

VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
REGULAR MEETING
DECEMBER 1, 2015

A Regular Meeting was held by the Board of Trustees on Tuesday, December 1, 2015 at 7:32 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. Frobels, Village Attorney Linda Whitehead, and Village Clerk Susan Maggiotto

CITIZENS: Eight (8).

APPROVAL OF MINUTES

On MOTION of Trustee Apel, SECONDED by Trustee Armacost with a voice vote of all in favor, the Minutes of the Public Hearings and Regular Meeting of November 17, 2015 were approved as presented.

APPROVAL OF WARRANTS

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

Multi-Fund No. 39-2015-16 \$1,508,368.94

PUBLIC COMMENTS

John Gonder, 153 James Street: The Advocate was here last meeting and she had no information how much the merchants made last year because of the extra parking that you gave them. This year you should consider maybe three days for Hanukkah and three days for Christmas, or maybe tops five days each.

The park at south Warburton Avenue you took a gate down, ordered by the Board. I am not sure what that gate is going to do with dogs running around. Trustee Walker mentioned that they are going to put effort in to have something done in several months. When some youngster gets bitten severely, you got to take action right away. You got to say no dogs in the park, period, and maybe you should look at the fines for dogs. I had a lot of problems with a person across the street from me for about six years, always had her dog running loose. I finally met with the Mayor and the Police Chief, then she moved out.

The Advocate and the Board and the Mayor, what are we doing about the A&P? It is not only seniors that use the A&P, it is the whole community. It is going to be a rough thing for

people. I know you have a bus that goes around for the older people to take them to different shopping centers. But in the summer it is hot, you buy frozen foods or meats, you like something locally. Even if you have to walk, you can walk up there in a short time. Something should be done. Somebody has maybe purchased it, but I do not know if it was approved by the judge. I think that is an office compound that will buy the building and we may lose that. That is a priority for the Board, and the Advocate should be spending a lot of time trying to find out what they can do with it.

Trustee Apel hit it on the head with the bridge and getting a structural engineer. I hope that structural engineer has a lot of knowledge in concrete: types of sand, types of cement, viscosities, and all the inspection reports. The Board made the right decision because with the cold weather coming it will affect some of those cracks.

BP, is there anybody down there doing anything? The price of oil is down below \$42. Are they talking to you, are they going to give you the million dollars to do something? I wish we could hear because that is one of our most important pieces of land and we are not hearing anything.

I just want to remind you budget time is coming up. Think of sidewalks rather than paving the roads every other year.

Jim Metzger, 427 Warburton Avenue: The Warburton Avenue Bridge. I had occasion to walk across the sidewalk that was just recently done. I am sorry to say that I believe the new wall they poured, where they were supposed to be taking extra care, is possibly in worse shape than the original wall that was poured. I counted 14 cracks, most of which are through and through. In addition to the cracks, in the center of the sections that were poured, where the street lights are, there is a buttress the light sits on. Below the light, there is a metal box that is embedded in the concrete which is where the wiring comes into and gets connected to the light. On the east side of the bridge those panels are flush with the concrete and the concrete around those access doors are fine. On the west side of the bridge, the doors are all recessed somewhere around an inch. In at least three of the doors cracks emanate from the square recess up to the top of the wall where the light is. As that light starts to vibrate in the wind it is going to exacerbate the cracking that is already started. There is cracking in the curbs. It looks identical, but possibly worse, to what was done. We will let a structural engineer figure out why that is. I have my theories, but that is not my area of expertise.

If I could comment on Mr. Gonder's comment about the gate in the dog park, the reason the gate was taken down was to prevent people from showing up and allowing their dogs to run off-lead. Without a gate in the park, people will not take the chance their dogs will get loose and run into the street. It was extremely effective. I know of only one person so far whose

dog was somewhat under control that they let off-lead in the park. They were told the gate came down because of the situation of the danger. As far as I know, they leashed their dog up and left. There is a committee being formed. If it is going to be a dog park, and there is still some question about what the neighborhood wants and what the community wants, it needs to be done similar to the dog parks in the city with, for example, double gates so dogs cannot get out. If it is in the lower part dogs will not be able the jump the fence, which is what had happened previously. The idea is to make this a safe park where people can let their dogs off-lead, assuming that is what this committee would come to the decision to do.

Nicole Dimnet, 18 Marianna Drive: I have a fifth grader and a third grader. I am here to make a public statement regarding the foot path in the Uniontown woods. For as long as anyone can remember there has been a trail from the back of 21 Marianna Drive to Uniontown Park. Kids from Marianna Drive and other surrounding streets have been using this trail to walk to school, as it cuts off four-tenths of a mile and is vastly safer since it does not require the kids to walk on the blind curve of Tompkins and crowded, traffic-filled James Street, the safety of which has been the subject of many previous Village discussions.

Recently, a resident of Oxford Road has been trying to deny the children of Uniontown safe passage through these woods. Despite the fact that there is probably a historical prescriptive easement, the definition of which is an easement that is earned by regular use, this homeowner has fenced off his property which the old path crossed over. This, despite the fact that his house is at least 30 feet up a stone cliff from the small area where the path crosses. The path abuts the property of two other residents of Oxford, as well. Given the paramount importance of the safety of our children, the Anderson family, who live at 21 Marianna Drive, looked to find a different but still safe way for our children to get to school. While the residents of Uniontown could have sued for a prescriptive easement, the Andersons tried to find a less aggressive answer and came up with the idea of moving the path. Thus, in order to move the path off the property of the Oxford residents, the Andersons have offered to buy a very small, landlocked parcel from the Town of Greenburgh. Paul Feiner has publicly applauded this effort by the Andersons to give our kids a safe way to walk to school.

But now, it appears this resident of Oxford is trying to stop the sale, as well. Not only has he successfully kept our children off an existing path, he is now trying to thwart our attempts to find a different, safe path. Last night, at the Greenburgh town meeting, this resident of Oxford offered to buy the property for double the price Greenburgh offered when the Andersons expressed interest in purchasing the parcel. In his statement on the record, he stated the Andersons are buying this property solely for their own benefit. I can assure you this is not true. It is not about money or the personal benefit for the Andersons; it is about the safety of our children. Ironically, according to his own words, this Oxford resident

would be buying the property solely to keep the children out and make it impossible for them to walk safely to school through the woods. Hence, his offer to purchase the parcel is completely uncharitable and would serve only himself, where the Andersons' selfless offer would serve the general public to protect and keep our children safe.

Last night, this resident also stated that this is not a path because it is not officially part of the Hastings trailway map. I have never seen this map, and I am just wondering if all the Hastings trails and paths exist on this map. Over the years, we have had many conversations with people who have lived in the town about how they used this path growing up. As of noon today, I spoke with the previous owner of my own house, who said that she and many other children, 30 children on Marianna Drive, used this path regularly when they were children. If necessary, I can present the names of many of the current and former residents of Uniontown to support this.

The Andersons' offer to purchase this property is completely altruistic. Not only are they willing to purchase the property, they are also willing to pay the additional taxes associated with the property, grant an easement to the children of our village, and build and maintain the path and accept responsibility for this path. If the Andersons buy this property many people will benefit. If the resident from Oxford buys this property nobody benefits. Please know that we are here today because of the importance of this issue. The safety of our children is paramount. The Andersons know this and are acting on behalf of all of our children.

I come to you tonight to set the record straight and to simply ask you to take a stand for the safety of the children of Uniontown, their friends, and all of Hastings. We ask that you please affirm to the public and the board of supervisors for the Town of Greenburgh, one, the existence of this trail and, two, that you support the Andersons in their effort to provide a safe way for kids to walk to school. We know you will support us as we work to keep our environment healthy and our children safe. Thank you.

Trustee Walker: Is the Town of Greenburgh compelled to sell the property? I wondered if they could not just maintain it as public property and the trail could go through that way.

Ms. Dimnet: They could, and that would definitely be an option if they wanted to. The resident of Oxford wants no trail at all.

Trustee Walker: But if it is public property is not up for him to decide.

Ms. Dimnet: You are absolutely right, and he has already fenced off his property so I do not know what more he wants. I am just throwing it out there. We are open to several other options. It came down to this.

Trustee Walker: Maybe we could talk to the Town of Greenburgh about keeping it public, then the Andersons do not have to purchase it.

Trustee Armacost: Or Greenburgh could gift it to the Village.

Village Manager Frobel: That is what I noted. Yesterday, I gave you the report as to what has happened over the last several weeks on this topic. During my discussion with attorney Tim Lewis from Greenburgh, probably five weeks ago, I outlined that as an option. I was hoping that would be the approach. I was as surprised as everyone else when I read Mr. Feiner's email Saturday that he had already moved forward. We have never been re-contacted by the town to follow up with that preliminary conversation with Mr. Lewis.

Ms. Dimnet: I also know that the Andersons' plan is to donate it to the Village.

Village Manager Frobel: Yes, if they acquire it.

Ms. Dimnet: But it was just under construction; maybe we could make it beautiful and mulch-y and tick-free.

Trustee Armacost: I do not think it needs to go through such a complicated process if the ultimate goal is to gift it to the Village. Residents can still maintain it. There are certainly many other parks that residents maintain.

Ms. Dimnet: We would be happy to do that, for sure.

Trustee Walker: Who would have the right to do that? WE have a lot of public easements throughout, with trails and small parks that are used just like what you are describing. The neighbors do not have a right to block it or take it over, or prevent passage through it.

Michael Anderson, 21 Marianna Drive: This path came as an idea because I was driving down Tompkins one day. It was snowy, and some kid was trying to get home and had to climb an icy bank. After looking at that, I realized no reasonable adult would look at that and say that is a good way for a child to commute to and from school on Tompkins, if you guys are familiar with that blind turn. In order to get to the trail you have to go through our property. Since we have lived there for about five years, people have walked up and down, I have said hello to them. It has been used on a regular basis. My wife and I, and my wife is at basketball practice, volunteering and coaching my daughter's basketball team and could not be here, have agreed we would buy the land to clear a path, and then eventually donate it to the Village.

Trustee Apel: Could you come up here a minute? We have a map.

Mr. Anderson: I am here, Marianna Drive comes here. Kids walk down our driveway, walk around, and used to go here. Since we cannot go here anymore because they blocked this, we said we will buy this and let the kids go completely on our property. The last comment I will make is that 18 Oxford offered to buy the plot for more than it was offered to us by the Town of Greenburgh. We are highly motivated. We will happily enter into any bidding war with the residents of Oxford. I cannot imagine any better use of my money than to make sure the kids of Hastings have a safer way to get to school. I do not want this to be done under the table. Have it out in the open, and anyone who wants to bid on the property can. I cannot imagine it is of any use to anyone other than the people that live near there.

Trustee Walker: It is adjacent to Uniontown Park so it could become part of the park.

Village Attorney Whitehead: I believe the town took it back for unpaid taxes.

Village Manager Frobel: Right. And I think taxes are owed to the Village, Susan, as well?

Village Clerk Maggiotto: Correct. We were not notified that the town had taken this property.

Trustee Armacost: Who owned it originally?

Village Clerk Maggiotto: An owner that has been unavailable for many years, Michael Sellati. He owned two small plots in the area.

Mayor Swiderski: Beyond the children on Marianna Drive, are there others who traditionally have used that?

Ms. Dimnet: There are. The Colt Youth Club, which is considered Yonkers but on the corner of Nepperhan and Tompkins. They are lovely. They come up Marianna Drive, shoot a basket in my hoop and then walk on the Andersons' driveway. They are very respectful, I have talked to them. They have been using it for years.

Mayor Swiderski: I think we should reach out to the Town of Greenburgh and understand their intentions. Bidding wars do not look very interesting.

Village Manager Frobel: I have a call in to Tim Lewis. I called yesterday morning and he has not called back yet. He is the attorney for the town.

Village Attorney Whitehead: I can ask him. Kids have been going through there for at least 50 years.

Patrick Randolph Bell, Hastings-on-Hudson: Tonight I am just going to talk about two issues: safety and transparency. I am trying to focus. A lot of people say, Patrick, focus on a couple topics. A quick aside with the parking. Ossining has the best Police Department Facebook page ever. I wish we did more of that. They started their holiday parking today for the month. I am not sure why we cannot do that. I know we make some money from it, but we make a lot of extra money on these tickets. They are doing a whole month. I thought it might be a good idea, if not this year maybe next year, we can consider what it would cost the Village and what we could make back to the local business owners.

I will start with safety. I asked a couple of times about what are we going to do with Main Street and finally get the lines down. Mr. Frobel said it is going to be early next week. That might have been a month and a half ago. Has not been done. With the Downtown Crawl that Barbara has set up coming this Friday, I know we just went through Thanksgiving weekend with no lines or stop lines. All the time, these people are pulling right up to Broadway. You all have seen that over and over again. We need to go out there and put a real stop line in where that stop line is. I have seen the police pulling people over. I do not know if they are pulling them over for people pulling past that line. I hope it is not a revenue thing you are pulling off here. I do not think it is. But we need to put up a stop line where it should be. It is safer for everybody. We need to fill in those crosswalks all the way down Main Street, if we can. We got to put some double yellow lines in. The Downtown Crawl is going to happen this week and we are going to have a lot of people here so hopefully, we can get it done before then. It is not a lot of lines to fix.

Another quick thing I had mentioned also, Mr. Frobel a month ago and to Trustee Walker: that little no-parking sign right in front of the falafel place. It is only this high off the ground, and it is no parking here to the corner. If you were in the parking lot across from the post office it is a right turn only out of there. There is a no left turn sign. Because of that missing no parking from here to corner sign on Warburton people are parked right up to the edge of that parking lot. Then to leave that parking lot, the only way to get out of there properly is to cross into the oncoming lane of traffic. Especially in a car as large as mine, you cannot just cut that corner. You have to go into the oncoming traffic to make the right turn, which is the only turn you can make. I am sure we must have some sign laying around somewhere that we can stick it back up on that little mini pole. It could be done easily would make the Village a little more safe again.

The walkway in the Uniontown woods over there, that is another great thing you should pursue. They have done so much work on it, it would benefit all the children of the Village. It is not just the kids who live down there, it is not just the children who play at the park or the athletic club. It is all their friends from Hastings who visit these children, and they come and go all the time. So if you could help out with that, that would be great.

The last thing was a quick transparency thing. Last week, I was talking about these two meetings. The first thing I brought up was at the Conservation Commission meeting, in which I was taping it and left the room to do this one. Trustee Armacost was more focused on this, me standing outside the door taping, than she was on one of your members of the Conservation Commission touching my property and turning off my camera while I was out of the room. I have asked you before if you could possibly train them, give them a simple couple of pages on open meeting law. I know you were not happy with me taping outside this door here, but I learned a lot for standing outside that door for 20 minutes. I could have done it with my ears; I did it along with my ears and a recorder so other people could listen to it, too. We are very concerned about that topic.

To end this, I learned this week that there are four or five groups, different committees and boards, that do hand in minutes to the Village. I hear that the Conservation Commission has handed in their last couple minutes or at least one of their last minutes to the Board and to the clerk. I would love to see them placed on the website. I hear you are trying to figure out how to do that. Maybe you could figure out how to do that quicker. Especially for the Affordable Housing Committee. They have done a lot of wonderful things. I suggested to Sue Smith that you take up all your old projects that you have done already that have been a great success and really done great things for the Village and put those online also so people can see what you have done in the past. We have this website set up for this stuff, we should utilize it more. That would solve a lot of the issues I have with the transparency. "Transparency" and "safety" are not just buzzwords. They are things we should embrace as a Village, and I think you should embrace. I think you are slowly moving toward that, and I would like to see you maybe move a little quicker.

Mayor Swiderski: A couple of issues were raised I wanted to answer. On the A&P, that is an issue of concern for all of us. The lease has not been sold. It appears that the original purchaser, Shanghai, has backed out, so the property is in play. We are working with at least one interested party but, ultimately, it is a private transaction between the leaseholder and grocery markets that are driven by market size. While we can try to smooth the process along as best as we can, it is a market transaction. The property is zoned for a grocery store and for office space. There is an egregious surplus of office space in the county. It is not likely they would tear down that structure what would be a small office by office space comparisons and try to lease that. It is more likely it will remain what it has been.

But regardless of what happens, realistically it is going to be months out of commission. because whoever moves into it is going to want the rehab it. We have, certainly, a minimum of four months and probably more than that before we see that back in use. We are as interested as other people are. It is not just an issue of convenience, it is a linchpin to the entry to the Village and as important as anything the Downtown Advocate, and me as well working with her, are looking at.

On BP, painfully long negotiations on an update to the consent decree are at the tail end, but then they have been at the tail end now for about four months. We are trying to dot it and cross the t's, but lawyers move at their own special speed and we are trying. I was hoping to have it done by this year. It is probably going to slip into early next year. But it covers a range of topics.

**82:15 ADOPTION OF LOCAL LAW NO. 7 of 2015 AMENDING ARTICLE IX
PARKING, STANDING AND STOPPING OF CHAPTER 282 VEHICLES AND
TRAFFIC OF THE CODE TO MODIFY THE PROVISIONS FOR PROHIBITED
PARKING ON FLOWER AVENUE**

Mayor Swiderski: We have been over this, there was a public hearing, and it is fairly straightforward.

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 hereby adopt Local Law No.7 of 2015 amending Article IX Parking, Standing and Stopping of Chapter 282 Vehicles and Traffic of the Code of the Village of Hastings- on-Hudson, Section 282-25.A(77) to modify the provisions for prohibited parking on Flower Avenue.

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

SECTION 1. Section 282-25.A(77) of the Code of the Village of Hastings-on-Hudson is hereby amended to read as follows:

§282-25.A(77) No parking on the south side of Flower Avenue from the driveway at 2 Flower Avenue for 40 feet in an easterly direction and for 84 feet in the westerly direction.

SECTION 2. SEVERABILITY

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. EFFECTIVE DATE

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

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	

83:15 ADOPTION OF LOCAL LAW NO. 8 of 2015 AMENDING ARTICLE IX PARKING, STANDING AND STOPPING OF CHAPTER 282 VEHICLES AND TRAFFIC OF THE CODE TO ADD A HANDICAPPED PARKING SPACE IN FRONT OF 41 MARION AVENUE.

Mayor Swiderski: Once again, a similar resolution. It is the addition of a handicapped parking space in front of 41 Marion Avenue. It is, as was discussed in the public hearing last meeting, as requested by the neighbors at that dwelling that have a handicapped member of the family. The usual severability and effective date clauses apply.

Trustee Apel: Does it end when people move?

Mayor Swiderski: No, and I am assuming it can be overridden.

Village Manager Frobel: We examine it when they move.

Village Attorney Whitehead: It is not automatic.

Mayor Swiderski: Right, it has to be undone. But that is a good point.

Trustee Armacost: What is the process?

Village Manager Frobel: The Safety Council reviews all the handicapped locations throughout the community. In fact, the Chief has a couple he would like to present to you for your consideration to remove them as being handicapped parking. But that is normally how it happens. Police, DPW personnel notice that perhaps the person in that household has changed, it is no longer necessary, and it is brought to the Safety Council for a reconsideration. Then it comes before the Board.

Trustee Armacost: Is it done on an annual basis, or a haphazard basis?

Village Manager Frobel: It is almost haphazard, word of mouth that someone has moved or passed and it is time to look at whether it is still necessary.

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. 8 of 2015 Amending Article IX Parking, Standing and Stopping of Chapter 282 Vehicles and Traffic of the Code of the Village of Hastings-on- Hudson, Section 282-27 to add a handicapped parking space in front of 41 Marion Avenue.

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

SECTION 1. Section 282-27 Handicapped Parking of the Code of the Village of Hastings-on-Hudson is hereby amended to add new subsection M as follows:

§282-25.M. In front of 41 Marion Avenue.

SECTION 2. SEVERABILITY

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. EFFECTIVE DATE

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

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	

OTHER

Mayor Swiderski: An issue was raised by two of the public commenters, free parking during the holiday season. We had one public commenter wanting less and one public commenter wanting more. We did weigh in on this last meeting. We are dedicating more time that we have in prior years, far more time, I should add, than any of our neighboring villages are dedicating to this. It would start this Friday and proceed through the Christmas holidays. It is a substantial block of time, and is broadly appreciated.

Also as was discussed by the Downtown Advocate last time, the merchants had a hard time valuing that. It is hard to put a dollar on it. But it clearly removes an impediment for people coming downtown, it makes it clear that it is a festive holiday period, and we thought it was a worthwhile investment in the downtown.

Trustee Armacost: I reiterate the point I made the last time, whether it is quantitative or qualitative, we want some kind of evidence that it is making a difference.

VILLAGE MANAGER'S REPORT – Warburton Bridge Inspection & Analysis

Village Manager Frobel: Since our last meeting quite a bit of progress has been made. We drafted a letter which will go out to Mr. Astorino tomorrow, indicating to him our dissatisfaction, or at least our concern, with the bridge, the means and methodology used to rehab the bridge. We also prepared a request for a proposal, and I provided that to the

Trustees, a simple outline of what we want an engineering firm to look at in terms of examining the bridge for its construction methodology.

I have also had conversations since we last met with six different engineering firms. I spent quite a bit of time talking to each one of them, explaining to them what our needs are, getting their input and insights as to the process, and them giving me an education as to how this should work. Very helpful. Of the six, I have been able to attract two that are viable candidates to do this work for us. I have talked to both of them at length beyond the initial conversation, and I have received one proposal. The second firm has not yet prepared it for me, although he gave me an outline on the phone as to what it will entail. This week I will give you both proposals and have some suggestions as to how we proceed from there. What I would suggest is that at our next meeting we meet with either one or both of the firms, interview them, make a decision that same night, and have them proceed.

Both of the firms are quality. All the companies have very good references and the staff and capabilities to perform a study like we are looking for. They are all familiar with this type of an analysis. It is not as uncommon as I thought. It is not routinely done, but it is done elsewhere. The difficulty is putting a price to it. They indicated we may be inclined to consider a lump sum payment. That is impossible. What we are thinking is, as you begin the analysis, and I think this will come out during your interview, they will proceed. If they see some problems with a certain area you may want them to drill down more on that. If they feel that some of the initial concerns that have been identified can be addressed and are going to be addressed by the county, you can move on to another area. We have to go step by step through this. We should have a budget in mind, a number that you are prepared to have available to me to help administer this process as we go forward. In other words, as we look at one aspect of it I say we have already spent X amount of money towards the total budget of this amount, should we proceed, are we satisfied at this level that there is enough for the county to address, have your concerns been looked at. It is going to take a little finessing to walk through this because it is difficult. We have asked them to look at host of aspects of the project, and it is very difficult to put a hard number to it.

Trustee Apel: Do they have a minimum when they start? Do they say day one, we come here and charge \$10,000, and then we move on from there?

Village Manager Frobel: It is difficult to tell. They have got to begin by looking at just the construction documents and the design.

Trustee Apel: But they are going to know, if they are doing that, what that base cost is going to be: we are starting out, we are going to be looking at that. They must have a starting figure because we know where we are starting from.

Trustee Walker: Right, reviewing the documents and then doing a field inspection. That should be a fixed amount. Then they should be able to give you another estimate, maybe even hard, of what the next step would be. Each step they are not billing you afterwards some unknown amount, but they would tell you what the next step is going to cost.

Village Manager Frobel: They are going to give us an indication as to how long staff time should be devoted to, say, specification review. They will look at that and see if there were some inherent problems in the design of the bridge that may have contributed to what you are seeing. I can get you a number to that point. From there we are going to say we want x-rays performed, core samples; we have already looked at their field results and we see there are some deficiencies in the concrete blend or how it was applied; and then we need to confirm this. Some of that is going to be an incremental step as to how far you want to go.

Trustee Apel: We are not saying that, but we need to know what our starting figure is.

Trustee Armacost: Are we starting at \$100,000, are we starting at \$10,000, are we starting at \$500,000?

Village Manager Frobel: I can tell you it is probably closer to the \$10,000 range.

Trustee Armacost: Just for the spec review.

Village Manager Frobel: Right, for some of the review and some review of even the inspection reports. I think they can get you to that point.

Trustee Walker: Would that include at least a field inspection so they can see?

Village Manager Frobel: Sure.

Trustee Walker: We just want somebody to start by looking at it.

Village Manager Frobel: That will all be part of that initial review.

Trustee Walker: Then if they decide there is a serious problem they can give us an estimate for a core sample or x-ray.

Trustee Lemons: I think, Meg or Marge, your point is that it is not like a let us go ahead and then you bill us later for what we did. But it is like tell us what the next step is, what that is going to cost.

Trustee Walker: Yes, that is what I mean.

Trustee Apel: What I foresee, and maybe it is just wishful thinking, we get the initial review and come back with a lot of stuff, we can certainly go to the county and ask why are we footing the bill for the rest of this when we already know this is what the problem is.

Village Manager Frobel: When you have identified it early on.

Trustee Apel: We have identified all this stuff, so you better start looking into it. We know this is going to be a problem, or not, we do not know. But I am saying that is the time to be able to then go them and say, OK, guys, it is time.

Trustee Armacost: Or if nothing else, we have a problem. You the county and we the Village have a problem, so what are our next steps together going to be on this. If we can get that off the \$10,000 versus off the \$500,000 it would be great.

Village Manager Frobel: Again, all six are aware of that. But the two I have been focusing in on are sensitive to the fact that it is a very difficult number to nail down, there is a budget we are going to work with, and we are not going to have unlimited funds to be able to reengineer the whole bridge. We are going to begin to identify initial concerns, if any, and then proceed accordingly in an orderly fashion.

Mayor Swiderski: My only concern is that it not be structured in a way that encourages something unlimited, because you can always decide it needs more study.

Trustee Walker: Right. But each step of the way there should be a written estimate and you can sign off on it. It should be in writing, no understanding over the phone or via e-mail.

Village Manager Frobel: Of course. They are going to look at design, at construction, k at the inspection reports, the materials. But at any one of those points, we can stop and say I think we have satisfied ourselves, or we would like you to go even further.

Village Attorney Whitehead: Or we have enough to go to the county with.

Trustee Armacost: An unlikely but possible solution is that there is nothing that looks like it is a problem. So the next step is having to drill and look in a more physical way at things.

Village Manager Frobel: That is where I am at. This week I will give you more data and look for our next meeting to have interviews.

Mayor Swiderski: We should choose as soon as possible. What is the timeline on the bridge right now?

Village Manager Frobel: They had hoped to have it open both ways this week. It was a short week, I talked to the foreman towards the end of the week. They knocked off early on Wednesday, Thursday and Friday they did not work. With the weather they have not paved this week. The next step was to pave, and then open it up. It is not clear when that will happen.

BOARD DISCUSSION AND COMMENTS

1. Downtown Advocate Report on Holiday Activities

Downtown Advocate Prisant: I have three general items, and then a holiday update.

The first is about the A&P. Your comments were thorough and right on. It is good news that the lease is back in the landlord. It makes it more amenable for purchase by a supermarket operator that, as you said, would have to renovate. It is no longer in bankruptcy court so it is promising just in that regard.

The second is that we have a new business that opened in town this weekend and had a wonderful opening party. It is called the Fitness Gallery on Main Street right next to Corey Glass and the parking lot. She did a beautiful job renovating. There is an art gallery on the walls, and in the middle she started classes yesterday with Zumba and yoga and all kinds of things. I am going to invite Jodi to the next Board of Trustees meeting to introduce the business and have her tell you more about her classes. It is a beautiful renovation and the Building Department did a great job supporting her in getting it ready for her opening in time. It was well-attended, and a facelift to Main Street so we thank her for that. People should stop by and welcome her.

I wanted to thank Village Manager Frobel and Chief Visalli for looking into the red markings on the sidewalk. It turns out it is Verizon which was going to do some work. They talked to them about making sure that does not happen in the holiday selling season, so that work will begin in January. Everyone has been mindful this holiday season in terms of the movie filming and work by utilities, et cetera of keeping the downtown business district available for parking, driving, walking. So thank you for that.

Trustee Walker: What are they going to do?

Village Manager Frobel: Upgrades. It is interesting because I am ready to recommend to you a moratorium on any kind of utility work during a certain designated period except for emergency repairs. It is not uncommon to have that as a local law. That utilities are prevented from doing any upgrades from, say, November through January or something.

Trustee Walker: This is in the sidewalks and not in the street?

Village Manager Frobel: They have marked Spring Street to the VFW Plaza, and Main Street.

Trustee Armacost: But that has just been paved.

Village Manager Frobel: Right.

Trustee Apel: Do they have to follow the new regulations?

Village Manager Frobel: Yes, if they are going to open up.

Trustee Apel: Then they are going to pave it again.

Village Manager Frobel: Yes.

Mayor Swiderski: They do not coordinate with each other, do they?

Village Manager Frobel: No, they do not. And what is frustrating is, Con Ed has opened up the intersection of Warburton and Main. I am not sure what is going on there. I do not know what is happening on Farragut near the intersection up there. They have had that opened up several times.

Trustee Walker: In Germany they put all the utilities under the sidewalk and the sidewalk is covered with stones or concrete slabs you can just pick up and set to the side and then put right back again after you are finished. Why can't we think of that?

Mayor Swiderski: They are a sensible people. Onwards.

Downtown Advocate Prisament: There are two more Solarize meetings coming up, one for homeowners and one for commercial business owners and non-profits. The homeowners is tomorrow night, and then the next one is December 8. The commercial one could be for a temple, a church, a nursing home, a property owner, co-ops. If anyone is listening who wants to explore solarizing they should come on the 8th, and that is being held in Hastings.

Trustee Lemons: At St. George. You have to be a bona fide business owner to come.

Trustee Armacost: You have to have a business in Hastings also.

Village Attorney Whitehead: That owns property.

Downtown Advocate Prisament: I did e-mail all the business owners that we have on an e-mail list and asked them to spread the word. Some of them are landlords.

We had our first “meet the merchants” event that Fonda Lefrak from Suburban Renewal suggested and everyone embraced. Thirty businesses said, yes, come on in. What was great about this event was that it got right to the heart of what we are trying to do, which is remind people how many great shops are here and to support local business. It cost very little, just a little graphic design and my time. The merchants each put a little time into putting out a little food and drink, but since there were 30 stops, nobody had to go all out. Everyone was very lovely and generous. A group of 25 or so of us met at the VFW Plaza and set out. To give you an idea of who came, there was a woman who grew up here and people who have lived here a long time, and a lot of people that were new to the Village. One family of four that moved here three weeks ago I guess, and a family that had been here a year and a half. A woman who comes to town from Harrison every week to eat at Juniper and is curious about our shops but had not taken the time to explore them saw the flier and joined in. By the end of the afternoon, which took three hours instead of two, we had a lot of fun, we became this family of people, looking out for one another and getting to know one another. At the end, I asked people did they think this had some value for them and in what way did it have value. The comments were textbook what you were hoping for, where somebody said, I was going to shop in the big box stores for the holidays and now I see I can do my shopping right here and I am going to. Meeting the storeowners, seeing the merchandise in a relaxed, festive way and just for that purpose. That was the general consensus.

What we learned was that we should split that into two days. Fifteen shops, and Maud's where nobody wanted to leave because she was lovely and generous. Everyone wanted to stay and get to know each other better. So ending in a social event after 15 shops, and then the other 15 the following week. People could come twice if they want, or pick a week. Also, we got a nice article in *The Enterprise* about it. We had some publicity. Twenty-five people may not sound like a lot, but if they begin to shop in our stores and tell their friends it is the whole messaging that went out about shopping local that hit a lot of people on Facebook and other places.

Trustee Apel: Sounds great.

Trustee Armacost: One of the shops that people did not get to visit was Hastings Prime Meats. We do have a small supermarket right on Main Street that people are not thinking about. Of course, the A&P is a loss to the community, but we do have another supermarket and some small delis in the meantime. There are some places people can go.

Downtown Advocate Prisament: It does seem like people are relying on them more in the interim between having the large supermarket.

This Friday night is the Crawl and people are buying their tickets. We have 14 restaurant participating. Even with the closure, it is a nice reminder also that there are 14 bar-restaurants operating in town. People are changing what they are offering: appetizers, samplers down at 40 North and Harvest, and great things throughout the Village. Things for young people, non-alcoholic drinks and food that is good for families, and also nice new things to taste. A quarter of it benefits the Food Pantry, so people are doing a great thing when they come out and participate. There is a great bluegrass jam, with top players from around the tri-state area coming in at the Roadhouse for each show. They are part of the Crawl so that is a lovely way to end the night. It is going to go from 8 until late.

Indigo, T. Thomas Fine Miniatures, Expressions, Suburban Renewal, Maisonette and Chelsea's will all be open late, most of them offering 10 percent to the Food Pantry that night, too. The Scouts were going to sell wreaths at the VFW, but they are sold out so do not be disappointed. The next day is the Farmers' Market. I will be there handing out these local gift guides, which are two-sided and reiterate all these nice places to shop for gifts. This is something the Mayor has always sent out via e-mail, but we put it on a card. You can pick them up around town in certain spots. Galapagos will be having their 20th anniversary book sale and local author signing at the Community Center on Saturday, as well.

On Dec. 14 the Mill is running a toy drive with hospitality that night for people who donate. Also, there are toy and veterans' clothing donations the night of the Crawl at the Community Center for the tree lighting, which also happens that night, Lisa's and Kendra's fabulous event. The Rec Department is also supporting two more holiday events. Dec. 17 is the Drop & Shop movie night, which we will start promoting more on social media and in *The Enterprise*: drop your child off at the Community Center to see a movie; if you shop downtown you get your money back. Many stores will stay open late for that. Lastly, Dec. 19, the day of the last Farmers' Market, from 11:30 to 1:30 there will be a live caroler, a sing-along with a keyboard and vocalist leading the community in holiday sing-along in the middle of town in the afternoon for two hours. The Rec Department will be giving out hot chocolate. It is just a way to sort of keep the whole day festive downtown. So shop the market, shop the Village, have a cup of hot chocolate. That is it, then it is the holidays.

Mayor Swiderski: We are going to invite you back for the first meeting in January to describe what we face next year in terms of both engaging the storeowners and the Farmers' Market in a dialogue, as well as the strategic planning around what we want to do next year.

Downtown Advocate Prisament: Absolutely. We have ideas growing, and that is when we all share.

Trustee Armacost: We have proposed that the Advocate have a chance to summarize the successes of the year. It is useful for people to hear that. Sometimes it seems like these are one-off individual things, but it is adjunct to a very substantial contribution.

Downtown Advocate Prisament: Do you want to do that at the next meeting before the end of the year?

Mayor Swiderski: If you have something written we will share it with the community.

Trustee Armacost: I do not know, kind of end of year seems like a good time.

Downtown Advocate Prisament: So not necessarily a presentation here, but something we can e-mail out to the Village. Then in January we can talk.

Trustee Armacost: You can maybe do a quick summary of the highlights in that meeting, as well as the plan moving forward.

Downtown Advocate Prisament: That is what I have been preparing so that will be perfect. There are these events that are very visible, but there is a lot of work that has gone on that is not as public that would be lovely share, and I am looking forward to doing that.

Trustee Armacost: And you have done a lot of work in bringing in businesses to places where people do not even know businesses exist like, for example, further down Warburton. Some of those things are things that have gone unnoticed and unappreciated.

Dave Skolnik, 47 Hillside Avenue: I wanted to make a suggestion request with regard to the season we are getting into. The intersection at Five Corners, I am sure there are reasons it has not yet gotten striping. But it has become extraordinarily hazardous, especially if you are expecting more people at this time of year that are not familiar with it. I almost had an incident the other day. Even though you have the eastbound sign coming up Main that says stop here, there is no line so people do not stop there. They pull all the way up. By the time they get past the sign they forget that it said no right turn on red. I see a lot of that behavior.

The other thing is, it does not split the lanes. So now instead of two lanes normally heading east you have got people smack in the middle. The request is if there is some way of temporarily dealing with that until you can get the people in who are supposed to do that.

2. Transportation Subcommittee Charge – Final Review

Mayor Swiderski: I have had one phoned-in modification, which I forgot to make. It was formerly known as the Transportation Subcommittee. I should have changed that. Was there another one?

Trustee Lemons: A couple of minor things. I attempted to e-mail them to you, but I think they did not go through.

Mayor Swiderski: So you want to give them to me? That is the point of this exercise, and I want it nailed down.

Trustee Lemons: There is an extra "to," T-O in the third sentence after "in the implementation details committee structure" – "add two members to the working group when needed, and also 'to' rescind membership."

Trustee Armacost: No, that works.

Trustee Lemons: That is OK, I guess.

Mayor Swiderski: Modification rejected. Next?

Trustee Armacost: It would be better without the "to" in front of "rescind." It would sound slightly more elegant.

Trustee Lemons: Just grammar. "The working group will not have an independent budget," and the next is 'it' may raise money, not "they."

Trustee Walker: I am not sure if it is worth making the change, but I talked about this the last time: I thought it was important that this committee start off with one or two public meetings. We have that they will review community input, for example committee meetings to seek input. It should be more of a requirement that they have community meetings. We could say, after "creation of the first year's program," "after holding one or two community meetings the group will review the Comprehensive Plan, the Complete Streets policies, previous pedestrian plans." In other words, they start out with community meetings. It could come at a later date, but by kicking it off with something public it lets people know what

they are doing: they are there to hear from the public, they are getting input. Then they can go back and read all the other plans and everything, and see how it all falls together.

Trustee Apel: It depends. They have to do a lot of homework and do a lot of reading. Then they can go to the public.

Trustee Walker: I do not think it matters. They could open it up to hearing from the public.

Trustee Apel: The public may come and want to ask them for a lot of information. They may not be able to tell them anything.

Trustee Walker: When I do plans I usually start with listening to people. I do not listen to people a long time, but then you can form it all into something you can then take back to them and show them.

Trustee Lemons: Yes, I like that approach.

Trustee Armacost: I agree. What we are trying to do is balance both hearing what current concerns exist for people – and part of what is happening with the people who are responding to the request to be on the committee is that they have issues in their own neighborhoods, some of which are new, some of which are old – so we are balancing that new information with work that has already been done, and trying not to forget either part.

Mayor Swiderski: So in the interest of being explicit, the group "will" hold a community meeting to seek input, and then review the Comprehensive Plan, the Complete Streets policies," etc..

Trustee Apel: OK.

Trustee Walker: I think that is a good way to start. Thank you.

Mr. Skolnik: I am wondering what other way Mr. Metzger or myself can make specific comments on this.

Mayor Swiderski: This is been out for a bit. We have incorporated whatever comments we are going to incorporate.

Mr. Skolnik: You are cutting it short. You are creating a situation where I have to then find an alternate way to make clear the points I made to you and submitted in writing, and which

had never been incorporated, even though Trustee Walker has, in some way, tried to elicit further. It has never been incorporated. There has been no change in this document since the beginning.

Mayor Swiderski: That is OK. You are entirely free to do so.

Mr. Skolnik: In other words, between now and the time you vote on this there is no ...

Mayor Swiderski: This is the charge moving forward. We are going to select a committee, and this will be the charge handed to them. I do not think we need a vote on this, do we? It is just a charge. We have taken input.

Mr. Skolnik: Then with all due respect, given what you already half-know about the way I feel about it, then we are forewarned that this is going to be added to the other issue.

Mayor Swiderski: All right, we understand.

Mr. Skolnik: Because there is a lot wrong with this document.

Mayor Swiderski: We understand, duly noted. But we have reviewed it a couple times, far more so than most charges, and I think we are done.

Trustee Armacost: The one other thing we discussed at the last meeting was the selection criteria, but we are not going to put that in here. So we are agreed on that.

Trustee Apel: This is just what they are going to do.

Mayor Swiderski: Right. What is the shape of the applicant pool?

Trustee Armacost: We have a lot of people who are interested, but we do not have people who have provided me with what we normally have, a CV and an application process. We have a few people who have done that, but most of the people have not. We should do one more round, and then I will forward to you everyone who does it. We can state that the decision will be made at the next Board in executive session. I will send an e-mail to everyone who I have received some kind of correspondence from saying if you are really interested ...

Trustee Apel: What was helpful when I did the second round with the Comprehensive Plan was, if we send this out to all those that applied then they can say I really want to do this, or no, I do not want to do this. Then you will get the sincere people that really want to do this,

and they understand what they are volunteering for. It is not just the title of the committee. And notice how many applicants we got after that.

Trustee Armacost: We have an issue with that, but this is a separate point.

Trustee Apel: I am just saying one way to do it is now we know exactly what this committee is supposed to do.

Mayor Swiderski: We can state this next meeting.

Trustee Armacost: Let us do that.

Trustee Apel: Also, if you send that around again asking people if they are interested, and this is what it is going to be.

Trustee Armacost: So if you can send what is considered the final, final version to me tomorrow I will forward that to each person who has approached me, including those who have sent CVs and say this is what it is going to be, do you still want to put your hat in the ring.

Trustee Walker: Since you brought up the Comprehensive Plan, what is the next step?

Mayor Swiderski: That we need to go to more résumés.

Trustee Armacost: We need to have an executive session meeting tonight very quick on personnel-related issues.

Trustee Walker: I was t wondering if we are receiving enough and maybe we should consider changing the charge or the timeline if people are finding it is too much to take on. That is not necessarily an executive session topic.

Trustee Apel: We do not know if that is what they are thinking.

Trustee Armacost: I do not think that is the issue.

Trustee Apel: Maybe we need to advertise a little more. Do the e-mail, but could we put an ad in *The Enterprise*?

Trustee Armacost: I do not think that is the problem.

Trustee Walker: It might be daunting for people if they understand the last one went on for how many years, Jim?

Mr. Metzger: Three.

Trustee Armacost: But we need people who are not going to be daunted. What is not helpful is to set up a committee where no one shows up. It is a committee that has a lot of work to do, so people need to understand the work that is involved. Not overexaggerate it, but also not understate it. We need committed, active, capable people for that particular committee, as well as others.

Trustee Walker: Perhaps the charge needs to be restated or reshaped so it does not appear daunting. I am not sure.

Trustee Armacost: I am not sure that daunting is the issue.

Trustee Walker: We will talk about it.

Mayor Swiderski: An executive session can only cover specific appointments. An approach or questions about approach is not something we can do.

Trustee Armacost: It is to do with the actual applicants. Is that appointments?

Village Attorney Whitehead: Yes, if you are talking about the applications you have received, then it is specific individuals and specific positions.

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 matters having to do with the subcommittees proposed.

ADJOURNMENT

On MOTION of Trustee Walker, SECONDED by Trustee Armacost with a voice vote of all in favor, Mayor Swiderski adjourned the Regular Meeting at 8:50 p.m.