

VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
PUBLIC HEARING NO. 2
FEBRUARY 2, 2010

A Public Hearing was held by the Board of Trustees on Tuesday, February 2, 2010 at 9:10 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

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

CITIZENS: Two (2).

Mayor Swiderski declared the Board in session for the purpose of conducting a Public Hearing in accordance with the legal notice that appeared in the January 29, 2010 issue of *The Rivertowns Enterprise* to consider the advisability of adopting Proposed Local Law No. 1 of 2010 amending the Code of the Village of Hastings-n-Hudson, Westchester County, New York, Deleting Chapter 162, Handbills and Posters, from the Code of the Village of Hastings-on-Hudson, as follows:

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

Section 1: Chapter 162 (Handbills and Posters) is hereby deleted from the Code.

Section 2: All Ordinances, Local Laws, and parts thereof inconsistent with this Local Law are hereby repealed.

Section 3: This Local Law shall take effect immediately upon filing in the Office of the New York Secretary of State.

Mayor Swiderski: Is there anyone here who wishes to speak to this particular issue? The issue at hand is a law dating back to 1913, which prohibits the posting of handbills on telephone poles. It seemed archaic. We discovered this when we were talking about First Amendment issues a few weeks ago and realized, in an ongoing effort to purge archaic and no longer important or relevant bits of law, we would add this.

Dave Skolnik, 47 Hillside Avenue, : Is there any concern or reason to exercise some control over posting that can, with the absence of this law, possibly get out of hand?

Mayor Swiderski: The law has not been enforced.

Village Attorney Stecich: It has not been enforced. It does not say it is banned altogether. It says you can have it with a permit issued by the Mayor. We have never had anything like that. It is just not a law that makes sense to have on the books.

Elisa Zazzara, 69 Southside Avenue: Trees? This typically talks about telephone poles. I know four staples might not hurt a tree, but if everyone starts hanging their handbills on trees I do not know if there is room for that. To prohibit, or to say, that maybe we should not be putting them on trees. On occasion, people do, but it may not be the place for this.

Mayor Swiderski: It has never come up. This particular law does not prohibit that. This rather empowers yours truly to issue permits, and yours truly is not interested in that permit-issuing power.

Jim Metzger, 427 Warburton Avenue: The only people I have seen posting notices on trees are our police department when they are posting Do Not Park notices because they are trying to cover as much of the block as possible so people do not accidentally get caught up if they do not see the telephone poles. But I believe that damage can be caused to trees by puncturing the bark. Diseases can get in if the staples start to rust. I would like to see, if at all possible, some way to prevent people from doing that. It has not been much of an issue, like I said, except for the police department. And probably a quick word to them would solve that problem.

Mayor Swiderski: We prefer quick words to legislation, and I have no problem with that.

CLOSE OF PUBLIC HEARING

On MOTION of Trustee Quinlan, SECONDED by Trustee Armacost with a voice vote of all in favor, Mayor Swiderski closed the Public Hearing at 9:15 p.m.