

VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
REGULAR MEETING
NOVEMBER 15, 2016

A Regular Meeting was held by the Board of Trustees on Tuesday, November 15, 2016 at 7:42 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

PRESENT: Mayor Peter Swiderski, Trustee Meg Walker, Trustee Nicola Armacost (via Skype from Holiday Inn Rosslyn, 1900 North Fort Myer Drive, Arlington, VA 22209), Trustee Daniel Lemons, Village Manager Francis A. Frobel, Village Attorney Linda Whitehead, and Village Clerk Susan Maggiotto

ABSENT: Trustee Walter Stugis

CITIZENS: Sixteen (16).

PRESENTATION – 2015-2016 Village Audit

Justin Wood, Nugent & Haeussler, PC: I would like to start my presentation by thanking Fran, Raf, Susan, Lori, Shelley, and everybody who has helped us out during the audit. Everybody has been excellent providing us with the information we needed, working along with us as we worked along with them. It is always a pleasure coming down and working with everybody here. I am going to do some bouncing around as far as the report goes.

I want to start on page 63, which represents the general fund budget schedule. There are two areas I see that signify really good management in the Village. One of those things is the fact that there was one balance that was appropriated. In the middle of the page you will see "other sources appropriated fund balance" in the adjusted budget column. There was \$137,021 appropriated during the year. The Board and the Village Manager had the wherewithal to realize they had some unexpected expenditures during the year and were going to need to appropriate some fund balance. Did that, resulting in a budget that was not overspent and came in \$24,000 under budget. In a \$14 million budget, \$24,000 is really walking a fine line and just shows great management of the budget throughout the year.

Page 70 is a schedule of capital fund balances scheduled by projects. These are all the projects that have been going on in the past eight to nine years. If you look at the second column to the end on the right side, the fund balance/deficit column, you will see some budgets that appear to be running at a deficit at the moment, such as the DPW Ford F-50, the Parks and Rec Ford 350, garbage truck 1516, Reynolds Playground. But I want to point out that there are outstanding BANs that correspond to these deficits; as those BANs are paid off those deficits will be eliminated. I would not want it to be misleading, where you see these deficits in these funds and think we still need to fund these. No, we received a BAN. As those BANs are paid off or are turned into serial bonds, those deficits will be eliminated.

Trustee Walker: You mentioned in your letter that we should strive not to have deficits in our capital budget. We have this column, but would that be removed once the BANs are ...

Mr. Wood: Yes. It is page two of the management letter. It is number two on the bottom of page two, the capital fund end of the year with a deficit fund balance of \$91,205. We understand this deficit will most likely be eliminated when temporary financing is converted to permanent financing. However, we recommend the Village establish and maintain a plan to manage this in future operating deficits. When there is a deficit in any fund, we make note of it in the management letter just to bring it to your attention. Other municipalities do not necessarily recommend we come to the meeting to present so I am not able to explain this to them. So we always put that in a letter when there is a deficit in any of the funds.

Trustee Walker: So in other words, it is OK to have this deficit because we are going to be permanently financing eventually.

Mr. Wood: Because you are going to be funding it with the debt.

Trustee Walker: So, in fact, we would not really have a deficit in the capital fund ultimately.

Mr. Wood: Yes, long-term you will not have a deficit in the capital fund. The good news is, there are no other deficits in any other fund to comment on. Next, page 21 is the statement of revenues, expenditures and changes in fund balance in the governmental funds. I wanted to do a fund-by-fund deal here and give you performance indicators on how the different funds are doing. We will start with the general fund on page 21.

If you look at the bottom of page 21, where it says "change in fund balance, the general fund came in \$266,000 to the good. A big reason why the general fund came in so far ahead was because of the building permits that are a hard item to budget for because there is a large fluctuation from year to year. It is very hard to predict. To know in January what is going to happen throughout the '16-'17 year as far as building permits go is tough. But still, great news. The general fund comes in \$266,000 to the good, largely in part because there are probably two or three projects that made up \$200,000 to \$300,000 of the departmental incomes. In a year where you do not get that you are at more of a break even. Still good, still not running at a deficit by any means.

The pool fund had another good year. They have quite a couple in a row here. An increase of fund balance of \$33,500, building that fund balance up to \$265,000, which is great because you never know when you are going to have a large repair or some unexpected expense that may come up. The library fund shows an increase in fund balance of \$49,000,

bringing them out of a deficit. Last year, there was a deficit of \$4,000, so giving a fund balance of \$45,000. A big chunk of that does come from the general fund operating transfer. That library increase change in fund balance is largely in part due to the transfer that comes over from the general fund. Also, I want to say that was there an event where payroll might have decreased during the year, in the library fund?

Village Manager Frobel: Turnover of staff.

Mr. Wood: OK, some turnover of staff. So the transfer was budgeted before the beginning of the year, there was some turnover of staff which lowered the salaries during the year. Special purpose fund went up \$86,000, bringing the fund balance to \$877,000. The debt service did go down \$130,00, but this was a planned transfer, budgeted in the year before. where we had some discussions in the past about we have this fund balance that we have accumulated in the debt service fund, what can we do with it? In the '15-'16 year, the Village decided to transfer some of those funds out to help fund some capital projects. I believe that is right? That takes us through all the funds individually. Overall, total governmental funds you are looking at a \$67,000 loss. But that is primarily attributable to the capital projects fund, where there was the \$372,000 loss which, again, we are just waiting on the financing for those items.

I want to go to page 17, the statement of net position, which is the government-wide balance sheet. This is your long-term balance sheet, a combination of all your governmental funds in addition with all of your long-term assets and liabilities. Some examples of long-term assets are the capital assets, which are all the buildings, furniture and equipment, vehicles and so on, of \$20 million. Also, there is the other post retirement benefits payable in the liability section, which represents the future liability of post retirement benefits payable, most of them being medical insurance. This number is so high because it is not funded annually, such as the retirement. These benefits are paid out as they come due and you cannot fund them through the funds. The Village does not have the ability to fund this liability, they just pay out those contributions as they come due each year. You have to work in, each budget year, what you are going to have to pay to those benefits in that year. The Village uses an actuary to come to a long-term liability that is amortized over 30 years and slowly increases year after year. In the year we are looking at here, it is the first year of GASB 68, the newest GASB which now wants us to record more liabilities related to the New York State pension.

The New York State pension liability is not going to have as much of an effect on the financial statements because we are funding that liability year after year. We are making the state retirement payments as we go, and those are budgeted like they are every year. Three aspects of the GASB 68 pension liability are the deferred outflow of resources, which is an asset of \$3.8 million offset by the net pension liability in the liability section of \$3.9 million.

And also another liability, deferred inflows of resources of \$595,813. Again, the states use an actuary to come up with these amounts so what they are saying is that you are slightly unfunded, which is the case in all the municipalities, school districts I have done for the net pension liability. They are doing this so you are aware that your liability for the upcoming years may go up a little, the rate may go up. It is posting of another long-term liability.

That concludes my discussion on the financial statements. I want to go back to the management letter. There was one other comment. It is a repeat comment we have put in every year just because in what great standing the Village is with their fund balance that we recommend the use of a capital reserve in the general fund to avoid any long-term financing for further capital projects. Although the Village did not set up a capital reserve this year, they were able to transfer funds from the debt service and the general fund to do the street resurfacing without taking on any debt, which is another example of great management at the Village. That concludes my presentation, and I am open for any questions.

Trustee Armacost: You said the pension is slightly underfunded. Can you tell what is recommended vis-à-vis what is there?

Mr. Wood: There is nothing really to recommend because the state sets the rate and sends you the bill every year. You get your estimated bill and then you get your actual bill. This is more of the state saying, maybe we thought our investments were going to perform better when we sent the bill out last year, and they slightly underperformed. So in the future, we might have to charge a higher rate for the following year's retirement payment.

Trustee Armacost: It is nothing to do with our plan management, it is to do with outside management of funds by the state.

Mr. Wood: Yes, it is to do with New York State Retirement System management of their investments. The information for that comes directly from the state retirement website. They use a separate actuary firm that goes through all that information and comes up with these numbers.

Trustee Lemons: We are at 12.7 percent balance. How does that look to you, and how does that compare?

Mr. Wood: It looks great to me. I would say it compares favorably to other municipalities. That is the reason we recommend the setting up of a capital reserve. But this is not a problem by any means. Holding a larger fund balance gives you the ability to set up a capital reserve, or be able to handle an unexpected tax cert claim that may come up, or unexpected expenses. Or the ability for the Board to say this capital project that is coming up this year,

this new street resurfacing project, let us appropriate fund balance to make a transfer to the capital fund so we can avoid any financing. In this day and age, the interest rates are very low so you might want to take advantage of the interest rates being low. But paying zero interest versus paying one percent interest is still, better than paying any interest at all. So it puts you in a great financial position, flexibility. I would say it is excellent and definitely is favorable to other municipalities that I see.

Trustee Lemons: Well, there is a sweet spot, a point where you could overdo it?

Mr. Wood: There is, but I would not say that 12 percent is at that point. I have seen libraries that hold 100 percent of the following year's budget, a smaller entity of course. But I have seen municipalities that hold 35-40 percent of their following year budget. But I do think it is a good thing to have that flexibility, where if you wanted to fund capital projects with that fund balance, and I do not mean to sound like a broken record, or any unexpected expenditures that may come up, like a furnace goes down in a building and it is a 40-50 thousand dollar expense and there is no room in current year's budget for it, then you have that flexibility where you can appropriate the fund balance.

APPROVAL OF WARRANTS

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

Multi-Fund No. 33-2016-17	\$ 12,986.53
Multi-Fund No. 34-2016-17	\$421,334.86

PUBLIC COMMENTS

Mr. Metzger, 427 Warburton Avenue: A comment on the national election. I am somewhat dismayed at the results. But I want to remind everybody, including the incoming administration, that the pledge of allegiance that every one of us says whenever we get together for a public meeting, ends with "with liberty and justice for all." If we do not stand up and make sure that happens we have lost this country.

You are going to be talking about Building 52 and I have been an advocate for trying to save that building. You are looking at approving a neg dec on the SEQRA, and I believe that is a mistake. The reason is the monitoring that is being talked about are all monitoring that happens after the horse has been let out of the barn. When that building comes down, they say we will be taking appropriate measures. I watched the initial set of buildings come down on the far side of the waterfront, I watched the second set come down which included

Building 51. The clouds of dust, despite the water cannons and all of that stuff, were extraordinary. The monitoring will only tell us the dust is out there already. I believe BP needs to take much more concern about how they demolish this building to protect the health, safety and welfare of this village. It is something we need to take seriously. I believe a full SEQRA hearing should be held. That being said, they are also talking about 400 truckloads of debris leaving the site, which they will be looking at after the trucks have gone. They will decide whether anything has escaped. None of this is really appropriate. This needs to be handled in a controlled manner, and it should not be done after the fact when the damage has been done. If this board chooses to approve a building permit I would like to suggest something I believe very strongly. BP has been talking for over three years now about giving us an engineering study on how they are going to clean up the site. At a meeting as recently as three weeks ago, one of their representatives said we do not have any time frame for that. We are still waiting. The only leverage this village has that I can see is to, if you decide to issue the demolition permit, hold on to it until we get that engineering report. I believe that is an appropriate use of your power, that it is a quid pro quo.

The incoming administration is probably going to gut the EPA as we know it. The person who is looking to head that is a climate denier. We all know what is going to happen there. It is a paranoid fantasy I have about what may happen here, when the EPA gets control that BP is going to take that opportunity, when they start dismissing all the rules and regulations about clean air and clean water, they will say we do not have to do this at the federal level, why do we need to do that here? We are going to take the building down, we may take some of the stuff off. Yes, they have things in place right now, but nothing would prevent BP from suing us and the state, saying federal regs do not require any of cleanup, why should we be held to that same standard? Before that football gets kicked down the field any farther we need to have a process in place that the cleanup is done; we should have that engineering report; and t we need to move forward with this before we find out that there are no regs for us to hold them to.

Steven Siebert, 113 Hamilton Avenue: Jim is more politic than I am. I want to begin by acknowledging how difficult your jobs are, to make decisions that will undoubtedly upset citizens, neighbors and friends. I do not envy you. But the difficulties raised by engaging in politics in a small town also cut the other way. I have partied with all of you, I have been part of two church communities with two of you, I share sort of a history with Japan, where grew up. I have even brought sunflowers to the artistic opening of a spouse of one of the Board members. But the question is whether such familiarity should cause us to be silent.

I think silence is deadening. It is deadening in our national life when we let mass incarceration that is obscene go in our name. And it is deadly when we let people be tortured in Guantanamo and not speak out. It is vital that we speak out even among friends.

What can I say in a short three-minute eulogy for Building 52 after having fought for it for 10 years? I was going to talk about the process, how I think a full SEQRA review is required by law. You are not fulfilling your obligations to us by doing a simple negative declaration on that matter. It is unfortunate that you are not taking those steps yourself and, instead, forcing citizens to hold you accountable for that, particularly when you are doing a full SEQRA review for something that has far less impact on the health, safety and welfare of the community: the senior care facility on the Yonkers border. It boggles my mind.

I was also going to talk about how it seems radically unfair and undemocratic to release these documents four days before a hearing, when we have been talking about this issue for 10 years. It seems unfair that you just let people make short, three-minute comments and not engage in a conversation. Have a conversation of mutual respect and engagement about these issues. It seems to me, at the very least, if you do not do a SEQRA review you should have a full community hearing where people can talk about these issues. I was going to talk about the process and about the things Jim talked about in terms of the safety. But instead, I want to talk about something else.

When I had the courage to read the documents, I was stunned. But, in fact, when you talk about the history of the building you mention SHPO, the State Historic Preservation Office, has declared the buildings to not be eligible for inclusion on the National Registry of Historic Places. But there is not a word in those documents to say why it no longer eligible for inclusion on the National Registry. That is because the Board of Trustees voted to allow BP to tear down Building 51 against the law. SHPO has made it very clear, when I talk to them, that the only way a building that is eligible for inclusion on the National Registry could be torn down, even it is declared an emergency or in danger of imminent collapse, as the fire chiefs did, is if it is on a well-traveled thoroughfare. The building was not on a well-traveled thoroughfare. For you to issue this neg of a declaration with a discussion of the history of the building and not acknowledge your culpability and your responsibility for that, that silence is deafening and is troubling to me. How can we, as a people, talk about engaging our larger culture if we cannot even be honest among ourselves? It deeply dismays me that you do not have the integrity to say yes, we were asleep at the wheel then. You could say we cannot do anything about it. But talk about it, acknowledge it instead of just acting like there is not something there.

Mayor Swiderski: You are going to have to tighten it up. I am sorry, I cannot make an exception for one person and not make it for all.

Mr. Siebert: I, I will be quick then. You took the document that BP submitted in their own self-interest, rationalizing why the building was no longer eligible and reprinted it in this negative declaration, without any real input from other people on the other side of the issue.

SHPO has said there are ways the building could be shown to be eligible again. But was there any reaching out to them? I am deeply dismayed, particularly in these dark political days, that even at this local level we lack that integrity, that willingness to deal with the truth.

John Gonder, 153 James Street: At the last meeting I mentioned something about the deer, Mr. Mayor. I hope you would consider it, that they can impregnate the bucks.

Mayor Swiderski: I think you meant inoculate.. I do not think you meant impregnate.

Mr. Gonder: I wanted to tell Meg Walker even though I saved \$171,000 on my assessment it is still way too high. I think you took it that I was happy. I was not happy. Tyler did a terrible job. If they did a terrible job on me, \$172,000, close, what did they do to other people, especially the elder ones that had low assessments. I will be fighting them in the courts. I have to get it in by December 6.

In regard to Building 52, we had quite a bit of talking. It was at the Community Center, and the Mayor added another meeting because there were so many comments and whatnot. We have the EPA, we have the state health department, we have the DEC; all these people are going to help watch out for us in our capacity of dust and cycles of taking that building down to make it safe for everyone.

Douglas Alligood, 157 Rosedale Avenue: I just got here so I apologize if this comment was already made. If we are talking about Building 52, we are talking about waiving the environmental review. If this building is as toxic as everybody says then this is the very case when you would request a supplemental environmental review. That is what it is for, so you are not putting it on anybody's hands or responsibility. It is a third-party assessment, then submit the paperwork, and it seems to me that is the right way to go. It is very simple.

Karen Myers, 159 Broadway: What is the plan when the building comes down? Are we going to have another empty, weed-filled lot there?

Mayor Swiderski: There is a long period of remediation. During that period there is going to be a rezoning exercise in the Village where we determine what is appropriate in terms of zoning for the site. Then some years out will be planning around redevelopment.

Ms. Myers: It has been some years out since all the other buildings came down. Nothing has happened, and I have been here 25 ...

Mayor Swiderski: It is all a single site and it all needs to be remediated. There is contamination throughout the site.

Ms. Myers: Yes. But even with the contamination the site could be used for certain things and not for others. There were a lot of ideas that Building 52 could be used for, for instance, there was a plan for a car museum and an auto mechanic school that never got its proper hearing. That could be used in line with some remediation, but there is a level where the building could be used as long as it is not a habitable site.

Richard Bass, 25 South Drive: As part of your environmental review, the only thing I would ask as part of the analysis is to include the bridge that brings you to the west side of the tracks. If that has been discussed I am sorry, I came in late. I am agnostic in terms of keeping the building-not keeping the building, but the impact of the bridge to that building is germane.

66:16 SEWER EASEMENT AGREEMENT FOR SAW MILL LOFTS

Mayor Swiderski: This was brought up at the last meeting.

Village Manager Frobel: This is the developers looking for the granting of a sewer access and maintenance agreement. This comes to us due to the regulations promulgated by Westchester County and the state Department of Health. There was some discussion at the last meeting whether or not we could require a maintenance bond. Staff and legal staff explored that. We are going to be unable to at this time, so the recommendation is that we move forward and provide the authorization and enter into this easement agreement.

RESOLVED: that the Mayor and Board of Trustees authorize the Village Manager to sign the sewer easement for Saw Mill Lofts as attached.

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

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

69:16 NEGATIVE DECLARATION – DEMOLITION PERMIT TO ARCO ENVIRONMENTAL REMEDIATION, LLC FOR BUILDING 52, 1 RIVER STREET

Mayor Swiderski: Before us we have two issues that have dogged us for years. The disposition of Building 52 has hung over this community and this Board certainly since I became mayor eight years ago, and has been around before that. When I first engaged on the waterfront back then, I worked with a community member in this room who crafted a vision for reuse of that site which excited me and others. At that time, BP was inclined to leave Building 52 in place as a cap to the pollution that lay beneath. We had hoped it could be turned into the anchor for the future waterfront.

With time, BP shifted their position, determining they wanted to remove the building to better remediate the site, and leave behind the site remediated fully up to the DEC's and our requirements, and reduce future liability on their part. They applied for a demolition permit earlier this year. We countered with a request for additional information and questions that have since been addressed. We are also responsible for undertaking a SEQRA review of potential adverse environmental impacts of the demolition.

We have reviewed the potential impacts and taken a hard look, as required by SEQRA, and based thereon are proposing to adopt a negative declaration under SEQRA, which means we believe taking this building down will not have a significant adverse impact on the environment. Before us are the two resolutions, and we will start with a negative declaration.

I typically ask other Boardmembers to speak first. I am going to start. It seems only fair. The question before us is whether the building demolition will have a significant adverse impact on the environment. We have had our environmental engineer, lawyer, and Building Inspector review this application in detail. We have gone through waves of questions and answers, and many meetings internal and otherwise, to be sure we were taking the required hard look.

Two salient essential issues were identified during this process. One was that the demolition not pose a threat to the surrounding area, and that air monitoring and dust control be reviewed. I am satisfied with what we have heard. The DEC and the Department of Health have reviewed and approved the plan, including the air monitoring, and the Department of Health does have jurisdiction over this. While this is a big structure, none of what is being proposed is particularly new or difficult. I believe the risks can be controlled and the community kept abreast of progress monitoring and process.

SEQRA also includes a review of the building's historical significance. While the loss of Building 52 is unfortunate to the Village, given its difficulty in reuse, compromised nature,

and given modifications over the years, and an absence on the state or Federal Register of Historic Places, we believe the loss is not significant enough to force a broader SEQRA process and preparation of an EIS. We are satisfied the information we have is sufficient for us to make this determination. For these reasons I will vote for the negative declaration.

Trustee Lemons: I would like to read from a part of the short environmental statement. I think this is important for everybody to understand, that "The selected demolition contractor would prepare a demolition work plan setting forth the means and methods of decontamination, dust control, wastewater, stormwater collection, treatment and control, contingency planning, hazardous materials and waste disposal, and CAMP," the community air monitoring plan. "Basic elements of the worker, health and safety plan, which would later be used by the contractor to prepare a site-specific worker health and safety plan," these are all part of what was provided in June.

There is a more detailed set of documents that will be developed and, again, would be under the monitoring, particularly by the New York State Department of Health. That is the body that is going to ultimately say yes, these very specific engineering documents are sufficient to protect the community's health, a big concern, our biggest concern. Having spoken to the people at the Department of Health, I know they are intimately aware of the details of this site and the fact that it is adjacent to a train platform where hundreds of people are every day. I am confident of their understanding of that and their ability to monitor and stay on top of it. In terms of the negative declaration, which has to do with our environmental concerns and health concerns, we are going to be taken care of. The risks we have been living with, with the building there, are significant and there are significant environmental health concerns with it continuing to be there. So I am going to support this.

Village Attorney Whitehead: I want to supplement one thing you said. Most of those additional plans have now been developed, based in part on advice of our consultants and the review by environmental counsel, and the Building Inspector asked BP/ARCO to provide much more detail in terms of the plans with the air monitoring, staging on the site, and stormwater controls. Their initial submission did not include all of that. The reason we have gone from their initial submission in January to finally being ready to act in November is because we did ask them for significant additional detail and information, which has been provided. You have most of that now and have reviewed it, and your consultants have reviewed it.

Trustee Walker: I think this is an environmental review. It may not be a DEIS, but I believe we have scrutinized this carefully, even though this is a neg dec and not a positive dec. A positive declaration would mean we would be asking for an even lengthier environmental review through a Draft Environmental Impact Statement. I think we would

not uncover anything significantly more than what we have asked for at this point, if we were to do an DEIS or ask for it, and go through that process, which would require scoping and a lengthy process. We have received the information we need to make this decision. I am comfortable granting the neg dec. If we were to ask for more information regarding the historic nature of Building 52 I do not think we would get more information than we have now. We will address this in the next resolution, the demolition of the building. But in terms of the neg dec, I am satisfied with the information we have received.

Trustee Lemons: I am glad you addressed the historical aspect because that is something that has been raised a number of times in public comments. I thought about that, too, but it also looks to me like it is unlikely we would learn more in a further study. It is more a matter of a judgment call about whether those are significant or not. Obviously, there is real historical significance to the building. It is not a question of that. It is a question of the degree of that, whether it meets the criteria we would need to make that a reason to go further. In my opinion, it does not.

Trustee Walker: We should also mention that the Village has a consulting engineer that is helping us review all these documents and will continue to. What Jim brought up about the instant you bring this building down, if it is not brought down brick by brick, it does produce dust. It would be an interesting question to ask as to how thoroughly they can prevent that dust from spreading, through water cannons or whatever methods they have. It is an important question because that these buildings, when they came down previously, came down all at once and there was a lot of dust.

Village Attorney Whitehead: There was a specific sequencing provided, and this building is not going to come down all at once. It is going to be taken apart.

Mayor Swiderski: Brick panels.

Trustee Walker: That is what they said: the brick panels, followed by the roof, followed by the steel structure.

Trustee Lemons: They talk about barriers. Also, again going back to my conversation with the Department of Health, they were definitely talking about that in terms of isolating the train platform from any possible dust. The point of monitoring issues that Jim raised, those would obviously be concerns if there is not adequate ongoing monitoring. You do not want to, after the fact, discover we better cut back with it. But from my conversations with the Department of Health, that is not the way they are looking at this.

Trustee Walker: I think it is going to be different. It is not one of these cases where they go in and implode all at once. It is going to be coming down gradually. But it is an important question to raise.

Village Attorney Whitehead: And we have gotten information on that.

Trustee Armacost: Before I say anything, I want to disclose, as per the Ethics Board decision earlier this year where I requested the Ethics Board to make a determination on a conflict of interest for me to vote in a situation involving BP/ARCO, their recommendation was there was no conflict of interest. I want to disclose my involvement with Twelve Miles North that had received very small amounts of funding from BP/ARCO in the past.

All of you said everything that needs to be said. I do not have anything to add. We have the information we need to make this negative declaration, and that would be my vote.

Mayor Swiderski: Trustee Stugis is not here. He has prepared a statement he has asked me to read for the demolition permit itself. He did not prepare such a statement for the neg dec. While he cannot vote, he has indicated he would have voted for the neg dec. I am going to ask for a motion.

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

WHEREAS, an application for a Demolition Permit dated January 7, 2016 together with a Short Environmental Assessment Form (EAF) by ARCO Environmental Remediation, LLC, dated Jan. 6, 2016, and additional supplemental documentation, has been filed with the Board of Trustees in connection with the application for permit to demolish Building 52, 1 River Street; and

WHEREAS, the Mayor and the Board of Trustees, the only involved agency, have reviewed the EAF, including Parts 2 and 3 provided herewith and prepared by the Village's consultants, and additional supplemental documentation from ARCO, and have received comments from the Village's environmental consultant, and have reviewed the criteria for significance set forth in 6NYCRR § 617.7(c), now therefore be it

RESOLVED: that the Mayor and Board of Trustees find that that the proposed action will not have a significant adverse impact on the

environment and does not require an Environmental Impact Statement (EIS) for the reasons as set forth in the EAF attached hereto.

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

70:16 DEMOLITION PERMIT TO ARCO ENVIRONMENTAL REMEDIATION, LLC, FOR BUILDING 52, 1 RIVER STREET

Mayor Swiderski: In the intervening seven years since I have sat here, first dreaming of a use for Building 52, I have come to terms with the fact that Building 52 needs to come down. This is driven by a number of factors I want to enumerate.

First and foremost is achieving a cleaner and safer site. While the DEC has not specified that the building must come down to remediate the site, sampling has found dangerous levels of PCBs under, adjacent to and within the building. This is no surprise. While Building 52 is a reminder of our industrial past and activity on the waterfront, this building's history is literally and figuratively steeped in PCBs. The Hastings waterfront enjoys the dubious distinction of being the location where PCBs were invented, and they were industrialized and applied to cable in this very building. PCBs washed into drain pipes and culverts, and were flushed into the river. Their presence is detected at levels in excess of safety standards adjacent to those drain pipes in at least one former sump, under the building, adjacent to the building, and on every single surface within the building: the floor, bricks, column and ceiling. In some cases, those levels are orders of magnitude, thousands of times higher, than safety levels. To leave these poisons under and immediately adjacent to the building is to punt this problem down the road to further generations, and maybe not even very far at that. Superstorm Sandy swamped the site. It is hard to predict what the future will bring, but other storms are almost certain. If this building is flooded and damaged in some way, and had to come down, the PCBs at that point would have to be excavated. That would so be tragic if it were to happen a decade or two after the remediation is done. The toxins need to come up and be removed. BP could, of course, theoretically remove the dirt under the building by leaving the building in place on top of existing pilings and scraping it out around the timbers of the pilings. They have refused this proposal on grounds of safety and, we imagine, expense. Both seem reasonable objections.

Second, leaving the structure in place leaves a significant financial liability on the site for BP and any future owner of the property. For starters, the ongoing persistence of PCBs if we should leave the building in place as a cap will prove an issue for financing anything in that quadrant of the site. That is a significant environmental issue that would have to be disclosed in financing, and poses a real problem for eventual redevelopment. Who would want to build or finance anything adjacent to or near a heavily contaminated site? Secondly, the structure itself would have to be remediated to make it usable and safe.

Finally, the building itself, while generally structurally sound, would pose a significant, even likely, possibility of becoming a white elephant for the entire site, requiring tens of millions of dollars to remediate and renovate, with no likely use ever justifying that expense. The site overall is already constrained via zoning to height limitations. Further limitations are likely as a rezoning process commences. What might work in New York City, where density levels can generate substantial revenues to offset old building renovation and rehabilitation, does not work here.

This building is huge, over two acres, and would burden the site unduly. We have heard this from at least one green developer who regularly works with redevelopment of industrial buildings, and it makes eminent sense. There are other considerations. Traffic patterns are constrained by the structure, and emergency apparatus already have difficulty navigating a left turn at that point. Traffic as a whole is constrained by the building's location. The best location, as well, for transit-oriented development would be in the northern sector, and this building sits squarely on two acres of that prime real estate.

There are other concerns, as well, but the core issues remain: safety, future use of the property, and financial liability. Many of us dreamed of saving the structure and a bit of our history. This is not to be. Were it not for the deep history of PCBs and sitting on top of contamination, we would likely be having a very different discussion. But that is, in fact, what we have here. With it, for me, the decision is clear for the demolition permit approval.

Trustee Walker: It is hard to add to the list that you have so eloquently stated. I, too, had great hopes for saving not only that building but Building 51 and voted against the demolition of 51 because I saw its reuse as quite feasible. It was not as heavily contaminated as Building 52, at least I do not believe it was. At the time we did not think it had a significant amount of contamination. I was disappointed it came down because I thought it was a usable building in its shape and length size, and was an elegant building. By comparison, Building 52 is a big white elephant and much more unwieldy to reuse than Building 51. With all the folks, including myself, who have asked people if there were uses they could imagine in Building 51, or a user or a development or a museum or anyone who

could come forward and propose a really viable use, it would have happened by now. Yes, it could be a parking garage. Yes, with a significant amount of work and remediation it could be a museum. Even a building like that could be housing, but would require a significant amount of remediation and adaptation. A building of that size is difficult to reuse. From an architect's point of view, and I have spoken to developers and other folks who have adapted historic industrial buildings, that a building of that size and scale is difficult.

Finally, I agree that the most important issue here is public health. My decision to vote for the demolition ultimately is not about the potential reuse of the building, but about the issue of public health. I have been convinced by what the Mayor said about the fact that so many PCBs were used in that building, washed out of that building, were sprayed in that building that they are covering every surface of that building. We do not know the extent of the toxins below the building, and we will not until the building comes down. So public health is the most significant and trumps, although I hate to use that word, the other issues and is, ultimately, the reason we need to demolish it. If we were to wait, first of all BP does not want to wait. They are not going to want to maintain that building. But even if we were to wait and develop around it and look for a use for it, I do think eventually it is going to have to come down. I know BP believes it will eventually have to come down. At that point, what if you have people living around it, parks, people using all that land around it? How could you demolish it and remediate it safely if people were living and working on that site? It is timely, we need to do it now, it has to precede the cleanup. I do not think we can wait and hold it over BP's head. They are working on the engineering plan, I know it is taking time. But I do not want to tie those things together. For those reasons, I believe we need to issue the permit.

Trustee Lemons: I have reviewed many public comments as well as the data and documents we have all had on the waterfront over the last number of years. We have heard the thoughts of many of you. We had two large official public meetings and a large unofficial public meeting in which we heard many good comments. Among those who have commented, a number of you are here today. You have spent countless hours studying the building, and designing and imagining what could be done with Building 52. Those efforts should be acknowledged. That has been done selflessly and in service to the Village.

My priorities in this decision are, first, the safety of the community and, second, maximizing the aesthetic, recreational and financial benefits that will hopefully come from that site. On the first question of safety, I am thankful the flammable parts of Building 52, like the roof, have never caught fire. Swabs from the underside revealed PCB presence. And I count as fortunate not to have had to cope the PCB-filled smoke overhead. I would not like to live under the threat of that any longer than necessary. That kind of an incident could literally destroy our community.

I do not see as reasonable or responsible any scenario in which PCBs are left under the concrete floor in the concentrations known to exist, and possibly more widespread than even what has been documented so far. The most recent data, posted in March of 2016, are convincing enough, with many floor cores having greater than 50 parts per million total PCBs. Getting those areas cleaned out, given their immediate proximity to the walls on all found sides of the buildings, makes it difficult to imagine any scenario that would not comprise the supporting piles, and hence the walls. In addition, the exterior samples reveal the same levels of PCBs, or greater, immediately adjacent to the outer walls.

Although it was said a number of time in public meetings that remediation of the building would entail the same cleanup process as tearing it down, I have not seen that convincingly documented. I do not know whether that is true or not, but I am doubtful. What is clear is that given the known distribution of PCBs and other contaminants in or near the building, major structural support would be required to allow remediation of the soil underneath the slab and walls, and that support might well limit the ability to remediate to the DEC's standards. Anything short of a maximal remediation is not acceptable. The Village needs as clean a bill of health as possible for the waterfront if it is to become an asset for us. I think it would be unwise to allow Building 52, with its slim chance of a viable future usability, to be an obstacle to a thorough site cleanup.

We are grasping for scenarios that do not leave us with either the toxic residue under the building or a building that is structurally unsound. I had a long discussion with the person at the New York State Department of Health who has been involved in the waterfront for 20 years and will possibly again be in charge of the Department of Health oversight of the cleanup. She made it clear that this is an especially toxic site and that the building, if salvaged, would continue to present a long-term headache and potential contamination. She said it is what happens 10 or 20 years in the future that tends to get swept under the rug in the moment when wonderful possibilities are being tossed around. When I asked, she could not come up with any sights this toxic that had been repurposed without demolition. She mentioned one in Massachusetts where a toxic building was thought to be cleaned. Condos were developed, people starting getting sick, and the entire building had to be abandoned. That is our nightmare scenario.

Were we to take the leap of faith and attempt to salvage the building, there are also daunting issues around how stabilizing the building and preventing its further deterioration would be funded until it was available for renovation at some unknown future date. Even if the Village owned it, and to be clear we do not, how would we find the millions needed just to keep it on square zero? I have not heard a plausible answer to that question. Even if BP/ARCO would be willing to spare the building, we would need the financing in place

within the next year to stabilize and hold it together. Then beyond that, assuming we have managed to get it through the four to six years of site cleanup without major deterioration, where will the \$20 to \$30 million come from to make it usable? I have not seen a financial pathway that seems likely.

As a decision-maker, these issues of health and finance are foremost. First, I cannot favor any approach that leaves significant toxicity in place anywhere on the waterfront. Secondly, I cannot support anything I do not see strengthening the Village's finances, and providing good access to the river, and increasing downtown financial viability. Finally, I cannot support a decision that keeps the Village in jeopardy for years into the future with no realistic hope of alleviating that situation. For these reasons, I will support the demolition permit.

Trustee Armacost: We have a very challenging decision before us. We are weighing between things which are things we believe in as a community: the architectural merits of a particular building, and environmental health and safety concerns. I have met with many people in the Village who have a very different set of views on this particular topic. A number of people were in favor of pulling the building down, including people who worked there like Mr. Gonder. Then there are people who feel very strongly on various grounds that the building should remain up. They met with me in my home, a number of them in the room now. Very thoughtful comments were made, clearly the result of a lot of research and feelings from the heart. I have read reams of documents and met with various experts, and had a number of conversations over the entire time I have been a trustee on this particular topic. For me, like the other Trustees, the overwhelming is the environmental issue Dan has raised very eloquently. Meg spoke to it, and also Peter to a certain extent as well. The other issue that comes up for me, again, is there is no financial plan to preserve the building. The environmental concerns are paramount for me. They obviate all the other arguments that have come up. So for those reasons, I am in favor of letting the building come down.

Mayor Swiderski: I am going to read Trustee Stugis' comment. Since he is not voting, it is only him putting himself on the record for how he thinks on this topic. He is not hiding. His sentiment here, and felt strongly, is that it needed to be public.

"Good evening. I'm sorry that I cannot be there tonight. I am away all week on business.

"To prepare for this vote for the last 10 months, I have been briefed by people who were at the negotiating table with BP and Riverkeeper. I sat at kitchen tables listening to my neighbors who have a passion for keeping the buildings in place. I studied documents prepared over the years by our Infrastructure Committee, by BP consultants, lovers of old industrial buildings, and other stakeholders.

"Having absorbed all of that, I think it is a practical matter that centers on safety and liability. I think if we vote to deny the demolition permit the following sequence of events will transpire. First, BP will sue us to take the building down. Then a judge will, perhaps after a couple more years of legal proceedings, render a judgment in BP's favor, giving them the right to take down the building. Why would a judge insist that a property owner be saddled with a set of safety and liability risks, risks that include a more dangerous environment for workers during remediation, a serious deterrent to any developer he hopes to sell the property to, and carried over liability risk that could be traced back to BP."

"So BP will win the right to take down the building, and will revert to the consent decree from 2003 that is still a governing document. That would mean we lose the favorable terms in the decree we signed this summer. This includes the potential to secure funds to restore the water tower, money for Quarry Park, and other considerations. I think we should allow the demolition permit."

"That is probably enough. I should probably stop right there, but there are other factors some of our neighbors want to hear us on. For example, sometimes if you think something is right you fight for it against all odds. So should we fight for the building despite the legal odds against its surviving? Here are some reasons why not. First is safety and liability. I cannot imagine a future where the building could be used by people feeling totally safe and free from liability, whether for retail, for a farmer's market and child care center, or even a parking lot. If I were the Fire Chief and our volunteers responded to a fire in the building, I would not let them go in to fight the fire and risk that carcinogens are being released by 1,000-degree heat."

"Second, I think it would severely limit appeal to developers we would want to work with. For example, Jonathon Rose Associates is a developer who sets a high standard for the sustainable reclamation of buildings. He offered his personal perspective on our waterfront site and said he was happy to chime in, but not if it involved Building 52 because 'it was the wrong building of the wrong size in the wrong place, with a cleanup situation that required complete remediation. And, that doesn't seem practical to accomplish with that building in place."

"That's the practical view, but I know that this is emotional material. It is not just a legal matter to many of us, it is about beauty and design and a vision. I do understand the appeal of keeping the old industrial buildings. But the buildings I have worked in do not sit in front of the only car bridge onto the site, and they aren't

polluted with PCBs and heavy metals for decades. I know at my church, South Church in Dobbs Ferry, one person decided to do the work of gaining recognition as a historic site and promptly got it done. We have had over 30 years to establish a historic designation for Building 52, and it hasn't happened. "There are lots of Hudson River Valley buildings from the industrial revolution that have been repurposed like the ones in Irvington and Beacon. But those buildings were not poisoned like ours were, and the ones up north that were polluted were taken down.

"Finally, I like to believe that my vote reflects what my neighbors want. I have talked to hundreds of them, and by a width margin most of the people I have talked to want the building to come down. They want a fresh start, and to proceed with remediation without further delay. If I disagreed with them I'd vote my conscience and hope they understand that I studied it more than they did. But in this case, I agree with that majority of our people who want the building to come down. So if I were with you tonight, I'd vote to take the building down."

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

WHEREAS, on January 7, 2016 ARCO Environmental Remediation, LLC, the owner of property located at 1 River Street, submitted an Application for a Building Permit for the demolition of Building 52 at 1 River Street together with a Waterfront Application for Hearing pursuant to Section 295-80A(2) of the Village of Hastings-on-Hudson Code; and

WHEREAS, pursuant to Section 295-80A(2) the Board of Trustees held a public hearing on February 3, 2016 at which all members of the public wishing to be heard spoke, and extended a written comment period through February 26, 2016, and the Board having received additional comments since that time and considered all comments; and

WHEREAS, Section 295-80A(2) provides that such permit shall be not be granted without the approval of the Board of Trustees after a public hearing, which approval shall be subject to those conditions deemed by the Board of Trustees necessary to preserve, protect and improve the scenic value and recreational use of the Hudson River waterfront in the Village; and

WHEREAS, the Board of Trustees as Lead Agency under SEQRA adopted Negative Declaration finding that the demolition as proposed will not result in any potential significant environmental impact; and

WHEREAS, the Board of Trustees has reviewed the issues relating to use of the waterfront and the scenic value as discussed in Part 3 of the EAF, and determined that it will be beneficial to the scenic value and future recreational and other use of the Hudson River waterfront, as well as the health and safety of the residents, to have Building 52 demolished; and

WHEREAS, upon authorization from the Board of Trustees for the issuance of the demolition permit, the Building Inspector shall review and require all documentation and conditions typically required in the issuance of a demolition permit, and this approval only authorizes the Building Inspector to proceed with its normal permit review; now therefore be it

RESOLVED: that the Mayor and Board of Trustees authorize the Building Inspector to process the application of ARCO Environmental Remediation, LLC, for a demolition permit for Building 52, 1 River Street, and to issue such permit in the normal course of building department procedure.

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

Mayor Swiderski: I thank the Board and the public for their patience and efforts on the process. It was difficult for many. It is a decision taken with a heavy heart because we know that many feel otherwise, but it is one that had to be made.

Trustee Walker: I would like to thank my friends and neighbors, and particularly the people who are here tonight because you have fought and worked hard on this issue. I really respect your opinions and your sentiment about this. It is unfortunate we have this situation, but we will all move forward and I think it will be a safer and happier village in the future.

**71:16 AUTHORIZATION OF SETTLEMENT OF CLAIM – RIVER GLEN
TENANTS CORP.**

Mayor Swiderski: This is a topic discussed in executive session on a number of occasions and reflects the outcome of negotiations. I do not think there is more to be said. A motion?

Village Attorney Whitehead: Unless you want to just say this relates to the sinkhole so people know why you are giving them money.

Mayor Swiderski: About a year ago a sinkhole opened up on the property of the River Glen Tenants Corporation, swallowing a car and doing damage to the surrounding property. That damage was repaired, and this is the settlement with River Glen's tenants.

Village Attorney Whitehead: And to allow them also to rebuild the garage bay that had to be removed.

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

RESOLVED: that the Mayor and Board of Trustees authorize the Village Attorney to execute a settlement with River Glen Tenants Corp. in the amount of \$60,000.00 (sixty thousand dollars).

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

72:16 FREE HOLIDAY PARKING

Village Manager Frobel: This is your annual consideration of granting the free parking for shoppers. As indicated in the resolution, it affects about 225 parking spaces, principally in the downtown area, and this enables shoppers to spend time without worrying about feeding the meters for a designated period of time.

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

RESOLVED: that the Mayor and Board of Trustees approve free holiday parking from Friday, Dec. 2, 2016 through Monday, Jan. 2, 2017 for three hours in the Boulanger Lot and for two hours at the following locations: Steinschneider Lot, Post Office Lot, Warburton Avenue (North Street to Bridge), Main Street, Whitman Street, Spring Street, Southside Avenue, and Maple Avenue (Spring Street to Municipal Building Driveway).

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

73:16 ADOPTION OF LOCAL LAW NO. 4 of 2016 TO ESTABLISH BENCHMARKING REQUIREMENTS FOR CERTAIN MUNICIPAL BUILDINGS

Mayor Swiderski: The text here follows what was in the public hearing earlier today, and it is in the public record, as discussed before. I am going to ask for a motion.

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

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

SECTION 1: The Code of the Village of Hastings-on-Hudson is hereby amended by adding a new Chapter 190, entitled “MUNICIPAL BUILDING ENERGY BENCHMARKING,” to read as follows:

§1901. PURPOSE

Buildings are the single largest user of energy in the State of New York. The poorest performing buildings typically use several times the energy of the highest performing buildings—for the exact same building use. As such, this Local Law will use Building Energy Benchmarking to promote the public health, safety, and welfare by making available good, actionable information on municipal building energy use to help identify opportunities to cut costs and reduce pollution in the Village of Hastings-on-Hudson.

Collecting, reporting, and sharing Building Energy Benchmarking data on a regular basis allows municipal officials and the public to understand the energy performance of municipal buildings relative to similar buildings nationwide. Equipped with this information, the Village of Hastings-on-Hudson is able to make smarter, more cost-effective operational and capital investment decisions, reward efficiency, and drive widespread, continuous improvement.

§1902. DEFINITIONS

- A. “Benchmarking Information” shall mean information generated by Portfolio Manager, as herein defined including descriptive information about the physical building and its operational characteristics.
- B. “Building Energy Benchmarking” shall mean the process of measuring a building’s Energy use, tracking that use over time, and comparing performance to similar buildings.
- C. “Administrator” shall mean the head of the Department.
- D. “Covered Municipal Building” shall mean a building or facility that is owned or occupied by the Village of Hastings-on-Hudson that is 1,000 square feet or larger in size.
- E. “Department” shall mean the Building Department of the Village of Hastings-on-Hudson.
- F. “Energy” shall mean electricity, natural gas, steam, hot or chilled water, fuel oil, or other product for use in a building, or renewable onsite electricity generation, for purposes of providing heating, cooling, lighting, water heating, or for powering or fueling other end-uses in the building and related facilities, as reflected in Utility bills or other documentation of actual Energy use.
- G. “Energy Performance Score” shall mean the numeric rating generated by Portfolio Manager that compares the Energy usage of the building to that of similar buildings.
- H. “Energy Use Intensity (EUI)” shall mean the kBtUs (1,000 British Thermal Units) used per square foot of gross floor area.
- I. “Gross Floor Area” shall mean the total number of enclosed square feet measured between the exterior surfaces of the fixed walls within any structure used or intended for supporting or sheltering any use or occupancy.

J. “Portfolio Manager” shall mean ENERGY STAR Portfolio Manager, the internet-based tool developed and maintained by the United States Environmental Protection Agency to track and assess the relative Energy performance of buildings nationwide, or successor.

K. “Utility” shall mean an entity that distributes and sells Energy to Covered Municipal Buildings.

L. “Weather Normalized Site EUI” shall mean the amount of Energy that would have been used by a property under 30-year average temperatures, accounting for the difference between average temperatures and yearly fluctuations.

§1903. APPLICABILITY

A. This Chapter is applicable to all Covered Municipal Buildings as defined in Section 1902 above.

B. The Administrator may exempt a particular Covered Municipal Building from the benchmarking requirement if the Administrator determines that it has characteristics that make benchmarking impractical.

§1904. BENCHMARKING REQUIRED FOR COVERED MUNICIPAL BUILDINGS

A. No later than December 31, 2016, and no later than May 1 every year thereafter, the Administrator or his or her designee from the Department shall enter into Portfolio Manager the total Energy consumed by each Covered Municipal Building, along with all other descriptive information required by Portfolio Manager for the previous calendar year.

B. For new Covered Municipal Buildings that have not accumulated 12 months of Energy use data by the first applicable date following occupancy for inputting Energy use into Portfolio Manager, the Administrator or his or her designee from the Department shall begin inputting data in the following year.

§1905. DISCLOSURE AND PUBLICATION OF BENCHMARKING INFORMATION

A. The Department shall make available to the public on the internet Benchmarking Information for the previous calendar year, no later than December 31, 2016 and by September 1 of each year thereafter for Covered Municipal Buildings; and

B. The Department shall make available to the public on the internet and update at least annually, the following Benchmarking Information:

- (1) Summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information; and

- (2) For each Covered Municipal Building individually:
- (a) The status of compliance with the requirements of this Local Law? and
 - (b) The building address, primary use type, and gross floor area? and
 - (c) Annual summary statistics, including site EUI, Weather Normalized Source EUI, annual GHG emissions, and an Energy Performance Score where available? and
 - (d) A comparison of the annual summary statistics (as required above) across calendar years for all years since annual reporting under this Chapter has been required for said building.

§1906. MAINTENANCE OF RECORDS

The Department shall maintain records as necessary for carrying out the purposes of this Local Law, including but not limited to Energy bills and other documents received from tenants and/or Utilities. Such records shall be preserved by the Department for a period of three (3) years.

§1907. ENFORCEMENT AND ADMINISTRATION

A. The Administrator or his or her designee from the Department shall be the Chief Enforcement Officer of this Chapter.

B. The Chief Enforcement Officer designated hereunder may promulgate regulations necessary for the administration of the requirements of this Chapter.

C. Within thirty days after each anniversary date of the effective date of this Chapter, the Chief Enforcement Officer shall submit a report to the Board of Trustees including but not limited to summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information, a list of all Covered Municipal Buildings identifying each Covered Municipal Building that the Administrator determined to be exempt from the benchmarking requirement and the reason for the exemption, and the status of compliance with the requirements of this Chapter.

SECTION 2: SEVERABILITY

The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision, or phrase of the aforementioned sections, as declared by the valid judgment of any court of competent jurisdiction to be unconstitutional, shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision, or phrase, which shall remain in full force and effect.

SECTION 3. EFFECTIVE DATE

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

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

74:16 ACCEPTANCE OF PROPOSAL FOR CONSULTING SERVICES FOR REVIEW OF ARTIS SENIOR LIVING PROJECT

Village Manager Frobel: This comes as a result of a request for a proposal we prepared and we were able to attract four quality firms. Two were interviewed. The recommendation is as contained in the resolution. The fees for this will be paid for by the applicant.

Mayor Swiderski: This was an item of executive session, where this firm was chosen after interviews, with runnerups, and passed with unanimous Board assent.

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 accept the proposal of The Chazen Companies, Poughkeepsie, New York, for planning and environmental review consulting services for a proposed amendment and related approvals for Artis Senior Living, such services to be paid from an escrow account established and maintained by the applicant.

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

VILLAGE MANAGER'S REPORT

Village Manager Frobel: We had prepared specifications and drawings for the Quarry Trail phase two work. Bids were opened last week. As noted, disappointing results. I had indicated a few weeks ago that I expected the construction industry was much stronger than it was several years ago. We were only able to attract two bidders. Both of them are beyond that which we had budgeted. What we are looking at now is taking the project apart somewhat. I am working with our consultant and the low bidder to see if it is possible we can phase in the Phase II work. We will look at perhaps having contractors come in and maybe grub it out, clear it, and begin working on the project from that approach. We would serve as our own general contractor, and we would have to manage a series of subcontractors us. There will be much more detail to follow in the next few weeks.

Riverview Park, on the other hand, we have got great progress. The electric pole has been installed, the pad has been poured, the plumber is looking to install a meter in the hot box. That should be complete by the end of next week.

Finally, the inspection of the water tower was completed by Louis Berger last Friday without any incident. They finished it before the winds picked up. You will have the full report probably within a couple of days, but the initial analysis from the field is that it appears to be, the tower that is, in good structural condition.

Trustee Lemons: With no major corrosion.

Mayor Swiderski: I know. Surprising, it is a hundred years old and it is in good shape. As was discussed, that is going to trigger, now, a process where we have got to find the cost of storing it and then present to the community one of three choices: store, renovate and replace; tear down, throw out, and replace with another brand-new water tower; or do away with the concept of a water tower entirely and leave the site bare. And we have got to sort out what is the best way to get community input here that is logistically possible and fair. It is a big structure and it is not a small challenge to figure out how we transport it for storage. So that is the next challenge. If anyone here knows anyone who knows anything about that, we want to hear about it. But it is good news.

Trustee Walker: I wanted to ask the Village Manager about a note in the memo about the downtown sidewalks. Is that something we need to discuss right away because the county is planning this resurfacing of Warburton very soon? What is the timeline, because that deserves a longer discussion.

Mayor Swiderski: Could you describe that for the public so they are aware of the issue?

Village Manager Frobel: This summer we became aware that Westchester County expects to resurface Warburton Avenue. I do not know if it is all the way from the Yonkers line to Broadway, but it is a good stretch of the road and certainly part of it is through the downtown area. I do not know the extent of the work, whether it is drainage improvements or what it would entail beyond just resurfacing. It is my understanding it is just the resurfacing. But nonetheless, during that time would it be in our interest to look at replacing our sidewalks. I previewed that for you during the summer. At the last meeting I asked you again do you think we should give this some thought, and if so, to what degree are you looking to replace sidewalks. I do not think it needs a wholesale replacement of every sidewalk. I thought we did a pretty good job when Con Ed replaced the gas main and having them do some bad stretches of sidewalk. But nonetheless, I would need some direction as to whether we should do an RFP to look for a consultant to help us scope out what you envision would be done, whether it entails replacing all the Bomanite, or all the sidewalks, or portions of it in long stretches. Then from there, talking about the financing for it. I have talked about the money we have set aside in reserve for fees we have collected for, say, the movie industry for the inconveniences downtown businesses and residents have experienced over the last several years. So we have some money that can go towards that, but I am going to need some direction. I thought maybe at the next meeting I would have it on as an agenda topic and I would know better as to where the county is in their process.

Mayor Swiderski: And is the resurfacing expected in 2016, or is it a 2017 item?

Village Manager Frobel: It would be 2017. You are probably seeing the surveyors out there doing some of the work. They are determining the right of way.

Trustee Walker: As you know I have been talking about the sidewalks. I feel wholesale replacement is necessary. But that brings us to another issue, which is interesting in the sense that perhaps we can do some reconfiguration. When Dan and I walked around with Richard Bass in the downtown last week it was an interesting tour of not only what the downtown is like at night in terms of lighting and signage but also we were looking at the difficulty in crossing streets and where we might need crosswalks. We were also looking at places where perhaps the sidewalk could be wider or could have a bump-out to allow for easier pedestrian crossings. Not necessarily on Warburton, but maybe on Main Street, Spring Street, and other places.

Before we rush ahead and have an engineer just do a design it behooves us to take a close look at it and perhaps bring in a transportation engineer or landscape architect that have an understanding of how streets can be reconfigured to promote pedestrian mobility and safety.

We can talk about it more at the next meeting. Maybe we can invite Richard to come, because it was a very interesting tour and we saw a lot of opportunities to make the downtown much more walkable.

Trustee Lemons: I was having those same thoughts as you, following that walk we took.

Village Manager Frobel: That is why I did indicate in my written report that we are talking about two separate types of contractors. I am not sure there is the urgency that we have to necessarily be part of this bid package the county may be preparing. I just point it out because if you are going to disrupt the downtown business do you do it at one time. Your sidewalks and the resurfacing of the road are two different contractors.

Trustee Walker: Which is an important consideration. One way to look at it would be in two phases. You do Warburton first, and then do Main Street and Spring Street and Maple later, something like that. It is worth a discussion that we do not have time for tonight.

Mayor Swiderski: But you are indicating, when you say it sounds like it is not just sidewalks, it is something to do with the streets. .

Trustee Walker: Potentially, widening the sidewalks in certain locations, yes.

Village Manager Frobel: Narrowing the street.

Trustee Walker: Narrow the street, yes.

Mayor Swiderski: That means we would need to do something like alerting the county to our intent much sooner than later.

Trustee Walker: If we are talking Warburton. Yes, there were some ideas for Warburton.

Mayor Swiderski: And if that is not to remain just an idea, speed then is of the essence.

Trustee Walker: Speed is of the essence, and also this is something we have been talking about anyway. At least I have been talking about it. And we have been hearing from the community, we have been hearing from the business owners in the downtown that we should be looking at this. This is an opportunity, perhaps, that does not come along.

Mayor Swiderski: But as we know with the county, they hate being blindsided and they hate last-minute stuff. So if we are to get our finger in the decision-making here we need to indicate to them now that we would like to explore some ideas.

Village Manager Frobel: Then I think a letter putting them on notice on this immediately that this is being contemplated, and to slow down their just resurfacing perhaps. All right, let me work on that for the next meeting.

Trustee Armacost: The village manager mentioned it was not possible to move forward the veterans exemptions. I wanted to understand the reasoning for that. Why it is not possible, given that taxes will not be levied until June of 2017.

Village Manager Frobel: It is a timing question with the Town of Greenburgh. They have already finalized their roll, and in the absence of hearing from the Village or adding to the veterans exemption that opportunity has already been closed.

Village Attorney Whitehead: The deadline to have applied for it would have been last May 1. The timing of their tax status date and when the roll gets finalized, the roll used for the Village's 2017-2018 taxes is already finalized. It is still something that can be considered that would go into effect for the 2018 tax year.

Trustee Armacost: When Edye spoke to us, she definitely did not make it seem like it would be finalized in May.

Village Manager Frobel: Right.

Village Attorney Whitehead: May 1 is the tax status date and the day you have to apply for exemptions. The roll was not finalized then. It is now, but that is what is considered the tax status date and when the deadline is for exemption applications. It was finalized November 7. The town typically finalizes in September. They had extra time this year.

Trustee Walker: But that is something we can come back to next year.

Village Attorney Whitehead: It is absolutely something we can.

Village Manager Frobel: And it gives us more time to analyze what the full fiscal impact would be. I am working on that still. I have got some information now from the school department as to what they are paying in benefits-granting for veterans. Also, I have asked the question is the school considering raising the threshold for the requirements, and they are not. They are going to hold it at the level they have today. So I have got some work to do.

Village Attorney Whitehead: Right. And I have got more information on the caps because you not only have to decide whether you are adopting it or not, but you have the

option of just adopting it with the cap the state sets, or you have the option to go lower or, in your case, higher. So there are a bunch of things to be considered.

Mayor Swiderski: We need to think it through.

Trustee Armacost: So, Fran, can I make a request that you provide us with the information early enough that we can make a decision next year so that it does not roll forward again because we have missed the deadline?

Village Manager Frobel: We have missed the deadline because the Board decided late in the process that you were going to be adopting the Town roll. Remember, that was not our initial plan. Our plan was to continue with the Village being the assessing unit for one more cycle. It was only when you accelerated that that it became known to us it was too late to provide a veterans exemption.

Trustee Armacost: But when Edye came to speak to us she implied that there was an opportunity to still make that decision. Maybe she changed her mind after that meeting, but as far as I remember it was the very last Board meeting we had.

Village Attorney Whitehead: I spoke to her after that meeting and she confirmed with me that it would be too late for this coming tax year.

BOARD DISCUSSION AND COMMENTS

1. Transportation Working Group – Recommendations re James Street

Mayor Swiderski: The Transportation Working Group has recommendations regarding James Street that they are here to present. Thank you for your patience.

Richard Bass: Fran's discussion tonight identifies an opportunity that the Transportation Working Group can be helpful in proactively guiding the re-paving of Warburton. A similar example we missed was the corner of Chauncey and Scary Street, where that curve is made so people can take the turn quickly. But when that sidewalk was reconstructed it could have been a more squared-out curb that would slow down traffic going around that corner. It is an opportunity, and thank you for bringing it to our attention. We will work with you and the Trustees on identifying opportunities while they are doing the re-paving so they do things we want, too.

Village Manager Frobel: You are talking about the school project of the sidewalk that comes up to Farlane. We had no input on that at all, you realize.

Boardmember Bass: I understand that. But again, if we had the opportunity to engage them, if the Transportation Committee was formed when that was being designed, I do not think they would have objected scoring out that corner. Reasonable people do not object to reasonable ideas, but we missed an opportunity. People take that turn, and Dan and I live on that block so we can speak to it personally, at 40 miles an hour. That is not how turns should happen. Same thing in the downtown when we did the walking tour the other night. There are certain corners where the turn is engineered to facilitate cars making the turn quickly. That is not pedestrian-friendly. Boxing it out will slow cars down, so opportunities.

But we are here to talk about James Street tonight. James Street has been under discussion for over 15 years, somewhat as a result of the Executive Boulevard development. It was identified in the master plan. It was discussed during three years the Comprehensive Plan was discussed. The Chief of Police has done traffic counts there. The residents of that block came to the Trustees last year. So there is long documentation there is a problem. We looked at the problem. We can up with some, again, low-hanging fruit suggestions. First, there is signage on James that is faded and could be repainted. We also suggest that at both ends of James Street there be signage that restricts peak-hour traffic only to local traffic so it does not become a throughway. Most people obey traffic signs. There are going to be people that do not. That is where the Police Department comes in in terms of enforcement. But we think signage and signage restriction is a first step. If necessary, there are other mitigations that can occur, including rumble strips or even traffic tables. But right now we should try to do small mitigations and see how that alleviates this long-term problem.

Dr. Jeanette Sawyer-Cohen, 94 James Street: I am the chair of the work group. In terms of our process, we have come to you with some other f what we consider low-hanging fruit ideas. The way our process works, they are two tracks. One is a group such as the Ravensdale Road/9-A intersection folks came to us and asked us for assistance with a different long-standing, well-documented issue. Our role was to pull together the concerns, put it in writing, and then bring it back to you. So that was relatively straightforward.

In this case, it is less straightforward because the residents are not coming to us with one specific ask. They are coming to us with a problem and a request that it be fixed, but there are all sorts of ideas that have been floating around for at least 15 years, also well-documented. This does not mean if you approve that we add these new signs which are designed to decrease traffic flow that we are done with this issue, but rather that we want to try things. We do not want to study this to death. We want to try these light-touch interventions, see how it goes. In our sense, this is the least expensive and, hopefully, least controversial place to start. We see what happens and reassess, and it does not mean we take other ideas off the table. We just want to do something now.

We are crafting a Village-wide survey which will give us an updated view on residents' concerns at the Village-wide level, including but not limited to the Uniontown area. That is going to give us information about whether there are pockets across our village where there are more concerns or fewer concerns, and what ideas people have. So we are going to be asking them to identify whether there are issues with sidewalks, with crosswalks, et cetera. The survey is almost done. But then we need to disseminate it. We are going to have all this raw data, we need to clean it, we need to code it, we need to organize it, and then we need to present it. I do not have an exact timeline, but let us say that all takes a couple more months. We did not want to let James Street sit there for a couple more months and do nothing, so this was our way of saying this is long-standing, let us do something. Then meanwhile, we are in the process of trying to get an overhead view which will give us more information about this area as well as all across the Village to help us come up with priorities for further recommendations we will be bringing back to you at a later date.

Trustee Walker: I recommended in January that we install speed tables on James Street. I appreciate the fact that you are doing it in an incremental way. I think that is wise. I am doubtful that signs that limit James Street to local traffic will work, but it is worth a try. Definitely we should be enforcing the speed limits. Let us give it a try. I do not know how you enforce the local traffic regulation, though. How would you go about enforcing that?

Trustee Armacost: How do you designate local traffic?

Mayor Swiderski: That is what we are getting into now. The difficulty of enforcing that is not trivial.

Village Manager Frobel: It is not, and it would be near impossible.

Mr. Bass: It is very difficult, but here is my takeaway example. If you are driving on Jackson going eastbound towards Central there is a traffic light right before you get to Central. There is signage that says No Left Turn During Peak Hours. I have never seen a police officer there. I tend to obey it, I see other people obey it. I know that is wishful thinking, but at this point I would rather do that than stick down a speed table that causes noise and other factors that we have not considered. We understand there are limitations to our recommendation, but we want to take small bites of the apple. That is what the recommendation is. If this does not work we can come back with the next level of intervention.

Village Manager Frobel: I just do not know how we would know if it worked or it did not work.

Mayor Swiderski: You mention here the inconspicuous speed and volume monitoring devices. I know there is new technology out there that has gone places in terms of cheapness and portability that will let you do that. Do that now, install it for a month, gather the stats, and then see what happens afterwards.

Trustee Walker: And we need to have metrics.

Mr. Bass: What we mean by that type of signage is, you have seen these "your speed is going 30 miles an hour." People automatically slow down. We do not want that. We want the hidden camera to capture speed and volume. By doing it before installation of the signage, then afterwards we have a baseline to see if it was effective or not.

Village Manager Frobel: This is just a Monday through Friday. It does not say if it is at peak.

Mr. Bass: Right. Peak is Monday through Friday.

Mayor Swiderski: But we can start with step one, which is noncontroversial. Like your other ideas, which I really appreciate, low-hanging fruit, next step a little more, next step a little more than that. We can start with one tomorrow. We should start with finding monitoring equipment out there. Has anyone looked into that at all? Do you have opinions on that, or does anyone you know have opinions on that?

Dr. Sawyer-Cohen: We have in the past. We do not have a list ready for you, but we have spent some time earlier on in our process looking at different monitoring devices out there. There is a whole range.

Mayor Swiderski: Right, they have gotten very cheap.

Dr. Sawyer-Cohen: Earlier in our process we met with representatives from Greenburgh. We had one of their police, and they have a traffic division of their police. They are bigger, so we had somebody come and speak to us. He brought some information on different devices, as well. That would be easy. We could put something together and pass that along to you as the starting place.

Mr. Bass: Or our Chief of Police could call their Chief of Police and borrow something.

Village Manager Frobel: We have done that before. And the state has loaned us equipment in the past for at least traffic counts.

Trustee Walker: For at least counts, right? Speed is a little different because usually they used those speed guns. I am not sure what we could purchase.

Mayor Swiderski: I did poke around at one point, out of curiosity. There are literally hundred-dollar devices for speed. It is like a cord, and it somehow tells by the speed the wheels pass over.

Mr. Bass: Right, you put two cords down and the time between crossing over gives you the speed. So yes, there are inexpensive ways to do that.

Dr. Sawyer-Cohen: I have the impression that Greenburgh would be happy to be our ally in this because they are doing a lot of sidewalk installation and traffic calming measures, and this seems to be a priority for them right now. I cannot imagine they would say no if there is a device we want to borrow.

Trustee Lemons: What is the definition of "local"? Would that just be James Street folks?

Mr. Bass: James Street and the vicinity. So if the police wanted to they could stop someone and see your license to see where you lived. If you were from Yonkers you could get a ticket because you are not local traffic. But I do not think that is the purpose of it.

Village Attorney Whitehead: The Police Chief has told us that he cannot enforce that. I do not know if he was at your meeting when you were talking about this, but this was something that was discussed last year. We would certainly have to hear it from him.

Dr. Sawyer-Cohen: My more recent sense is that he did not necessarily think it was off the table. He thought a one-way street would be much more complicated. We agree, it is a much more complicated place to start. We feel strongly that even if this is difficult to enforce, say one in 10 cars looks at the sign and decide I am not going to use that for a cut-through anymore, we will have the count, we will know how significant that change might be. But the perception of the local residents is that this is being used as a cut-through. Then as Richard mentioned, we have the development which is not insignificant in Executive Boulevard which is going to increase flow probably substantially. Those people are also going to be routed through to come onto James. Even it just takes a tiny bit of the edge off, I think the people who live there would appreciate this as a starting place. We are collecting information at the Village-wide level to hear about everybody's concerns and priorities, then we can regroup and look at what James Street means in relation to what everybody else is asking for. Then after we have this baseline we see what happens. But our sense is that it is a very inexpensive thing to try, and if it helps a tiny bit we think it is worth it.

Trustee Walker: What is the posted speed?

Dr. Sawyer-Cohen: The posted speed is 25, but the paint is pretty worn off so it is hard to see.

Trustee Walker: Should we reduce it to 20?

Dr. Sawyer-Cohen: That is not on our immediate list of priorities.

Mayor Swiderski: If people went 25 I think everybody would be happy.

Dr. Sawyer-Cohen: Most residents would agree that the problem is twofold. In between rush hour there is a perception at least of a speed issue because it is a wide street and when you are coming from the Tompkins end and looking towards High Street psychologically my sense is it makes you want to speed up because it looks straight and you want to go. We do not know there is much we can do about that. It is not a place where we can put planters or other things we might do on major streets in the Village. There is at least the perception, if not the reality, of a speed issue in between rush hour. Then during rush hour, the concern is about traffic count and that there are a lot of people using this as a cut-through. If we can discourage even a little of that, and have people use the streets that are designed to carry a heavier flow, that might help somewhat.

Trustee Walker: So number one first. Is that what you are saying?

Mayor Swiderski: Number one first. Let us get the monitoring equipment.

Trustee Walker: The monitoring equipment, and set up the baseline data.

Mayor Swiderski: See if Greenburgh will work with us.

Dr. Sawyer-Cohen: So maybe start with Greenburgh. Then let us know if that is a no-go and we can put a list together for you with some other ideas. But their Chief of Police, we would love it if he could work with our Chief of Police and talk about it. They are doing a lot of this stuff already so they may have recommendations for equipment. It may make more sense to come from people who are using it than us, who are serving more as outside consultants.

Mr. Bass: If you have not noticed, between the stanchions that have been put out it has definitely slowed traffic, it has made pedestrian crossings safer. The Jackson Avenue stretch

going westbound to the 9-A intersection has been repaired. We are waiting for Greenburgh to pressure the state. Fran, if you are feeling they are not moving let us know and we will reach out to the state elected officials to see if we can exert some pressure there. The governor is running for reelection. Maybe if I shoot him an e-mail, we will do whatever we can.

2. Update on the Shoreline Committee

Trustee Walker: The Shoreline Committee is an advisory committee that we appointed last spring to manage the grant and the project accompanying the grant we received from the state, the DEC estuary program. We are looking at shoreline stabilization, water-related uses, sea level rise, and resiliency. But it all comes down to, and that is what the grant is for, we really want to look at redesigning, with community input, the BP shoreline, and give them our recommendations for how it should be reconstructed. We finalized the contract with Roux Engineering and their subcontractor, Offshoots. As I said the last time, they are bringing on board an NWBE landscape architect firm to help with the renderings so we meet the NWBE requirements. They are good, and we questioned the consultants. They said the principal of the firm was a professor of one of the consultants. These people have been around awhile. They are from Ithaca, New York, but I think they will be fine and they have done a lot of waterfront work. So that is the new addition to the consultant team.

We are meeting tomorrow night. I am sorry we did not get that on the calendar. We delayed because we were not sure we would have the contract. We are going to be discussing an upcoming potential stakeholder meeting and community engagement. We have reached out to the DEC and to Scenic Hudson, and the DEC has reached out to Marine Resources from the state and Fish & Wildlife Service. We have asked them if we could organize a stakeholder meeting where we get everybody to the table, including BP, and get BP's approval to do a site visit, then have a meeting so we can understand the opportunities and constraints as seen by these various agencies. We have a new DEC rep who just got on board a couple of weeks ago. I think she visited the site. She is reviewing all the documents. Her response to having a stakeholder meeting was, is it not too soon, we are still doing testing. I insisted it is not too soon, that this is about the Village preparing its proposal for the riverfront and is not contingent upon the testing.

Mayor Swiderski: No, it is not.

Trustee Walker: But we do want their input because they wrote the record of decision that recorded various agencies' preferences for how this shoreline would be constructed. That is on their record, and we want to be able to ask questions about that. I think she got it, and she is going to ask Fish & Wildlife Service and Marine Resources if they could come as well.

We are looking for a date in early December to have that meeting. We reached out to Scenic Hudson a few months ago. I think they did not respond because the representative was leaving that we were talking to. So we got a new liaison with Scenic Hudson and she is very eager to work with us. We spoke to two principals yesterday from Scenic Hudson about their involvement. They are sending us lots of information and studies they have done in other Hudson River communities, such as Peekskill and Kingston and Beacon. They are also offering to give us a tour of the work they have done in Beacon in those areas in restoring shorelines and building water-related facilities. We have got, now, more people on board which is a good thing.

I hope we can move forward with the stakeholder meeting in December and a public meeting in January. Our consultant has some great ideas about how to engage the public. One of the first things we are going to do is send out a request to the community for their ideas: drawings, photographs, narratives, poems, whatever they want to send in to describe how they envision the shoreline. Not the entire waterfront, but the river's edge. We want to engage people right away in thinking about that. Scenic Hudson volunteered to come and give an educational presentation about the various options we can look at. We can combine it, or have that one week and then the community engagement the following week, something like that. We are going to discuss this at our meeting and start to fix the dates on these things and make sure we get all the information. Everybody has got to get up to speed, our consultants have to get up to speed. We do not want to rush things, but at the same time we have a deadline on this grant. What did we determine, October 31 of next year? We want to give this information to BP. We are trying to balance the fact that we want to do this right with the fact that we also have this deadline.

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 9:45 p.m.