

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK  
BOARD OF TRUSTEES  
REGULAR MEETING  
SEPTEMBER 8, 2009**

A Regular Meeting was held by the Board of Trustees on Tuesday, September 8, 2009 at 8:05 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

**PRESENT:** Mayor Peter Swiderski., Trustee Bruce Jennings, Trustee Jeremiah Quinlan, Trustee Meg Walker, Village Manager Francis A. Frobel, Village Attorney Marianne Stecich, and Village Clerk Susan Maggiotto.

**CITIZENS:** Fifty (50).

**PUBLIC DISCUSSION**

**Mayor Swiderski:** First on our agenda a presentation by Kevin Clarke, the regional deer biologist. He is not here yet, so we will start with public comment on the Greenburgh deer report that was published a few months ago, as well as input in general on the problem. A few ground rules. Just a reminder that we all wake up and share the Village with each other. If somebody says something that you find completely offensive, restrain from displaying that sentiment and let that person speak. We all have to face each other on train platforms and in school halls and on the street. While this is an important issue, it does not mean we cannot respect each other for the opinions and sentiments we have. It is an emotional issue for a lot of people: families who have suffered with Lyme disease, and others who have an affection for animals understandably feel strongly a different way. I do not mean to sound like a scold, but it is important that this discussion be held in a way that acknowledges there are different opinions and different approaches, and that we all can hold those opinions without resorting to rhetoric that leaves us upset with one another. I will start working my way up the pews. You are called on, you approach the mic, you provide you name and address, and then whatever it is that you would like to say. If somebody has said exactly what you are about to say do not feel compelled to repeat it.

**Helen Frankel, 218 Mount Hope Boulevard:** My husband Steven and I live in Hastings. We read the report issued by the deer committee, and want to commend them for the very exhaustive and hard work they have done and put in writing; the many concerns Hastings residents have. We have lived in Hastings for 15 years and love the town. I am an avid gardener and take great pride in doing a lot of gardening in my yard. In the last two to three years everything I ever managed to plant gets destroyed to the ground by the deer. We have confronted the deer face-on many times; we have created the fencing around our garden; we have done everything we possibly could to maintain the valuable property and the plantings that we have spent many thousands of dollars on. It proved to be in vain.

My family also has been touched personally by the problem that we face. About a year and a half ago I contacted Lyme disease while working in my own backyard on my own plantings, and still suffer some neurological problems from that. My husband and I are great walkers and walk almost every night at the Farragut school track. Every night we see herds of deer there on the soccer field and the football field; and that is where they take a nap for the night. We know that the deer carry ticks. When I see, in the morning, our kids playing soccer, football, and all kinds of games on that field, and thinking about how many ticks they end up carrying on their bodies, it makes me extremely concerned. I agree with the committee. The conclusion the committee has reached is the only one that can truly be effective. I want to express the support of my family for the culling option that they propose.

**Mayor Swiderski:** Thank you. I am hoping the men in green are from Fish & Wildlife. Is that accurate?

**Kevin Clarke, Regional Deer Biologist:** Yes, that is accurate.

**Mayor Swiderski:** What a power of observation. One small note. Again, I hate to lay these ground rules down, but even clapping, if there is only one person from the other side they will feel inhibited in saying what they want to say. I am sorry to be so strict on this, but I am trying to ensure that everybody feels free in speaking and does not feel that they are the lone voice. As we head through this, just humor me on this.

**Mr. Clarke:** I am the regional deer biologist, New York State DEC Region 3, in New Paltz.

**Mayor Swiderski:** We spoke briefly on Friday, and I laid out briefly what I was hoping you could help us with tonight; which is to lay out the options a village like ours has when it comes to deer control. What is legal in New York State, and what the Village has to do in terms of permitting, etc. to take action.

**Mr. Clarke:** The legal options for management of deer herds, other than addressing issues with regard to ornamentals by changing our behaviors with what we plant and with fencing and things like that, are lethal options: either nuisance permits, which we do issue, more often on a property-by-property basis—in instances like this it has been done across the state and in other states on a municipality or community-based basis—or the option of what towns like Pound Ridge and villages like Cornwall and Hudson are going through, changing their ordinances to allow discharge of firearms in order to get hunters in during the regulated New York State hunting season, in order to do deer removals on properties they feel it would benefit as far as a management program for deer.

It is under their authority to decide what they want to allow as far as discharge, and who they want to allow on their properties. That is the way a lot of these communities decide to go: let us open some of our properties to hunting, but let us highly regulate it with regard to implements regardless of what New York State says is legal. Municipalities can be more restrictive than what the state says. They cannot be less restrictive than the state. The freedom they have with being less restrictive comes in numbers of deer that can be removed, say per hunter; different than what tags are available to the public. Additional tags can be issued to communities with regard to our Deer Management Assistance Program, to allow them to take more deer than otherwise might be possible in an area where permits are limited. Outside of an open hunting season there are the nuisance permits, which I mentioned. We are usually fairly restrictive with regard to what implements are allowed on nuisance permits. Typically, it is black powder, shotgun, or rifle. We realize that in our region there are challenges to that.

**Mayor Swiderski:** What is black powder?

**Mr. Clarke:** It is a firearm that has to be loaded through the muzzle instead of through a chamber in the receiver. It is a more primitive type of firearm. They are a little less accurate than rifles, and are not lethal to the distances that rifles are. We tend to sway towards those implements on nuisance permits because of the fact that they are more effective.

**Mayor Swiderski:** What were they again?

**Mr. Clarke:** Muzzle loader, shotgun, and rifle. But that being said, we realize there are challenges with regard to allowing discharge of those implements in communities that are so suburban, like Hastings, like a lot of other communities in both Rockland and Westchester, and other parts of the state: suburbs of Buffalo, Syracuse. So these are things we would be willing to discuss and think about: allowing the use of archery equipment. There are ways we can make it more effective. There are also ways that communities can help make it more effective by thinking of more community-based management than individual property nuisance permit by nuisance permit-based management, which we feel is not very effective. It depends on what the issues are and what you are trying to accomplish. Whether the issues are simple ornamental damage to individual property owners, or whether it is an entire community-based management issue where people feel like the village is overrun by deer and we have to do something with the deer population as a whole.

**Mayor Swiderski:** That one.

**Mr. Clarke:** Trap-and-transfer is not a legal option. Chemical immobilization is required, which always raises an issue. The same thing with sterilization. Chemical immobilization is

also required for that, which requires the handling of deer. I heard some rumors that Fire Island was administering immunocontraceptives through corn. I have never heard of this. I do not think that is what they are doing down there. I am pretty sure that what they are doing is darting and immobilizing, and then administering the sterilization to each deer, which is typically how it is done. The only times it has been allowed in New York State to this point are when it has been bona fide research through an accredited research university. It has never been allowed with regard to community-based management. Fire Island is federal property and is also an island. If there is anyplace where it would be possible or effective, it probably would be that type of scenario where it is an island, where immigration and emigration are probably eliminated from the calculations. It would be easier to be effective with it. We also have concerns with the fact that there are people who hunt in Greenburgh. I know you have a discharge ordinance, but we have harvest data that show there is a harvest that occurs in the Town of Greenburgh.

This is my opinion, and I think this is the opinion of other deer biologists in the state, and I have spoken to our deer team coordinator in Albany, there is an issue when you administer chemicals to deer for sterilization or immunocontraception that they could impact other species, including humans. There are issues with consuming a deer that has been treated with immunocontraceptives. I have heard other options like move them back to the Catskills, deer belong in the woods. My answer to that is, if deer did not belong here they would not be here. The Catskills probably have the lowest deer densities in all of New York State just because it is not very good habitat for deer. The last thing I would want to do is put more deer there. Actually, what we want to do right now is lower densities in the Catskills.

Trap-and-transfer. You are talking about moving deer from a very suburban setting, where they have learned their ways and know how to survive, to a very rural setting where the habitat is very different. It is highly likely the survival rate of those deer is going to be extremely low. So the option is, and let me use the word for what it is, do you kill them here or do you move them and let them die on their own somewhere else?

There are a lot of different ways you can look at it. But basically, the legal options now are nuisance permits through either a sharpshooting program or something less rigorous that sharp shooting, maybe a controlled shooting program with bows, or opening lands to hunting.

**Mayor Swiderski:** , I sent you a map of Hastings to get an idea of what our zoning looks like.

**Mr. Clarke:** Yes, not a lot of big green spaces.

**Mayor Swiderski:** There is not much greenspace. And one of the things I heard is that if you have a gun station you require a 500-foot perimeter around it of no housing. Is that true?

**Mr. Clarke:** Right, occupied dwellings. If you have permission from the owner, then you could discharge within that 500 feet.

**Mayor Swiderski:** There is probably a very narrow belt inside Hillside Woods where that would be true.

**Mr. Clarke:** I would agree.

**Mayor Swiderski:** And that is not true anywhere else.

**Mr. Clarke:** The way the Town of Pound Ridge handled it and the way other towns have handled it is, the coordinator of that program has worked to get permission from those property owners that would be within 500 feet and get them to sign an agreement saying that I will either allow somebody to shoot on my property or I will allow shooters within 500 feet. Often, when it is in these very controlled situations, they will oblige because they have issues of their own with the deer herds and this helps them address them.

**Mayor Swiderski:** There is one modality you did not mention, which I have seen in the literature: something called net and bolt. Is that legal in New York State?

**Mr. Clarke:** That would be a lethal option, as well. It is not legal currently. I have heard rumblings about it recently, but it is not anything that has been discussed by the deer team. It is something we could think about for these community-based, suburban type issues. But as of now, it is not something that is on the table.

**Mayor Swiderski:** It is a method employed in other states, and I did not realize it was not employed here in New York. You net the deer using a net gun from a station up in the trees, down onto the deer. Then you use a device that is used to kill cows in slaughter yards. If you have seen the movie *No Country For Old Men*, it is a compressed air device, very effective. I know it was used in New Jersey. I thought it was generally legal. So if, given their density, we were to consider something like that, what would happen then? We would petition you?

**Mr. Clarke:** You would apply for a permit through the regional office. An activity like that might also, although I am not 100% sure, require a license through Special Licenses in our central office in Albany. That is something I could look into further. But it is something that would absolutely require permission through a permit.

**Mayor Swiderski:** The question has come up from a number of residents, whether tranquilize and then destroy is an option in New York State.

**Mr. Clarke:** It has not been used in New York State.

**Mayor Swiderski:** Is it legal?

**Mr. Clarke:** It has not been permitted. It would not be legal for somebody to do it outside the guides of a permit, but that is not saying you will never see a permit for it issued in New York. It has not been done as of yet. I do not want to say it is illegal. Like I said, it would be illegal for anybody to do that currently without being issued a permit first. But I do not want to close doors as to what options are. I do not want to say it would be legal or illegal, but it would be illegal for landowners to do that on their own, even during an open hunting season. During an open hunting season the implements that are legal are very much regulated, and in Westchester that is bow only.

**Village Attorney Stecich:** When I spoke with you, I thought you had said about the tranquilizing method that it would be very expensive because you have to get a veterinarian.

**Mr. Clarke:** Absolutely.

**Village Attorney Stecich:** Could you explain what that process would be, and why it is impractical?

**Mr. Clarke:** Again, that would require a license through Special Licenses in Albany. You are going to administer immunocontraceptives to individual deer. It would have to be done on a deer-by-deer basis. You are talking about bait stations, where deer would have to be shot one at a time with a chemical immobilization dart, then tracked, which takes some period of time because deer do not go down right away. There is an onset time, an induction time, we call it, for that drug to take effect. There are times where you do not recover deer that have become chemically immobilized. Then you have that issue of a deer running around with a drug in it, and what if a hunter shoots that deer, what if somebody hits that deer, and they consume that deer and there is no warning that the deer has been immobilized.

You are talking about drugs like ketamine and Xylazine. We have all heard about ketamine. It is a narcotic that is highly regulated. Even when we do things like that we have to deal with veterinarians just to be able to get the drugs to use in situations like this. For states, it is not as difficult. But even for some private entities that are doing research, it can be very difficult to find a veterinarian that would be cooperative in allowing you to use drugs like

that under their license. Or you would have to consider getting a license of your own to obtain these drugs to do this. It is an endeavor, and those drugs are costly.

**Mayor Swiderski:** A question about your department's experience with communities as dense as ours regarding a community-wide program. Has anyone else in New York State that looks anything like us in terms of density done anything like this? And can you tell us about that, as well as other communities, perhaps less dense, that have done it. What is the success rate, and what have you seen?

**Mr. Clarke:** The closest to this is what is going on in the Town of Pound Ridge right now. The Town of Amherst outside of Buffalo, I have not visited that site, so I am not sure what human densities are compared to here. I know they did it with a sharpshooting program combined with a bowhunting, so I am assuming they had some greenspaces available for people to be able to bowhunt. It seemed it was quite effective because of the fact that they allowed firearms with the sharpshooting program. They got to the point where they were hitting approximately 500 deer a year with vehicles. That was their main goal, to lower the incidence of deer/vehicle collisions. It was not so much an ecological issue or an ornamental issue or Lyme disease. Over the first three years they got deer densities down to the point where people started complaining that they were not seeing deer. That tells you about the effectiveness of the program. But I am not sure what human densities are there compared to here. We drove around here and I know it would be quite a challenge here. This would probably be something new for us in New York to get a culling program in an area so densely populated.

**Mayor Swiderski:** And that is something you can provide advice and help on, when we get into the thick of it?

**Mr. Clarke:** Absolutely. I would not want you going out there and trying to invent this all by yourselves.

**Trustee Walker:** Our deer have become so habituated, or addicted, to the wonderful smorgasbord, as Jacques puts it, of vegetation we provide them in our gardens, and we do not see them in the woods as much as we see them in our gardens. In fact, they have taken up residence in many people's yards, and three or four generations of deer have been born in those yards.

**Mr. Clarke:** It is the best habitat around.

**Trustee Walker:** So if we set up a station in Hillside Woods, how can we attract the deer from their lush vegetation?

**Mr. Clarke:** Baiting, during a time of year when other food sources are less available.

**Trustee Walker:** So in the winter you bait it. Is it kind of like bread crumbs?

**Mr. Clarke:** Put Hansel and Gretel out there and leave a trail of bread crumbs, see if the deer follow? No, it would be stations where you put piles of corn or whatever bait you decided to use. Corn can be very effective. You would bait for some period of time before your operation started, and you would probably rotate stations, because deer pick up pretty quickly as to, Oh, boy, if I show up here something bad is going to happen. I have seen it happen before. The other thing about baiting is that it makes it a safer situation. We have these designated locations; we can inform people about the locations where we are going to be shooting. We can regulate the human presence at these locations and achieve our goals with respect to deer managements. It is a very controlled environment.

**Trustee Walker:** How smart are deer? Would they learn not to come into Hastings? Would they tell their friends, Do not go there because there are hunters there? Would we find, in fact, that the migration in would slow down? We are hoping the surrounding communities will join us in this effort.

**Mr. Clarke:** That is the best case scenario, absolutely. They do have the ability to learn. They are a fairly intelligent species; obviously nowhere near mammals of higher intelligence, but they can be conditioned. When shooting starts I would not say it is the shooting that dissuades them from using an area. But they can be conditioned to realize that if this is not a safe area that they would avoid that area. Anything can be conditioned. Studies have been done that single cell organisms were conditioned to respond in a particular manner to a particular stimulus. This would be a negative stimuli that you apply to that population. Sure, there would be some level of learning and conditioning that would probably dissuade them from using certain areas. That would be the creativeness in your approach that would allow you to still be effective, even though that learning does occur.

**Trustee Walker:** We understand that it is hard to improve something you cannot measure, and we were looking at the possibility of an infrared flyover to count the number of deer. But it is expensive. Town of Greenburgh could do it for about \$30,000 over the entire Town.

**Mr. Clarke:** Which is what I was going to say: \$30 to \$50 thousand.

**Trustee Walker:** Right. But we think why spend money on that, when we should be spending money on the solution? Are there other ways that we could measure our success rate, for example, numbers of automobile accidents involving deer, rates of Lyme disease,



value of property destroyed by deer?. Have you seen a survey used at the beginning of a process and at the end to measure? We want to make sure that we are effective.

**Mr. Clarke:** I agree. This is a big can of worms to open if you are not going to be effective. The Town of Amherst, there has been a lot of discussion and a number of papers published as to indices like deer/vehicle collisions. You are never going to know exactly how many deer you have. Say you have a thousand deer, and you have a hundred getting hit by cars every year. There have been a lot of studies that suggest that if you do some removals there is always going to be fluctuation in the number of those deer/vehicle collisions, and removing deer is not going to correlate with decreased instances of deer/vehicle collisions. However, my contention is that if you have a thousand deer, and you are hitting a hundred a year, now you have a hundred deer. You are not going to hit a hundred a year. And, if you did, you just solved your problem. Unfortunately, the people that just hit them with their car are paying for it. But I would think it would be safe to say that you are probably not going to hit a hundred a year; you are not going to have 100% mortality. There can be some truth to that. If you do small levels of management, the indices that would reflect changes in impacts would not suggest that there have been any changes in the deer population level. If you do small changes, minor management.

**Mayor Swiderski:** That is not what we are talking about.

**Mr. Clarke:** If you made substantial changes in the population, I would argue that you would see changes in those indices. The Town of Amherst cut their deer/vehicle collisions in half, and I see that as a good thing. There is literature that discusses other indices like deer impacts on vegetation, browse impacts. There are papers that discuss incidents of Lyme disease, long-term studies that have shown that as you lower deer densities that, eventually, you will lower adult tick densities and eventually will lower incidents of Lyme disease. There have also been studies that have looked over the short term that have said that it does not make a difference. But we would argue that this is a long-term thing, not a short-term thing, and that things need time to show themselves in the data sometimes. So I think it can be effective. I could come up with a number of papers that would show indices that would tell you whether you are being effective, or not. What they are thinking of doing in Rockland County, what they did in Westchester County, in some properties is this browse impact survey. Pennsylvania has done it on their state properties. And we are working with our foresters to do it on some of our state properties, where you measure the impact of deer browsing on the vegetation that occurs over winter. You can show correlations between deer densities and that impact on that vegetation. However, if you have, high deer densities, and you remove a tenth of that population, you are probably not going to see drastic changes in the impacts because those impacts are going to fluctuate not only based on fluctuations in deer populations without management, but also based on your methods of measuring those

impacts. There is always going to be some variation. The times that these indices will show you what is actually going on, like I said, is when the differences are large. But the browse impact survey is what we have really taken under wing, because our biggest concern is the ecological impacts that deer have.

**Trustee Walker:** Right. Well, there are a number of indices we could look at.

**Mr. Clarke:** Yes, deer/vehicle collisions are great unless you do not have that many. If you only have 20 a year it might not show up. It depends what that baseline is what changes occur with respect to management.

**Trustee Quinlan:** I think it is fair to say, in Hastings, two square miles, that we need a nuisance permit. I do not think we are going to have open hunting season here. So we can forget about upstate. You say the nearest town to us is Pound Ridge. Well, this is nothing like Pound Ridge. We are very dense. We have somewhere between 8,000 and 9,000 people here, and probably half of them are children. Maybe less children. So we are looking for a nuisance permit. If we apply for a nuisance permit, would you be the person that would either permit or deny that nuisance permit?

**Mr. Clarke:** Yes.

**Trustee Quinlan:** Would you then have to send it to the central office, or do you have control of that?

**Mr. Clarke:** I have total control over that.

**Trustee Quinlan:** Do you have a form for a nuisance permit?

**Mr. Clarke:** There is no formal application process. It is a matter of contacting us, whether you contact myself or one my technicians. Tom Rifaldi, Dave Cree, they are my field people that do the site inspections. They do a lot of the permit issuance themselves. Not all of it has to go through me directly. I do get involved with a lot of it, especially with decisions in situations like this. But you could deal directly with me. I would have no issue with that. We are thinking about going back to a formal application process because of some things I have seen in the three years that I have been with the agency dealing with these permits.

**Trustee Quinlan:** Then we would just send an email or something written.

**Mr. Clarke:** A phone call.

**Trustee Quinlan:** But we would want to have it logged in when you received it. Have you read the Greenburgh deer report for our area? Perused it?

**Mr. Clarke:** Yes.

**Trustee Quinlan:** So you know we are dealing with automobile accidents, dealing with Lyme disease, dealing with gardens.

**Mr. Clarke:** The typical things associated with deer overabundance.

**Trustee Quinlan:** So would the Greenburgh deer report have enough satisfactory statistics for you to come to Hastings, look around, and decide whether we should get a nuisance permit?

**Mr. Clarke:** I think the concern among the people of the Village, and the fact that I am here at a Board of Trustees meeting, is enough.

**Trustee Quinlan:** Good. And do you plan to stay and listen to everyone speak tonight? Hopefully, we can get that done in about an hour.

**Mr. Clarke:** Sure.

**Trustee Quinlan:** Your first method was muzzle loading. I do not own a gun, I do not shoot a gun. But the idea is to kill them as fast and quickly as possible with the least amount of misses. So the muzzle loading I think we can forget.

**Mr. Clarke:** Modern muzzle loaders are very accurate. In situations like this, they can be accurate up to 200, 250 yards. You are talking about up close and personal.

**Trustee Quinlan:** The only reason I said that is because you said it was not that accurate.

**Mr. Clarke:** No, for what you are talking about it would be fine. But why use a primitive firearm that you would have to reload every time you discharge it, when you could use something else.

**Trustee Quinlan:** So what would you suggest in a densely populated area? Shotgun, or rifle?

**Mr. Clarke:** Probably shotgun.

**Trustee Quinlan:** You said that net and bolt had never been used before. If we said in our application that we preferred net and bolt, would that delay the application?

**Mr. Clarke:** Yes.

**Trustee Quinlan:** So if we went with the traditional methods and if we communicated with you in the near future, how long would it take to get a permit?

**Mr. Clarke:** About as long as it took me to print it up after I spoke with you on the phone.

**Trustee Quinlan:** What time of year is the best to kill deer?

**Mr. Clarke:** That is where the ethical and moral issues come in.

**Trustee Quinlan:** I am not asking you about ethical and moral issues. I am saying for the deer, and for the people, what time is the best time of year to kill a deer and be effective.

**Mr. Clarke:** Before reproduction occurs. Winter would be the easiest time to bait them, and it would absolutely be the best time.

**Trustee Quinlan:** We have been told that the number of deer that is healthy for deer is about six per square mile. Is that your understanding?

**Mr. Clarke:** I would argue with that. I would say that you could have 100 deer per square mile and have a healthy deer population. Depends on the carrying capacity of that land.

**Trustee Quinlan:** How about in Hastings-on-Hudson?

**Mr. Clarke:** I would not know. Based on the fact that you are dealing with a renewable resource because of the fact that when deer eat the things they eat we replenish it every year, you can probably sustain deer populations at very high levels and have healthy deer herds. When we are talking about healthy deer herds and biological carrying capacity we are talking about their ability to reproduce. Things like disease can occur at populations of any level. Of course, at higher densities they can spread at faster rates.

**Trustee Quinlan:** But in a suburban community like Hastings, close to the city.

**Mr. Clarke:** You would want to get densities fairly low; probably closer to 10 deer per square mile. But that is not a health of the deer situation, that is an acceptable impact situation.

**Trustee Quinlan:** That is what we are looking for. I wanted to get away from this \$30,000 infrared because if we ended up with 20 or 30 deer in Hastings we would be in pretty good shape.

**Mr. Clarke:** I think it is more beneficial to determine your success based on the indices we spoke of rather than the number of deer per square mile because it is going to be very difficult to measure that.

**Trustee Quinlan:** You said that you would only permit shooters having 500 feet.

**Mr. Clarke:** That is absolutely up to you as the permittee to decide where that is going to occur and whether you want to choose to get permission from private landowners to cooperate and allow you to discharge within 500 feet. We will issue the permit.

**Trustee Quinlan:** When you issue the permit, does the permit say that we cannot shoot deer if there is a private house within 500 feet unless we have that homeowner's permission?

**Mr. Clarke:** Yes, and it explicitly states written permission.

**Trustee Quinlan:** All right. Now, is there any exception to that rule?

**Mr. Clarke:** No, because that is environmental conservation law. It is not something that I can override.

**Mayor Swiderski:** And does it apply to bow and arrow?

**Mr. Clarke:** Everybody.

**Trustee Quinlan:** That is going to be very difficult in Hastings. A football field is 300 feet. Everybody knows what the football field in Reynolds is. We are talking almost twice the length of a football field in a concentric circle. So where are we going to kill the deer in Hastings?

**Mr. Clarke:** You tell me.

**Trustee Quinlan:** You tell me. You are going to issue the permit.

**Mr. Clarke:** But you know the Village better than I do, so you would have to decide where these greenspaces are where we think we could safely do this, where we could obtain

permission from the surrounding landowners, that it would be less of a burden for us. When I say "us," I am speaking of the Village. I would not try to do it someplace that you felt would be a risk.

**Trustee Quinlan:** Let us say we could figure out a couple places and we needed permission of 20 homeowners, and 19 gave it and one did not. Can we shoot them anyway?

**Mr. Clarke:** No.

**Trustee Quinlan:** Unfortunately, I have no further questions.

**Mayor Swiderski:** You said that there would be a delay with net and bolt.

**Mr. Clarke:** That is something that I would want to discuss with the powers that be in the central office.

**Mayor Swiderski:** You want to take a whack at what that delay would be? A number of days, weeks?

**Mr. Clarke:** I would not even want to say, being my first time dealing with any issues like that. I would not want to give you any false hope.

**Mayor Swiderski:** I will say now that we would enjoy you to have that discussion.

**Mr. Clarke:** Okay. If we had those discussion it would probably involve people other than myself, just to let you know.

**Mayor Swiderski:** I understand. But if you took a look at the zoning map I sent you, there is a very small area in the dead center of Hillside Woods that fulfills the requirements laid out by that 500-foot perimeter, before we start asking permission. Hastings is full of residents with all sorts of opinions. I would never want to count on permission.

**Mr. Clarke:** And the question is, with that one space would you affect the population enough that you would address it community-wide.

**Mayor Swiderski:** It is all over. So we need to act, essentially, in every greenspace.

**Mr. Clarke:** I agree with you.

**Mayor Swiderski:** And draw them there, and then do something. And if we have the 500-foot guideline, firearms are out for most of the Village.

**Mr. Clarke:** Yes.

**Trustee Walker:** By the river you only have to worry about half of that radius.

**Mayor Swiderski:** But by the river, other than a couple of deer at Rowley's Bridge, it would have the least effect compared to everywhere else.

**Mr. Clarke:** One of the best things you guys could do would be to pay special attention to the locations where people are calling you from, where the centers of these issues are.

**Mayor Swiderski:** That is the whole Village. It is a pandemic.

**Trustee Jennings:** You have covered a lot of ground. In your experience with using shotguns, which you recommended over rifles, we are talking about an elevated position for professionally trained shooters shooting down at the deer. With that type of operation, have you ever heard of any kind of accident, injury, wounding, fatality?

**Mr. Clarke:** No, and I certainly would tell you if I have. Do not get me wrong, I think rifles could be a very effective tool in this situation. I think what would hold you up is the perceived danger of rifles versus shotguns. I do not think it would be inappropriate to use rifles because of the fact that you would probably be shooting from an elevated position to deer that are brought into a baited location. So it does not matter what the range of the weapon is that you are using, the range of the shot would be limited by the guidelines of the program. So shotgun or rifle would be appropriate in either case.

**Trustee Jennings:** Is there any kind of ammunition that would be lethal to the deer, but have a very short range? So that even a ricochet or anything like that would not be an issue?

**Mr. Clarke:** I want to defer that to Mr. Rifaldi, my technician, who is much more of a firearms expert than I am. I am a bow hunter only, and since we do not get involved as shooters in these programs unfortunately my knowledge of firearms and ammunition is fairly limited.

**Thomas Rifaldi, DEC Bureau of Wildlife:** Where it has been used, buckshot it is called, which is large ball, multiple projectiles, I am not sure if our permit would allow that. Also, I do not believe we could allow rifles within the County of Westchester. Shotgun, yes; not rifles. That could be researched further, but I believe that is true.

**Mr. Clarke:** Buckshot is fired from a shotgun. But instead of the shell containing a number of small BBs it is a few very large BBs. The range is very limited, but close range they can be very effective in killing deer. So based on that, I would say that probably would be a good option. Under a nuisance permit I think I could allow it. I do not see what would restrict me from issuing on a nuisance permit, allowing that to be used. I would probably talk to my wildlife manager about it. I do not want to cross out any options.

**Trustee Jennings:** We have talked about net and bolt, restrain the animal and then kill the animal with a blow to the head, not with firearms. We have ruled out the use of tranquilizers and chemical dart guns and the like for reasons that you explained. Do we have any stunning option other than the chemical? In other words, rubber bullets, which I know they use in some countries for law enforcement purposes. Some kind of a weapon that would not be a danger to surrounding houses or people, but would incapacitate the deer for long enough. A blow to the head could be administered. I ask the question because I am not thrilled with the image I get of the use of nets.

**Mr. Clarke:** Not that I am aware of.

**Village Attorney Stecich:** I am having a hard time picturing the culling event. Does it happen on one afternoon? Does it happen over a week?

**Mr. Clarke:** Whenever you dictate, within the time frame of the permit that is issued.

**Village Attorney Stecich:** But what is a practical time? I do not know that we would be able to, but let us say you found three spots that might work. Then the Village would hire sharpshooters. Do you have a list? Is there a list of sharpshooters?

**Mr. Clarke:** No, we do not. There is a company that people use quite often called White Buffalo. You could do a search and get some information on them.

**Mayor Swiderski:** We have.

**Mr. Clarke:** The Town of Amherst has used their own police force to do this.

**Village Attorney Stecich:** Do they all come one afternoon and shoot, or is a series of times?

**Mr. Clarke:** It is usually multiple days. To really make the impact you want to make it is going to be a number of nights where it would occur. It would probably occur in the evening, when deer are most available.



**Village Attorney Stecich:** And it would probably be one time and that would be it for awhile?

**Mr. Clarke:** I would like to say that, but it would be something that would have to be an annual process.

**Village Attorney Stecich:** That being the case, my concern would be the one that Meg had. So you find the three spots, and those are rare. So you put your bait there and they learn that they are going to get shot there. Then why would they leave the backyard? See, I am safer in the yard.

**Mr. Clarke:** No, that is an excellent question. There are probably some deer that would be inaccessible.

**Village Attorney Stecich:** Do you not have a great answer?

**Mr. Clarke:** That is a tough one. That is one of the tough things about managing deer populations in areas where they are so habituated to people. Backyards are excellent refuges, and they will hole up on those backyards. But you make a resource readily available, a resource that is required for life, food, at a time when food is difficult to come by: you have all seen the videos of how the water buffalo will approach the river with a Nile crocodile because they need water. They have seen other ones get killed and eaten time after time after time, but they need that water. Deer need that food in the winter. It is a life force.

**Village Manager Frobels:** The duration of the permit: one month, two months?

**Mr. Clarke:** It would probably be for the year, and it would be renewed every year.

**Village Manager Frobels:** Any exception to being closer than 500 feet to a school?

**Mr. Clarke:** You absolutely cannot be within 500 feet of a school.

**Village Manager Frobels:** Even with their concurrence.

**Mr. Clarke:** According to environmental conservation law, there is no exception to that.

**Village Manager Frobels:** Our problem is, one of the principal places, Hillside Woods, is close to a school.

**Mr. Clarke:** Yes, I am aware of that. It would require legislation changes.

**Male Voice:** Is that school building, or school property?

**Mr. Clarke:** I believe it is a school building.

**Village Manager Frobel:** Building, not footprint?

**Mr. Clarke:** Yes.

**Trustee Jennings:** Does your permit specify, or limit, what may be done with the carcasses?

**Mr. Clarke:** No. We prefer that they be used for human consumption because it is a resource and we hate to see it wasted. So we put that on the permit as a condition, that we prefer that they be used for human consumption. But if that is not possible, they can be discarded. They can be buried or incinerated.

**Trustee Jennings:** What is the department's position on the safety of eating deer meat?

**Mr. Clarke:** We think that is an excellent idea to use them for human consumption.

**Mayor Swiderski:** So you are not concerned?

**Mr. Clarke:** There have been some papers that addressed the issue of lead in the venison.

**Mayor Swiderski:** We are more worried about chronic wasting disease.

**Mr. Clarke:** No. We have seen that in two deer state-wide, which were deer that were raised, captive deer. They were rehabilitated deer that were being held at a deer farm where deer were being imported from other states that had CWD. The two deer got CWD from those deer, and then were released back into the wild. They were removed from the wild. We have tested maybe upwards of 30,000 deer state-wide since then, and have not found incidence of it since then. It is not a major concern, and we do not even know that it affects humans anyway.

**Trustee Jennings:** Is the disposal a donation?

**Mr. Clarke:** Yes.

**Trustee Jennings:** So that eventually it could be used for human food. Is that something that a company like White Buffalo handle would handle the entire process? Take the carcasses away to the slaughter house and process the meat?

**Mr. Clarke:** In Dutchess County we have made it a condition on our deer nuisance permit that half the deer taken for certain landowners has to be donated. We have a coordinator for Dutchess County who acts as a facilitator for the Venison Donation Coalition, and they will pick deer up. We have the same program through Cornell Cooperative Extension in Orange County.

**Trustee Jennings:** Do we have that in Westchester?

**Mr. Clarke:** It is likely that you could develop that partnership, where they would have somebody pick those deer up. I do not want to speak for them, but it would probably be much easier for them to do so because you would be shooting at certain times, certain days. It is not like on nuisance for farmers, where they could be shooting any time and they could be getting calls any time of day. This would be, we are going to have a handful of deer for you to pick up on Friday, and then next Friday. That would make the process simpler for them. I think it would make it feasible to do.

**Trustee Walker:** This 500-foot radius, is that just residential property owners or any kind of property owners?

**Mr. Clarke:** It is occupied dwellings with regard to the no discharge without permission. Churches and schools, it is not discharge, period.

**Trustee Walker:** Commercial properties, where they may have office use, if you did it on a weekend and nobody was there?

**Mr. Clarke:** There is nothing in the law that would suggest to me that that would not be allowed.

**Trustee Walker:** These elevated platforms. Are talking about constructing a tree house or a platform?

**Mr. Clarke:** No. Typically, they use either climbing stands or portable tree stands, which are easily purchased and can be hung in a short period of time.

**Trustee Walker:** Hang them from a tree?

**Mr. Clarke:** A few minutes, a half-hour, whatever.

**Trustee Walker:** So it is not costly. We are not going to have to build something.

**Mr. Clarke:** No.

**Mayor Swiderski:** And it does not destroy the tree.

**Mr. Clarke:** Right.

**Mayor Swiderski:** Are there limitations about shooting near the Saw Mill River Parkway?

**Mr. Clarke:** You cannot discharge in a manner where there would be negligence involved. A projectile cannot cross a road.

**Mayor Swiderski:** In all cases, we assume the projectiles will be fired downwards from a stand into a baited area.

**Mr. Clarke:** So you can be right next to that road. If somebody were negligent, and fired a projectile that did cross any part of that road, then they would be in violation of the law.

**Mayor Swiderski:** You indicated you had an appointment later on tonight. What are your time restrictions before I open it up to the public to ask you questions?

**Mr. Clarke:** A half-hour?

**Mayor Swiderski:** That is very generous. Here is my request to the public. We are not interested in whether you want culling or not. These are professional questions oriented toward methodology and safety you might have for this individual. I do not want to have this be a part of the public comment.

**Tim Downey, 525 Parkway:** I was going to answer the question Bruce had asked earlier about using a different type of bullet. If it were a rifle, you would reload. You would have special loads loaded down. The standard weapon used for deer hunting in the New York area is a thing called the .35 Marlin, or .30/.30; common guns. What you would do is load those loads down, have a lower powder in them. So you would have a shorter range bullet, shorter range projectile, slower speed. This all has to be factored into the range of the zone you are going to be shooting in.

**Mayor Swiderski:** That is not a question, but it is a useful clarification.

**Ron Paul, 80 Burnside Drive:** I am very concerned about this 500-foot zone. On Burnside I have nine deer living behind my house. Ever since the Burke Estate was destroyed they came back over here, and there is a path that they follow. So I am very concerned about the very limited number of killing zones. This might sound silly, but if we set up on the Burke Estate towards Broadway, which may be more than 500 feet away from the school building, is it possible, almost like bread crumbs, to leave a little bait towards the zone? They go behind the house, and I can tell you exactly where they go. I do not know if that works. It works for birds, I think, but I don't know if it will work with deer.

**Mr. Clarke:** That is a good question: lure them in with a trail of bread crumbs. I think that could be effective. Deer are very social animals, by nature. They are gregarious, they live in family units. Those family units can be quite large. Putting out a number of bait stations even within a single property, where you decide you might want to shoot, to habituate them to the fact that there is food available, and let them get used to that and roam around and probe around a little, until they find that bait station where the shooting is going to occur, would probably be the most effective way to do it. But being that they are as social as they are, it is likely that once the deer become knowledgeable of the existence of these bait piles that they will focus on it very quickly.

**John Gonder, 153 James Street:** Mr. Clarke had mentioned about the 500-foot limit, which is going to exclude almost 90%, except maybe Hillside. I am wondering if there is another alternative such as a big cage to trap one or two at a time, and then bang them off. I understand that in Africa they trap all kinds of animals and they do it very successfully. It would be much safer.

**Mr. Clarke:** And euthanize on an individual basis.

**Mr. Gonder:** Yes.

**Mr. Clarke:** I think it would be less effective and more costly with regard to the resources that would be involved, the personnel, the time. But I do not want to rule anything out.

**Mayor Swiderski:** Has anyone done that?

**Mr. Clarke:** Not that I am aware of. They may have, though, in other states.

**Charlotte Fahn, 155 Edgar's Lane:** We are talking as though we could go it alone. We are two miles square. But in the event that no other community contiguous or nearby were to take the same course we might decide on, to what degree could this be effective? They seem

very mobile and they use, I assume, the north-south corridors. I did not see any mention in the report of Yonkers, but I have seen herds of deer in the northwest parks and green spaces there. Is it a waste for us to go it alone? It seems like they could just move in.

**Mr. Clarke:** Absolutely, immigration can occur from surrounding areas where no management occurs. The one benefit to doing this is that you would be on the leading edge of management, and the hope is that other communities would follow that lead. It would be a shame to not do it because we think it might not be effective because this might occur. You have to start somewhere.

**Mayor Swiderski:** At 7:30 p.m. today I spoke before the Dobbs Ferry Board on this topic. They seemed unanimously inclined to follow our lead and will join us. I will be speaking before Irvington and Greenburgh tomorrow. I am less confident there. In Yonkers, I spoke to Chuck Lesnick, and he indicated there was no interest.

**Mr. Clarke:** Quite often, with issues like this, people like to play the wait-and-see policy.

**Suzanne Pace, 71 Overlook Drive:** I was wondering if salt would be a resource that they would come to when they would have come to come out of our backyards into the one or two killing zones that we could establish. You can tell from our questions we are not a hunting community. I wonder if you could clarify the kill rate per shot. My assumption is no bullets go astray, that they wind up in a deer most of the time.

**Mr. Clarke:** With regard to salt, it can be extremely effective. Times where we have captured deer for studies, where we have collared them up in the Adirondacks, salt is the number one lure that we use. It is critical for them at certain times of the year, late winter being that time of year. It is amazing how they can find salt. I do not understand it sometimes myself. With regard to the success rates and the possibility of stray bullets, I do not have any information on that handy. I do not know if the communities where they have done it have published that kind of material. It is an excellent question, how many shots were taken and how many deer were killed for every one of those shots. I could look into it and get back to the Boardmembers. I would assume, based on the range that shots are taken, and the weapons that are selected, that success is extremely high. I would think it would be somewhere close to 100%.

**Mayor Swiderski:** Jacques is one of the co-authors of the deer report.

**Dr. Jacques Padawer, 170 Villard Avenue:** I appreciate your coming and talking to us about all this. I have several questions, based on what you have said. Let us take the idea of the darts. You mentioned the need of a veterinarian. I think this is based on the idea that it is

just going to tranquilize the deer to let him wake up and walk away afterwards. If we were to give it an overdose, which definitely would kill it, would you still want to have a veterinarian in the area?

**Mr. Clarke:** Absolutely. It is the veterinarians that dispense the drugs. They have the authority to dispense the drug so it is not our decision. It is like getting a prescription for the drugs.

**Mayor Swiderski:** But do they have to be present on-site?

**Mr. Clarke:** No, they do not have to be present on-site. But whether it is chemical immobilization and then allowing them to wake up because you are doing a study, or it is chemical immobilization and euthanasia, the rules that apply to the drugs are the rules.

**Dr. Padawer:** You mentioned the question of 500 feet. I have seen in the literature reports that they can use a rifle with a short range, with a powerful optical thing so that they can hit the deer very easily. So we could do that with less than 500 feet. Right?

**Mr. Clarke:** Yes.

**Dr. Padawer:** The topography of Hastings is rather hilly. In my backyard there is a hill that goes quite high before the next house, so that even if you shot straight up you would have a backstop. We would not need 500 feet for that, would we?

**Mr. Clarke:** The legal issue, you would still have to have 500 feet. But it would make it a safer scenario.

**Dr. Padawer:** But you could get over the legal problem.

**Mr. Clarke:** No, you could not get over the legal requirements. The legal requirements are the legal requirements, and do not change just because of individual scenarios. There is no gray; it is black and white.

**Dr. Padawer:** The DEC obviously has a mission which is, if I may quote your own literature, to increase the deer asset to the maximum possible before you get too much backlash from the population at large. Are you aware that you reached that stage about 10 years ago in Hastings?

**Mr. Clarke:** That is not how we manage deer. The way we manage deer in New York State is based on input from the public, people like everybody in this room, the stakeholders that

are involved with deer population management. We have a process that is called the Citizen Task Force. Every time we do our deer permit allocation, or deer management permits; those allocations are based on a buck take objective. Buck take we use as an index, like we were speaking of earlier, as to what the population is doing. The buck take goes up, you can assume the population is increasing; buck take goes down you can assume it is decreasing, barring other factors. Because that is what hunters target, so that is what reflects what the population is doing, their availability.

That buck take objective is set by the Citizen Task Force. We try to hold them every five years for each of our wildlife management units. It is people who have a stake in what the deer population is doing in their wildlife management unit. The Citizen Task Force is made up of usually one or two hunters, three or four farmers, homeowners, and all sorts of property owners. Sometimes there is even law enforcement involved. Usually hunters are far outweighed in Citizen Task Force process. Typically what I have seen since I have been here is these buck take objectives are very low compared to what habitats could hold. A typical buck take objective in my region is three bucks harvested per square mile, which loosely translates to something less than 30 deer per square mile in the living population, which is far less than what most habitats in Region 3 and anywhere in New York State, except the Catskills and the Adirondacks, could hold.

The last thing we want to do is manage for lots of deer. In fact, Wildlife Management Unit 3-S is one of two units in my region where there is no buck take objective set. The reason for that is we want to allow for the maximum harvest of deer. So you look at the harvest data over a period of time and you will see that that buck take continues to decline because of the fact that we are so liberal with deer management permits and every other way of harvesting deer. The last thing we want to do is promote populations that would be a detriment to ecosystems and society as a whole. So that is absolutely not how we manage deer. We manage deer based on what the people in New York State want.

**Dr. Padawer:** Yes. But you know, obviously, as a biologist, one buck can inseminate a lot of does.

**Mr. Clarke:** True, but it is usually one per lifetime.

**Dr. Padawer:** Therefore, your buck take is a joke. As long as you have one buck you will still have a lot of babies. In my yard, I have a lot of females that are destroying everything that grows. I am not interested in the bucks because there are very few of them around. So I would like to have the ability to destroy the female and the babies, if necessary, to reduce the population seriously. Again, you talk about a take, you talk about a harvest. You are looking at the deer as a community. In fact, the DEC calls them an asset.



**Mr. Clarke:** I have not heard that term.

**Dr. Padawer:** I have seen it in writing. I think it is an asset for you in the hunting country. Hastings is not hunting country, and here they are a liability, not an asset. I do not understand why you would need the same rules as in hunting country.

**Mayor Swiderski:** Jacques, this is a question period. We understand the point.

**Mr. Clarke:** I understand the point, but I am not sure what the DEC is doing to prohibit communities from managing their deer herds effectively. Nothing through our hunting program. Deer are a resource. I have never heard them called an asset, but they are absolutely a resource. We do not want no deer. That is never a scenario. But there is a place for deer, and there are communities that want fewer deer. The last thing I want to do is prohibit communities from achieving their goals, so that is all I am going to say about that.

**Joe Spinozzi, 31 Farragut Avenue:** We talked t about using rifles and projectiles and various elements that would probably cost the community and the town a significant amount of dollars to have controlled hunts. In your professional opinion, as a biologist and as a bow hunter, how about bow hunting as a means of culling the herd with controlled, precision shooters as well as folks that pass proficiency tests much like the ones done on the Rockefeller Estate and Landon Farms and at Muscote Reservation?

**Mr. Clarke:** We are proponents of bow hunting. We are proponents of hunting in general. Any time we can see new properties get opened up to hunting is providing opportunity to the public. I think it is a great thing, but it up to the Board and to the municipalities to decide whether that is something that can feasibly happen.

**Mayor Swiderski:** But it is allowed.

**Mr. Clarke:** It is allowed, sure, and it is an option. It is just can that option be done legally and can it be done safely. We would always argue yes. We always argue that hunting is an extremely safe outdoor recreational activity, and bowhunting in general even more so.

**Mr. Spinozzi:** A bullet could pass through a deer onto a different target or ricochet, whereas an arrow has a downward projection and is going to end where it ultimately strikes.

**Ms. Frankel:** Does your answer mean that if this Board passes the decision that hunting with a bow and arrow is allowed in Hastings-on-Hudson that individual homeowners could then purchase a permit for hunting in our own backyard?

**Mr. Clarke:** Yes.

**Mayor Swiderski:** Yes, but within the restrictions.

**Mr. Clarke:** Of the regulations and laws, both state and local.

**Mayor Swiderski:** What we do here will be controlled and run by the Village. We will not do a general call for hunters out to the world. I have heard the term “professional hunters” thrown around. Is there a designation, or a licensing, or anything that designates an individual a professional?

**Mr. Clarke:** No, not in New York. There is a license that designates somebody as a professional guide, but not a professional hunter.

**Elisa Zazzara, 68 Southside Avenue:** It seems that the 500-foot regulation puts Hastings, particularly, in a catch-22. Are there means by which we could try and change that?

**Mr. Clarke:** Legislation.

**Mayor Swiderski:** Which will not happen in any meaningful time frame.

**Ms. Zazzara:** And there is no hardship, or we use this rule then we cannot manage deer in this community at all. We are not there.

**Mayor Swiderski:** That is why the net and bolt is attractive because since there are no flying bullets it would not apply to that rule. That is why we would want them to examine it.

**Ms. Zazzara:** So the net and bolt does not have a firearm.

**Mayor Swiderski:** It does not involve firearms.

**Ms. Zazzara:** So there is no 500-foot radius.

**Ron Cascone, 33 Terrace Avenue:** I have been seeing one to ten deer in the half-mile I drive back and forth to work every day and the walk I give my dog every day. I have seen two and three Bambies, spotted baby deer.

**Mr. Clarke:** Fawns.

**Mr. Cascone:** Fawns at a time together. Is that unusual?

**Mr. Clarke:** No, that is not unusual. That just means that the population is likely far below what the carrying capacity is. So productivity is fairly high, then, if you have seen triplets.

**Mr. Cascone:** Is this why it is too high?

**Mr. Clarke:** I would not say too high, but the deer are well below what the population could be. When it approaches that carrying capacity, productivity declines. And then you would be less likely to see triplets born into a population. Your average fawn per female declines.

**Mr. Cascone:** So if we thin the herd?

**Mr. Clarke:** Productivity could increase slightly, but not to the point where you would be overrun by deer like some people have suggested.

**Mr. Cascone:** I think we are overrun by deer, just anecdotally, that number of deer of increase. But the multiple births also seem to have increased, and it is kind of a conundrum to me as to how that occurs.

**Mr. Clarke:** You could lower the deer population and productivity might not increase. It would be difficult for me to explain to the crowd here the theory of "density dependence." But there are times below carrying capacity where you could lower the herd and productivity would decline. There are times below carrying capacity where you could lower the herd and productivity would increase. It depends where you are with the carrying capacity. When you are at about 60% of carrying capacity that is your optimal productivity. So if you are between 60 and 100% of carrying capacity, your carrying capacity is 100 deer and you have 100 deer, if you lower that population to 70 deer, productivity will probably increase slightly. If you lowered it to 20 deer productivity is decreased because you have fewer deer available to bear offspring. So even though the birth rate per deer might increase, you have far fewer deer to reproduce and your actual net productivity will decline.

**Mr. Cascone:** What about opportunism about the food supply? We are seeing, anecdotally again, my neighbors and I, the deer eating things they had not been eating before. So the food supply has expanded geometrically from what it was before because they were not eating these things.

**Mr. Clarke:** Right. But that theory of density dependence still holds true. There is still some carrying capacity somewhere, although I will admit that those numbers are probably astronomical compared to what you are seeing currently.

**Mr. Cascone:** So they would be eating every single hosta in Hastings.

**Mr. Clarke:** Oh, they love hostas.

**Trustee Quinlan:** Peter asked you a question about net and bolt. Was your answer that because it does not involve firearms there would not be the 500 feet?

**Mr. Clarke:** As far as I am aware, yes.

**Trustee Quinlan:** And would you still be making that decision?

**Mr. Clarke:** That would probably be myself, as well as people in the central office. I would call upon the other deer biologists, or deer team coordinator in Albany, as well as some of the people in the Bureau of Wildlife in Albany.

**Trustee Quinlan:** Can you think of any objections to that method?

**Mr. Clarke:** No, not offhand.

**Mayor Swiderski:** Since you said you would leave at 9:30, I would like at least a show of hands to give you a sense of where the public here is. [Almost all hands raised in support] A deer cull.

**Samantha Curtis, 38 Ridge Street:** There are different ways of doing that. He was talking about shooting the deer and allowing people in their property to do it. Hastings is filled with rock, so I think that is something that we should be concerned with.

**Mayor Swiderski:** We addressed that by saying the 500 foot radius would apply. We are not going to have homeowners opening fire on deer in their backyard. That is definitely not happening.

Thank you very much for coming to our village. Maybe this gave you an idea of where we stand. I suspect you have been at meetings where the population was more mixed in sentiment.

**Mr. Clarke:** I appreciate you having me, and keep in touch. I will be there for the process. I assume I will be at more of these meetings in the future, too, in other towns across my region.

**Mayor Swiderski:** I want to address the resolution on the fire truck before we head back to public comment; it does service to the gentlemen in the back who have done a huge amount of work on this and who I hesitate to hold any longer.

#### **48:09 AWARD OF BID FIRE LADDER TRUCK**

**Mayor Swiderski:** Standing before you are four of the hardest-working volunteers in the Village, our fire chiefs. With the amount of work that goes into selecting a truck, we are fortunate to have our firemen do the spec-ing and bidding. Typically, it is a \$20,000 contract you pay for the specification and bidding process. It is an enormously complicated piece of work. The spec documents are inches thick and the selection process goes on for years, including site visits all over the country, in some cases, to see similar rigs. We are enormously fortunate and lucky to have in this Village people who do this for us on a voluntary basis. You toss around the term “heroes.” We are lucky we have a force like this. I wanted to acknowledge the absurd amount of time this took because I think that is probably the only fair word for what this involves.

We are now at the point where we are going to vote on a resolution involving award of the bid. Chief, would you like to approach and tell us what we are buying?

**Chief Gagliardi:** I am the chief of the Hastings fire department, and I thank you for the words you just gave all of our members. We really appreciate that, that you appreciate us.

The rig committee for the hook and ladder was approximately 10 members, and they put in quite a bit of time. They started this in 2004. We are replacing a 1985 and, as you mentioned, the books on these specs are 300, 400 pages. It is not like buying a car. Every piece of that apparatus has a serial number, and it is quite a process. The fire department would like to thank you for your patience because we did have some problems along the way. But everything did work out.

**Village Manager Frobel:** This is the second time we have been out for this vehicle. Certainly time well spent. We have already received authorization from the Board for borrowing of the money, although we have not executed that yet. I would add that there are going to be some additional expenses attributed to this purchase once the truck is delivered. Some equipment will have to be placed on it so the true cost will be a little higher than this resolution reflects.

**Trustee Walker:** A question about the cost relative to what we had budgeted. How does that look?

**Village Manager Frobel:** We received four bids. The high bid was \$1,203,000, which was beyond the \$1 million which was authorized. The other three were much closer. There was about an 8% differential between them, so the other three bidders understood the product and what we were looking for. You have heard from the chiefs over the course of the few months we have discussed this, and the price of the product has gone up considerably since we began this process. But I am satisfied that it is a fair price and it meets our specifications.

**Trustee Jennings:** Can we get "Cash for Clunkers" for our '85?

**Chief Gagliardi:** Actually, I would like to comment on that. At this time, it is not a good market for used apparatus. We have a couple of other pieces of apparatus that we have been working hard to get rid of. There is no market for used fire apparatus, but we are still trying.

**Trustee Walker:** Can they be recycled into other kinds of products?

**Chief Gagliardi:** As a last resort, maybe something for a junkyard.

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

**WHEREAS,** a request for bids for a fire ladder truck was advertised as required by law, and

**WHEREAS,** bids from four bidders were opened at the Municipal Building on July 13, 2009, now therefore be it

**RESOLVED ,** that the Mayor and Board of Trustees award the bid for the fire ladder truck to KME Fire Apparatus, Newquehonig, PA, in the amount of \$896,128.00 to be paid from bond proceeds.

**ROLL CALL VOTE**

**AYE**

**NAY**

Trustee Bruce Jennings

X

Trustee Jeremiah Quinlan

X

Trustee Meg Walker

X

Mayor Peter Swiderski

X

**Mayor Swiderski:** We are going to resume the public discussion on the deer issue. I think we know where the majority of the sentiment in the room is, but I am sure there are other facets of the issue people would like to bring up.

**Fred Olsson, 3 Glenwood Avenue:** I am disappointed that we think killing the deer is going to solve the problem in this town. I believe that if you killed all the deer in Hastings you would still have a problem. Certainly, it will be very expensive and questionable whether you will be successful. The deer do not respect town borders. Unless all the towns in this area do the thing that you intend to do you will not solve the problem. There are hundreds of thousands of acres in the northeastern part of our country. I was up visiting someone about 300 miles north of New York, and their deer problem is absolutely horrendous like it is here. My wife has replanted our front yard garden, and it is beautiful. Not one plant in that garden will be eaten by the deer. So you can do it, you can plant things, if that is all people are worried about.

We visited up above the Arctic Circle to a town called Hammerfest. It is the northernmost city in the world, part of Norway. The Laps own all of the reindeer. It is a serious crime to kill a deer in Lapland or in northern Norway. We were driving to North Cape from Hammerfest, and we came to a place where there was a tunnel through a mountain, and we could not get through because it was crowded with reindeer. We had to wait until they got out of the way. They have learned to coexist. If we are worried about our gardens to the extent that we have to kill the deer, to me it is very sad. It is an awful thing to do, for the children to see. It seems like the people want it done because they have their concerns about deer. I think you can coexist with the deer. And I do not think you will solve the problem by killing every deer in Hastings. They will come to Hastings again. They will come, they will never stop coming. It is because we have destroyed their habitat, we have taken away their natural predators. I am not saying we should have 10,000 deer in Hastings, but I do not think that would happen in any case. There are other ways to handle it. The idea of shooting the deer is horrendous. It is dangerous. Surely somebody will be killed. Five hundred feet is nothing for a rifle. I used to shoot an M-1 and it took trees down 200 yards away. I just cannot believe that you are considering shooting within 500 feet. It is an awful mistake.

**Mark Laufmon, 65 Lefurgy Avenue:** My concerns have never been about the gardening, but my son was stricken with Lyme disease this summer and was hospitalized, and has some severe complications. We are very grateful that it was not more serious. He could have been facing hip replacement, at 13 years old, and Lyme disease caused it. I am concerned about the safety. I think the 500 foot limit is going to narrow what we can do, and perhaps the net and bolt is going to be the only solution that we have. But something has to be done, and it is particularly difficult for me to face this because I have been a vegetarian since 1981, yet I am very concerned about the safety of my children and anyone else that is walking around the long grass areas that are facing getting Lyme disease.

**Carolyn Summers, 63 Ferndale Drive:** I understand the issues about health and totally agree with the issues. But that is not my reason. I have a fenced garden, and I have those

little things that make noises and I have people come and spray. I have a garden that looks relatively decent, although they still come in and browse a little bit. I am not here to protect my garden. I am here to protect Hillside Woods. The woods are getting completely devastated. There is no regeneration at all. It is too bad that the guys in the DEC could not spend some time walking in the woods. If they think that there is carrying capacity left in those woods they are out of their minds. There is nothing but ferns and a few straggly grasses. The only trees that are still young are saplings that grew high enough maybe five or six years ago so that they are away from the browse line. And there is nothing smaller than an inch or two caliper in there that has not been destroyed. If the saplings get gored by their horns, which they do when they shed their velvet every year, those saplings, too, will die. And pretty soon we will have a very dying forest on our hands. So I am really here for Hillside Woods. The other issue, aside from the plants and the beautiful wildflowers that we do not have anymore, are the birds and all of the other creatures that need some kind of shrub or ground layer to survive. Otherwise, they do not have any habitat to live in and it just becomes a place for deer and dogs.

**Mr. Gonder:** I know it is a tough thing for the Board to make some kind of decision. After hearing the DEC, I see you are going to have a lot of problems. But maybe the bow and arrow for people like myself, six times a day I am chasing deer out of my yard five or six at a time. Some of the things I am doing are probably illegal. They come back again in 15, 20 minutes. They love acorns and those oaks from Pulvers Woods drop into my yard. They just keep coming back. There are six droppings every day I have to clean up. If you do not do something about it I am going to come down in February and look for a tax reduction because it has cost me thousands of dollars. They go right through the netting so I put up a double fence. They still get in. It is very discouraging. I have lived in this village close to 76 years. There were deer in Mount Hope Cemetery and in St. Andrew's golf course. Maybe you would see one every three years, if you were lucky. The dog packs could run loose, and they would get after the young deer and catch the little fawns. That kept the population down. But in the last 12, 15 years they came across Saw Mill River into Hastings, and they double and double and double. I see 12 in a little place that is less than four acres. I hope you do something soon. I know it is a tough job.

**Joshua Dorski, 142 Lincoln Avenue:** I wanted to address my neighbor, Mr. Olsson. I have planted my garden with deer-resistant plants and I do the best I can, but for me this is all about Lyme disease and the danger that we all face, especially our children. I do not know if that experiment that was done a couple of years ago by Hillside was mentioned in the hearings today. Some group tested the number of deer ticks that are at Hillside in a particular area. They put a drape down and they counted the number of ticks. As I remember, a third of the ticks were infected with the bacteria that cause Lyme disease. This is what our children are playing in when they go to school. I happen to have had Lyme disease. It was



caught early. But Lyme disease can cause very serious neurological disorders, it can cause seizures, it can be crippling in terms of arthritis and cardiac defects. For me, that is what this is all about. And number two, it is about the risk of car accidents. It is only a matter of time before someone in our community is seriously hurt in a car accident, perhaps killed, and that is what this is all about.

**Dr. Padawer:** The DEC has an axe to grind, obviously. I can show you on the computer where they state in their literature that, indeed, the deer asset has to be increased because the state gets so much money and the DEC gets partial support from it. So there is a conflict of interest in a major way here. The point about regeneration of Hillside Woods is very well taken. Trees grow straight up, but like all plants if you cut the top of them early they branch out. Instead of a tree with a nice trunk you end up with a bush which is low enough for the deer to browse on. If we destroy that, between storms and between aging, give us a couple decades or more and we will not have a tree left in the area. We depend on trees in many more ways than anybody realizes in terms of ecology. The DEC guy does not talk ecology. He forgets it. But yet, we need those other animals to be protected because they also get ticks on them. If a mouse gets 30 ticks on it, and an owl gets it in the night, that is 30 ticks that are disappearing. The same thing is true with several other of these other animals in the forest, including birds. So we have a system which is kept in balance. Wherever they have eliminated the deer within two years they have eliminated Lyme disease. Lyme disease is everything that has been said and much more.

We are talking about three or four different things here: the ecology, the health issue, and the road hazard. To look at a piece of it and say that is okay, that does not answer the whole question. We have to address all of these things at once, absolutely. The health department in our area is derelict, in that it does not want to do anything about it as a health problem. It does not ask for reporting of these diseases for publication every year. Maybe the Board can push to get that done so people will realize how much we have. They talk about Lyme disease. They did not talk about the six or seven other diseases the ticks can give you. I just hope you have the guts to do something about it.

**Mayor Swiderski:** I hope you give us the credit for that because we try.

**Dr. Padawer:** I do give you the credit for that. I am proud to live in Hastings, particularly if we are going to be in the forefront of doing something and stir the other villages to cooperate with us to do something that is absolutely essential.

**Mayor Swiderski:** I will mention what we are doing next so there is a sense of the timeline here. What we will be doing is gathering information. We have about nine volunteers who will be helping us on further research and options. Clearly, the man from Fish & Wildlife

has offered his services. Over the course of the next few weeks we hope to come up preferred options. At that point we are likely to have a working group discussion, where the Board will go over a plan of action. Out of that will come a proposal, we will have one more public meeting, and then we will begin the RFP process. I have extended to the other villages an offer to participate in both the RFP process and the volunteer working groups so that if there are citizens in the other villages who want to help out on this they are welcome to do so. I think we are going to have at least one other community joining us, and possibly more than that. And I think everybody here on the Board is committed to action. n action plan, and then another round of public comment.

## **BOARD DISCUSSION AND COMMENTS**

### **1. Graham School On-Site Improvements**

**Lucia Chiochio, Cuddy Feder & Worby:** I am here on behalf of the Greenburgh-Graham Union Free School District to give an overview of some on-site improvements the school is planning. I am joined by Jim Ryan of John Meyer Consulting, the project engineer; Deborah Gans of Gans Studios, the architect for the project; and representatives from the school. I will start by giving you a discussion of the permitting procedures for this type of project, and then I will turn it over to Mr. Ryan to discuss what the plan is for the school.

The Greenburgh-Graham Union Free School District is a Special Act School District established by the state legislature in 1967. Any construction project or renovations to buildings are under the authority of the state Education Department Office of Facilities Planning. The state will be issuing the building permit and the certificates of occupancy. However, we do have to comply with SEQRA. As part of the SEQRA process, the Village would have an advisory role. You would be an interested agency and would get a copy of drawings and so forth for the plan. In addition, the Village has direct approval authority on the stormwater management plan, and that is pursuant to DEC regulations. I will now turn it over to Jim Ryan, and have him discuss the plan.

**James Ryan, John Meyer Consulting:** We are doing a great deal of work on this property, and I will take you through it. There are issues of stormwater which are near and dear because of some of the recent storms we have had. We see an opportunity to deal with not only that issue, but a number of health safety issues. You fire department and police department serve this property, so we are making a number of improvements that are going to help. We are involving the fire department and Mr. Sharma in discussions on issues such as circulation, fire safety, location of infrastructure improvement such as fire hydrants. The expansion will include a new auditorium and a connection between that and the existing school. We are looking at new construction along South Broadway. It is a cafeteria and will

have some educational opportunities within a new facility. We have opportunities for an enclosed pool and renovations of the existing gym. We are looking at new construction for housing. A technology center is also planned. We are dealing with issues of vehicular accessibility. Right now it is less than optimum in terms of fire trucks. So we are looking at a renovation of that road system, a design that is intended to accommodate the new vehicle and other vehicles that would service this property. We are also looking at improvements that deal with handicapped accessibility meeting current ADA requirements. Much of the property does not at this point.

Only this portion of the property actually attenuates the stormwater flows off the impervious surfaces of the property. Consequently, you have discharges and point discharges that have impacted in recent times some of the areas along the Old Croton Aqueduct. We are working with Mr. Sharma about those issues. Because your village will have a responsibility under the SPEDES requirements of the stormwater permit for the property, we want the Village staff to be an active participant in looking at what we are doing and trying to offset impacts of new development. The sanitary sewer system in some cases is as old as the original development of the property, and there are still some cross-connections between the sanitary sewer system and the storm system, although minimal. We are going to make sure that all of those are taken care of as part of this upgrade. The water system is a long dead end system. We are looking at dealing with a loop system for enhancement of the fire protection ability on the property, and general safety in terms of hydrant locations. Again, we are interacting with the Village on that because we know it is an important aspect of a service that the Village provides to this property.

We are always dealing with security and bringing this up to a current standard both from an IT standpoint and a general security standpoint. We are going to upgrade all of that when we upgrade the roadways to facilitate it and make it more modern, make it function more properly. Generally, the plan is to deal with this in a comprehensive fashion. There has been some limited construction on this property over the years. This is a master plan that we are just beginning to process with the state Department of Education. We filed some initial notices as part of that process, and we are about to engage in the SEQRA process. We believe it was important to come to the Village to give you an overview, let you know that we are here and that we are available should other comments and questions come up. We will have a constant interaction with your staff.

**Trustee Quinlan:** How long is it going to take to get the required permits from the state?

**Mr. Ryan:** We are probably looking for some initial permits early on because there are some things that they would like to start on. We are probably looking at nine months to a year for the first permit to be issued for the property, hopefully sooner. Again, we are not

looking at doing this all at once because, programmatically, that is near impossible. We have to function as a school. And also funding: funding comes from the state, and they have a backlog right now. There is also some private funding involved.

**Trustee Quinlan:** It appears to me that there are at least seven rather large new buildings and two smaller ones. They seem large compared to what is there. And then two rather large buildings on the east portion against Broadway. What is the time frame for those large buildings? That is what concerns me most.

**Mr. Ryan:** The drawing may be a little confusing. These are, in fact, new dormitory buildings here. Those are new. There are existing buildings here.

**Trustee Quinlan:** So you are going to rip them down?

**Mr. Ryan:** Yes, but we are going to do that incrementally because we have to continue the operations here. This is not a new building. This is renovation of an existing building here.

**Trustee Quinlan:** It will not get any bigger?

**Mr. Ryan:** It will not get any bigger.

**Mr. Ryan:** The cafeteria building and the technology center are new. A number of these interior buildings are going to go through a modernization renovation process, as well.

**Trustee Quinlan:** Do you see any time frame for not the renovation, but for the demolition of the old buildings and the building of the new buildings?

**Mr. Ryan:** Again, we are in a very preliminary assessment. But we are looking at renovations of some of the interior buildings first so we have flex space to relocate certain operations into and some students into. So mostly, the activities will be initially on renovation. And then, hopefully, construction of at least one of the dormitory buildings. I believe these are planned right now, but always subject to change in later phases of the construction.

**Trustee Quinlan:** How about the general population of the people that are there? I would assume most of them are in foster care. Would that be correct? Some are placed there through the juvenile courts. Could you give me an of the numbers, and where the children come from that are placed there?

**Gerry Leventhal, Director:** I am the director of that program. Our kids are Committee on Special Education-referred, about 40. There are about 90 adjudicated kids.

**Trustee Quinlan:** Adjudicated, you mean juvenile delinquents.

**Mr. Leventhal:** A lot of PINS – Persons in Need of Supervision. We look very closely at what they are charged with and what their behavior is. The other 40 is foster care. We assume the trend will be more foster care. Our capacity is 165, but we see the number of foster care kids trending up.

**Village Manager Frobel:** Is your plan to increase the enrollment by increasing the physical plant?

**Mr. Leventhal:** No plan on increasing capacity at all.

**Trustee Jennings:** Under the interested agency advisory part of this, are you going to be working with our Planning Board or with the Board of Trustees?

**Ms. Chiochio:** You would be interested agency so we would be providing the SEQRA information to both the Village Board and the Planning Board and taking advisory comments.

**Trustee Quinlan:** So we give you written comments?

**Ms. Chiochio:** Correct. This is just the start of the process. As Jim mentioned, he has already met with Mr. Sharma and the fire department. We are here tonight, and will continue this dialogue with the Village.

**Trustee Jennings:** We do have more of a role in the stormwater management aspects of your plan which I am very excited about. I do not know that much about it technically, but it seems like you are taking it very seriously. I see several facilities that are underground storm management things on your plan. I see a swale. I see one building with a green roof, which I assume means you are going to be able to grow vegetables on the roof. That is great. You capture more water, it cuts down on the runoff. Could you describe the approach you are taking. Is it state of the art? What is innovative? What is exciting to you about this?

**Mr. Ryan:** What is exciting to us, first of all, there is a lack of stormwater management on the property, so there is little opportunity for infiltration on the property, which is an eco-friendly way of disposing of some of the water or, at minimum, slowing that water down. You have very steep terrain in the back portion of the property. Unattenuated, it is creating a

lot of impacts on the slopes from the back of the property and off to the north slightly. We are breaking down the sub-areas of impervious area both in the buildings and in the parking areas. We are treating and discharging, but discharging via either level spreaders or other stormwater management techniques. These are infiltration swales. We have bioretention areas, which means we are allowing the water to infiltrate and naturally overflow so it does not create discharges. The issue from an engineering perspective is that all the water essentially funnels down into two locations, and then it runs down as if a stream were taking that. Now we are breaking it up into the sub-areas. We are going to have an attenuated volume discharge from the property through a wider discharge point. Mr. Sharma has been able to pinpoint where a lot of the problem areas are. We are trying to address those early; maybe even before some of the work on the infrastructure improvement. Eco-friendly aspects do include the green roofs and, again, low depressions; trying to curb and catch all of this water, allowing some of it sheet off into areas where it can naturally infiltrate. There are a lot of techniques we are trying to employ. All are going to have a net benefit impact on what happens downstream. Often people never see what they have created downstream. But we know, for a fact, there are some impacts down there that we can help with.

**Trustee Jennings:** So despite the fact you are putting up some new buildings, the property as a whole is going to be in much better condition hydrologically speaking than it is now, or has been in the past.

**Mr. Ryan:** I will point out one large area. This is a subsurface stormwater management facility. There is an existing pool in this location. This area is a natural for allowing water to feed in and infiltrate through the subsurface. Right now a lot of that water is running off the roadways so we are going to capture it. But that area here does not become unusable. We are not creating a pond. It is just a low area that will allow, during certain rainfall events, to capture and infiltrate. This is usable for playground area, it is usable for other activities. That is using the new technology to our advantage, as well.

**Trustee Jennings:** I hope you set the bar high, and serve as a model for future developers.

**Trustee Walker:** I do very much appreciate the time and effort that is going into stormwater management on this site. I walk the Aqueduct frequently and look up at the steep slopes, so I have an understanding of the issues. One of them I wanted to ask you about is the extremely steep slope that extends between the parking lot and the driveway. It looks from the vantage point of the Aqueduct that it was a manmade slope when they created the parking lot. It does not look very stable. Could any stabilization be done? Attenuating the runoff will certainly help in terms of erosion or the possibility of destabilizing that slope, but is there any thought given to how that slope could be either revegetated or re-graded?

**Mr. Ryan:** One of the benefits in this particular area, because all the water flows off to this very steep slope, we have a rather long bioretention facility. The advantage of that is you can plant those bioretention areas. They are nothing more than a depression with some good infiltration capacity. We are also looking at some attenuation along the edge of the slope. Again, you can do infiltration swales, a number of techniques there. We are paying attention particularly to this area here, through some of the stormwater measures we are doing, and redirecting some of the water back to an infiltration area here so we have less rate of runoff. We have added a very steep slope. I do not know if you have seen that along the Aqueduct. It is very steep here, as well. And we have a split system of attenuation. These little boxes here are underground infiltration systems. Rather than the old way of thinking let us collect it all in one large area and then we will regulate the flow coming off the property, we do not try to do that anymore. It is divide and conquer now. That is certainly going to help the slopes.

**Trustee Walker:** Revegetation of that slope, particularly in areas where it has seen some erosion, would probably be an aesthetic improvement.

**Mr. Ryan:** The new stormwater regulations have to be part of the program. The vegetative aspect of that is important. Unlike the old permits where we, as the design engineers, would file that with the state DEC, it has to go through an authorization process through the Village as well. The DEC has done a good thing in making a number of parties responsible and involved. And it is a big issue. It is a big issue in every community we are working in to deal with stormwater. The new regulations do it in a comprehensive fashion, which includes the vegetation and advanced techniques in stormwater management.

**Trustee Walker:** I know neither we, nor the Planning Board, have jurisdiction over site plan approval here. But I wanted to point out a couple of things. Our Comprehensive Plan Committee has been looking at large land tracts, and is going to make some recommendations about rezoning and preservation of open space and creating buffers. It is in progress right now. We perhaps could even get you a draft. One of the recommendations is to create a setback from South Broadway and look at it as a scenic corridor or even designate it as a scenic corridor. It is one of the most beautiful stretches of roadway in the entire Village. It feels almost like it is still farmland, particularly the Andrus Home across the street. That brings me to a question about this building, and understanding the need for the retention area and so on. Is there a way this could be set back, could be buffered, the parking removed so that there could be a sense of greenness and openness along South Broadway?

**Mr. Ryan:** All I could tell you is that we are in a preliminary stage here. Again, this is under your current ordinance. We are not required to comply with the requirements. If you look closely at our plans, we actually show your setbacks on that in an effort to try. Criteria

were established. Obviously, when this portion of the school was built there was no attention paid to that. So we are looking at that as well. The aesthetics along this area is something that Gans Studios and the landscape architects who are here have been looking at very closely in the green aspects. We are going to try to do something here that may meet your objections. We would love to see your draft documents. They would certainly help us, and we have no objection to taking those into consideration and talking with you further about it.

**Trustee Walker:** When I was the planner here we were looking at possible new trailways throughout the Village, particularly on these large land tracts. We were hoping to have a trail that goes along the little stream that would connect the Aqueduct all the way up to Broadway. It is something to keep in mind as you are thinking about the master plan, if there is some way to include a public trail.

**Mr. Ryan:** That is fine. We will. Thank you.

**Mayor Swiderski:** I would second the screening issue with Broadway and Bruce's interest and excitement in your stormwater management. We are working on a green building code. While it is not something we can enforce against your future structures, we would certainly embrace and encourage as green construction as possible.

**Mr. Ryan:** Ultimately we hope we can impress you with the amount of green we are including in this because programmatically it is important. Again, Gans Studio is heavily involved. That is a critical aspect of the overall design. Hopefully it is something we will all be proud of.

**Mayor Swiderski:** We are four to six months away from having something, but we will be moving some sort of green building code. It would be great if aspects could be incorporated into your design, if you are not already planning to do that as it is. Finally, I wanted to add that personally I have always been proud that Hastings hosts Graham as an institution and that, historically, our hearts have been big enough that you are here. I want to be on record in saying that Hastings is proud to be home to your institution and the children there.

**Mr. Ryan:** We will convey that to all the people at Graham who work very hard. Thank you.

### **APPROVAL OF MINUTES**

**Trustee Walker:** Page 45, I wanted to make sure that we got these locations correctly identified. The case studies were Monhegan Island, Ridgefield, and Princeton. On the last paragraph, either I said it incorrectly or it was interpreted incorrectly. I meant to say, When



you are in the National Forest areas there are deer all over. There are no deer when you go into the national park. In other words, there is a national park next to a national forest. Hunting is allowed in the national forest, but not in the national park. And the deer seem to know that. That is what I wanted to say.

On MOTION of Trustee Quinlan, SECONDED by Trustee Walker with a voice vote of all in favor, the Minutes of the Regular Meeting of August 4, 2009 were approved as amended.

On MOTION of Trustee Quinlan, SECONDED by Trustee Walker with a voice vote of all in favor, the Minutes of the Regular Meeting of August 18, 2009 were approved as presented.

### **APPROVAL OF WARRANTS**

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

Multi-Fund No. 14-2009-10 \$147,317.96  
Multi-Fund No. 16-2009-10 \$ 2,622.00  
Multi-Fund No. 17-2009-10 \$ 3,292.44

### **52:09 SCHEDULE PUBLIC HEARING – WATERFRONT DEMOLITION**

**Village Manager Frobel:** Several days ago we were approached by company officials. They discussed with us their plans for demolition of some of the buildings remaining on their property. The Board of Trustees needs to authorize the Building Inspector for issuance of the demolition permit after holding a public hearing. In your packet you received a copy of the site map showing the buildings to be considered for demolition.

**Joseph P. Sontchi, Atlantic Richfield:** We are proposing to demolish the buildings on the southern portion of the property. It is a two-phase operation. The first phase will be to take the lead paint and asbestos out of the buildings, and then to demolish those buildings. We are planning on this operation to last between October 1st and December 15. We are currently negotiating with four national demolition firms. We have instructed them that we want them to use local labor. We have a third-party engineering firm that will be doing air monitoring throughout the process.

**Trustee Jennings:** This is reminiscent for me because a few years ago we were having the same conversation prior to taking down other buildings. Could you comment on removal of the material and the number of trucks, the impact on the Village of that?

**Mr. Sontchi:** We have estimated about 15 trucks per day, but that will be dependent on the brick. We are going to reuse as much brick as we can, keep it on-site for fill material and subsequent uses, so the only thing that would drive brick off-site was if it has some contamination. The steel material has to go off-site. We have challenged folks to come up with creative ways on doing that, whether it be truck or possibly barge. A barge might be more effective for the steel. We will have to see what the bidders come back with.

**Trustee Jennings:** I think it goes without saying that we would prefer that you do it such a way as to minimize the truck traffic.

**Mr. Sontchi:** That is our goal, as well, for a number of reasons.

**Village Manager Frobel:** Have you secured your permit from the Department of Labor for the asbestos removal?

**Mr. Sontchi:** We are working on that as we speak. There is a 10-day notification period.

**Trustee Quinlan:** With the truck traffic and the demolition, we have to be particularly sensitive around the commuting hours since you will be working near the railroad station. A lot of people need to get to the railroad station in a safe, efficient, and quick manner. I know you are aware of that, but I wanted to remind you.

**Trustee Walker:** Is the air quality going to be tested during the demolition?

**Mr. Sontchi:** Yes, it will be tested throughout the demolition.

**Trustee Walker:** What do you do if you find there are too many particulates, or whatever happens to be there, when the air quality testing comes out showing there are some hazards?

**Mr. Sontchi:** Typically dust will be the major driver. They will water down the buildings as they demolish them to make sure they do not exceed any dust thresholds.

**Trustee Walker:** What does the dashed line around the perimeter beyond the green building area, the area designated for demolition, designate?

**Mr. Sontchi:** It looks like the property line. It is hard to see from here.

**Trustee Walker:** So that line out further, the solid line, is beyond it. I thought the property line extended out into the river further.

**Mr. Sontchi:** That is a good question. From this drawing, I am not sure what that represents.

**Trustee Walker:** What do these vertical lines signify?

**Mr. Sontchi:** I believe that is a sewer. I have to admit, we took a drawing we had and put the buildings on and colored it for the purposes of this discussion.

**Trustee Walker:** You have piqued my curiosity. Now I want to know what these things are. Sewer and Con Ed lines. The air quality issue is also obviously critical with commuters standing on the platform.

**Mayor Swiderski:** Downwind.

**Trustee Walker:** Downwind, yes. So it is not just during commuting times, although there are more people out there at that point. But all day long there are people on that platform, so I can see the importance of keeping the dust down.

**Mr. Sontchi:** It is important to us, as well, and that is why we are hiring a third party engineering firm to do it, not relying on the contractors.

**Trustee Walker:** I spoke as a devil's advocate the last time we were talking about this, about the possible retention of some of these buildings. I value Buildings 51 and 52 to a great degree, and the water tower, in terms of historic buildings. I have given it a great deal of thought, and I think with that amount, particularly Building 52, we have enough to deal with in terms of potential adaptive reuse of existing buildings. So I am now a proponent of demolishing these buildings, and it will open up our views, as well.

**Mayor Swiderski:** I have an email from Phil Karmel, who headed up the LWRP. He is a lawyer with a legal firm that deals with environmental issues. He had one suggestion on the process, and I am going to read it verbatim: "Non-road diesel engines with a power rating of 50 horsepower or greater and construction trucks should utilize ultra-low sulphur diesel fuel and diesel particulate filters or equivalent effective control technology." That was his suggestion for a clause in any contract with a demolition firm to ensure that not only the air quality of what is being blown off the site is controlled, but that trucks moving through the Village will spew less than they otherwise might. I wanted that in the record.

Building 51 seems to share a wall with a building you are going to demolish. How can you bring that down without bringing down what already looks like a precarious structure?

**Mr. Sontchi:** There is a lot of concern with Building 51. The roof is already collapsing. We have got it roped off and do not allow people in that building. There are some serious issues with that building. With respect to 51A, it is just a roof that connects Building 72 and this building. It is not an actual building. It is a metal roof affixed along the length.

**Trustee Quinlan:** So it is more like a shed.

**Mr. Sontchi:** Exactly. My understanding is that at one point in time this was actually the road that went through the site, and then they covered it.

**Trustee Walker:** It was a completely freestanding building before, Building 72. About retention of the brick, I think that is important, as well. We have talked over the years about how the brick could be reused on the site, not just for fill but potentially for new buildings or walkways or art projects or sculpture. There are some wonderfully creative examples of reuse of those kinds of materials on other former industrial sites. So whatever we can reuse would be good.

**Trustee Jennings:** The previous demolitions in years past tended to be the brick and stone buildings. How does one dismantle a metal building? You did not use explosives before, and I assume you are not planning to use explosives this time either. What I am trying to get at is the decibel level, and how long. How much noise, and how long will it last? I can imagine if you have to cut through that stuff, it is going to be very loud.

**Mr. Sontchi:** We will not use explosives. I will put that one to rest. We are trying to find the best firms we possibly can to get this work done. We have asked each one to give us a plan. Rather than us telling them how they are going to do it, we ask them to tell us how they want to do it and then we will evaluate those plans. All those things, noise and truck traffic, will be things we consider when we evaluate those plans, to try to minimize it.

**Trustee Jennings:** We are sensitive because we just went through about three years' worth of pile drivers non-stop, building a building on Main Street. So we are enjoying our peace and quiet.

**Mr. Sontchi:** I try to be mindful of where it is located: next to a train station, next to homes. To the extent that we can minimize the impact on the public, that is something we will certainly try to do.

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

**RESOLVED**, that the Mayor and Board of Trustees schedule a Public Hearing for Tuesday, September 22, 2009 at 7:30 p.m. to consider the application of the Atlantic Richfield Company for a demolition permit for the southernmost portion of the former Anaconda Wire & Cable Co, specifically Buildings 17, 22, 22A, 22B, 22C, 51A, 57, 72, and 72A, and remnants of 15.

<b>ROLL CALL VOTE</b>	<b>AYE</b>	<b>NAY</b>
Trustee Bruce Jennings	X	
Trustee Jeremiah Quinlan	X	
Trustee Meg Walker	X	
Mayor Peter Swiderski	X	

**Mayor Swiderski:** I am going to give some kudos to both BP/ARCO and Jerry on pushing this process forward. This, in part, came out of discussions where we clearly have an eagerness for forward momentum. Jerry pushed hard on this, and when the budget line came available for you we appreciate the fact that you offered it, and grabbed that budget line for this purpose. We appreciate your working with us, understanding our desire to see results, and Jerry for seizing this idea and pushing it forward.

**Trustee Walker:** I think this may be of great interest to the public and would like to see the Public Hearing noticed as broadly as possible. For example, when we had the road re-striping we got a lot of comments from people how they did not know about it.

**Mayor Swiderski:** It is always that way.

**Trustee Walker:** I know, but it is belt-suspenders. You have to look at every possible way of letting people know.

**Trustee Quinlan:** We could put it on the radio, we could put it on the TV.

**Trustee Walker:** We could put it up at Five Corners: public hearing on September 22nd.

**Mayor Swiderski:** In the calendar in the *Rivertowns* in that column on the left there in *The Enterprise*?

**Trustee Walker:** You can only do what you can do. But I mention it because we do not have a lot of notice.

**Trustee Quinlan:** So we are going to do that on every public hearing from now on, then?

**Trustee Walker:** Why not?

**Mayor Swiderski:** That is not a bad idea.

**Trustee Quinlan:** I do not want anybody to feel like they are singled out for a special public hearing notice.

**49:09 GRANT AUTHORIZATION – NEW YORK STATE OFFICE OF PARKS,  
RECREATION, AND HISTORIC PRESERVATION FOR PARKS ADA  
REHABILITATION**

**Village Manager Frobel:** We spent time at our last meeting going over the scope of activities that we envision including in this application. We took your comments and generated some additional cost estimates, and fine tuned our program. We are keeping our emphasis on addressing some of the ADA requirements we feel we can improve upon, and also address the Riverview Park. A conversation was held at our last meeting about some modification to that already de facto dog park. With some minor improvements we can make that an attractive facility for the pets and owners to avail themselves of. We put together a pretty good program. It is limited in scope. We could have applied for more, but I did not want to see us get into the difficulty that I inherited whereby we had a series of grants that, for some reason, the staff could never catch up and get the specifications done and get our act together to get them moving in a timely manner. We also have increased our dependence upon some in-house services. Some of our match will be in the form of some design services from Deven Sharma, and the use of our Public Works and Parks and Recreation personnel for some of the site work. So I think we have put together a pretty competitive grant. It addresses a host of concerns that our ADA coordinator has identified as needing some attention. I am hopeful and optimistic that we will be funded.

**Trustee Walker:** What is the easement preservation covenant to the deed of the assisted property, conservation easement?

**Village Manager Frobel:** It does not apply. This is a boilerplate, verbatim resolution that accommodates the application from the department of parks. And that is why it spells out my name as the one making the application, which is normally just by position. I do not

believe it applies to us. We are not creating or acquiring any property; we are working on existing properties.

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

**RESOLVED:** that the Mayor and Board of Trustees authorize and direct Francis A. Frobel, Village Manager, to file an application for funds from the New York State Office of Parks, Recreation, and Historic Preservation in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993, in an amount not to exceed \$60,610, and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to the Village of Hastings-on-Hudson for Park ADA Rehabilitation and, if appropriate, a conservation easement/preservation covenant to the deed of the assisted property.

<b>ROLL CALL VOTE</b>	<b>AYE</b>	<b>NAY</b>
Trustee Bruce Jennings	X	
Trustee Jeremiah Quinlan	X	
Trustee Meg Walker	X	
Mayor Peter Swiderski	X	

**50:09 GRANT AUTHORIZATION – NEW YORK STATE DEPARTMENT OF STATE FOR QUARRY PARK DESIGN AND DOWNTOWN SIGNS AND TABLES**

**Village Manager Frobel:** This one took a little more effort. It is a little more complicated in its format and content. Again, you heard at your last meeting the desire of the Quarry Park Study Committee to keep this project moving forward. I think this application does it. If funded fully, we will have completed our environmental testing; we would have begun our cliff study work; and we would have secured enough money to fashion some kind of a design project for the site. I think it is pretty creative. It addresses sequentially the action items that we need to get this project moving forward. It leaves us enough latitude where we have sufficient money to accomplish what we are looking to do and to move it to the next level. The second part of the grant is taking advantage of the downtown initiatives that have long been on our list of to-do items. The directional signage's origin was several years ago, with our Chamber of Commerce. It has been polished and fine tuned, with the creative approach of acquiring some tables and chairs to make our downtown more of a pleasing area for

shoppers to pause and spend time there. Again, we have put together a program that I think is attainable, and accomplishable in a tight timeline. I do not want to get into the trouble where we are slow spending down the money, which closes off the opportunities for us to make other applications. As we spent a lot of time at our last meeting talking about our required match, this is predicated upon the fact that you would be inclined to go to the Hudson River Trust for some portion of it. That, in combination with the grant we have received already from the DOS and Scenic Hudson, would require a match, and that would be the source we would turn to if we are funded. The first hurdle is to get the grant. From there, we will find out where the match comes from. But you needed to know going into it that if you receive this grant that would be the source we would ask your permission to access it.

**Trustee Walker:** I am comfortable with the amounts and what the money is spent on, but why lump the downtown stuff together with the Quarry stuff. Why not two separate grants?

**Village Manager Frobel:** It is actually two separate grants.

**Trustee Walker:** One resolution for two separate grant applications. Okay.

**Mayor Swiderski:** The downtown signs I understood. The tables and chairs I guess is new to me. I am curious. Where would they go, how would they not be stolen, what is the idea?

**Trustee Walker:** The idea is to use the tables and chairs for our First Friday program. We have to work out the details, but the idea is to create this sense of place in two or three places in the Village. We want to enhance the public spaces we have. And we would hope to, at a later date, put some more vegetation in, landscaping, flowerbeds, that sort of thing to enhance the aesthetics. I am particularly thinking of VFW Park and the area next to the Community Center; and, potentially, some others. We are talking small areas: the area in front of the former Scoops. The library already has tables and chairs outside. We might even consider putting some in front of the Village Hall. If we can figure out a way to have them monitored by neighbors or by police or whatever, we might be able to have them out longer, but the idea is at least for First Friday and the series of events we want to have.

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

**RESOLVED:** that the Mayor and Board of Trustees approve the application of the Village of Hastings-on-Hudson to the New York State Department of State for the 2009 Environmental Protection Grant Program for Quarry Park Design in the amount of \$99,500 with a fifty percent (50%) match, and Downtown Signs



and Tables in the amount of \$11,560 with a fifty percent (50%) match, and upon approval of said request, authorize the Village Manager to enter into and execute a project agreement with the Department of State for such financial assistance on behalf of the Village of Hastings-on-Hudson.

<b>ROLL CALL VOTE</b>	<b>AYE</b>	<b>NAY</b>
Trustee Bruce Jennings	X	
Trustee Jeremiah Quinlan	X	
Trustee Meg Walker	X	
Mayor Peter Swiderski	X	

**51:09 GRANT AUTHORIZATION – NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY FOR MUNICIPAL ENERGY CONSERVATION STUDY**

**Village Manager Frobel:** This is a very exciting initiative. This is a program that we first became aware of a number of weeks ago under NYSERDA. They are inviting municipalities to make the application to conduct an energy conservation study. There is \$5 million available on a first-come, first-served basis. What is required is that a community select a consultant to conduct the study. We submit our choice to NYSERDA. They evaluate the capability of the firm to do the work, write back to the community telling them that you have received a grant where you can begin that type of energy conservation study. Once that study is completed, the findings, we intend to submit to NYSERDA to make the application for a grant. They have upwards of \$24 million available, again for municipalities that have participated in a program like this. We are looking at several changes in the way we do business. Leading that list is converting some of our street lights to something that is more energy efficient. We would also like to look at some geothermal opportunities, perhaps some solar, converting some of our vehicle fleet to something more energy efficient than the diesel and unleaded.

Deven and Kevin Hay both have taken the lead in assisting me in this. Deven is here tonight, as is James Ryan. You heard from Mr. Ryan early on this evening. He is with John Meyer. We interviewed two firms we felt were qualified to do this work. Both Dobbs Ferry and Greenburgh selected Blue Springs Energy to do the work for them. We felt that John Meyer is very capable, and we are recommending they be allowed to make this application for the Village. The expense is covered through this grant program. So it is a very low risk on our part. It can yield some substantial benefits in terms of saving energy and saving the expense that we pay for energy.

We are somewhat concerned that the \$5 million will go quickly. As noted, it is a grant up to \$30,000, or a certain percentage of your energy costs. We feel we can get this work done for that money, and are looking forward to seeing the results and making the application. Because, truly, that is where the real savings is going to result. Not only identifying where it can come about, but installing some of these newer energy efficient devices would be a big savings to the community.

**Trustee Walker:** You mentioned these other potential energy savings. Will John Meyer Consulting also be looking at those for the \$30,000, or is that something you meant would happen later? Like the geothermal and solar, can that be included in this \$30,000

**Building Inspector Sharma:** NYSERDA is asking us to find a consultant to look at some of the scenarios where we can save some energy. Make a case for it, and they will pay for the study. The maximum limit is that we can only pay up to \$30,000 or 25% of the area that we are spending money. For example, we are spending about a quarter of a million dollars a year on electrical costs, nearly \$100,000 a year on just our street lights. Twenty-five percent of that is almost \$25,000. They get paid only if the grant is made. We have worked together for the last two or three weeks. There is some urgency. We want to get in line because it is on a first-come, first-served basis. We are trying to get this application in now for the scope of what we are going to do within this week if this resolution is resolved today.

**Trustee Walker:** So you are still working on the scope.

**Building Inspector Sharma:** We had the scope. For example, solar energy and geothermal to possibly heat and cool these two contiguous buildings.

**Mr. Ryan:** We are doing an analysis of the Village's existing street lights infrastructure to suggest retrofit alternatives and their associated energy cost savings. We have already gone well into that. A lot of information was available through the Village. That scope is pretty well along. With regard to your buildings, we are looking at an analysis of approximately 10 of the municipal buildings to suggest improvements to the buildings' mechanical/electrical systems, and implementation of renewable energy sources to serve these facilities. With regard to municipal vehicles, we are doing an investigation of the Village's fleet of vehicles to determine the feasibility of incorporating alternative fuel vehicles or anti-idling equipment into the fleet to reduce greenhouse gas emissions and associated related fuel costs. Lastly, we are investigating the potential benefit of hiring a certified energy manager, a code enforcer, to implement and enforce energy-saving savings. We are familiar with the format that NYSERDA is looking for. We are looking to put that program together very quickly, get it to NYSERDA and get authorization. The hard work is actually implementing some of these suggestions.

**Trustee Walker:** Have you done this for other municipalities?

**Mr. Ryan:** We have done it not with the municipalities, but with a number of private developers. PepsiCo is looking at a rather dramatic change to their facility and we have done a very similar program for them. That is how we started on the discussions with Deven on what we could do here. But we are very familiar with the NYSERDA program, and it is pretty straightforward at this point.

**Trustee Jennings:** This seems to me to be a wonderful opportunity for us. It is absolutely dead on in terms of our sustainability planning, and it dovetails and corresponds exactly with where the Comprehensive Plan seems to be going. So yes.

**Trustee Walker:** I just wondered if the Conservation Commission has weighed in or is providing a letter of support, or is involved in any way.

**Village Manager Frobel:** I attended the last meeting and we went over a lot of information. They are, of course, supportive of this effort. At this point there is no need for a letter of support, because John Meyer will now notify NYSERDA that they are they are the selection.

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

**RESOLVED:** that the Mayor and Board of Trustees authorize the Village Manager to enter into an agreement with John Meyer Consulting, PC, Armonk, New York, to submit an application to the New York State Energy and Development Authority (NYSERDA) for an amount not to exceed \$30,000 to secure funding for the Municipal Energy Conservation Study (Study); and if such application is successful, to conduct the Study; and to prepare additional grant applications under the State Energy Program (SEP) and the Energy Efficiency Conservation Environmental Block Grant (EECEGGC) to implement the recommendations from the Study, such grants intended to allow the Village to make continued progress in increasing energy efficiency, reducing energy costs, and reducing greenhouse gas emissions, and be it further

**RESOLVED:** that the compensation for work performed by John Meyer Consulting, PC, will come from grant funds received from NYSERDA and at no expense to the Village.

<b>ROLL CALL VOTE</b>	<b>AYE</b>	<b>NAY</b>
Trustee Bruce Jennings	X	
Trustee Jeremiah Quinlan	X	
Trustee Meg Walker	X	
Mayor Peter Swiderski	X	

### **VILLAGE MANAGER'S REPORT**

**Village Manager Frobel:** The road resurfacing program is under way. The contractor will be milling streets today and tomorrow. We hope to begin paving as early as Thursday or Friday. Obviously, it all depends on weather and equipment. That is part of the reason for the delay. They had a problem with the milling machine when they came into the Village. We have gotten very good reports from our neighbor, Ardsley. They have been very pleased with the work the company did on their roads so we are optimistic that we could be done as early as mid to late next week.

You will see soon two LED street lights in the Village. We, as part of this effort with Meyer, and on our own effort, have met with vendors who sell street lights. We were able to convince one, who is a major distributor in the Northeast, to loan us two of the decorative lights. We are going to install them in front of Village hall so people begin to see the difference in the light quality and to get more enthused about what that can mean from an aesthetic point of view. We appreciate the savings that can result, but I felt it was important to have the community see what these lights can mean in terms of illumination and whether they would support that.

You heard this evening the report from the Graham School. Deven has taken the lead in working closely with that company to bring about some of the on-site drainage efforts, as well as Mike Gunther. Mike has been spending a lot of time with the company, offering a lot of practical, in-the-field experience based on experience the Village has had from previous storms from that property. It really has been a team effort. I did want to mention for the record that Mike Gunther has played a role in that as well.

**Trustee Walker:** A question about the LEDs. This is a lamp that is going to go into our existing fixture?

**Village Manager Frobel:** It will go on the pole. The entire head comes off. What you are going to see is an entirely new head which is almost identical to what you see already. But they do have, and they brought that for our edification as well, a retrofit where you can take it apart and put this new fixture in there.

**Trustee Walker:** And reuse your existing Luminaires.

**Village Manager Frobel:** Yes. The problem has been, because of the type of lights we have, they have yellowed dramatically. They have lost a lot. Despite our lighting expert Jim Shugrue's efforts, he has not been able to clean those. It is attributable to the heat buildup that those lights generate in the hard plastic.

**Trustee Walker:** I say this because the fixtures are so attractive.

**Village Manager Frobel:** What you will see out front will be almost identical. The difference is very subtle. But you do have the capability of getting just a replacement for the unit inside which, of course, is cheaper. But, again, you have got the problem with the faded plastic. We would have to replace that, as well. But if we are successful in getting the grant I would be here telling you we have replaced all the cobra-headed lights throughout the community and all the decorative lights with something that is much more energy efficient and, I think, brighter and more attractive. The vendor also brought a replacement retrofit for the cobra head. You can take the inside out and put a new one in, or replace the entire head with a new unit. So some pretty exciting stuff, and we are hopeful we will see some savings.

## **BOARD DISCUSSION AND COMMENTS (continued)**

### **2. Change of Meeting Time for Village Board Meetings**

**Trustee Quinlan:** I asked that this Board have a discussion on changing the starting time for Village Board meetings from 8:00 p.m. to 7:30 p.m. The reason is that the public's business should not be done this late at night. It is now approximately 11:15. It is one thing for us to be sitting here and working. But the public are probably either in bed or getting ready for bed at this time. It is not being transparent and being open. Also, if we have an executive session coming up, we could start that earlier, at 6:30 p.m. or 7:00 p.m. depending on how long we feel the discussion is going to take. Then, at 7:30 sharp, whether we are finished with the executive session or not, we come out and have our meeting.

**Mayor Swiderski:** That is the model in Dobbs Ferry, at least.

**Village Attorney Stecich:** Irvington starts at 7 with a work session from 7 to 7:30.

**Trustee Jennings:** Greenburgh starts their work session at about 4, and their meeting starts at about 7:30.

**Mayor Swiderski:** Susan, is there any reason why we could not move it? So it is history and tradition, and neither one of those are compelling to me.

**Trustee Jennings:** I have no objection. We need to be mindful of the people who commute home and may have a little trouble at 7:30. But the difference between 7:30 and 8 would be marginal for most people. I would favor the idea of having executive sessions before the meeting rather than after the meeting.

**Mayor Swiderski:** When you know about the executive session before. They have to be announced at a meeting, right?

**Village Attorney Stecich:** You have to vote to go into executive session. If you need to meet with counsel you could do that without voting on it at a previous meeting.

**Trustee Walker:** I am definitely in favor of it. I would even go so far as to say 7. Ten years ago I could have stayed up until midnight easily, but these days it is getting harder.

**Trustee Quinlan:** I have no problem with 7. I mentioned 7:30 because I thought we could take it incrementally and see how we are doing at 7:30. Then after six months or so, we can think about it again if it seems to be working.

**Mayor Swiderski:** Well, 7:30 it is.

**Trustee Jennings:** Another part of Jerry's rationale makes sense, the length of our meetings. It may not just be a function of starting time but that we have a lot of items on our agendas. I would not be averse to having more meetings, throwing a few extras in, if necessary, in order to make the meetings shorter. Peter, you do a good job of running these meetings as efficiently as you can. But things have to be talked through, and you should not cut people off. The only way to make for shorter meetings is to have fewer items on the agenda, and that means we have to maybe meet more frequently.

**Mayor Swiderski:** That is a dreadful prospect, but you are probably right.

**Trustee Quinlan:** I would not mind doing it. We would like to have fewer things on the agenda, but people have things they want to get done and we do not have any choice. If the staff will tell us we have a lot of stuff going on we could throw in an extra meeting.

**Mayor Swiderski:** At the next meeting we need to schedule a work session for deer options. And there was a request from Kathleen Sullivan for a joint mass meeting in September

[Discussion of dates]

**Mayor Swiderski:** We will convey to Kathleen that the 29<sup>th</sup> is preferred, and the 24<sup>th</sup> is less well preferred because it is iffy for Meg and Bruce.

### **3. Update on the Waterfront**

**Trustee Quinlan:** We have already had a significant discussion on the waterfront tonight, so I would like to pass that.

### **4. Update on the Comprehensive Plan**

**Trustee Quinlan:** Peter, you have given the report that we are trying to get together with all the other boards to talk about the draft.

**Mayor Swiderski:** Specifically the waterfront issues.

**Trustee Walker:** Fran, I was wondering if it is okay with the Board if you could send a draft of the document to the Graham folks, to Mr. Ryan and Ms. Gans.

**Mayor Swiderski:** There is no document. It is just fragments right now.

**Trustee Walker:** It might be helpful at this point if they understand what our thinking is.

## **ADJOURNMENT**

**Mayor Swiderski:** Move to adjourn in memory of the victims of September 11<sup>th</sup>, which we memorialize on Friday, and stand for a moment of silence.

On MOTION of Trustee Jennings, SECONDED by Trustee Walker with a voice vote of all in favor, Mayor Swiderski adjourned the Regular Meeting at 11:25 p.m. in memory of the victims of 9/11.