

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
REGULAR MEETING
OCTOBER 18, 2016**

A Regular Meeting was held by the Board of Trustees on Tuesday, October 18, 2016 at 7:34 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

PRESENT: Mayor Peter Swiderski, Trustee Meg Walker, Trustee Daniel Lemons, Trustee Walter Stugis, Village Manager Francis A. Frobels, Village Attorney Linda Whitehead, and Village Clerk Susan Maggiotto

ABSENT: Trustee Nicola Armacost

CITIZENS: Four (4).

APPROVAL OF MINUTES

On MOTION of Trustee Walker, SECONDED by Trustee Stugis with a voice vote of all in favor, the Minutes of the Regular Meetings of Sept. 20 and Oct. 4, 2016 were approved as presented.

APPROVAL OF WARRANTS

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

Multi-Fund No. 26-2016-17	\$460,871.10
Multi-Fund No. 28-2016-17	\$ 19,017.10

PUBLIC COMMENTS

John Gonder, 153 James Street: I came across an article especially for old people, and it was written by Rick Ricky in Yonkers. "Today's politicians are just selling snake oil. Cuomo balks at a politician label, but a politician is nothing but a medicine man of the 1800s. He sells you a bill of goods on a premise that you will prosper, all the time he's in it for himself. I grew up in the best times, born 1935. Politicians then were not perfect, but they truly cared about America and Americans. Now there a corrupt society of a calculated and well-organized group eating up and desecrating each other, sacrificing the American people in favor of themselves. They disgust me. My America is gone. I believe we, some day, may see another American revolution. God bless this country, and God bless my wonderful family and my six grandchildren. I hope they survive as slowly-deteriorating nation and world."

Not all old people think the same way as I do. On September 6, at the end of the meeting, there was some comments because I made some comments about crooked politicians. Mr. Mayor, you got pretty upset and you used a slang word, vulgar – and I know you are smarter than that and you could have used other words like "disgusting" or "disappointed" in me. But that is the thing: boards do not have ethics anymore. It is like when you deal with BP, you still will accept something and you are negotiating with them, and you accept a \$33,000 green vehicle; your hands are out for \$1,000 for Friday Night and other things. I asked you one other time, why do you not write Cuomo about ethics. New York State is so corrupt, but you will write about the Algonquin pipeline, you will write about closing Indian Point. But you do not want anything about corruption, and that is where you are failing all the citizens of Hastings. BP has taken you forever. Why? Because you have your hands out: "Thanks for the truck, thanks for this." We should have had a court monitor and a judge.

Mayor Swiderski: Thank you so much for your input. I will not even begin to address it. It is just insulting and ridiculous, and thank you so much. Any other public comments?

Elisa Zazzera, Pinecrest Drive: I have timed this, it is about 4-1/2 minutes. Since there is a dearth of folks, may I not be timed?

Mayor Swiderski: What is the topic?

Ms. Zazzera: Trash.

Mayor Swiderski: If you can move at high speed, sure. I will do this mostly because I feel we wronged you at the last meeting. This hardly makes up for the two hours we kept you.

Ms. Zazzera: Village Manager Frobel had reported that not only was he happy to postpone this conversation, but that DPW Superintendent Gunther and he discussed the action points that were given to them by Trustee Lemons in August. From the receiving of the action items, Mr. Frobel and Mr. Gunther produced recommendations that merit further discussion, but he said that none of them are critical action items that must occur immediately. Those comments are indicative of the way municipal solid waste is managed in this village day-to-day, year-to-year. There is never anything critical that must occur immediately, or ever for that matter, when it comes to municipal solid waste. These four items, and the myriad of matters of sanitation I have brought before you over the last eight years, are all of significant importance and deserve better attention than they have been paid.

I have shared dozens of hours of conversations with many of you, and those who have sat there before you, and most of them have come up with action plans at the end of these meetings. But none of them have been brought to fruition in our DPW and in improving our

municipal solid waste. No one has followed through to see that staff pays attention to how we can improve our municipal solid waste system, from the simplest of actions like putting signage at the DPW yard where the recycling bins are so people can know what is supposed to be put in there and what is not, to the more difficult ones like keeping records or enforcing our regulations.

No matter the difficulty, perceived or actual, there are no improvements that have been made with our municipal solid waste in this village. One year, there was such a dearth of attention paid to municipal solid waste that the Village calendar did not include its usual page that informs residents of how they should dispose of their waste. Our DPW lost a \$20,000 a year contract servicing our schools. Instead of working to keep that in-house, they saw fit to let it go; not only losing income to the Village, but then increasing our truck traffic in the Village because now we have trucks coming in from out of town to service our schools. More evidence that attention to this matter is dearly lacking is that in every budget it is stated that our waste has remained steady: we have not decreased our trash and we have not increased our recycling. The county, complicit in not attending to municipal solid waste in the manner it requires, rewards our lack of improvement in action with commendations for recycling. This is green-washing in the highest degree.

All personnel of this village should be attentive to creating less waste and diverting more and more from incineration, but we do not see that happening. At Village-hosted events where refreshments are served in recyclable containers, there are no recycling bins out for people to then deposit them in. Our Village Sustainability Action Plan that we adopted in 2010 directs us to reduce waste and increase recycling. We know that reducing what we send to incineration and increasing our recycling not only saves the Village money, but has exponential benefits in decreasing carbon emissions. Paying close attention to minimizing waste is of critical importance in our struggle to thwart climate change. You have all championed decreasing our carbon in many other ways, yet when it comes to the lowest-hanging fruit, our municipal solid waste, we do not see any improvements. Refuse removal is 40 percent of the DPW budget, yet still the Village pays no attention to the matter of waste beyond picking it up. This is how our sanitation crews are managed.

Some years ago, I requested to Village Manager Frobel that the sanitation crew look over the sanitation code I was helping to draft. Village Manager Frobel's response was that the crew was nothing more, and I quote, than "strong-backed men," perhaps thinking they would have no interest or possibly ability in reading and understanding a code that affects their daily work. There is not a lack of personnel that thwarts improvement in municipal solid waste. It is the management of the crew that is holding us back.

Managing these men as nothing but muscle is the saddest and most damaging waste of all of this. To ignore the human potential of this staff is a great detriment to these individuals that care for every resident in this village. It is also a waste of money. Several years ago, through the work of Trustee Armacost, we received \$3,000 from the county to purchase recycling bins for the downtown. The sanitation crew that services the downtown was not involved at all in selecting the bins or deciding where they were placed. I do not believe DPW Gunther was even involved in those decisions. Consequently, the bins that were purchased do not work to capture any recyclable material. The crew that services these new bins report they are not adequate for the job and are difficult to service. Our sanitation crew is this village's most important uniformed service. There are residents in this village that may never use Parks and Recreation services, may never have to call the fire department, the police department or emergency medical services, but they need the men on those trucks every week; every resident needs them every week.

Innovating to improve sanitation services is of vital importance to every citizen in this village and to our environment. Reducing waste in our trash bins, in our budget, and of our work source is of extreme and utmost urgency. We should be acting to improve things here, not turning requests for action into further conversations.

59:16 APPROVAL OF TAX CERTIORARI – 65 MAIN STREET

Village Manager Frobels: We have had a brief hiatus from tax certioraris. These two we thought were going to be settled in the last fiscal year, but were. It is the bank. It is a matter that goes back, to 2011. You have in your packet the confidential memorandum prepared by Attorney Levy, and the recommendation of settlement to avoid further legal action.

Trustee Lemons: I have a question about the trend in the reduction, which is dipping till 2014 and then is increasing. I would have thought it would continue to drop.

Village Manager Frobels: I cannot explain the process it goes through and how commercial property is determined to have a value. I can try to get some further clarification from the attorney if you would like.

Trustee Lemons: We are not in a period, particularly, of devaluation of such properties as you would have thought through the 2008-2009 and '10 period we would have been. That is a substantial increase in the reduction there. I think it is a concern because it sets the base.

Mayor Swiderski: But it does not.

Village Manager Frobels: Yes, because this is old values.

Trustee Lemons: So there is a new value coming.

Village Manager Frobel: Yes. It would be closer to the true market value.

Trustee Lemons: Just it seems odd.

Mayor Swiderski: It does. It is an interesting pattern, because 2014 was not either a peak year commercially or otherwise. But I assume this is a result of negotiations. These are reduced six percent to whatever it is. Yet another reason to go with the assessment so we are not talking about these artificials.

Trustee Lemons: It has become such a weird translation. Like dealing in foreign currencies and you lose all perspective.

Mayor Swiderski: Is that concern enough for you to want to hear a justification of the assessor, or do we move on?

Trustee Lemons: No, I do not think so.

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

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

Property Owner Address Description Year(s)

**CITIBANK, N.A. 65 Main Street 2011-2016
4.80-59-8 2016**

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

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

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

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

Years	Current AV	Reduced AV	AV Reduction
2015	470,300	389,813	80,487

The refund of Village taxes amounts to \$19,768.41±.

ROLL CALL VOTE	AYE	NAY
Trustee Meg Walker	X	
Trustee Nicola Armacost	Absent	
Trustee Daniel Lemons	X	
Trustee Walter Stugis	X	
Mayor Peter Swiderski	X	

Village Manager Frobel: We do plan an anticipation of settlements. We have a look ahead as to what we can review over the next 18 to 24 months. In my budget presentation, I indicate the summary as to where we are at. In the operating budget we provide money for these types of settlements.

Mayor Swiderski: I think that was \$100,000. So this, relatively speaking, is nibbling at that but not yet devouring it. Do we have more expected before March of next year, or are we OK?

Village Manager Frobel: I can give you a copy of the report I provided earlier, but I can give you a look-ahead for the next six months.

Mayor Swiderski: And just roughly speaking, will it be sufficient?

Village Manager Frobel: It will be close.

Mayor Swiderski: Close is good enough.

Village Manager Frobel: There are some large ones on the horizon but a lot can change over the next several months. I have a lot of confidence in Attorney Levy, he has done a nice job. He mentioned that the first case he coordinated with the school and with the town. The second one was not corrected with them because there was not time.

61:16 AGREEMENT WITH WESTCHESTER COUNTY FOR BUS SHELTERS

Village Manager Frobel: There is an interim agreement to get us through what they were late in getting it to us, and then it is a five-year from that point forward. It is continuing the relationship we have had with the county. They share with us the rental they receive from the ads that are placed in the bus shelters. It is around \$4,500 a year a year. It is contained as a revenue item in the budget under miscellaneous revenues.

Mayor Swiderski: Since a couple of shelters were closed, it is likely to be lower?

Village Manager Frobel: A little lower, around \$3,000. The one. closed on Farragut.

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

RESOLVED: that the Mayor and Board of Trustees authorize the Village Manager to sign an extension of the 2011 Intermunicipal Agreement with the Westchester County Department of Transportation for Provision of Bus Shelters for an additional three (3) months from April 1, 2016 through June 30, 2016; and to sign an Intermunicipal Agreement for a term of five (5) years commencing on July 1, 2016 and expiring on June 30, 2021.

ROLL CALL VOTE

AYE

NAY

Trustee Meg Walker	X	
Trustee Nicola Armacost	Absent	
Trustee Daniel Lemons	X	
Trustee Walter Stugis	X	
Mayor Peter Swiderski	X	

**62:16 SCHEDULE PUBLIC HEARING – PROPOSED LOCAL LAW C OF 2016 TO
TERMINATE VILLAGE OF HASTINGS-ON-HUDSON AS ASSESSING UNIT**

Mayor Swiderski: First, I just wanted to make sure I do not have a question for the attorney before I move on. "On a copy of the applicable part of the assessment roll," meaning the section that is devoted to Hastings?

Village Attorney Whitehead: Correct.

Mayor Swiderski: "With the taxable status dates of such towns with the taxable status dates of such Town controlling for village purposes." What does that mean in English?

Village Attorney Whitehead: First of all, that should not be plural. It should be just "Town."

Mayor Swiderski: "With the taxable status dates of such Town controlling ...

Village Attorney Whitehead: Edye explained at the last meeting that the Town uses, currently, a different tax status date than the Village does. That is the date on which, the value is set. So your taxable status, if you are building a new house or you have demolished a house, is whatever it was on that date, the taxable status date. Theirs is very different from the Villages. Theirs is earlier, so in the first year there is going to be a gap.

Village Manager Frobel: Probably three months, right? Because they are going to have it as of October 1?

Village Attorney Whitehead: No, this is not the roll date. This is the taxable status date. Towns do it very early. It is like the year before; I can give you the exact dates before the public hearing.

Village Manager Frobel: But the idea is, we would have a certified list available to me, as I fashion the budget, in time to present it to you probably in March. Usually in March I have a tentative goal, which is 99.5 percent there. Until after the Board of Assessment Review fine tunes it, or any additions or corrections she needs to make as of December 31 or the year before, by the time you adopt the budget you have 100 percent certain what your taxable base is. In this, we would have a little greater margin of time to narrow that down.

Trustee Lemons: Because it is earlier.

Village Attorney Whitehead: Their tentative roll comes out June 1. Their Board of Assessment, their date to file, is the third Tuesday in June. The Board of Assessment Review then hears then and makes determinations, and they finalize their roll by September 15. There may still be some changes between. Edye said she could give it to you in October.

Mayor Swiderski: Nominal.

Village Attorney Whitehead: That is what she does with the other villages. Changes after that are nominal, and result from settlements of certs and things like that. The other piece of this that we need to do is to look at your exemptions.

Mayor Swiderski: "This local law shall take effect immediately upon filing with the Secretary of State, provided, however, that such local law is subject to permissive referendum and the Village Clerk shall forthwith proceed to notice such fact and conduct such referendum if required by petition? Refresh my memory on what this means again?"

Village Attorney Whitehead: After vote to adopt the local law, Susan then has to publish a notice of the law. Then it is subject to permissive referendum. Susan, was it 20 percent of registered voters?

Village Clerk Maggiotto: Yes.

Village Attorney Whitehead: They need to sign a petition in order to require it be put to a referendum. Susan looked at the numbers today.

Village Clerk Maggiotto: It is over 1,000.

Village Attorney Whitehead: So someone would have to get over 1,000 signatures.

Mayor Swiderski: And win a referendum. Thank you for those answers, and any other questions from the Board before I ask for a motion?

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

RESOLVED: that the Mayor and Board of Trustees schedule a Public Hearing for Tuesday, Nov. 1, 2016 at 7:30 PM to consider the advisability of adopting Proposed Local Law C of 2016 to terminate the Village of Hastings-on-Hudson's status as an assessing unit as follows:

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

SECTION 1. Existing Chapter 7, entitled “Assessor” is hereby repealed.

SECTION 2. New Chapter 7, entitled, “Assessments, Real Property Tax” is adopted to read as follows:

Chapter 7. Assessments, Real Property Tax

§ 7-1. Legislative intent.

The intent of the Board of Trustees of the Village of Hastings-on-Hudson is to implement section 1402(3) of the Real Property Tax Law providing for the voluntary termination of the Village’s status as an assessing unit, as provided in the Village Law and the Real Property Tax Law. It is also the intent of this local law to abolish the position of Assessor and to terminate any and all responsibility as provided by law for the review of the assessments of real property located within the Village of Hastings-on-Hudson.

§ 7-2. Termination of Village as assessing unit.

On the effective date of this chapter, the Village of Hastings-on-Hudson shall cease to be an assessing unit.

§ 7-3. Position of Assessor abolished.

The position of Assessor of the Village of Hastings-on-Hudson is hereby abolished.

§ 7-4. Board of Assessment Review abolished.

The Board of Assessment Review in the Village of Hastings-on-Hudson is hereby abolished.

§ 7-5. Taxes to be levied.

On or after the effective date of this chapter, taxes in the Village of

Hastings-on-Hudson shall be levied on a copy of the applicable part of the assessment roll of the Town of Greenburgh, with the taxable status dates of such Town controlling for village purposes.

SECTION 3. Within five days of the effective date of this local law, the Board of Trustees of the Village of Hastings-on-Hudson shall file a copy of such local law with the Clerk and Assessor of the Town of Greenburgh and with the Office of Real Property Tax Services.

SECTION 4. Effective date; referendum.

This local law shall take effect immediately upon filing with the Secretary of State, provided, however, that such local law is subject to permissive referendum and the Village Clerk shall forthwith proceed to notice such fact and conduct such referendum if required by petition.

ROLL CALL VOTE	AYE	NAY
Trustee Meg Walker	X	
Trustee Nicola Armacost	Absent	
Trustee Daniel Lemons	X	
Trustee Walter Stugis	X	
Mayor Peter Swiderski	X	

Mayor Swiderski: This is a public hearing at the next Board meeting. But we also have to resolve exemptions.

Village Attorney Whitehead: You have at least 30 days between the adoption at the next meeting and when it would be effective. I think we should use that time, even for the next meeting, to put together a summary of what your exemptions are currently as compared to what the town's exemptions are. Also, in this section on exemptions, there is some language that needs to be cleaned up now because there are some references to the Village Assessor. Those should be done before this would become effective. But I know you want to look at your exemptions as compared to the Town's. There are also some where exemptions might be \$1,000 or \$2,000, which was a lot off an assessment of \$12,000 but nothing off an assessment of \$800,000.

Mayor Swiderski: And have those numbers have been adjusted or changed to the Greenburgh version of those?

Village Manager Frobel: They were to be. We will have to find out. We will get copies of what the new numbers are.

Village Attorney Whitehead: We will talk to Edye and have theirs to compare.

Mayor Swiderski: We need to discuss as a Board the comparison of those two exemptions. But in terms of timing, when does it have to conclude by to be effective?

Village Attorney Whitehead: The exemptions, it may be too late for the changes for this year, even if you cease to be an assessing unit. I have to double-check that, but changes in the assessments may not be able to be effective until next year's roll because the town roll has already been finalized. We will go over that with Edye and see if there is a way to apply it, if you made changes to your exemptions before the end of the year, if there is a way to apply those for the Village taxes for 2017. We will have to talk to her.

Mayor Swiderski: That is a pretty important.

Village Attorney Whitehead: But there could be a timing gap where it is just not possible.

Mayor Swiderski: OK. Because there are seniors, not many but several dozen, that count on that. If it is not updated appropriately they would get slammed.

Village Manager Frobel: Are seniors not tied to income?

Village Clerk Maggiotto: It is a percentage based on income.

Village Attorney Whitehead: Things that are a percentage are OK.

Mayor Swiderski: It was not a dollar amount.

Village Attorney Whitehead: Yeah, I do not think you have many that are dollar amounts.

Village Manager Frobel: I think the veterans, or a few.

Mayor Swiderski: We do not do veterans.

Village Attorney Whitehead: You have grandfathered veterans.

Mayor Swiderski: So the \$2,000 or whatever would be efficiently devalued if we cannot retrofit that in.

Village Attorney Whitehead: Correct.

Mayor Swiderski: OK, we want to see if we can get that changed.

Trustee Stugis: When we look at the comparisons between our levels and Greenburgh's, is there a way to run out the budget implication if we adopted?

Mayor Swiderski: We want to understand that, if you can ascertain that. And not in total, but line by line so we understand what we are voting on if we choose to move with that. Because generosity comes with a price.

Trustee Stugis: Right, run some estimates. If firefighters get this instead of this, what is the budget?

Village Attorney Whitehead: I think you are looking at two things. One is to keep your exemptions at the level they are today; what needs to be changed.

Village Manager Frobel: The ratio would stay the same. Is that not the goal?

Mayor Swiderski: We need to talk about that. If there is an appetite to change anything we want to understand the implication of that change. The assumption is, it is static if we level up to include the right dollar amount. But if we adopt Greenburgh's, and Greenburgh's in some cases are more generous or they provide exemptions we do not, I would want to understand what that is.

Trustee Lemons: I thought, in general, theirs were more generous. Theirs were pretty much on the high end, right?

Village Manager Frobel: Yes, that was the impression I got that evening.

Mayor Swiderski: And I would want to understand what that is.

Trustee Lemons: I agree. The line-by-line analysis is really important.

Trustee Walker: And that is up to us? It does not require a public hearing on exemptions?

Village Attorney Whitehead: No, it does because most of them are in your code. You are going to need to change the law.

Mayor Swiderski: So should this public hearing be happening at the same time?

Village Attorney Whitehead: It does not need to be. Because remember, the assessing unit law has not become effective because of the 30-day wait. I think you need to discuss it. There are policy decisions to be made. It should be a discussion item at the next meeting, then if you make decisions we can then have a law ready for the second meeting in November. You could have the public hearing in December.

Mayor Swiderski: All right. And I will want to put that out to the Village ahead of time, both the amount and the impact, so that even prior to our own discussion people have a chance of weighing in.

**63:16 AUTHORIZATION OF SUBMISSION OF GRANT APPLICATION TO THE
NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR BROADWAY
PEDESTRIAN IMPROVEMENTS**

Village Manager Frobel: This is an incredibly exciting opportunity. It is a major link in our pedestrian flow. It would pick up the pedestrians from Washington, bring them safely along Broadway, crossing at Olinda or going down to the business district. It is a link which is very expensive, which is probably the reason it has not been pursued in a more aggressive manner, although we did, years ago, try for a community development block grant. It is a somewhat complicated piece of engineering, which is why it is expensive. There is no shoulder. There is a paved area, there is a guardrail, and there is a gully. What we would be doing is essentially building a pedestrian bridge, which would be a terrific addition to our walkable community concept.

Mayor Swiderski: Where would that be?

Village Manager Frobel: From the end of Washington all the way to the first apartment building, which is 465 Broadway.

Trustee Lemons: So it is the west side of Broadway.

Mayor Swiderski: It is bridging the gully there.

Trustee Lemons: So it is cantilevering out of the way?

Mayor Swiderski: Is that private property?

Village Manager Frobel: We do not know for certain. We believe we would be in the right of way; however we may have to go somewhat into private property. I have met with the property owner there, they are supportive of the project. It is one they would have liked to have seen years ago when their youngsters were walking to school. But there are right of way questions, and this will not be an easy project because we will be dealing with the New York DOT and their right of way section has already proven to be somewhat cumbersome in getting data from them. But I think it is a great project. Most of the expense is the pedestrian bridge from 465 Broadway up to the intersection of Farragut. It has sidewalks already. A bit uneven in spots, some drainage problems. Not all the sidewalk, in my estimation, should be taken out, but simply repaired and upgraded. I think we have a great opportunity to link that section of the road and bring people to the Aqueduct safely. We would be making some ADA improvements to the curbcuts. It addresses a host of concerns the community has wrestled with; the transportation plan back in 2007 talked about it.

I do not think it is one we would have done wholly on our own, but with a grant like this it offers a 80/20 mix. It has got some possibilities. Extremely competitive. For whole state there is not a lot of money. I indicated to you that our two-hour telephone conversation with the New York DOT was positive. The staff was enthused about it. They already Google mapped it and walked it from virtual reality. But they are very familiar with site, they were very enthused. It meets all the criteria, everything from reducing our carbon footprint to improving walkability.

The superintendent of schools is supportive. I should be getting a letter from him. I have kept him closely informed. The Transportation Working Group, I am expecting a letter from them. So we have got some people that are willing to lend a hand and get this going. We will probably know by the end of the year. The reason it has to move quickly is they are looking to have it underway quickly, which means some time in 2017 we hope to have the specifications completed if we get the grant, and underway by the end of 2017-2018.

Mayor Swiderski: That would be terrific.

Trustee Walker: I just have questions on it. I am thrilled about this. I remember we met with the DOT a number of years ago to talk about this. There were two things. We walked it with them, and they were concerned about the steepness and so on. One question is, you brought an engineer in to look at it and determine how you would build the bridge?

Village Manager Frobel: Yes. In fact, I have got a drawing. One was built very similar to this in Scarsdale. This came out of the 2015 capital improvement program the schools were looking to make improvements to sidewalks on Chauncey. At the same time, the Mayor suggested we talk to the at that time engineer about sidewalks from Burnside Drive to Olinda

or on the other side of the road. From that, I generated the cost estimates from two firms, and from there I am teeing it off into this program. So it goes back a number of years, even from our point of view.

Trustee Walker: So they have looked at how you would do it. I do not know if it is a cantilever.

Village Manager Frobels: Or piles. There are a couple of ways.

Trustee Walker: A couple of places where you would put in vertical supports and columns to support it.

Village Manager Frobels: Yes. It would be very attractive.

Trustee Lemons: It is like what has been done along the West Side Highway far up in Manhattan where it used to be like this little narrow thing. You squeezed through there, and then they built this walkway out into the river.

Trustee Walker: The second question I had is, I remember when we met with the DOT they questioned whether people use the sidewalk. They wanted us to do pedestrian counts to prove to them that there were people who were walking along there. We responded by saying that it is not exactly safe to walk there. You are practically walking in the street. So it is not that useful to do counts because it is an unsafe condition. I think a lot of parents would not even let their kids walk along there. But I remember the DOT saying that you need to show us that this is something the residents want, that they would use, that there are people who would be taking that route as opposed to walking on the Aqueduct, for example.

Village Manager Frobels: We do have a count there because we have a crossing guard. We know how many do use it today and the condition it is. We also know how many youngsters live in that general area. The superintendent provided me with a number of about 80. I had spent several afternoons there looking, observing the children walking that road and quite a few do use it. And, of course, we have the accident data from the police department. So we have had a lot of different departments having to pull in and supply the information.

Trustee Walker: OK, great. So you have got some data behind it. That is important to prove to them that it is really needed. Good, great, I am pleased. I used to live down there and I used to walk along there all the time.

Village Manager Frobels: Thanks. I knew you would be.

Trustee Lemons: It is not a pleasant place to walk, and I have walked it many times but it is never fun with the traffic. It looks like a great leveraging opportunity for Village funds. But even as appealing as that is, I would not want it, because it is a fairly large allocation of Village funds, to pre-empt other projects, for instance, the Transportation Working Group is undoubtedly going to come up with. Maybe not probably as high profile or high impact as that, but other Board wants. I do not want us to put all our pennies just into that, even though it is a great project.

Village Manager Frobel: We know how much we generated it from year-end operations last year, which we are looking to insert into our capital reserve fund. This, if received, would take about half the allocation we are looking to dedicate. So you have got probably another \$150,000 available to you for other projects. And then, of course, from current-year operation, the year we are in today, who knows? But we hope to add to it again. So if that continues to perpetuate itself we will have some resources going forward, once the group has some locations identified. It would not deplete our reserve that we have envisioned dedicating to that fund.

Trustee Walker: In a way, it is prioritizing those sidewalks and perhaps the most dangerous.

Mayor Swiderski: I have no problem with that.

Trustee Lemons: And also visually because that is a gateway area, really, to the Village. I know it is beyond the boundary and not great-looking spot. It does not have a lot of appeal and I could see that if it is done properly it would look great.

Trustee Walker: At some point it would be nice to get some sidewalks going further south on Broadway.

Village Manager Frobel: We looked that. The youngsters that live down there seem to jump from Burnside through the school property across the field. That is why that reduced the attractiveness. That was, when I initially scoped out the project, a consideration. But as I walked through the numbers with staff, it appeared we cannot demonstrate the need.

Trustee Walker: But there are people walking to the train. There are other people walking from that neighborhood besides students. So making it safer for people to walk into town. They are walking on the shoulder, crossing at Washington and coming down Washington to go to the train.

Trustee Lemons: Long-term, I agree with you on the whole corridor.

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

WHEREAS, the Board of Trustees is desirous of making pedestrian improvements along Broadway between the intersection of Washington Avenue and Main Street; and

WHEREAS, the Village Manager has identified the Transportation Alternatives Program being offered by the New York State Department of Transportation as a funding source appropriate to this project; and

WHEREAS, applications are due by October 21, 2016. Successful applicants will be required to provide 20% of the total project cost in matching funds; now therefore be it

RESOLVED: that Francis Frobel, Manager of the Village of Hastings-on-Hudson, is hereby authorized to file an application for funds from the NYS Department of Transportation in accordance with the provisions of the Transportation Alternatives Program in an amount not to exceed \$677,000, and upon approval of said request to enter into and execute a grant agreement; and be it further

RESOLVED: that the Board of Trustees commits to provide up to \$135,400 towards funding the project upon award of the grant.

ROLL CALL VOTE

AYE

NAY

Trustee Meg Walker	X	
Trustee Nicola Armacost	Absent	
Trustee Daniel Lemons	X	
Trustee Walter Stugis	X	
Mayor Peter Swiderski	X	

64:16 INTERFUND TRANSFERS FISCAL YEAR 2015-16

Village Manager Frobel: This is the annual resolution prepared by the auditors to balance out all the department operating budgets; it is reflective of the situation on May 31, 2016. There should not be any surprises here as to where the going-in and coming-out is. The upset, the sinkhole at River Glen, was certainly unexpected a few weeks into the fiscal year. It took its toll on us. The employee benefits, you know we rely on an estimate from the comptroller's office as to how much our contribution will be. That ended up being more than anticipated. Our revenues, no surprises there. The 9-A project came through with its building permit. We had a milder than expected winter operation. Due to some changes in DPW operations we were minus two men during a good part of the year so there are some savings there. With that, we are able to cover those over-expenditures.

Trustee Walker: What is the over-expenditure culture and recreation?

Village Manager Frobel: There was greater than anticipated enrollment in a number of programs at Parks and Recreation. There is an offsetting revenue that covers that so that is a wash. It is an offset but you have got to have it reflected here.

Trustee Lemons: So these categories are those that are put to us by the auditors.

Village Manager Frobel: The categories are set by state law. Some of them seem a little odd: home and community rather old-fashioned. When you take this action, the audit will be complete. The auditors are coming to meet with you on November 15. You should have received from me, electronically, a copy of the audit mid-week. Then in your packet Friday you got a hard copy of the audit. That will serve as the basis of the conversation.

Trustee Lemons: Is it usual to approve the fund transfer before having had them present the report?

Village Manager Frobel: No. Normally, if tonight there was an upset then, in fact, they would have to be going back to the drawing board or come in and explain to you their recommendations.

Mayor Swiderski: It represents just a little over one percent, which means the budgets were largely accurately hewed to and these are small adjustments. It is pretty amazing.

Village Manager Frobel: If I did not have the sinkhole we would be in terrific shape. If you took that one item out, it would be a very small transfer between the departments.

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

RESOLVED: that the Mayor and Board of Trustees authorize the Deputy Village Treasurer to make the following budgetary interfund transfers for FY 2015-16:

<u>Budget Category</u>	<u>Transfer to</u>	<u>Transfer From</u>
General Government Support		\$ 18,121.00
Transportation		\$151,857.00
Culture and Recreation	\$ 30,000.00	
Home and Community	\$ 72,000.00	
Employee Benefits	\$ 65,000.00	
Interfund Transfer Out	\$ 2,978.00	
	<u>\$169,978.00</u>	<u>\$169,978.00</u>

ROLL CALL VOTE	AYE	NAY
Trustee Meg Walker	X	
Trustee Nicola Armacost	Absent	
Trustee Daniel Lemons	X	
Trustee Walter Stugis	X	
Mayor Peter Swiderski	X	

VILLAGE MANAGER'S REPORT

1. Contract Bids for Quarry Trail

Village Manager Frobel: We had the pre-bid walkthrough on Quarry Trail phase two this week. We had sent copies of the specifications to 10 or 12 contractors. Response to the walkthrough was not very positive. There is still interest, but I am hopeful when the bids are opened on Nov. 4 we will have some bids. An entirely different environment out there today than there was in 2008, when we did phase one. They are very busy contractors. It is hard to get their attention, especially for a small job like this. This is estimated at about \$125,000. I am hoping the prices stay sound; that is our working estimate. One of the bidders who is interested is the gentleman whose firm did phase one for us and also did the sidewalks on Hillside. Very good, outstanding work. He will be bidding, but he does admit he is busy.

2. Village Street Sweeper Grant

Village Manager Frobel: I received word yesterday from the State of New York that our member grant for a street sweeper has been approved.

Mayor Swiderski: Whoa.

Trustee Lemons: That was rather understated, Fran.

Village Attorney Whitehead: You waited 24 hours.

Mayor Swiderski: Wow, I really expected to be disappointed there. What does that mean?

Village Manager Frobel: What it means is, I have got about 30 pages of forms to fill out. Of course, we have a big thank you to go out to Tom Abinanti. Big, big, big thank you. I called his office immediately. His administrative assistant, who has been very helpful throughout the entire process, said she knew. I said what is the protocol? Does Tom make the announcement? She says he does not until you get the money. It is one of those where you have been approved, keep pushing forward, but we are not certain there is actually money available for the purchase. That is why he holds off making formal announcements.

Mayor Swiderski: Let us push forward.

Village Manager Frobel: Oh, I am, absolutely. At any rate, it will take at least another 6 to 10 months to get the next correspondence from the state as to whether or not it is a go. We are close, and certainly good news that it has been approved and we can go ahead to make the full application. Everyone is very positive.

Mayor Swiderski: And what is the dollar amount?

Village Manager Frobel: We asked for the maximum, \$150,000. We were working off an estimate of a machine that costs about \$225,000. We knew there is some local contribution we are going to need to make.

Mayor Swiderski: That is fine.

Village Manager Frobel: But again, leverages a wonderful member grant and is certainly one we are looking forward to.

Mayor Swiderski: Well, we will not thank him yet but that is a major coup. We have not had the best of luck in winning things. It is nice. I just fully assumed we would not, so you shocked me there.

BOARD DISCUSSION AND COMMENTS

1. Downtown Trash Collection

Village Manager Frobel: We did, as noted, start this conversation at the last meeting. Mike Gunther is here and Brian Schnibbe. Brian is one of the drivers whose route is principally in the downtown area. Tonight we want to talk about the downtown trash. We deferred to Dan because at the last meeting you were not in attendance. We took the action items, that you typed up for us based on our meeting back in August. Then I presented a report to the Board as to some of our suggestions or comments as to what the next steps may be. I am not sure how you would like to proceed.

Trustee Lemons: I want to acknowledge Elisa again because of her persistence on this issue. I know she would like something more than being acknowledged, but it is important. Everything she read out is worth hearing for us.

The thrust, because I read through the minutes, was that it referred to the previous meeting we had with Brian, Mike, you, I, Trustee Armacost, and Elisa. This resulted in that memo I wrote. What we tried to do after that meeting was to boil down the many things that were discussed, because there are a lot of issues around downtown trash, to a few things that seemed actionable within a short period of time. One of the things we talked about was the fee structure. You have put that forward in terms of the change in the commercial fees.

Other things, though, we talked about that we still need to follow up on are the optimal placement of trash cans along the street. Ever since we had that discussion I have paid a lot more attention to that. I walked down that street on Monday morning, which I am sure you guys will affirm that if you really want to see the problem full-blown walk down there Monday morning before our DPW guys go through. It is an issue of placement of cans, which we talked about in that meeting, and an enforcement issue along there. There are probably issues around the businesses, but there are big issues, probably bigger issues, along with the residents that live above. Whether the landlords are not providing them with sufficient places to dispose of their trash or whatever, they are probably utilizing the businesses. I think the businesses know that.

Anyway, that was one of the issues I do not think we have y moved forward on, but we need to; is there a better way to distribute those cans. In that meeting Brian definitely had ideas

about that that would discourage that residential use and accumulation of that. That is one of the things we need to follow up on. Here I would yield to Brian and Mike because they have the experience of knowing how these things happen and the way the trash accumulates. I think they have some pretty good ideas about how to address it.

Trustee Walker: I have a question on clarification. When you talk about the trash receptacles that the residents are using, they belong to the businesses or they belong to the Village, or both?

Trustee Lemons: Village.

Trustee Walker: But commercial businesses are putting theirs out, too, right? Residents are using everything?

Village Manager Frobel: Yes, they will put their bag next to the green bin or close to the entrance, which is their right. They are a resident, they have a right to bring their trash to the street like we do from our homes. They just do not have a dumpster.

Trustee Walker: No place to put it.

Village Manager Frobel: Right. They bring it out we suspect, as Dan mentioned earlier. They might come out Sunday night rather than Monday morning. It is a problem, too, as I mentioned, with the businesses that close up Sunday night and put a lot of trash out because they are not going to come in before Brian and his crew come through at 7 a.m. It is out there all night, subject to the raccoons that get into it and make a mess.

Trustee Lemons: And what I observe is that the DPW crews go through there with regularity and try to stay on top of it. But it accumulates pretty fast.

Village Manager Frobel: Come up to the mic, Mike. The frequency of picking the trash up in the downtown, and Brian too can certainly come forward. What is our pattern? I know you have strengthened that, you have added to it. There is more cardboard pickup.

Superintendent Gunther: As far as garbage trash, it is five days a week. Brian will pass through our Village five days a week. It might be different times, it might be at 7 o'clock. It is probably a little later now we do that recycling pickup, the special recycling or comingled recycling, behind the laundromat. It is not even logged. It might be 7:30 or 8 o'clock by the time it gets back to the transfer station. There have been several other times where I have instructed Brian, or asked him to call them, and tell them to make another swing pass and get the late businesses, the pieces that come in later on, and have to store their trash inside and

then put it on the curb to pick it up. He is down the downtown five days a week. He does the newspaper, actually even on Monday afternoon he might start. Or he might even finish it on some of the businesses on a Tuesday after the garbage, or Tuesday morning, depending if you want to mix it. Then Thursday he will do the cardboard in the residential and, again, he might swing through the downtown if anybody puts it out then. Then Friday all the commingled garbage first, and then commingled. He will hold the commingled over for Monday morning special pickup. So the truck passes through the downtown every day.

Village Manager Frobel: And are we doing Saturday?

Superintendent Gunther: Yes, on Saturday our laborers come through. Yes, they will pick up all the baskets in the downtown. There are businesses that do add to it so we pick it up. It has been like that for many years. The only problem I could see is when we have a Monday morning holiday. Businesses miss that Saturday pickup, basket pickup, or a special pickup, whatever it is. They might have to put it out Sunday night. We are not working Monday so now it is sitting out there all day Monday. Everybody is thinking Monday in the Village is garbage and it might be out there for a week. But I think that is the only problem.

Village Manager Frobel: The businesses that do not have room for a dumpster, and who bring the trash out earlier, we talked about enforcement. But the code is vague. What does it say, "reasonable time prior to"? I cite it in my memo. "State garbage may be so placed in any reasonable time prior to the collection of same." What is reasonable? I think we tried this in municipal court and it was put out the night before, that is reasonable. If you put it out three days before pickup, then you would say that is unreasonable. If you have a business that brings it Saturday night, and we are not coming by again until Monday, it could be a problem.

Trustee Lemons: Is there an issue, where you go through at 7 or 8 in the morning, with stuff then immediately landing out there within a few hours so it is going to be there all day?

Brian Schnibbe: There are a couple places you run into that problem, but it is not commercial stops. It is primarily the residents in the apartments above. Like from Spring Street south to Main Street, all their garbage on those two east and west sides of the street is in the parking lots. You do not see it there. You see it on Main Street and north of Spring Street on Warburton Avenue.

Village Manager Frobel: But as Mike said, you will swing by again during the same day, if need be.

Mr. Schnibbe: Yes, because we come through the town, do one side at 7 and then come back maybe at 8:30. If the other side is out late the guys will just go over and get it. They are not going to leave it there for 24 hours. It is kind of crazy to do that. I think the biggest issue with the litter baskets is, they are no longer just for street traffic. It's kind of like, well, I live in the apartment upstairs and the bins are in the back. I will just come down the front stairs and put it in there because it gets picked up five days a week and people know that.

Trustee Lemons: I do not know whether our code even addresses that.

Village Manager Frobel: Not really. No, it is a trash can.

Mr. Schnibbe: You can put it in our trash cans, but does it address multi-family residences that are entitled to more than once a week. You get yours picked up once, so if you live on Main Street you would be entitled to twice, but not five. And your landlord would have to provide you with a bin somewhere in the building, on the premises.

Village Manager Frobel: That is where it gets practical to say you just do not have room. Right, Mike? You just do not have room.

Superintendent Gunther: It was designed for the commercial to go through five days a week and pick up the commercial. There is residential, and people are going to come so they are going to get their more than once pickup, too. But basically, it was always geared around commercial pickup.

Village Manager Frobel: That is where we were confused. We were not sure you really wanted us to remove on-street bins. We will if you want us to, but we are just not sure it would benefit. It seems counterintuitive.

Trustee Walker: You mean the ones that serve everybody in the downtown.

Village Manager Frobel: Yes.

Trustee Walker: I do not think we want to remove those.

Mr. Schnibbe: The example you gave at the meeting was that in Dobbs Ferry they have less than half the bins we have and they pick up garbage less days a week, and it is cleaner. I do not know if it is enforcement or maybe they have to bring their bins back at a certain time. I think we can relocate some of them, like Elisa had said or we have talked about, where we use the ones we have to promote recycling. Make like a tripod of them, and make commingled paper and garage in certain areas. But in my opinion, the recycling is supposed

to be clean. It is never really sorted in the downtown and becomes a mess. Aesthetically it would look great because we are promoting recycling, but the reality is that it is mostly garbage. The residents in homes, the recycling is very good and the commercial stops are very good.

Superintendent Gunther: If residents put out recycled with their garbage we leave it. They will make a phone call or we will make a phone call, or I will swing by the homeowner's house and tell them. We cannot tell the downtown basket we are not picking you up. We just pick it up.

Trustee Walker: If you relocated the bins on the street so they were not directly in front of somebody's apartment, and let us say you put them at the VFW park and strategically place them so somebody would have to walk a ways. Have you tried that?

Superintendent Gunther: We have relocated in front of the ice cream store on Warburton next to the deli. That was the biggest problem. Honestly, with Brian, myself, and Dan there plenty of times, frequency of coming by and reminding them.

Mr. Schnibbe: He got his own can for the deli. As far as the residents above, they probably put it in that can also or they bring it out the day it is supposed to get picked up. We talked about relocating. If you look at Warburton Avenue from Spring Street to Main Street, on both sides there are three on each side. You are talking maybe 150 feet, 200 feet. They are full on Mondays, then the rest of the week they are half empty.

Trustee Walker: So they are filling their bins with household items.

Mr. Schnibbe: Right. They could be relocated to some higher traffic areas maybe. We had painted two or three of them blue, for the recycling, and it was too big of an opening. People were stuffing everything in there. Maybe you guys could look at some that are little more user friendly for us and for the residents.

Trustee Walker: If they are smaller openings does that limit the amount of household refuse?

Superintendent Gunther: The three-bin recycling we have in front, very rarely they are clean recyclables. Very rarely you pick up clean recycling.

Mr. Schnibbe: I think it is worth a shot to try it. There is no reason not to. I am a little skeptical about it, but maybe it works out and promotes the recycling in the downtown.

Trustee Lemons: Though it is paradoxical, that you take away cans and you get less trash.

Mr. Schnibbe: It winds up somewhere else. I think the misconception was that we just wanted to remove them and there would be no trash. We said we are not going to lower the numbers of trash and are going to pick it up somewhere else. But in certain areas where it becomes an issue with the residents overloading the Village cans with garbage, it would be a combination of moving it and then enforcing that building to get their own bins.

Trustee Lemons: Fran, what about in terms of code and landlord responsibility, what do you know about that?

Village Manager Frobel: I do not. Buddy is the one who has been very involved in enforcement of trash bins along Warburton this summer. Mike, what are the rules on providing bins for commercial? Is it in the code, a requirement besides watertight, airtight, certain weights?

Superintendent Gunther: Yes, lid sealed, animal-proof, a certain weight like 50 pounds. A durable container.

Trustee Walker: But if they do not have storage for it inside, what happens?

Superintendent Gunther: That is the rub.

Trustee Walker: It is just bags on the sidewalk then.

Village Manager Frobel: When we began to enforce the rules on Warburton because we had the plastic bags put out there in piles, the homeowners were buying these enormous bins that were too heavy to maneuver. You want to get into some of what was happening with what is on the market today with the weight of them and how they are stuffed to the top?

Mr. Schnibbe: Some of the newer bins look like a small dumpster. They are designed for the lift assist arm which is only on one of the new trucks. The other two trucks do not have it, but residents have those bins and it is not just in the downtown. Residents on Villard and on Edgar's that have them. They are not easy to lift, even with two guys.

Village Manager Frobel: In my conversation with homeowner I have told them, all right, you made the investment, because they are not inexpensive. So put less in it or get a second one so you have got the load divided. Most homeowners try to accommodate us, at least in that regard. I am just saying it cannot be in excess of 100 pounds.

Mayor Swiderski: A hundred pounds is a lot. I thought the law specified 50.

Mr. Schnibbe: I will give you an example because we looked at it. The 95-gallon one is 37 pounds on its own with nothing in it. You can hit it with your car and it is not going to move.

Village Manager Frobel: That is what we ran into, Mayor. We began with a pail that weighed almost 40 pounds. So by the time they had filled it it was very heavy.

Trustee Stugis: You described the Dobbs Ferry experience. Is that something they calculate? Let us consciously reduce or redeploy where the cans are, and everything magically got cleaner?

Mr. Schnibbe: I do not know if they are just strategically placed. From what I could see from driving through there, they are not right in front of a commercial stop where people would come out or in front of the deli where people come out and just load it up with trash. They must have some enforcement of where their residents that live in the downtown store their trash other than on the curb or in the Village-owned bin.

Village Attorney Whitehead: And you concluded it is cleaner there.

Lieutenant Schnibbe: Just from the couple passes, looking at it.

Trustee Walker: Can you make some inquiries?

Mr. Schnibbe: Sure.

Trustee Lemons: I want to come back to landlord responsibility. I understand that is a challenging problem of square footage available. On the other hand, somebody has to own the responsibility. It has gotten shoved off onto the DPW. I do not know why that responsibility would be shifted away from landlords to come up with some creative solutions. If there is an issue with residents and extra dumping we have accepted, de facto, that it just gets shoved into the public space. I do not think that is what we want to do.

Trustee Stugis: It cannot be more than 10 landlords.

Mr. Schnibbe: Yes, not a large number.

Village Manager Frobel: You could help us identify those.

Mr. Schnibbe: Mike got the landlord from the Slices building to get pails. They were putting out bags every day and it became a disaster.

Village Manager Frobel: We had them build a container, the one next to the Community Center. We pushed him. So there have been several we have been successful with in compelling them.

Superintendent Gunther: It took a lot.

Village Manager Frobel: To put a container. So we can identify that, Walter. We can identify those with know are still troublesome.

Trustee Walker: How do they remedy if they do not have any storage space? Do they just put the can out on the day of collection, then ask the residents to fill a can at that time, and then put the can away somewhere?

Lieutenant Schnibbe: It is probably similar to how you do at your house. You do not put it out at the curb every day and wait for it to pile up until we pick it up on Tuesday. You put it in the back.

Trustee Walker: But they have places in the back where they can do that?

Village Manager Frobel: The one next to the Community Center built the container, much like they did at Steinschneider. I know what they did at Slices, down that alleyway.

Trustee Walker: So they do have space somewhere.

Trustee Lemons: My feeling is that there are creative solutions that probably are possible. But one does not work on finding those solutions until there is a necessity to find it. I think we have just said pushing it into the public space is not acceptable.

Trustee Walker: No. So are there ways to enforce this in our code?

Trustee Lemons: That is the question about: what the bottom line is in the code.

Village Manager Frobel: The code talks about the type of container, which we discussed. We will see what further we can do.

Mr. Schnibbe: We have been successful with some, working with the downtown businesses.

Trustee Walker: Is there some way the Downtown Advocate could help you?

Village Manager Frobel: I spoke to Barbara. She is happy to help out. I told her this is not y her burden because she is more a positive force; this is more an enforcement part. But she is willing to be a go-between like she was at Steinschneider lot to facilitate a conversation.

Trustee Walker: She could be the carrot, the positive force. Somebody needs to be the enforcer.

Trustee Lemons: Right, she can deliver the good cop message. Also, I think Mike and Brian ought to be more empowered to come forward with the solutions they see. You are the ones that are there, and you see the patterns and have ideas about what we might do. You should keep looking a this and thinking about it too, and are there other things we can do we should do that will improve that situation. I do not think anybody is going to come up with better ideas than you will because you see the patterns and you know if you push here then where it goes, other problem that creates.

Trustee Walker: So what are the action steps?

Village Manager Frobel: We are going to isolate the number of properties that are troublesome in terms of bringing plastic bags to the curb on a more frequent basis. Work with those property owners to tell them under the code you are obligated to have a certain type of container where your tenant can store that trash until he brings it to the street and you pick it up.

Village Attorney Whitehead: Commercial and residential.

Village Manager Frobel: Then you are going to look at relocating some of the bins? Is that where we left it?

Mr. Schnibbe: I think we can do that. And either repainting them blue and putting some signage on them. It was unsuccessful the first time, but we can maybe find some other things. Or maybe look at newer bins.

Trustee Walker: Are those bins pretty worn out? I notice the doors do not shut always.

Lieutenant Schnibbe: If they are not on a level surface the doors do not latch anymore so they sometimes swing open. And people know that, so now they pull the can out.

Trustee Walker: If they cannot get it through the top, then they can just come in the side.

Is it worth, then, looking at new bins? There are a lot of new things on the market. I remember I specified those bins back in around 2000. Maybe we could look at others. There are some newer kind of more interesting modern bins, where you have the recycling next to the trash combined. So it might be worth looking at what is out there.

Trustee Lemons: That brings the conversation back to the other big element here, more to what Elisa addressing, which is the recycling part. We heard from you in that meeting that it has not been very successful. Mostly what is happening is the trash is getting mingled in and it is not useful recycling.

Mr. Schnibbe: With that it is worth clarifying that that is specifically in the public space areas, like the litter baskets. The commercial stops and residential stops are not as far as recycling goes.

Trustee Lemons: But I think the question is what we can do, whether it is different kinds of receptacles or other things to make it effective recycling which, hopefully, would reduce the amount of trash.

Trustee Walker: I understand the municipal bins, but do residents in the downtown put out the blue containers?

Mr. Schnibbe: Some of them do.

Trustee Walker: Do they strive to separate?

Mr. Schnibbe: The residents do. Either their landlords have spots for them to put their recycling or they bring their own bins out. Ms. Waczek is number one on the list. She has always got here little bin out on Main Street. But there are definitely residents that sort their own recycling and bring it down on their own on the days it gets picked up.

Trustee Lemons: Do you think the trash that ends up in the recycling bins is more just public, not necessarily residents.

Mr. Schnibbe: The one that is still there is the one in front of the Boulanger lot, and it is looks exactly like a garbage can. It is painted blue, it says "recycling" on it, and it is for commingled. It is right next to the garbage one so either one overflows and spills into the other, or people just have no time in their quick walk down to town to think about recycling at that point, which is a whole other issue. But if we provide it for them maybe over time it will work.

Trustee Lemons: Do you think even just better or harder to miss signage would help?

Mr. Schnibbe: From what I was always told, the blue bin is recycling. So a gigantic blue can next to a green one.

Trustee Lemons: We have a lot of color blind people in the Village, right?

Mr. Schnibbe: When I started almost 10 years ago, the green bins were the ones that had the newspaper sign on them. They were primarily garbage, too, because whether it was the frequency of pickup or not, if this one is full, well, this one has got some paper in it, I will just put the garbage in there. But that goes back to the residents bringing their garbage down and filling those bins. One has got to work with the next step thing.

Trustee Walker: So looking at new bins might work.

Village Manager Frobel: We will get some pricing.

Superintendent Gunther: Trial bins.

Trustee Walker: That is an idea. See if it works.

Superintendent Gunther: Do they make one that really works?

Mr. Schnibbe: No, it is the people. We could pick one location and figure out the highest traffic. There are three or four of them within a 100-foot radius here.

Superintendent Gunther: I hate to see you go out and spend X amount of money.

Trustee Walker: Right, that is a good idea. Why do we not experiment with them.

Mr. Schnibbe: They are not the easiest to work with because you either have to take the lids off and pull the bags out, or if they were like those metal containers I think Dobbs has a couple of them. They are like a big rectangle, like the size of that table, and they have doors where the regular bins come out. Those would probably be better. It would be easier to keep clean and then service them.

Trustee Walker: But they require more space, right?

Mr. Schnibbe: Right, it has a bigger footprint than the ones that are downstairs. But the ones that are downstairs are designed for inside, more or less.

Superintendent Gunther: Just do a quick study and see ones that work for other towns.

Trustee Lemons: Are there examples elsewhere we could look at.

Mr. Schnibbe: We will find out.

Trustee Lemons: That would be great to get some information. And I like the idea of trying one, and let us see what we can do to make it work.

Superintendent Gunther: There have got to be other towns that have success or have failed in trying to do it.

Trustee Walker: Great Barrington in Massachusetts had artist-designed recycling bins and they were very different from the regular trash bins. They were very interesting. They are not using them anymore so maybe they did not work out so well. But they were attractive.

Mayor Swiderski: Let us try something commercial.

Trustee Walker: I have been collecting pictures of them. Sometimes they may be custom-made though, so it is hard to know. There are some very attractive ones in Manhattan.

Mayor Swiderski: Is that sort of research something the Conservation Commission could do for us? There has got to be literature on this.

Village Manager Frobel: That is what I would do. I would simply go in the Internet.

Trustee Walker: I will check into what we have.

Trustee Lemons: The problems we are having, and have had for a long time, with putting the trash into the recycling is a very widespread problem. I observe it everywhere that that happens. It would be interesting to find out is there a way to have that not happen and drop the frequency. You look doubtful.

Trustee Walker: If the commingled just had a tiny hole so it is cans and bottles or, I suppose, small plastic containers, and you cannot open it up and put your trash in the side.

Mr. Schnibbe: There is one next to the entrance to the train station, we service it three days a week, and it is mostly cardboard coffee cups that wind up being garbage. You cannot worry about the cleanliness of the recycling at that point because no one is going to rinse out

their cups and bring it back. That is issue number one, but if it is there it has never been all recyclable.

Mayor Swiderski: So what happens in those instances? Does it land up being garbage?

Mr. Schnibbe: It winds up being garbage.

Village Manager Frobel: The heavy percentage is just garbage. It is bags from people with their pets.

Mr. Schnibbe: The idea of recycling in the downtown is not a gigantic number, but you would not see a huge reduction in solid waste from the Village downtown. It would just be the aesthetics of it that we recycle in the downtown, which is maybe more important than the numbers.

Village Manager Frobel: Our recycling numbers are very high, and I am sure Brian and Mike will testify to that. It is the homeowners. Hastings has really embraced recycling. We do not have contaminated loads, we hit our numbers, the community does a wonderful job of recycling. It is the coffee cups, as Brian describes, and the bags that get thrown in which should be recycled but are just dumped in. So we have got a few things we can work on and report back.

Trustee Stugis: Before you leave could you comment in cigarette butts?

Mr. Schnibbe: Well, there is less in front of the Roadhouse now. We have never emptied those cigarette receptacles. I do not know if anyone empties them. That sweeper you talked about getting would resolve a lot of the cigarette butt issues. That is my opinion.

Trustee Stugis: In the tree beds and everything.

Superintendent Gunther: When we had an operating sweeper we swept the Village every morning so the downtown was clean.

Trustee Walker: But they still accumulate on the sidewalks.

Mr. Schnibbe: Either the commercial owners or the landlords sweep them into the streets.

Superintendent Gunther: The Roadhouse, but other than that not many.

Mayor Swiderski: The cab company, the diner.

Trustee Walker: This is on a related note because it is not on the agenda. I will mention that we sent out that survey last week about the downtown and did ask about trash receptacles and cleanliness of streets. I have not tallied everything up because the results are still coming in, but as of today there were more than 600 responses which is incredible, the percentage of people responding. At a quick glance, I noticed that cleanliness of streets was one of the top issues among the physical improvements to the downtown. We will have more information when they look at it.

2. Update on Shoreline Committee

Trustee Walker: We met with our consultants two weeks ago and had a kickoff meeting. We visited a number of waterfronts from Yonkers up to Irvington. It was interesting look at different types of shoreline stabilization, different types of seawalls, different types of water access, piers, floating docks and so on, and trying to look at what the elevations were in all those relative to what we were talking about. That was the beginning. We are still resolving some details in the contract and working on that.

We discussed having a community meeting in early December. That is our goal. We are trying to get in touch with the DEC and organize a stakeholder meeting well before that, but we are not getting a lot of response. Mayor, you might be able to help me on that. Our representative is gone, and I don't know if they appointed anybody else from DEC remediation to handle our waterfront. I am talking to the head guy, but I am not getting much response. They certainly have to organize the other stakeholders. We need to get on that, and that is our responsibility to get them out. And it is important we speak to them.

Mayor Swiderski: What would be the presentation? Would it be a straw man?

Trustee Walker: No, it is going to be very open. I should say there will be straw men, or straw people or whatever you want to call it, from other sites. In other words, what we were thinking is doing two things. Asking people to send up images of things they have seen elsewhere they would like to see on our waterfront. Is it a fishing pier, is it boat docks, is it ferry terminals, is it interesting recreational uses or different types of promenades, whatever. Ask folks to send us images. We collect those, then with the committee and our consultants, put together a number as well and organize them in such a way that we can explain it. Obviously, try to be responsible about what will work and what will not work.

Mayor Swiderski: Do not leave it too open ended. You do not want to stoke unrealistic expectations

Trustee Walker: Right, we have to screen it. But I think it is interesting to Crowdfsource just so see what people are thinking about. People appreciate that, when you ask them before you come at them with a design. So we want to ask them, we want to have a discussion. And at that point, the consultant should have a better idea of what will work and what will not work. There is quite a wide variety of things we could do. The question is, can you, for example, vegetate the slope and not have it wash away. Do you have to put in a barrier in order to protect a slope like that? Are you creating a wetland condition, for example, down by the lower point, the tidal wetland area? And do you have to create a barrier to protect that in order to protect more vegetation upland? We have a lot of questions, and in working through geotechnical issue and hydrological issues and so on we will begin to answer those questions. The community meeting will not be highly technical, but it will be setting some constraints.

Trustee Lemons: It would be good if they can respond to the suggestions if there are things that are good ideas, but there are geotechnical, l logical reasons why this is probably not possible.

Trustee Walker: You cannot maybe do that, right. Or we are not going to put in a lot of seawall, and maybe we can convince BP and the DEC to let us do more seawall than they have previously stated they would so we can have more floating docks or more types of transient boating going on. There is going to be a lot of back and forth on it. But it is interesting to see the range of solutions just in this area. We looked next to the Beczak Center there is a wetland and interesting vegetation created there. They could only do that by creating a little island out beyond to protect it. There are floating docks in Dobbs Ferry; however, their access is perhaps lower. If you think about having a seawall around the northwest corner, for example, and they are talking about having that pretty high, like 11 feet, to get down to a floating dock would be quite a steep ramp so is that practical. You do see a higher level at the JFK Marina, and you see how difficult it would be to get from that level down to the water at low tide. That is an example of a higher one. Then in Dobbs Ferry it is much lower. These are the lot of the questions we have. It will be interesting to look at this carefully.

Trustee Lemons: That public process is really important, though. You net ideas, and you want to have a sense of participation in this.

Trustee Walker: I think so. We have been waiting a very long time. People are anxious to have river access.

Mayor Swiderski: Coincidentally, I was visiting FEMA today at One World Trade Center. M.J. works there and invited me. The flood map is set, which is causing some controversy as

being rescinded and reworked. It was correctly or incorrectly felt to be too aggressive. I do not know if that is the result of lobbying. But the determination was that Sandy was a 300-year storm, not a 100-year storm, which means it is going to repeat in 10 years.

Trustee Lemons: Right, because it started out being a 750-year storm.

Mayor Swiderski: They did offer that the height we set of 11 and 14 feet is an aggressive approach. A lot of communities are not even bothering to do that.

Trustee Walker: Eleven feet is aggressive?

Mayor Swiderski: Eleven feet is a little low, 14 is fine.

Trustee Walker: So 14 feet is where you do not want flooding, where you do want development. But at the river's edge it is OK to flood, if you are built to recover. If you are building pathways and access facilities and docks that are built to flood, then one can start at a lower level and expect that. That is why I am worried that they wanted us to put all of our boating facilities up at that 11-foot level at the northwest corner when, in fact, they might be better off at a lower level somewhere else.

Trustee Lemons: Those kind of structures are movable and can migrate.

Mayor Swiderski: Any update on the tower?

Village Manager Frobel: I do. The latest is trying to coordinate for an inspection on October 28. That is assuming all the insurance documentation is supplied to BP.

EXECUTIVE SESSION

On MOTION of Trustee Walker, SECONDED by Trustee Lemons with a voice vote of all in favor, the Board scheduled an Executive Session immediately following the Regular Meeting to discuss litigation with River Glen, and personnel with regard to retaining a planner.

ADJOURNMENT

On MOTION of Trustee Lemons, SECONDED by Trustee Walker with a voice vote of all in favor, Mayor Swiderski adjourned the Regular Meeting at 9:15 p.m.