

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
REGULAR MEETING
SEPTEMBER 14, 2004**

A Regular Meeting was held by the Board of Trustees on Tuesday, September 14, 2004 at 8:15 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

PRESENT: Mayor Wm. Lee Kinnally, Jr., Trustee Michael Holdstein, Trustee Bruce Jennings, Trustee Marjorie Apel, Trustee Peter Swiderski, Village Manager Neil P. Hess, Deputy Village Attorney Marianne Stecich, and Deputy Village Manager/Clerk Susan Maggiotto.

CITIZENS: Four (4).

APPROVAL OF MINUTES

On MOTION of Trustee Apel, SECONDED by Trustee Holdstein with a voice vote of all in favor, the Minutes of the Regular Meeting of August 17, 2004 were approved as presented.

APPROVAL OF WARRANTS

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

Multi-Fund No. 25-2004-05 \$ 57,782.59
Multi-Fund No. 26-2004-05 \$ 39,207.40
Multi-Fund No. 27-2004-05 \$ 11,746.38
Multi-Fund No. 28-2004-05 \$ 38,767.67

70:04 BUDGET TRANSFERS FY 2003-04

Village Manager Hess: This transfer is overruns in costs for the Southside sidewalk project, \$1,316. It should have been on our last agenda and it got left off.

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

RESOLVED: that the Mayor and Board of Trustees authorize the Village Treasurer to make the budget transfers for FY 2003-04 as follows:

Account Name	Account Number	FROM	TO
TRANSFER TO CAPITAL SOUTHSIDE SIDEWALKS			
	A95509	\$ 1,316.00	
	A630		\$1, 1316.00
TO COVER OVER EXPENDITURE IN SOUTHSIDE SIDEWALKS			

ROLL CALL VOTE	AYE	NAY
Trustee Michael Holdstein	X	
Trustee Bruce Jennings	X	
Trustee Marjorie Apel	X	
Trustee Peter Swiderski	X	
Mayor Wm. Lee Kinnally, Jr.	X	

71:04 SCHEDULE PUBLIC HEARING WATERFRONT DEMOLITION

Mayor Kinnally: Neil, I, Susan and Angie, our planner, had a meeting with ARCO last week, which I will discuss later, in which they indicated that they were anxious to take down Building 2 because their engineers have determined it is in danger of collapsing. We will have a hearing on the demolition permit next week and act on it also at that meeting, which we usually do not do, but time is somewhat of the essence.

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

RESOLVED: that the Mayor and Board of Trustees schedule a Public Hearing for Tuesday, September 21, 2004 at 8:00 p.m. to consider the application of Atlantic Richfield Company for a demolition permit for the central portion of the former Anaconda Wire & Cable Co., specifically, Building 2.

ROLL CALL VOTE	AYE	NAY
Trustee Michael Holdstein	X	
Trustee Bruce Jennings	X	

Trustee Marjorie Apel	X
Trustee Peter Swiderski	X
Mayor Wm. Lee Kinnally, Jr.	X

72:04 SCHEDULE PUBLIC HEARING MORATORIUM ON LI ZONING DISTRICT

Village Manager Hess: When we set up the agenda to discuss this we talked about extending the moratorium for another 60 days. However, we had a very productive joint meeting last night with the Planning Board on the issue of the MUPDD zone. Marianne has already drafted two short amendments to the law based on the discussion and the outcome last night. It does not appear that anything is significant enough to require another public hearing, so I ask the Board: do you want to put this on for a vote, either at your September 21 or your October 5 meeting? If you are going to set a hearing on a local law to extend the moratorium, but you are going to vote on the MUPDD local law, then it is not necessary to have an extension.

Mayor Kinnally: I agree. Marge does not want to have the vote next week because she is not going to be here.

Village Manager Hess: Then you set the vote for October 5. There is no need to extend the moratorium.

Trustee Holdstein: But there is still content within the MUPDD that this board needs to discuss and decide if we want to adopt it the way it is written, or whether we want to make some changes. The most glaring one is the hotel/motel. This board needs to hash through it. There are some other issues I would tweak, signage issues and so forth. We have to discuss these as a board before we are prepared to vote on the MUPDD.

Trustee Apel: When is our time up on the present moratorium?

Village Manager Hess: It was August 29.

Trustee Apel: And we have not voted to extend it yet?

Village Manager Hess: We have not set the public hearing yet. You have had 290 days of moratorium. Once you exceed a year you are exposing yourself to legal ramifications. If you

want to extend it another 60 days, that is fine. We can set up the public hearing for October 5. But a decision has to be made at one point or another on this local law.

Trustee Swiderski: I agree. Can we propose amendments or changes to the law on the same day we vote on it?

Village Manager Hess: If you make the law less restrictive, say instead of eight units per acre you propose 15, you would have to have another public hearing. If you make it more restrictive, which you would by taking out hotels and motels, you would not have to have another public hearing.

Trustee Swiderski: But could we run a process where people make their motions; if they pass and it does not become less restrictive we can vote on what is left?

Trustee Holdstein: I would not be in favor of that.. I think it serves this board better to sit down with our copies and our notes and for us to reach a consensus on a final document, rather than having it hashed up at the night that we want to vote.

Deputy Village Attorney Stecich: For 60 days from when you call for the public hearing you cannot do anything that would not meet both the law you are considering and the current law. So, in effect, you have another two-month moratorium just by calling for a public hearing on the law you are considering. So you could, at a meeting, raise issues and then put off the public hearing. And you are protected because there is a moratorium in place.

Trustee Apel: I am for that. Why don't we protect ourselves by proposing a public hearing?

Mayor Kinnally: But the Board has to be ready to discuss this in earnest at our work session on September 28, and to give direction to the Village Attorney for revisions.

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

RESOLVED: that the Mayor and Board of Trustees schedule a Public Hearing for Tuesday, Oct. 5, 2004 at 8:00 p.m. to consider the advisability of Adopting Proposed Local Law No. 8 of 2004

imposing for 60 days a temporary moratorium on development in the Village's Limited Industry (LI) Zoning District.

ROLL CALL VOTE	AYE	NAY
Trustee Michael Holdstein	X	
Trustee Bruce Jennings	X	
Trustee Marjorie Apel	X	
Trustee Peter Swiderski	X	
Mayor Wm. Lee Kinnally, Jr.	X	

73:04 AUTHORIZING THE FILING OF A WESTCHESTER COUNTY HOUSING IMPLEMENTATION FUND GRANT APPLICATION AND AUTHORIZING THE VILLAGE OF HASTINGS-ON-HUDSON TO ENTER INTO AN INTERMUNICIPAL AGREEMENT WITH THE COUNTY OF WESTCHESTER IN FURTHERANCE OF THE 422 WARBURTON AVENUE PROJECT

Village Manager Hess: On the affordable housing project on Warburton there are certain county funds available to assist in the development of this project. The Village would be the recipient of the funds to do the public improvements as outlined in the second whereas of the resolution. It also includes associated engineering and administrative costs. A & F and the Affordable Housing Fund will prepare the applications. We will review them, and if they are appropriate to the project they will be submitted to the county for funding.

Eric Anderson, A & F: Both the Fund and A & F appreciate your support. I am happy to report that today the Westchester Planning Board voted to approve this project with some minor conditions. Also this morning we received a commitment from HFA for the bonds to do the project. Further, Westchester delivered a letter to our office about a month ago outlining this HIF commitment and two other commitments that the Board of Legislators will consider in October, one for the new homes land acquisition program, and the second for some home funds. Those two additional programs are not administered through the Village, so you will not be considering them separately. Westchester County is making a large commitment to the project.

Trustee Holdstein: Have you been meeting in regular sessions with the neighbors, now that we have gotten past the difficult process, or have things been quiet?

Mr. Anderson: Quiet, although I am not so sure that the troubles are over that you make reference to. Our six-month period extension from the town is up at the end of October, beginning of November, and it is not clear that it will be renewed. We are attempting to work out the issues.

Trustee Holdstein: Involving the neighbors as well?

Mr. Anderson: We have not yet because it has just come up in the last couple of days. It involves the fact that there is some environmental remediation that has to be done at the site, and whose responsibility it is.

Trustee Holdstein: I would hope that some of these other funding things that are falling into place would help encourage it.

Mr. Anderson: We hope the same. We will be having a series of public meetings before the end of the year as the project takes shape. Actually it is not our extension. It is to the Hastings Affordable Housing Fund. It is not clear at this point whether it will be extended.

Mayor Kinnally: I had a conversation on Sunday with Paul about the project. This did not come up, but he reaffirmed his commitment to it. Sue is away, but I will talk to Jim Keaney.

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

WHEREAS, as the Hastings-on-Hudson Affordable Housing Development Fund Company, Inc., in association with A & F Equities, moves forward with the design of the 422 Warburton Avenue Project, it is critical that the potential funding identified for that project be in place; and

WHEREAS, funds for the 422 Warburton Avenue Project are available through Westchester County under the Housing Implementation Fund Program (HIF). The HIF program can be used to fund the costs of public infrastructure associated with the development of affordable housing.

These costs can include roads, parking sewers, water, sidewalks, street lighting, appurtenant landscaping and engineering, and legal or administrative costs associated with these public improvements. Specifically, the project will entail streetscape, plaza, public utility and infrastructure improvements and the HIF funds can be used to cover these costs. The budget estimate for this project is \$315,000. Now therefore be it

RESOLVED: that in order to begin the process of obtaining these funds, the Mayor and Board of Trustees hereby authorize the following:

1. The Village Manager of the Village of Hastings-on-Hudson to file an application for funding under the Westchester County Housing Implementation Fund Program not to exceed \$315,000;
2. The Village Manager of Hastings-on-Hudson shall direct the Hastings-on-Hudson Affordable Housing Development Fund Company, Inc. and A & F Equities to prepare the application for review by the Village Manager or his designee;
3. The Village of Hastings-on-Hudson shall authorize the Hastings-on-Hudson Affordable Housing Development Fund Company, Inc., in association with A & F Equities, to administer and coordinate the application process to support this 14-unit affordable rental development on behalf of the Village of Hastings-on-Hudson and in cooperation with Westchester County.
4. Upon successful completion of the application process, the Village of Hastings-on-Hudson shall enter into an intermunicipal agreement (IMA) with the County of Westchester.

Village Manager Hess: Have you heard anything from either the school or the town on the PILOT?

Mr. Anderson: No. It is a little bit on me, however. I need to decide on exactly the form of PILOT that we want to pursue. We are still considering two options. One would be a PILOT through the IDA, and one would be similar to a PILOT but I think it would be another local law through a state private housing finance law. We are in the final strokes of trying to figure out the best way to do that.

Mayor Kinnally: I encourage you to push it forward.

Mr. Anderson: Our goal is to be in the ground before the end of the year so we can get the building torn down and the remediation done.

Village Manager Hess: We need some word from the town and the school on whether they will even consider a PILOT, before we can sit down as a group and start talking about dollar amounts.

Mr. Anderson: There is old news here that I should announce. Both the town and the school have, as boards, voted to consider PILOTs. So the issue of tax abatement in theory is at the same level with this board. These were actually quite long ago.

Village Manager Hess: I understand that the school was reconsidering your latest request.

Mr. Anderson: There is no request, per se, but there is a schedule out there that is still in flux somewhat. But the school, the summer before, did formally adopt the notion that a PILOT would be considered for this project.

Mayor Kinnally: Given the past history on this thing, and the fact that it can turn into a political football, I would urge you to get it buttoned down so we can move forward, especially where there are funding considerations and applications for extension. People assumed certain things awhile ago and those assumptions proved to be faulty.

Mr. Anderson: We are working our level best to do just what you recommend and we have been trying for months to get certain aspects of it nailed down. The inertia is now working in our favor, and things are happening.

VILLAGE MANAGER'S REPORT

Village Manager Hess: We started street resurfacing today and completed four streets. I was hoping we would be able to do Lefurgy this Thursday and Friday while school is off, but Con Ed is still doing work on Lefurgy Terrace. Usually they do not start ripping up our streets until after we pave them. This time, we raised the manholes and got it prepped and then they ripped it up. But we are hoping it is going to move along smoothly. We will start

with milling on Friday, beginning on High Street. Then we will probably move over to Rosedale for milling.

Demolition on the downtown pavers will begin this Friday at the Food Emporium and we will work our way down Main Street. They will do demolition in rainy weather unless it is a horrendous storm. The project overall is slated for 10 business days. They will have a dumpster in the downtown, which Mr. Anderson has allowed them to put on his property, along with equipment, overnight.

New York State paving of Broadway is a project unto itself. They have separate contracts for this project; one contractor is doing the milling and another is doing the paving. There seems to be some coordination, but not a lot. They started at least a month and a half late from when they said they were going to start.

We sent out 14 RFPs to engineering and design firms for Kinnally Cove. We will get those back within the next week and we will do an initial analysis. Then we will develop a committee with representation from the LWRP, the Planning Board, Trustees, and staff to evaluate and come up with a recommendation. We are looking for an engineering firm that has dealt a lot with the Army Corps of Engineers and the DEC on projects similar to this because that is going to be important in getting our permits. We are getting mixed signals. We are being told by members of the original committee that a tidal marshland would work, and by the DEC and the Department of State that it won't. It is really up to the Army Corps.

As of August 31 pool revenues were \$242,758. That is an increase of 6.1% over last year. Our attendance through the end of August is 18,960 people, up over 4,000 from last year, and the pool opened later. But we are staying open later, too. We had some rotten weather during the summer, but we also had some nice weather at the end of August. We are on projections with our revenues, and I guarantee the deficit will be wiped out by next year.

Trustee Swiderski: How are guest revenues?

Village Manager Hess: Guest revenues, right now we stand at about \$17,000. We projected \$20,000, though.

Trustee Jennings: Has there been a shift among the membership categories?

Village Manager Hess: Definitely this year; a lot of people signed up for only the second half because we opened later. I would expect to see that change next year, so I would expect to see revenues go up even farther.

Trustee Jennings: We should try to counteract any movement from full membership to a daily membership. I would like to encourage people to consider that a full membership, regardless of how many times you go, supports this facility and supports the whole community of the pool. Thinking about it on a pay-as-you-go basis, the very individualistic basis, would ultimately mean that the fees would have to go up considerably in the future in order for the pool to be self-sustaining. We need to keep that sort of community spirit, that kind of altruism: maybe I only go ten times, but I am still a full member of the pool, I want to contribute to the pool. The more people in town who have that feeling about it, the better off we will all be.

Mayor Kinnally: Have they done any survey of the pool users this year?

Village Manager Hess: We are thinking about it. I have a computer-generated list. I could mail out a survey.

Trustee Holdstein: Have we donated Zinsser parking lot for storage of the resurfacing equipment?

Mayor Kinnally: Yes, Ray said it was okay.

Trustee Holdstein: If we are donating that space, somebody needs to let those people know they need to be better users of that space. I witnessed parents trying to drop their kids off at football, and two and three pickup trucks carrying on conversations for five or six minutes blocking spaces so parents could not pull in, drop their kids. They did not seem to care.

Mayor Kinnally: Did anyone ask them to move?

Trustee Holdstein: No, I did not. I witnessed this and heard several parents complaining after the fact. But they have to put those vehicles in a place where we can still park cars, and they need to be more considerate as parents are coming into that lot, and recognize they cannot use that as their own private chit-chat area. It was a mess.

BOARD DISCUSSION AND COMMENTS

1. Update on the Waterfront

Mayor Kinnally: I had announced at our meeting on August 17 that ARCO had asked for a meeting. Angie Witkowski, Susan Maggiotto, Neil, and I met with representatives of BP/Amoco plus Neil Geary who is the PR consultant who is coordinating this. They have a good idea of how they want to reach out to the public in advising them of what is going to happen there. They indicated that they want to take down one building. I asked them if they had any additional plans to take out buildings, and they said that they are doing an engineering assessment of the site right now, but their feeling is that they also want to take down Building 15. It may not be as structurally sound as they had hoped it would be. I asked them about the dewatering that we were hoping to accomplish there, and they said the building adjacent to it would be available for that.

It appears to them that there are adjacent walls in most of these buildings. If they take out Building 15 they are going to have to do some bracing of that wall. But they would like to take that down next, which would open up a huge swath in that area and would be tremendous because it is right next to the water.

They are continuing with their environmental engineering and they are working with the DEC, trying to get a final order consent decree from the DEC. They talked about pushing the DEC to get things moving so we can finally get ARCO a green light to move forward.

Trustee Holdstein: Is OU-2 the hangup?

Mayor Kinnally: No, it is the consent decree for OU-1. I asked them about the bulkheading, and they said the continuation of the new bulkheading to the north may be held up because of OU-2, but it would not hold up the design engineering and the work on some portions of OU-1. I am trying to get from Mark a better idea of a timetable when we can expect to have a consent decree with ARCO.

Metro North had asked that they be able to use part of the site to store their equipment and material for the construction project of the overpass and the new platform. This will allow them to carve out a large area, with a separate gate, and give them exclusive access to the site. ARCO is fully in accord with that.

They are not planning on taking all of the buildings down right now. They are going to use buildings in the interim, so they are not ready to take them down. One reason they do not want to take all of the buildings down, especially the buildings close to the train tracks, is because they are a noise and a dust buffer for the remediation. The most heavily contaminated areas are just west of those buildings that are adjacent to the inbound platform, so they want to leave those up. They also said that they want us to get in touch with some organizations, and they were going to do it also, to see if there are any parts of buildings that would have a historical significance. When they are taking the buildings down, they will save them, if there are contents, or cornices, or whatever. They mentioned one building has a very large wooden beam in it. They also talked about some of the brick. We would like the brick to stay on-site to be crushed, but they are reluctant to use all of the brick because some of it is lead painted and they want to get it out of there.

I also told them that there was a provision in the settlement agreement that required that the Village and ARCO enter into negotiations for existing public space. There was a one-year window, and I said I was concerned that time has gone by. They said not to worry; the clock is not going to run. If that agreement has to be amended, it will be, to give us a full year.

Trustee Swiderski: On the Kinnally Cove RFP, what sort of consulting services are you seeking and how much of the cove will those services address?

Village Manager Hess: Everything from A to Z. It is both engineering and landscape architecture.

Trustee Swiderski: Delighted to hear. I was hoping you would say that. And everything meaning the kayak landing we are talking of, or the cove in its entirety?

Village Manager Hess: The cove in its entirety.

Trustee Swiderski: In a conversation with Angela, she seemed to be under the impression that the boardwalk will be over the water. Was it there exclusively because it was to act as a buffer for the sea grass? And without the marsh concept, there might not be the support for that boardwalk? I want to say for the record I remain interested in that as an element to pass on to the architect.

Village Manager Hess: We are going to do a process. The design that we had was done in-house. The engineering and landscape design people will have knowledge of what the Army Corps is going to require, what the DEC is going to require, and what makes sound engineering sense. There may be a boardwalk north-south. It may not be in that location. Maybe it will be more towards shore. I do not know at this point. I want to let them come back to the Board, Parks & Recreation Commission, the Kinnally Cove committee with an initial design and reasons for their design. Take the input, go back, and finalize everything so we can go out to bid late winter and start construction in spring of 2005.

Trustee Swiderski: I am getting an earful from people who would love to see a kayak slip by next year. If it means staging the work so that happens, that would be terrific. If it is a two phase project, then first the slip gets done and then the rest of it?

Village Manager Hess: We can get it all done all at once. I see it as an eight-week project, tops. The longest part of the process is going to be getting the Army Corps permits.

2. Consolidation of Voting Districts for March Village Elections

Deputy Village Manager/Clerk Maggiotto: I have been the Deputy Manager/Village Clerk for seven years, so I have had seven opportunities to run the Village elections. I have nothing to do with the general election in November. Those are run completely by the town. My proposal pertains only to our March Village elections. My proposal is to take our eight districts, which are voted in six different locations presently, and consolidate into one district. All the voting would be in one location, and that location would be the library Orr Room.

I will go through all my reasons for it that have accumulated over the years. The first one is disability accessibility. There is a very big issue with insuring that every polling place is accessible to disabled voters, even though people can vote by absentee ballot. There is the feeling that it is the right of people to be able to go to polling places if they choose, and polling places everywhere should be accessible. We have one polling place that has two districts in it, the American Legion building, and neither district is handicapped-accessible. I expect that we will be forced to find another location, or to make that building accessible. The front has several steps getting in. The lower level probably could be ramped, but it is not now a clear entrance for anyone who happens to be in wheelchair. The Orr Room is handicapped-accessible, both through the parking lot, into the building and down the elevator, or down the ramp to the south of the building and then right in on the ground level.

Another factor would be the cost. I estimate the savings would be over \$4,000. The main cost is in personnel. We would need 12 election inspectors and one captain, versus 32 and eight. We would need fewer voting machines. We pay rental to some of the buildings for voting. There would be a certain reduction in supplies. Staffing is one of the biggest issues. The supply of election inspectors is dwindling and it does not seem to be being replenished. It is a very difficult job to do. It requires attendance from 6:30 in the morning until at least 9:30 at night. It is a very long day. The pool of people that is available to do that is very small. I have been talking to the Town Clerk, who is trying to staff both the primaries and the general election, and she is having the same problems. It is a serious situation, finding people who I will have confidence will be able to perform the duties well.

Efficiency. It is very difficult to monitor six different places throughout the day, especially at the opening and closing of the polls. At 6:30 in the morning the inspectors get there and I race around to all the locations to make sure that everything is up and running. At night, which is the most critical time, when the polls are closed and there are many things that need to be done, I have never been able to be at the closing of the polls because I have to sit here and wait for the results of the elections. I would feel much better about being there at that time. I know that there are situations that arise and I simply cannot address them.

The next reason is our bilingual directive. In February, every municipality that I spoke with received a letter from the United States Attorney for the Southern District of New York, pointing out that since 1992 Westchester County has been a covered political subdivision subject to §203 of the Voting Rights Act with respect to the Spanish language. Because the whole county is subject to it, every voting entity, including the school districts, is also subject to the directives. That means that all our voting materials have to be bilingual. If it is warranted, we would need to go so far as to employ an interpreter at the polls. Why this has come up now I can only speculate, but it certainly is an issue. Everyone has sat up and taken notice. The school board got the directive in time to have its materials in both Spanish and English, and I will do that at a minimum for the next election. But if I ever were told to provide interpreters at the polls, that would be very difficult.

Another factor is that we are losing the Community Center, where two of our districts vote, for at least one election. Ray told me he is hoping to move out of there, if all the plans go forward, by the beginning of March. So I would expect that next March we will not be voting in there. It is possible we could be, but if that is the case then we would not be voting there by the following March. Then we will have that facility back again.

I believe that accommodations would work out fine. We would have designated parking behind the Municipal Building and in the street. So there would be plenty of parking. It would also be very convenient for commuters to come in and vote either before or after work, and the Orr Room is certainly big enough to accommodate even a crowd.

I talked to the school district clerk, Nancy Caruso. We all vote in the school for the school elections. I was mainly concerned about a crush of voters at any particular time. She told me that even at her busiest times she has a line of perhaps six people waiting to sign the book and vote in one of the several machines that she has there. I then talked to the clerks in Pleasantville and Croton-on-Hudson. Those communities are comparable to Hastings, both in size and population. Both of them also went from many districts to one district. The clerk from Croton sent me the summary she gave to her board after she consolidated in 1996. She said, "I think overall the consolidation worked very well; particularly saved a great deal of time for visiting each polling place, delivering supplies, running back and forth. The alleged problem of parking never happened. As I monitored the community room throughout the day, and particularly at rush hour, there were never more than five or six people on a line at a time." So it gibed with what Nancy told me. She added, "One thing that caused a bit of confusion since there was only district, people tended to congregate and talk, and some people actually said to me that they saw people they had not seen in years." I could see that happening in Hastings.

How the election would be conducted is this: we receive our books that you sign when you vote from the Westchester County Board of Elections. That would still continue, and the books would still come according to district. They are not going to modify anything for us. We would have tables set up. You would head to the table for your regular district. If you vote in the 19th we would have a big sign that would say the 19th, American Legion, and you would head there. If you were not sure, we would have an inspector with the list to tell people which table to go to. So you would sign in according to district. But then you would vote on one of two machines. When the votes were tallied at the end of the day they would be tallied as one district. The one thing we would lose in this is that we would not have a vote by district. However, you would know who voted because we would still have the lists that the inspectors fill out. The inspectors make a triplicate list, and they give them to the parties who come in throughout the day so they can know who voted, and call people, and get the vote out. We would still be able to do that.

One last thing I want to mention is how election law supports this. Election law authorizes the Trustees to change the number of election districts by resolution, provided that no district contains more than 800 qualified voters. It defines qualified voters as the average of the number of persons who voted in the last three elections. This is a window of opportunity if we wish to do this because the average of our last three elections was 571 votes. In the last three years we have only had one contested election. This year, I am almost embarrassed to state this number, we had 169 people voting in our March elections. The year before, we had 1,332 voters, which is probably around the average number when we have a contested election. The year before, the number was 211. If we have a contested election this year, it is likely that we would have about 1,300 voters; our average would go up over 800 and we would not be able to do this. So this is an opportune time.

You must pass this resolution 120 days prior to the election. I would propose a target date for a vote on October 19, 2004. This is not a local law. It is done by resolution, so no public hearing is required. However, because it has such a widespread effect I would certainly hope that we would discuss it as broadly as possible. I have not distributed this report to anyone, although when I gave it to you last week, I suggested that you share it with whomever you wish. But if there is any interest in going forward with this, then I would disseminate it as broadly as we could and try to facilitate dialogue with the people who are most involved, your voters, and find out the reaction.

Mayor Kinnally: It is a comprehensive overview of what is needed to be done, what can be done, and how we should do it, and I thank you for that. One thing that came out of the renovation of the library was a larger, more accessible open space. I think it is tremendous. You have recognized the fact that we are losing a lot of our inspectors and it is becoming more and more difficult to get people out to vote; the easier it is, the better, for turnout and everything else and for reporting.

Village Manager Hess: I was administrator of Pleasantville before I came here. We consolidated the districts, had the voting at the school gymnasium, and it worked out very well. One positive aspect is that we can broadcast live from the Orr Room, as the clerk goes from machine to machine to read off the numbers of votes.

Deputy Village Manager/Clerk Maggiotto: That would be very exciting. I have never witnessed the closing of the polls and the opening of the machines because I have been here

in the office. But I have been there for school votes at the end, and it is a very exciting time. It would be great to share it with the rest of the community.

Trustee Apel: It is a very interesting proposal in terms of consolidating. I still have a question over parking; when they park around the school for the election, it is like everyone shuffling for spaces. If people are staying inside conversing, they are not going to move their cars and you might have to clear the street.

Village Manager Hess: They only reserve three or four spaces at the school. We will block out a whole section for election parking, and we would have either staff people or police out there. We have a bilingual police officer that we could have on the site for the day to fulfill the bilingual requirement.

Trustee Apel: How would this all affect the people at the Andrus Home who are used to voting there?

Deputy Village Manager/Clerk Maggiotto: The able-bodied ones could be bused down here to vote, and they can vote by absentee ballots. But I agree with you. That would be a loss for some of the people there, not to be able to vote there.

Trustee Holdstein: This is a fabulous idea. I would vote on it tonight in a heartbeat. I think it is terrific. Obviously, I would like to have a public hearing to hear from others in the Village, because as you said it affects everybody.

I know that the timing will not allow it, but I would like to propose that we submit to the town that we would like to do the same thing for our November state and national elections. In the absence of that you would have people saying: school board, I go to the school; November national, I go back to my America Legion Hall; and then for Village, I go to the Orr Room. To simplify it, convincing the town to do it the same way would be great.

Deputy Village Manager/Clerk Maggiotto: We operate under village election law, which is a separate section of the law. It is discrete from the general election law and it may not be possible to do that. I discussed my proposal with the Town Clerk today from Greenburgh, and she did not give me any indication that that was in her range of possibilities, although I did not ask her directly.

Trustee Holdstein: The one thing we lose is those wonderful sheets that show you, by district, who voted Republican, Democrat, and independent. You would have the registration to see that in that district 173 people came out, but you would not necessarily have the breakdowns. If we were to do this, and the numbers of voters rise, do you have to re-split it?

Deputy Village Manager/Clerk Maggiotto: We can maintain it that way no matter how many people vote.

Trustee Holdstein: As long as we do not have to go back to it if we get a large turnout. The Andrus situation is a good point. But we have our shuttle bus that could move people down; and because you have a relatively captive audience, you can post and communicate within that audience the absentee ballot option.

Village Manager Hess: We will work with Andrus on that.

Trustee Holdstein: You did a great job. I think we should do it.

Trustee Jennings: I agree. The logic, your analysis, is very persuasive to me. I am not sure what the turnout usually is for the school election, but the many times I have been there at the gym I have not found it to be a problem. The parking is a little dicey there, and I think it would be better here at the library area than it is around the high school gym.

I would think that we would want to have an equivalent number of voting machines working in the one location as we have in the dispersed locations. This consolidation does not mean we are going to go down to just one or two machines. If anyone was concerned with long lines, that would not necessarily be the case, right?

Deputy Village Manager/Clerk Maggiotto: We could have as many as we wanted. But the experience I have heard is two machines and one spare.

Trustee Jennings: In the gym, do they not usually have about four?

Mayor Kinnally: Two, I think.

Trustee Jennings: Okay, with two there has not been a line so I think we are okay. In addition to the parking lot, we should have some people directing short-term parking on the

street right in front of the plaza. And there should be plenty of short-term parking. Aside from the Andrus situation, I do not see a down side to this. The fact that it will save money and the difficulties with the current situation, this will lead to better supervised elections. In this day and age, good supervision of elections and making sure there are not any questions about if something closed early or not, that is all for the good. I think it is excellent.

Trustee Swiderski: I think it is an excellent idea. The only issue is having people stay straight on where they are supposed to go on a given election. Whether that is a new banner for Five Corners, or something, we would clearly have to say publicize the elections in the Orr Room. The first year there are going to be a lot of people showing up at the fire station or Legion Hall and that would be a mess. Other than that concern, I would vote on it tonight.

Deputy Village Manager/Clerk Maggiotto: I would want to do a Village-wide mailing just on this, as we are close to the elections. Publicizing it so that everyone knows where to go is certainly the biggest challenge. I would like to put this report out on the e-mail.

Mayor Kinnally: Absolutely. We should have it on for discussion on October 5.

Village Manager Hess: Do you want to have a public hearing?

Mayor Kinnally: A formal one, just so people get noticed. There is no harm in doing it. We could do it for October 5. I would suggest we put it on the e-mail, and have copies available downstairs and in the library.

Trustee Apel: Can we get something in the newspaper?

Deputy Village Manager/Clerk Maggiotto: The newspaper is right here. Mr. Black, could we get publicity for this in the newspaper?

Mr. Black: I could guarantee it.

3. Election Date

Trustee Apel: Maybe this is the time to look into changing the election to November, and we should do some research to see if that makes a difference. That would totally consolidate it, and then we would not have this problem.

Mayor Kinnally: All the research projects in the world are not going to convince me otherwise; this is a mischievous proposal, because we will be subsumed and overwhelmed by other events, and we will not have Village elections anymore. We will be at the end of the ballot, and the noise in the background of all of the other elections will be a tidal wave over us. The issues will not be fully vetted, and the ability of candidates, especially new candidates, to gain some prominence in the community is not going to be available if you have us as part of the November elections. You are going to have congress, state senate, assembly, county executive, president. We are going to be an afterthought during the election process. By the time you get into the booth you are going to be overwhelmed by what you have to go through. By the time you get to the end of the ballot fatigue is going to set in, or general disgust, and you would walk out of it without pulling the lever.

It is tough to campaign in the wintertime. Door-to-door is practically impossible. But it is our opportunity to bring the message not only of what we have to offer to the community, but also what issues are facing the Village. You may have a higher turnout on a presidential election of gross number of voters. But I wonder how many voters have the stamina to stay all the way to the end. I would like to compare the number of people in any of our districts this year who vote for the electors for president and vice-president compared to how many vote for the last item on the ballot, be it a judge in the Town of Greenburgh or a family court judge in Westchester. You are going to see a significant fall-off in the number of people that come out.

I do not want to foreclose debate. But I do not know if any research or analysis is going to change my mind that by putting us with the November elections the idea of Village elections are gone. It would be destroyed, and you would have almost a guarantee of incumbency, which is not good. The ability of anybody who is not on a party line to run on an independent line would be destroyed.

Trustee Holdstein: I agree with what the Mayor has had to say.

Trustee Apel: I am not saying that I necessarily disagree with what he said. I just felt that if we are talking about consolidating, there is nothing wrong with looking at it. There are other communities that have done it. They may come back and say it is not worth it. But it would be interesting.

Trustee Swiderski: Who would look into it? How are you proposing that be done?

Trustee Apel: I think I saw some recommendation of asking an outside organization to come back with their information on it. Perhaps the League of Women Voters has done things like this already and they have information on it.

Mayor Kinnally: The problem with having the League do it is that I doubt they would get involved, because it is a proposal that has been pushed by one of the political parties in the county. It has become a partisan issue in other communities.

Trustee Apel: I would bet that there is information on this already.

Mayor Kinnally: Yes, there is. Talk to the people in Ardsley and Dobbs Ferry and Irvington who have gone through it. It has been floated. It was floated here last time.

Trustee Apel: And they are going to have an election this fall. It would be interesting to find out what happens, and if it was worth the change.

Mayor Kinnally: It depends on who is going to decide if it is worth the change. Sam Abate in Ardsley is very fearful that it is going to skew the whole thing. When Lyndon Johnson ran in 1964 it was an incredible Democratic sweep. I wonder what happened in the village elections the following March here in Hastings. Registrations were a lot different back then, but it probably was 80/20 Republican versus Democrat in 1964 here. But I would be very interested to see what happened. Because when you saw what happened two to four years later, when the Johnson element was gone, then everything righted itself. But you could get yourself swept under by an anomaly like that.

Trustee Holdstein: I do not think you would get a fair airing of local issues. I think that the way we have it structured right now is the right way to do it.

Trustee Swiderski: There is a secondary issue which is worth noting. Because the national elections effectively are every other year, it biases those elections from year to year. Whoever is up for election will be buried by that. The next year you only have local elections in November, so the type of people and the focus will vary dramatically, contract and expand, from year to year. That introduces a bias into the people showing up at the polls, which would favor, or hurt, the pairs of candidates as they go up for election from year to year. It introduces something I did not think about.

Trustee Apel: I do not want anyone to think that I have not said the same thing that the Mayor has said. I just thought that as long as we were changing, if we were going to change it to consolidate it, that it was something we should talk about. Obviously, we have. That is why I thought we should talk about it. But I am not disagreeing with what you said.

Mayor Kinnally: But the issue of changing from March to November is a referendum issue. The Board of Trustees has to vote for the referendum, and then it is put out to the voters. It would not affect this November's election.

EXECUTIVE SESSION

On MOTION of Trustee Holdstein, SECONDED by Trustee Jennings with a voice vote of all in favor, the Board scheduled an Executive Session immediately following the Regular Meeting to discuss litigation and personnel items.

SCHEDULE PUBLIC HEARING

On MOTION of Trustee Swiderski, SECONDED by Trustee Apel with a voice vote of all in favor, the Board scheduled a Public Hearing for Tuesday, Oct. 5, 2004 to consider the advisability of consolidating the eight voting districts in the Village of Hastings-on-Hudson into one district for March Village elections only, effective for the Village elections in March, 2005..

Mayor Kinnally: I am in receipt of letters from the paramedic supervisor of the Town of Greenburgh and from Dobbs Ferry Hospital commending our police department, and in particular three officers: Heather Smolenski, Michael Moore, and John Danahy, for their prompt and professional aid in assisting a resident, Mr. Minningham, who collapsed with a heart attack in front of the Municipal Building. The three officers were honored on August 26 at Playland, receiving the Westchester Regional EMS Lifesaving Award. I congratulate them all.

Village Manager Hess: The first person on the scene was someone who the previous Saturday had completed a CPR lifesaving course: Susan Maggiotto.

Deputy Village Manager/Clerk Maggiotto: Just as I realized that Mr. Minningham needed resuscitation, the police officers arrived, thankfully, and took over. Watching them

work was like watching the training film I had just seen. They worked together like clockwork and saved his life. It was wonderful to watch. I was very impressed.

Mayor Kinnally: I saw Meryl Lewis at the Farmers' Market and meant to say something to her since she was instrumental in getting us our first defibrillators. The machine is just amazing. The computer takes over, assesses the person's condition, and administers the shock.

Trustee Jennings: How many resuscitations with the defibrillators have we had?

Village Manager Hess: At least two.

ADJOURNMENT

On MOTION of Trustee Holdstein, SECONDED by Trustee Apel with a voice vote of all in favor, Mayor Kinnally adjourned the Regular Meeting at 9:45 p.m.