

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK**  
**BOARD OF TRUSTEES**  
**PUBLIC HEARING**  
**JANUARY 15, 2008**

A Public Hearing was held by the Board of Trustees on Tuesday, January 15, 2008 at 8:05 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

**PRESENT:** Deputy Mayor Danielle Goodman, Trustee Peter Swiderski, Trustee Jeremiah Quinlan, Trustee Diggitt McLaughlin, Village Manager Francis A. Frobel, Village Attorney Marianne Stecich, and Village Clerk Susan Maggiotto.

**ABSENT:** Mayor Wm. Lee Kinnally, Jr.

**CITIZENS:** Fifty (50).

**PROOF OF PUBLICATION:**

Deputy Mayor Goodman declared the Board in session for the purpose of conducting a Public Hearing in accordance with the legal notice that appeared in the December 28, 2007 issue of *The Rivertowns Enterprise* to consider the advisability of enacting Proposed Local Law No. 6 of 2007 amending Chapter 217 of the Code of the Village of Hastings-on-Hudson, Westchester County, Performance Standards to Limit the Use of Leaf Blowers.

**Deputy Mayor Goodman:** We are now going to consider the advisability of enacting Proposed Local Law No. 6 of 2007 amending Chapter 217 of the Code of the Village of Hastings-on-Hudson, Westchester County, Performance Standards to Limit the Use of Leaf Blowers. I am going to waive the reading of the entire ordinance, but there are multiple copies of version A and version B on the desk.

Some have incorrectly referred to our potential action as one that bans leaf blowers. We are not banning the use of leaf blowers. This is a hearing that has to do with the advisability of placing seasonal restrictions on the use of leaf blowers. We are also going to be considering which entity should be fined for unlawful operation of a leaf blower. No action is going to take place tonight. We are going to listen to the public, and on our agenda later in the evening there will be discussion, but there is not going to be a vote. That is in keeping with the custom of how we do things, and it will also allow us to look at the various materials that have come in to Village hall on this issue all last week, over the weekend, right up through today, and even now. We want to be able to consider carefully all the comments and to digest what is going to be said here tonight.

All will have an opportunity to speak in favor of or in opposition to the proposal. I would invite you to the microphone to state your name and address for the record. It has been the custom in the practice for our Board to limit speaking time. As a citizen I objected

vociferously to that, and as a Board member I am not going to adhere to that policy. I am not going to tell you to limit your comments, and I am not going to tell you to not repeat what anybody else said. This is an important matter. It has engendered a lot of emotion on both sides. It is one that impacts on health and safety, and also on people's ability or their perceived ability to earn a living. So I am not going to limit your comments, but I would implore you that we have a full agenda and I invite you to stay, not to leave, after the hearing and to be considerate of your fellow citizens.

So I do not miss anybody, I thought we would start at this end and move across. We are going to go north to south across the room, and that is how I will proceed. Anybody that wants to speak, raise your hand and then take the microphone. Thank you all for coming.

**Sheila Palevsky, Manhattan:** I am here to speak in favor of a seasonal ban on gas-powered leaf blowers. I come before you as a pediatrician and a public health practitioner, and as president of the local chapter of the American Academy of Pediatrics representing over 3,000 pediatricians in New York State, many of whom live and work here in Hastings-on-Hudson and many of whom serve the children of this community.

I speak in support of the ban of, in particular, gas-powered leaf blowers because such a ban would improve the public health of the community and, in particular, the respiratory health status of children. Air pollution affects us all, and children are particularly impacted by poor air quality. Gas combustion produces ozone as a byproduct, and the highest levels of this ozone is on warm, sunny days. I will not bore you with all of the biochemistry for that. In addition, leaf blowers generate, or create, airborne particulates which are then inhaled and adversely affect lung function. Those with asthma, as well as those with other chronic respiratory diseases, suffer disproportionately from poor air quality. Children are more likely to spend time outdoors, or at least we hope they do. They are closer to the ground since they are shorter. And they have higher respiratory rates than do their adult counterparts. As a result, they actually inhale more air and are subject to a greater impact, or negative impact, of any particulate matter or any impurities in the air quality.

Recent research has shown that there are links and relationships between poor air quality, preterm birth, infant mortality, delayed lung development, and many other health outcomes. Childhood asthma is a serious health concern in all communities. The economic burden of asthma is borne by the health system and, in particular, by the families of those who are affected. And these burdens are enormous.

Noise is another hazard associated with leaf blowers. The intense high-frequency noise affects not only those who operate the devices, but also those who are exposed to the noise. Infants and young children are especially vulnerable to the high-intensity noises, and these

impact the rapid growth and development of the auditory apparatus: the ear, if you will. The stress of noise, which can be considerable, is also an issue. And stress negatively impacts respiratory function and can, in and of itself, worsen asthma. Serious eye injury can also result from small objects, stones or other particulates that are propelled because of the high velocities created by the airstreams, the high energy of leaf blowers.

The Academy of Pediatrics urges you to permanently ban gas-powered leaf blowers except when they are absolutely necessary and essential for garden maintenance. This is an important start to improving the health status of all infants, children, and teens in Hastings-on-Hudson. It will also impact the health of adults. But as a pediatrician, and representing the Academy of Pediatrics, I am going to limit myself to the impact on children.

**Christy Pennoyer, 58 Villard Avenue:** I want to thank the Trustees for this difficult, grappling situation that you find yourselves in with this issue and I appreciate how hard it is to make everybody happy, but you have done a great job with drafting this ordinance. I feel that the town should buy into this and the homeowner should be responsible, not the operators, if they break the ordinance. This is a wonderful step in the right direction for the public health of this community, so I applaud you for drafting the ordinance as it stands.

**Ann Marie Chinnery, 30 Clinton Avenue:** I am opposed to the leaf blower limits of April to May 15, and October 15 to December 15. It creates an undue burden on homeowners unable to do their own yard work either because of age or disability and who therefore must hire a landscaper to do the job. The work done by hand takes longer and will require the company to hire additional workers, increasing the cost for the homeowner; a hardship if the owner is on a fixed income and can ill afford the increase. Or property owners may have to have their work done less often, and properties will become unkempt. Nature does not adhere to calendar dates. Flowering trees may drop their petals after May 15, or leaves may continue to fall after December 15 as they did in 2007. I had leaves blown and two bags of leaves picked up just January 8 because of such a problem. If hedges and shrubs are trimmed during the summer the detritus may need to be blown, as raking will damage plants in beds on the property. Village taxes will increase because the Village, too, will have to hire more workers to do the work by hand. It sets a bad precedent. What will be next? Lawnmowers, snowblowers? I do not think so. Are you trying to create a village full of Luddites?

**Dr. Jacques Padawer, 170 Villard:** I am in favor of the ordinance, with a serious reservation. I am one of those people with a hill, and at my age it is not easy to handle it. But that notwithstanding, the way I understood the two ordinances was that in one case the gardener is responsible for the fine, and in the other one the homeowner. I cannot be responsible for a gardener if he comes very early in the morning, or if he comes when I am on vacation or if I am giving a lecture someplace or on business. So it is not fair to make me

responsible. If there is a law, the people I hire are the ones that are responsible. On the other hand if I get my own blower and I do it myself, or I hire a person who is not a professional like a high school kid or a neighbor, then I can see that I would be responsible.

Even though I am a member of the Conservation Commission and I was involved in the discussions, I want to emphasize what the commission was emphasizing, the dangers. It is not just the gasoline blowers, it is also the electric blowers. Because if they do not put gases in the air, the noise is there and they blow the dust up. Not only that, but as an environmentalist I hate to see all the topsoil being blown with the leaves because that is exactly what it does. I have tried to prevent that from happening on my own property. I have not been very successful over the years. They come and do what they want to. Half of them do not understand my language and I do not understand theirs. So there are a lot of problems with that.

As far as the cost is concerned, gasoline is so expensive that if they do not use so much they will have some left over for doing the raking by hand even if it takes another person. The additional advantage of that is that they will not be tempted to and do it where they should not, such as in flower beds or whatever, just on the walks and on the driveway. They can do this easily, and there is no reason why that should not be done that way.

**Ron Cascone, 33 Terrace Drive:** I am also a member of the Conservation Commission. I want to address the issue of noise pollution. I do environmental consulting of sorts. We audit the financing of international projects, where these days we are applying what is called the "equator principles," which is a protocol which was developed by the international banks to apply local and international standards to financing of international projects. One of the issues that came up this week was noise pollution standards, and whether or not the country we were working in had adequate noise pollution standards. These are very serious considerations throughout the world today. It is being recognized that noise pollution is a type of pollution which is as harmful to human society and individuals as some of the other chemical and other types of pollution. We should take this issue seriously. It is not trivial. I have been aware of this for a long time. To hear blowers in a season when there are lots of leaves on the ground, to me, makes some sense. To hear it in the middle of the summer, when the operators are stripping the soil, creating damage to the underbrush, and doing other harm makes no sense at all, to have to tolerate noise pollution, which is a serious consideration throughout the world.

**Roberta Donas, 270 Farragut Avenue:** I would have to agree with the lady on this side about the time limits and the constraints of the dates because in my own yard there are still leaves that came down after December 15. I always know that when the leaves come down

my asthma gets worse from the leaves that are on the ground. When the landscaper comes and blows them away I do not have any problem with my asthma.

**Rona Neuwirth, 101 Scenic Drive:** My husband and I have lived there for about 40 years, and we are over 70. We do not employ a commercial landscaper. Previously, when we were working, we did. Now we enjoy doing our own land services, and we do own a leaf blower. I am in favor of a ban on leaf blowers in the summer, but restricting the use of leaf blowers to two months in the fall and six weeks in the spring is unrealistic. Last week the weather was great. We had not been able to do anything in November and December. We took advantage of that spring-like weather, using our leaf blower, rakes, big scoops for the bags, and a hand truck to get stuff to the street. We got 36 leaf bags to the street in two days. Our weather is increasingly variable and likely to be variable. It is a convenience and a necessity for people to be able to do leaves on their own time during the winter period. Since there is only a person doing it, not a landscape company with eight people, citizens should be free to pick their time in the winter months to do it.

**Randy Paradise, 35 Floral Drive:** I am not here to speak either in favor or opposed to the law, but to have it amended. I was surprised to see that no distinction is made between gas-powered and electric-powered leaf blowers. The two major arguments against leaf blowers which are strong and which I agree with, are the noxious fumes which you can smell from far away, and the excessive noise. But electric leaf blowers create no noxious fumes. They have no emissions. And they by and large operate at a far lower decibel level than the gas-powered motors do. In fact, many of them come with two-speed operation so you can operate them an even lower power than full power, if need be, which drops the decibels lower even further. It is true that leaf blowers remove nutrients off the top of the surface of the soil. But I do not think that this Board should get into the business of trying to legislate how well people do or do not take care of their lawns and their property. That is a bad area to enter into, and I do not think it is your intention to do that.

For those of us like myself who do not employ a landscape company but take care of our own property, an electric leaf blower is, for me who has a very large yard, a huge timesaver and a huge work saver. I have a job where I have already been seen once or twice for repetitive stress. So between my wrists and for anyone who has ever had chronic lower back pain, rakes are not always necessarily practical when you are taking care of your own property. But the electric leaf blower could be shown to be operating at a low enough decibel level and should be something that should not be restricted and lumped into the same group as the gas-powered motors.

I notice that the ordinance does not say anything about gas-powered or electric. It just says leaf blowers, per se. In section 2, paragraph C there is a mention of decibel level restrictions.

But those restrictions now would only apply to things like gas-powered lawnmowers, chain saws, and I do not even know what rakers are, but would not be applicable to leaf blowers. So conceivably, if you had a non-emitting leaf blower that was operating at a lower decibel level than a permitted lawnmower, that would be restricted the same way as a gas-powered, five-times-louder leaf blower. It does not seem to be reasonable. Gas-powered blowers are almost exclusively the province of landscape companies. Electric blowers are impractical for landscape companies and more likely to be used by people who are taking care of their own property. Some distinction could be made.

Regarding the timing and the hours on the weekends, for those of us who take care of our own property on the weekends, not being able to use it until ten o'clock in the morning means that for people who would like to get an early start on the day and not spend the heart of the day doing yard work, being able to get a nine o'clock start would make a big difference. That is one thing I would also like the Board to look at.

**Nicole Nathanson, 8 Southgate Avenue:** I was out on two occasions over the fall with my newborn and a four-and-a-half-year-old. Two times we had to go in the house because there was, it seemed, a mountain of leaves coming down the street with the workers, and the smell and everything. And in the summer if we are home and the windows are open, we shut the windows and move from room to room in our house. So I support a full ban.

**Lauren Heyman, 39 Lefurgy Avenue:** In terms of distinguishing between gas and electric leaf blowers, I do not know that a homeowner who is disturbed by the fact that the particulates are being blown around, or the noise factor, is going to be able to distinguish between whether it is a gas or an electric-powered leaf blower. It seems to me that enforcement is key, and we are as worried about blowing around the pollutants and the allergens as we are about the noise factor. I want to thank the Board for being so responsible about moving toward legislation on this. There are already ten towns in Westchester with working ordinances, some of which have been in place four or five years. It is long overdue for Hastings to address this issue of unlimited, at this point, leaf blower usage.

**Patricia Murphy, 27 Hillside Avenue:** I support the ordinance. It reminds me of when smoking was banned in restaurants and we worried that people would not go to restaurants or bars. But that is not the case, and it will improve the quality of our air and life in Hastings.

**John Gonder, 153 James Street:** Some parts of the law I agree with, when you have four or five going at one time with the noise. But in regard to the times, I am an early riser. I am up at five o'clock in the morning, I like to get going at eight. Saturdays and Sundays you should make it eight o'clock. At 10, 10:30 I am eating my lunch. I am also, like Dr. Padawer, getting up there in age. I live in an area where there is approximately four acres of

Pulver's Woods but there is a lot more because other people's properties are adjacent to it that have a tremendous amount of oak leaves. I've raked my leaves up twice. I have a yard 100 by 140, and it took me eight hours. I carried those leaves back into Pulver's Woods where they came from. They are all oak and maple. I was going to rake them last week again, but I would rather play golf. So I have another eight hours work, but I would rather hire someone to blow them back and get rid of them. Here it is January. A week ago we had 60-degree weather. That would have been ideal to push them back. Again, I know I will have to do it in February, and probably March or April, because where I live there are a lot of oak trees that blow from northeasters, snowstorms, and blizzards. Those leaves that are on the ground in the woods come over to my property.

**Elizabeth McFall, 71 Lefurgy Avenue:** I am a retired professor of microbiology at NYU School of Medicine. I am not an immunologist per se. I am a molecular biologist, but I taught both microbiology and basic immunology, of which I have some knowledge, to medical students. Although noise is a pain in the neck and can be damaging to young children's developing ears, I am primarily concerned about the health aspect of leaf blowing. In the summer it is more the blowing of grass clippings and whatever little junk happens to be around. I notice in the proposed bill that there is an escape clause in case there is an unusual situation of leaves as there has been this year. So in the case of this year it would have been perfectly reasonable for the council to extend the period allowed for blowing.

I am in favor of the enactment of a bill forbidding leaf blowing in the summer months, as more or less outlined on the handout. I understand that for many people it is important for the spring cleanup. That is perfectly understandable. Children are in school at the time, during the week, when the blowers are active, and in the fall and winter also. So they are not going to be exposed so much to the particulate matter and the fumes and whatnot. But in the summer the air is more humid. The vapor particles will tend to trap and hold small particles in the air. They will not fall out nearly so quickly. People like to have their windows open in the summer if it is not too hot. So if you do not rush and shut the windows when activity starts up you get contamination in the house. If you watch this operation you see that dust is very definitely blown up into the air. So if children are out playing, as they often are in the summer, they breathe it. Westchester is one of the more highly polluted areas in the country, and these little engines are not very helpful in that respect. Another thing is the workers. This has bothered me from the time I first saw this operation going on. They have no protection, for the most part. One fellow who works next door to me was wearing a mask, but I never saw any other workers with any protection against what they are breathing. When particulate matter gets into the lungs it is an irritant. The nonspecific immunological system reacts to that by sending in cleanup cells that cause inflammation. When you go on breathing this stuff at least five days a week for several months at a time you are likely to have very unpleasant-looking lungs after awhile. So I am concerned that the workers as well

as the public should be spared this during the summer months when it is not so important. Some effort should be made to protect the workers with masks and with devices for their ears the way workers at airports protect their ears from jet engine sound. These people that do the work are not, in general, very well educated in what kind of problems they can run into in the future, and they should have some protection and they should be thought of as well.

**Rudiger Stoer, 156 Cochrane Avenue:** I want to thank the Board that they address this problem, which has been a problem over the years. But the time the leaf blowers are permitted is too short. April to May 15, and October to December, is unrealistic. I propose that the time of use be lengthened, give them to June or July. The daytime operation should be from 10 to 5 and Saturdays and Sundays should be to three o'clock in the afternoon.

**John Russo, 396 Farragut Avenue:** How many people have been complaining to the Board about the noise? Because that is what we are supposed to be discussing: the noise, right?

**Deputy Mayor Goodman:** We have had petitions with hundreds of signatures, and we have had e-mails likewise. I do not have a tally, but noise has been among the complaints. We are making a record about the health effects as well. The statute that this is under is a nuisance statute, and it speaks in the preamble about noxious fumes.

**Mr. Russo:** My point is that if 100 people or 200 people or 300 people have complained, petitioned, why does that affect the other eight or nine thousand people in the Village? It seems to me like you are doing the will of the minority as compared to the majority. I think a ban on any leaf blowing is wrong. You have a thing here, reading from *The Enterprise* dated December 28, we are in unanimous agreement on the dates and the hours of restrictions, but the Board is split on deciding who should be fined. I think that is Trustee Peter Swiderski speaking. Then another thing states that New Rochelle, Rye, Scarsdale, Bronxville, and Port Chester all have restrictions of leaf blowers. But they are cities, not villages or communities of our size. Trying to ban the leaf blowing to certain restrictions is putting these people out of work. They are in business and they should be in business to make some money, and you are putting them out of work. Even if it is 1,000 people, you are putting their wishes before the other eight or nine thousand people in the community.

**Marty Walsh, 79 Southgate Avenue:** I am opposed to any limitations or a ban on leaf blowers for a number of reasons that have already been cited: elderly who cannot handle their own yard work, and the feasibility of having landscapers that can afford to do their work instead of sidestepping Hastings-on-Hudson and going somewhere else to do some work where they can make some money. This is going to be a big problem for this community. It is going to be very unkempt, as some other folks have mentioned.

Also, I have allergies and my allergies also improve when the leaves are away from the ground. I am insulted that they want to sue me when I am not even home. I hire a landscaper. Out of the kindness of his heart he handles me very inexpensively, and handles me at his own discretion when he feels he is going to have time to handle the job. It is going to make it less economical, hurtful, if you will. He is totally willing to follow any kind of legitimate regulations that you folks are going to have between them and him. But I do not see why the homeowner, who is not even home most of the time, those 9,000 people that the gentleman just spoke about, I am kind of like that. I like the rule of the majority. Many years ago I heard people say that this is a free country, and I am beginning to doubt it. Because every day when I look in the mail I am wondering what is this, a ticket I did not pay for, I was jaywalking. There are just million things.

I work in New York City, so nobody has to explain to you about parking and such. We have regulated ourselves to death, and New York is famous for that. We should stop taking a page off the big cities and try to act like the small village that we are. It takes a village, and I still think it takes a village to raise those children. I do not believe some of the scare tactics that have been used in terms of harmful to health, because it is not harmful to my health. I agree there are some noise problems which can be resolved with a legitimate amount of discussion between the Board and those people who are doing the work. I do not think that every homeowner has to be fined just to get to the bottom of it where we can eliminate leaf blowers. Because what is going to happen is, you are going to eliminate landscapers.

**Fred Olsson, 3 Glenwood Avenue:** I am reading a book about Abraham Lincoln, whom I admire as the whole world admires, by Doris Kearns Goodwin. If I had the eloquence that he had, after I got finished speaking everybody in this room would be of one mind: we would ban leaf blowers. I do not think that we are operating according to the will of the people of Hastings. We do not know what the will of the people is. If we had a poll on every person that lived in Hastings we would find that the majority of the people do not want to have noisy leaf blowers. Landscapers will never go away, they will remain. People will use rakes. It is so easy to do, to clean a yard with a rake, and you do not have to do it as often. In my neighborhood I have landscapers coming periodically beyond the need, where there may be hardly any leaves there. However, it is the noise factor. I was in the service. I was a bomber pilot. I lost my hearing. When I went in the service you had to be perfect, but when you come out they do not care if you are perfect. So I have two hearing aids. However, I am so happy that that is all I lost. The leaf blowers do not know what they are doing. I can read at my property line a decibel reading of over 90. I bought a meter just to read it. So can you imagine the impact of this pack on their back right near their ears. They are going to lose their hearing, there is no question about it.

It is just awful. My daughter teaches in high school. She said that when the leaf blowers are in the neighborhood I have to close the windows in the school. Is that not awful? It is terrible. This fellow from Dobbs Ferry, he is a writer for the *New York Times*. Mr. Herring has written several articles about this, and he has done a wonderful job and knows what he is talking about. We all know Jim Keaney. We were at a luncheon recently and started talking about leaf blowers. He said, I was amazed when I went home one day early from work; I had never heard the leaf blowers in my area. Because he works all day long, and everybody who works in New York who hires leaf blowers does not know what it sounds like. He said, I was astounded to hear how awful it is and what I am inflicting on my neighbors. I asked him, Do you mind if I tell the Board that? He said, No, not at all. I do not mind you telling that because I think leaf blowers are a terrible thing, the noise they make.

As Mr. Herring has said, a person raking a lawn would hardly take an awful lot longer to rake the lawn. I would put my money where my mouth is and take 100 by 100, rake the lawn or have a young man rake the lawn against a leaf blower. I daresay he would probably make it within five or ten minutes beyond the time it would take a leaf blower. One of the worst things is allowing leaf blowers on Sunday, the day of worship. In our church we have windows open. We have houses right near the church windows and we cannot hear the sermon. We have to close the windows. That is not right. Sunday and Saturday are days of rest and peace. Four years ago I spoke about this, and I got the ordinance from Greenburgh and presented it to the town manager, Mr. Hess. Or maybe I gave it to Fran. It is just beyond my belief that we are allowing this to destroy the peace of Hastings. I just cannot understand it. Why, why? I understand the people who cannot. There are people in our church, every Sunday we have a bulletin. It mentions the people who are shut-ins and sick and not well who cannot go out, they cannot express themselves. Those people are hopeless. They are not here tonight. And when you say only 500 people are against leaf blowers, that is not true. We do not know that. I would volunteer to take a survey and find out how many people are against the use of gas leaf blowers. If the Board would allow it I would organize a team of people to get signatures from maybe six or seven thousand households to find out what the real pulse of the town is. I think more than a majority of the people would be against leaf blowers. If you go along with what you are proposing it is at least a step in a positive direction. Some day it will happen that leaf blowers will be eliminated. I have more to say, but the first woman who spoke was so clear and definite about what she said and was so convincing that we should listen to people like that and also listen to Mr. Herring here.

**Cynda Travis, 427 Warburton Avenue:** Thank you for taking on this highly charged issue. I have more impassioned feelings about it, but I am going to try to stick with what I think is important, which is trying to strike a balance. There are a lot of people who are against it and a lot of people who are for something very large, but we have to find something in the middle. This is really not a ban, but a limit. This ordinance would allow

large tracts of time during seasons when a lot of this yardkeeping happens. So this is not about cutting off landscapers from using leaf blowers. I think that is the balance trying to happen here. I hear people talk about the fact that without a leaf blower, particularly in the summer, they would not be able to get leaves off their yard. I work in my yard, and the biggest times for cleanup are spring and fall, not summer. If you do have to get things off your yard you have to be careful about not overworking your grass. Grass clippings, I do not think, are supposed to be blown all over. I think they are supposed to be just put in little piles; I don't think leaf blowers blow anything into little piles.

I y would like to stress the fact that I have seen leaf blowers being used after dark, which is the biggest thing that confounds me. How can you work in the dark? Yet that is when I have seen work being done. Whatever those seasonal times are should be limited to once it is dark that is it. I do not think anybody here would want to intentionally hurt landscapers' businesses. Because they are part of this. A lot of this is pointed toward the citizens who do our own yards, but how much blowing do they actually do in the summer would be a question. I think one of the companies came up and answered that, but I think we could get more information from them. Then somebody else mentioned about are we going to eventually ban lawnmowers, which is kind of taking it to an extreme. Everybody, I think, would agree that we cannot get rid of lawnmowers even though they are loud. They actually have, somebody can find out this information, lower decibels of sound. Most people know that if their neighbor is cutting their lawn they know they are cutting their lawn. With leaf blowers, I have heard some of the companies say that they come in with a team of three to four people and take on that yard pretty fast. The hard thing is, when you do hear these larger teams of people going all at once it is highly disturbing versus that sound of a lawnmower in your neighbor's yard which we all sort of tolerate.

**Jeff Bogart, 5 Jordan Road:** The proposed legislation is inadequate for many reasons. It needs to be stricter. First, it doesn't specify weed whackers, which make a racket as well. Second, it does not limit the type of equipment to electric, and electric is less noisy and will be less noisy in the period that you are suggesting it be allowed. It is inadequate also because it does not limit the number of leaf blowers that can be used on a piece of property or a specific area at one time. The problem created by leaf blowers and weed whackers is aggravated by the fact that commercial companies come in with a gang and descend on an area. I have counted as many as five on a single piece of property; five leaf blowers going at one time. Not only do they do it on a single piece of property, but they sweep through an area house by house. So it is not as if it ceases; it continues. I am in a house that has double-paned windows. You would think the noise would be reduced. With five weed whackers or leaf blowers going at one time you can go out of your mind listening to that. Double pane windows do not stop it. In the summertime you have to close your windows. So much for the breeze and the fresh air. In the summertime you cannot sit out on the deck, in the

summertime you cannot hold a party outside. At any moment a gang of commercial contractors, landscapers, is going to descend on your area and drive you out.

Not only is there noise, but there is vibration. When you have five leaf blowers going at one time you better believe there is vibration and there is stress. On top of that, nothing prevents these people from going onto your property. I have had to kick them off my property. Another problem of leaf blowers is that they kick up weed seed and push it onto the adjacent property. It is like a property owner taking his garbage and dumping it onto the property next door. That leaves me with weeds growing that perhaps would not be growing.

I would like to suggest that there be a complete ban, or at least that there be a ban on gas instead of electric. I would like to suggest that there be a ban on more than one person with a leaf blower from a commercial company in an area of five acres at one time; that is, gas-powered. If it is electric, maybe three acres. There is no reason why they should be on more than one piece of property at one time. I think we require that signs be posted when we use chemicals on property, and notify when it is going to occur. Perhaps there should be consideration so a person knows when these guys are going to descend so they can be absent.

I would like to suggest that you be sure that the legislation does not supersede existing restrictions on decibel level. Noise is a public health hazard, and that is part of what you are doing. You are trying to reduce a health hazard. If there are existing decibel levels, we do not want them superseded by this piece of legislation. In enforcing the legislation in terms of decibel levels contractors should pay an amount of money into the Village so we can have additional personnel go around with noise detectors and enforce the existing law about noise. Five leaf blowers on a single piece of property no doubt exceed the decibel level that existing regulation would allow, but it is not being done.

Both the homeowner and the contractor should be held responsible and fined. Maybe the first time the homeowner should not be fined, just warned. The contractor ought to know what the law is, but a homeowner should be responsible for the people he brings in to do work on his property. They are contractors, so he does not have the amount of control that he would have over an employee. But he has some responsibility for what is happening. If he knows that these people are going to be using this type of equipment, then he certainly should be responsible.

You might want to consider restricting certain types of leaf blowers. I am sure that the manufacturers have specs on the amount of noise that these things create; some create more, some create less. Fine out which ones create less if you are going to allow them, and only allow those which allow the least amount of noise. Finally, we place all kinds of restrictions on activity that is considered a nuisance and hazardous to health. This is a situation in which

it would be appropriate to have this type of regulation. It should be a regulation that persists throughout the growing season and not just at the start and at the end. I appreciate your focusing on it and doing something about it.

**Jim Metzger, 427 Warburton Avenue:** Instead of speaking for or against, I would like to get nostalgic for a minute and consider myself a Luddite. I remember when I was growing up the time that my family got together with our neighbors was on Saturday and Sunday mornings. Whether it was raking leaves, mowing the lawn, cleaning out the garage, or shoveling snow, it was when we got together and found out what was going on in the neighborhood. I live in a section of Hastings where people still do that on a snowy morning. We get out, we talk to our neighbors, we find out what is going on. You cannot do that with leaf blowers going.

I have spoken to a few landscapers. They say, If we did not have to use these machines we would not. The only reason that they are being used is to make money. I appreciate the fact that everybody needs to make a living. But what you are trying to do here is very admirable; and that is to try and strike a balance between the needs of people who cannot do the work themselves, the needs of people that do not want this happening all summer long, and the needs of the landscapers. I would like to ask people in the Village, if you have kids get them out of bed on Saturday morning. Let them rake the leaves. If the neighbors cannot do it, and you do not like the noise, have your kids go rake *their* leaves. We can actually take a huge part of this upon ourselves and not have to put this into legislation if people would start helping their neighbors out.

**Sandeep Mehrotra, Chair, Conservation Commission:** In the e-mail that I sent to the Board of Trustees and the Mayor and Village Manager, we, the Conservation Commission, totally endorse the proposed ordinance. We would also support levying the fine for the property owner as well as the contractor if they are two separate entities. The basis of our support is the noise, the air pollution, and the soil quality and erosion problems this creates, along with the associated health problems. There are significant air quality issues generated by leaf blowers in general. The partial ban should be on all leaf blowers, not differentiating between electrical and gas-powered. Regarding the soil quality, yes, it does strip some of the nutrients. People can argue that the Village should not get in the position of regulating how many nutrients you have on your yard, but this goes beyond that. What this does is create erosive conditions. This has been scientifically documented, that if you use these leaf blowers, soon after that, if there is a heavy rainstorm, you create a lot of downstream sedimentation, you create a lot of loose soil particles that collect in your waterways and transport these nutrients in the waterways, which causes further downstream problems.

It is a cumulative effect that we look at. We from the Conservation Commission and the Board of Trustees are making this village more sustainable and more environmentally friendly, and looking at some of the climate change issues that all of us are facing right now. From a carbon footprint basis, raking leaves is much more beneficial than using any sort of leaf blower. Even if you do not use gas blowers you are still using electricity, which is creating a carbon footprint somewhere.

**David Skolnik, 47 Hillside Avenue:** It has been said that there are a lot of municipalities that have already enacted ordinances like this. I would like to find what in fact these communities have ended up doing about the issues that are being raised, the concerns have been addressed in areas that already have implemented these ordinances. The information has to be there, whether from landscape companies or from municipalities themselves. I sense that as much data as is being discussed, there is more that I would want to know if I was having to make the decision. There is a question of the continuum. A few people mentioned lawnmowers. In spite of the fact that it was made clear from the beginning that we were not talking about a ban, many people have made it clear that that is what they would want to see. This would seem like a stepping stone towards a ban. I do not know where snowblowers, for example, would fall, if you are going to expand the concerns, whether from the kinds of engines being used, what the effect is, and the noise certainly.

Another issue would be the impact on school, and how what they do depends upon or does not depend upon the use of these machines. From the landscapers themselves, I would like to have an idea of how they would be able to address the situation and what the impact would be if they were not allowed to use them during these times.

**Tim Downey, 520 Farragut Parkway:** My position on the subject falls somewhere in the middle between the views I have heard to this point. The alternative I am presenting is simpler and far more fair for the owners of these machines, but has many ancillary benefits as well. My approach could be the start of a greater vision where the benefits are far grander beyond just the blower noise issue. I am here in a capacity of both a business operator and homeowner in the Village. I use this machine in my business and, when needed, around my property as well.

I first received notice from the Village requesting my input as a business operator concerning the issue in a letter that arrived on Friday, October 19. Upon opening the letter the morning of October 20, I promptly started asking questions and speaking to other landscapers to see if they had received similar notices. This letter was to inform interested parties of the growing concern and possible law changes affecting the use of blowers. I received this letter just four days prior to the Thursday meeting here in this building. The time remaining before that meeting was simply too short to adequately respond in a thoughtful manner. Additionally,

what made that opportunity unfair to parties like myself were the times set aside to present pro-blower viewpoints. These were daytime hours, not evening hours, as is often the case with public discussion topics. The combination of short notice and conflicting hours demonstrate to me a less than fair opportunity to voice one's position on the matter.

Thus, I promptly e-mailed the Village Manager Monday morning, October 22, to request an alternate meeting time. My schedule for the week was already committed, and I was scheduled to be out of town on October 25 when the first meeting was to take place. Thus, I would not have the opportunity to present views on the first round of discussions with the Board. The Village Manager responded that day with a timely e-mail reply to my concern of short notice and schedule conflicts. On Tuesday morning I called his office to see if an alternate day was possible. I was told that an alternate date might be possible, and to check back. It turned out the Village Manager, with all his responsibilities, did not have the discretionary time himself that week for an alternate meeting. Mr. Frobel took time out of his day on that Tuesday, October 23, to have a brief discussion over the phone with me in which we discussed ideas and exchanged views.

That was the last I heard on this issue until I bumped into Trustee Goodman in mid-December while we were both walking our dogs in our neighborhood. We began a very polite and genuinely enjoyable conversation, and exchanged elements of concern regarding this issue. This curbside discussion lasted about a half-hour that morning, and I went away feeling that she was open and fair-minded on the topic. Trustee Goodman also invited me to speak that coming week at the first open forum meeting the Village was having. I was not fully aware of this opportunity at the time, as it was not well publicized, or at least I had not seen any notice. I had prior commitments that week in addition to a full schedule, like many, with the upcoming busy week and Christmas around the corner. I took a pass on that meeting, and she informed me that a much larger and better publicized meeting would be taking place mid-January, and thus we are here tonight.

I am familiar with the partial blower ban that is in consideration, having read through it on the Web site. In its present form it should be modified with inputs that I am going to present this evening. In my opinion, it has been rushed and has a feeling of being rammed down the throats of those in opposition. Opponents of the blowers have had far greater time to develop and present their position. It almost feels as if they are pressing the clock, or setting an ambush. That is unfair and unacceptable. I believe I have a far more equitable approach that can address the issue in a manner that would be acceptable to all parties concerned, providing adherence is strictly met. Or at the very least, a one-time reprieve to see if these ideas work. I will present those ideas shortly.

I would like to address what seem to be two camps of opinion on this issue. Again, I fall someplace in the middle. As both a business operator and a homeowner in the community I would suggest the noise concerns presented have simply been a trip wire of a much broader issue, a quality of life issue and not just a noise issue. We have a situation where a cultural and economic clash has been fermenting. It is my belief, and one shared by others I have spoken with in the landscape industry in not just our community but in the region as a whole, conjuring up the feelings of a Wild West where anything goes. There is no structure of conducting business in a manner that is broadly acceptable. Unlike other trades, this one is open to affecting the public domain in a more direct and adverse manner compared to other trades and services within this community.

For years I have voiced concern about the manner in which this industry has performed its service and the lack of thoughtful environmental stewardship by business owners. I have voiced this topic with landscape contractors, Village officials, and residents for several years now. In almost chorus line precision there has either been a blank look of silence or a complete disregard echoed in reply. Business owners, in my opinion, are far too shortsighted in pursuit of a buck. The labor force, composed of individuals principally from south of the border, do not have adequate training and understanding of the sensitivity of the issue. The absence of an American youth force, or adults willing to perform this work, has created a labor shift as in so many other industries. Americans willing to do this work have just about become extinct due to the laziness or feeling of entitlement and that manual labor is beneath them. So you have folks doing the work, performing with the best intentions for the most part; however, they simply may not know any better.

The misinformation and commentary, like that of recent *Enterprise* articles on the front page and editorial letters, is simply opinion and nothing more. Those attempting to cite data in those articles, and this evening, are instead presenting misinformation or downright mis-truths either by intent or ignorance. These misrepresentations, restated time and again, begin to take on the identity of facts, and therefore could cloud and alter the real truth behind the value of this tool. Suggestions to the environment and one's health when used properly are also laudable. I have been using this machine since the mid-'70s and have a far greater knowledge regarding the facts than some of the recent city transplants to our villages with big voices and rapid keyboard skills who feel this should be their Shangri-La and that is all that matters. For example, addressing a hearing concern that was mentioned this evening, my hearing is near perfect as per my ENT hearing test just two years ago. I have been using these machines for 25-plus years. So I think that shoots down the discussion about hearing damage when used properly with proper hearing protection. My disco dancing days in the '80s have affected my hearing in a more damaging manner than use of these machines. The suggestion that they are unnecessary is a personal opinion of the anti-blower crowd and

nothing more. There is the issue of misuse of this, too. Like many other things in life, that is the problem: hold the operator accountable, not the machine.

I have worked on hundreds of properties over the 25-plus years. As a youth I used to use a rake and broom, as those *Enterprise* voices suggest are just as good a tool. Let me state directly to those voices of opinion. I mean this with respect, but you are clueless. Your sample of broom and rake utilization is what, your home? Perhaps of you and your neighbors raking their yard? Or the one you grew up on as a youth and raked on the weekend? Each individual property is different and has its own requirements. For the folks who had that opinion about the rake and broom, their statistical sample size compared to the hundreds of properties I have worked on would attest to that fact. I know the value of a blower in a manner you could not possibly understand unless your résumé of experience is comparable. There are others in this room with similar lengths of experience who will state the very same thing. So please cease and desist on this silly banter about their not being an effective tool.

Speaking as a homeowner, I would continue to use this machine thoughtfully and sparingly regardless of the laws put into effect. I have neither the time nor the desire to sweep down my driveway, patio, steps, deck, garage and so forth any more than you are willing to use a washboard to do your laundry. I will use my discretionary time to be with my family or enjoy doing with my time that which I choose. Spending a Sunday brooming down my property, resulting in an inferior job, is not my idea of time well spent. Where do you see your authority to voice what is needed and not needed? Did you not drive here in a car? Will you not be watching this meeting on TV? Do you commute on Metro-North, drive to work, or use a dishwasher, computer, refrigerator? You get the point. Each has its inherent negative environmental effects. Unless you adopt the lifestyle of those fine folks in Pennsylvania and New York, the Amish, I hardly think you are in a position to voice what damages the environment and what does not.

To the landscape contractors: you do operate in a manner that is reminiscent of the Wild West. These businesses are out of control without question. Whether it is a cultural lack of understanding, communication or expectation with your clients, pressure from your employer, or what I feel is a real lack of horticultural understanding, there must be big changes and those changes must begin this season in this village by those who realize this is at the core of the matter. I have regularly watched landscapers operating with disregard for passersby on the road and sidewalk. Often they do not throttle down to lower the noise or stop to allow the dust to settle. As a passerby, one may feel they are threatened, asking themselves, Do I cross the road, plug my ears, hold my breath? And how about when workers dart out from behind a truck or from between a truck and trailer, parking in a manner in which the street is either blocked or impeded whether it be during lunch or in loading of

equipment; trucks with leaf vacuums and trailers sticking out into the street while picking up leaves; blowing litter down the street with leaves instead of stopping to pick up the trash and recyclables from the garden materials; blowing leaves and clippings into the street for traffic to whisk away. This is utter madness, and not something that should be tolerated another season.

Upon quick review of the pending law I can only say it is entirely unethical, unfair and, for the most part, self-serving to those who have pushed for its implementation. If it is truly noise reduction and noise management to our suburban living conditions, then by no means may a law be passed that singles out one particular source unless it is the intention of those pushing for the law for it to be a first step in a series of pursuits. What do I mean by that? Let us take, for instance, the builders and contractors using other noisy power tools, or whose actions involve noise. How about containers, for instance, being picked up or delivered at less than desirable times of the day or night? The Village sweeper whining down the road at five in the morning on one of those pleasant nights when the windows are open and one is roused from his slumber by the numerous passings of the screaming Village sweeper. Or the delivery truck, and gates banging at four and five in the morning to stores within the community. There is, of course, the cacophony arising from the ever-present street work in the form of jackhammers, beeping backhoes, milling machines, and rollers. It is all part of a necessary evil when all is said and done.

But back to the blowers. Are there benefits? For sure, there are plenty. However, to the closed mind they are probably not apparent. How many slips, falls, broken bones, and accidents may have been averted due to the timely cleanup of wet leaves and slick grass clippings on walkways and driveways? If you do not think so, ask the ambulance crew about the instances when we have a snowfall, then extrapolate a percentage for what could have occurred if not for the timely and expedient cleaning through the use of blowers for slippery leaves and other debris. How do you measure that unknown value? Without blowers, and their noisy siblings the leaf vacuum, just imagine how much greater the mess our streets would be in. Witness this December and the early snowfall. Do you really think rakes would have collected in time what the blowers did?

A partial blower ban is only the first step in a series of efforts by the anti-blower crowd. Once a beachhead is established they will attempt further inroads. Without the use of timesaving equipment business owners will be forced to choose what clients they may keep or let go, as some folks will not be able to afford the extra labor costs, thus impacting many seniors or fixed income folks who are now part of many companies' routes. I kept folks on my route when my business was larger because the company had a cushion, and I was willing to carry those whose means had limitations. Those larger companies serving the

community may be forced to choose. The ones cast off may be the ones in most need of assistance at the lower cost.

To Village officials: do you think there will be unintended consequences should you press through the proposed law in its current form? I can guarantee contractors will no longer put forth the effort to clean the streets as they have in the past. The service of cleaning many miles of Village roads provides significant value to the Village by reducing debris from entering storm drains, improving storm drain service life, adding traction safety, and reducing street cleaning costs, just to name a few. A glaring example of this absence of assistance could be seen for weeks on Edgars Lane and upper Villard this past December. Punish the contractors by taking away one of the more valuable tools and you will see the roads in a mess-strewn condition for sure.

So are you ready for a possible solution? I have heard many concerns raised this evening, and I could almost solve 70 to 80% of them that are raised by the anti-blower crowd simply because I have the years of experience. It was not some magical epiphany I had; it came out of need and necessity some 11 years ago when I changed the structure of my business. I learned over time how to do things in a manner that saved money and was more environmentally friendly, and addressed many of the concerns raised here this evening. That solution would be seasonal machines, an approach that has worked for 20-some years in some parts of the country, meaning in proposed periods, let us attempt to fine-tune the structure you are now proposing with a change to allow light summer machine use only. Use the regular equipment during the heavy peak season periods that we are currently suggesting the blowers be allowed to be used in. In the off season use only manufactured blowers like the one I brought here this evening. That will address pollution concerns and noise level concerns. They are much quieter and cleaner in their use. They are less powerful and not all that good, but they would do the work that is deemed needed in the off-season session.

Every contractor working in the Village will be required to purchase this type of machine and use only this machine in the off-peak season. Any contractor using a machine other than this will be hit with the full force of the law, starting at the second offense-level fine as is now proposed. Permits should be issued to those working within the Village, with signed acknowledgment of the use of this machine during off-peak seasons. A purchase receipt copy could be kept on file to support this understanding and purchase of the machine. More importantly, keep a signed acknowledgment of having obtained a best practices booklet from the Village office. This is at the core of the problem in large part. After it is read, a sheet at the back must be signed, mailed in, and kept on file. For first-time violators without knowledge of this policy I would suggest they get one chance for compliance. After that they get slammed.

If those who cry foul are serious about the need for the blower all season long, pony up the money and get the machine that can both accomplish the job in a quieter fashion and allow for a fair standard of living for those in the community. If not, use a rake and broom. I would volunteer my time to assist in drafting a best-practices document. Widespread notice should be made available to homeowners about the changes. Homeowners should be encouraged to obtain and read the best practice changes so they may be well-educated as well. With the alternate machine, and a blueprint for best practices, we might achieve a more quiet and peaceful Village without the penalty of those claiming to need the machine.

The benefits here would be obvious. Contractors will learn how to make more money. I have done that by changing how I did things. Homeowners should save money because the blowers will be used for fewer hours and fewer periods of time on the property throughout the year. The environment will be better serviced and the Village should save on collection and disposal costs, as well as many other benefits. This is a win-win all around.

**Chris DeBenedetto, 41 Columbia Avenue:** I have lived in the town over 30 years, I want to continue to live here, I volunteer for this town. I enjoy living here, but I also enjoy keeping my yard looking nice and manicured. I think it is an asset to the community I live in. It is an asset for somebody who wants to sell a house in the community, as it is to somebody who wants to purchase a house in the community. Fran lives right around the corner from me, and I am sure he appreciates when he turns the corner to see nice manicured lawns as he is coming home from work every day. It makes the whole area look nicer. We have had this problem with the weather. We cannot control the weather. But we had some nice weather in January, we were 60 degrees. I got out there and did the rest of my leaves, cleaned them up, just to make it look nice. It might not snow all winter. Somebody said in a previous meeting, Why does everybody's lawn have to look so good? Well, there is not always snow on the lawn and the lawn should look nice even in the winter when there is no snow. It should look good all the time. It is an asset not only to the neighborhood you live in, but to your neighbors and the community. And it is something that is important. I do not think there are enough people who take the time and care for the outside of their house. Maybe they care for the inside, but the outside of the house is the first thing you see when you pull up to somebody's house. I am also a contractor. It is my second job. When I pull up to somebody's house you get a feel for what they are like when you see the entranceway, their driveway, their walkway. The house is well-maintained. That is somebody who cares about where they live and their property value. We all pay a lot of money to live here, and property is, as you know, very expensive. So keeping it looking neat and clean is a benefit to everybody in the community.

**Nick Frascone, 331 Warburton Avenue:** I am 100% against a ban on leaf blowers. I have been in the landscaping business and there are two kinds of landscapers. There is Mr. Big

and there is Mr. Small. You are signing the little guy's death certificate so you are going to have nothing but Mr. Bigs. They will probably make things work for everybody, but you are going to hurt a lot of little people. I have oak trees, maples, and sycamores around my house. In July I get all that oak stuff - oak mold? It is all over the place. The sycamores drop stuff all year round. When I was in the landscaping business I did do a lot of raking and I raked myself right into two carpal tunnel operations. I am not too crazy about having to rake all over again after I learned not to.

**Brian Hurwitz, 180 High Street:** I have been a resident for almost 30 years now. I am amazed at the vilification of the leaf blower. I do not find it to be such a frightening instrument. And I do have asthma. Frankly, I have never been affected by leaf blowers. My son has asthma and he has never been affected by the leaf blowers. In fact, I am relieved when the leaves have been removed in the fall because I find that the mold that is generated by the leaves is gone. I want to endorse the eloquent statement by Mr. Downey. He was the Lincolnesque figure in the room tonight. He brought to you an impassioned and reasoned argument for and against leaf blowers, and he is presenting you with an alternative. He is asking to meet with people to discuss ways of coming up with a better compromise than what I think the compromise is tonight. Whether to fine the owner of the home or not to fine the owner, that is not the issue. The issue is to find a way to use leaf blowers in a responsible manner. I endorse Mr. Downey's proposal, and I would be willing to meet with the Trustees, with the conservation committee, with Mr. Downey to hammer out a more equitable ordinance. I also feel that this is being rammed down a number of Villagers' throats. I am only sorry that we did not have more contractors here this evening to voice their opinions. I feel that they think this is a fait accompli and that the ordinances are going to pass one way or the other. Another gentleman spoke about the majority. I do not think the majority's voice has been heard. It would almost be appropriate to put this to a referendum to see what the villagers feel because in a sense we are being hijacked by a small but vocal minority.

**Carolyn Summers, 63 Ferndale Drive:** I will start by being amazed that the Village is choosing to vilify the leaf. Why are we so afraid of leaves? They are a natural part of our environment. Why do we feel it necessary to banish them, destroy them, chop them up, do all these things to them? I am a landscape architect, so I am in a funny position here, too. I use all kinds of machines to manage my yard. I also need to keep my garden looking pretty good because I occasionally use it as a demonstration tool. So let me tell you how I handled this fall. It is not my goal to get rid of every leaf. I am not afraid of leaves. In fact, leaves serve many purposes. They mulch your shrubs for free. They retain moisture on your site. They also perform many valuable services for wildlife. For example, if you like butterflies, where do you think the caterpillars are going to spend the winter? They are going to spend it rolled up in the leaves. So if you destroy the leaves you are destroying the caterpillars. That is not so good.

I try to get the leaves off my lawn grass. I do have a small area of grass. I am not a big fan of grass. I know a lot of people are, but I am not. But what you can do is get the leaves off the grass so the grass does not die. Leaves will kill grass, that is one of the drawbacks of leaves. It took me 45 minutes to get the leaves off my grass using a rake. Forty-five minutes. Not that bad. Probably if I had been able to pay some of these really hearty guys to do it for me they could have done it a lot faster. Going back 15 years when I first moved to Hastings I tried to hire people to rake; I interviewed them, and they saw my yard and they said, No, we will not rake your yard, it is too big. So that route did not work.

What I do now is, I have two landscaping firms that I use on and off for different things. I have to dispute the idea that if we have this rule against leaf blowing we will lose landscapers because I do not allow leaf blowers and I have two landscaping people employed. We ought to put that idea to rest. There are many services that landscapers do for us that have nothing to do with leaf blowing, and that is part of what Mr. Downey was getting at. Maybe some companies need to think about the services they are providing, and are the services that they are providing really what we want.

The whole thing with leaf blowers I have been fighting quietly myself for a long time. I felt like a lost soul out there. I want to emphasize what Jeff Bogart said he saw. I saw something very similar, and it moved me to call the owner of the truck whose number was on it. I called up the company owner and I said this is out of control, it is too loud, you have got too many people using large, monstrous machines on wheels. He said, Well, you have to talk to your neighbor, it is not my fault, I do that because that is what they ask me to do. So that leads me to believe that maybe it should be the owner who pays the fine. At least that seemed to be the mentality of this particular contractor who seems to be saying, I would not be doing it like this if they did not want me to do it like this.

Needless to say, I did not take it up with my neighbor. I just decided that if I had talked to my neighbor they would have said, No, we do not need our leaves blown into the gutter and all the dust with it in the middle of summer, which is when I took this on. I was not about to bother them with it, so I let it go. But the fact is, I work at home many days. Many days I cannot stand to work out in my garden because the noise is too much. Even today, I was trying to be at home and write and there were two separate leaf blowers, one on either side of me, going because it was a nice day and they wanted to get their leaf blowing done.

I do not think a full-scale ban is necessary, or necessarily even desirable. But it is a tool that has been abused. Possibly some of the better landscape firms are suffering because some of the other firms have abused the use of this tool. But something has to be done because the other time I tried to do something about this problem I called the police. I said, Please

enforce the noise regulations. Our police told me they could not enforce the noise regulations because they did not have a noise meter. That was the last time I tried to do anything about leaf blowers, so I am glad you have taken this on. It is time that we got back to being a nice peaceful village, at least in the middle of summer. I do not understand why you need a leaf blower to blow leaves in the middle of summer when they are not coming down off the trees unless your tree is really sick and dying, in which case there are not that many leaves anyway, and you can just pick them up. You have taken a lot of time with this. I would not be opposed to you taking more time, if you felt it needed it, to get it right. I thought some of Mr. Downey's suggestions were interesting, although I am still going to have to ask him why he thinks you need to use any kind of a blower in the middle of summer.

**Kelly Adams, 33 Columbia Avenue:** This is a personal issue for me because the beauty of living in a small town is that everything is very personal. Marty Gunther, on the corner, has been a landscaper and I have known him for over 14 years. When I saw this whole to-do about this, I can appreciate both sides. I would hope that there could be some common ground to exercise some common sense here. I can speak on behalf of Marty, saying that he is a very conscientious person about how he goes about his business. It really would have an impact on these contractors that do a lot of the hard work; not only with the machines, but there is a lot of manual labor going on. I think we need to look at that side, and protect their interests as well. I would encourage everybody to look at both sides, and consider a fair compromise as opposed to one extreme or the other.

**Female Speaker:** I would like to read a statement from a resident who could not be here tonight. This is from Corinne McSpedon and Peter Sizuski.

“As two people who work out of the house and have young children, we support the leaf blower restrictions currently being considered. It is a reasonable compromise, allowing for use of the machines when most needed, while helping to preserve our quality of life, health, and sense of community.”

**Deputy Mayor Goodman:** Now that we are going to go around the horn again I am going to impose two minute limits.

**Mr. Russo:** I have a small piece of property, and I have a landscaper who comes. They spend maybe 15 minutes there. Out of that 15 minutes, five is cutting the grass, five is trimming, and five is blowing. Half the time, if I am in the house, I do not even hear them except when they are on the deck. So I do not know where all this noise comes from because I do not hear it. They are here five minutes and then they are gone. They come once a week.

**Mr. Cascone:** My son-in-law was a landscaper for a number of years. He is now a cancer nurse. But we have discussed this a lot, and he is pretty much for the ban,; he thinks it is pretty reasonable. I do my own lawn, I do my own cleaning. I have an electric blower I use about two hours a year. That is enough. I have tremendous oak trees all around me. I clean up weekend after weekend. It is great exercise, I love it. I think it is fine, if you want to live in this town, you do not have to look like you live in Scarsdale. It does not have to be leaf-free, as Carolyn said.

There was a question about where have blowers been banned or where have there been actions taken. The most nearby one, I think, is South Coast Air Quality Management District in Southern California. The entire south coast of California years ago banned gas blowers and all gas two-cycle engines for lawn equipment because they cause more pollution than half the cars in that same area. That got Black & Decker and others to develop batteries that made feasible lawn equipment that did not need gasoline engines or 400-foot electrical cords. Those systems are available. Instead of just looking at the wimpy summer blower that Tim was suggesting, I think we ought to look to a future retooling with electric equipment all year round because it solves a couple of the problems we talked about. I did not hear in Tim's proposal what we are going to do about the teams of four and five people that Jeff Bogart was complaining about: descending on a neighborhood and staying there for half a day, which has been my experience over and over and over again.

**Josh Dorsky, 142 Lincoln Avenue:** I was not going to say anything until I heard again this idea that these teams of four or five people descending on a neighborhood is not true. It is like a nightmare for people who do not experience this. I really wish they could because I have experienced it numerous times in my neighborhood on Lincoln Avenue. You do not know what to do. You want to scream, you want to run out of the house. You shut all the windows. The worst part is, even if you talk to your landscaper you cannot get everyone in the neighborhood to go along with you. If I tell the landscaper not to do that on my house they are going to do it on the next house and the next house and the next house. So it is really a community issue. Again, it is a nightmare.

**Deputy Mayor Goodman:** We are hitting the two-hour mark, and I need to take control of this situation. One minute apiece and then we are done. This last round of people with their hands up right now, and then I am going to ask that we move to our regular agenda.

**Mr. Gonder:** One question that Mr. Frobel could probably answer: enforcement. I know the police are not supposed to enforce it, but the Building Inspector. I have four leaf blowers blowing at one time so I make a call to the Village. Now does someone come out with a decibel meter?

**Village Manager Frobel:** Not presently, no.

**Mr. Gonder:** Is that how this is going to work?

**Village Manager Frobel:** We are going to have step up our enforcement if this ordinance passes.

**Mr. Gonder:** But it will not be police. The police should get enforcement on speeders on Broadway and Farragut and James Street...

**Village Manager Frobel:** It may have to be a police officer.

**Ms. Chinnery:** In 2006 I had surgery for cancer on the spine. I do not care how good an exercise it is, I cannot rake so I have to hire someone. I am now retired. I cannot afford to spend hundreds of dollars a month keeping my property neat and clean. So if you pass this and my bill goes up my property is going to look a mess. I am sorry, but that is it.

**Mr. Downey:** To the gentleman over here to my right and to some of the others who have spoken, the best practices concept will answer virtually everything you have. This has been well thought out and performed for 11-plus years. I would like to leave my phone number available to anyone. I am not an adversary to either side of this. I would just like to see a more sane approach: 478-7320, call me and I will have a discussion with you on the phone. I can even come to your property and speak to you, and train and explain how things can be done to save you money on your property and have a greater form of sanity in your neighborhood. It is really simple and I would like to be part of this behind-door session at some point, or the Conservation Commission, for the best practices. This is very easily resolved if it is well thought through and brings in someone experienced like myself, someone who has used these machines and has seen the light a little bit.

**Mr. Mehrotra:** I want to remind the Board and everyone here that we have deliberated this issue for a long time and we have compromised. The evidence is overwhelming about the harmful effects of similar machines. The initial proposal that the Conservation Commission had proposed was a month in the spring and six weeks in the fall. Based on the hard work and balanced view that the Village undertook by meeting with the landscapers, we have now what I feel is a good compromise where you give adequate time for the essential work that needs to be done in the spring, but at the same time has adequate control for the summer and for the later months. Again, the distinction between the gas and electric blowers is academic. The harmful effects of either one of them are pretty significant.

**Deputy Mayor Goodman:** We have two last hands, and that will end the hearing.

**Gabby Bordwin, 40 Fraser Place:** In an effort not to cause greater pollution I had tried to get my local landscaper to stop using the leaf blowers and could not, and wound up finding a service out of Hastings who could accommodate me. I think the legislation is necessary, and I might not have looked out of the town had we had restrictions in place already.

**Dr. Padawer:** Mr. Downey gave such a detailed presentation I wonder if it would be possible to transcribe it and make it available to those of us who would like to look at it. He made good points and they are worth thinking about. Also, we are not 8,000 people in this town. We are 800 families, and each family may have one person complaining about it. They do not send their wives and their kids to take a note to the Village that it is not good. The question of a majority for democracy, yes, but it also says that you have to protect the minority. I have seen too often in my area the person up the hill blowing the leaves down to my area. We are just transferring them from one property to the next. As far as blowing the grass cuttings I happen not to let my person do that. I want the cuttings to stay down there. It is a cheap mulch and a very useful one. The electric mowers, we have one three doors or four doors down from me, and when it is running every Sunday around five o'clock it is so piercing that it is painful. Too many people will address one aspect of the problem, and we have to look at the totality of what is involved. The noise, yes; the pollution, yes; the allergies, yes. It is silly to try to look at one aspect. Lastly, I am an old man, I am 82 years old. I have problems with my back. I cannot do the raking. I need some help. There should be some way of enabling people in my shoes to be able to do that. Again, I do not see why I should be responsible if I go away and the landscaper comes and uses a machine. And then I am going to be fined for it? That does not seem fair.

**Deputy Mayor Goodman:** I want to acknowledge receipt letters and supporting signatures on behalf of Civitano Landscaping, DeSouza Landscaping, Gunther Landscaping, Ryan & Ryan Landscaping, Five Brothers, and numerous others.

**Trustee McLaughlin:** Five residents asked me if I could see that their letters were read into the minutes. I am not going to read them into the minutes, but I am going to give them to the clerk for the record. The five residents were Ms. Neuwirth, Debra Gorman, Kevin Downey, Harold Diamond, and Barry Linder.

### **CLOSE OF PUBLIC HEARING**

On MOTION of Trustee Quinlan, SECONDED by Trustee Swiderski with a voice vote of all in favor, Deputy Mayor Goodman closed the Public Hearing at 10:10 p.m.