	X	

**74:15 APPROVAL OF AGREEMENT WITH WESTCHESTER COUNTY FOR STOP DWI ENFORCEMENT CRACKDOWN PROGRAM**

**Village Manager Frobel:** This is a retroactive action on our part and the county. Our Police Department participated in a DWI stop on Labor Day, and we are now looking for the reimbursement for our expenses. It is t under a thousand dollars owed to us, and it is necessary to pass the resolution so the county can issue the check and reimburse us for those expenses.

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

**RESOLVED:** that the Mayor and Board of Trustees authorize the Village Manager to sign the intermunicipal agreement with Westchester County for the STOP DWI Enforcement Crackdown Program to receive payment for the participation of the Hastings Police Department on Labor Day weekend 2015.

**ROLL CALL VOTE**

**AYE**

**NAY**

Trustee Marjorie Apel	X	
Trustee Meg Walker	X	
Trustee Nicola Armacost	X	
Trustee Daniel Lemons	X	
Mayor Peter Swiderski	X	

**75:15 APPROVAL OF CHARGE TO TRANSPORTATION AND CIRCULATION COMMITTEE**

**Mayor Swiderski:** I am asking this to be tabled, in part because the changes that both Meg and Dan submitted I would have to integrate them in. I did not have a chance to and I cannot even elaborate what they were, and one of the Conservation Commission board members had comments as well. There were a couple of other comments in the record I want to take a look at and see what we can fold in. Let me do that, and we will make a point of posting that earlier than the day before. I will try to get this done by the end of this coming weekend. I should put out a final notice asking interests, with that date of the weekend before so we can get an final stragglers in.

**76:15 INTERFUND TRANSFERS FISCAL YEAR 2014-15**

**Village Manager Frobel:** This is a resolution prepared by the outside independent auditors. They finished their field work with this passage of the resolution and now have completed their printed report, having it to you before Thanksgiving. They are looking forward to the opportunity where they will present their findings. I spoke during the year as to where the difficulties lie during the year, with severe winters, unanticipated retirements in the Police Department. The year ended very tight. On expenditures we were \$7,000 under expenditure although we did do better on our revenues. We are now in excess of ten percent in our fund balance, so we are at a point near where you would like to be. We will have a discussion later on as to whether you would like to dedicate a portion of that fund balance growth to your capital nonrecurring fund.

**Trustee Armacost:** Can you explain where the money is coming from and where it is going to to give us a sense of what has spawned this?

**Village Manager Frobel:** Public safety went over budget. We had two unanticipated retirements in the Police Department which required the severance pay payout. We also had a severe winter. We exceeded our budget by \$107,000 in the winter snow removal operations.



**Mayor Swiderski:** You said we exceeded by \$107,000, yet you are only looking to transferring \$28,000. What does that mean?

**Village Manager Frobel:** Because there were other adjustments in the DPW account. This shows you the net effect. In the Home and Community we had higher than anticipated expenses in our Parks and Recreation program. But, of course, there is an offsetting revenue for the enrollment because a high percentage of our programs are paid by the enrollee. General Government support, what that is coming from, that is your contingency. Employee Benefits we had a smaller than anticipated payment to our police pension and we had some savings with the turnover in the Police Department.

**Trustee Armacost:** So Culture and Recreation and Home and Community are the same thing? Those are both Parks and Rec, or are they different?

**Village Manager Frobel:** Different.

**Trustee Armacost:** So which one is the community programs? Is that Home and Community.

**Village Manager Frobel:** That is Home and Community.

**Trustee Armacost:** So what is Culture and Recreation?

**Village Manager Frobel:** Youth Advocate some recreation programs with the categories. It is a little different. There seems to be some inconsistency there, but it is all state-driven. They set the categories. It is split between Recreation and Home and Community. Both involve some Parks and Recreation functions.

**Trustee Armacost:** But is it like \$120,000 of programs that went over, or is there something else embedded in that? I know you are saying that income offset it. But is that true for the full \$120,000?

**Village Manager Frobel:** I am sorry, good catch. Home and Community, the major difficulty there was with the Downtown Advocate. That's where her expenses were charged to, her salary.

**Trustee Armacost:** Because she was in the contingency budget and so was given a line item.

**Village Manager Frobel:** Right. The Home and Community is essentially the \$32,000 of the Downtown Advocate's salary. Remember, this is last year's budget. On balance, we did well. We managed what we had. Again, \$7,000 under budget for expenditures is extremely tight on a \$13-plus million operation. But you will hear it from the auditors.

**Trustee Armacost:** Yes. And having a \$359,000 addition to the fund balance is great. Is that official yet?

**Village Manager Frobel:** I spoke to the auditor last week before I put this on the agenda to make certain there were no other changes. He is still comfortable with it. But in answer to your question, we did better on the revenues for a couple of reasons. The sales tax came in better than we anticipated. A big portion of that was our traffic control. Both the booting program that you passed last year and enforcement of traffic violations yielded quite a bit. And we were able to recapture that Youth Advocate money we thought was lost back when Mr. Finkeldey was the director. And from the state we also got the one-time special winter storm payment in that winter for the severe winter. It was about \$50,000.

**Trustee Armacost:** So where do we stand as the total amount of the fund balance at the moment?

**Village Manager Frobel:** It is around \$1.4 million 10.2, 10.3 percent You are about where you want to be.

**Trustee Armacost:** Pretty exciting moment. Congratulations, Fran, to you and the team.

**Village Manager Frobel:** It has been a team effort. All of us have been involved. The comptroller's office is giving us better grades, too. They rank each community and he is continuing to see a trend favorably for the Village as we strengthen our fund balance, which is a principal concern of both the credit rating agencies and the comptroller's office.

**Trustee Armacost:** In the spirit of friendly competition among river towns, where do we stand vis-à-vis other river towns in terms of the percentage of our fund balance? Or if you can get us that data for the next time.

**Village Manager Frobel:** I can get that from the comptroller's office. Let us find out where we sit. And today, you may have seen where Greenburgh retained their triple-A bond rating, and yet their fund balance is less than seven percent. When I do the interviews and we continue to stress how we are getting healthier and stronger we still

have not been able to get the upgrade I think we are deserving of. And yet I saw Greenburgh retain their triple-A with a fund balance of around seven percent.

**Mayor Swiderski:** They have large commercial base, though.

**Village Manager Frobel:** I think that is part of it, yes.

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

**RESOLVED:** that the Mayor and Board of Trustees authorize the Deputy Village Treasurer to make the following budgetary interfund transfers for FY 2014-15:

<u>Budget Category</u>	<u>Transfer to</u>	<u>Transfer From</u>
Public Safety	25,432.00	
Transportation	28,684.00	
Culture and Recreation	78,245.00	
Home and Community	43,640.00	
General Government Support		78,522.00
Employee Benefits		97,479.00
	<u>176,001.00</u>	<u>176,001.00</u>

<b>ROLL CALL VOTE</b>	<b>AYE</b>	<b>NAY</b>
Trustee Marjorie Apel	X	
Trustee Meg Walker	X	
Trustee Nicola Armacost	X	
Trustee Daniel Lemons	X	
Mayor Peter Swiderski	X	

**77:15 SCHEDULE PUBLIC HEARING FOR PROPOSED LOCAL LAW E OF 2015 TO ADD PROVISIONS FOR A GATEWAY CLUSTER OVERLAY DISTRICT**

**Village Attorney Whitehead:** You need to refer this to the Planning Board and the Zoning Board for comment.

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

**RESOLVED:** that the Mayor and Board of Trustees schedule a Public Hearing for Tuesday, Nov. 17, 2015 at 7:30 p.m. or shortly thereafter to consider the advisability of adopting Proposed Local Law E of 2015 amending Chapter 295 Zoning of the Code of the Village of Hastings-on-Hudson to add provisions for a gateway cluster overlay district, and be it further

**RESOLVED:** that Proposed Local Law E is referred to the Planning Board and Zoning Board of Appeals for input and comment.

<b>ROLL CALL VOTE</b>	<b>AYE</b>	<b>NAY</b>
Trustee Marjorie Apel	X	
Trustee Meg Walker	X	
Trustee Nicola Armacost	X	
Trustee Daniel Lemons	X	
Mayor Peter Swiderski	X	

**APPOINTMENTS**

**Mayor Swiderski:** There are three appointments to announce. The Ethics Board has Barron Lerner to fill a term expiring in 2016. For the Safety Council we have Victor Waldron to fill a three-year term. For the Youth Council, Ariel Farber to fill a term expiring in 2017. Thank you for the work you will do on our behalf.

**VILLAGE MANAGER'S REPORT**

**Village Manager Frobel:** We have begun the LED conversion project, as I reported on Friday through a notice to the community. Crews began on Monday. They are focusing on the Dobbs Ferry boundary, working their way south. Any resident that brought to our

attention concerns about existing street lights in front of their homes has been passed on to the contractor and they will be making adjustments accordingly. The LED, we think, is going to be more directional so less intrusive onto their property or their homes, but nonetheless we are going to make all steps we can to adjust it. The audit was provided to you Monday. It is essentially an inventory. They looked at every street light to determine whether or not it was an LED already and whether it was high pressure sodium or mercury vapor. They took that data and combined it with what Con Ed was billing the community for. What they found out is, part of that inventory we were very close. There were very few, if any, inconsistencies. Part of that was because the Village went through that exercise ourselves about three years ago where we inventoried all their lights to see if we were billed correctly. At that time, we realized quite a savings. We went two months without a power bill. But also going forward, all the lights were adjusted accordingly.

To my way of thinking, we have gone about this program in an entirely appropriate way. We began probably four or five years ago, beginning converting our lights, taking first the mercury vapor, the more expensive lights, off-line and converting them to the LED. Deven Sharma, the Building Inspector, went about this with a very scientific approach. We removed the more expensive lights first, it was to address major secondary roads and then into neighborhoods. To our credit, you have seen over the last several budget cycles substantial reductions in our power bill, and we have been devoting some of those resources to this capital investment. From the inventory over 110 lights had already been converted to LED so there was plenty of opportunity, community-wide, for residents to say yes, these look nice, they work, we like them or they do not. We did not need to do one street or one neighborhood, as some other communities may do. We were doing this on a continuing basis over the last four or five years. Any concern that will come from residents in the future we will adjust accordingly. We have got crews out there. We will begin this program, and we expect to be completed by year end.

**Mayor Swiderski:** It is probably helpful if later this week we put out a note so people know where to write if the new lights are shining in their homes. I think the [led@hastingsgov.org](mailto:led@hastingsgov.org) is the form for that. I may attach that to an outgoing e-mail. It is a change, and people need to live with the change for a few days as far as the color. But the light shining into their homes they do not have to live with at all. That is something they should bring up immediately so we can have it addressed.

**Village Manager Frobel:** In my cover comments to the Board I mentioned that in our conversation with the contractor last week they are beginning to price out the cost for the decorative lamps. We are not alone. Other communities have the same style lamps. Right now, it is still a very expensive feature. That part of this phase will be a go-slow approach. The price of them today, I would not even recommend to you. We do not know the payback.

In Hastings, we have had two decorative LED lamps here to the entrance to Village Hall for probably four years. They were the first lamps we did. So people have had a chance to see them. I have not had comments about it. But going forward, that will be a separate conversation and process, and much involvement in a whole different part of it. I do not want anyone to think we are moving ahead in getting that.

The paving program will start Monday, weather permitting.. I had promised that for the last three meetings. They had marked out all the utilities on the streets, which was a positive sign. It should take about three, maybe four days to do all our streets.

I sent a note out that the Village received the estuary grant. Meg took the lead in pulling that all together under a very tight time frame. But certainly good news. There will be a lot of paperwork coming from the DEC in the future in terms of contracts and procedures. But at least we have a funding source, as you begin to look at the shoreline at the waterfront, to determine what you think is appropriate.

**Trustee Walker:** I am pleased about that. We may want to not wait to have a contract with the state to begin to talk about this and engage the public. The money will help us hire a consultant, whether it is a marine engineer or a landscape architect I am not sure. But that is really important. We can also start to have discussions about recreational or commercial uses, boating uses on the waterfront and vegetation and location of trails and things like that. Maybe we can start to put together a timeline of how we want to tackle this. I just hope the state grant does not take a year. We need to find out because we cannot wait around. This is something we have to do right away.

**Village Manager Frobel:** That is a good point. Let me find out.

**Trustee Armacost:** Sometimes, depending on the way it works, you can have a clause that allows you to implement before you have received funds. Of course, it is risky, but if we are going to do it anyway.

**Trustee Walker:** We found that the state is not retroactive.

**Mayor Swiderski:** Given that the DEC knows exactly what is going on between us and BP, the discussion should include that fact and the engineering design of the slope shoreline is underway now. In fact, it is a waste of money if we get this in a year's time.

**Village Attorney Whitehead:** Right. You have to make sure the left-handed DEC knows what the right-handed DEC is doing, and that does not always happen.

**Mayor Swiderski:** I met yesterday with the Riverkeeper and BP and told them about this grant and told them we are going to be reaching out to both of them to participate in the fact-finding and analysis. But that is all moot in a year's time.

## **BOARD DISCUSSION AND COMMENTS (Continued)**

### **2. Report on Solarize Westchester Launch in Hastings**

**Trustee Lemons:** This Sunday is the second of two launches because this is a joint program with Hastings and Dobbs Ferry. The Dobbs Ferry one took place on October 15 and was very well attended.

**Trustee Armacost:** I was there representing Hastings.

**Trustee Lemons:** We were represented there. Dobbs had a couple of their team members from to core team at our rollout. It was a big success. We filled the room, a lot of interested people, and I thought Doug Hertz of Sunrise Solar did a good job laying out information for people and then took up a large number of questions. They asked a lot of good questions. And there was an unending stream of them. That is a very good start. Even before the official launch we already had more calls for information than one of the previous solarized campaigns had in their entire campaign. There were 142 as of a week ago Monday. That was before the official launch. We are getting a good response, and Dobbs will have a workshop, which is probably a smaller format and maybe a little more information. That will happen on the November 7, and then we are going to have a follow-up workshop here on December 2.

**Mayor Swiderski:** Who is the target audience for the workshop?

**Trustee Lemons:** That will be pretty much the same target audience. It is residents. What we have not scheduled yet, and we will, is two commercial workshops, because the commercial part is a very different sector to be in. We are going to probably subdivide that. Do one for condos and co-ops and then another one for other businesses. My feeling is that while we know that probably 20 percent of the homes are going to be eligible for solar, with businesses that is a very different percentage. It is a very high percentage.

**Trustee Armacost:** It is like almost 80 percent.

**Trustee Lemons:** Yes. You look at these flat rooftops and no shading. The obstacle with the businesses is it is difficult to imagine how you do this. The fact is the internal rate of return is amazing and these things pay out commercially in about three and a half years. So you are totally in the black on a system that will now provide electricity to you for the next

25 years. So the savings, just the return on investment for a business, is very appealing. But you have to envision how to do that. It is hard to explain, so that is what we have to do. I am not sure how much has happened in the previous solarize campaigns but, to me, that is real gravy for us because there is future potential.

**Trustee Armacost:** When we say commercial we are also thinking about large not-for-profits like, for example, an Andrus or a church or synagogue. It is an opportunity for a number of people who would not think of themselves as commercial, a building like Purpl, for example, which is a commercial building but was a church. Some of these buildings y have fantastic rooftops. I would love to see solar, for example, on our library.

**Trustee Walker:** What about the Village buildings?

**Trustee Armacost:** Yes, absolutely.

**Mayor Swiderski:** It is a different program.

**Trustee Armacost:** It is under the rubric of commercial at the moment. You mean the Municipal Building. Yes, definitely. But the not-for-profits are under the rubric of commercial.

**Mayor Swiderski:** You think the library falls under that, not government?

**Trustee Lemons:** It is probably under the municipal program, but we should check. It is less financially appealing, the payout is longer, on not-for-profits because of the way this is being subsidized is through the tax system. They do not pay taxes so they do not get that benefit. But it still benefits them. And another added benefit for a number of these organizations is that it is a good thing to do. Hopefully, boards will see that and be willing to say we will live with a seven or eight year payout because it is a good thing to do.

The other thing, and this will not happen any time soon and certainly not until this campaign is over, community solar is something we really should then move on to investigate. There are so many residents who are not good candidates for it, but are there places where solar can be installed where we can feed that solar to places that are shaded and to residences and whatever. That is another place to look, down the line, to continue to expand this. This is one incremental thing, as a community, that we can do that could have a significant impact on greenhouse gases if we are successful with this campaign. It does not solve all our problems, but it is at least moving one thing in the right direction significantly.

**Trustee Walker:** So municipal solar, there is a special program for municipalities?



**Trustee Lemons:** Sustainable Westchester also has this, yes. That is something we need to work on because I do think the library would work.

**Mayor Swiderski:** It is tougher because the NYPA energy is so cheap.

**Trustee Lemons:** Yes, it is tough economically to make it work.

**Trustee Walker:** But there are municipalities that are doing it.

**Trustee Armacost:** Dobbs Ferry. When the mayor of Dobbs Ferry was talking about it, absolutely.

**Trustee Lemons:** They got a big grant.

**Trustee Walker:** I think the Town of Mamaroneck is doing it, too. It is also taking the lead.

**Mayor Swiderski:** It is harder to do that with money out of pocket.

**Trustee Walker:** I understand, but maybe we can look for grants then.

**Trustee Armacost:** Yes, we should definitely look at grants. Anyway, it was very exciting. And Dan has been the fearless leader in organizing everyone and making sure all the promotion happens on time and on schedule. So congratulations to you. I have just been merely a handmaiden.

**Trustee Lemons:** That Conservation Commission has really put their shoulder to it, too.

**Trustee Apel:** On a personal note, I met with them. They came to my house, they looked at my roof. I reported at the last meeting they want to know your tiles and how thick they are and so forth. It was a perfectly charming person that came and brought a pamphlet of information about the different types of programs and how you can save money. I am really excited about it. I am very fortunate to have one of the houses in Hastings that I will probably get a 99 percent return. But that is only on the energy part. You still get the bill from Con Ed. It was an interesting thing. If anybody is watching, you need to talk to your accountant and understand the taxes. You have to decide whether you are going to buy it or lease it.

**Trustee Armacost:** Right. You are going to get a loan for it. It is not a leasing plan.

**Trustee Apel:** It is a loan through them.

**Mayor Swiderski:** So have you got the contractor, or not yet?

**Trustee Apel:** They are sending in the paperwork, I am signing the contract, and I am going to buy them. But you will not see them because they will be in the back of my house.

**Trustee Lemons:** To pick up on the electricity part, even if you cannot put solar PV on your roof there are a lot of energy conservation steps that have big payouts, too, and we need to keep pushing that because there is a lot of gain in that.

**Trustee Apel:** I did ask him why I could not share. Could there be part of a program where I have it on my house or only a certain amount have it on the house, but if I was able to gift it to the Village or something. It goes back to the taxes, and the Village does not pay for electricity. Then everyone else's taxes go down. But no, there is no way, you cannot do it. I tried for the Village. But I think down the road that is probably the way you can go, ask them to channel it back into the Village as opposed to not. It is only going to save five percent of some little part because I have already paid for my electricity. But it will help with your gas. The solar is not going to do anything for that. It is very exciting. I am glad the Village is moving in that direction.

**Mayor Swiderski:** I think we are going to hit our targets easily. Lots of people are going to be disappointed because, like me, they have too many trees.

### **EXECUTIVE SESSION**

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

### **ADJOURNMENT**

On MOTION of Trustee Armacost, SECONDED by Trustee Walker with a voice vote of all in favor, Mayor Swiderski adjourned the Regular Meeting at 11 p.m.